

AGENDA

WORCESTER COUNTY COMMISSIONERS

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

August 7, 2018

- | | <u>Item #</u> |
|--|---------------|
| 9:00 AM - Meet in Commissioners' Conference Room - Room 1103 Government Center, One West Market Street, Snow Hill, Maryland - Vote to Meet In Closed Session | |
| 9:01 - Closed Session: Discussion regarding hiring an Office Assistant IV for County Administration, promotion of two Sergeants at the Jail, promotion of a DRP Specialist II in Development Review and Permitting; discussing a personnel disciplinary matter; receiving legal advice from Counsel; and performing administrative functions | |
| 10:00 - Call to Order, Prayer (Arlene Page), Pledge of Allegiance | |
| 10:01 - Report on Closed Session; Review and Approval of Minutes | |
| 10:10 - Chief Administrative Officer: Administrative Matters | 1-18 |
| (Tax Credits for Ocean City Chamber of Commerce Properties and Berlin Community Improvement Association Property; Cost-Share with State for Gypsy Moth Surveys; Maryland Community Resilience Grant Agreement - Selsey Road Protection and Marsh Restoration Project; Ilia Fehrer Nature Preserve Wetland Restoration Project; MOU with Maryland Department of Public Safety for Collection of Restitution at County Jail; Appointments to Commission on Aging Board of Directors and Social Services Advisory Board; Approval of Telephone Fiber Upgrade Project; Engineering Consultant Proposal for Completion of P25 Radio System Project; Proposed Recreation Fees and New On-line Program Registration System; Recreation and Parks Department Project Requests and Updates; Recreation and Parks Department Sports Marketing and Special Events Update and Approvals; International Economic Development Council Sustainability Advisory Committee and Annual Conference Attendance; Award of Bid for Forklift for Water and Wastewater Division; Possible Methane Gas Project at the Central Landfill; Berlin Branch Library Electric Utility Easement; Scheduling a Public Hearing on Rezoning Case No. 419 - northwest side of Market Street west of US 113 near Snow Hill - A-1 to C-2; and potentially other administrative matters) | |
| 10:20 - | |
| 10:30 - Public Hearing - Comprehensive (Sectional) Reclassification of the E-1 Estate Zoned Properties Along MD Route 611 (Stephen Decatur Highway) and South Point Road South of MD Route 376 (Assateague Road) to South Point | 19 |
| 10:40 - | |
| 10:50 - | |
| 11:00 - B. Gordy, L. Taylor - Board of Education: Bids for Showell Elementary Replacement School | 20 |
| 11:10 - | |
| 11:20 - | |
| 11:30 - Chief Administrative Officer: Administrative Matters (Continued) | 1-18 |
| 11:40 - | |
| 11:50 - | |
| 12:00 - Questions from the Press | |
| Lunch | |
| 2:00 pm - Attend Dedication Ceremony for the New Berlin Branch of the Worcester County Library Located at 13 Harrison Avenue, Berlin, MD 21811 (just off Main Street in Berlin) | 21 |

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

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

Please be thoughtful and considerate of others.

Turn off your cell phones & pagers during the meeting!

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Minutes of the County Commissioners of Worcester County, Maryland

July 17, 2018

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

Following a motion by Commissioner Bertino, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; Stacey Norton, Human Resources Director; and Donna Bounds, County Jail Warden. Topics discussed and actions taken included: hiring Christina Tingle as an Accounting Clerk II, promoting Kyndall McCleary from part-time Document Imager II to part-time Document Imager III, and posting to fill the newly vacant Document Imager II position within the Treasurer's Office; transferring Lou Esposito from a Deputy Sheriff for the Sheriff's Office to a Bailiff for Circuit Court; posting to fill vacancies for an Emergency Management Planner in Emergency Services and a Landfill Operator II for the Solid Waste Division of Public Works; hiring Timothy Coale as a Communications Manager for Emergency Services; acknowledging the promotion of Sarah Knaggs from part-time to full-time Library Services Assistant I at the Berlin Branch Library and Harry Burkett from Assistant Branch Manager to Branch Manager within the Ocean Pines Branch; discussing and acting on a personnel disciplinary matter; receiving legal advice from counsel; and performing administrative functions.

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

The Commissioners reviewed and approved their July 3, 2018 open session meeting minutes as presented. Upon a motion by Commissioner Bertino, the Commissioners voted unanimously to delay approval of their July 3, 2018 closed session minutes pending their review following minor revisions.

The Commissioners and Human Resources Director Stacey Norton presented retirement commendations to the following recently retired employees in recognition of their dedicated service to Worcester County Government: County Jail Corporal Charles L. Bryant (10 years) and

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John R. Shenton (17 years); Department of Public Works Solid Waste Division Roads Worker IV Thomas F. Baker (13 years); Sheriff's Office Circuit Court Deputy William G. Kerns (15 years), Corporal Rodney E. Mattei (19 years), Lieutenant Michael A. Bowen (29 years), and Chief Animal Control Officer Susan P. Rantz (38 years); Emergency Services Communications Clerk II Deborah S. Carman (32 years); Development Review and Permitting Specialist II Rita Campbell (18 years); Ocean Pines Branch Library Manager II Patti Ruark Fentress (19 years); Treasurer's Office Accounting Clerk III Tammy L. Mattei (19 years), and Document Imaging Supervisor Jean D. Miller (28 years); Tourism Office Assistant III Deborah Keitt (29 years); and County Administration Office Assistant III Diane Downing (39 years).

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Bishopville area to Poseidon Plumbing & Home Services of Ocean City, Maryland at a cost of \$9,865.

Pursuant to the request of Ms. Bynum and upon a motion by Commissioner Lockfaw, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Pocomoke area to Poseidon Plumbing & Home Services of Ocean City, Maryland at a cost of \$33,427.80.

Pursuant to the request of Ms. Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for the general rehabilitation and lead risk reduction at an owner-occupied home in the Snow Hill area, which is to be funded through the County's new Community Development Block Grant (CDBG) Housing Rehabilitation Grant, as well as the State Lead Hazard Reduction Grant and Loan Program.

Pursuant to the recommendation of Ms. Bynum and upon a motion by Commissioner Lockfaw, the Commissioners unanimously authorized Commission President Purnell to sign the closeout agreement between the State of Maryland and Worcester County for the County's 2012 Housing Rehabilitation Program CDBG grant, MD-12-CD-22. Ms. Bynum advised that under this grant, 25 homes were rehabilitated between 2012 and 2017 utilizing \$300,000 in CDBG funding and an additional \$283,148 in funding from Shore Up!, Inc. and the State Special Loans Program.

Pursuant to the request of Health Officer Becky Jones and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the FY19 Health Department Unified Funding Document (UFD) through the Maryland Department of Health and Mental Hygiene (DHMH), awarding \$7,802,812 to the Health Department for FY19, which represents a decrease of \$18,824 in grant funding from FY18.

Pursuant to the request of Ms. Jones and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the FY19 Core Public Health Services Funding Agreement between DHMH and Worcester County from July 1,

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2018 through June 30, 2019, which certifies that Worcester County will contribute \$5,547,753 or 73.27% and the State will contribute \$718,456 or 26.7% of the FY19 Worcester County Health Department budget of \$6,266,209, for core public health services in Worcester County.

Pursuant to the request of Ms. Jones and upon a motion by Commissioner Lockfaw, the Commissioners authorized Commission President Purnell to sign the Memorandum of Understanding (MOU) between Peninsula Regional Medical Center (PRMC) and the County Commissioners to assist in coordinating access to preventive care to rural communities and underserved populations in the three Lower Eastern Shore counties, utilizing the PRMC Wagner Wellness Van. Ms. Jones advised that this initiative will fill the vacuum created when the Governor's Wellness Van program ceased operating, and she advised that, as a result of this MOU, the Wagner Wellness Van will generally be stationed at the Worcester County Health Department in Snow Hill on Wednesdays from 9:00 a.m. to 2:00 p.m.

Pursuant to the request of Warden Donna Bounds and Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the FY19 Grant Application for grant funds of \$66,914 to cover the salary for a Program Manager for the new Pretrial Services Program at the County Jail. This position will be responsible for working with the courts to provide an alternative to pretrial incarceration. The goals of this program are to reduce the number of pretrial offenders incarcerated at the Jail and allow offenders awaiting trial to continue employment, obtain drug and/or alcohol treatment, mental health counseling, and maintain a stable home environment.

The Commissioners reviewed a request from Fire Marshal Jeff McMahon for out-of-state travel for Deputy Fire Marshals Chris Vieira and Hunter Mauk to participate in the Weapons of Mass Destruction (WMD) Radiological/Nuclear Course for Hazardous Materials Technicians at the Nevada National Security Site from September 10-14, 2018. Mr. McMahon stated that there is no cost to the County, as the entire training, including course curriculum, meals, travel and lodging are to be covered by the Federal Emergency Management Agency (FEMA) and Homeland Security funding. Following some discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the requested out-of-state travel for Mr. Vieira and Mr. Mauk to attend the conference.

Pursuant to the request of Emergency Services Director Fred Webster and upon a motion by Commissioner Church, the Commissioners unanimously authorized Commission President Purnell to sign the State Homeland Security Grant Sub-Recipient Agreement administered by the Maryland Emergency Management Agency (MEMA) for the Department of Homeland Security awarding \$80,400 to Worcester County Emergency Services to implement programs to prevent terrorism and other catastrophic events to achieve the National Preparedness Goal of a secure and resilient nation.

Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to continue with the remainder of their scheduled items, temporarily tabling Item No. 12, concerning a proposal for an engineering consultant to assist with the migration of the public

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safety radio system, so they may obtain legal advice from counsel before discussing that item.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted the Findings of Fact and Rezoning Resolution No. 18-18, approving a floodplain variance request for an 800-square-foot residential accessory structure with a finished floor below the required base flood elevation located at 12242 Greenridge Lane in Ocean City and identified as Tax Account #277833.

Assistant Chief Administrative Officer Kelly Shannahan presented the Commissioners with a draft update to the County's Financial Management Rules and Procedures, which were last amended on November 19, 2002. Mr. Shannahan advised that significant changes have occurred since that time, including the County's transition to New World, a new accounting software program, and the automation of many previous manual processes, all of which should be reflected in the Financial Management Rules and Procedures. Furthermore, he advised that based on inflation rates during the past 15 years, staff recommends increasing the bidding threshold from \$10,000 to \$25,000 and continuing to require competitive estimates for all purchases that do not meet the minimum bidding threshold. He stated that a 2018 Calvert County study identified that most Maryland counties have established a minimum bidding threshold of at least \$25,000, with only four counties below that threshold. Mr. Shannahan then explained that increasing the threshold will save a minimum of one month for processing and advertising expenses of roughly \$200 associated with each formal bid.

Upon a motion by Commissioner Mitrecic, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to adopt Resolution No. 18-19 Revising and Re-Adopting Financial Management Rules and Procedures for County Departments, which includes increasing the minimum bidding threshold to \$25,000, as recommended by staff. Commissioner Bunting stated that he would have preferred a lower bidding threshold.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bertino, the Commissioners unanimously agreed to appoint Denise Sawyer to the Tourism Advisory Committee for the remainder of a four-year term expiring December 31, 2021, to fill the vacancy created by Teresa Travatello whose term expired December 31, 2017.

Upon a nomination by Commissioner Church, the Commissioners unanimously agreed to appoint Stan Cygam to the Water and Sewer Advisory Council for the Mystic Harbour Service Area for the remainder of a four-year term expiring December 31, 2021, to replace Mary Martinez who resigned.

Upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to submit the names and resumes of Arlene Page of Bishopville and Steven W. Rakow of Berlin to Governor Larry J. Hogan for his consideration and appointment to the Worcester County Property Tax Assessment Appeal Board to replace Robert D. Rose, whose term expired June 1, 2017, and/or Howard G. Jenkins and Gary M. Flater (alternate member), whose terms expired June 1, 2018.

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Following a motion by Commissioner Mitrecic, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 11:12 a.m. in the Commissioners' Conference Room to discuss legal matters permitted under the provisions of Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; and Kim Moses, Public Information Officer. Topics discussed and actions taken included receiving legal advice from counsel; and performing administrative functions.

The Commissioners met with Mr. Webster to review and discuss staff's request to accept the proposal from Federal Engineering (FE), Inc. of Fairfax, Virginia at a time and materials basis at a maximum cost of \$77,265 through the completion of the 800 MHZ P25 Radio System Migration Project to provide engineering consultant services as follows: review of radio system information and vendor contracts and contract negotiation support, radio system performance, interference, infrastructure, and subscriber equipment issues, and other optional services for radio coverage and interference field testing, and subject-matter expert contract litigation support issues, contract negotiations, system implementation, and testing oversight.

Mr. Webster reviewed the history of the public safety radio system migration project with Harris Corporation, which began in fall 2015. He stated that the County accepted beneficial use of the new radio system on February 14, 2018, under a conditional acceptance addendum, as the new system failed a coverage acceptance test. Harris representatives must complete known remaining contractual items associated with the delayed construction and receipt of needed equipment (which has been ordered and should arrive in August 2018) of the final transmitter site, which is located at Mystic Harbour in West Ocean City (WOC); and resolve interference issues. Furthermore, before the County accepts the new system, it must pass a second round of coverage testing during summer months when trees are in full foliage and can cause signal attenuation. He explained that County staff have exhausted all internal efforts to resolve these issues, with Emergency Services Assistant Director James Hamilton having already spent more than 300 hours in the field mapping coverage data. He advised that FE professionals, who have completed multiple projects in the Mid-Atlantic Region and were awarded the Maryland State bid to manage the State radio system project, are uniquely qualified to identify and resolve issues pertaining to the County project.

Commissioner Mitrecic stated that it would be premature to hire a consultant until the radio system project is complete. He expressed great concern that the FE proposal includes a clause, in which they accept no responsibility, nor will they guarantee that they will be able to find a solution to the outstanding problems. Commissioner Mitrecic further stated that Harris Corporation, not the County, should hire a consultant to resolve issues pertaining to failed system coverage. Mr. Webster explained that the consultant will assist the County with items that are the County's responsibility under the contract with Harris.

Commissioner Bunting stated that any issues, which Harris Corporation is contractually obligated to address, should be eliminated from the FE proposal, so the scope of work should be limited to addressing radio interference issues and thus reduce the cost to the County for this service. In response to a question by Commissioner Bunting, Mr. Webster recalled that in early

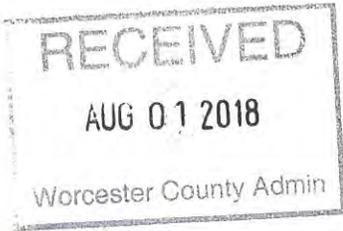
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2018 the Commissioners authorized County staff to order microwave transmitter equipment for the WOC transmitter site from Eastern Communications, a Harris Corporation partner company. This action was based on a cost-saving recommendation from Harris officials. However, Eastern did not process the County's order until June 2018, after the WOC communications tower had been constructed. Thus the microwave equipment is not scheduled to be delivered until mid-August, which could delay final testing of the radio system if not completed before the leaves begin falling from trees in September or October.

Commissioner Elder stated that this equipment should have been ordered sooner by Harris Corporation, noting that the delay in bringing the Mystic Harbour site online has resulted in serious issues that must be resolved expeditiously. In response to a question by Commissioner Church, Mr. Webster stated that staff is working with the Forestry Board to determine the last possible date in 2018 that effective radio system tests could be conducted.

Following much discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to table further consideration of this matter until all equipment is installed and the new radio system is complete.

The Commissioners answered questions from the press, after which they adjourned to meet again on August 7, 2018.



TEL: 410-632-0686
FAX: 410-632-3003



OFFICE OF THE TREASURER

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1105

P.O. Box 248

SNOW HILL, MARYLAND

21863

1

PHILLIP G. THOMPSON, CPA
FINANCE OFFICER

JENNIFER C. SWANTON, CPA
ASSISTANT FINANCE OFFICER

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Phillip G. Thompson, Finance Officer *PGT*
RE: Tax Credit
DATE: August 1, 2018

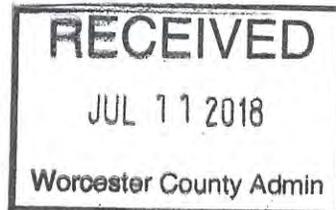
I would like to request the County Commissioners authorize a 100% tax credit of \$12,933.33 for accounts 10-012139, 10-012147, and 10-011108 for the Ocean City Chamber of Commerce pursuant to Section 9-325 of the Tax Property Code. Included with this request is a copy of the letter from the Chamber requesting the credit.

If you have any questions or require any other follow-up, please do not hesitate to contact me.

1



The Greater Ocean City, Maryland Chamber of Commerce Inc.



July 6, 2018

Copy: Phil Thompson ✓
For review and
recommendation

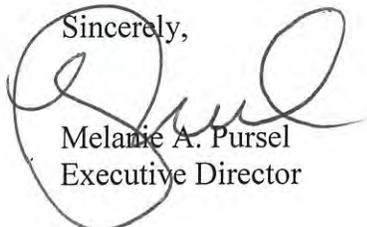
Worcester County Board of County Commissioners
Diana Purnell, President
Room 1103 – Government Center
One West Market Street
Snow Hill, Maryland 21863

Dear President Purnell:

We are in receipt of our property tax bills for 2018-2019, copies of which are enclosed for your convenience. I would like to request that the Board of County Commissioners grant property tax credits for the Greater Ocean City Chamber of Commerce for account numbers 10-012139, 10-011108, and 10-012147 pursuant to Tax-Property Article §9-325(a)(5) and reissue adjusted bills if necessary.

If you have any questions or require any additional information, please feel free to contact me at 410-213-0144. Thank you for your assistance in this matter.

Sincerely,



Melanie A. Pursel
Executive Director

Eunice Q. Sorin Visitor & Conference Center

12320 Ocean Gateway, Ocean City, Maryland 21842 • 410-213-0144 • Fax 410-213-7521
www.oceancity.org • info@oceancity.org

DETACH AND KEEP THIS PORTION

Worcester County
Office of the Treasurer

Principal Residence or Commercial

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	LEVY PERIOD	LIBER/FOLIO	CHARGES	ASSESSMENT	RATE	AMOUNT																		
10012139	2018	07/01/18 - 06/30/19	3471 / 564	State Real Property	1,210,500	.112000	1,355.76																		
				County Real Property	1,210,500	.835000	10,107.68																		
<table border="1"> <tr> <td>MAP</td> <td>GRID</td> <td>PARCEL</td> <td>BILL #</td> <td>BILL DATE</td> <td>IF CHECKED CALL (410) 632-0686 EXT. 3</td> </tr> <tr> <td>0026</td> <td>0006</td> <td>0392</td> <td>27471</td> <td>07/01/18</td> <td></td> </tr> </table>				MAP	GRID	PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3	0026	0006	0392	27471	07/01/18		<table border="1"> <tr> <td>CONSTANT YIELD RATE INFORMATION</td> <td>COUNTY RATE - CONSTANT YIELD - DIFFERENCE</td> <td>PRIOR YEAR TAXES DUE</td> <td>TAX SALE</td> </tr> <tr> <td></td> <td>\$0.835 - \$0.8270 = \$0.008</td> <td></td> <td></td> </tr> </table>		CONSTANT YIELD RATE INFORMATION	COUNTY RATE - CONSTANT YIELD - DIFFERENCE	PRIOR YEAR TAXES DUE	TAX SALE		\$0.835 - \$0.8270 = \$0.008		
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	\$0.835 - \$0.8270 = \$0.008																								

> County Credit

TOTAL TAXES 11,463.44

PROPERTY DESCRIPTION

OCEAN CITY MARYLAND CHAMBER OF
COMMERCE INC
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

PARCEL A 15965 SQ FT
LANDS OF OCEAN CITY
CHAM OF COMMERCE PR SUR

7/16/18

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT				
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				PRIOR YEAR TAXES DUE	TAX SALE					

MAIL WITH FULL ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MARYLAND CHAMBER OF
COMMERCE INC
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027471200011412905

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH SECOND SEMI-ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT				
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MAIL WITH SECOND SEMI-ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MARYLAND CHAMBER OF
COMMERCE INC
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027471200005706452

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH FIRST SEMI-ANNUAL PAYMENT

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<table border="1"> <tr> <td>PRIOR YEAR TAXES DUE</td> <td>TAX SALE</td> </tr> <tr> <td></td> <td></td> </tr> </table>				PRIOR YEAR TAXES DUE	TAX SALE			Sep	0.00	5,731.72
				PRIOR YEAR TAXES DUE	TAX SALE					
<table border="1"> <tr> <td>PRIOR YEAR TAXES DUE</td> <td>TAX SALE</td> </tr> <tr> <td></td> <td></td> </tr> </table>				PRIOR YEAR TAXES DUE	TAX SALE			Oct	57.32	5,789.04
				PRIOR YEAR TAXES DUE	TAX SALE					
<table border="1"> <tr> <td>PRIOR YEAR TAXES DUE</td> <td>TAX SALE</td> </tr> <tr> <td></td> <td></td> </tr> </table>				PRIOR YEAR TAXES DUE	TAX SALE			Nov	114.64	5,846.36
				PRIOR YEAR TAXES DUE	TAX SALE					
<table border="1"> <tr> <td>PRIOR YEAR TAXES DUE</td> <td>TAX SALE</td> </tr> <tr> <td></td> <td></td> </tr> </table>				PRIOR YEAR TAXES DUE	TAX SALE			Dec	171.96	5,903.68
				PRIOR YEAR TAXES DUE	TAX SALE					

MAIL WITH FIRST SEMI-ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MARYLAND CHAMBER OF
COMMERCE INC
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027471200005706452

DETACH AND KEEP THIS PORTION

Worcester County
Office of the Treasurer

Principal Residence or Commercial

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	LEVY PERIOD	LIBER/FOLIO	CHARGES	ASSESSMENT	RATE	AMOUNT
10011108	2018	07/01/18 - 06/30/19	6234 / 329	State Real Property	324,100	.112000	362.99
MAP	GRID	PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3		
0026	0006	0392	27389	07/01/18			
CONSTANT YIELD RATE INFORMATION				COUNTY RATE - CONSTANT YIELD = DIFFERENCE			
				\$0.835 - \$0.8270 = \$0.008			
				PRIOR YEAR TAXES DUE			
				TAX SALE			

County Credit

OCEAN CITY MARYLAND CHAMBER OF COM

12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

TOTAL TAXES		3,069.23
PROPERTY DESCRIPTION		
LOTS 1 37 38 39 40 S SIDE R-50 PL C LEWIS FARM		

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT						
10011108	2018	27389	07/01/2018	Jul	-13.54	3,055.69						
LOTS 1 37 38 39 40 S SIDE R-50 PL C LEWIS FARM			LEVY PERIOD 07/01/18 - 06/30/19	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	Aug	0.00	3,069.23				
						Sep	0.00	3,069.23				
						Oct	15.35	3,084.58				
						Nov	30.69	3,099.92				
						Dec	46.04	3,115.27				
						Jan	76.72	3,145.95				
						Feb	107.43	3,176.66				
												MAIL WITH FULL ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MARYLAND CHAMBER OF COM

12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027389600003055696

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH SECOND SEMI-ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT						
10011108	2018	27389	07/01/2018	Jul	-6.77	1,527.84						
LOTS 1 37 38 39 40 S SIDE R-50 PL C LEWIS FARM			LEVY PERIOD 07/01/18 - 06/30/19	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	Aug	0.00	1,534.61				
						Sep	0.00	1,534.61				
						Oct	0.00	1,534.61				
						Nov	0.00	1,534.61				
						Dec	0.00	1,534.61				
												MAIL WITH SECOND SEMI-ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MARYLAND CHAMBER OF COM

12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027389600001527845

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH FIRST SEMI-ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT						
10011108	2018	27389	07/01/2018	Jul	-6.77	1,527.85						
LOTS 1 37 38 39 40 S SIDE R-50 PL C LEWIS FARM			LEVY PERIOD 07/01/18 - 06/30/19	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	Aug	0.00	1,534.62				
						Sep	0.00	1,534.62				
						Oct	15.35	1,549.97				
						Nov	30.69	1,565.31				
						Dec	46.04	1,580.66				
												MAIL WITH FIRST SEMI-ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MARYLAND CHAMBER OF COM

12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027389600001527852

DETACH AND KEEP THIS PORTION

Worcester County
Office of the Treasurer

Principal Residence or Commercial

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	LEVY PERIOD	LIBER/FOLIO	CHARGES	ASSESSMENT	RATE	AMOUNT
10012147	2018	07/01/18-06/30/19	546 / 40	State Real Property	14,300	.112000	15.02
MAP GRID PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3	County Real Property	14,300	.835000	119.41
0026 0006 0392	27472	07/01/18					
CONSTANT YIELD RATE INFORMATION	COUNTY RATE - CONSTANT YIELD DIFFERENCE		PRIOR YEAR TAXES DUE				
	\$0.835 - \$0.8270 = \$0.008		TAX SALE				

County Credit

TOTAL TAXES 135.43

PROPERTY DESCRIPTION

OCEAN CITY MD CHAMBER OF
COMMERCE INC THE
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

PARCEL B 833 SQ FT
LANDS OF OCEAN CITY
CHAM OF COMMERCE PR SUR

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT						
10012147	2018	27472	07/01/2018	Jul	-0.60	134.83						
PARCEL B 833 SQ FT LANDS OF OCEAN CITY CHAM OF COMMERCE PR SUR			LEVY PERIOD 07/01/18 - 06/30/19	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	Aug	0.00	135.43				
						Sep	0.00	135.43				
						Oct	0.68	135.11				
						Nov	1.35	136.76				
						Dec	2.03	137.46				
						Jan	3.39	138.82				
						Feb	4.74	140.17				

MAIL WITH FULL ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MD CHAMBER OF
COMMERCE INC THE
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027472000000134633

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH SECOND SEMI-ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT						
10012147	2018	27472	07/01/2018	Jul	-0.30	67.41						
PARCEL B 833 SQ FT LANDS OF OCEAN CITY CHAM OF COMMERCE PR SUR			LEVY PERIOD 07/01/18 - 06/30/19	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	Aug	0.00	67.71				
						Sep	0.00	67.71				
						Oct	0.00	67.71				
						Nov	0.00	67.71				
						Dec	0.00	67.71				

MAIL WITH SECOND SEMI-ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MD CHAMBER OF
COMMERCE INC THE
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027472000000067413

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 64390
BALTIMORE, MD 21264-4390

ENCLOSE THIS PORTION WITH FIRST SEMI-ANNUAL PAYMENT

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISC/INT	PAY THIS AMOUNT						
10012147	2018	27472	07/01/2018	Jul	-0.30	67.42						
PARCEL B 833 SQ FT LANDS OF OCEAN CITY CHAM OF COMMERCE PR SUR			LEVY PERIOD 07/01/18 - 06/30/19	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	Aug	0.00	67.72				
						Sep	0.00	67.72				
						Oct	0.68	68.40				
						Nov	1.35	69.07				
						Dec	2.03	69.75				

MAIL WITH FIRST SEMI-ANNUAL PAYMENT

Payment Enclosed

OCEAN CITY MD CHAMBER OF
COMMERCE INC THE
12320 OCEAN GATEWAY
OCEAN CITY, MD 21842

02402082018000027472000000067421

DRAFT

RESOLUTION NO. 18 - ____

**RESOLUTION AUTHORIZING A 100% TAX CREDIT
FOR REAL PROPERTY OWNED BY THE
OCEAN CITY, MARYLAND CHAMBER OF COMMERCE, INC.**

BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that pursuant to Section 9-325 of the Tax-Property Article of the Annotated Code of Maryland that there is hereby granted a tax credit of 100% for real property owned by the Ocean City, Maryland Chamber of Commerce, Inc. for the July 1, 2018 tax year.

PASSED AND ADOPTED this ____ day of _____, 2018.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Theodore J. Elder, Vice President

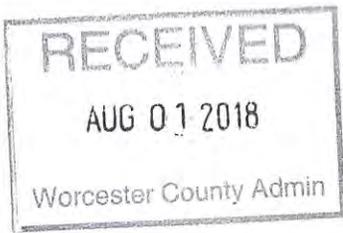
Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Merrill W. Lockfaw, Jr.

Joseph M. Mitrecic



TEL: 410-632-0686
FAX: 410-632-3003



OFFICE OF THE TREASURER

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1105

P.O. Box 248

SNOW HILL, MARYLAND

21863

2

PHILLIP G. THOMPSON, CPA
FINANCE OFFICER

JENNIFER C. SWANTON, CPA
ASSISTANT FINANCE OFFICER

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Phillip G. Thompson, Finance Officer *P.G.T.*
RE: Tax Credit
DATE: August 1, 2018

I would like to request the County Commissioners authorize a 100% tax credit for the Berlin Community Improvement Association, Inc. pursuant to Section 9-325 of the Tax Property Code. Included with this request is a copy of the letter from the Association requesting the credit. This credit will apply to fiscal year 2018/19 for accounts 03-034542 and 03-034534. The amount of County taxes to be credited will be \$3,420.99.

If you have any questions or require any other follow-up, please do not hesitate to contact me.

B.C.I.A.
Berlin Community Improvement Association
P.O. Box 175
Berlin Maryland 21811

July 18th, 2018

Worcester County Commissioners
1 West Market Street
Room 1103
Snow Hill, Maryland 21863

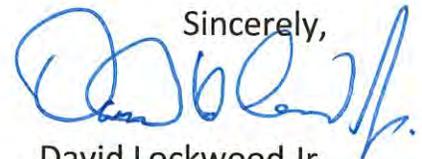
Dear County Commissioners,

This letter is to request a 100% tax credit for Berlin Community Association Property (B.C.I.A) for accounts 03-034542 & 03-034534 located on Flower Street in Berlin, Maryland. This property and buildings were at one time the Flower Street Elementary School. It now serves the surrounding communities as meeting place for educational social, social and recreational activities on a non-profit basis.

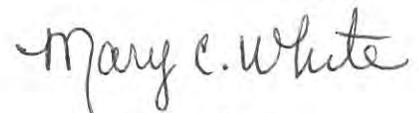
With this in mind, the B.C.I.A. requests that the property and building be given a 100% tax credit for the tax year.

Thank you in advance for your consideration. Please feel free to contact us with any questions or request for additional information.

Sincerely,



David Lockwood Jr.
Chairman



Mary White
Treasurer



DETACH AND KEEP THIS PORTION

Worcester County
Office of the Treasurer

Principal Residence or Commercial

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID		BILL YEAR	LEVY PERIOD	LIBER/FOLIO		CHARGES	ASSESSMENT	RATE	AMOUNT
03034542		2018	07/01/18 - 06/30/19	314 / 458		State Real Property	184,933	.112000	207.12
MAP	GRID	PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3	County Real Property	184,933	.835000	1,544.19
0301	0013	0843	9705	07/01/18		Berlin Tax	184,933	.680000	1,257.54
CONSTANT YIELD RATE INFORMATION		COUNTY RATE - CONSTANT YIELD = DIFFERENCE \$0.835 - \$0.8270 = \$.008			X	PRIOR YEAR TAXES DUE			
						TAX SALE			
TOTAL TAXES									3,008.85



1166 *****SCH 5-DIGIT 21841 T 4 P 1
BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER ST
BERLIN, MD 21811-1324

PROPERTY DESCRIPTION
125' X 388' X 50' X 318' E SIDE FLOWER ST BERLIN

DETACH AND KEEP THIS PORTION

Worcester County
Office of the Treasurer

Principal Residence or Commercial

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID		BILL YEAR	LEVY PERIOD	LIBER/FOLIO		CHARGES	ASSESSMENT	RATE	AMOUNT
03034534		2018	07/01/18 - 06/30/19	314 / 458		State Real Property	224,767	.112000	251.74
MAP	GRID	PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3	County Real Property	224,767	.835000	1,876.80
0301	0014	0841	9704	07/01/18		Berlin Tax	224,767	.680000	1,528.42
CONSTANT YIELD RATE INFORMATION		COUNTY RATE - CONSTANT YIELD = DIFFERENCE \$0.835 - \$0.8270 = \$.008			X	PRIOR YEAR TAXES DUE			
						TAX SALE			
TOTAL TAXES									3,656.96



1165 *****SCH 5-DIGIT 21841 T 4 P 1
BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER ST
BERLIN, MD 21811-1324

PROPERTY DESCRIPTION
127' X 388' E SIDE FLOWER ST FLOWER ST SCHOOL PROP

DRAFT

RESOLUTION NO. 18 - ____

**RESOLUTION AUTHORIZING A 100% TAX CREDIT
FOR REAL AND TANGIBLE PERSONAL PROPERTY
OWNED BY THE BERLIN COMMUNITY
IMPROVEMENT ASSOCIATION, INC.**

BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that pursuant to Section 9-325 of the Tax-Property Article of the Annotated Code of Maryland that there is hereby granted a tax credit of 100% for real and personal property owned by the Berlin Community Improvement Association, Inc. for such property which was exclusively for non-profit activities of that Association for the July 1, 2018 tax year.

PASSED AND ADOPTED this ____ day of _____, 2018.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Merrill W. Lockfaw, Jr.

Joseph M. Mitrecic



Maryland Department of Agriculture

Office of Plant Industries and Pest Management

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

Forest Pest Management

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

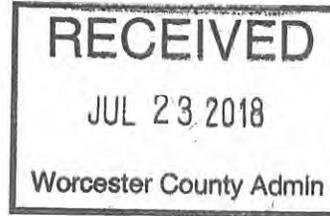
Agriculture | Maryland's Leading Industry

3

410.841.5922 Baltimore/Washington
410.841.5835 Fax
800.492.5590 Toll Free

July 18, 2018

Mr. Harold Higgins, Chief Administrative Officer
Worcester County Commissioners
One W. Market St., Rm. 1103
Snow Hill, MD 21863-1195



Copy: Bob Mitchell ✓
Kathy Whitel ✓

\$1,700 Budgeted
in FY19

Dear Mr. Higgins:

Thank you for your past participation in the Maryland Department of Agriculture's Forest Pest Management (FPM) Program for identification and control of gypsy moth populations for Worcester County and its citizens. The goal of the FPM Program is to identify developing pest infestations and to be able to respond appropriately before significant damage occurs. The survey function of the cooperative gypsy moth suppression program allows us to identify and measure any gypsy moth problems and to plan the most effective response to defoliating populations before the pests damage valuable landscape and forest trees.

The purpose of this letter is to outline the plans we have for the cooperative gypsy moth survey this fall (2018) for your county and to give an estimate of the county cost share amount that would be needed to complete these surveys. Gypsy moth egg masses are counted in the fall and winter in pre-established sites located in the high value urban and rural forested lands of Worcester County. The survey results permit us to predict the level of gypsy moth caterpillar populations the following spring in each area. Population data provides a clear picture of the possible damage to the foliage, and consequently to the trees, that may be caused by the pests in the spring (2019) and whether any aerial suppression may be warranted.

Based on our information about gypsy moth populations and trends in Worcester County, we will need to conduct approximately 105 surveys at an estimated cost to the county of \$1,575.00. This amount represents a 50% cost share on local costs to perform these surveys on non-State land. Please, let us know as soon as possible, preferably by August 3 if you will be able to participate at this level. These figures do not include additional funds that may be needed for aerial spraying. It will not be possible to estimate 2019 spray acreage until the end of the year. At that time, we will give you cost estimates so that you can advise us regarding county support for suppression spraying. We will try to keep you updated on our findings as the fall survey season continues.

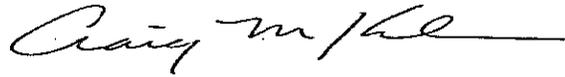
*

If you have any questions regarding the Forest Pest Management Program or would like information on any forest pests, do not hesitate to contact us. The Easton field office number is (410) 822-8234.

|

Thank you for working with us to protect our valuable rural and urban forest resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Kuhn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Craig Kuhn, Program Manager
Forest Pest Management
Craig.kuhn@maryland.gov

CMK/dh
Cc Heather Disque



4

Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer
From: Robert J. Mitchell, LEHS 
Director, Environmental Programs
Subject: Maryland Community Resilience Grant Program
Grant Agreement and Work Scope
Selsey Road Protection and Marsh Restoration Project
Date: 7/31/18

Attached you will find the grant agreement for the above referenced project from the Maryland Department of Natural Resources (DNR). This award from DNR's FY19 Coastal Resiliency Program will support design and permit acquisition for the eventual construction work that will be funded in a future grant opportunity from this program. The County Commissioners approved this application at their meeting on February 6, 2018, and we informed County Administration in June of this year that this grant submission was successful.

As the attached memo from Mr. Bradford details, at this time we need to submit the grant agreement in order to move forward with obtaining the state funding to proceed with this project. This document has been reviewed with the County Attorney. We would respectfully request that the County Commissioners authorize President Purnell's signature on this agreement.

We appreciate the opportunity to demonstrate with this project a modest contribution towards building coastal resiliency within the Cape Isle of Wight community. This effort will hopefully be replicated with future applications and installations within Worcester County.

As always, David and I will be available to discuss the matter with you at your convenience. If you have any questions or require additional information, please do not hesitate to contact me.

Attachments

cc: Maureen Howarth
David Bradford
Katherine Munson
Kim Reynolds

Citizens and Government Working Together



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

LAND PRESERVATION PROGRAMS
STORMWATER MANAGEMENT
SEDIMENT AND EROSION CONTROL
SHORELINE CONSTRUCTION
AGRICULTURAL PRESERVATION
ADVISORY BOARD

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
CRITICAL AREAS
FOREST CONSERVATION
COMMUNITY HYGIENE

MEMORANDUM

DATE: July 30, 2018
TO: Robert J. Mitchell, Director
FROM: David M. Bradford Jr., Deputy Director *DMB*
SUBJECT: Selsey Road Marsh Restoration Project

As you are aware, we recently were awarded with a grant from the Chesapeake and Coastal Service (CCS) division of Maryland Department of Natural Resources (DNR) for a wetland restoration project on Selsey Road. We have completed the landowner agreement and obtained County Commissioner and landowner signature back in June of this year.

At this current juncture, we are required to sign the grant agreement in order to move forward with obtaining final state approval and funding to proceed with this first designing and permitting phase of the project. We have worked closely with DNR on the attached scope of work and grant agreement and believe we are covered to proceed. DNR has sent us 3 sets of the agreement w/ scope of work and associated appendix that need to be signed by Commissioner President Purnell and returned to them upon completion. Our project is scheduled to be presented before the Maryland Board of Public Works (BPW), which consists of Governor Hogan, Treasurer Nancy Kopp, and Comptroller Peter Franchot, on August 22, 2018. We are required to have our signed agreements returned to DNR in advance of this scheduled meeting in order to proceed with the funding.

Please let me know if you have any questions. I will be available to attend the Commissioners meeting in the event there are any questions.

Enclosures: DNR Cover Letter dated July 26, 2018 from Nicole Carlozo, DNR Planner, (1 page);
Grant agreement including Scope of Work and Appendix B (3 sets, 24 pages each);
Final Landowner Agreement dated June 27, 2018 (3 pages)

Cc: File
Katherine Munson, Planner V, EP



received
7/30/18

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

July 26, 2018

MEMORANDUM

TO: David Bradford
Worcester County Department of Environmental Programs

FROM: Nicole Carlozo, Chesapeake & Coastal Service

SUBJ: Selsey Road Shoreline and Marsh Design
(Coastal Resiliency Grant FY19)

Please find attached three (3) copies of the grant agreement and scope of work for the project identified above. Please have all copies signed and witnessed, and return them to me (with signature flags intact). Please leave the date blank. **Signed grant agreements MUST be returned to DNR prior to the Board of Public Works Meeting on Wednesday August 22, 2018.**

Following approval by the Board of Public Works, all signatures will be obtained and a completely executed copy of the grant will be returned to your office.

Thank you very much for your assistance. I look forward to finalizing this grant and sending you an executed copy. If you have any questions, please feel free to call me at (410) 260.8726 (E-mail: nicole.carlozo@maryland.gov).

Nicole Carlozo
MD Department of Natural Resources
580 Taylor Ave E-2
Annapolis, MD 21401

Attachments

COASTAL RESILIENCY PROGRAM
CAPITAL PROJECTS GRANT AGREEMENT

PO#: _____

This Agreement (“**Agreement**”) is entered into this ___ day of _____, 20___, by and between the State of Maryland, Department of Natural Resources, Tawes State Office Building, 580 Taylor Avenue, Annapolis, MD 21401 (“**State**”), acting through the Board of Public Works (**BPW**), and County Commissioners of Worcester County, Maryland, Worcester County Government Center, 1 West Market Street – Room 1105, Snow Hill, MD 21863 (“**Grantee**”), whose federal taxpayer identification number is 52-6001064.

Recitals

- A. Grantee has requested grant assistance from the State to address escalating risks from extreme weather and climate-related events, and the State has determined that grant assistance shall be provided for natural and nature-based projects to better protect Maryland communities and public resources.
- B. The General Assembly has authorized this Grant titled Selsey Road Shoreline and Marsh Design provided that Grantee expends the money only for the purposes outlined below.

Therefore, the State and Grantee agree as follows:

1. Purpose. Grantee may use grant funds for the following purpose only (“**Project**”): The design and permit acquisition for a shoreline stabilization and marsh restoration project utilizing climate-resilient natural features along the Isle of Wight Bay in Worcester County (approximately 38° 21' 32.3454" N, -75° 7' 3.27" W).

Project activities supported by this grant are described in the Scope of Work (Attachment A). The Scope of Work is hereby incorporated by reference into and made an integral part of this Agreement.

Grantee agrees to the provisions contained in the “Capital Improvement Qualifications and Terminology” (Attachment B) and incorporated herein by reference.

(See Maryland Consolidated Capital Bond Loan, Coastal Resiliency Program, which is incorporated herein by reference.)

2. Grant. After the BPW approves this Agreement, the State shall periodically provide grant funds (“**Grant**”) to, or on behalf of, Grantee not to exceed the amount of Fifty Thousand Dollars and zero cents (\$ 50,000.00).
3. Termination or Reduction of Authorization. The BPW, in its sole discretion, may reduce or terminate the authorization to provide the Grant in the event: (a) no part of the Project is under contract by July 1, 2025 or (b) the Project is abandoned.
4. Disbursement of Grant. Subject to the availability of funds, the BPW may periodically authorize payment to, or on behalf of, Grantee funds in an amount not to exceed the Grant amount.
5. Limitations on Use. The BPW or State may, in its sole discretion, disapprove requests for disbursement or expenditure of Grant funds that are not consistent with or are not specifically related to the Project purpose or this Agreement generally.
6. Term. The Grant shall become effective on September 1, 2018 and shall expire on August 31, 2020 as specified by the Scope of Work (Attachment A). This Agreement terminates if the BPW terminates the grant authorization under Paragraph 3 without issuing bonds. The State reserves the right to revert any unexpended or unencumbered funds not used during the project term.
7. Key Personnel. The parties agree that the following named individuals are considered to be essential to the work being performed under this Agreement, and that they are designated as Key Personnel. They shall be made available to the fullest extent required to carry out the work under this Agreement:

Katherine Munson, Planner V, Worcester County Department of Environmental Programs

Email: kmunson@co.worcester.md.us

Phone: 410-632-1220

David M. Bradford, Deputy Director, Worcester County Department of Environmental Programs

Email: dbradford@co.worcester.md.us

Phone: 410-632-1220

The parties designate the following named individuals as Agreement Representatives for the purpose of any notices required under this Agreement. The parties agree that each will promptly notify the other, in case of substitution of an Agreement Representative, or change in the Representative’s contact information.

Nicole Carlozo
Department Representative

Email: nicole.carlozo@maryland.gov Phone: 410-260-8726
Contact Information

David Bradford, Worcester County Department of Environmental
Programs
Grantee Representative

Email: dbradford@co.worcester.md.us Phone: 410-632-1220
Contact Information

8. Payment Procedure. Payment procedures contained in the most recent edition of *Maryland Capital Grants Projects: Information for State of Maryland Capital Grant Recipients* [<http://dgs.maryland.gov/Pages/Grants/index.aspx>] are incorporated herein by reference. The State shall make payment to, or on behalf of, Grantee in accordance with those procedures and any other terms and conditions as the BPW, in its sole discretion, may impose. The Grantee shall submit invoices and a copy of paid canceled check(s), or certification that payment has been made, to the State on a generally quarterly basis for reimbursement of Project activities, in accordance with procedures outlined in the Scope of Work (Attachment A).
9. Reports and Deliverables:
 - (a) Section 7-402 of the State Finance and Procurement Article, Annotated Code of Maryland, requires Grantee to submit a verified report that fully and accurately accounts for appropriate Grant expenditures. Requests for payment made in accordance with Paragraph 8 of this Agreement are deemed to comply with Section 7-402.
 - (b) Grantee shall submit generally quarterly status/progress to the State at the same time as billing submissions required under Paragraph 8. Grantee shall submit additional information as the State may periodically require, including project status reports and certified audit reports. Reports shall be submitted in electronic format in accordance with procedures outlined in the Scope of Work (Attachment A). Payment of the costs identified in the billing submissions is contingent on the State's satisfaction with the Grantee's progress in the work. At the end of the Agreement term, the Grantee shall submit the final deliverable(s) with a final report in electronic format in accordance with procedures outlined in the Scope of Work (Attachment A).

10. *Project Management.* The Project will be managed by or under the supervision of the Grantee, with close coordination between the Grantee and the Technical Project Manager specified in the Scope of Work (Attachment A). Design plans and specifications, if applicable, must be completed by a Maryland Registered Professional Engineer unless approved in advance by the Technical Project Manager. All deliverables must be submitted electronically for review and approval by the Technical Project Manager and the Program Manager specified in the Scope of Work (Attachment A).
11. *Communications.* Communications must be addressed as follows:

To the State:

Maryland Department of Natural Resources
Chesapeake & Coastal Service

Nicole Carlozo

580 Taylor Avenue, E-2
Annapolis, MD 21401

To the Grantee:

David Bradford

Worcester County Government Center - Room 1306

1 West Market Street

Snow Hill, MD 21863

12. *Default.* A default is Grantee's breach of any of the covenants, agreements, or certifications contained in this Agreement.
13. *Remedies Upon Default.*
- (a) Upon the occurrence of any default, the State, as the BPW in its sole discretion determines, may do one or more of the following:
 - (i) Require Grantee to repay the Grant, in whole or in part.
 - (ii) Recoup the amount of the Grant already paid from funds due the Grantee from any other current or future State grant or loan or any other funds, otherwise due and owing Grantee.
 - (iii) Withhold further payments under this Agreement.
 - (iv) Terminate this Agreement.
 - (b) In addition to the rights and remedies contained in this agreement, the State may at any time proceed to protect and enforce all rights available to it. All rights and remedies survive the termination of this Agreement.

14. Disposition of Property. Grantee may not sell, lease, exchange, give away, or otherwise transfer or dispose of any interest in real or personal property acquired or improved with Grant funds (“**Grant-Funded Property**”) unless the BPW gives prior written consent. This includes transfer or disposition to a successor or the merger, dissolution, or other termination of the existence of Grantee. Grantee shall give the BPW written notice at least 60 days before any proposed transfer or disposition. When consenting to a transfer or disposition, the Board of Public Works may in its sole discretion require the grantee to repay a percentage of the proceeds that are allocable to the grant.
15. Inspection and Retention of Records. Grantee shall permit any duly authorized representative of the State to inspect and audit all records and documents of Grantee relating to this Grant. Grantee shall retain such records for at least three years after this Agreement terminates.
16. Insurance.
 - (a) For any item of Grant-Funded Property that has an original fair market value of \$5,000 or more, Grantee shall, at its own expense and for the reasonable useful life of that item, obtain and maintain all risk of fire and extended coverage insurance or such similar insurance coverage as may be appropriate for the full value of the item or in amounts as may be commercially reasonable under the circumstances. Grantee’s insurer must be authorized to issue the policy in the State. Each such policy shall by its terms:
 - (i) Name the State as an additional loss payee thereunder.
 - (ii) Be considered primary and non-contributory with respect to any other insurance, if any, provided by the State.
 - (iii) Be cancelable only on at least 30 days written notice to Grantee and to the BPW.
 - (b) On request, Grantee shall, provide the BPW or its designee with satisfactory evidence of insurance.
 - (c) Proceeds of insurance required by this Paragraph may be applied as the BPW, in its sole discretion, shall determine toward replacement of Grant-Funded Property or toward repayment of the Grant to the State.
 - (d) The BPW or its designee in its sole discretion may determine that Grantee may self-insure Grant-Funded Property if Grantee has adequate financial resources.
17. Indemnification. Grantee is responsible for, and shall defend, indemnify, and hold harmless the State, its officers, agents, and employees, whether or not the State be deemed contributorily negligent, from all suits, actions, liability, or claims of liability (including reasonable attorneys’ fees) arising out of:
 - (a) The Project, including its construction.
 - (b) Grantee’s use, occupancy, conduct, operation, or management of the Project.

- (c) Any negligent, intentionally tortious, or other act or omission of Grantee or any of its agents, contractors, servants, employees, subtenants, licensees, or invitees in connection with the Project.
- (d) Any injury to or death of any person or damage to any property occurring in, on, or as a direct or indirect result of the Project or any of Grantee's activities in connection therewith.

18. Registration. Grantee is a (charitable) (religious) organization registered with the Maryland Secretary of State in accordance with the Annotated Code of Maryland [Business Regulation Article or Corporations and Association Article]; is in good standing; and has filed all of its required reports with the Maryland Secretary of State.

Check if YES

Check if NOT APPLICABLE and explain:

Grantee _____ is _____ a _____ County
government.

19. Commercial and Employment Nondiscrimination. Grantee shall:

- (a) Not discriminate in the selection, hiring, or treatment of any employee, employment applicant, vendor, supplier, subcontractor, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any other unlawful use of characteristics unrelated to performance.
- (b) Include a clause similar to sub-paragraph (a) in any contract under this Grant.
- (c) Post, and cause contractors to post, in conspicuous places notices setting forth the nondiscrimination policy.

20. Drug and Alcohol Policy. Grantee certifies that it shall make a good faith effort to eliminate illegal drug use and alcohol and drug abuse from its workplace. Specifically, Grantee shall:

- (a) Prohibit the unlawful manufacture, distribution, dispensation, possession, or use of drugs in its workplace.
- (b) Prohibit its employees from working under the influence of alcohol or drugs.
- (c) Not hire or assign to work on an activity funded in whole or part with State funds, anyone whom it knows, or in the exercise of due diligence should know, currently abuses alcohol or drugs and is not actively engaged in a bona fide rehabilitation program.

- (d) Promptly inform the appropriate law enforcement agency of every drug-related crime that occurs in its workplace if it or its employee has observed the violation or otherwise has reliable information that a violation has occurred.
- (e) Notify employees that drugs and alcohol abuse are banned in the workplace, impose sanctions on employees who abuse drugs and alcohol in the workplace, and institute steps to maintain a drug-free and alcohol-free workplace.

21. Compliance with Applicable Law. Grantee hereby represents and warrants that it:

- (a) Is qualified to do business in the State of Maryland and that it will take such action as, from time to time hereafter, may be necessary to remain so qualified;
- (b) Is not in arrears with respect to the payment of any monies due and owing the State of Maryland, or any department or unit thereof, including but not limited to the payment of taxes and employee benefits, and that it shall not become so in arrears during the Grant term;
- (c) Shall comply with all federal, State, and local laws, regulations, and ordinances applicable to its activities and obligations under this Grant.
- (d) Shall obtain, at its expense, all licenses, permits, insurance, and governmental approvals, if any, necessary to the performance of its obligations under this Grant.

22. Non-Debarment. Neither Grantee nor any of its officers, directors, or any of its employees directly involved in obtaining or performing grants or contracts with public bodies has:

- (a) Been convicted of bribery, attempted bribery, or conspiracy to bribe in violation of any state or federal law.
- (b) Been convicted under any state or federal statute of any offense enumerated in Section 16-203 of the State Finance and Procurement Article, Annotated Code of Maryland.
- (c) Been found civilly liable under any state or federal antitrust statute as provided in Section 16-203 of the State Finance and Procurement Article, Annotated Code of Maryland.

23. Non-Collusion. Neither Grantee nor any of its officers, directors, or any of its employees directly involved in obtaining or performing grants or contracts with public bodies has:

- (a) Agreed, conspired, connived, or colluded to produce a deceptive show of competition in obtaining or performing this Grant.

- (b) In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or price proposal of any bidder or offeror or of any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with this Grant.
24. Financial Disclosure. Grantee is aware of, and will comply with, Section 13-221 of the State Finance and Procurement Article, Annotated Code of Maryland, which requires that every business that enters into contracts, leases, or other agreements with the State or its agencies during a calendar year under which the business is to receive in the aggregate \$100,000 or more shall, within 30 days of the time when the aggregate value of the contracts, leases or other agreements reaches \$100,000, file with the Maryland Secretary of State certain specified information to include disclosure of beneficial ownership of the business.
25. Political Contributions. Grantee is aware of, and will comply with, Election Law Article, Title 14, Annotated Code of Maryland, which requires that every person that enters into contracts, leases, or other agreements with the State, including its agencies or a political subdivision of the State, during a calendar year in which the person receives in the aggregate \$200,000 or more shall file with the State Board of Elections a statement disclosing contributions in excess of \$500 made during the reporting period to a candidate for elective office in any primary or general election.
26. No Contingent Fees. Grantee has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee or agent working for Grantee, to solicit or secure the Grant. Grantee has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee or agent, any fee or any other consideration contingent on the making of the Grant.
27. No Lobbying Fees. In accordance with Section 7-221 of the State Finance and Procurement Article, Annotated Code of Maryland, Grantee certifies that no State money has been paid or promised to any legislative agent, lawyer, or lobbyist for any service to obtain the legislation establishing or appropriating funds for the Grant.
28. Non-hiring of State Employees. No State employee whose duties as such employee include matters relating to or affecting the subject matter of this Grant, shall, while so employed, become or be an employee of Grantee.
29. Amendment. The Agreement may be amended only in a writing signed by the parties.
30. Assignment. Grantee may not assign this Agreement without the prior written approval of the BPW or State. If the BPW or State approves an assignment, this Agreement shall bind Grantee's successors and assigns.

31. Entire Agreement. This Agreement represents the complete and final understanding of the parties. No other understanding or representations, oral or written, regarding the subject matter of this Agreement, shall be deemed to exist or to bind the parties at the time the parties sign the Agreement.
32. Maryland Law. Maryland laws govern the interpretation and enforcement of this Agreement.

By their signatures, the parties so agree:

WITNESS:

GRANTEE:

By: _____

Name: _____

Title: _____

WITNESS:

STATE OF MARYLAND DEPARTMENT
OF NATURAL RESOURCES:

By: _____

Matthew J. Fleming, Director
Chesapeake and Coastal Service

THIS COASTAL RESILIENCY PROGRAM CAPITAL PROJECTS GRANT AGREEMENT FORM HAS BEEN APPROVED FOR FORM AND LEGAL SUFFICIENCY BY THE OFFICE OF THE ATTORNEY GENERAL FOR THE DEPARTMENT OF NATURAL RESOURCES. ANY ADDITION OR MODIFICATIONS TO, OR DELETIONS FROM, THIS FORM MUST BE APPROVED BY THE ATTORNEY GENERAL'S OFFICE BEFORE SIGNATURE OR PERFORMANCE OF ANY WORK.

Approved as to form and legal sufficiency this this ____ day of ____ 20__.

By: _____

Rachel Eisenhauer
Assistant Attorney General
Office of the Attorney General
Department of Natural Resources

BPW APPROVAL: ____/____/20__

Attachment A
SCOPE OF WORK

Project Title: Selsey Road Shoreline and Marsh Design

Budget:	State:	\$50,000.00
	<u>Leveraged:</u>	<u>\$ 0.00</u>
	Total:	\$50,000.00

Funding Period: September 1, 2018 – August 31, 2020

Funding Recipient: Worcester County Commissioners

Project Abstract & Metrics

Worcester County will design a natural shoreline stabilization and marsh restoration project along Isle of Wight Bay and the Cape Isle of Wight community (approximately 38° 21' 32.3454" N, -75° 7' 3.27" W). Nature-based practices will be designed to minimize recurrent community flooding and long-term sea level rise risks. The project will directly minimize road flooding and community flood damage while incorporating local dredged material.

Background

Cape Isle of Wight is an unincorporated residential community in West Ocean City that sits between 2 and 6 feet above sea level. Developed prior to Maryland Critical Area protections and with limited stormwater management, this community is vulnerable to both coastal flooding and sea level rise. Historically, about 7.5 acres of privately owned marsh, beach and upland directly north of the community provided flood protection. However, the existing marsh and beach has eroded over the past 20 years while coastal storm severity has increased, leading to more frequent and severe flood events.

To address stormwater management, shoreline stabilization, and habitat enhancement, Worcester County completed nature-based projects at the north and south ends of Norwich Road in 2012. With these projects functioning as intended, the County is interested in expanding nature-based approaches on the peninsula, specifically to address flooding along Selsey Road. Selsey Road, which is owned and maintained by Worcester County, serves 35 residential lots and was identified in Worcester County's 2014 Hazard Mitigation Plan as a road that experiences tidal floods during Nor'easter or hurricane events. By investing in additional natural and nature-based features to the north of Cape Isle of Wight, Worcester County can help protect residential and transportation infrastructure from flooding.

Natural and nature-based solutions are needed to enhance shoreline and community resilience in the face of sea level rise, coastal storms, and other climate impacts. The goal of this project is to stabilize and enhance the marsh and beach north of Cape Isle of Wight to reduce the incidence of flooding and flood damage to residential and road infrastructure while improving habitat and water quality. Local dredged material from nearby marinas and the town of Ocean City will be incorporated into the design where possible. The project will serve as a demonstration for the beneficial use of dredged material and the use of nature-based systems for protection of infrastructure. The resulting design specifications and permits will support construction of these nature-based resiliency practices (expected FY20-21).

Objectives & Responsibilities

The objectives of this project include:

1. Design a nature-based shoreline stabilization and wetland restoration project to address sea level rise and flooding within the Cape Isle of Wight community.
2. Engage community members and local stakeholders about climate resilience, nature-based solutions, flooding risks, and prevention strategies that can be implemented on residential properties. Integrate community feedback into project design.
3. Investigate the use of Ocean City and local dredged material within the restoration design.

This project supports Phase I of the Selsey Road Shoreline and Marsh Project, as outlined below. Phases II and III are expected once Phase I deliverables are complete, pending approval by the Board of Public Works.

Phase I: Design, Permit Acquisition, and Baseline Monitoring (FY19-20)

Phase II: Construction (FY20-21)

Phase III: Monitoring and Maintenance for Adaptive Management (FY21)

Worcester County will contract with an experienced environmental design firm to design a nature-based shoreline stabilization and wetland restoration project along Isle of Wight Bay north of the Cape Isle of Wight community. Climate resilient features will be included within the design to create a more regenerative project that is better able to recover or readjust following natural disturbance from extreme weather and climate-related events. The contractor will work in close coordination with the DNR Technical Project Manager (Bhaskar Subramanian, bhaskar.subramanian@maryland.gov; 410.260.8786) to review the existing concept designs, participate in pre-permit application meeting(s), address permitting and/or community concerns, prepare project drawings and specifications, and obtain all necessary State, Federal, and local government permits, licenses or approvals as applicable. The selected contractor will follow any applicable specifications outlined in DNR's "Specifications for Consulting Engineering Services relating to Living Shoreline Projects" and will provide a hydrology analysis and recommend plant materials. DNR personnel will plan any necessary pre-

project monitoring as outlined below, and work with Worcester County to obtain community feedback on preliminary designs.

Monitoring, Maintenance & Adaptive Management

County and DNR staff will reach out to local partners, such as the Maryland Coastal Bays Program, and evaluate the citizen science and/or monitoring potential of the project. Based on team findings, the project team will develop a monitoring protocol with pre-construction monitoring occurring during Phase I to serve as a baseline for restoration activities, and post-construction monitoring occurring during Phase III. Post-construction monitoring will be conducted during Phase III based on timelines outlined in monitoring protocols. Pre and post-construction monitoring may be conducted by DNR or project partners. Post-construction maintenance will be conducted as needed by Worcester County and tracked in accordance with permit requirements to inform future project success.

Education, Communication & Outreach Activities

The general public will have access to the project site for education, communication, and outreach purposes if accompanied by Worcester County or DNR personnel with sufficient notification as to date, time, number, and affiliation. DNR personnel will work with Worcester County to engage local stakeholders about this nature-based approach to resiliency and additional protective measures throughout all phases of the project. Stakeholders may include community residents, students and the Maryland Coastal Bays Program, among others.

Deliverables

Deliverable 1: Community Outreach Meetings

This deliverable will include at least two community meetings to 1) introduce the project conceptual design, elicit feedback, and discuss nature-based approaches to flood reduction; and 2) share the final design to receive input prior to submission of the permit application, and discuss flooding risks and prevention.

Deliverable 2: Design and Permitting

Final design drawings and specifications with applicable permit approvals.

Phase I Timeline

Milestone	YEAR 1											
	2018				2019							
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Kick-Off Meeting	█											
Community Notification	█	█	█	█								
Engineering Scope of Services, Site Meeting, & Bids												
Engineer Selected and Contracted												
Engineering Survey(s)												
60% Design & Permit Pre-Application Meeting												
Community Outreach Meeting												
Landowner Approval												
Construction Plans & Permitting												

Milestone	YEAR 2											
	2019				2020							
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Construction Plans & Permitting	█	█	█	█	█	█	█	█	█	█	█	█
Construction Bid Solicitation Package												
Community Update												

Signage, Publications, Videos and Acknowledgment of Grant Funding

In promotion of projects funded through the Coastal Resiliency Program, grant recipients will acknowledge DNR on all signage, publications, videos, and other promotional materials. A State logo shall be present on materials created to promote projects funded through the Coastal Resiliency Program. The appropriate logo can be obtained through the DNR Program Manager, Nicole Carlozo (nicole.carlozo@maryland.gov; 410.260.8726).

Sample language for signage and other promotional materials: “This project was funded completely or in part by the Chesapeake & Coastal Service. For more information, visit <http://dnr.maryland.gov/ccs>.”

Reporting/Documentation Requirements:

Chesapeake & Coastal Service (CCS) has a web-based interface, *CCS Grants Online*. The Grantee will submit reports and deliverables using *CCS Grants Online* at <http://mesgis.com/GrantsOnline>. The CCS contact for this project is Jackie Specht (jackie.specht@maryland.gov; 410.260.8801). Please contact this person with any questions or issues as they arise.

The Grantee must submit quarterly reports that document progress made towards the achievement of the above stated goals and deliverables during each reporting term. A succinct description of activities shall be reported for project status and budgets. Please quantify where possible. These reports shall also describe difficulties encountered for each activity, any changes in expected deliverable dates, any budget changes, or changes in staffing. Include sample products as appropriate.

Reports will be due to the above contact and/or an appointed designee following the below schedule:

<u>Time Frame</u>	<u>Due Date</u>
September 1, 2018 – September 30, 2018	October 15, 2018
October 1, 2018 – December 31, 2018	January 15, 2019
January 1, 2019 – March 31, 2019	April 15, 2019
April 1, 2019 – June 30, 2019	July 15, 2019
July 1, 2019 – September 30, 2019	October 15, 2019
October 1, 2019 – December 31, 2019	January 15, 2020
January 1, 2020 – March 31, 2020	April 15, 2020
April 1, 2020 – June 30, 2020	July 15, 2020
July 1, 2020 – August 31, 2020	August 31, 2020 (FINAL)

Invoices with appropriate back-up documentation shall be submitted for the same time frames noted above.

A **final report** will be required at the end of the project period to provide a detailed summary of the outcomes/results, lessons learned, impact of the funding and next steps. This report should cover activities conducted over the entire project period and should be suitable for printing and sharing through media outlets (i.e. success story). **Photo documentation is required for all construction projects.**

The funding recipient shall not incur costs or obligate funds for any purpose pertaining to the operation of the project beyond the end date stipulated in the grant. The final invoice with appropriate back-up documentation shall be submitted to the Chesapeake and Coastal Service no later than **thirty days** after the end date of the grant.

BUDGET
(September 1, 2018 – August 31, 2020)

After the Grantee has been paid an amount equal to ninety percent (90%) of the funds initially allocated and approved for this grant, the Department of Natural Resources may withhold from payment an amount of not more than ten percent (10%) of the total grant amount, until satisfactory completion and submission by Grantee of all tasks described under this agreement.

Category	State	Leveraged	Total
Personnel	\$0.00	\$0.00	\$0.00
Fringe	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual ¹	\$50,000.00	\$0.00	\$50,000.00
Other	\$0.00	\$0.00	\$0.00
Total	\$50,000.00	\$0.00	\$50,000.00

¹**Contractual:** Worcester County will hire an environmental design firm to design the shoreline and wetland restoration components as outlined in this scope of work @ \$50,000.00.

Worcester County procurement guidelines and procedures will be followed.

Guidelines for Proper Invoicing

Grantees shall submit, generally on a quarterly basis, all invoices and match (if applicable) to the Chesapeake and Coastal Service. **Time period on each invoice shall coincide with time period on backup documentation.** The format of the invoice shall mimic the format of the budget in this scope of work to the greatest extent possible. Each invoice shall include a summary sheet that breaks down expenditures by budget category. The summary sheet should include a salary and fringe breakdown to include grade/step, position, and number of hours worked multiplied by the appropriate hourly pay rate. Also, include all necessary backup documentation that will serve as verification for all expenditures listed on the summary sheet. The grant tracking number will be noted on all invoices. Examples of acceptable back-up documentation include but are not limited to the following:

<u>Category</u>	<u>Backup Documentation Needed</u>
Salaries	Copies of signed time sheets with project hours noted with proof of payment .
Communication (telephone bills, postage)	Copies of phone bills. Documentation for postage should include copies of receipts.
Travel	Copies of validated bills, invoices and receipts that are related to your travel must be provided along with proof of payment.
Supplies/Equipment	<p>Copies of canceled checks or check numbers, receiving reports showing that merchandise was received, cash register receipts, or FS18 signed by a Fiscal Officer.</p> <p>For corporate card purchases, each cardholder shall provide the standard DNR "Activity Log," bank memo statement and receipts for recording each transaction (purchase and/or credit) made with each corporate purchasing card which must include the following: <i>transaction date, merchant name, description of item purchased (including quantity), account (PCA code) to be charged if different from that assigned to the card, and amount of purchase.</i></p>
Contractual Services	Copies of bills or invoices <u>with</u> receipts or FS18 signed by a Fiscal Officer. Also, copies of cleared checks or copies of check numbers and/or credit card transactions.

Modifications to the Scope of Work

The budget, scope of work, or schedule can be modified using the following guidelines and conditions:

1. Project managers may shift up to ten percent (10%) of their total project funds from one existing line-item (e.g. supplies, travel, etc.) to another, as long as it doesn't substantively modify the project's goals, objective, milestones or deliverables.

2. Prior approval from the DNR Agreement Representative is required to:
 - (a) Modify the project budget by more than ten percent (10%); OR
 - (b) Add a new line-item to the existing budget (e.g., add equipment or subcontractor to the budget); OR
 - (c) Provide a no-cost extension; OR
 - (d) Change the project's goals, objectives, milestones or deliverables.

Attachment B

(Capital Improvement Qualifications and Terminology)

APPENDIX A

CAPITAL IMPROVEMENT QUALIFICATIONS AND TERMINOLOGY

The Department of Budget and Management has developed this material to assist State agencies in determining those types of projects that are eligible for funding through the Capital Budget, regardless of fund source. This section also provides a definition of the terms most commonly used in conjunction with capital improvement projects.

The State Finance and Procurement Article, Subsection 8-127, Annotated Code of Maryland states that the useful life of a **capital improvement** shall be at least equal to the life of the bonds by which it is financed. State capital projects are usually financed by general obligation bonds, which by constitutional provision must be amortized within a fifteen-year period. Thus, to qualify for State capital funds, a proposed project or its equipment must have a useful life expectancy of at least 15 years. Throughout this document, when the term "**capital project**" is used, it is understood to mean "**capital improvement**."

A **capital program** is a means for distributing State capital funds among a number of capital projects that share common characteristics, particularly as to function and or purpose. Examples of capital programs are the Public School Construction Program and the Facilities Renewal Program. Programs generally receive funding annually and seldom have an end date, although the projects they finance have beginning and end dates.

The **Capital Improvement Program (CIP)** and **Capital Budget** are two terms grouped together to clarify both their similarities and their differences. The Capital Improvement Program is published in January of each year as the Capital Budget Volume by the Department of Budget and Management. It portrays the administration's plan for allocating State capital funds among capital projects and capital programs over the ensuing five years. The Capital Budget is limited to the fiscal year that begins on the July 1st after the document is published, while the CIP includes five fiscal years. A project included in the Capital Budget is therefore by definition included in the CIP. The Capital Budget is enacted into law (sometimes with amendments) by the General Assembly, whereas the CIP is not; however, the CIP is used as the basis for formulating Capital Budgets in the succeeding four years, and is also used to persuade the State's bondholders that the State is managing debt prudently by not planning more capital investments over the next five years than it can afford. The CIP may also form the basis of pre-authorizations contained in the Capital Budget.

I. PROJECTS THAT QUALIFY FOR STATE CAPITAL FUNDS

A. Real Property Acquisition:

Acquisition of any freehold, fee or leasehold interest in land, including structures and fixtures located on the premises.

B. Design and Preparation of Plans and Specifications:

1. Includes the physical design of a project, prior to bidding a construction contract, and services required of an architect/engineer during the construction and post-construction stages.
2. Design funds are normally requested one year prior to the time the construction appropriation is to be requested. For projects whose total cost is expected to exceed \$10 million, the design funds should be requested two years before the

construction appropriation. For very complicated projects, the design request must be phased over two years. In such cases, preliminary planning funds are requested the first year and detailed planning funds the second year. Normally 45% of design funds for projects over \$10 million should be requested in the first year with 55% in the second year.

3. Preliminary planning includes: the preparation of a site plan and a floor plan; the outline specifications for architectural, structural, and site improvements; civil, mechanical, and electrical work; and a definition of the components of each of the systems and materials intended to be used on the project. Planning also includes cost estimates. For further details, see the Procedures Manual for Professional Services, Department of General Services.
4. Detailed planning includes the preparation of all contract documents, such as detailed site plans, floor plans, excavations, specifications, etc., necessary for the construction of the project. For further details, see the Procedures Manual for Professional Services, Department of General Services. It also includes the services required of an architect/engineer during the construction and post-construction stages.

C. Construction

A construction project is a single undertaking involving construction applicable to one or more real property facilities or structures. Construction includes all work necessary to produce a complete and usable new facility or a complete and usable improvement to an existing facility. The work includes associated architectural work and other technical requirements. A construction project may include one or more of the following:

- Demolition of an existing facility;
- The erection, installation, or assembly of a new facility;
- The addition to, alteration, conversion, expansion, relocation, renovation, or restoration of an existing facility or structure;
- The installation, extension, or replacement of utility systems;
- The fixed equipment installed and made part of a facility;
- Site development and improvement.

Construction may include "self-help" projects accomplished using agency employees under certain approved conditions and situations advantageous to the State. However, capital funds may not be used to pay any operating expenses associated with a self-help project, including wages and salaries of permanent employees.

The actual physical construction phase of a capital improvement project must be preceded by the preparation of both preliminary and detailed plans and specifications.

Specialized categories of construction are defined as follows:

1. Addition/Expansion/Extension:

The physical increase to a real property facility/structure, which adds to its overall external dimension.

2. Alteration:
 - (a) The work required to change the arrangement of internal space and other physical characteristics of an existing facility, or to change the location of functional space within a facility, so that it may be more effectively utilized for its presently designated functional purpose.
 - (b) No facility should be considered for alteration until it has been in use for at least 15 years, except when required to make the facility usable; to meet State or federal codes, regulatory or licensing requirements; or when major priorities have changed or new programs have been implemented.
3. Conversion:
 - (a) The work required to change the arrangement of internal space and other physical characteristics of an existing facility so that it may be effectively utilized for a new functional purpose. This includes the utilities and fixed equipment installed on and made part of the facility.
 - (b) Adjustment of exterior space arrangement is normally considered to be an Addition/Expansion/Extension and is not normally included in conversions; however, the addition of a small amount of circulation and/or mechanical space to the exterior of a building to meet code requirements is permissible with the approval of DBM and DGS.
4. Relocation:
 - (a) The movement of a facility from one site to another, either intact or by disassembly and subsequent reassembly. A new foundation may be constructed at the new location as part of the project. This category includes movement of utility lines, but excludes relocation of roads, pavements or similar facilities.

When a facility is relocated on another site and the new facility consists primarily of new components, the project is considered a replacement rather than relocation.
 - (b) Relocation of two or more facilities resulting in a single facility will be considered a single project.
5. Renovation:
 - (a) The work required to restore and modernize most or all of a facility, or an existing mechanical system, so that the facility may be effectively utilized for its designated functional purpose or to comply with current code requirements.
 - (b) Renovation normally is required as a result of general deterioration and obsolescence due to age, deferred maintenance, original faulty construction, or damage from natural disasters. It may be funded as a

capital improvement project in these cases where the cost of the project is \$100,000 or more, and it cannot be accommodated in the agency operating or special fund budget.

- (c) The primary difference between renovation and alteration is that alteration involves significant modification to a facility's interior space arrangements while renovation does not.
- (d) Generally, no facility should be considered for renovation until it has been in use for at least 15 years, except when such work is necessary to meet State or federal codes, regulatory or licensing requirements, or to correct major basic faults originally incorporated into the facility.

6. Replacement:

- (a) The complete reconstruction of a facility, a mechanical system, or a utility system. The original building or mechanical or utility system must be beyond the point where it can be economically repaired or renovated and it can no longer be used for its designated purpose. Certain conditions, such as age, hazardous conditions, obsolescence, structural and building safety conditions or other causes may contribute to the need to replace a building or system. The reconstruction of minor components of a mechanical or utility system is considered maintenance/repair, rather than replacement.
- (b) A facility should not normally be considered for replacement until it has been in use for at least 40 years.
- (c) Replacement will normally be allowed as a capital improvement project only when a facility cannot be cost-effectively renovated or repaired.

7. Restoration:

The work required to restore a facility, to the maximum extent possible, to its former or original state. Normally, restoration will involve historic properties. In these cases, the Maryland Historical Trust should be consulted.

8. Site Development and Improvements:

These include such items as: grading and installation of drainage facilities; construction of new roads, walks, parking areas, retaining walls, recreational areas, fences and similar improvements; standard and essential landscaping; street or other outdoor lighting.

9. Utilities:

These include the installation, extension or replacement of systems for the provision of sewer, water and electrical service; power plant facilities and appurtenances; heating, ventilating and air conditioning; fire escapes, sprinklers and automatic fire alarms, and telecommunications.

D. Initial Equipment and Furnishings:

Items of initial equipment and furnishings will be eligible for funding as a capital improvement only if they meet conditions as detailed in the Capital Equipment Guidelines. These guidelines and a template of the Equipment and Furnishings Request Form are available on the DBM webpage at:

<http://dbm.maryland.gov/budget/Documents/capbudget/CapEquipGuidelines.pdf>

<http://dbm.maryland.gov/budget/Pages/capbudget/formstemplates.aspx>

I. PROJECTS THAT DO NOT QUALIFY FOR STATE CAPITAL FUNDS

- A. Master plans, feasibility studies, alternative project proposals, or the development of programs required as a prerequisite to the authorizing of funds for the preparation of plans and specifications.
- B. Payment of salaries or wages of State employees for work performed directly in conjunction with an authorized capital improvement project. This includes the preparation of plans and specifications.
- C. Capital improvements for auxiliary enterprise programs in the public four-year institutions of higher education. These are to be funded from program revenues unless State capital funds are specifically authorized by the Governor and General Assembly.
- D. Interim or temporary accommodations or equipment while another facility is being renovated. However, equipment may be pre-purchased if it is to be moved and reused in the renovated facility.
- E. Maintenance/repair projects, except as noted in subsection 4 below:
 - 1. Maintenance is the recurrent day to day, periodic (i.e., weekly, monthly, annual) or scheduled work required to preserve or maintain a facility or system in such a condition that it may continue to be effectively utilized for its designated purpose during its life expectancy. Maintenance includes work undertaken to prevent damage to a facility or system which otherwise would be more costly to restore, or work to sustain existing components of a facility or system. Construction of new maintenance sheds or buildings, and extension or expansion of utilities are excluded from this definition.
 - 2. Repair is the work required to restore a facility or system to such a condition that it may continue to be appropriately and effectively utilized for its designated purpose by overhaul, or replacement of constituent parts or materials which have deteriorated by action of the elements or wear and tear in use. This includes the correction of conditions, which adversely affect the use of a facility for its designated purpose due to non-conformance with prescribed standards and codes, except for major changes necessary to cover newly mandated accreditation or certification requirements.
 - 3. The following are examples of maintenance/repair projects (exceptions may be allowed for major projects):

- (a) Painting, decorating, caulking, repainting, or treatment of masonry and other surfaces;
 - (b) Replacing or repair of wall or floor tiles, shingles or siding;
 - (c) Sealing asphalt surfaces, ditching, replacement of gutters and curbs, patching or resurfacing roads;
 - (d) Replacement or repair of sprinklers and automatic alarm systems;
 - (e) Replacement or repair of components, elements or units of an elevator or escalator;
 - (f) Replacement or repair of plumbing, sanitary facilities, or the pre-heat, reheat, and chilled water coils or other components of a heating, ventilating and air conditioning system; and
 - (g) Replacement or repair of components of lighting and electrical systems.
4. Exceptions to #3 include maintenance/repair projects administered through the DGS Facilities Renewal Fund and the DNR Critical Maintenance Program. Agencies may request funding through the Facilities Renewal Fund for projects estimated as costing between \$100,000 and \$2.5 million. Agencies must submit requests to the DGS for prioritization.

WORCESTER COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROGRAMS
LANDOWNER AGREEMENT

THIS AGREEMENT, made this 27 day of June, TWO THOUSAND 18 by and between Robert Larson, hereinafter called "Property Owner", and the County Commissioners of Worcester County, Maryland, acting through the Department of Environmental Programs, hereinafter called "Department". Witnesseth that the Property Owner(s) and the Department, for considerations here mentioned, agree as follows:

1. The Property Owner(s) agrees to allow the installation of a habitat restoration project on the property at:

12539 Selsey Road (street address)
Worcester (county)
Ocean City, Md. 21842 (town, state & zip code).

2. This Landowner Right of Access Agreement allows the Department and/or its partners to undertake shoreline and wetland restoration activities on land owned by the Property Owner(s). The project area, (5+/- acres in size), as depicted on the site map (Appendix A), is located at 12539 Selsey Road, Tax Map 21 Parcel 28. The Property Owner agrees to not destroy or otherwise damage the restored area in perpetuity. The Property Owner reserves the right to implement other shoreline stabilization measures in the event of problems or other unforeseen circumstances. Any changes shall be coordinated with the Department.

In signing this Agreement, the Property Owner grants to the Department, or its designees, the authority to complete the shoreline and wetland restoration project as shown on approved plans with financial or material support from the Department or its partners.

The Property Owner grants to the Department and its Partners access to the site at reasonable times for conducting project-related activities such as inspecting work, surveying, monitoring the success of the project, and planting additional vegetation.

The Property Owner retains all rights to control trespass and retains all responsibility for taxes, assessments, granting rights-of-way, control and eradication of noxious weeds, and other incidences of ownership.

3. The Property Owner understands that neither the Department nor its agent makes any claims or warranties as to the life of any projects completed under this program. The only warranties, express or implied, for work performed under this Agreement are those that may be made by the firms retained to do the project design, or installation work described in the permits, proposal, project drawings and specifications. If the Property Owner retains the Department or its agent to undertake the survey and design work for this project, the Property Owner understands that no warranties, express or implied, with regard to the surveys and designs, are made. If the Department or its agent is retained by the Property Owner to undertake construction in accordance with the project drawings and specifications, only those implied warranties secured by law may apply, and no other warranties are made.

4. Finally, the Property Owner agrees that the Department, its officers, agents and employees will not be responsible for any damage to life and property due to its activities, or those of its officers,

agents, and employees, in connection with its performance under this Agreement except as permitted by the Maryland Tort Claims Act. Nothing herein is deemed to be a waiver of any immunity which may exist in any action against the Department or its agents.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

BY *Diana Purnell*
Diana Purnell, President

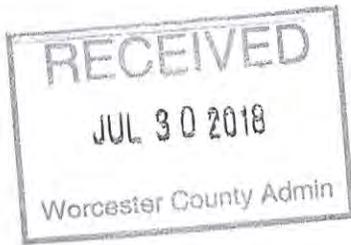
Kelly Rubin
Witness
6/26/18
Date

PROPERTY OWNER(S)
BY *Robert H. Larson*
Robert H. Larson

[Signature]
Witness
June 21, 2018
Date

Approved as to form and legal sufficiency this 27 day of June, 2018.

Maween Howarth
County Attorney



5

Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: **Ilia Fehrer Wetland Restoration Project**
Maryland Coastal Bays Program

Date: July 30, 2018

To accompany Mr. Piorko's attached request, David Bradford and I have reviewed the attached letter from the Maryland Coastal Bays Program (MCBP) concerning their request to move forward in permitting a planned wetland restoration for the property. Their letter requests concurrence to act as the permittee on approvals for this project. Funding comes from the Maryland Department of Natural Resources (DNR) Chesapeake and Coastal Services Division, which will include design services.

The Ilia Fehrer Nature Preserve was established after the County, along with our State and Federal partners, worked with The Trust for Public Land toward the purchase of the 430 acre Adkins property on Ayres Creek for passive public access, education, and habitat management. Worcester County entered into a Memorandum of Understanding (MOU) with the Maryland Coastal Bays Program (MCBP) in 2011, which detailed future goals and responsibilities for the property. This followed a March 16, 2010 decision by the County Commissioners to hold title to the property provided that the County not provide any funding toward the purchase or incur any expenses in the management of the property. The County Commissioners have previously reviewed and accepted a Forest Stewardship Plan for this property that provided a baseline to request financial assistance for various restoration practices. These activities would include wetland restoration, passive recreation, low impact trail networks, and educational outreach programs.

As the attached memo from Mr. Bradford details, MCBP wishes to commence with the permitting portion of the project as this portion will take some time. He expresses our staff concerns on area landowner notifications for the project and summarizes matters relating to permittee status for a similar restoration project. I concur with the first part of his assessment, as we did receive valuable

Citizens and Government Working Together

feedback from neighboring property owners during the Forestry Management plan preparation process. I would also concur with the concerns noted regarding permittee responsibilities for these types of projects. County staff did have additional questions on several items relating to this project and they are listed and addressed in an attachment to the MCBP letter.

Restorations like these are complementary activities that, when combined with protection and preservation, can help achieve overall improvements in our local waterways. The additional benefits of habitat establishment help add to the existing land network that will be designed to be a resilient and self-sustaining natural system able to accommodate stress and change.

The request from MCBP will be in concert with management goals and objectives outlined in the MOU for this property. We would respectfully recommend that the County Commissioners approve this request from MCBP with the suggested caveat that MCBP be the permittee on the project and they commit to being a good neighbor by sharing project details with the adjacent property owners to give them an opportunity to express their concerns prior to completion of the final plan. *

MCBP will return to the County Commissioners after design is completed for approval prior to bidding out the project construction. This will also be done after the management committee, which includes staff from Environmental Programs and Recreation and Parks, has provided their consensus and feedback on the final plan.

As always, David and I will be available to discuss the matter with you at your convenience. If you have any questions or require additional information, please do not hesitate to contact me.

Attachments

cc: Maureen Howarth/County Attorney
David Bradford/Dep. Director, Env. Programs
Katherine Munson/Planner V, Env. Programs
Tom Perlozzo/Director, Recreation & Parks
Bill Rodriguez/Parks Superintendent, Recreation & Parks



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

LAND PRESERVATION PROGRAMS
STORMWATER MANAGEMENT
SEDIMENT AND EROSION CONTROL
SHORELINE CONSTRUCTION
AGRICULTURAL PRESERVATION
ADVISORY BOARD

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
CRITICAL AREAS
FOREST CONSERVATION
COMMUNITY HYGIENE

MEMORANDUM

DATE: July 30, 2018
TO: Robert J. Mitchell, Director
FROM: David M. Bradford Jr., Deputy Director *DMB*
SUBJECT: Ilia Fehrer Nature Preserve – Wetland Creation Project.

Enclosed within this memo you will see several documents provided by Frank Piorko, Executive Director Maryland Coastal Bays Program (MCBP), regarding a proposed wetland creation project that they would like to conduct on this property. The plans consist of several elements which include ditch plugging, road closures, and grading activities to achieve their restoration goals. Md. Department of Natural Resources has been assisting them with the design work.

At this particular juncture MCBP is working on obtaining applicable permits for the project and is looking for the County Commissioners permission for them to act as the permitting applicant for the project. By doing this they would be responsible for any compliance and/or regulatory issues that may arise during construction.

It may be a good idea to distribute a notification letter to adjoining property owners, such as what we did when drafting the Forest Management Plan for the property, to obtain their comments and to be a good neighbor prior to a final plan being approved.

In addition to the documents provided by Mr. Piorko, I have also enclosed a copy of the MOU from 2011 between the County Commissioners and MCBP and an overall map of the property.

Let me know if you need anything further. I will be available to attend the Commissioners meeting when this is scheduled for discussion.

Enclosures: (1) Documents from Frank Piorko (3 pages)
(2) MOU between WC and MCBP (4 pages)
(3) Aerial Map of Property (1 page)



MARYLAND COASTAL BAYS PROGRAM

8219 Stephen Decatur Highway

Berlin, Maryland 21811

(410) 213-2297 - PHONE

(410) 213-2574 - FAX

mcbp@mdcoastalbays.org

www.mdcoastalbays.org

July 23, 2018

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

Dear Commissioners,

I am writing to you this day to request the Commissioners consent to move forward with preliminary wetlands permitting for the Ilia Fehrer wetland restoration project proposed to take place at the Ilia Fehrer tract referenced by Tax Map 0033, Parcels 0158, 0162, 0169, 0172, 0296, Third Tax District, Worcester County, Maryland.

A wetland restoration plan has been developed by the Maryland Department of Natural Resources with the consensus of the Ilia Fehrer Management Committee and is consistent with the MOU between the Worcester County Government and Maryland Coastal Bays Foundation (MCBF) executed on February 1, 2011. That agreement reads in part...

Management goals and objectives include completing additional restoration work to block ditches and restore natural hydrology and habitat on the property.

This project will close a 2.4 acre section of dead-end logging road, create three large sized non-tidal wetland depressions, and install ditch plugs to alter site hydrology to complete this restoration. The proposed project also comports with the Forest Stewardship Plan prepared by Vision Forestry LLC and approved by the County Commissioners. A preliminary site plan is attached.

At this juncture in the project planning, the Maryland Coastal Bays Program (MCBP) is asking only for the Commissioners approval to act as the permitting applicant for this project, as we feel this is within the scope of the management responsibility that has been identified in the above referenced MOU. MCBP would like to proceed with the State and Federal wetlands permitting process, as this is often the longest part of the project design phase. An on-site meeting has been held with the appropriate agencies in May, and this project was identified as having sufficient information to proceed with a permit application.

Worcester County Commissioner
Ilia Fehrer
July 23, 2018
Page Two

Concurrent with that application, the design from MD DNR will be submitted to the Natural Resources Conservation Service personnel at the Worcester County Soil Conservation District, to produce a Wetland Conservation Enhancement Plan. This completed plan will contain all elements for Best Management Practices that will be necessary for Erosion and Sediment Control and Stormwater Management approvals.

Once this plan has been completed, the MCBP will convene the Ilia Fehrer Management Committee for their consensus and then submit for review through the Worcester County Commissioners prior to final approval and proceeding to the project being bid for construction.

Funding for construction is being provided by a grant through the Maryland DNR, and the project will be managed by MCBP, MD DNR with oversight by the "Committee".

I hope that the Commissioners agree that this next step in the plan design/approval process is a logical one at this juncture and approve the MCBP submitting the preliminary plan for wetlands permitting approval.

If there any questions, please do not hesitate to contact me. We look forward to working with Worcester County and MD DNR to develop and complete this important ecological project.

Sincerely,

Frank M. Piorko

Frank Piorko, Executive Director

Worcester County Comments	MCBP Response
<p>Have you guys identified all of the applicable permits that you're going to need for the project? I recall there was some discussion/questions regarding this during the site visit we had over the winter w/ NRCS.</p>	<p>As discussed on the call with FP and DB, on 7/20, State and Federal Permits through the Nationwide 27; Erosion and Sediment Control and local Stormwater Management approval. Federal NPDES General Permit and NOI submittal.</p>
<p>Has there been a downstream analysis to ensure that ditch blocking/plugging will not create any issues for neighboring properties? If so, please provide documentation as we are confident that we'd receive calls.</p>	<p>Pete Dolan, DNR, has performed an upstream analysis of the area that would be inundated by the design storm event as a result of the hydromodification to the ditches. This will be submitted to Worcester County as it is finalized, before any final plan approval.</p>
<p>As we talked before the parking area that is illustrated on the plan should not be a part of this conservation plan as it is more of a development activity rather than a conservation action. This should be handled via standard SEC/SWM plan as we've all talked about before. Has there been any other discussion on a parking/access location?</p>	<p>Future proposed parking area has been left on the plans purposely. Jason Peters, USACE, has agreed to make a note to leave this piece out of the NW27 permitting process, but will assist us in getting the parking area permitted through regular avenues in the future.</p>
<p>Is the conservation plan going to be able to satisfy your SEC/SWM/NOI requirements?</p>	<p>Yes</p>
<p>How does this proposed align with the Forest Stewardship plan that was recently approved?</p>	<p>Aligns with these recommendations in the 2016 FSP: "To restore the palustrine forested wetland that was previously planted as loblolly pine monoculture for silvicultural purposes" and "To complete additional restoration work to block ditches and restore natural hydrology and habitat on the property."</p>
<p>Also, it looks like some of the areas that were previously planted are now a part of this wetland project. Are we just abandoning those planted areas now? How does this project align with the overall planting plan for the harvested area?</p>	<p>A small portion of the previously planted areas that are a part of the project were not successful. Some of the hardwood plantings were outcompeted by tall grasses. Any surviving trees of interest can be transplanted before restoration.</p>
<p>With regards to the County being on the permit, I would say that would be doubtful based upon the compliance issues we had at the Bishopville Pond project while that was being constructed. If you recall that permit was transferred from WC over to DNR shortly after we received some non-compliance letters from MDE that put the County in a precarious situation.</p>	<p>MCBP / DNR will be the permit applicant</p>
<p>This proposal will need go before the Commissioners for their review and approval. We will also need to speak with our County Attorney regarding the agreements you reference. We are finishing up the review of the scope of work and grant document.</p>	<p>A letter has been drafted asking for the Commissioners approval to proceed only with the wetland permit application at this time. A request will be made for that approval at the Commissioners meeting on 8/7/18</p>
<p>We at the County would also request to have local contractors included in the bidding process as the work is occurring on County property. As far as the contents of the RFB, we would need to get some answers on the above questions and get a bit closer to an approved plan before providing comments. I'm sure the Commissioners would also like to provide comment.</p>	<p>Unless the project were to be constructed by DNR field construction, MCBP anticipates bidding this project for construction.</p>

**Memorandum of Understanding
Ayers Creek/Holly Grove Swamp Phase II
Coastal & Estuarine Land Conservation Program (CELCP)
FY 2010 Award**

This Memorandum Of Understanding ("MOU") executed in duplicate, effective this 1st day of February, 2011, by and between the County Commissioners of Worcester County, Maryland (the "County") and the Maryland Coastal Bays Foundation (the "MCBF"), or their designee. This MOU applies to the obligations of each party relative to the ownership and management of property shown on the plat dated February 24, 2011 recorded in Plat Book SVH 235, Pages 33-34, titled "Lands of The Adkins Company, LLC, Tax Map 33, Parcels 158, 162, 169, 172, 296, Third Tax District, Worcester County, Maryland, pursuant to National Oceanic and Atmospheric Administration ("NOAA") grant award No. NA10NOS4190132, the Ayers Creek/Holly Grove Swamp Project property (the "Property").

WITNESSETH:

WHEREAS, The County and MCBF have worked cooperatively to identify the Ayers Creek/Holly Grove Swamp area as worthy of conservation due to its wildlife habitat and water quality benefits; and

WHEREAS, the State of Maryland received a federal grant to acquire land within this area to transfer to the ownership of the County; and

WHEREAS, The MCBF has agreed to be the sole manager of the property and bear, or otherwise acquire funds for, all expenses associated with management and maintenance; and

WHEREAS, The Property is to be protected in perpetuity as a nature reserve in accordance with the conditions and restrictions contained in the deed to the County for the property, the Coastal and Estuarine Land Conservation Program (CELCP) Final Guidelines, June 2003, as updated from time to time, and the federal CELCP grant award; and

WHEREAS, the County and MCBF are entering into this MOU to set forth their mutual understanding of what roles each organization shall fulfill in managing and maintaining the property.

NOW, THEREFORE, for and in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, hereby agree as follows:

Section 1. Project Description. The County will be designated by the State of Maryland as the Grantee in the deed of conveyance of the fee simple interest of the Property. The MCBF shall assume management responsibilities of the property, effective on the date the County acquires the Property to ensure its use as a passive park managed for wildlife and water quality. MCBF agrees to pay for all management and maintenance costs in full. No portions of the CELCP budget are dedicated to these activities. The County will not be responsible for any costs associated with management or maintenance of the property. The County, or its designated Staff, shall review and approve in writing any and all proposed management actions and improvements proposed by the MCBF, prior to their initiation.

Section 2. Property Management. Management and maintenance of the property must accomplish and address the following management goals and objectives outlined in the federal CELCP grant award and according to conditions and restrictions contained in the deed to the County for the property, the Coastal and Estuarine Land Conservation Program (CELCP) Final Guidelines, June 2003, as updated from time to time, and the federal CELCP grant award:

- A. To maintain the Property in a state as suitable only for passive recreation and the publicly accessible portion of a multi-phase conservation effort to protect the Holly Grove Swamp – a 4,000 acre contiguous coastal plain forest block.
- B. To manage the Property to protect principal habitats of concern in Maryland's Coastal Bays as each of the key habitats on the Property plays a valuable role toward maintaining the ecological integrity of the area's intricate hydrological system. These habitats include the sensitive shoreline, palustrine and estuarine wetlands and adjacent coastal upland forest areas.
- C. To maintain the ecological integrity of the Property and the region. The acquisition of the subject Property will protect one of the largest, most ecologically valuable, unprotected forest parcels in the Ayers Creek area. Management of this Property shall be conducted in a manner to maintain these characteristics.
- D. To restore the palustrine forested wetland that was previously planted as loblolly pine monoculture for silvicultural purposes. As stated in the final CELCP grant application upon which final funding of the Property was contingent, the MCBF has agreed to restore this area to a native forest after the Property is acquired, within two (2) years of closing. Revenue generated from the removal and sale of the loblolly pines must be used only for management of the Property. This could include allocating the funds to develop a low-impact trail system. Such activities should be consistent with conservation-oriented projects.
- E. To ensure that any non-motorized boat (e.g. kayak, canoe) access project on the Property consider and be consistent with existing and developing water trails that could include the Maryland Coastal Bays Kayak Trail and the developing Ayers Creek Water Trail. This will require working in coordination with the County and/or Maryland Department of Natural Resources.

- F. To complete additional restoration work to block ditches and restore natural hydrology and habitat on the Property. This work must be completed within 3 years of the conveyance of the Property to the County. The MCBF, in concert with Maryland Department of Natural Resources, will coordinate this restoration effort.
- G. To prepare a management plan for the Property within 12 months of the date of closing on the Property.

Section 3. Project Deliverables.

- A. Within 60 days of the date of closing on the Property, Maryland Department of Natural Resources, the County, and MCBF will establish a committee responsible for creating a management plan for the Property.
- B. Within 12 months of the date of closing on the Property, MCBF will have completed a management plan for the Property.
- C. Following execution of this MOU, MCBF shall provide summaries of the project's status to the County and Maryland Department of Natural Resources annually. Such summaries shall include a brief description indicating the work completed to date and the anticipated project completion date.

Section 4. Acknowledgement of Funding.

- A. Both parties will work cooperatively to erect and maintain a permanent plaque or sign on the Property, the design of which has been approved by NOAA, which identifies the project and credits NOAA's CELCP funding assistance as more fully described below in section 4 (b). This will be done at no cost to the County.
- B. Any publication or sign produced or distributed or any publicity conducted in association with this project must provide credit to NOAA's CELCP as follows: "Funding provided by the national Coastal and Estuarine Land Conservation Program administered by National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management in cooperation with the Maryland Department of Natural Resources' Coastal Management Program."

In witness whereof, the parties hereto have caused this MOU to be executed, on the date noted above, by their respective duly authorized officers:

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

By: James C. Church (SEAL)
James C. Church, President

MARYLAND COASTAL BAYS FOUNDATION

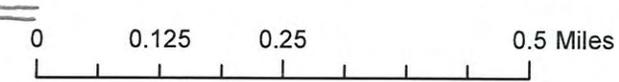
By: David Wilson (SEAL)
David Wilson, Executive Director

Approved As To Form
And Legal Sufficiency:

John S. Boyd
Attorney at Law

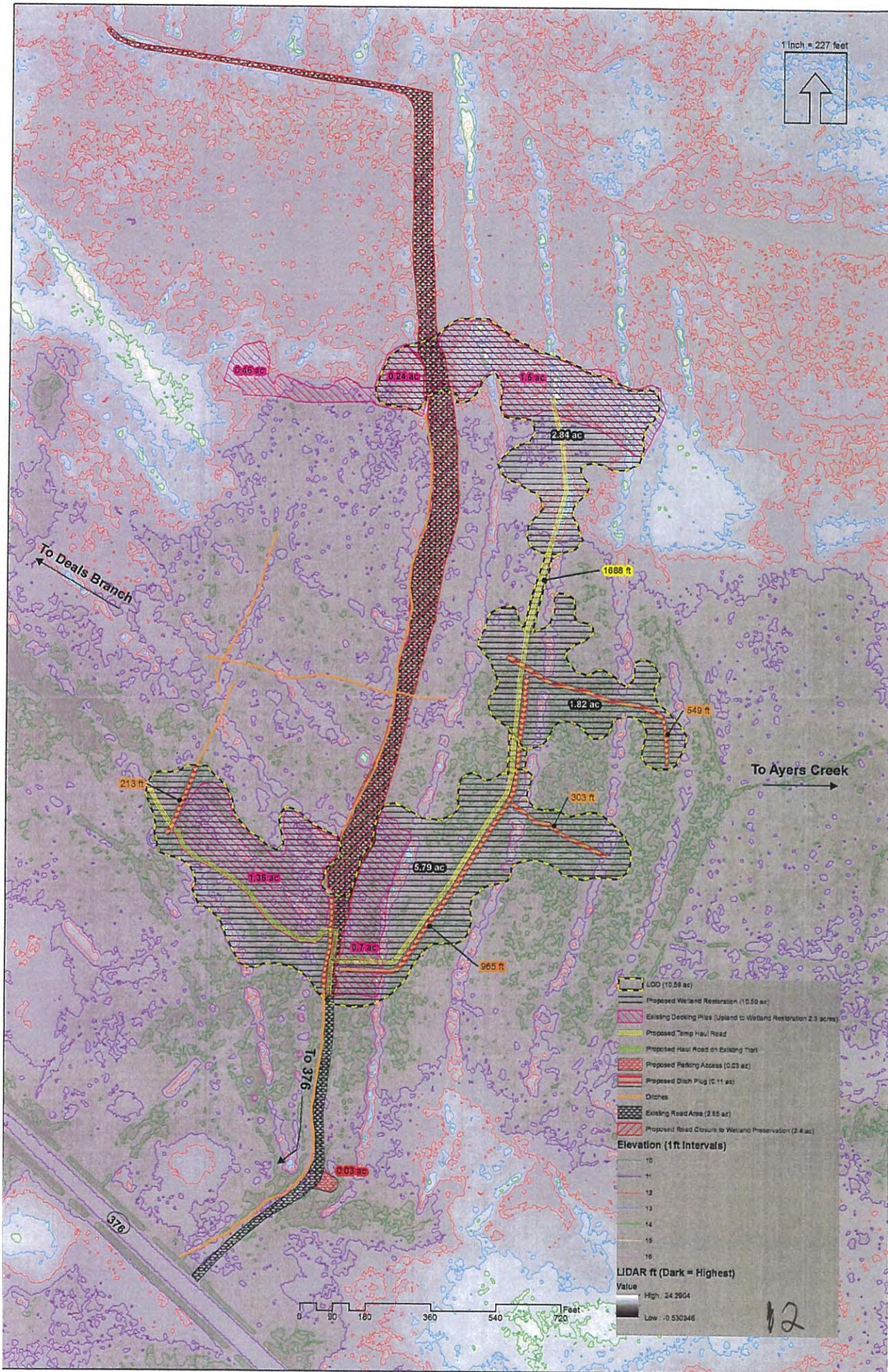


Ilia Fehrer Nature Preserve Boundary



2016 Imagery
Map generated by the Dept. of Environmental Programs
July 25, 2018
D. Bradford

1 inch = 227 feet



0.18 ac

0.24 ac

1.6 ac

2.84 ac

1688 ft

1.82 ac

540 ft

To Deals Branch

To Ayers Creek

213 ft

1.38 ac

5.79 ac

303 ft

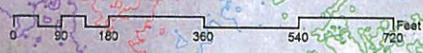
0.7 ac

965 ft

To 376

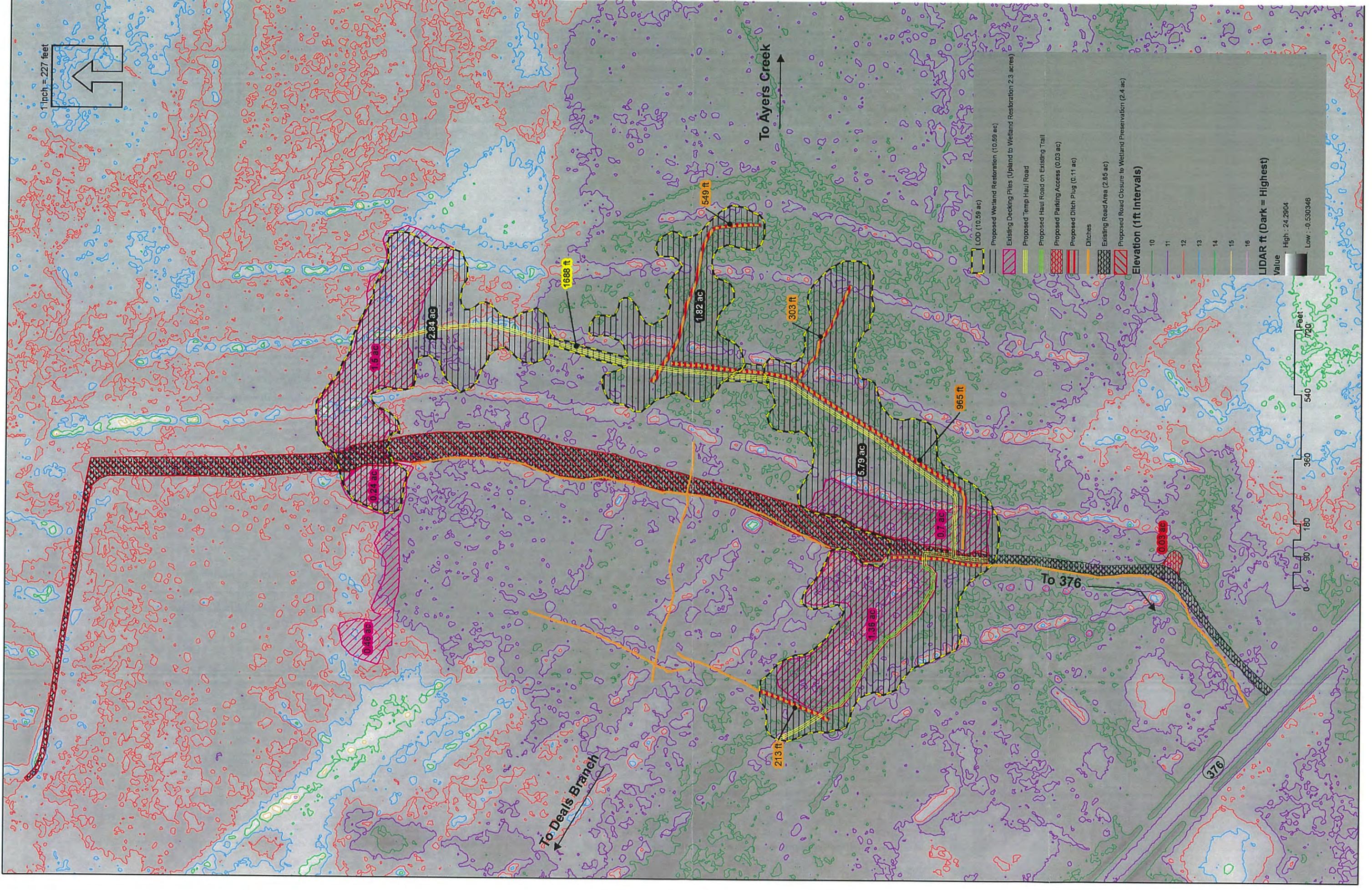
0.03 ac

- LOD (10.59 ac)
 - Proposed Wetland Restoration (10.59 ac)
 - Existing Deeking Piles (Upland to Wetland Restoration 2.3 acres)
 - Proposed Temp Haul Road
 - Proposed Haul Road on Existing Trail
 - Proposed Parking Access (0.03 ac)
 - Proposed Ditch Plug (0.11 ac)
 - Ditches
 - Existing Road Area (2.65 ac)
 - Proposed Road Closure to Wetland Preservation (2.4 ac)
- Elevation (1ft Intervals)**
- 10
 - 11
 - 12
 - 13
 - 14
 - 15
 - 16
- LIDAR ft (Dark = Highest)**
- Value
- High: 24.2604
 - Low: -0.530346



12

1 inch = 227 feet



0.46 ac

0.24 ac

1.6 ac

2.84 ac

To Deals Branch

1688 ft

182 ac

549 ft

213 ft

1.36 ac

5.79 ac

965 ft

303 ft

0.7 ac

0.03 ac

To 376

376

Feet

0

90

180

360

540

720

Elevation (1 ft Intervals)

10

11

12

13

14

15

16

LIDAR ft (Dark = Highest)

Value

High : 24.2904

Low : -0.530346



**Worcester County
Jail**

P.O. BOX 189
SNOW HILL, MARYLAND
21863

TEL: 410-632-1300
FAX: 410-632-3002

QUINTIN L. DENNIS
SECURITY

FULTON W. HOLLAND JR.
CLASSIFICATION

copy: Maureen Hawath ✓
Kathy White ✓
Phil Thompson ✓

July 19, 2018

Harold Higgins, Chief Administrative Officer
Worcester County Administration
Room 1103 Government Center
One West Market Street
Snow Hill, MD 21863

RE: Request for Memorandum of Understanding with Maryland Department of Public Safety

Dear Mr. Higgins,

I am submitting a request to enter into a Memorandum of Understanding with the Maryland Department of Public Safety and Correctional Services for the collection of restitution. The Worcester County Jail has historically collected court ordered restitution and provided the collected funds to the appropriate agency. In October 2017, the procedures changed to include the collection of funds earned for inmates who are institutional workers. The process now has a streamlined process for the collection and distribution of restitution collected. I have enclosed a copy of the Memorandum of Understanding for your review. I recommend approval to sign the Memorandum of Understanding with the Department of Public Safety and Correctional Services. Please contact me if you have additional questions.

Sincerely,

Donna J. Bounds, Warden
Worcester County Jail

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES~
COLLECTION OF RESTITUTION PROCEDURES~ INSTITUTIONAL WORK
ASSIGNMENT EARNINGS

I. FACILITY RESPONSIBILITIES

A. **Worcester County Jail** shall send to the Division of Parole and Probation (DPP) within DPSCS the commitment orders of all inmates that have an existing order for restitution, including orders entered on or after October 1, 2017.

B. **Worcester County Jail** shall send to DPSCS via email to: **Local_Restitution@maryland.gov** the Inmate Restitution Remittance Tracking Form (Appendix 2) that contains:

1. The full name of each inmate;
2. The required case number; and
3. The date.
4. A check made payable to DPSCS for the amount of restitution, with "JRA" written in the memo section should be mailed by the 10th of each month to the address identified in Section C of this Appendix 1.

C. All restitution checks should be sent to the following address:

DPSCS
P.O. Box 237
Baltimore, Maryland 21203

II. DEPARTMENT RESPONSIBILITIES

A. Upon receipt of the required inmate information and the amount of restitution DPSCS through its Financial Services Division and Information Technology and Communications Division (ITCD) shall distribute the funds in accordance with established Departmental procedures.

B. DPSCS will provide, on a quarterly basis, a Quarterly Disbursement Report that will include the inmate information, the amount of funds received for that period and the list of the victims that the funds to whom the funds were sent.

**Memorandum of Understanding
Between the Department of Public Safety and Correctional
Services and the Worcester County Jail Regarding Deductions
From Inmate Earnings**

1. **Parties.** This Memorandum of Understanding ("MOU") is created and entered into by and between 1) the Maryland Department of Public Safety and Correctional Services (hereinafter referred to as the "STATE" or the "DPSCS") and 2) the Worcester County Jail (hereinafter referred to as the "COUNTY").
2. **Purpose.** The purpose of this MOU is to establish the terms under which the parties to the MOU will implement the requirements of § 9-615 of the Correctional Services Article ("CS"), which requires deductions from the earnings of inmates in the custody of State and local correctional facilities for: 1) the cost of providing food, lodging, and clothing to an inmate, under certain circumstances; 2) the making of court-ordered payments for support of dependents; and 3) paying court-ordered restitution.
3. **Terms of Agreement.** This MOU is effective upon the day and date last signed and executed by the duly authorized representatives of the parties listed and shall remain in force and continue until terminated by either party. This MOU may be terminated, without cause, by either party upon 30 days' written notice to the other party.
4. **Definitions.** In this MOU, the following terms have the meanings indicated.
 - A. "COUNTY inmate" means an inmate who is committed to the custody of the Worcester County Jail.
 - B. "Earnings" means wages accumulated by an inmate through 1) an institutional work assignment; or 2) work release employment.
 - C. "Institutional work assignment" means a task performed for pay by an inmate within or outside a correctional facility under the supervision of correctional personnel, and which does not constitute work release employment.
 - D. "Institutional work assignment earnings" means earnings accumulated by a COUNTY inmate through an institutional work assignment.
 - E. "Work release earnings" means wages accumulated by a COUNTY inmate through work release employment.
 - F. "Work release employment" means employment that is authorized by CS §§ 11-602 and 11-725.

5. **Procedures for Deductions - Work Release Employment.**

For a COUNTY inmate engaging in work release employment, the COUNTY shall collect work release earnings and make deductions in accordance with CS §§ 9-615 and 11-725 by taking the following action in the order specified:

1. Collect the COUNTY inmate's work release earnings, less any payroll deductions required by law;
2. Deduct room and board from the COUNTY inmate's work release earnings;
3. If the COUNTY inmate is subject to a court order requiring payments for support of dependents, deduct amounts from the COUNTY inmate's work release earnings and make payments to the dependents or a social services agency in accordance with the court order;
4. If the COUNTY inmate is subject to an unsatisfied judgment of restitution, forward 25% of the remaining work release earnings to the DPSCS in accordance with the Appendix 1 to this MOU for disbursement to the person or governmental unit specified in the judgment of restitution; and
5. Credit to the inmate's institutional account any balance that remains.

6. **Procedures for Deductions - Institutional Work Assignment.**

For a COUNTY inmate engaging in an institutional work assignment, the COUNTY shall take the following action in the order specified:

1. Collect the COUNTY inmate's institutional work assignment earnings;
2. If the COUNTY inmate is subject to a court order requiring payments for support of dependents, deduct amounts from the COUNTY inmate's institutional work assignment earnings and make payments to the dependents or a social services agency in accordance with the court order;
3. If the COUNTY inmate is subject to an unsatisfied judgment of restitution, forward 25% of the remaining institutional work assignment earnings to the DPSCS in accordance with the Appendix 1 to this MOU for disbursement to the person or governmental unit specified in the judgment of restitution; and
4. Credit to the inmate's institutional account any balance that remains.

7. **Procedures for Deductions - Restitution**

Upon receipt from the COUNTY of an inmate's earnings for payment of an unsatisfied judgment of restitution, the DPSCS shall distribute the funds to the person or governmental unit specified in the judgment of restitution and take the other action required by the Appendix 1 to this MOU.

8. **General Provisions.**

- A. ***Applicable Law:*** The construction, interpretation, and enforcement of this MOU shall be governed by the laws of the State of Maryland.
- B. ***Severability:*** Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and the parties may renegotiate the terms affected by the severance.
- C. ***Auditing and Access to Records:*** The DPSCS shall have the right, on request to the COUNTY made with reasonable notice, to audit all COUNTY records related to the collection and distribution of inmate earnings to determine compliance with the provisions of this MOU and applicable law.
- D. ***Post-Audit Procedures:*** The results and findings of the referenced audit shall be provided to the COUNTY by DPSCS. If the results of the audit determine that, as the result of action of the COUNTY, the collection or distribution of inmate earnings is not in compliance with the provisions of this MOU or applicable law, the COUNTY shall make corrections to ensure that all provisions of the MOU and applicable law are followed.

9. **Points of Contact.**

- A. Department of Public Safety and Correctional Services:
Marsha Briley, Director, Reentry and Transition Services
6776 Reisterstown Road, Suite 310, Baltimore, MD 21215
Phone number: 410-585-3554; Email: marsha.briley@maryland.gov
- B. Worcester County Jail:
Warden Donna J. Bounds
5022 Joyner Road Snow Hill, Maryland 21863
Mailing address: P.O. Box 189, Snow Hill, Maryland 21863
Phone number: 410-632-1300; Email: dbounds@co.worcester.md.us

10. **Signatures.**

In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

Department of Public Safety and Correctional Services:

Stephen T. Moyer, Secretary
Department of Public Safety and Correctional Services

Date

Reviewed and approved for legal sufficiency:

Michael O. Doyle, Assistant Attorney General
Deputy Counsel, Department of Public Safety and Correctional Services

Date

LOCAL JURISDICTION:

Diana Purnell
President
Worcester County Commissioners

Date

Reviewed and approved for legal sufficiency:

Maureen Howarth
Worcester County Attorney

Date



7

Worcester County Commission on Aging

4767 Snow Hill Road, Snow Hill, MD 21863

To: Kelly Shannahan, Assistant Chief Administrative Officer
From: Rob Hart, Executive Director
CC: Tom Tucker, WorCOA Board Chairman
Date: August 1, 2018
Re: Board Member Appointment

Office of the Worcester County Commissioners
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, Maryland 21863

Dear Commissioners of Worcester County:

*

The Worcester County Commission on Aging Board of Directors would like to submit the following name to fill a vacancy left by Larry Walton's resignation.

Carolyn Dryzga
15 Admiral Avenue
Ocean Pines MD 21811
1.215.519.3670 (Cell)

Mrs. Dryzga worked in corporate management with Fortune 500 companies in Philadelphia and New York City, marketing and administrative services for over 30 years. She moved from Bucks County PA in May 2010 to Ocean Pines, MD. After moving here, she joined the Kiwanis in 2011 and became President of the club in 2014/15. She assumed Lt. Governor position this past fiscal year 2017/18 for eleven clubs covering Accomac, Va. to Dover, DE.

The Board of Directors hopes that the county commissioners will favorably concur with this selection given to them as a Board member replacement.

Thank you in advance for your consideration in this matter.

Memo

PHONE 410.632.1277x101 FAX 1.855.230.5496 EMAIL robh@worcoa.org

1

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
Rob Hart, Executive Director (410-632-1277)

Current Members:

<u>Member's Name</u>	<u>Resides/Represents</u>	<u>Years of Term(s)</u>	
Tommy Tucker	Snow Hill	09-12-15, 15-18	
Tommy Mason	Pocomoke	15-18	
Helen Whaley	Berlin	*16-18	
Fred Grant	Snow Hill	*15-16, 16-19	
Joyce Cottman	Berlin	*16, 16-19	
Cynthia Malament	Berlin	07-10-13-16, 16-19	
Lloyd Parks	Girdletree	08-11-14-17, 17-20	
Larry Walton	Ocean Pines	*13-14-17, 17-20	Resigned
Clifford Gannett	Pocomoke City	*12-14-17, 17-20	
James Covington	Pocomoke City	*18-20	
Bonita Ann Gisriel	Ocean City	*18-20	
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		

* = Appointed to fill an unexpired term

Prior Members:

Since 1972

Virginia Harmon
 Maude Love
 Dr. Donald Harting
 John C. Quillen
 Violet Chesser
 William Briddell
 Harrison Matthews
 John McDowell
 Mildred Brittingham
 Maurice Peacock
 Father S. Connell
 Rev. Dr. T. McKelvey
 Samuel Henry
 Rev. Richard Hughs
 Dorothy Hall
 Charlotte Pilchard
 Edgar Davis
 Margaret Quillen
 Lenore Robbins
 Mary L. Krabill
 Leon Robbins
 Claire Waters
 Thelma Linz
 Oliver Williams
 Michael Delano
 Father Gardiner
 Iva Baker
 Minnie Blank
 Thomas Groton III
 Jere Hilbourne
 Sandy Facinoli
 Leon McClafin
 Mabel Scott
 Wilford Showell
 Rev. T. Wall
 Jeaninne Aydelotte
 Richard Kasabian
 Dr. Fred Bruner
 Edward Phillips
 Dorothy Elliott
 John Sauer
 Margaret Kerbin
 Carolyn Dorman
 Marion Marshall
 Dr. Francis Ruffo
 Dr. Douglas Moore
 Hibernia Carey
 Charlotte Gladding
 Josephine Anderson
 Rev. R. Howe
 Rev. John Zellman
 Jessee Fasset
 Delores Waters
 Dr. Terrance A. Greenwood
 Baine Yates
 Wallace T. Garrett
 William Kuhn (86-93)
 Mary Ellen Elwell (90-93)
 Faye Thornes

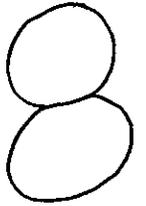
Mary Leister (89-95)
 William Talton (89-95)
 Sunder Henry (89-95)
 Josephine Anderson
 Saunders Marshall (90-96)
 Louise Jackson (93-96)
 Carolyn Dorman (93-98)
 Constance Sturgis (95-98)
 Connie Morris (95-99)
 Jerry Wells (93-99)
 Robert Robertson (93-99)
 Margaret Davis (93-99)
 Dr. Robert Jackson (93-99)
 Patricia Dennis (95-00)
 Rev. C. Richard Edmund (96-00)
 Viola Rodgers (99-00)
 Baine Yates (97-00)
 James Shreeve (99-00)
 Tad Pruitt (95-01)
 Rev. Walter Reuschling (01-02)
 Armond Merrill, Sr. (96-03)
 Gene Theroux
 Blake Fohl (98-05)
 Constance Harmon (98-05)
 Catherine Whaley (98-05)
 Wayne Moulder (01-05)
 Barbara Henderson (99-05)
 Gus Payne (99-05)
 James Moeller (01-05)
 Rev Stephen Laffey (03-05)
 Anne Taylor (01-07)
 Jane Carmean (01-07)
 Alex Bell (05-07)
 Inez Somers (03-08)
 Joanne Williams (05-08)
 Ann Horth (05-08)
 Helen Richards (05-08)
 Peter Karras (00-09)
 Vivian Pruitt (06-09)
 Doris Hart (08-11)
 Helen Heneghan (08-10)
 Jack Uram (07-10)
 Robert Hawkins (05-11)
 Dr. Jon Andes
 Lloyd Pullen (11-13)
 John T. Payne (08-15)
 Sylvia Sturgis (07-15)
 Gloria Blake (05-15)
 Dr. Jerry Wilson (Bd. of Ed.)
 Peter Buesgens (Social Services)
 Deborah Goeller (Health Dept.)
 George "Tad" Pruitt (05-17)
 Bonnie C. Caudell (09-17)

* = Appointed to fill an unexpired term



DEPARTMENT OF HUMAN SERVICES

Worcester County
Department of Social Services



Roberta Baldwin
Director

Dawn Jones
Assistant Director
Child Support

Jamie Manning
Assistant Director
Services

Ellen Payne
Assistant Director
Family Investment

Mary Beth Quillen
Assistant Director
Administration

MAIN OFFICE
299 Commerce Street
P.O. Box 39
Snow Hill, Maryland 21863

Telephone: 410-677-6800
Fax: 410-677-6810
TTY: 410-677-6800

Website:
www.dhr.maryland.gov/local-offices/worcester-county/

August 2, 2018

Diana Purnell, President
Worcester County Office of the Commissioners
Worcester County Government Center
One West Market St., Room 1103
Snow Hill, MD 21863

RE: Re-Appointment to the Worcester County DSS Advisory Board

Dear Ms. Purnell,

I am writing regarding Advisory Board membership of Faith Coleman and Harry Hammond. Both Ms. Coleman and Mr. Hammond were appointed to the Worcester County Advisory Board by the Worcester County Commissioners for a term to end in 2018. I am requesting consideration to re-appoint both members to another term as they are an excellent asset to our board. Below is the needed contact information:

Faith Coleman
4657 Snow Hill Road
Snow Hill, MD 21863

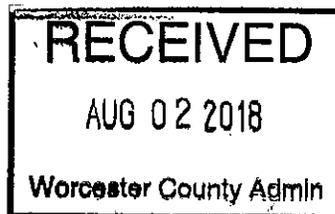
Harry Hammond
9353 Peerless Road
Bishopville, MD 21813

Please contact me if you would like to discuss this further. Thank you for your time with this matter.

Sincerely,

Roberta Baldwin, LCSW-C
Director

Cc: Harold Higgins, Chief Administrative Officer
Kelly Shannahan, Assistant Chief Administrative Officer



SOCIAL SERVICES 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>
Tracey Cottman	D-1, Lockfaw	Pocomoke City	*15-17
Diana Purnell	ex officio - Commissioner		14-18
Faith Coleman	D-4, Elder	Snow Hill	15-18
Harry Hammond	D-6, Bunting	Bishopville	15-18
Voncelia Brown	D-3, Church	Berlin	16-19
Maria Campione-Lawrence	D-7, Mitrecic	Ocean City	16-19
Mary White	At-Large	Berlin	*17-19
Nancy Howard	D-2, Purnell	Ocean City	(09-16), 17-20
Cathy Gallagher	D-5, Bertino	Ocean Pines	*13-14-17, 17-20

* = Appointed to fill an unexpired term

SOCIAL SERVICES BOARD
(Continued)

Prior Members: (Since 1972)

James Dryden	Naomi Washington (01-02)
Sheldon Chandler	Lehman Tomlin, Jr. (01-02)
Richard Bunting	Jeanne Lynch (00-02)
Anthony Purnell	Michael Reilly (00-03)
Richard Martin	Oliver Waters, Sr. (97-03)
Edward Hill	Charles Hinz (02-04)
John Davis	Prentiss Miles (94-06)
Thomas Shockley	Lakeshia Townsend (03-06)
Michael Delano	Betty May (02-06)
Rev. James Seymour	Robert "BJ" Corbin (01-06)
Pauline Robertson	William Decoligny (03-06)
Josephine Anderson	Grace Smearman (99-07)
Wendell White	Ann Almand (04-07)
Steven Cress	Norma Polk-Miles (06-08)
Odetta C. Perdue	Anthony Bowen (96-08)
Raymond Redden	Jeanette Tressler (06-09)
Hinson Finney	Rev. Ronnie White (08-10)
Ira Hancock	Belle Redden (09-11)
Robert Ward	E. Nadine Miller (07-11)
Elsie Bowen	Mary Yenny (06-13)
Faye Thornes	Dr. Nancy Dorman (07-13)
Frederick Fletcher	Susan Canfora (11-13)
Rev. Thomas Wall	Judy Boggs (02-14)
Richard Bundick	Jeff Kelchner (06-15)
Carmen Shrouck	Laura McDermott (11-15)
Maude Love	Emma Klein (08-15)
Reginald T. Hancock	Wes McCabe (13-16)
Elsie Briddell	Nancy Howard (09-16)
Juanita Merrill	Judy Stinebiser (13-16)
Raymond R. Jarvis, III	Arlette Bright (11-17)
Edward O. Thomas	
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)	

* = Appointed to fill an unexpired term



EMERGENCY SERVICES

Worcester County

GOVERNMENT CENTER

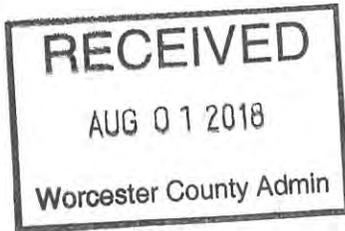
ONE WEST MARKET STREET, ROOM 1002

SNOW HILL, MARYLAND 21863-1193

TEL: 410-632-1311

FAX: 410-632-4686

FRED E. WEBSTER, JR.
DIRECTOR



To: Harold Higgins, Chief Administrative Officer

From: Fred Webster, Director of Emergency Services 

Re: Telephone Fiber Upgrade

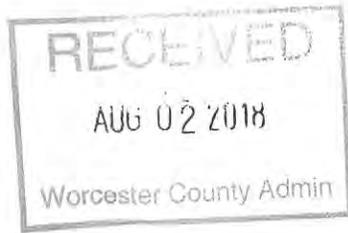
Date: 1 August 2018

At your 3 July 2018 meeting I was before you seeking approval to apply the Maryland Emergency Number Systems Board (ENSB) for \$166,718.89 for fiber optic telephone cable diversity. On 26 July Assistant Director Hamilton and I appeared before the ENSB along with representatives from Verizon and received full funding for the project.

The project seeks to provide redundancy and resiliency to Public Safety Answering Point connectivity from Verizon. The project consists of three distinct sub-projects. The first would be installation of "curb to rack" fiber conduit to be performed by Skyline Technology Solutions who has performed multiple fiber runs for the county as a part of the CCPN network. The second phase would be Verizon providing fiber installation and termination routed through two separate Verizon Central Offices to provide the redundancy. Finally Carousel Industries who maintains our customer premises equipment (CPE) at both the main and backup centers would add 1 PRI Module, relocate existing Audio Code gateways, install and configure new Verizon PRIs at each host location and install/configure/test the new 911 trunks.

With your approval today we will move forward with getting the vendors started on the work.

I am available to answer any questions that may arise at your convenience.



10

FRED E. WEBSTER, JR.
DIRECTOR

EMERGENCY SERVICES
Worcester County

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

To: Harold Higgins, Chief Administrative Officer

From: Fred Webster, Director of Emergency Services 

Re: Engineering Consultant Proposal

Date: 1 August 2018

On 31 July a Commissioners work session was held beginning at 1 PM. During the work session Commissioners were presented with information regarding coverage and interference on the new P25 radio system. Present for the meeting were representatives from Harris Corporation, Federal Engineering, members of the Ocean Pines Fire Department and County Staff.

During the presentation Mr. Ron Bosco from Federal Engineering offered, at no charge, a "coverage workshop" in addition to the services in their original proposal. This would help the Commissioners better understand the nature of current issues.

At the conclusion of the meeting, following a motion by Commissioner Merrill Lockfaw seconded by Commissioner Bud Church to accept the proposal from Federal Engineering, a motion to table any further action was made by Commissioner Joe Mitrecic and seconded by Commissioner Chip Bertino. Commissioner Bertino stated that he wanted more time to consider the benefit that hiring Federal Engineering would have in remedying the issue of co-channel interference and tropospheric noise that's being experienced by the P25 radio system during early parts of the summer. He further requested that staff contact references who have worked with Federal Engineering.

I understand that Assistant Chief Administrative Officer Kelly Shannahan reached out to several of Federal Engineering's past clients who all confirmed that they were very pleased with the services they received from Federal Engineering. As a result, I request that the County Commissioners approve Commissioner Lockfaw's motion to accept the proposal from Federal Engineering to assist us with final implementation of our new Harris P25 Radio System on a time and materials basis not to exceed \$77,265 as outlined in their proposal dated July 10, 2018, and including their offer to conduct a "coverage workshop" at no additional charge.



"Unleashing the Power of Technology"

**Federal
Engineering®**

Federal Engineering, Inc.

10600 Arrowhead Drive
Fairfax, VA 22030
703-359-8200

August 1, 2018

Mr. Kelly Shannahan
Assistant Chief Administrative Officer
Worcester County Administration
Room 1103 Government Center
One West Market Street
Snow Hill, MD 21863-1195
Via email: kellys@co.worcester.md.us

Dear Mr. Shannahan:

Adam Nelson and I enjoyed our discussion with the Worcester County Commissioners on July 31, 2018 regarding our proposal dated July 10, 2018. Our consultants are prepared to assist the County with final implementation of your new Harris P25 Radio System. Having successfully accomplished numerous similar engagements, we firmly believe **FE** is your best choice to support your mission-critical public safety radio initiatives.

As discussed with the Commissioners, I am pleased to offer as part of our proposal **FETeamCoverage™**, an innovative approach to network design that involves County personnel, for no additional cost. The coverage workshop will be offered remotely as part of the project services we provide under contract to the County.

FE pioneered the concept of a coverage workshop over a decade ago. Our coverage expert, Adam Nelson, has delivered **FETeamCoverage™** to over 50 clients, the majority similar to the County.

Mr. Nelson will conduct an interactive coverage workshop with the County to depict the coverage for the new system. This hands-on session allows County participants to confirm system coverage and to immediately see the impacts of adding and/or deleting transmitter sites.

The benefits of the **FETeamCoverage™** workshop include the following: visual demonstration of areas of coverage requirements, visual depiction of selected sites in the system and representation of coverage for each site, and fast, interactive system site, technology, and spectrum impact decisions. In addition, any relevant interference-related issues pertaining to the performance of the new system, should they come to light as a result of **FE's** analysis, will be able to be demonstrated during the workshop.

As requested, below we provide contact information for a few clients, whom we recently assisted with P25 radio system implementation. Additional details for these projects are attached.

Worcester County, Maryland
August 1, 2018
Page 2

Client	Contact	Phone
State of Maryland	Norm Farley	410-697-9700
King and Queen, Virginia	Thomas Swartzwelder	804-785-5975
New Hanover County, North Carolina	Stephen Still	910-798-6910

FE thanks you for the opportunity of providing public safety radio consulting services, and we stand ready to assist as you proceed. Please feel free to give us a call at any time.

Sincerely,

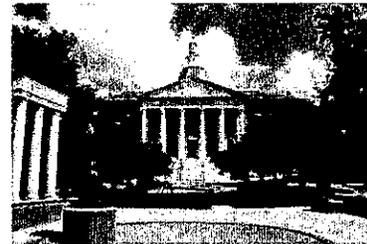


Ronald F. Bosco
President and Chief Executive Officer
Federal Engineering, Inc.



FEDERAL ENGINEERING ADDITIONAL REFERENCES

**STATE OF MARYLAND
Statewide 700 MHz PSMR System**



Project Dates
2017 – Present

Relevant Technologies

- 700 MHz
- Digital
- Public Safety Mobile Radio

Project Contact

Norm Farley
 Director
 Statewide Interoperability Radio Control Board
 100 Community Place
 Crownsville, MD 21032
 410-697-9700
 Norman.Farley@maryland.gov

Project Snapshot

- Project management
- Risk management
- Technical support
- Contract guidance

Project Description

FE has been delivering services to the State of Maryland since 2008. The State contracted with *FE* to provide technical consulting services and project management support for the federal Public Safety Interoperable Communications (PSIC) grant program, and since 2010 to assist in the implementation of the statewide public safety communications system, Maryland FiRST, when the State of Maryland awarded a contract to Motorola to develop a statewide 700 MHz communications system. *FE* provides project management, oversight, and technical consulting support for \$25M PSIC grant projects. This project has been extended to provide support through 2022. Full-time staffing is provided to the State of Maryland for support services that include the following:

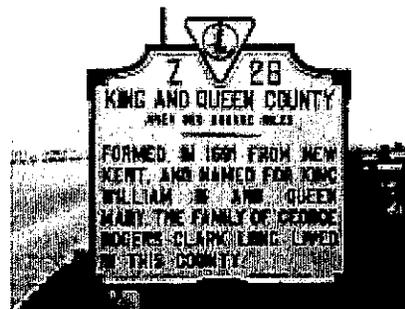
- Project/contract management of vendor and subcontractors on a \$345M contract
- Serve as State liaison between participating state and local agencies
- Risk management
- Monitor vendor contracts for compliance
- Provide subject matter expertise in support of system deployment
- Review and approve project schedule and scope issues
- Provide status reports
- Develop agency scopes of work and project schedules
- Provide contract guidance to state/local participants for use of the system





KING AND QUEEN COUNTY, VIRGINIA

Public Safety Radio Consulting Services for Countywide System



Project Dates
2008 – 2016

Relevant Technologies

- VHF
- Simulcast

Project Contact

Thomas Swartzwelder
County Administrator
242 Allens Circle, Suite L
King & Queen Court House, VA 23085
804-785-5975
tswartzwelder@kingandqueenco.net

Project Snapshot

- Assessed unsolicited radio system vendor proposal for technical and economic feasibility
- Needs analysis
- Conceptual design and functional specifications
- RFP generation
- Solicitation and procurement support
- Contract negotiations support - saved county over \$1.2 M
- Implementation oversight services

Project Description

King and Queen County, Virginia, received a proposal from a major equipment vendor to develop a new VHF simulcast public safety radio system. The county did not know whether this proposal was the right solution at the best cost possible. The county engaged *FE* to advise them and provide an unbiased comprehensive technical and economic evaluation of the vendor proposal.

FE independently assessed the vendor's proposed system design and implementation plan to determine design quality and feasibility, ease of implementation, and financial viability. To strengthen our understanding of the county's needs, *FE* conducted an abbreviated needs assessment and conducted site visits to existing and proposed sites. Based on *FE's* recommendations, the county solicited proposals via a competitive bid. *FE* developed vendor-neutral technical specifications for a narrowband-compliant UHF simulcast radio network, advised the county during system procurement, and assisting with contract negotiations. *FE* is currently providing implementation oversight services from installation through acceptance testing.

FE's involvement from the initial proposal review through the implementation of a competitively awarded system resulted in a price reduction of 40 percent from the initial manufacturer's discounted proposal, providing a savings to King and Queen County of over \$1.2 million. In addition, the contract negotiated by *FE* resulted in a more robust system solution than the initial proposal presented to the county expanding portable coverage from 70 percent to 96 percent. By involving *FE* in the process, the County was able to access *FE's* in-depth background with many manufacturers' systems and leverage *FE's* strong negotiating position within the industry, resulting in a state-of-the-art public safety communications system at a reasonable cost.





NEW HANOVER COUNTY, NORTH CAROLINA Public Safety Communications Consulting



Project Dates

2005 – 2015

Relevant Technologies

- P25
- Digital LMR
- 800 MHz
- Trunked

Project Contact

Stephen Still
Director of Emergency Management
230 Market Place Drive Suite 115
Wilmington, NC 28403
910-798-6910
sstill@nhcgov.com

Project Snapshot

- Collect information on and assess radio infrastructure, licenses, applications, operations, channel usage, and sites
- Assess all existing sites and several potential sites
- Develop system specifications and features RFP
- Assess vendor technical proposals and recommend compliant vendor to county
- Provide program management and IV&V services
- Rebanding program management
- Low voltage systems design and implementation oversight for Admin Bldg

Project Description

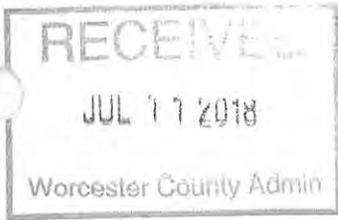
New Hanover County, North Carolina retained *FE* to provide needs assessment, design, RFP generation, system procurement, and implementation services for their 800 MHz public safety system. Subsequently, the county required the design of low voltage signaling infrastructure for IT, telecom, and security systems to support the daily operations of the County Administration Building. *FE* assessed the needs of the county's mobile and portable radio users by collecting information about the existing radio infrastructure, licenses, applications, operations, channel usage, and sites via interviews and questionnaires.

The *FE* team assessed existing sites and several potential sites for an additional tower to improve coverage, then developed system specifications and features for both the LMR system and the microwave network and incorporated them into an RFP. *FE* developed an evaluation matrix for ranking the vendors' technical proposals, conducted the vendor pre-bid conference, reviewed vendor questions, and prepared the responses and RFP addenda. *FE* evaluated new vendor technical proposals, processed the vendors' cost proposals, combined the technical and cost proposals to rank the vendor proposals, and recommended a compliant vendor to the county.

During the implementation phase, *FE* coordinated the *Installation and Implementation Oversight Plan* with the installation and equipment vendors' plans. This detailed oversight plan guided *FE* to oversee and evaluate the implementation of each site (for both radio stem and microwave installation) and the dispatch center. *FE* also provided program management and technical assistance for the county's 800 MHz rebanding as well as design and implementation oversight for low voltage systems in the County Administration Building.

The 800 MHz P25 countywide system is currently operational and meets New Hanover County's requirements for a reliable first responder network





EMERGENCY SERVICES

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1002

SNOW HILL, MARYLAND 21863-1193

TEL: 410-632-1311

FAX: 410-632-4686

FRED E. WEBSTER, JR.
DIRECTOR

To: Harold Higgins, Chief Administrative Officer

From: Fred Webster, Director of Emergency Services 

Re: Engineering Consultant Proposal

Date: 11 July 2018

The Department of Emergency Services has been working toward a migration of our public safety radio system for a period of approximately four years. A formal RFP was released on April 7, 2015 and an award to Harris Corporation was made in the fall of 2015. While jurisdictions in a similar position commonly contract with a consulting firm for development of an RFP through project acceptance at a cost of several hundred thousand dollars or more, county staff have performed all county responsibilities leading up to and under the contract with no external assistance. This has included project management, site management, field engineering and technician level responsibilities.

The county accepted beneficial use of the new radio system on February 14th, 2018 under a conditional acceptance addendum. Conditional acceptance was required due to a failed coverage acceptance test as well as a delay in the construction of the final transmitter site located in West Ocean City. While working through known remaining contractual items and since discovering interference issues that are heavily impacting the system in several areas, county staff have found several items that require external assistance due to lack of internal resources. Specifically, staff requires access to professional engineering support and technical resources related to radio frequency engineering for interference mitigation that is identified as a county responsibility within our contractual terms with Harris Corporation.

Staff has made contact with several consulting firms that specialize in this area. After evaluation by staff, Federal Engineering of Fairfax, Virginia was highly responsive and was identified as highly qualified in the specific tasks required and provided a proposal that included competitive rates for those services. Due to their qualification, familiarity with local systems that may be impacting our situation and the exigency of the task at hand we respectfully request consideration by the County Commissioners to waive bidding and permit contractual retention of Federal Engineering for the tasks described within the attached proposal as well as an over expenditure in the amount of \$77,265.00 to support this objective.

I am available to answer any questions that may arise at your convenience.



"Unleashing the Power of Technology"

**Federal
Engineering®**

Federal Engineering, Inc.

10600 Arrowhead Drive
Fairfax, VA 22030
703-359-8200

July 10, 2018

Mr. James E. Hamilton, Assistant Director
Department of Emergency Services
Snow Hill, MD 21863
Via email: jhamilton@co.worcester.md.us

Dear Mr. Hamilton:

In response to your request and recent telephone conference with Scott Wiggins and Travis LePage, Federal Engineering, Inc. (*FE*) is pleased to offer this proposal to provide radio consulting to Worcester County, Maryland. We look forward to serving as your trusted advisor in evaluating your current radio system.

Federal Engineering is a Maryland firm. We are currently working on the State of Maryland radio project and has completed multiple projects in the Mid-Atlantic Region and we understand your unique conditions. *FE* specializes in the planning, assessment, needs analysis, conceptual design, specification, and RFP development to upgrade legacy systems to standards-based P25 digital systems in all frequency bands. We have extensive experience in providing services related to vendor evaluation, contract negotiations, system implementation, and testing oversight.

We will engage your first responders and facilitate consensus of current and future needs through a collaborative process. Every project is unique, and we develop customized tools, solutions, and deliverables based on your needs, while drawing upon our experience on thousands of conventional analog radio upgrade projects and over one hundred P25 digital upgrades.

FE will provide an in-house team of consultants with direct, hands-on experience planning, designing, and implementing system upgrades in challenging terrain environments such as Worcester County. They offer a deep understanding of public safety organizations, regulatory guidance, and cultural frameworks.

We encourage you to consider retaining FE. We can proceed with this effort immediately. Having successfully accomplished numerous similar engagements, we firmly believe *FE* is your best choice to support your mission-critical public safety radio initiatives.

FE thanks you for the opportunity of providing public safety radio consulting services, and we stand ready to assist as you proceed. Please feel free to give us a call at any time.

Sincerely,

Ronald F. Bosco
President and Chief Executive Officer
Federal Engineering, Inc.



FEDERAL ENGINEERING OVERVIEW

Corporate Profile

Our company began nearly 35 years ago and has a rich history of providing system analysis and design for public safety communications technology. Public safety communications consulting is our only business. Our founder, Ronald F. Bosco a former first responder and degreed engineer, continues to lead the firm and has kept his vision steady to improve the functionality and cost-effectiveness of public safety communications. This consistency in ownership translates into consistency in performance as evidenced by the fact that our earliest government clients remain clients today, over a quarter of a century later.

Federal Engineering provides consulting services for the full life cycle of public safety radio system and 9-1-1 system projects, as highlighted below.

<i>Federal Engineering Consulting Services</i>	
◦ LMR technologies and systems	◦ Strategic planning
◦ Total communications network design	◦ Needs assessment and analysis
◦ Trunked, simulcast, and conventional LMR	◦ Coverage and capacity analyses
◦ Spectrum planning and licensing	◦ Broadband/LTE
◦ P25 technology	◦ Interoperability analyses
◦ PSAP design, site planning and selection	◦ RFP development and specifications
◦ PSAP regionalization / efficiency studies	◦ Procurement support
◦ Next Generation 9-1-1 and E9-1-1	◦ Program management
◦ Governance and policy analysis	◦ Implementation management
◦ Data management services	◦ Independent validation/verification
◦ Cyber security	◦ Transition planning
◦ CAD/RMS	◦ FCC license applications

FE has over 50 consultants, specialists, and former first responders located in offices across the country, dedicated to helping you achieve your goals for replacement, modification and expansion of your radio system. We have developed the tools, methodologies, and expertise necessary to deliver practical, affordable solutions. We have a proud history of completing all our projects on time and within budget.

Exhibit 1 shows our corporate organization.





Worcester County, Maryland

Public Safety Radio Consulting

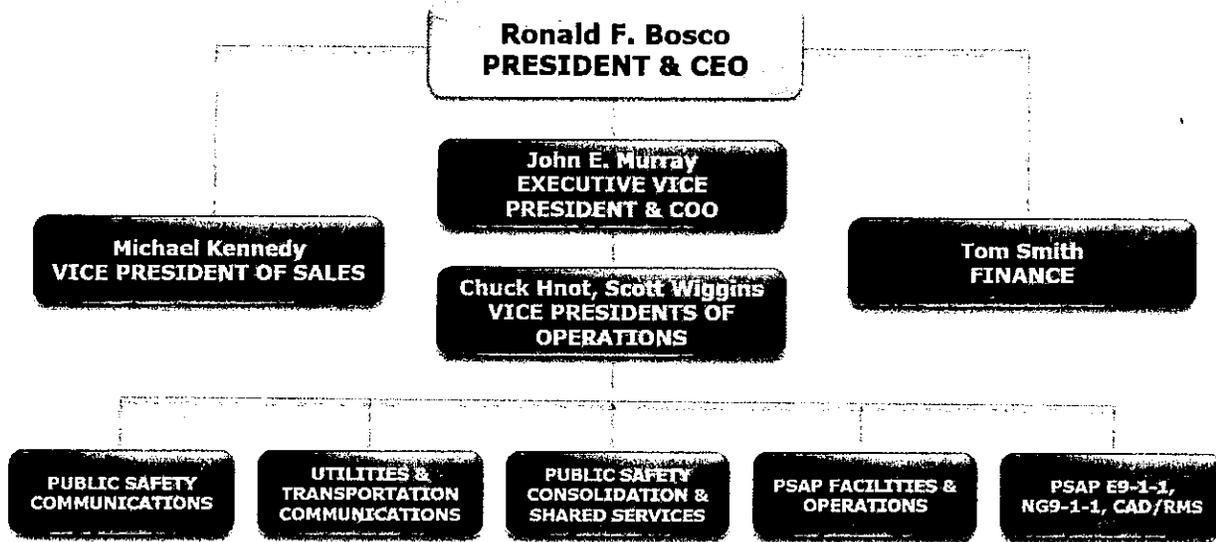


Exhibit 1—Federal Engineering's Corporate Structure

FE's corporate capabilities align with public safety voice and broadband radio system planning, design, and deployment.

FE consultants have worked on practically every type of system and in hundreds of project and operational situations. As a result, we are familiar with and understand the complexity that will be involved in assessing Worcester County's radio system. A sampling of our knowledge includes the following:

Land Mobile Radio Systems

- Trunked
- Simulcast
- Multicast
- Analog
- Digital

Frequency Bands

- Low band
- T-band
- VHF
- UHF
- 700/800 MHz
- 900 MHz
- 2.4, 4.9, 5.8 GHz
- Other licensed and unlicensed bands

Land Mobile Radio Technologies

- APCO TIA P25
- MPT1327
- TETRA
- DMR
- SCADA

Manufacturers' Systems and Equipment

- Harris (M/A-COM)
- Motorola
- Tait
- Airbus DS (Cassidian)
- EF Johnson
- Raytheon
- DataRadio
- Others

Broadband/Advanced Wireless Technologies

- LTE
- WiMAX
- WiFi
- Integrated voice and data

Backhaul Systems

- Microwave
- T-carrier
- Optical fiber



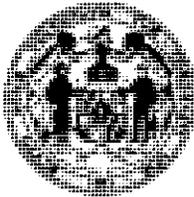


Similar Experience in the United States Mid-Atlantic Region

FE has a long-standing presence in the U.S. Mid-Atlantic Region, including the following clients:

State of Maryland
City of Albany, New York
City of Alexandria, Virginia
City of Arlington, Virginia
Atlantic County, New Jersey
City of Chesapeake, Virginia

State of Delaware
State of New York
New York City Transit
City of Newport News, Virginia
City of Virginia Beach, Virginia



State of Maryland—Delivering services to the State of Maryland since 2008, FE currently provides technical consulting services and project management support for the federal Public Safety Interoperable Communications (PSIC) grant program and since 2010 to assist in the implementation of the statewide public safety communications system, Maryland FiRST, when the State of Maryland awarded a contract to Motorola to develop a statewide 700 MHz communications system.

FE provides project management, oversight, and technical consulting support for \$25M PSIC grant projects. This project has been extended to provide support through 2022. Full-time staffing is provided to the State of Maryland for support services that include the following:

- Project/contract management of vendor and subcontractors on a \$345M contract
- Serve as State liaison between participating state and local agencies
- Risk management
- Monitor vendor contracts for compliance
- Provide subject matter expertise in support of system deployment
- Review and approve project schedule and scope issues
- Provide status reports
- Develop agency scopes of work and project schedules
- Provide contract guidance to state/local participants for use of the system

City of Chesapeake, Virginia—FE was selected to provide consulting services regarding the upgrade of the City’s current radio communications system to an interoperable P25 system leveraging existing 800 MHz and 700 MHz frequencies, sites, and infrastructure. Regional interoperability is an important element. The project is structured into three phases: Conceptual Design, Procurement Support, and Implementation Support. Using FE’s conceptual design, functional requirements were set, and the City released an RFP for system vendors, for which a new vendor was selected by the City for the system infrastructure. FE’s involvement in the proposal evaluation stages provided technical insight facilitating selection and successful negotiations with the vendor.



For the **New York State Office of General Services (OGS)**, FE provided independent verification and validation (IV&V) services associated with the **Statewide Wireless Network (SWN)** for the Chief Information Officer Office for Technology (CIO/OFT). Prior to FE’s involvement, SWN had been experiencing many technical and performance problems, and first





Worcester County, Maryland

Public Safety Radio Consulting

responders had serious doubts about the ability of the system to meet their communications needs. The SWN project management office was unable to determine the root causes of the performance problems and was coming under increasing pressure from state and local agencies to solve the problems before proceeding with further implementation phases.

In order to address these mounting issues, the State of New York contracted with *FE* to conduct an independent verification and validation of the radio system, including an assessment of the radio system vendor's quality program and technical compliance with the contract, risks of the program, and vendor's site construction quality, as well as validate contract deliverables. We were able to deliver, in a short amount of time, detailed and accurate information enabling the Governor's Office could to make an informed decision regarding the SWIN program. *FE's* role in New York State is a testimony to the detail and rigorous quality assurance approach *FE* takes in its implementation and program management engagements, ensuring that the customer/owner's interest are protected.





PROJECT UNDERSTANDING AND SCOPE OF WORK

Project Understanding

FE understands that the County of Worcester, Maryland (County) implemented a six-site, eight-channel Project 25 (P25) radio system to replace their end-of-life Enhanced Digital Access Communication System (EDACS). The County seeks *FE*'s assistance to investigate and make recommendations to correct performance issues with their new radio system in the following areas:

- Radio coverage and interference
- Site infrastructure equipment
- Subscriber equipment programming and configuration

As the County's radio consultant, *FE* will investigate the performance issues and coordinate with the County and their radio system vendor to develop remediation plans.

Why Federal Engineering

During *FE*'s public safety radio consulting history, we have been retained by many clients to provide IV&V services and remedy issues after their initial consultants and system vendors failed to deliver on promises. We have saved our clients millions of dollars while mitigating risks and delivering solutions that meet or exceed their needs. Because *FE* have been involved in billions of dollars in systems procurements, we have developed unmatched skills, methodologies, and databases that consistently yield verifiable results.

Tasks to Be Performed

Task 1—Project Initiation

FE will conduct a project initiation teleconference with the County. This teleconference will establish a common understanding of the project goals, objectives, vision, and specific scope of work, items best understood through a close working relationship between our respective teams. During the teleconference, we will also review the key performance issues and discuss a methodology to proceed with the project. Following the initiation teleconference, *FE* will deliver a request for information (RFI) to the County targeting specific areas discussed during the teleconference that we will further investigate.

Task 2—Review Radio System Information and Vendor Contracts

FE will conduct a review of the radio system documentation provided by the County in response to our RFI. Additionally, we will review the County's contract with their primary radio system vendor. *FE* will document our findings in a requirements traceability matrix (RTM), which will serve as the baseline for assessing the radio system's actual performance in relation to contract requirements. We will review the RTM with the County via teleconference to confirm key requirements and integrate feedback from system users.





Task 3—Assess Radio System Performance Issues

Using the RTM, FE will work with the County to prioritize the system performance issues for further investigation. Inclusive of this assessment, we will perform the following tasks.

Task 3.1—Radio System Coverage Issues

- Review radio system vendor guaranteed coverage versus actual coverage from field tests
- Quantify variances between guaranteed radio coverage and actual coverage from field tests
- Develop memorandum outlining findings and review with the County
- Witness radio coverage acceptance testing following the implementation of the additional radio site
- Quantify radio coverage issues following the implementation of the additional radio site
- Coordinate with the County and radio system vendor to develop a remediation plan in the form of a memorandum and actionable tracking spreadsheet

Task 3.2—Radio System Interference Issues

- Perform co- and adjacent- channel software interference analysis using *FEMitigate™* for the channels used by County's equipment at the subject sites. *FEMitigate™*, part of the *FEPerformancePro™* toolset, based upon the ICS Telecom software engine used by the Department of Defense (DoD), FCC, NTIA, and APCO for radio network analysis
- Develop memorandum outlining findings and review with the County
- Coordinate with the County, radio system vendor, and FCC (if necessary) to develop a remediation plan

Task 3.3—Radio System Site Infrastructure Issues

- Assist the County with resolving the uninterruptible power supply (UPS) and emergency backup generator performance issue by assessing test and exception reports and coordinating with the County and the respective vendors via email and telephone

Task 3.4—Radio System Subscriber Equipment Issues

- Assist the County with resolving the subscriber equipment programming and configuration issues by coordinating with County repair/maintenance personnel via email and telephone

Task 4—Provide Contract Negotiations Support

FE will provide the County with assistance negotiating a remediation program with the primary radio system vendor. Possible deliverables for this task include a revised master contract, test and acceptance procedures, and equipment reprogramming/reconfiguration plan

Optional Services

- Radio coverage and interference field testing
- Provide subject matter expert contract litigation support





EXPERIENCE AND REFERENCES

FE has demonstrable knowledge and experience, most involving upgrades from legacy Motorola or Harris systems. The table below highlights just a few of our hundreds of projects in which we provided the services typically involved in a project such as the one being undertaken by Worcester County. We provide references for a few projects at the end of this section. Additional references are available upon request.

Many of our recent clients have been migrating from legacy analog systems from various vendors to standards-based P25 Phase 1 and Phase 2 systems. The table below highlights our extensive P25 expertise; most of these projects are similar to Worcester County, involving the analysis to determine the best path forward from legacy Motorola or Harris systems.

<i>Federal Engineering Project Experience</i>									
Client Name	Existing System Analysis	Needs Assessment/ Requirements	Strategic Planning	Conceptual Design	P25 Design	RFP / Specification	Procurement	Implementation	P25 Implementation
Arkansas									
City of Hot Springs, Arkansas	✓		✓			✓	✓	✓	
Arizona									
Arizona Public Service Company	✓	✓			✓	✓	✓		✓
State of Arizona	✓	✓			✓	✓	✓		✓
Town of Florence, Arizona	✓	✓			✓				✓
City of Mesa, Arizona	✓	✓		✓		✓	✓		
City of Mesa Utilities	✓	✓				✓	✓	✓	
Pinal County, Arizona	✓	✓			✓				✓
Salt River Pima Maricopa Indian Community, Arizona	✓	✓		✓					
California									
Bay Area Regional Interoperable Communications System (BayRICS)	✓	✓		✓	✓	✓			
Contra Costa County, California	✓	✓							
Los Angeles Department of Water and Power	✓	✓	✓			✓			
Los Angeles Regional Interoperable Communications System (LA-RICS)						✓	✓	✓	
Marin County, California	✓	✓	✓			✓	✓	✓	
City of San Diego, California	✓	✓	✓						
San Diego and Imperial Counties, California	✓	✓			✓	✓	✓		✓
City and County of San Francisco, California	✓	✓			✓	✓	✓		✓
Canada									
Calgary Transit	✓	✓		✓		✓	✓		





Worcester County, Maryland

Public Safety Radio Consulting

<i>Federal Engineering Project Experience</i>									
Client Name	Existing System Analysis	Needs Assessment/ Requirements	Strategic Planning	Conceptual Design	P25 Design	RFP / Specification	Procurement	Implementation	P25 Implementation
Edmonton, Alberta Fire Rescue	✓	✓	✓						
Edmonton, Alberta Police	✓	✓	✓						
E-Comm, Vancouver, British Columbia				✓			✓		
Colorado									
Routt County, Colorado				✓					
State of Colorado DTR	✓	✓	✓						
State of Colorado Microwave	✓	✓				✓			
Florida									
Collier County, Florida	✓	✓				✓	✓	✓	
Gainesville Regional Utilities, Florida	✓	✓			✓	✓	✓		
City of Lakeland, Florida	✓	✓			✓	✓	✓		✓
Nassau County, Florida							✓	✓	
Georgia									
Camden County, Georgia	✓	✓				✓	✓	✓	
Henry County, Georgia	✓	✓		✓		✓	✓	✓	
LaGrange County, Georgia	✓	✓							
Iowa									
City of Davenport, Iowa	✓	✓					✓		
Iowa State Police	✓	✓			✓	✓	✓		✓
State of Iowa Department of Corrections	✓	✓		✓		✓			
Mills County, Iowa	✓	✓							
Kentucky									
Boone County, Kentucky Microwave	✓	✓			✓				✓
Bowling Green Municipal Utilities, Kentucky	✓	✓			✓	✓	✓		✓
Bowling Green-Warren County, Kentucky	✓	✓			✓	✓	✓		✓
City and County of Henderson, Kentucky	✓	✓				✓	✓	✓	
Maryland									
State of Maryland								✓	
Minnesota									
Mayo Clinic, Minnesota				✓			✓	✓	
State of Minnesota	✓	✓	✓		✓				
Montana									
State of Montana			✓		✓				
Montana 15-90 Interoperable Communications Consortium	✓	✓							
Montana Big Sky Consortium	✓	✓							





Worcester County, Maryland

Public Safety Radio Consulting

<i>Federal Engineering Project Experience</i>									
Client Name	Existing System Analysis	Needs Assessment/ Requirements	Strategic Planning	Conceptual Design	P25 Design	RFP/ Specification	Procurement	Implementation	P25 Implementation
Nebraska									
State of Nebraska	✓	✓				✓			
Metropolitan Utilities District of Omaha, Nebraska	✓	✓	✓						
Nevada									
State of Nevada	✓	✓		✓		✓	✓	✓	
New Hampshire									
Twin State Mutual Aid Fire Association, New Hampshire	✓	✓		✓					
New Mexico									
State of New Mexico	✓	✓	✓						
City of Albuquerque, New Mexico	✓					✓	✓		
New York									
State of New York								✓	
Cortland County, New York	✓	✓			✓	✓	✓		✓
Essex County, New York	✓	✓				✓		✓	
Lewis County, New York	✓	✓		✓					
New York City Transit/ Metropolitan Transportation Authority					✓	✓	✓		
North Carolina									
Buncombe County, North Carolina	✓	✓			✓	✓	✓		✓
New Hanover County, North Carolina	✓	✓			✓	✓	✓		✓
Pitt County, North Carolina					✓	✓			
Yadkin County, North Carolina	✓	✓				✓	✓	✓	
North Dakota									
State of North Dakota	✓	✓	✓	✓		✓	✓		
Oregon									
State of Oregon	✓	✓			✓	✓	✓		✓
City of Portland, Oregon	✓	✓		✓		✓	✓	✓	
Portland General Electric	✓	✓		✓		✓			
Tennessee									
Town of Collierville, Tennessee	✓	✓	✓			✓	✓	✓	
Cumberland County, Tennessee							✓	✓	
City of Nashville, Tennessee	✓	✓							
Texas									
City of El Paso, Texas	✓	✓			✓	✓	✓		✓
El Paso County, Texas	✓	✓			✓	✓			





Worcester County, Maryland

Public Safety Radio Consulting

Federal Engineering Project Experience									
Client Name	Existing System Analysis	Needs Assessment/ Requirements	Strategic Planning	Conceptual Design	P25 Design	RFP / Specification	Procurement	Implementation	P25 Implementation
Virginia									
Caroline County, Virginia	✓	✓			✓	✓			
City of Chesapeake, Virginia	✓	✓		✓		✓	✓	✓	
Fauquier, Culpeper, and Rappahannock Counties, Virginia	✓	✓		✓			✓	✓	
City of Hampton, Virginia	✓	✓	✓		✓				✓
Hanover County, Virginia	✓	✓		✓		✓		✓	
King and Queen County, Virginia	✓	✓			✓	✓	✓		✓
Middlesex County, Virginia	✓	✓					✓	✓	
New Kent County, Virginia	✓	✓				✓	✓	✓	
City of Newport News, Virginia	✓	✓			✓	✓	✓		✓
Hampton Roads Region, Virginia Overlay Regional InterOperability Network (ORION)	✓	✓			✓	✓	✓		✓
Pittsylvania County, Virginia	✓	✓			✓	✓	✓		✓
City of Portsmouth, Virginia	✓	✓			✓	✓	✓		✓
Rockbridge County, Virginia	✓	✓			✓	✓	✓		✓
Sussex County, Virginia	✓	✓					✓	✓	
City of Virginia Beach, Virginia	✓	✓	✓						
Washington									
Bonneville Power Administration, Washington	✓					✓	✓		
Pierce County, Washington	✓		✓						
City of Redmond, Washington	✓					✓	✓		
City of Seattle, Washington	✓							✓	
State of Washington	✓		✓						
Wisconsin									
Dane County, Wisconsin	✓				✓	✓	✓		✓
Manitowoc County, Wisconsin	✓				✓	✓			✓
State of Wisconsin	✓		✓	✓					
Wyoming									
State of Wyoming	✓								
Campbell County, Wyoming	✓								
City of Gillette, Wyoming	✓								





CITY OF PORTLAND, OREGON Voice Radio System Specifications Development



Project Dates

2011 – 2019

Existing System: Motorola

New System: Motorola

Relevant Technologies

- 700 / 800 MHz
- Motorola SmartX
- P25 Phase 1

Project Contact

Karl Larson, Project Manager
Radio Public Safety Systems
Revitalization Program (PSSRP)
1900 SW 4th Ave., Suite 3600
Portland, OR 97201
503-823-5882
karl.larson@portlandoregon.gov

Project Snapshot

- Prepare validated equipment inventory and analysis documents including the type, location, condition, and age of all existing radio infrastructure equipment.
- Conduct needs analysis and prepare report
- Prepare and submit requirements definition document
- Determine conceptual system design
- Prepare and submit conceptual system design analysis report, including projected coverage maps
- Technical specifications and RFP
- Procurement support
- Implementation management

Project Description

The City of Portland, Oregon was in need of consulting services to assist with inventory analysis, recommendations regarding an upgrade or replacement of the existing aging radio system, and advise and assist with the City's procurement for a radio upgrade or replacement. **FE** conducted a thorough analysis of the city's existing 700/800 MHz Motorola network, including the use of a SmartX upgrade to their master controller. **FE** also validated the city's equipment inventory for the existing radio system infrastructure. We conducted a set of interviews with radio system administrators and users and developed a set of requirements for a new/upgraded network.

FE worked closely with the city to evaluate alternatives and then prepared a conceptual system design that fit within the city's available funding; utilized existing radio sites, antenna towers, and radio frequencies; and that met identified radio system requirements. Once the design was approved by the City, **FE** developed technical specifications, evaluation criteria, and other procurement documents for an infrastructure RFP and a subscriber RFP.

Competitive proposals were received, **FE** evaluated the responses and presented their recommendations to the city. We then assisted with contract negotiations for a P25 Phase 1 system replacement and are contracted to support the city with system design reviews through implementation, cutover, and project closeout.





ESSEX COUNTY, NEW YORK

Public Safety Radio Communications Program, Civil Works Procurement, Design and Implementation Management, Independent Verification Services



Project Dates

2009 – 2017

Relevant Technologies

- Motorola
- 700/800 MHz
- VHF
- Digital
- Trunked

Project Contact

Donald Jaquish
Director of Emergency Services
702 Stowersville Rd.
Lewis, NY 12950
518-873-3901
djaquish@co.essex.ny.us

Project Snapshot

- Provide program management services
- Review and develop civil RFP
- Support structural and environmental compliance activities
- Conduct system partner outreach
- Perform site inspections
- Develop site sketches
- Provide procurement support
- Interoperability with DOI and local agencies
- Oversee implementation

Project Description

Essex County, New York had developed a draft request for proposals (RFP) for public safety radio communications system design, civil engineering and site development to upgrade their first responder network. The County was dissatisfied with its current consultant and sought assistance with RFP review, proposal evaluation, and contract negotiations support with the selected civil works contractor.

FE recommended modifications to the tower and structural RFP, assisted with proposal review and contract negotiations and provided QA/QC inspections and oversight of the civil works contractor during site construction.

Essex County further contracted *FE* to provide structural and environmental compliance support and to perform system partner outreach activities, site inspections, and other services during the radio system design, construction, and acceptance phases. We developed preliminary site design specifications and drawings, prepared engineering exhibits, and specified infrastructure retrofitting requirements.

FE also supported the County's cost management and grant application efforts by developing a detailed budgetary cost estimate to assist the County in allocating and managing costs with system partners and preparing regional interoperability consortium GIS maps for the County's federal grant application. *FE* oversaw the installation, testing, and systems acceptance activities of the sites and the radio system, verifying compliance to the defined specifications.





Middlesex County, Virginia Public Safety Radio and Wireless Communications



Project Dates

September 2015 – December 2017

Relevant Technologies

- 700 MHz P25 Phase 2 radio system
- Simulcast VHF Overlay
- Fire Station Alerting and Paging Network
- MPLS Microwave Backhaul Network

Project Contact

Matt Walker
 County Administrator
 877 General Puller Highway
 Saluda, VA 23149
 804-758-4330
 m.walker@co.middlesex.va.us

Project Snapshot

- Existing documentation review
- Coverage analysis and workshop
- Interviews with regional stakeholders
- Develop user requirements
- Review vendor radio system proposal
- Contract negotiation support
- Review frequency plans and license applications
- Implementation support
- Preliminary and final design reviews

Project Description

The Middlesex County E911 Public Safety Radio System serves all of Middlesex County. The County Sheriff's Office, four volunteer fire departments and two volunteer rescue squads utilize the services of the system. The County recently received proposals, submitted under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA), from Harris Corporation and Tait Communications and began exploring alternatives for upgrading and/or replacing its current public safety radio communications system, as well as providing new services and coverage to the community. The County previously completed, with assistance from RCC Consultants, the PPEA Conceptual Design Phase of the project and selected Harris Corporation to continue into the next phase, Detailed Design. On August 4, 2015, the County Board voted to terminate the contract with RCC and to retain **FE** to continue the PPEA process with Harris.

FE worked with County stakeholders to develop detailed functional specifications for Harris's Detailed Design Phase response. The Harris proposal was evaluated for overall system design, coverage, capability, and compliance with the functional specifications. **FE** provided technical assistance and contract negotiations support to acquire a cost effective solution which meets the needs of First Responders and the residents they serve. Middlesex County and Harris entered into a contract to implement a new 700MHz P25 Phase 2 radio system, simulcast VHF overlay fire station alerting and paging network, MPLS microwave backhaul network and radio site enhancements. **FE** has been retained to provide Middlesex County system implementation program management support for the transition to new public safety radio communications system.





RESUMES

TRAVIS C. LEPAGE, PMP, PMI-ACP

Director of Consulting



AREAS OF EXPERTISE

- Program and project management
- Public safety and commercial carrier communication systems analysis, design, implementation
- Stakeholder needs analysis
- Public safety interoperable communications plan development
- System integration project management
- Vendor management
- NG9-1-1, CAD, and RMS solution procurement and implementation
- Voice/data network optimization

GENERAL BACKGROUND

Mr. Travis LePage is a highly talented and accomplished director on the **FE** team with a demonstrated track of successfully leading and managing complex multi-million-dollar programs and enterprise/agency-wide projects for state and municipal governments and public and private organizations. Travis has several years of experience delivering project results to meet the unique needs, requirements, and expectations of stakeholders.

Mr. LePage is an expert in program and project management; stakeholder needs analysis; land mobile radio (LMR), microwave radio, LTE, and paging system implementations and operations; radio site development (civil works); public safety communications and interoperability plan development.

RELEVANT PROJECT EXPERIENCE

Maryland Statewide 700 MHz Public Safety Communications System

- Provide technical consulting services and project management support for the federal Public Safety Interoperable Communications grant program
- Support implementation of the statewide public safety communications system

City of Chesapeake, Virginia Communications Needs Assessment, Conceptual Design, and Procurement and Implementation Support

- Review documentation and existing system
- FCC license review
- Stakeholder interviews
- Site surveys
- Develop conceptual design and cost estimate
- Generate functional specifications
- Provide implementation support

Cortland County, New York Radio Systems Consultant Project Manager/ Consulting Engineer

- Analyzed existing system performance
- Inventoried existing system and equipment
- Assessed emergency communications needs
- Provided concept design alternatives/ recommendation
- Frequency research and analysis
- Procurement support
- Implementation support

PROFESSIONAL TRAINING

- Advanced Master's Certificate, Program Management, George Washington University, 2010
- Master of Business Administration, Technology Management, State University of New York, 2006, Senator's Scholar
- Bachelor of Science, Telecommunications Engineering, State University of New York, 2002, with Honors
- The only public safety consultant to hold the Project Management Institute-Agile Certified Practitioner (PMI-ACP) certification





TERRENCE FOREHAND
Senior Consultant



AREAS OF EXPERTISE

- Public safety and private wireless networks
- Needs assessment and solution development
- Voice and data communications network implementation
- Voice and data communications acceptance testing
- Radio system exercise development and execution
- Radio system budgetary analysis
- Mobile command centers

GENERAL BACKGROUND

Mr. Forehand has over 18 years in designing, implementing, managing, and maintaining land mobile communications systems for the United States Army, local government and private enterprises. He is experienced with P25 systems and broadband systems and has developed interoperable programming templates for trunking and conventional radios and networks.

Mr. Forehand has also developed budgetary requirements for communications systems and managed the implementation of complex systems.

RELEVANT PROJECT EXPERIENCE

City of Chesapeake, Virginia Communications Needs Assessment, Conceptual Design, and Procurement and Implementation Support

- Review documentation and existing system
- FCC license review
- Stakeholder interviews
- Site surveys
- Develop conceptual design and cost estimate
- Generate functional specifications
- Provide implementation support

City of Portsmouth, Virginia PSMR Upgrade Support

- Evaluate current radio system and determined user needs for radio system
- Developed Radio System Upgrade Plan

Cortland County, New York PSMR Procurement and Implementation Support

- Evaluate the current VHF radio system, sites and performance characteristics to determine baseline operations and gaps
- Provided support in development of a Request for Proposals document for new radio system

Henry County, Georgia PSMR Upgrade Support

- Evaluate current radio system and determine user needs for communications system
- Developed Needs Assessment Alternative Report
- Developed RFP documentation for procurement of Project 25 radio system

PROFESSIONAL TRAINING

- Radio Repairer Course, U.S. Army
- Satellite Communications Systems Terminal Maintainer Course, U.S. Army
- ASTRO 25 Radio System Management, Motorola
- CENTRACOM Gold Elite Certificate of Achievement, Motorola, 2002
- SmartZone Overview Certificate of Achievement, Motorola, 2002
- ASTRO 25 Integrated V&D Certificate of Completion, Motorola, 2004
- Business Operations Technical Certificate, FCCJ, 2005
- Association of Public Safety Communications Officials (APCO)





ADAM NELSON

RF Coverage Specialist



EDUCATION

- Master's Degree, Geographic Information Systems, The Pennsylvania State University
- Bachelor of Science, Information Technology, University of Phoenix, with honors

AREAS OF EXPERTISE

- RF propagation prediction/analysis
- RF interference assessment and mitigation
- System capacity planning
- Frequency planning
- Frequency coordination and licensing
- GIS coordination, curation, analysis, and modeling

GENERAL BACKGROUND

Mr. Nelson has over 15 years of experience providing consulting services in the fields of public safety, telecommunications, and information technologies. As a member of **FE's** Spectrum Center of Excellence, his specialties include radio frequency prediction and analysis, frequency and capacity planning, interference mitigation, LTE system design and analysis, and spectrum-related efforts pertaining to frequency licensing and coordination.

His background also includes the management and maintenance of various municipal wireless networks, specifically in the realm of public safety communications. He has participated in all phases of communications system lifecycle from needs assessment, system recommendations, RFP development, through implementation.

RELEVANT PROJECT EXPERIENCE

RF Coverage Prediction, Capacity Analysis, Interference Analysis, and/or Channel Planning for the following projects:

- **City of Chesapeake, Virginia Communications Needs Assessment, Conceptual Design, and Procurement and Implementation Support**
- **Overlay Regional Interoperability Network (ORION) Hampton Roads Region of Virginia Technical and Program management, Advisory and Support Services**
- **City of Portsmouth, Virginia PSMR Upgrade Support**
- **City of Hampton, Virginia Public Safety Mobile Radio System Design**
- **City of Newport News, Virginia Needs Assessment**
- **Cortland County, New York Interoperable Emergency Communications System**
- **New York City Metropolitan Transit Authority Police Department (MTAPD) 700 MHz Network**
- **Lewis County, New York System Analysis**

PROFESSIONAL TRAINING

- Simulcast Radio Systems, Motorola Certified Training
- Integrated Voice and Data Systems, Motorola Certified Training
- RAPTR Certified Training
- ATDI Developer Training
- ArcGIS Developer Training
- Certified GEOINT Professional
- Satellite Communications Systems Terminal Maintainer Course, U.S. Army
- ASTRO 25 Radio System Management, Motorola

PROFESSIONAL ORGANIZATIONS

- Association of Public Safety Communications Officials (APCO)





ESTIMATED COST

Estimated Cost

FE will perform the tasks contained within the *Project Understanding and Scope of Work* section of this proposal on a time and materials basis in accordance with the contract hourly rates. This proposal initially authorizes a maximum of \$77,265, which includes labor, travel, and other direct costs.

FE will notify the County should additional funding be required to complete the approved tasks. The authorized funding will be increased by a written modification to this proposal duly executed by both the County and *FE*.

Hourly Rates

GSA Schedule 70

Contract Number: GS-35F-0159Y – Federal Engineering Rates

Effective January 23, 2012 through January 22, 2022

Labor Category	Off-site Price w/ IFF
Director/Chief Consultant	\$207.78
Project Manager	\$159.29
Senior Communication Systems Engineer	\$164.43
Network Design Engineer	\$122.42
Analyst	\$ 84.33
Security Specialist	\$ 95.72
Field Technician	\$ 82.46
Network Technician	\$ 70.28
Administrative/Computer Services	\$ 57.43

TERMS AND CONDITIONS

1. GSA rates do not include state or local taxes.
2. On-site rates apply to staff augmentation projects where the *FE* consultant resides full time in the client's office and uses the client's systems.
3. Travel and meals on a per diem basis, will be invoiced at actual cost.
4. Hours expended for travel in support of any time and materials task orders are billable hours.
5. Invoices will be rendered monthly. All invoices are due and payable 30 days from issuance. Late balances are subject to a finance charge of 1.5 percent per month (or fraction thereof).





Basis of our Proposal

1. *FE* professionals will be directed by the County, Maryland Project Manager or his designee according to the assignments to be performed. The scheduling of *FE* resources will be mutually agreed upon based upon the needs of the County and the availability of the specific *FE* consultants.
2. *FE* will provide draft and final deliverables electronically to the County.
3. This proposal assumes that County's Project Manager will schedule meetings, provide meeting facilities, teleconference and web-based conferencing capabilities, notify attendees, and arrange for onsite visits.
4. Any optional or additional tasking will be authorized by mutual agreement of the County and *FE*. Such tasking will be performed on a time and materials basis in accordance with the rates in GSA Schedule 70 or on a fixed price basis as mutually agreed upon in a task order by the County and *FE*.
5. *FE's* ability to fulfill this task depends, in part, on the willingness and ability of the County, County participants, equipment vendors, service providers, third parties, and others to provide information in a timely manner, and upon the accuracy of the information as supplied. The accuracy of input data, whether provided in electronic or hard copy form, and the recommendations, actions, system designs, system procurements, and license filings resulting therefrom cannot, therefore, be warranted by *FE* nor can the performance, suitability, or reliability of said systems be warranted by *FE*. *FE* accepts no responsibility or liability to any third party in respect to any information or related content delivered by *FE*. This information is subjective in certain respects, and, thus, susceptible to multiple interpretations and may be in need of periodic revisions based on actual experience and subsequent developments.
6. *FE* will provide up to 40 hours of onsite radio system coverage acceptance testing support during a 5-day consecutive period in Task 3.1. If additional hours are required to witness coverage acceptance testing, a mutually agreeable amendment to this SOW will be executed by both parties.
7. *FE* will perform co- and adjacent-channel interference analysis in Task 3.2 for the radio channels used by the County's equipment at up to six radio communications sites. We will also provide up to 16 hours of remote support to coordinate with the County, the radio system vendor, and FCC (if required) to develop a remediation plan. If additional analysis and/or coordination is required, a mutually agreeable amendment to this SOW will be executed by both parties.
8. *FE* will provide up to 16 hours of remote support to assist the County with resolving the site infrastructure and subscriber equipment issues. If additional support is needed, a mutually agreeable amendment to this SOW will be executed by both parties.
9. The level of effort for contract negotiations support in Task 4 can vary greatly. *FE* will provide 24 hours of remote negotiations support to the County. If additional hours are





Worcester County, Maryland Public Safety Radio Consulting

required, a mutually agreeable amendment to the scope of work will be executed by both parties.

10. This proposal is based upon a start date on or before August 1, 2018 and assumes a 90-day schedule to completion. The schedule will be adjusted after determination of the County's procurement schedule and the vendor's final approved implementation schedule for the additional radio communications site. Delays to the project schedule due to actions or lack of actions on the part of the County, County participants, third parties, and others including, but not limited to vendor protests, protracted contract negotiations, vendor delays that impact the program schedule and/or costs to the County will be brought to the attention of the County's project manager in a timely manner and will be reduced to writing via a mutually agreed upon contract amendment.
11. This proposal assumes a mutually agreeable invoicing schedule for work completed.
12. Federal Engineering reserves the right to assign/reassign work efforts and associated costs across tasks and between our professional staff members in order to meet our contractual obligations to the County.

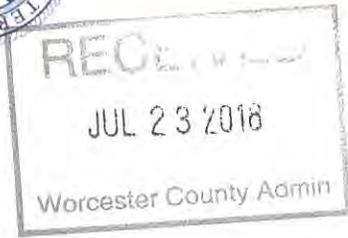
Proprietary Notice

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Fairfax, Virginia





MEMORANDUM

11

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: July 23, 2018
SUBJECT: Proposed Recreation Fees and On-line Registration

Please find below a request to increase our recreation program fees associated with the implementation of a new on-line program registration system. The proposed increase would go into effect after our fall programs and would be contingent upon the on-line registration system. There is no start-up cost or annual fee for the software purchase. Instead, it is a pay-by-use fee and would include any credit card processing fees as well. The fee is 6.25% or \$1.87 on a \$30.00 registration fee.

<u>Program Fees</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Recreation Programs	\$30	\$35

The registration software will provide a convenience to our customers who will have the ability to sign up for programs anywhere online and our staff members will be able to process registrations quickly and securely through one recreation registration software system. Customers will be able to view programs online, see program availability, and manage their payments. In addition, required waivers and forms can be viewed, printed, and completed. Once a participant or family is in the system the process would go even smoother for additional registrations.

In turn, one central system can be used by staff to complete the check-in process, verifying payments, and produce reports. We will be able to manage the Recreation Department programs through one user-friendly system with the ability to access over the internet on a computer or mobile device, and always have the latest update of registrants.

We recognize that one of our core values is to be continued as “affordability” for all participants. The last fee increase was in 2015. I have reviewed the neighboring cities and counties for a complete analysis compared to our proposed increase and found that Worcester County would still be \$5 to \$7 below their rates per program. We have also reviewed five (5) different program registration systems and determined that Active Network is the best fit.

Please feel free to contact me with any questions. Thanks again!

cc: Kelly Shanahan
Kelly Rados

Worcester County Department of Recreation & Parks

6030 Public Landing Rd. Snow Hill, MD 21863 Phone: 410.632.2144 Fax:410.632.1585

RECREATION ADULT PROGRAM FEES FY2018 - 2019						
Program Name	Program Date	Days Scheduled	Ages	Program Time	FY 17 - 18 Approved Fees	FY 18 - 19 Requested Fees
Aquanauts	Sept 2018 - June 2019	Mon/Thur	18+	9:30 - 10:15 a.m.	\$2/session	\$2/session
Basketball - Adult League	Sept - Nov, 2018	Thursdays	14+	7:00 - 9:00 p.m.	\$215/team (Plus Ref fees)	\$220/team (Plus Ref fees)
Fitness - Various Evening Fitness	July 2018 - June 2019	Mon/Wed or Tues/Thurs.	18+	5:30 - 6:30 p.m.	\$40	\$45
Fitness - Senior Morning	July - 2018 - June 2019	M/W/F	45+	8:00 - 8:40 a.m.	\$40	\$45
Fitness - Stretching	Jan - March 2019	Mon/Wed	18+	10:00 - 11:00 a.m.	\$40	\$45
Fitness - Stretching	April - June 2019	Mon/Wed	18+	10:00 - 11:00 a.m.	\$40	\$45
Fitness - Tai Chi	Sept - Nov, 2018	Tues/Thurs	45+	10:00 - 11:00 a.m.	\$40	\$45
Fitness - Tai Chi	Apr - June 2019	Tues/Thurs	45+	10:00 - 11:00 a.m.	\$40	\$45
Fitness - Tai Chi Review	Jan - March 2019	Tues/Thurs	45+	10:00 - 11:00 a.m.	\$40	\$45
Flag Football	April - June 2018	Wednesdays	18+	7:00 p.m.	\$330/team	\$335/team
Futsal League	Jan. - March., 2019	Friday	18+	6 p.m.	\$215/team (plus ref fees)	\$220/team (plus ref fees)
Golf - Adult League	June - Sept. 2019	Wednesday	18+	5:30 p.m.	\$30/session	\$35/session
Pickleball - Adult Recreation	Sept 2018 - June 2019	Wednesdays	18+	10:00 - 12:00 p.m.	\$3/session or \$25/quarter	\$3/session or \$30/quarter
Soccer - Adult Recreation	July 2018 - June 2019	Mondays	14+	7:00 - 9:00 p.m.	\$3/session or \$25/quarter	\$3/session or \$30/quarter
Softball - Men's Slow Pitch	April - June 2019	Tuesdays	18+	7:00 - 9:00 p.m.	\$330/team	\$335/team
Volleyball - Adult Recreation	July 2018 - June 2019	Wednesday	14+	7:00 - 9:00 p.m.	\$3/session or \$25/quarter	\$3/session or \$30/quarter
Volleyball - Co-Ed	Sept - Dec 2018	Sundays		1:00 - 3:00 p.m.	\$215/team	\$220/team
Volleyball - Co-Ed	April - June 2018	Sundays		1:00 - 3:00 p.m.	\$215/team	\$220/team
Volleyball - Men's 6 on 6 League	Jan. - March, 2019	Tuesdays	14+	7:00 - 9:00 p.m.	\$215/team	\$220/team
Volleyball - Men's 6 on 6 League	Sept - Dec 2018	Tuesdays	14+	7:00 - 9:00 p.m.	\$215/team	\$220/team



MEMORANDUM

12

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: July 23, 2018
SUBJECT: Project Requests

Please find below various information regarding the approved Projects for the Recreation and Parks Department in preparation for future bidding requests as “requirements for preparation of requests”. Other projects below are provided as informative providing you ability for feedback.

1. *Stockton Playground* – Approved FY’19 – Budget \$100,000. Planning, **requesting permission to prepare bid documentation and installation of** a new playground system. We anticipate providing the commissioners **the official request within 30 days.**

See page 3

Equipment and earthwork to be brought up to grade and provide a “safe” system. Six years ago, the Department spent \$10,000 in Program Open Space (POS) funding for repairs as an interim measure to address the safety concerns. The playground system is beyond its rated lifespan of 20 years. The replacement project will also include earthwork in order to base the play area above grade as opposed to the current sub grade situation. Doing so would improve drainage, function, and increase the lifespan of safety surfacing. This is a Program Open Space (POS) approved project where the state reimburses the county 90% of the project cost(s). The Department will do as much in house for its 10% share. Staff Estimate: \$60,000.

2. *Bishopville Park Planning* - Approved FY’19 – Budget \$10,000 – non bid. Requesting Planning RFP **for technical services** for the Bishopville Pond Project. An informal planning was held July 26, 2018. Due to the complexity of this project in the established critical area, we believe that this effort would require the appropriate expertise to complete pending discussions concerning the critical areas permitted use. This is a Program Open Space (POS) approved project where the state reimburses the county 90% of the project cost(s). The Department will do as much in house for its 10% share. Staff Estimate: \$TBD.

See page 6

3. *Public Landing* – Grant Approved FY ’17 Amended April 2018 for FY ’19 – Budget \$80,000. Currently, \$80,000 is in the Waterway Improvement grant earmarked for finger piers. We are **requesting direction to amend our grant allocation of \$80,000 for engineering and permitting services for dredging prior to the indicated installation of finger piers.** We have met with the DNR for guidance moving forward. It was noted at that time that the channel should be dredged to allow better access to the finger piers. The DNR did a hydrographic survey recently (attached) indicating that 2,000 cubic yards would be required to excavated at a cost of \$200,000 plus the placement site for the material. We do recommend

See page 10

reviewing the opportunity of using the material on site at the beach and a potential gravel parking area. This project is eligible for a Waterway Improvement Grant and the application process will close August 20, 2018. The grant covers 100% of the cost. Staff Estimate on Engineering Services: \$TBD

4. *John Walter Smith Park*: Approved FY '19 - \$25,000. **Update and Information**. The department will be improving John Walter Smith Park. We are planning to improve the existing fields and develop a 220' x 360' multi-purpose Bermuda grass field. The cost of the project is estimated to be \$25,000 and the scope would include field irrigation, finished grading and grassing. This is a Program Open Space (POS) approved project where the state reimburses the county 90% of the project cost(s). Includes grading and grow-in work to be completed in phases. **Does not require bidding and some work will be done in-house**. Staff Estimate: \$25,000.

Lastly, we recently completed nine (9) additional holes of our Disc Golf Course through the approved Program Open Space FY' 18 allocation of \$9,000. This money will be reimbursed to the county.

5. *West Ocean City Boat Ramp*: **Update Only**. FY '18 - FY '19 included funding to replace the eight (8) electrical panel boxes on the commercial pier. This is not a Waterway Improvement grant due to the site labeled as commercial. Maintenance provided and identified the project needs. Funds are included in FY'19 budget to handle the request. Staff Estimate: \$6,000
6. *Grey's Creek*: **Update Only**. FY '19. The Forest Management Stewardship Plan was submitted and approved by the commissioners. A meeting was held with the DNR on July 25, 2018 and a concept plan for water access was presented for review (Attached). An additional meeting is being scheduled with Maryland Coastal Bays in August in order to begin the process of proposal development for commissioner review. The objective of current year funding will focus on the development of the passive park element, which will consist of passive walking trails, waterway access, parking and park related amenities in phase one. This is a Program Open Space (POS) approved project where the state reimburses the county 90% of the project cost(s). The Department will do as much in house for its 10% share. Staff Estimate: \$125,000 phase 1. Pre Planning meeting date TBD.

Attachment

cc: William Rodriguez

Park Playground



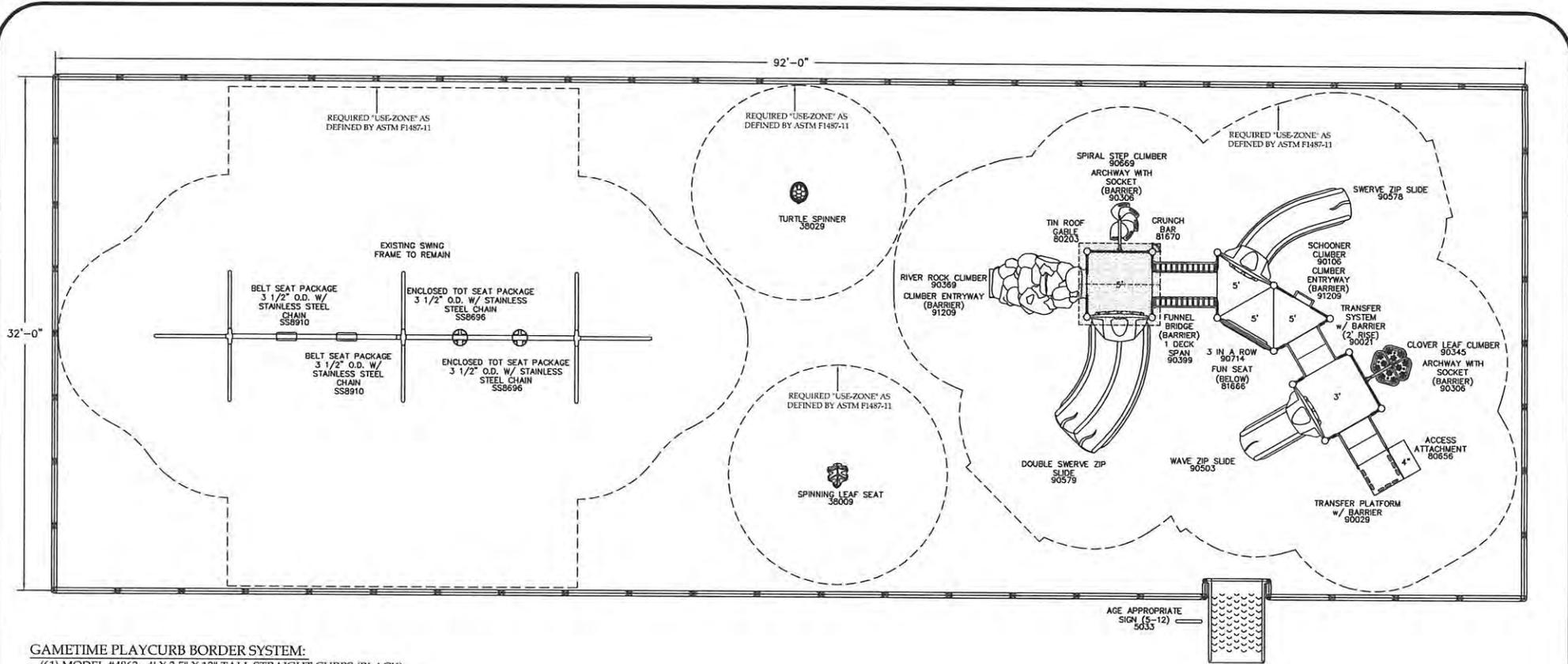
use was placed below grade (all of our playgrounds have been built this way with the exception of those built in last 10 years (retire)). Subgrade bases trap water and hasten the decomposition of of Eng. Wood Fiber. New playground would be built above an elevation head which would promote proper drainage/better functionality.

Worcester County Parks & Recreation Stockton Park - Proposed Playground Upgrades

Design • Build • PLAY!



COLOR	Beige Plastic	Green Metal	Beige HDPE
PALETTE:	Green Uprights	Brown Decks	Green/Beige 2 Color HDPE



GAMETIME PLAYCURB BORDER SYSTEM:

- (61) MODEL #4862 - 4' X 3.5" X 12" TALL STRAIGHT CURBS (BLACK)
- (1) MODEL #4858 - 12" ADA ACCESS RAMP WITH ADAPTERS (BLACK)
- ALL ANCHORED WITH 3/4" X 30" GALVANIZED STEEL STAKES AT EACH END.

LOOSE FILL SAFETY SURFACING:

- 2,940 SQUARE FEET REQUIRED
- G-TIMPAX ENGINEERED WOOD FIBERS
- 12" COMPACTED DEPTH (150 C.Y.)
- 8' CRITICAL HEIGHT
- SINGLE LAYER OF GEOTEXTILE FABRIC.
- ADA ACCESSIBLE

THIS PLAY AREA AS SHOWN COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES. VISIT www.access-board.gov FOR MORE INFORMATION.

THE PLAY COMPONENTS IDENTIFIED IN THIS PLAY AREA ARE IPEMA CERTIFIED. THE USE AND LAYOUT OF THESE COMPONENTS CONFORM TO THE REQUIREMENTS OF ASTM F1487-11.



Worcester County Parks & Recreation
Stockton Park
Proposed Playground Upgrades

Representative
Brian Lewis, Cunningham Recreation - Phone (800) 233-0529

This play equipment is recommended for children ages
5-12

Minimum Area Required:
Scale: NTS
This drawing can be scaled only when in an 11" x 17" format

IMPORTANT: Soft resilient surfacing should be placed in the use zones of all equipment, as specified for each type of equipment, and at depths to meet the critical fall heights as specified by the U.S. consumer Product Safety Commission, ASTM standard F 1487 and Canadian Standard CAN/CSA-Z-614

Drawn By:
CDG
Date:
05/22/2018
Drawing Name:
92993-01

5

Bishopville

Project Description

Utilizing the former Bergey property for use as a passive recreational space makes a lot of sense. Its close proximity to local residents of the village would promote safer pedestrian access. The elevated part of the site creates a wonderful internal view on to a pond, which offers a great back drop for get togethers, or simply as a place to rest and unwind. The long history associated with the parcel is still evidenced by the Old Mill foundation slightly protruding from the existing grade. The thought of boats navigating the Bishopville Prong and taking deliveries directly from the mill is, today, mind boggling. There certainly is a worthwhile story to be told! In addition, from the design perspective, creating a more formal space would compliment, rather than contrast with the more rustic improvements made over the past several years around that area of the prong. The main design criterion would be to integrate any hardscape improvements in a way that best captures those colors, and perhaps textures, as reflected in both the natural and introduced features currently existing in the immediate area.

With regard to space to create upon, the site is currently limited but it is feasible to slightly expand the upper shelf of the parcel in order to accommodate the proposed site amenities. Considering the sites status as predominantly falling within the critical area buffer, a larger expansion of the upper shelf in order to accommodated adequate parking is unlikely. While not perfect, a solution to providing parking space can be found in the utilization of the former Chmar property located across Bishopville Road. While a waiver would be required by SHA during the processes of approving the parking access, and if approved, the dimensions associated with this parcel are almost ideal to accommodate parking in a manner consisted with recommended guidelines. Furthermore, in order to better integrate the two parcels, and the functions each serves, the potential of creating a pedestrian cross walk, with appropriate safeguards could also be explored through SHA.

Site Descriptions

The concept involves two county owned parcels, the former Bergey and Chmar Properties. While in close proximity, the two parcels are divided by Bishopville Road. The Bergey property has been identified for use as the passive recreational space. The area associated with the parcel is 10,980 square feet and is joined to the Old Mill Pond. Approximately 80% of the parcel falls within the critical area buffer. The elevation difference on this small parcel is approximately 7 feet with an upper shelf extending approximately 43 feet from St. Martin's Neck Road towards the pond. From the upper shelf the property drastically transitions to the lower shelf elevation. At present the area associated with the upper shelf is approximately 3,700 square feet. The Chmar property has been identified for parking. It measures 4, 272 square feet and is a level parcel. The dimensions of the parcel are ideally suited to accommodate up to eight 10' x 20' parking spaces which includes an expanded handicap space.

Former Bergey Property Proposed Development

The following have been proposed as passive recreational amenities for the former Bergey property;

- A 24' diameter stone sitting wall around a patio which incorporates a 24' diameter metal hexagonal shelter with one or more picnic tables.
- Paver stone walkways and patio areas throughout.
- A swinging bench and game table installed within pavers.
- A circular mulched perennial bed around the exterior of the sitting wall.
- The Old Mill foundation and an interpretive sign providing the rich history of the area.
- Six shade trees, three of which are placed to provide shade for the game table space, and three to screen traffic.
- A stone retaining wall in order to expand the existing upper shelf approximately 1,200 square feet from the existing 3,700 square feet to approximately 4,900 square feet. The expansion is necessary to ensure a minimum 15' setback of any hardscape elements from m St. Martin's Neck Road. The wall will also serve to maintain the internal view from the site onto the pond.
- The installation of bollard poles as a safety measure along the property's boundary lines which are adjacent to roads. The poles will be equipped with reflectors positioned relative to the flow of traffic.

Former Chmar Property Proposed Development

The following elements have been proposed to provide a suitable parking area to service the passive recreational space;

- Grassprotecta, a grass reinforced plastic mesh designed to withstand vehicular traffic, stabilize the space, and eliminate soil compaction. By creating a reinforced grass parking area, storm water requirements are greatly reduced as the parking area would represent a purely porous surface. Grassprotecta has been successfully employed at our Girdletree Park.
- Parking bumpers, nine in total, seven painted white, two painted blue to denote handicap and handicap offloading.
- Signage.
- Bollard poles installed around the perimeter of the parcel to protect neighboring properties from vehicular damage. On the road perimeter, poles would be spaced to create proper access and equipped with reflectors.

Proposed Site Work Requirements – Former Bergey Property

- Due to the fact that the majority of the Bergey parcel falls within the critical area buffer, approval must be gained and erosion control measures would most likely be required.
- The soil appears less than ideal as a growing medium, but the upper shelf could be excavated to a depth of 6" in order to create a sub grade. The 70 cubic yards of excavated material could then be used as fill to expand the upper shelf area by the proposed 1,200 square feet. Assuming the

slope which transitions between the upper shelf and lower shelf falls at 45 degrees, it is estimated that approximately 100 cubic yards of fill would be required to expand the area. Therefore, it is estimated that approximately 30 cubic yards of fill material would need to be imported from a County stockpile.

- Footers would be required, as a base for the shelter.
- All hardscaping elements would require a compacted gravel base. In addition to the compacted gravel base, all walk ways and patios would require a light layer of sand. The interior side of the retaining wall would be back filled with coarse gravel with drainage tile at the base to promote drainage.
- Approximately 90 cubic yards of top soil would need to be imported to create a suitable, 6" finished grade.
- Since no irrigation is available, sod would be used to establish a turf canopy quickly. Assistance from the local fire company would be required.
- Landscaping elements, bollard poles would be added.
- Ensuring a 1.5-2% positive fall towards the retaining wall should eliminate any need for drainage basins.
- In order to preserve the internal view on to the pond, invasive plants on the exterior side of the retaining wall would have to be addressed. Invasives, such as Oriental Bittersweet and Trumpet creeper, as well as non-native trees should be removed and any healthy native trees could be selectively pruned. Any clearing could be augmented with the planting of native grasses.

Proposed Site Work Requirements – Former Chmar Property

- Access waiver would be required by SHA.
- Parcel would be soil tested.
- Parcel would be moved tight, lightly cultivated, soils amended, and over seeded with tall fescue, ideally in late summer/early fall.
- Grassprotecta installation would follow.
- Space would be given three seasons to establish.
- Bollard poles, parking bumpers, signage would be installed late summer.
- Area would be ready in early fall.

Proposed Park Site



Parcel Boundary Vertex

Critical Area 100ft Buffer

0 25 50 100 Feet

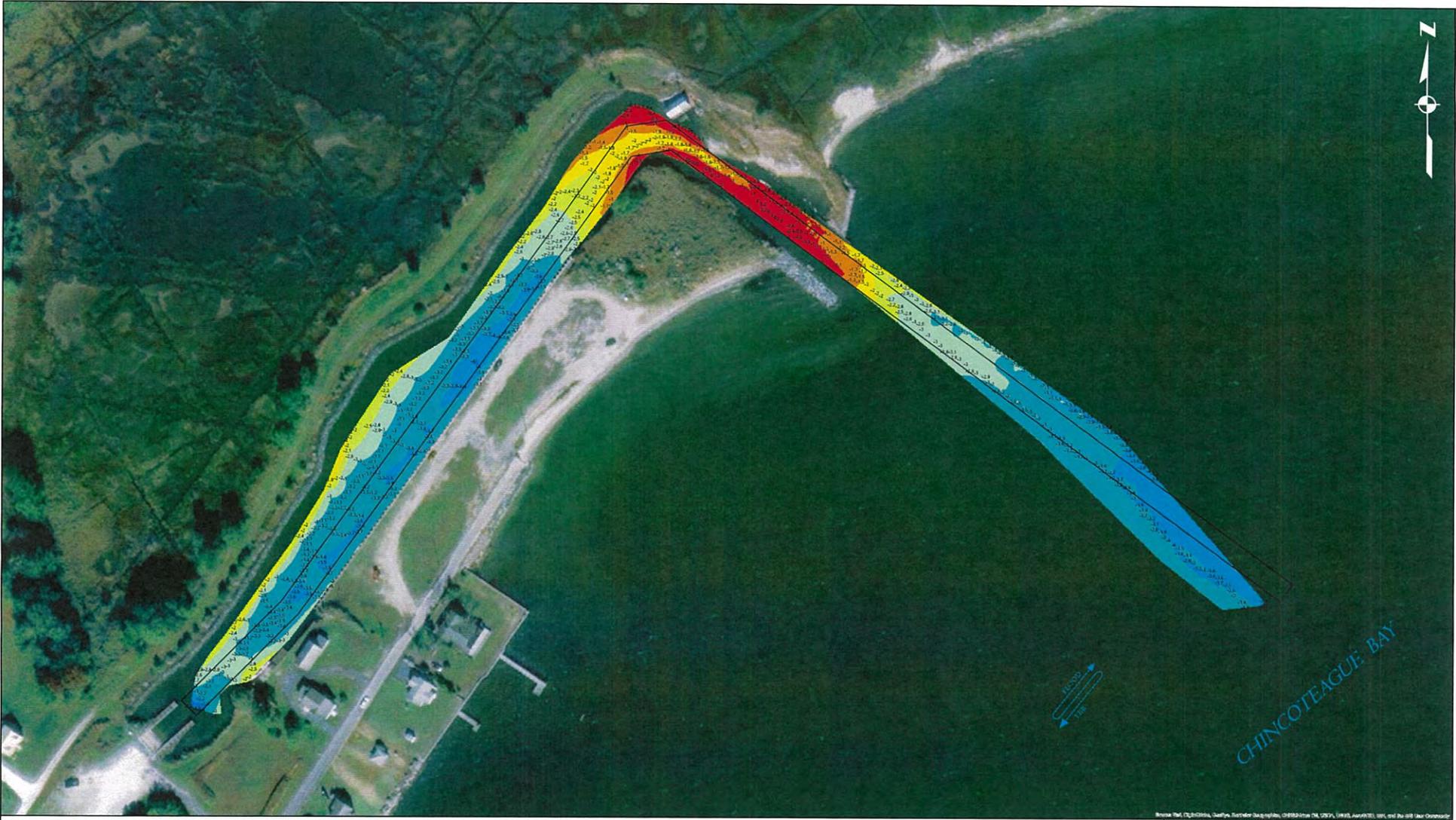
1 inch = 36.52 feet



**Worcester County
Environmental Programs**

Drawn By: Adam Phipps-Dickerson Source: Worcester County Government

Note: This map is intended for planning purposes only.



Bottom Surface

Depth (ft)	Color
-4.6 - -4.5	Dark Blue
-4.4 - -4	Blue
-3.9 - -3.5	Light Blue
-3.4 - -3	Light Green
-2.9 - -2.5	Yellow-Green
-2.4 - -2	Yellow
-1.9 - -1.5	Light Orange
-1.4 - -1	Orange
-0.9 - -0.3	Red

 Potential Dredge Channel
 Dimensions: 2,130' L x 30' W x -3.0' D
 Dredge Quantity Estimate: 1950 CY

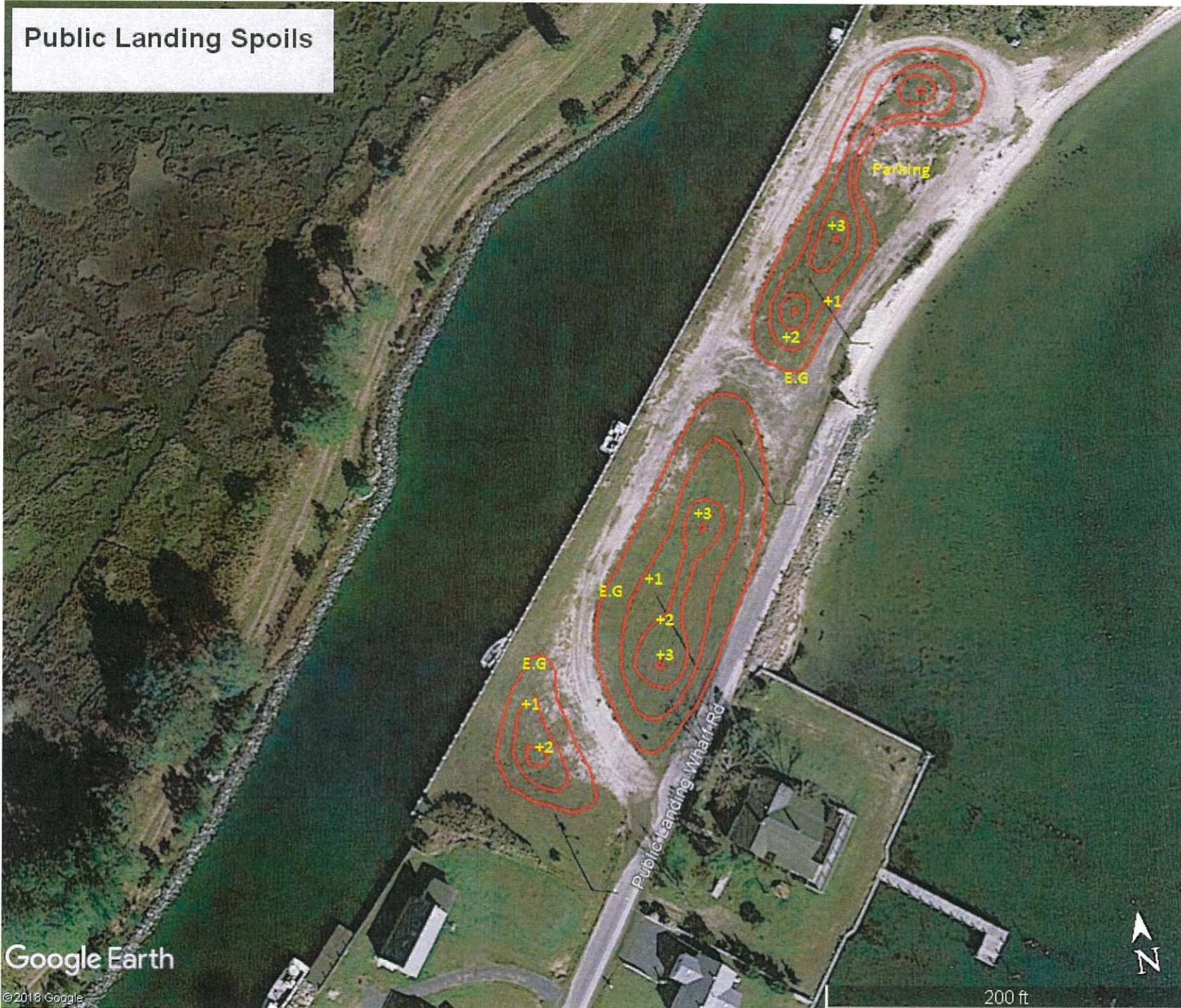
Bathymetric survey performed by DNR on 27 June 2018. All depths are adjusted for tides to feet below mean low water (MLW). Tidal benchmark is located at the end of the Public Landing Boat Ramp Pier. This survey is to be used for informational purposes only.



Bathymetric Survey
 Public Landing, Chincoteague Bay
 Worcester County
 27 June 2018

11

Public Landing Spoils



Potential
Use &
Disposal
of
Spoilage
(Dredging)

Tom Perlozzo

From: Sandi Pepe -DNR- <sandi.pepe@maryland.gov>
Sent: Wednesday, July 18, 2018 12:30 PM
To: William M. Rodriguez; Tom Perlozzo
Cc: Isaac Wilding -DNR-; Fred Bedell -DNR-
Subject: Fwd: Public Landing
Attachments: 20180627 Public Landing reduced.pdf

Tom and Bill,

A few week ago Isaac and Fred were able to complete a hydrographic survey at Public Landing. It is attached for your review. Additionally, Isaac came up with a estimated cost for dredging.

You will see Isaac's contact information listed below, please followup with him on the technical questions. Keep me posted if the County will be submitting a FY2020 application for this project.

Thanks,
Sandi

----- Forwarded message -----

From: Isaac Wilding -DNR- <isaac.wilding@maryland.gov>
Date: Wed, Jul 18, 2018 at 12:06 PM
Subject: Public Landing
To: Sandi Pepe <sandi.pepe@maryland.gov>

Hi Sandi,

I worked up the map for Public Landing. It's very shallow in the entrance area at 0 to -1' Depth. I wasn't sure who to send it to, so you can forward it to Worcester County.

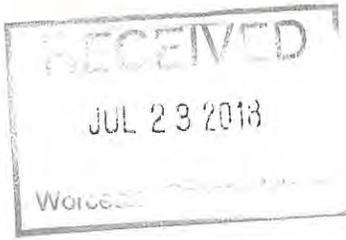
I ran an estimate to dredge a 30' W channel x -3.0' Depth and the dredge quantity was at 1950 CY. I'd use \$100/CY for mechanical dredging cost estimate and round up to 2000 CY. So \$200,000 cost estimate for dredging.

They will also need placement site for the material. That cost does not include any engineering/permitting for the project also.

Thanks,

  dnr.maryland.gov	<p>Isaac Wilding Dredging Coordinator Chesapeake & Coastal Service Department of Natural Resources 580 Taylor Ave., E-2 Annapolis, Maryland 21401 410-260-8443 (office) 443-458-8217 (cell) isaac.wilding@maryland.gov</p>
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[Click here](#) to complete a three question customer experience survey.



MEMORANDUM

13



TO: Harold L. Higgins, Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: July 23, 2018
SUBJECT: Sports Marketing & Special Event Update and Approvals

Please find below our sports marketing update and requested approvals for the commissioners. As you know, I have been actively recruiting events to Worcester County since being hired in March. In as much, we have been extremely successful in doing so. As you know, Sports is considered a "DESTINATION" while sporting facilities are considered "TOURIST ATTRACTIONS". As the Director, I wanted to be sure you knew the goals established to better inform and educate you to our progress and momentum moving forward. I do anticipate the ability to drive even more.

Goals:

1. To take advantage of existing Worcester County Recreational amenities, matching events and promoters to the area. In some cases...recruit.
2. Improve the quality of life for all county residents and businesses.
3. To control growth of government/recreation and parks without taxpayer support, providing creative funding options reinvesting back into the recreation department for access, affordability, and engagement, etc.
4. Engagement with all Worcester County municipal governments and areas maximizing their sporting resources, heritage, natural resources.
5. Deliver sustainable economic, social and promotional benefits – generating hotel room nights, increasing tourism, filling calendar voids, job creation, maximizing visitor spending and more.
6. Increasing the awareness of Worcester County's Recreation and Parks Department to our communities. Listening to our constituents.
7. To review each event through the following criteria:
 - a. Are the events Own-able and Unique
 - b. Are they Buzzworthy – does it grab people's attention
 - c. Do they RESONATE in the communities
 - d. Does it advance the Recreation and Parks Mission
 - e. Do we have the ability to "Build on"
 - f. Do they provide potential partnerships, larger access to sponsorships

Sports Marketing Facts:

1. 97 million plus hotel rooms are booked nationally for sports-related travel last year.
2. Travel Sports as reported by Time Magazine indicated that parents spend 10% of their annual income on registration fees, camps and equipment.
3. Youth Sports alone is a \$15 Billion dollar business. (That's larger than the NFL.) Globally the sports marketing impact in 2018 exceeded \$90 billion.
4. 84% of Sports event travelers are spectators.
5. Sports Travelers will travel long into retirement.
6. Sports Travelers are willing to travel long distances.
7. 58% of Sports Tourism travelers will return to a destination on a leisure trip with their families.
8. 2/5ths of US Adults are Sport Travelers.
9. Sports Event Travelers are spending as much as the total spend of all types of travelers.

**Facts provided by NASC.

To illustrate the positive effects the events will have on the county. I have included below a simple chart prepared by the MAASA organization relating to their USSSA Softball event.

2017 USSSA World Series

Participating Teams: 385

Hotel Rooms Nights (Ocean City & Worcester County): 7,755 (OC 6,007)

Economic Impact: \$7,732,802.96

*Direct Spending Calculator developed by Minnesota IMPLAN Group, Inc. as reported in Crossroads Consulting Services Inc. Market and Economic Analysis of the WY&CC, page 71 (2012). Market Sector Source: Attendee spending characteristics from the Crossroads Consulting Services, Inc. Youth / Amateur Sports Spending Survey, page 16 (2014).

Events:

Below are the events that are **new**. Some events have been secured while others are pending and will be indicated within the comments for each. The events are not sanctioned as a MAASA investment. These benefit solely Worcester County and the various towns.

They are categorized by the following.

Categories:

- a. Owned by Recreation and Parks – Revenues and Expenses remain within
- b. Promoter Run Events – with assistance provided by the Department
- c. Promoter Run Events - without assistance
- d. Events pending

Listings:

1. **Tough Mudder – June 1-2, 2019 - New.** Attached is the RFP and suggested location for this event (current Jeep Golf) **at Deer Run** - GIS mapping attached as well. I have spoken to the property owner and he's agreed to permit the use. Tough Mudder events typically draw 10,000 to 20,000 visitors over an event weekend. While a date has been secured, additional discussions are required for any assistance requested. We are competing with Virginia, however, they like us. We have the option to secure 2020 as well. Typically, a five year deal is available. Two (2) sample economic impacts attached along with a requested assistance guideline, most of which is negotiable.
2. **Harbor Day – West Ocean City. October TBD 2019 - New.** This event ran from 2008-2012 by the OC Chamber at the West Ocean City Boat Ramp and was extremely successful. This would be an owned and operated event by the Recreation Department. The revenues would cover expenses. The Ocean City Chamber, HMRA, Worcester Tourism, Ocean City Tourism

See page 6

and the West Ocean City businesses are all on board and formed a committee to assist. The first meeting is August 1, 10:00AM at the Ocean City Chamber. Please feel free to join in.

3. **Fish and Paddle Series (4 new events)** – Bass Fishing on the Pocomoke (Snow Hill and Pocomoke – May, August, September TBD) and Saltwater Slam (June 29-30) on the Inter-coastal. This is a promoter run event with assistance from the Department. The event includes Kayak and Paddleboard fishing. WOC Boat Ramp will be used with the potential of South Point as well. We are providing assistance with grant research, corporate sponsorship and on-site staff assistance, advertising, etc. We may run the bass fishing events in-house depending on sponsorships, staffing needs, etc.
4. **USA National Softball Tournaments – (4 new events)**. First promoter run event is October 20-21, 2018 at Showell Park. This is handled as a typical field rental situation. It's a girls under 18 fast pitch softball event. We have the option to host three (3) additional events (3 different age categories) as a *hosted and sponsored* **National July TBD 2019**. That would mean all the revenues and expenses would be our responsibility. Last year they hosted 64 teams in one (1) age group. The potential upside is 200 teams for three (3) age categories with the potential gross revenue exceeding \$225,000. We do have a contract and it was submitted to Maureen for comment and additional meetings will be held to further investigate the options (Showell, Berlin, Snow Hill and Pocomoke).
5. **Don Abramson – Corrigan Sports Volleyball events. (3 new events)**. These are promoter run events using Snow Hill. It will be a typical building rental. The event will be partnered with Ocean City using Northside Park and potentially the Board of Education. One hundred (100) teams are anticipated each weekend. Concessions would remain with the department. We are also in discussion with Corrigan Sports for a USA Collegiate recruiting event for lacrosse to be held at Northern Worcester, Snow Hill and Pocomoke. Additional meeting will be upcoming. Feb 2-3, March 9-10 and April 6-7, 2019.
6. **Fishers of Men Bass Fishing** – Snow Hill and Pocomoke. This is a Bass Fishing event with potential of hosting 100-120 boats. This event requires a \$5,000 bid fee. Paperwork has been completed for a 2020 event. We have spoken with City of Pocomoke City Manager and received support along with potential donation to help with bid fees if awarded. This is a promoter run event with assistance from department.
7. **Running and Biking Events with OC Tri Running – (3+ New Events) – Dates TBD**. These would be promoter run events with assistance from the Department. The goal is to provide a Boston Marathon qualifying event for the running event. The biking event under consideration would require assistance from the state, county and various municipalities. 100 mile, 60 mile and family fun 25 mile bike ride covering Bishopville to Pocomoke with potential staging at Snow Hill. More details to follow. A high school and middle school event is being discussed throughout the county and with the Board of Education.
8. **Hogan Lacrosse – New**. October 20-21, 2018 in Northern Worcester. This event is a spin off from an April event and is a promoter run event, typical field rental. Further meetings are planned to discuss the building on of the event into Snow Hill and Pocomoke.

See page 22

Miscellaneous Events we have requested without receiving any notification back as of 7.17.18. These are all NEW opportunities for Worcester County.

1. **Spikeball – recently hosted on ESPN**. I reached out to the Spike Ball Association and ESPN to host here in the County.
2. **Car Cruisers** – I reached out and met with Team Productions about utilizing Snow Hill and Pocomoke for Car Cruising event. Basically a parade with a staging area. Team Productions has indicated they are willing to do so. Further discussion upcoming.

3. **Hot Air Balloons** – I reached out to USA Ballooning about hosting an Event covering the county. Currently in discussions. I anticipate if we were to get approved, the event would be accompanied by a “festival”. More details forthcoming. This is the same promoter as the recent Preakness event.
4. **Concerts in the Park** – I met with Team Productions about hosting a few concerts in the park either on scale with the current Freeman Stage or somethings smaller. This would include use of the Recreation Center as an indoor arena and our fields as outdoor venue in Berlin, Snow Hill and Pocomoke. This is dependent upon corporate sponsorships, ticket sales, concession revenues and merchandizing. More details to follow.
5. **AJGA – American Junior Golf Association. Working with the Blue Water Development.** AJGA is looking for a five (5) year commitment. Current date held is May 22-27, 2019. It’s a week-long event for kids up to age 15. Requested hosting fee is \$35,000. I have been assisting Blue Water with corporate sponsorships. More to follow.
6. **Symetra Tour** – LPGA. The minor leagues of the LPGA tour. They are looking for a tour stop and require a prize purse of **\$150,000**. They want to come to the area. However, I have been unable to get the corporate dollars needed to fulfill the request. Still working on the opportunity.
7. **Roller Derby – Girls Roller Derby.** I met with Salisbury Girls Roller Derby Club about hosting a regional event here in Snow Hill. They have tested our “sport” courts and we anticipate having the opportunity for the event here. More to follow.
8. **E-Sports Event** – The newest rage in the sports world capturing participants from around the globe. This would be a first “IN” by the county. We met with promoters and Snow Hill is considered to be a perfect venue. The event consists of online gaming with something like “Madden Football”. Players compete online against each other pairing down the field for an event to be hosted here in Snow Hill. Players can compete from all over the globe for cash prizes. Promoter run with giant exposure. We are pursuing aggressively. More to follow.
9. **National Cornhole Event** – Met with the promoters in Minnesota. Love the event. Working with the association for dates, etc. Not much detail at this point.
10. **Hometown Baseball – \$2,500 fee.** Specifically for the non-all-star little league baseball players. Requirement fits school sizes in Pocomoke and Snow Hill. We would host the Maryland qualifier with the potential of a “world series” event. We have completed the necessary paperwork waiting for approvals. More to follow.
11. **National Flag Football** – Youth Flag Football opportunities for all Worcester County owned and operated fields. Requested a FAM opportunity with the promoter. Waiting for a date. More to follow.

Additional Events Investigating:

1. Pro Water Cross
2. Flag Football World Championship
3. USA Masters Games
4. Beach Rugby America
5. North American Lacrosse
6. Tuman – 2 Man Golf Scramble
7. NXT Lacrosse
8. Soccer, Field Hockey
9. Fund Raiser Event – Color Run, etc.

10. Soccer Events TBD
11. International Slow Pitch Softball
12. Pickleball Tournament
13. More Events Pending....

Lastly, I would suggest the county develop a special event application process for any and all events using county property independent of County Departments with a routing process to department heads for comment. This feedback will assist you and the commissioners during the decision making process. In addition, county services can be identified with associated cost(s) given to the promoter. This is a very similar procedure used in Ocean City.

Should you need any additional information, please feel free to contact me at your convenience.

Attachments

cc: Kelly Shanahan
Lisa Gebhardt
Kelly Rados
William Rodriguez

TOUGH
MUDDER
HEADQUARTERS



REQUEST
FOR PROPOSAL

2018

2019

EVENT OVERVIEW

Tough Mudder is the global innovator in obstacle course challenges, and believes that it is crucial to form strong relationships with host communities in order to fulfill our purpose of creating unconventional, life-changing experiences, not only for our participants, but the cities that we partner with year after year.

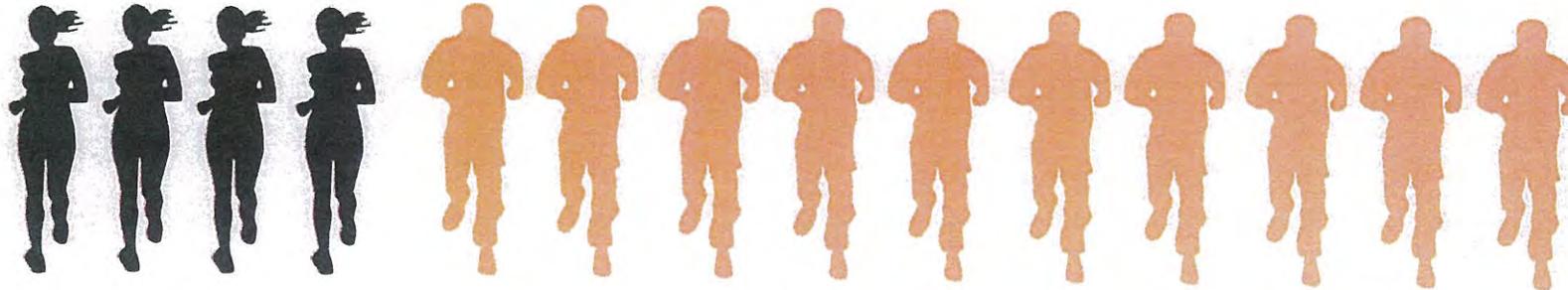
Hosting a globally renowned Tough Mudder event to your community will increase brand awareness for your region, solidify brand identity for your community, and encourage organic tourism post-event.

Tough Mudder events typically draw 10,000 to 20,000 visitors over event weekend.



DEMOGRAPHICS

At Tough Mudder, our core mission is to create unconventional, life changing experiences for our participants and community partners. Since 2010, Tough Mudder has consistently delivered on this mission by hosting over **200** events across **9** countries - drawing almost three million participants to date and raising over ten million dollars for various charities.



35% of participants are female, **65%** are male.



Average of participants' income per year.



53% of participants are married, while **34%** have never been married.

DEMOGRAPHICS



Of participants are under the age of 40.



of participants have not participated in competitor events in the past year.

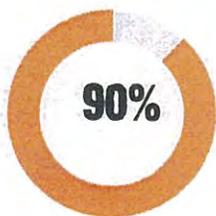


of participants are extremely likely to participate again and recommend friends



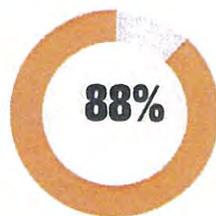
of participants share their event experience with multiple people immediately after participating.

COLLEGE EDUCATION



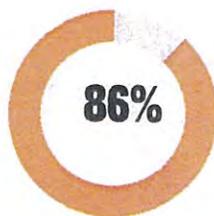
ARE COLLEGE EDUCATED

ACTIVE & HEALTHY LIFESTYLE



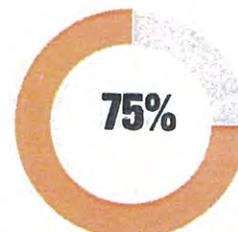
EXERCISE REGULARLY/OFTEN

ADVENTUROUS MINDSET



LOVE TRYING NEW THINGS

TECHNOLOGY ADOPTION



ARE EARLY ADOPTERS OR EARLY MAJORITY

DIGITAL/SOCIAL MEDIA CULTURE



SPENT ON DIGITAL/SOCIAL MEDIA PER WEEK

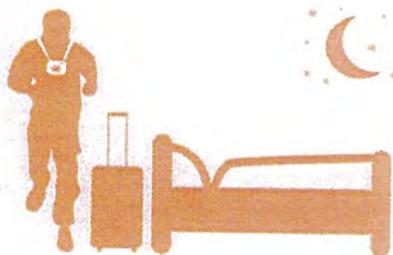
ECONOMIC IMPACT



50% of event guests stay overnight in the host community.

92%

of event guests are from outside the host community.



62% of event guests stay overnight in local hotels.



45% of event guests travel over three hours to attend the event.



40% of event guests have never visited the host community prior to the event.

The average length of stay is:



2 nights



the average travel party size is **4** people



Average daily spending by event guests in the host community.

For event specific economic impact reports and additional statistics, please contact the representative listed on page 10.

ACCOMMODATION REQUIREMENTS

Tough Mudder will contract and promote local lodging properties, including a specific lodging link on the event website and dedicated email blasts to all attendees featuring the partner properties, with a dedicated in-house associate to manage and facilitate room blocks with local properties. There is also an opportunity to partner directly with Tough Mudder for pre- or post-event activities at a select property in a host hotel capacity.

STAFF REQUEST FOR PROPOSAL

- Total block of approximately eighteen (18) rooms (ninety (90) room nights).
- Provision of complimentary rooms where available.
- Tough Mudder will consider discounted staff rates from closest properties to event venue location.
- Contracts should be heavily discounted for event week (Sunday pre-event to Monday post-event).
- Complimentary breakfast preferred.
- Flexible cut off date of two (2) weeks.
- Majority of rooms to be double/doubles.
- Complimentary rooms for planning visit (four (4) months prior to event).

ATTENDEE REQUEST FOR PROPOSAL

- Contracts should be courtesy blocks and at the lowest available rate for event and shoulder dates.
- Discounted rates should be commissionable and include a rebate back to Tough Mudder."
- Both online and call in booking methods to be made available for guests to reserve individually.
- One complimentary room to be given to Tough Mudder per every twenty (20) reserved room nights.

*Commission/Rebate structure will vary per market.



ECONOMIC IMPACT

Tough Mudder has consistently demonstrated a world-class ability to organize, market, and execute successful large-scale events and aims to fuel its mission by continuing to create lasting relationships with participants and providing significant economic benefits, and increased tourism and occupancy rates to each host community.

Tough Mudder events bring substantial economic impact to each host community in the form of direct impact, indirect and induced **\$5,000,000 - \$20,000,000** impact, taxes and fees, and high occupancy rates, and on average, generate between in total economic impact over the course of an event.

Tough Mudder spends between **\$250,000 - \$300,000** in each host community. This includes hiring temporary skilled and unskilled labor, equipment rentals, construction materials, room nights for staff, and spend in local restaurants.



VENUE REQUIREMENTS

Tough Mudder events have occurred on a variety of public and private properties, including ski resorts, hunting clubs, parks, farms, motor speedways, decommissioned airports, military facilities, off-road driving clubs, and undeveloped land. Mudders love rugged features, changes in elevation, natural beauty, and of course – lots and lots of mud.

COURSE ACREAGE

A minimum of 250 acres of open land are needed to design the course and build obstacles. Some obstacles will be built above grounds and others will require light excavation.

PARKING ACREAGE

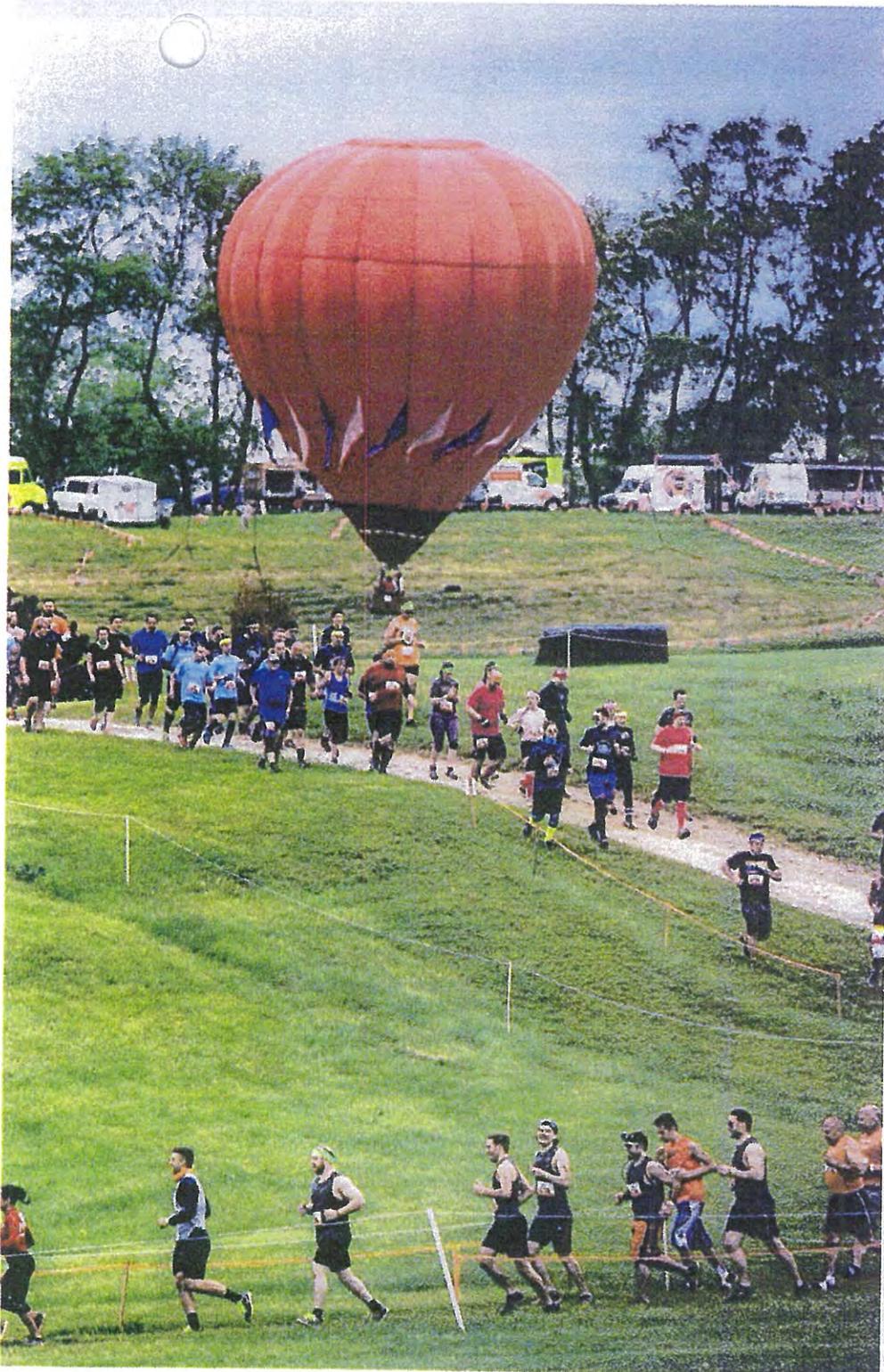
A minimum of 30 acres of weatherproof parking areas on-site are preferred, or sufficient access for potential shuttle operations.

ACCESSIBILITY

Site must be accessible from major highways and multiple access roads for successful ingress and egress from the property. A proximity to local or public transportation is a plus.

PERMITTING

It is crucial for Tough Mudder to have the ability to secure relevant permits, including special event and alcohol permits.



COMMUNITY REQUIREMENTS

MUNICIPAL SUPPORT

Assistance securing Fire, EMS, and Police services, ambulances, event permits, local partnerships, and waste management.

MARKETING SUPPORT

Assistance securing local or federal grant funding, hotel occupancy tax funding, in-house media assets, or allocated marketing spend to leverage Tough Mudder marketing campaigns.

SPONSORSHIP SUPPORT

Local sponsorship commitment, monetary investment, value-in-kind support, or rights fees.

ACCOMMODATIONS SUPPORT

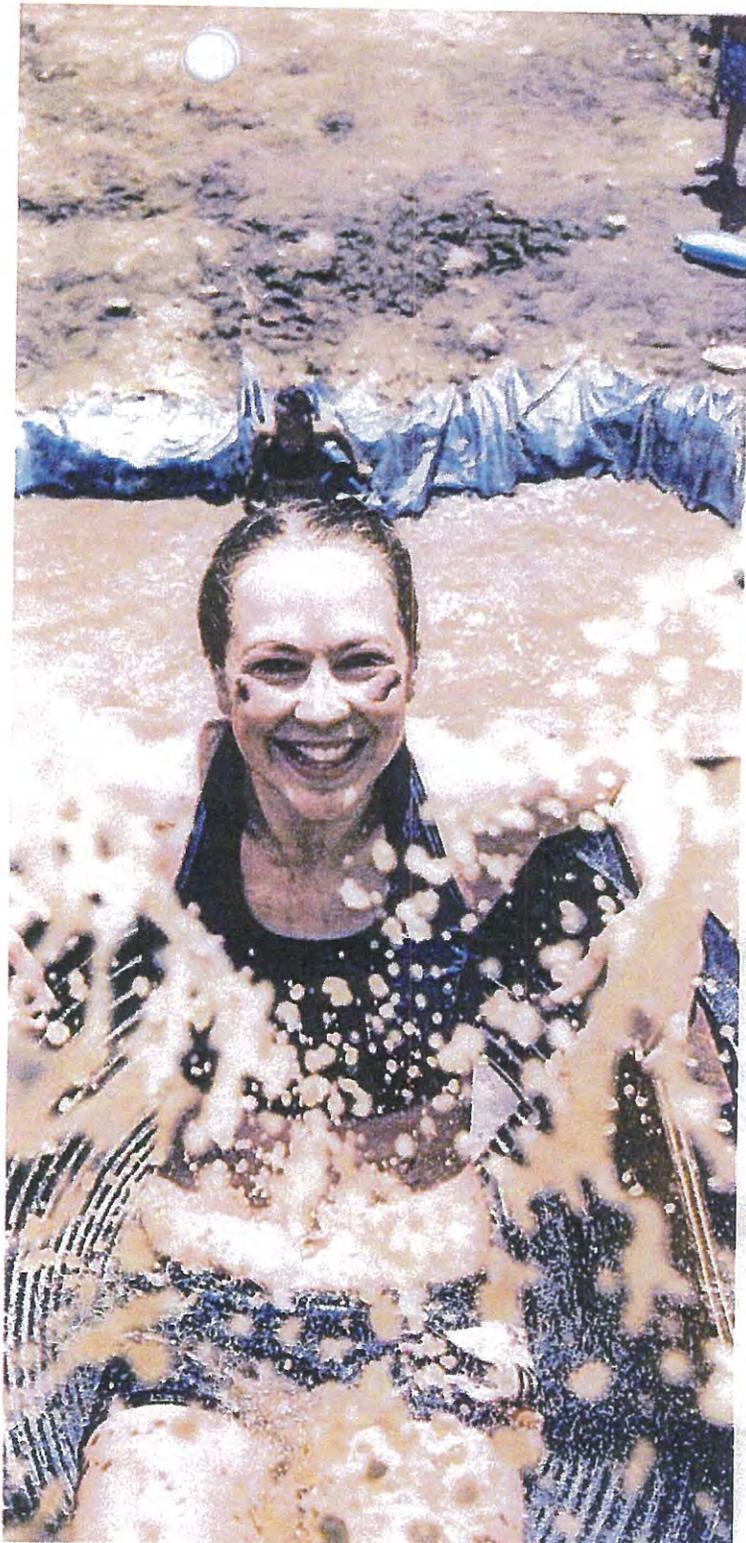
Assistance securing local hotel partnerships at a negotiated commissionable rate, and provision of complimentary room nights for event staff for planning trips and event week.

VOLUNTEER SUPPORT

Primary contact to assist with community inquiries, volunteer recruitment, and coordination of local volunteers under the direction of Tough Mudder.

EQUIPMENT & CONSTRUCTION RENTALS SUPPORT

Assistance securing tents, tables, port-a-potties, excavation equipment and operators, ATV and UTV rentals, and water trucks.



PROPOSAL REQUIREMENTS

STATEMENT OF INTEREST

- Describe why Tough Mudder should select your host community and what makes your host community a good fit to host a Tough Mudder event.
- Describe the potential of your host community to draw an increased number of Tough Mudder participants and the general demographic.

CONTACT INFORMATION

- Provide detailed information for the lead contact(s) representing the host community, as well as additional contact information for other relevant key stakeholders.

DATE AVAILABILITY

- Describe which weekend dates are available to host the event, and if your host community is flexible with respect to available weekends and time of year.
- Provide average and historic weather temperatures for the dates listed.

PROSPECTIVE SITE DETAILS

- Confirm interest from owner(s) of potential Tough Mudder sites.
- Describe the site location, ownership, parking, trails, and hotels in proximity (name, distance, number of rooms, date).
- Provide detailed site and parking maps.

COMMUNITY COMMITMENT & FINANCIAL PACKAGE

- Describe your host community support package including municipal support, rights fees, local and federal grant support, operational and marketing value-in-kind, permit assistance, potential for local brewery partnership, event labor, and accommodations support.
- Provide letters of support from relevant officials and key community stakeholders.



SELECTION CRITERIA

COMMUNITY LOCATION

- Where is the host community located? Is it easily accessible?
- Preference will be given to communities no more than a two-hour drive from large city and/or a known tourist destination.

EVENT SITE

- Is there a viable venue in the host community?
- Is there suitable and seasonally appropriate parking on-site or nearby?
- Preference will be given to communities that have confirmed the availability and interest of such sites

COMMUNITY COMMITMENT & FINANCIAL PACKAGE

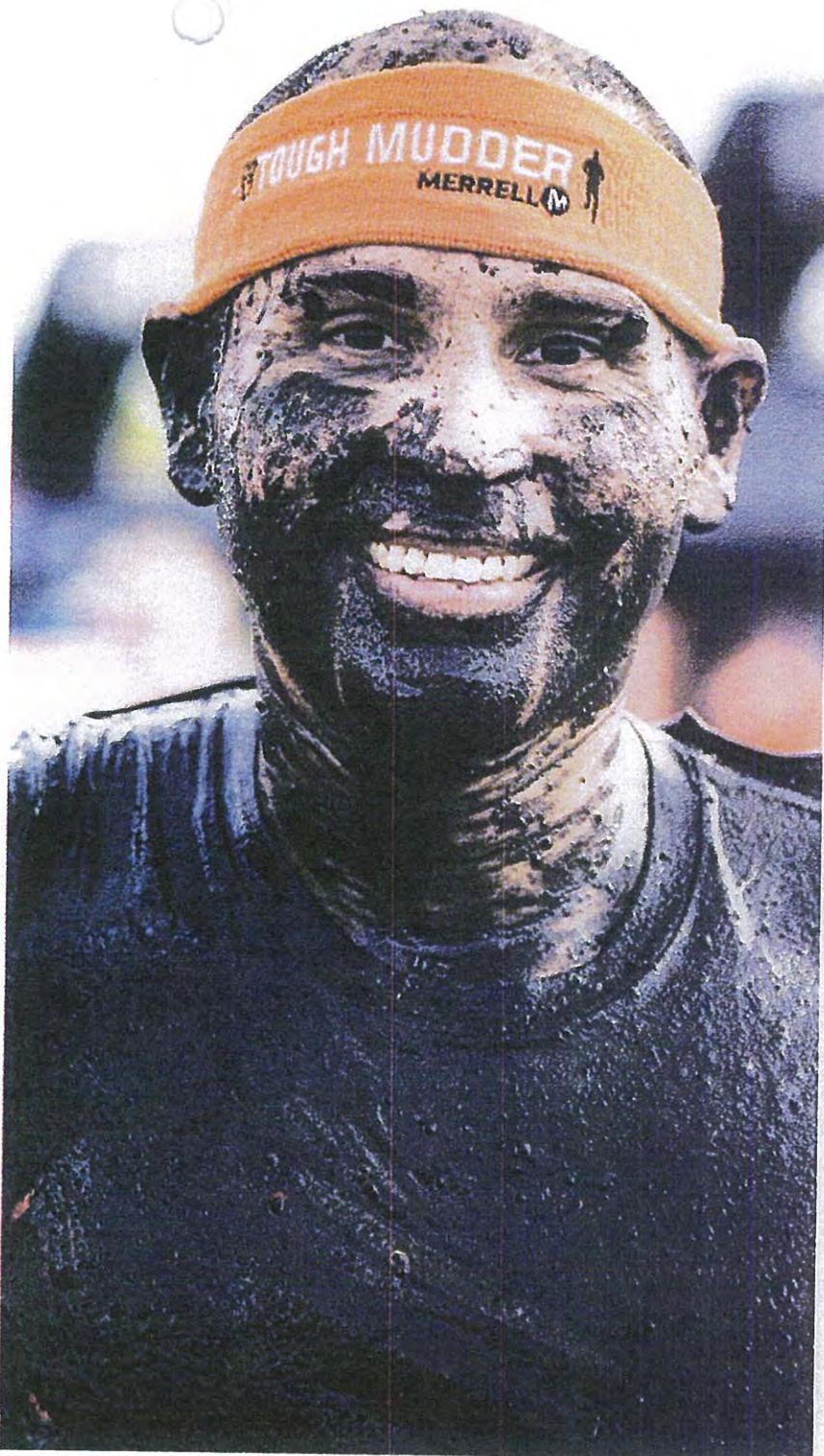
- What are the host community's financial commitments to Tough Mudder, including monetary and in-kind support?
- What other support can the host community offer with respect to accommodations, transportation management, and marketing?
- What are the host community's commitments with respect to providing public services such as permitting, police, fire, and medical?
- Is there a lead point of contact coordinating the proposal, local resources, permitting, and other related tasks?

DATE FLEXIBILITY

- What dates are available to bring the event to the host community?
- How flexible is the host community with respect to available weekends and time of year?

TESTIMONIALS

- Does the host community have support from relevant and key local stakeholders to host an event?
- Preference will be given to communities with strong local interest.



CONTACT INFORMATION

FINAL PROPOSALS

In order to be considered for a 2018 event, interested host communities should submit final proposals digitally to communities@toughmudder.com with the subject line "Request For Proposal" by August 30, 2017 at 5:00 PM EST.

All proposals received after the date above will be considered for 2019. Applications are accepted on a rolling basis.

Interested host communities should be advised that Tough Mudder may select a proposal for further consideration without discussion or any contact concerning the proposal received. Therefore, final proposals submitted should reflect the most favorable terms that the host community can commit to.

INQUIRIES

For more information on the event or proposal process, please contact the Tough Mudder representative listed below.

Shivani Banker
Community Development Manager
Tough Mudder Inc.
15 MetroTech Center, Floor 7
Brooklyn, New York 11201

Phone: (718) 502-8439
E-mail: shivani.banker@toughmudder.com



Worcester County
Technical Services Division

Former Deer Run Golf Course

8804 Logtown Rd.

Drawn By: MDD Reviewed By: KLH

0 100 200 300 400 Feet

1 inch = 200 feet

Map prepared for the Worcester County Recreation and Parks Department, July 17, 2018.

This map is intended for planning purposes only and not for regulatory application.

TOUGH MUDDER: COMMUNITY SUPPORT SUMMARY

Proposed Date of Event:	<ul style="list-style-type: none"> • June 1st & 2nd, 2019
Tough Mudder Commitments:	<ul style="list-style-type: none"> • TM shall name Host within the official "Event Overview" copy detailed on the Event subpage of http://www.toughmudder.com • TM shall place the Host logo and promote predominantly local hotel properties on the Event Page • TM shall utilize national paid media campaigns in the form of geo-targeted Facebook advertisements, search advertising, and display advertising to drive traffic to the Event Page • TM shall place the Host logo and promotional copy, submitted by Host 90 days prior to event, within the official Event Information Pack Virtual Event Bag e-mailed to all Event participants and spectators • TM shall provide Host with space in the Event festival area to set up one 10'x10' tent activation at the Event • TM will provide ten complimentary participant and spectator tickets to Host for the Event
Venue Commitments:	<ul style="list-style-type: none"> • Host shall provide \$70,000 of event support through a combination of grants and in-kind donations • Host shall assist in securing a suitable venue for the Event • Host shall provide at least 2,000 parking spaces on gravel or paved surfaces, within ten miles drive of the Event, using two parking lots or fewer, along with buses and drivers for transporting event attendees • Host shall provide TM with 120 complimentary room nights for TM staff. All complimentary room nights will be located within 30 minutes of the event site location, be at a hotel of 3 stars or higher rating, and rooms provided shall be double occupancy with 2 separate beds. • Host shall provide the following labor, equipment and services: <ul style="list-style-type: none"> ○ Local fire and police support ○ Full medical staffing ○ Volunteers (including a local coordinator as the point of contact) ○ Traffic management to direct and manage the parking area ○ Waste management including any dumpsters and dump fees ○ Municipal equipment and services, including placement of VMS message boards, barricades, cones, light controls, and other directional signage ○ Site lights (4 lights to provide temporary lighting) ○ Port-a-potties (60-80 per event) ○ Construction services/material/equipment to assist TM's preferred contractor with the course build for a four week period prior to each Event • Host shall use reasonable efforts and community knowledge to assist in securing local Event sponsorships to enhance the Event • Host shall provide any necessary permits, permissions and/or other approvals in connection with TM conducting the Event • Host shall collaborate with local media outlets to circulate a press release noting the Event's location • Host shall dedicate a total of eight social media posts via Facebook and Twitter that serve to promote the Event • Host shall coordinate two e-blasts promoting the Event to Host's available database • Host shall share available information and data to develop an economic impact analysis for the Event, and evenly split the cost of an independent contractor with TM

Executive Summary

Total Economic Impact	\$5,832,583
Direct Spending	\$3,453,411
Indirect/Induced Impact	\$2,379,172
Taxes & Fees Generated	\$140,961
Total Participants	10,753
Hotel Room Nights	3,908
Total Visiting Participants	9,881
Total Other Visitors (Employees, Spectators, Volunteers)	5,960
Total Out-of-Market Visitors	15,841

Table E1. Executive Summary

Total Regional Economic Impact	\$2,753,229.1¹
Direct Spending	\$1,662,466.2
Indirect/Induced Impact	\$1,090,763.5
Taxes & Fees Generated	\$230,770.0
Santa Rosa County Economic Impact	\$1,453,076.5
Direct Spending	\$1,095,310.5
Indirect/Induced Impact	\$357,865.9
Taxes & Fees Generated	\$141,655.0
Total Participants	5,604
Hotel Room Nights	2,023
Total Visiting Participants	4,861
Total Other Visitors	1,172
Total Out-of-Market Visitors	6,033
% of Out-of-Town Visitors On Site	87%

¹ Total Impact is equal to the direct, indirect and induced effects, all of which are not presented in this table.

2019 SPONSORSHIP MEDIA KIT

FISH N' PADDLE

SALTWATER SLAM

JUNE 29-30, 2019



2019 TOURNAMENT DATE INFORMATION

The dates were strategically set for July 29th-30th 2019:

- Ocean City is Maryland's 2nd most populated city during this week with over 300,000 summer residents at the beach according to the Ocean City Tourism!
- Our Official Weigh Station in the Heart of the Commercial Harbor which is the premier location for Dining and Boating in West Ocean City!
- Mid/Late June is OC's best opportunity at catching multiple species of Big Fish! There are 20lb Rockfish, Giant Flounder, Big Black Drum and Huge Sheepshead! These are the most desired inshore species of any

With the right location, timing, and exposure we feel as a Title Sponsor you be rewarded, before, after and during the 2019 Fish N' Paddle Saltwater Slam!

Who's collecting

SPONSORSHIP AGREEMENT

This Agreement is made and entered into by and between Fish N Paddle Events LLC (hereinafter referred to as "Tournament") and _____ (hereinafter referred to as "Sponsor").

WHEREAS, the Tournament wishes to obtain a title sponsorship for the 2019 Fish N' Paddle Saltwater Slam on June 29-30, 2019 coordinated by the Tournament;

AND, WHEREAS, Sponsor wishes to obtain certain advertising and promotional rights in connection with the 2019 Fish N' Paddle Saltwater Slam;

NOW, THEREFORE, in consideration of the premises and the mutual agreements contained herein and the mutual benefits to be derived from this Agreement, the parties hereby agree as follows:

1. **Term of Agreement.** This agreement shall commence on the date it is fully executed and shall continue in full force and effect for one year unless this Agreement is terminated earlier pursuant to the provisions hereof.

2. **Rights to Sponsor's Logo, Trademarks, and Tradenames:** The use by the Tournament of the Sponsor's logo, trademarks, and tradename under the terms and conditions of this Agreement shall inure solely and exclusively to Sponsor, and the Tournament shall acquire no goodwill or other interest in them. Sponsor hereby grants to the Tournament the restricted license to use the Sponsor's name for purposes of identification and the promotion of specified events and activities of the Tournament. Sponsor also hereby grants to the Tournament the restricted license to use the Sponsor's logo associated with the name of the Sponsor to carry out the Tournament's obligations under this Agreement. The term "restricted license" hereby requires Tournament to obtain an approval by the Sponsor on any and all items for which the Sponsor's logo, trademark, and tradename will be used. This includes, but is not limited to, banners, promotional items, advertisements, and the like.

3. **Sponsorship Fee.** The fee payable by Sponsor to the Tournament shall be Seven Thousand Five Hundred Dollars \$7500.00 which shall be due by December 31, 2018 upon execution of this Agreement. Payment not received by the due date will be in default of this Agreement.

4. **Sponsorship.** Tournament warrants that it has the right to grant, and hereby grants, to Sponsor the following rights (during the term of this Agreement):
 - Exclusive naming rights to Fish N' Paddle Saltwater Slam.
 - 6 Basic Entry Registrations for Fishing Teams paid here as known specifically as Sponsor _____ Fishing Teams.
 - Tournament agrees Sponsor will have exclusive industry rights of the tournament.
 - Receives 8 Rounds of Golf at a premier Ocean City Golf Course

- Premier Logo Placement on all streaming and static real time media source outlets such as You Tube, Twitter, Instagram, Snapchat and Facebook and other media sources.
- Special Announcements featuring Title Sponsor at every lead change during Tournament Weigh-Ins.
- Opportunity to display and/or distribute products during Kick-Off Party, Weigh-Ins and all tournament events.
- Opportunity for company representative to present top awards at Awards Ceremony on Sunday.
- Opportunity to display Company Provided Banner at Awards Ceremony.
- VIP amenities at Tournament:
 - 3 VIP Parking Spots for Sponsor.
 - VIP Booth Space at Tournament for Captains Meeting and two days at Weigh Ins
 - 8 VIP Sponsor Polo Shirts.
 - 8 VIP Access Passes during Weigh-Ins on Saturday and Sunday.
 - 8 VIP Sponsor Passes to Awards Ceremony.
- Sponsor Logo in Title Sponsorship Locations on Fish N Paddle Saltwater Slam media outlets including:
 - Sponsor Logo added to Fish N Paddle Saltwater Slam Apparel & Merchandise.
 - Sponsor Logo added to Weigh Station Wrap at Tournament Scales.
 - Sponsor Logo placed on print media, mailings and e-blasts and newsletters.
 - Sponsor Logo placed on Fish N Paddle Saltwater Slam Blog.
 - Sponsor Logo Placement on Website homepage with direct link to the sponsor's website.
 - Sponsor Logo on apparel worn in each video update prior to Tournament and by Tournament Officials.
- Live loud speaker hourly announcements by Emcee at Weigh Ins.
- Opportunity to provide products (e.g., visors) and literature information in Tournament Contestant Buckets
- Recognition in multi-media presentation at the Awards Ceremony.

5. Termination. The following shall constitute a breach and material default of this Agreement: 1) The failure by Sponsor to cure payment default under this Agreement; and/or 2) Either party's failure to comply with a material term or condition of, or to satisfy a material obligation it has assumed under this Agreement.

In the event either party to this Agreement fails to perform any obligation hereunder, or violates any provision of this Agreement, the other party may give notice to such party of such failure and demand the performance of such party's obligations hereunder or compliance with the terms and conditions hereof within a reasonable period after the date of such notice, which period shall not exceed ten (10) days. In the event the party receiving notice of such failure or violation does not correct, remedy, or cease such failure or violation within the time specified in such notice, the other party may terminate this Agreement, whereupon all obligations of the parties hereto that had not been incurred as of the effective termination date shall terminate.

In the event that Tournament's rights under this Agreement are terminated by the Sponsor *without cause; i.e. without breach and material default of this Agreement*, the Tournament, without any further proceedings, may immediately grant and license the sponsorship rights to one or more other persons or entities during any portion of the term remaining under this Agreement had it not been terminated, and receive license fees therefore. Such termination and payments shall not relieve Sponsor from liability to the Tournament for any damages caused by Sponsor's default and breach and expenses incurred in the re-licensing of the sponsorship rights with respect to the 2019 Fish N' Paddle Saltwater Slam. In the event that Tournament's rights under this Agreement are terminated pursuant to this section, the Tournament shall make a good faith effort to obtain the fair market value for the sponsorship rights that are

licensed to any third party or parties during that portion of the term of this Agreement. If the Tournament fails to negotiate a fair market value upon resale of the sponsorship rights, Sponsor's liability under this subsection shall be limited to an amount equal to the difference between the additional fees to be paid hereunder and the current fair market value of such sponsorship rights.

6. Force Majeure; Substantial Damage. In the event that either party to this Agreement is unable to perform its obligations hereunder or to enjoy any of its benefits because of substantial damage or destruction to the venue or organization due to any cause, a natural disaster, or action or decree of governmental body with appropriate jurisdiction (hereinafter referred to as a "Force Majeure Event"), the party that has been so affected shall immediately give notice to the other party of such fact and shall do everything possible to resume its performance. If the Tournament is still unable to perform due to Force Majeure Event, the Sponsor shall not be entitled to reimbursement.

7. Indemnification. Each party hereto shall indemnify and hold the others (hereinafter the "indemnified parties") harmless from any and all losses, claims, actions, damages, and expenses arising out of or resulting from every act or omission of the indemnifying party or any of its officers or employees under this Agreement. In the event that any suit based upon any such loss, claim, action, damage, or expense is brought against the indemnified parties, the indemnifying party, upon notice of the commencement thereof, shall defend the same at its sole cost and expense; and if final judgment be adverse to the indemnified parties or the indemnified parties and the indemnifying party, jointly the indemnifying party shall promptly satisfy the same.

8. Assignments. No assignment of the rights associated with the sponsorship herewith and otherwise granted herein shall be effective without the prior written approval of the Tournament, as appropriate, whose approval shall not be unreasonable withheld; provided, that a party's approval or disapproval of an assignment shall be based solely on the financial and operational capacity of the proposed assignee to performed the obligations it would assume were approval granted for such assignment.

9. Notices. Any notice or communication to be given by one party to the other under this Agreement must be in writing; and if given by registered or certified mail, such notice or communication shall be deemed to have been given and received when a registered or certified letter containing such notice or communication, properly addressed, with postage prepaid, is deposited in the United States mail, but if given otherwise than by registered or certified mail, it shall be deemed to have been given when received by the party to whom it is addressed. Such notices or communications shall be delivered or sent to the addresses each party specifies in writing upon execution of this Agreement.

10. Amendments. No addition to, deletion from, or other modification of any of the provisions hereof shall be valid unless made in writing and signed by an authorized representative of each of the parties hereto.

11. Applicable Law; Venue. This Agreement shall be constructed under the laws of the State of Maryland.

12. **Captions.** The titles of the articles, section, and subsections of this Agreement are for convenience only, and do not define or limit the contents.

13. **Waivers.** No waiver of full performance by either party shall be constructed, or operate, as a waiver of any subsequent default of any of the term, covenants and conditions of this Agreement. The payment or acceptance of fees or changes for any period after default shall not be deemed a waiver of any right or acceptance of defective performance.

14. **Entire Agreement.** The parties to this Agreement acknowledge that it is a negotiated agreement, that they have had the opportunity to have this Agreement reviewed by their respective legal counsel. This Agreement constitutes the entire agreement between the parties hereto respecting the subject matter hereof, and there are no understandings or agreements between them respecting the subject matter hereof, written or oral, other than as set forth herein.

In Witness Whereof, the parties hereto have executed this Agreement by having their duly authorized representative(s) sign his/her/their name(s) in the respective spaces provided below:

For Tournament

For Sponsor

By: _____

(Signature)

(Type or print name of signer)

(Type or print title of signer)

(Date)

By: _____

(Signature)

(Type or print name of signer)

(Type or print title of signer)

(Date)

From: Brian K Roberts CPA
brianrobertscpa@tfsllc.net
Subject: Fish N' Paddle Saltwater Slam Title
Sponsorship Agreement
Date: Jul 6, 2018 at 5:40:13 PM
To: Tom Perlozzo tperlozzo@co.worcester.md.us
Cc: Jacob Stephens
jstephens@co.worcester.md.us

Tom and Jacob,

Here is a PDF of the 2019 Fish N' Paddle Saltwater Slam in Ocean City Maryland [June 29-30, 2019](#). This is a Kayak/SUP tournament. Here is the synopsis on the tournament. The Tournament will do an Absolute Guarantee Purse of \$10,000 for Basic Entry which is the largest guaranteed purse for a coastal kayak tournament on the East Coast and possibly the World. Additionally since we are promoting fishing in Maryland we will have a Junior contest for prizes also. We have partnered with Cystic Fibrosis Maryland Chapter and will donate 10% at least 10% of the profits of the tournament to this charity. Additionally we will donate a portion of profits to Worcester county not for profit also. Contestants will fish two days and will be allowed to weigh 3 fish each day of any legal species of sportfish (no eels rays etc....) We will combine the weight of top three fish from each contestant over the two days. In that regard, if you catch a 5 lb blue fish and a 10 lb rockfish on day 1, and then a 3 pound flounder and a 15 pound black drum your weight is combined to be 30lbs (Bluefish day 1, rockfish day 1, and Black Drum day 2). Kind of a unique format that seems very exciting to me as you never know what species will come to the dock.

Boundaries within All Worcester County coastal waters and within 3 miles of the Beach as some kayakers will go through the inlet out into the ocean. You can launch at any boat ramp in Worcester except the one on the Chesapeake Bay! You must first launch in the commercial harbor first to check in on the water but then can haul out and use an automobile to move to another boat ramp (cannot use a motorized vessel to transport yourself to another location). Fishing times are [7AM to 3PM](#).

That's the basics so far. There will also be heaviest fish optional entries (known as calcuttas) by species that will have additional purses based on number of contestants. There will be a management fee collected of 10% and the remaining purse will be distributed to winners in each of the entries.

Basic entry is \$65 per person for early registration and \$95 per person within 30 days of the tournament.

Background on me:

2010 White Marlin Open Winner with the 2nd Largest Fish in history of the tournament!
Tournament Director and Co Founder of the Huk Big Fish Classic fishing tournament
which has Paid over \$865,000 in 4 years- One of the Fastest Growing Fishing
Tournaments in the World

Founder of White Marlin Outfitters LLC- Specializes in Paddleboard Fishing Excursions
and Saltwater Fly Fishing Guiding since 2011

Brian K. Roberts, CPA

Tax & Financial Services, L.L.C.

9927 Stephen Decatur Hwy Suite 4

Ocean City, MD 21842

Office Number 410-208-3301

Cell Number 410-703-9284

Fax Number 800-627-0573

brianrobertscpa@tfsllc.net

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100 Pearl Street Suite B
Snow Hill, Maryland 21863
Phone: 410-632-3112
Fax: 410-632-5631

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



DEPARTMENT OF
ECONOMIC DEVELOPMENT

14

Worcester County

TO: Worcester County Commissioners
Harold L. Higgins, Chief Administrative Officer
FROM: Kathryn Gordon, Deputy Director 
DATE: July 30, 2018
RE: IEDC Sustainability Advisory Committee and Annual Conference

I have been given the opportunity to sit on the International Economic Development Council (IEDC) Sustainability Advisory Committee. IEDC's Sustainability Committee is committed to helping the members of IEDC, as well as the economic development profession, transform and accelerate their organizational and community sustainability thinking and activities. Sustainable economic development is defined as "the investment in business, social, built, and natural environments that creates increasing prosperity for all, now and in the future." This committee meets quarterly, three meetings via teleconference and one meeting during IEDC's Annual Conference in Atlanta, Georgia, September 30 through October 3, 2018. This year's annual conference focuses on reimagining and transforming economic development efforts to foster a greater bottom prosperity throughout the community.

Worcester County is a rural community where its urban ecosystem intricately connects with the local natural environment consisting of ocean and bay shorelines, natural habitats and its indigenous species, and interconnecting waterways that residents and visitors alike come to enjoy. This unique ecosystem is what sets us apart from other counties in Maryland. Part of Worcester County Economic Development's (WCED) mission is to protect the environmental assets of our county with all current and future development placing emphasis on these assets. Identifying potential economic, social, and environmental outcomes that can boost regional competitiveness, while focusing on widening the circle of stakeholders that may benefit from these efforts, will encourage WCED's developing economic development strategy to become and remain current on economic development initiatives and trends while protecting our environment.

To maximize my out of state travel, I respectfully request to attend the IEDC Annual Conference for professional development as well as attend the scheduled quarterly meeting with the Sustainability Committee.

Complete expense information is listed below:

IEDC Registration:	\$869.00
Flight:	\$350.00 *plus applicable taxes and fees-as of memo date*
Hotel:	\$603.00 (\$201/night * 3 nights) *plus applicable taxes and fees
Meal & Incidental (M&IE):	\$252.00 (IRS 2018 Per Diem rate of \$63 for 4 days)
<hr/>	
TOTAL:	\$2,074.00

The Economic Development FY19 budget will cover the full cost of this conference. (*Travel, Training, & Expense Meetings/Conferences/Shows 7000.100*). Thank you for your time and consideration for this request.

Conference Program

Sunday, September 30

10:00 a.m. - 12:30 p.m.

International Forum and International Advisory Committee Meeting

All conference attendees are welcome to observe this roundtable discussion of economic development trends, challenges, and best practices from around the world. Invited speakers representing different countries will each present for several minutes, followed by Q&A from IEDC's International Advisory Committee and audience as time permits.

12:30 p.m. - 1:30 p.m.

Learning Lab A

Funding an EDO of the Future

Historically, economic development organizations have sought funding from the public sector, with the total amount received making up a significant portion of their budget. However, the problem with public funding is the uncertainty of appropriations. Over the past decade public funding has declined in many markets, while other locations have surged based on the political interests of key decision makers. This session will feature public EDOs as well as public-private partnerships and showcase alternatives to procure funding. The session will also demonstrate how the private sector can provide some funding lost from the public sector and give an overview of effective fundraising techniques.

2:00 p.m. - 3:30 p.m.

Opening Plenary Session

IEDC's Annual Conference kicks off with welcoming remarks from Atlanta Host Committee Chair Todd Greene, Executive Director of the Atlanta University Center Consortium (AUCC), and an exciting lineup of keynote speakers.

4:00 p.m. - 5:30 p.m.

Concurrent Sessions

- Smoothing Out Ruffled Feathers: Turning Around Contentious Projects
- *Economic Data as a Marketing Tool*
- The Other Side of the Economic Development Equation: Working for the Private Sector
- Ask the Corporate Real Estate Directors
- The New Atlanta Way: Creating Opportunities for Everyone



Economic Development Ethics Workshop
Monday, October 1, 10:30 a.m. – 12:30 p.m.
Tuesday, October 2, 3:00 p.m. – 5:00 p.m.

Price: Free, but registration is required

Are you faced with ethical dilemmas in your professional life? Do you have the tools to deal with ethical issues? Economic developers regularly encounter situations that require sound judgment and strength of character. This session will provide essential instruction on ethics in economic development and provide you with the tools to foster a culture of high standards in your organization. No theoretical lecture, this workshop will focus on real life ethical decision-making situations faced by economic developers.

Please note: Due to the large number of attendees at these workshops, we are unable to accommodate requests to transfer registration between the Sunday and Monday ethics sessions. Ethics workshops will also be held at the 2019 Leadership Summit in Fort Lauderdale, January 27-29, 2019, and at the 2019 Annual Conference in Indianapolis. Ethics training is a requirement for the Certified Economic Developer (CEcD) recertification processes. CEcDs who seek recertification are required to have two hours of ethics training each time they recertify.

Monday, October 1

8:30 a.m. – 10:00 a.m.

Chair's Welcome and Monday Morning Plenary Session

IEDC Board Chair Craig Richard will provide a recap of the organization's accomplishments in 2018 and IEDC board member Gynii Gilliam will announce the results of the Amazon Survey.

10:30 a.m. – 12:00 p.m.

Concurrent Sessions

- Cooperating Across Borders: Leveraging Relationships for Global Relevance
- Reinventing BR&E in the Global Economy
- Workforce Development Round Robin
- *Intersection of Food and Economic Development*
- Innovative Retail Strategies for Challenging Urban Environments

1:30 p.m. – 3:00 p.m.

Concurrent Sessions

- Opportunities and Implications of Urban Industrial Strategies
- The Early Pipeline for Economic Development Success – Children and Youth
- *Placemaking Round Robin*
- Leveraging Data as a Strategy Towards Economic Inclusion

4:00 p.m. – 5:30 p.m.

ED Talks

The highly popular ED Talks are back for a second year! IEDC has selected four compelling speakers to present on topics of their choosing. These speakers will use their stories and experiences to help us find deeper meaning in the work that we do as economic developers.

4:00 p.m. – 5:30 p.m.

Concurrent Sessions

- Economic Development Research Partners Research Release
- Partnering for Economic Recovery and Resiliency Success
- Economic Development and the LGBTQ Community
- Generational Marketing for Stronger Communities
- *Answer This: EconDev YPs Tackle the Industry's Most Challenging Questions*

Tuesday, October 2

7:00 a.m. – 8:30 a.m.

Preparing for the CEcD Exam Workshop

Price: Free, but registration is required



If you are planning to sit for the Certified Economic Developer (CEcD) exam, it's never too early to start planning and learning more about the process. All participants and attendees at this workshop will be provided with a complete overview of the Certified Economic Developer (CEcD) exam process, from application to the oral examination. Attendees will learn tools and techniques for preparing for the exam and witness a mock oral interview.

Please note: First-time candidates sitting for the certification exam are required to participate in the Preparing for the CEcD Exam Workshop, either in-person or via webinar format. Questions regarding this requirement can be sent to Professional Development Coordinator Marjorie Rose at mrose@iedconline.org.

8:30 a.m. – 10:00 a.m.

Plenary Session

This plenary session will feature keynote speakers from the world of economic development.

10:30 a.m. – 12:00 p.m.

Concurrent Sessions

- Riding the Silver Tsunami: Creating Opportunities for Seniors and Retirees
- Libraries: A Good Investment
- Big Cities
- *Town Hall Sessions*
- Becoming an AEDO

12:15 p.m. – 2:00 p.m.

Keynote Luncheon

The biggest plenary session of the conference will feature presentations from leading speakers.

2:00 p.m. – 3:30 p.m.

Concurrent Sessions

- Using Scenario Analysis as an Effective Economic Development Strategy
- *Demand-Driven Workforce Development Strategies Across States*
- Social Equity and Housing in Downtowns
- Supporting Rural Entrepreneurs

3:30 p.m. – 4:00 p.m.

Special Exhibit Hall Presentation from New Story 3D

New Story Charity will provide a 30-minute demo, *Using Innovation to Change Lives*. How did a nonprofit become the first to 3D print a permitted home? Find out why New Story started this catalytic R&D project that has the ability to impact the world and how YOU can think bigger to impact at a larger scale.

4:00 p.m. – 5:30 p.m.

Concurrent Sessions

- Tax Reform and Its Effect on Economic Developers across the United States
- Adaptive Reuse: One Man's Trash is Another's Treasure
- Increasing Industry Engagement with Educational Institutions
- *Effective Practices to Combat Gentrification in Regional and Community Development*
- Catalyzing Minority-Owned Businesses for Local Economic Vitality

Wednesday, October 3

7:30 a.m. - 9:00 a.m.

Concurrent Sessions

- Metropolitan Statistical Areas: Strength in the Smaller Cities
- The Power of Eds and Meds
- From Global to Local: Preparing Communities for International Recruitment Efforts
- Innovating Incentives to Advance Inclusive Economic Growth
- Suburban Shopping in an Urban World
- *Closing the Digital Divide: Digital Equity for a Strong Workforce and Economy*

9:00 a.m. - 10:30 a.m.

Concurrent Sessions

- *Interviews with Platinum Economic Developers*
- A New Analysis for Identifying Top Rural Counties for Workforce
- The Creative Economy: Cultivating Your Community's Creative Niche
- International Trade in the U.S.
- Ignite
- Setting a Higher Bar: Best Practices from AEDO

11:00 a.m. - 12:30 p.m.

Concurrent Sessions

- Grow Local - The Fastest Way to Create Jobs That Stick
- *Models of Collaboration: Inclusive Economic Growth for Small Cities*
- Creative Engagement Strategies
- Equitable Economic Development Fellowship
- Business Location Consultants Forum

1:00 p.m. - 5:00 p.m.

Island Economic Resilience Roundtable

Island economies have their own unique issues. Typically less economically diverse, islands are also more vulnerable to natural and manmade disasters. Oftentimes this creates a situation that exceeds local capacity to respond. A first for IEDC, this island resiliency roundtable will provide an opportunity for island-based economic developers to share experiences and ideas and learn about the tools and financing that others have used to build back better after natural and manmade disasters. There will also be an optional reception afterwards which will provide a unique opportunity to grow your network and meet economic developers from other islands.



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

15

RECEIVED
 AUG 01 2018
 Worcester County Admin

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: July 31, 2018
SUBJECT: Bid Recommendation - Forklift

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 July 30, 2018, two bids were received and opened to purchase a Forklift for the Water and Wastewater Division of the Department of Public Works. The following bid summary and attached bids are submitted for your review.

Company Name	Total Bid Price	Page
Eastern Lift Truck Co., Inc. Laurel, DE	\$74,760.00	3
JESCO, Inc. South Plainfield, New Jersey	\$86,396.47	10

Reviewing the specifications for the forklift proposed by Eastern Lift Truck Co., Inc. showed that the Model 2222-8D provides the minimum lifting capacity required in the bid documents and meets the specifications as written with only minor discrepancies.

Based on the information provided above, it is recommended that the County Commissioners award the purchase of the forklift to Eastern Lift Truck Co., Inc. for the bid price of \$74,760.00. Funding in the amount of \$75,000 was included in the 2018/19 budget in Account Number 510.9010.090.

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

Attachments

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

Please Note:
 Late Bid Received
 From CSI Material
 Handling, Inc. of
 New Castle, DE

Competitive Bid Worksheet

Item: Purchase of Forklift

Bid Deadline/Opening Date: 1:00 P.M., July 30, 2018

Bids Received by deadline = 2

Vendor's Submitting Bids

Total Delivered Price

JESCO
118 St. Nicholas Avenue
S. Plainfield, NJ 07080

\$ 86,396.47

Eastern Lift Truck Co.
11512 Commercial Lane
Laurel, DE 19956

\$ 74,760.00

BID FORM

One (1) FORKLIFT for:
Department of Public Works, Water and Wastewater Division

I/we have received the specifications and provisions for one (1) FORKLIFT and understand said requirements.
I/we hereby propose to furnish one (1) FORKLIFT as specified:

Year: 2018 Make: LOAD-LIFTER Model: 2222-8D

Total bid price for one (1) FORKLIFT: 74,760.⁰⁰/₁₀₀

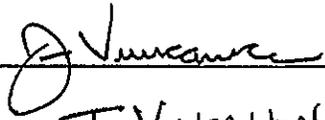
SEVENTY FOUR THOUSAND SEVEN HUNDRED SIXTY DOLLARS
(Price written out)

Above described unit will be delivered within 84 calendar days from receipt of written order to Worcester County Department of Public Works, Water and Wastewater Division, at 1000 Shore Lane, Ocean Pines, Maryland 21811.

Specifications must be attached or bid may be rejected. Any exceptions or deviations from the requested specifications must be clearly noted on bid form.

BID MUST BE SIGNED TO BE VALID

Date: 7.30.2018

Signature: 

Typed name: JIM VUNCANNON

Title: ACCOUNT MANAGER

Company: EASTERN LIFT TRUCK INC.

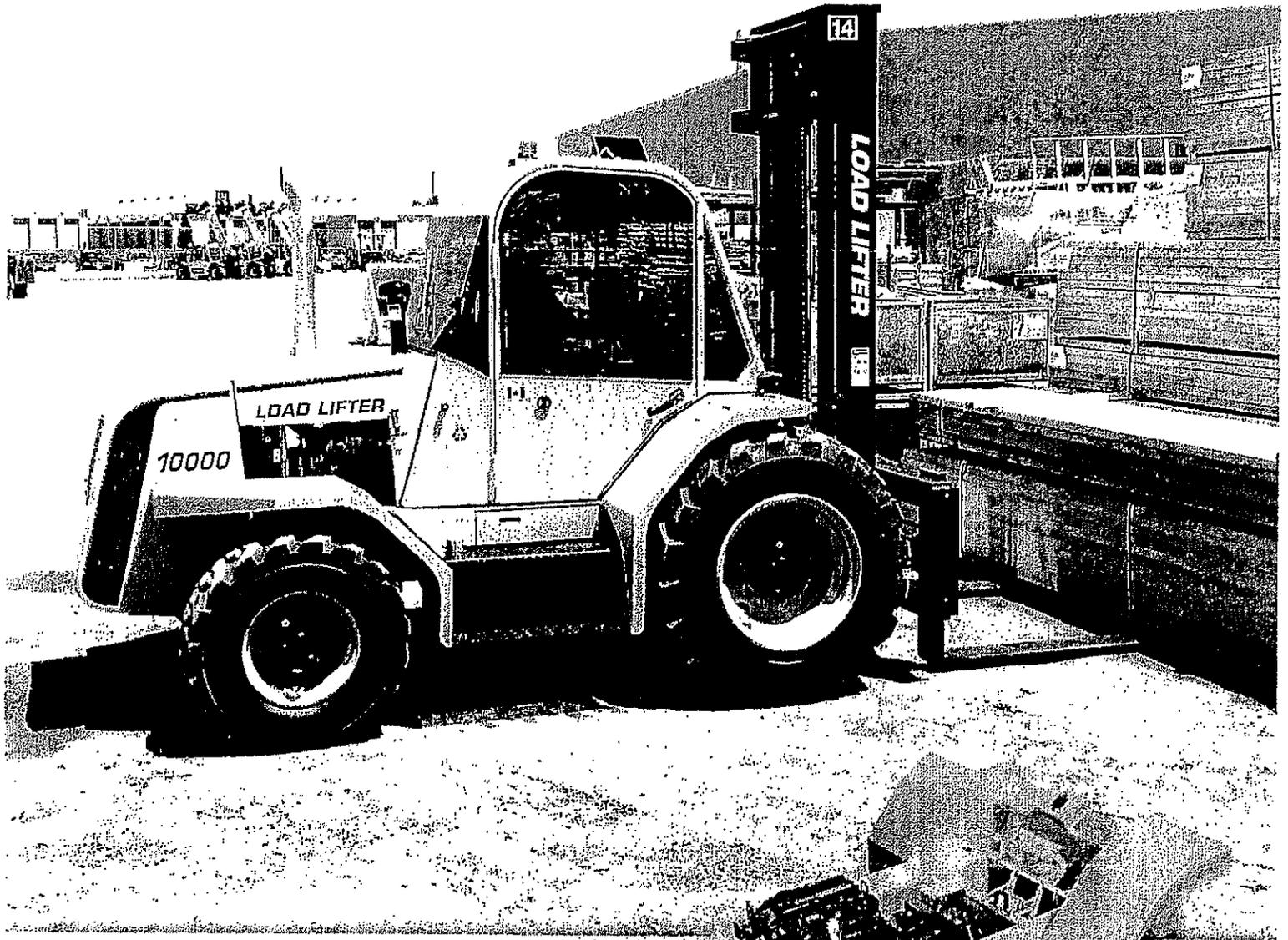
Address: 11512 COMMERCIAL LANE

LAUREL, DELAWARE 19956

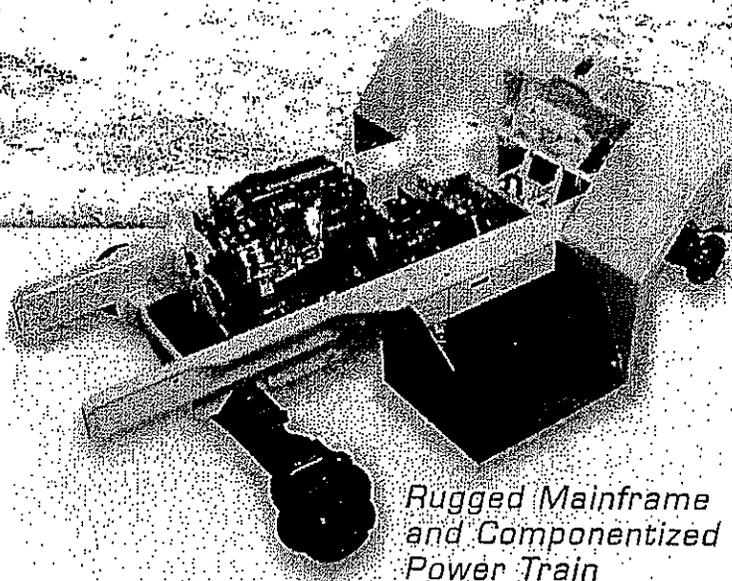
Phone: 410.353.5022



2200-2400 D SERIES



- 6-12,000 LB. CAPACITY
- LIFT HEIGHTS TO 30 FT.
- C-THRU ROLLER MASTS
- OIL IMMERSSED DISC BRAKES
- HIGH VISIBILITY OPERATORS COMPARTMENT
- ERGONOMIC CONTROLS
- EASY ON AND OFF ACCESS
- AVAILABLE FOUR WHEEL DRIVE
- FULL RANGE OF ATTACHMENTS



*Rugged Mainframe
and Componentized
Power Train*

LOAD LIFTER FEATURES DO WORK FOR YOU

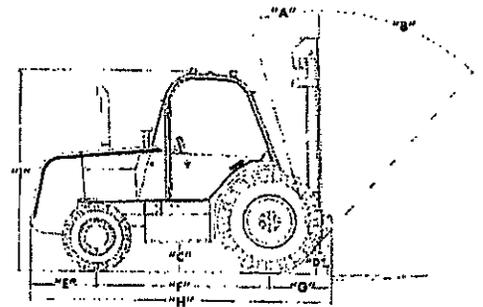
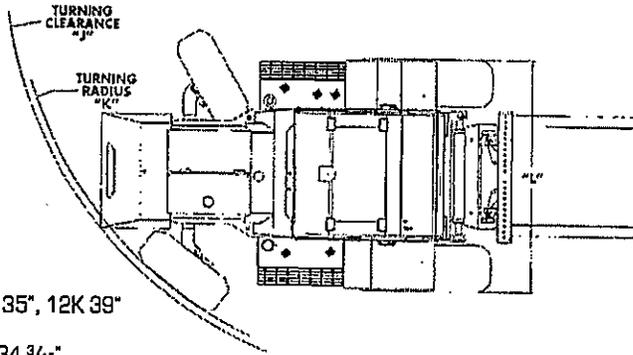
SPECIFICATIONS

MACHINE APPROX. WEIGHTS

6,000 lb - 6352 kg (14,400 lbs)
 8,000 lb - 7031 kg (15,500 lbs)
 10,000 lb - 8029 kg (17,700 lbs)
 12,000 lb - 8890 kg (19,600 lbs)

MACHINE DIMENSIONS

A (Tilt Back) 14"
 B (Tilt Forward) 24"
 C (Machine Ground Clearance) 15"
 D (Mast Ground Clearance) 12"
 E (Counterweight Overhang) 6-10K 35", 12K 39"
 F (Wheelbase) 83"
 G (C/L Drive Axle to Face of Forks) 34 3/16"
 H (Overall Length to Face of Forks) 6-10K 152 1/4", 12K 156 1/4"
 I (Overall Height Top of Canopy) 97"
 J (Turning Clearance) 2WD 173 1/2", 4WD 179"
 K (Turning Radius) 2WD 168", 4WD 175"
 L (Overall Width) 84"



ENGINE

Make Perkins 1104D-44T Turbo Diesel
 Displacement 4.40 Litres (268 cu. in.)
 Gross H.P. 73.82 KW. (99 H.P.)
 Maximum Torque (283 ft. lbs.)
 Rated Speed 2300 r.p.m.

TRANSMISSION

Type 4 Speed Synchronesh with Power Reverser & Torque Converter
 Speeds
 1 4.6 km (2.9 mph)
 2 9.6 km (6.0 mph)
 3 17.6 km (11 mph)
 4 29.6 km (19 mph)

HYDRAULIC SYSTEM

Pump Gear Type System c/w Load Sense Steering Circuit
 Filter 25 Micron Replaceable Element
 Modular Control Valve c/w Tilt Lock System

ELECTRICAL SYSTEM

Volts 12
 Alternator 85 Amp.
 Instrumentation Full LED Display

FLUID CAPACITIES

Cooling System 11.5 litres / 12.2 Quarts
 Engine Oil 6.8 litres / 7.2 Quarts
 Fuel 100 litres / 26.4 U.S. Gal.
 Hydraulic Oil 85 litres / 22.5 U.S. Gal.
 Transmission Oil 21.4 litres / 22.2 Quarts

BRAKES

Service Mechanical Multiple Wet Disc (right and left hand braking ability)
 Parking Manual External Disc on Transmission

AXLES

Drive Heavy Duty Inboard Planetary Drive
 Steer 2 WD Large 8" x 4" Solid Beam c/w Oversize Center Steer Control and Track Rod Design, Large Tapered Roller Bearing Spindle Wheel Ends
 Steer 4 WD High Strength Cast Steel Housing c/w Planetary Drive Wheel Ends and 50° Lock Angle

TIRES

Drive 6,000 lb. and 8,000lb. 16.9 x 24 - 12 ply lug
 10,000 lb. and 12,000lb. 15.5 x 25 - 12 ply lug
 Steer 6,000 lb. 2WD 11:00 x 16 12 ply
 8,000 lb. to 12,000 lb. 2WD 14 x 17.5 14 ply
 4WD All 14 x 17.5 14 ply lug

STANDARD EQUIPMENT

- 6" Mast Side Shift
- 4 Speed Synchronesh Transmission
- Power Reverser
- Electric Column Shift
- Tilt & Telescopic Steering Console
- Hydrostatic Power Load Sense Steering
- Safety Start
- Dry Type Air Cleaner
- Retractable Seat Belts
- Height Adjustable Seat
- L.E.D. INSTRUMENT DISPLAY (Hour Meter, Fuel Level, Coolant Temp, Alt, Pre Heater, Oil Pressure Gauge, Low Oil Press Warning, Trans Temp, Work Light Indicator, Park Brake, Work Light Switch)

- Overhead F.O.P.S. Canopy
- Circuit Breakers
- Block Heater
- Manifold Heater
- Heavy Duty Battery
- Anti Freeze -40
- Horn
- Four Work Lights
- Transmission De Clutch
- 14 foot C-Thru Mast
- 48" Carriage 5-6,000 lb
- 60" Carriage 8-12,000 lb
- 48" Forks

OPTIONAL EQUIPMENT

- "Smart Shift" Full Powershift Transmission
- All Steel Ergonomic Cab Assembly
- Mirrors
- Windshield Washer Kit
- Air Conditioning
- Suspension Seats
- Cold Weather Package
- Vandalism Package
- Murphy Shutdown Systems
- Rear Tire Fenders
- Exhaust Purifier
- High Air Intake
- Cyclonic Pre-Cleaner
- Power Brakes
- Lift Circuit Cushion Accumulator
- Fork Positioner
- Load Grapple
- Hydraulic Bucket
- Full Range of Attachments

This information contained herein is general in nature and not intended for specific application purpose. Load Lifter reserves the right to make changes in specifications, make improvements, or discontinue manufacture at any time without notice or obligation.

LOAD LIFTER MANUFACTURING LTD.

3 Anderson Blvd., Stouffville, Ontario, Canada, L4A 7X4

Tel. 905-642-9756, Fax. 905-640-1437, www.load-liftermfg.com, info@load-liftermfg.com





EASTERN LIFT TRUCK CO.

11512 Commercial Lane

Laurel, DE 19956

Jim Vuncannon Account Manager 410-353-5022

To: Worcester County Government Center
One West Market Street
Snow Hill, MD. 21863

Date: 07/30/18

Model 2222-8D Series Rough Terrain Forklift c/w

- 8,000 lbs. Capacity
- Two wheel drive
- Three stage 22 foot C-Thru roller mast assembly (125" OAH)
- 60 inch shaft carriage
- 48 inch pallet forks
- All standard equipment

Standard Equipment Includes:

99hp EPA compliant diesel engine, Block heater, Dry type air cleaner, Heavy duty radiator c/w -40C anti-freeze, Safety start, 4 speed synchromesh transmission with shuttle, Transmission declutch, Manifold heater, Heavy duty outboard planetary drive axle c/w oil immersed disc brakes and Limited sllp differential , Hand park brake assembly c/w park brake saver, Horn, Back up alarm, Heavy duty steer axle, Hydraulic brakes, Hydrostatic power steering, Tilt and telescopic steering console c/w electric column shift, L.E.D. display, Hour meter, Six inch mast side shift, Tilt lock valve, Dual tool storage areas, Overhead F.O.P.S. canopy, Four work lights, Cushion seat with height adjustable platform and Retractable seat belt.

Standard Tire Equipment:

16.9 x 24 14 ply Lug Drive Tires ** 14 x 17.5 14 ply Steer Tires

60 inch wide Load back rest

Murphy Shut down with audible alarm (water temp, Oil Pressure, Trans Temp)

Delivered

Sell Price:

\$74,760.00 + Applicable Tax

Terms & Conditions

We will use all reasonable means to make shipment within the time specified, but assume no liability for loss or damage arising from late delivery or nonfulfillment of contract by reason of fires, strikes, delays in transportation, regulations of the United States Government, or any cause unavoidable or beyond our control. The prices quoted and the shipment specified herein are for prompt acceptance and are subject to change without notice. The prices quoted are exclusive of any tax in force or which may be enacted by Federal, State or Local Governments. Terms of sales are subject to credit approval. All orders are subject to acceptance by Eastern Lift Truck Co., Inc., Maple Shade, New Jersey.

The conditions of this quotation become a part of any order resulting here from, and any purchase order submitted in response to this quotation modifying, altering or adding to these conditions shall not be binding unless accepted by us in writing.

There are no agreements, understandings or stipulations relative to this quotation other than those expressed herein.

Cancellation

Your Signature on this proposal constitutes an order. Cancellations will not be accepted except on terms that will indemnify us against any loss.

Accepted:

By: _____

By: Jim Vuncannon Date: 7.30.18
Jim Vuncannon-Account Manager

NOTICE TO BIDDERS

Purchase of Forklift Worcester County, Maryland

The Worcester County Commissioners are currently accepting bids for the purchase of one (1) new Forklift for the Water and Wastewater Division of Public Works. Bid specification packages and bid forms are available from the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, obtained online under the "Bids" drop-down menu in the lower right hand side of the home page at www.co.worcester.md.us, or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. **Sealed bids will be accepted until 1:00 PM, Monday, July 30, 2018** in the Office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Bid for Forklift**" in the lower left-hand corner. After opening, bids will be forwarded to the Department of Public Works for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Jeff Tingle or John Ross at 410-641-5251.

SPECIFICATIONS FOR FORKLIFT (Example: Case 588H or equivalent)

Engine:

- Displacement – 3.4 liter, 207 cubic inches
- 74 horse power minimum
- Fuel - Diesel
- Foot Throttle

Powertrain:

- Manual shift
- Differential lock
- Hydraulic brakes
- Two-wheel drive

Electrical:

- 12 volt / 120 amp
- Gauges:
 - Hour meter
 - Engine RPM
 - Engine coolant temperature
 - Transmission oil temperature
 - Job timer
 - Fuel level
- Warning lights:
 - Air cleaner restriction
 - Alternator
 - Cold start
 - Engine oil pressure
 - Hydraulic oil filter bypass
 - Parking brake engagement
 - Engine coolant temperature
 - Battery voltage
- Audible alarms:
 - Coolant temperature
 - Engine oil pressure
 - Parking brake engagement
 - Converter oil temperature
 - Backup horn

Service capacities:

- Fuel Tank - 31 gallon
- Hydraulic system – 74 quart minimum
- Engine oil – 8.5 quart
- Cooling system – 18.3 quart minimum

Mast performance:

- 15', 8000 lb. lifting capacity
- 22', 4000 lb. lifting capacity
- To be provided:
 - Pallet forks – 48"
 - Backrest – 60" minimum

Hydraulics:

- Gear pump – 24 GPM @ 3000 PSI
- Heavy duty hydraulic oil cooler
- Oil filter – 7 micron

BID FORM

One (1) FORKLIFT for:
Department of Public Works, Water and Wastewater Division

I/we have received the specifications and provisions for one (1) FORKLIFT and understand said requirements.
I/we hereby propose to furnish one (1) FORKLIFT as specified:

Year: 2018 Make: Harlo Model: HP8500

Total bid price for one (1) FORKLIFT: \$86,396.47

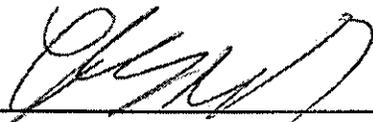
Eighty six thousand three hundred ninety six dollars and
(Price written out) forty seven cents.

Above described unit will be delivered within 45 calendar days from receipt of written order to
Worcester County Department of Public Works, Water and Wastewater Division, at 1000 Shore Lane, Ocean
Pines, Maryland 21811.

Specifications must be attached or bid may be rejected. Any exceptions or deviations from the requested
specifications must be clearly noted on bid form.

BID MUST BE SIGNED TO BE VALID

Date: July 26, 2018

Signature: 

Typed name: GREG BLASZKA

Title: Secretary/Treasurer

Company: JESCO, Inc.

Address: 118 St. Nicholas Ave.

S. Plainfield, NJ 07080

Phone: 908-921-1801

SPECIFICATIONS FOR FORKLIFT
(Example: Case 588H or equivalent)

Engine:

- Displacement— 3.4 liter, 207 cubic inches *As specified*
- 74 horse power minimum *As specified*
- Fuel - Diesel *As specified*
- Foot Throttle *As specified*

Powertrain:

- Manual shift *As specified*
- Differential lock *As specified*
- Hydraulic brakes *As specified*
- Two-wheel drive *As specified*

Electrical:

- 12 volt / 120 amp *As specified*
- Gauges:
 - Hour meter *As specified*
 - Engine RPM *As specified*
 - Engine coolant temperature *As specified*
 - Transmission oil temperature *As specified*
 - Job timer *As specified*
 - Fuel level *As specified*
- Warning lights:
 - Air cleaner restriction *As specified*
 - Alternator *As specified*
 - Cold start *As specified*
 - Engine oil pressure *As specified*
 - Hydraulic oil filter bypass *As specified*
 - Parking brake engagement *As specified*
 - Engine coolant temperature *As specified*
 - Battery voltage *As specified*
- Audible alarms:
 - Coolant temperature *As specified*
 - Engine oil pressure *As specified*
 - Parking brake engagement *As specified*
 - Converter oil temperature *As specified*
 - Backup horn *As specified*

Service capacities:

- Fuel Tank - 31 gallon *- 21 Gallon*
- Hydraulic system — 74 quart minimum *As specified*
- Engine oil — 8.5 quart *As specified*
- Cooling system — 18.3 quart minimum *As specified*

Mast performance:

- 15', 8000 lb. lifting capacity - 6,500 LBS
- 22', 4000 lb. lifting capacity - 2,500 LBS
- To be provided:
 - Pallet forks - 48" *As specified*
 - Backrest - 60" minimum *As specified*

Hydraulics:

- Gear pump - 24 GPM @ 3000 PSI *As specified*
- Heavy duty hydraulic oil cooler *As specified*
- Oil filter - 7 micron *As specified*



HP Series Forklift HP8500



ENGINE

Model	John Deere - 4045TFC03 Tier 4 Final Emission Certified
Type	4 Cycle Diesel Turbocharged
Cylinders	4
Bore/Stroke	4.20 IN / 5.00 IN
Displacement	275 CID
Fuel Injection	Electronic
Fuel	Ultra Low Sulfur Diesel
Cooling	Liquid Cooled
Engine Speeds	RPM
Rated Speed, Full Load	2400
Low Idle	800
High Idle, No Load	1050
Horsepower	74 HP @ 2400 RPM
Maximum Torque	224FT-LB @ 1600 RPM
Water Pump Style	Integral
Engine Oil	SAE 15W-40

TIRES

Front	16.9 x 24 (12 Ply)
Rear	
2WD	11L - 16 (12 Ply)
4WD	12 - 16.5 (10 Ply)

ELECTRICAL

Voltage	12 Volts
Alternator	95 Amp
Battery	950 CCA
Power Plugs (#)	1 Optional

OPERATING WEIGHT

2WD	See Mast Options
4WD	See Mast Options

MAST

Mast Tilt	
Forward	13°
Backward	13°
Side Shift	6 IN
Easy Ride Load Cushion	Yes

HYDRAULICS

Main Pump Piston Type	Pressure Compensated
Pump Flow	35 GPM @ 2400 RPM

POWERTRAIN

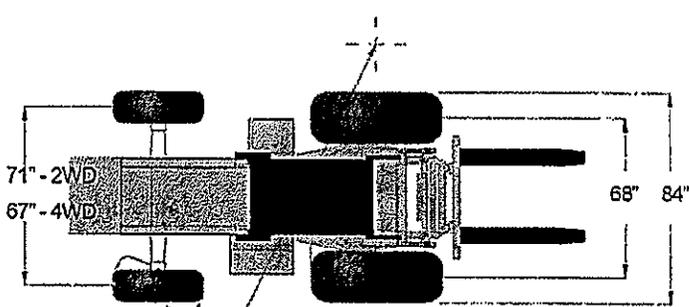
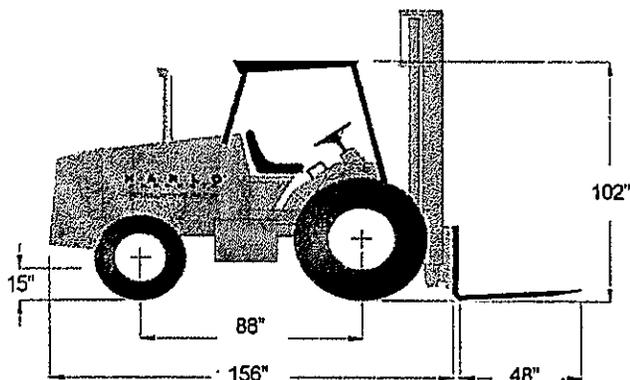
Transmission	Synchromesh Synchro-Shuttle
Gear Ratios	4 Forward / 4 Reverse
1st	5.603:1
2nd	3.480:1
3rd	1.584:1
4th	0.793:1
Travel Speeds	MPH (KM/H)
1st	4.2 (6.76)
2nd	6.7 (10.79)
3rd	14.0 (22.54)
4th	24.0 (38.64)
Torque Converter Ratio	2.64:1
Front / Rear Axle(4WD)	
Differential Ratio	2.33:1 / 2.46:1
Planetary Hub Ratio	6.923:1 / 6.00:1
Overall Ratio	16.15:1 / 12.80:1
Service BrakeType	Oil (Wet) Multi Disk
Parking BrakeType	Cable Activated
Parking Brake Location	Floor

OPERATOR ENVIRONMENT

STANDARD SAFETY: Adjustable Seat Cushion; Rear-View Mirror; Seatbelt; Anti-Vandalism Kit; FOP Overhead Guard; See-thru Masts; A.N.S.I. B 56.6 Safety Compliant.

AUDIBLE ALARMS: Backup Alarm; Horn. **GAUGES:** Fuel Level, Hour Meter and Voltmeter, Coolant Temperature, Tachometer, Oil Pressure.

DIMENSIONS



Turning Radius

2WD with brakes 11ft 9in
2WD without brakes 13 ft
4WD with brakes 10ft 9in
4WD without brakes 13ft 3in

MAST OPTIONS AND CAPACITY

Lift Height	Type	Available Carriage Width	Stage	Overall Lowered	Overall Extended	Capacity at 24" Load Center	2WD Weight	4WD Weight	Freelift
15' Roller	Notch ITA Class 3	60" 72" 84" 96"	2	125 in	212 in	8500lbs to 15'	15,503 lb.	15,803 lb	None
16' Roller	Notch ITA Class 3	60" 72" 84"	3	100 in	228 in	8500lbs to 12' 6500lbs to 16'	15,449 lb	15,749 lb	None
20' Roller	Notch ITA Class 3	60" 72" 84"	3	117 in	277 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 20'	15,899 lb	16,199 lb	80"
20' Roller	Swing Carriage	84"	3	117 in	277 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 20'	15,899 lb	16,199 lb	80"
22' Roller	Notch ITA Class 3	60" 72" 84"	3	125 in	300 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 22'	15,993 lb	16,293 lb	None
15' Roller	Swing Carriage	60" 72" 84"	2	125 in	212 in	8500lbs to 15'	15,503 lb	15,803 lb	None
22' Roller	Swing Carriage	60" 72" 84"	3	125 in	300 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 22'	15,993 lb	16,293 lb	None

13



HARLO PRODUCTS

HP SERIES ROUGH TERRAIN FORKLIFTS

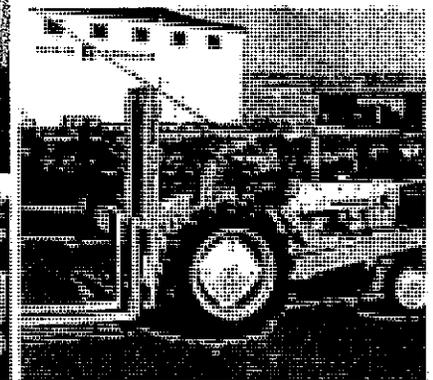
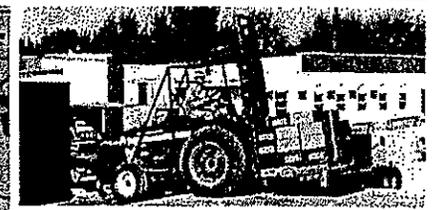
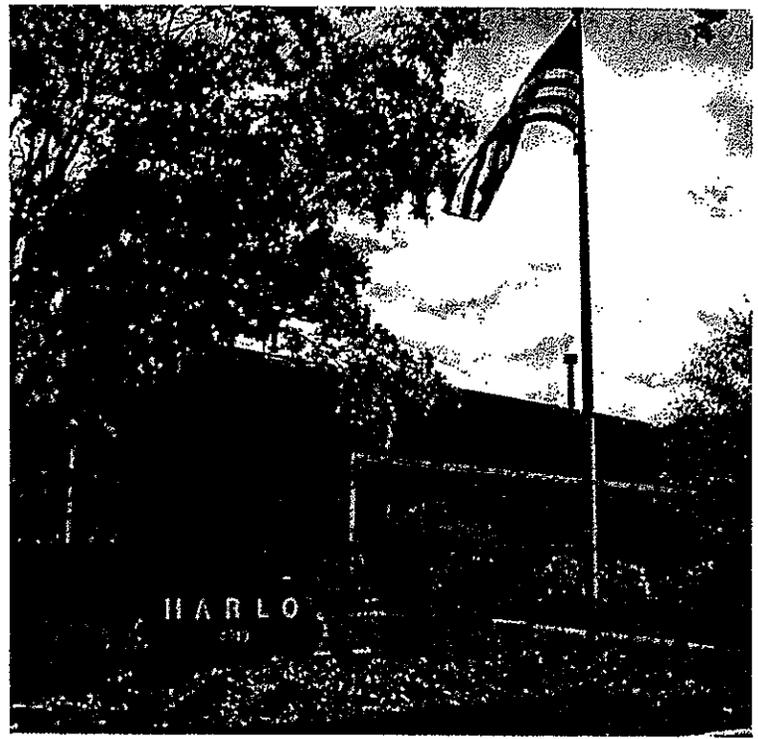
A third generation, family owned business, HARLO Products Corporation has been serving the vertical mast rough terrain forklift industry since the early 1940s. For decades, the HARLO name has been synonymous with quality and dependability.

In a Grand Rapids, Michigan back alley, HARLO started making vertical mast assemblies for the US Navy during WWII. HARLO was a pioneer in the rough terrain forklift industry, and has been a major supplier of OEM equipment for over 75 years. HARLO has been partnered with some of the world's largest equipment companies, including John Deere, Massey Ferguson, Ford, Case, and International Harvester.

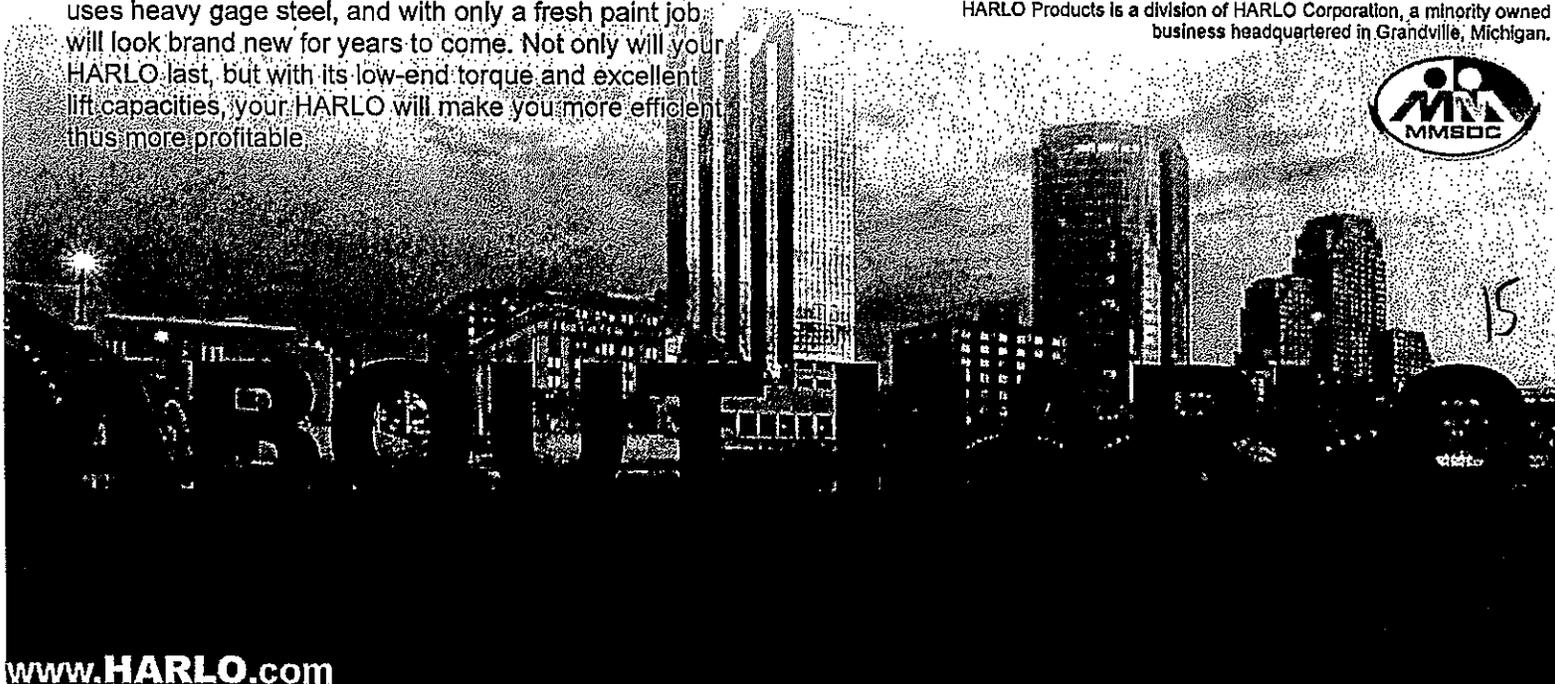
While holding on to traditional values, HARLO continues to build rough terrain forklifts to meet a variety of modern needs. HARLO forklift owners know that when buying a HARLO forklift, they will receive the highest return on their investment.

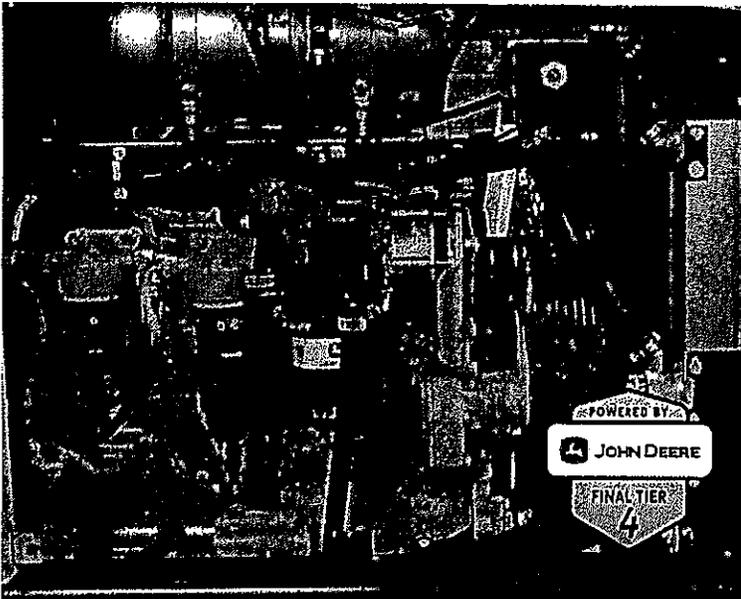
HARLO prides itself on being a hands on company... literally. Each HARLO forklift is crafted at their West Michigan headquarters by hand. HARLO counts on the experience, expertise, and pride of its workers to craft a quality product. This hand-crafted manufacturing process paired with extensive quality control measures ensures consistent quality and attention to detail. Unlike the competition, HARLO is able to respond to custom concerns, because they have experts willing to design a machine tailored to the customer's needs.

The HP Series has everything you would expect of a rough terrain forklift and more. Offering 51 different mast configurations and several industry focused optional features, HARLO gives you the opportunity to purchase a machine that meets your specific needs. You can rest assured that your HARLO will last, because HARLO only uses heavy gage steel, and with only a fresh paint job will look brand new for years to come. Not only will your HARLO last, but with its low-end torque and excellent lift capacities, your HARLO will make you more efficient, thus more profitable.



HARLO Products is a division of HARLO Corporation, a minority owned business headquartered in Grandville, Michigan.





ENGINE SPECIFICATIONS

Engine	John Deere 4045TFC03
Emissions Rating	Tier 4 final
Net Engine Horsepower	74 horsepower at 2500 rpm
Max Net Torque	224ft-lbs at 1600 rpm
Fuel Injection	common rail -electronic
Aspiration	Turbocharged
Displacement	275 cubic inches
Bore/ Stroke	4.20 inches / 5.0 inches
Compression Ratio	19 : 1
Transmission	Syncromesh
Hydraulic System	Piston Pump (32 gpm at 2400)

*Engine Specification apply to all John Deere HP Models.



Tier 4 emission requirements were an opportunity for HARLO to rethink design elements of its rough terrain forklifts. HARLO engineers understood that a John Deere Electronic Tier 4 Final 74 hp. turbocharged diesel engine **does not need after treatments** therefore-No DEF required. Which helps to reduce the daily operating costs of the unit.

HARLO sought out a solution that would provide end-users with the **same performance** they have come to expect from previous John Deere powered models.

Lower horse power could mean less performance, so enhancements were made to gain efficiencies through improved hydraulics and an enhanced cooling system. The new HP-Series is the only rough terrain forklift in its class to use a pressure and flow compensated hydraulic pump.

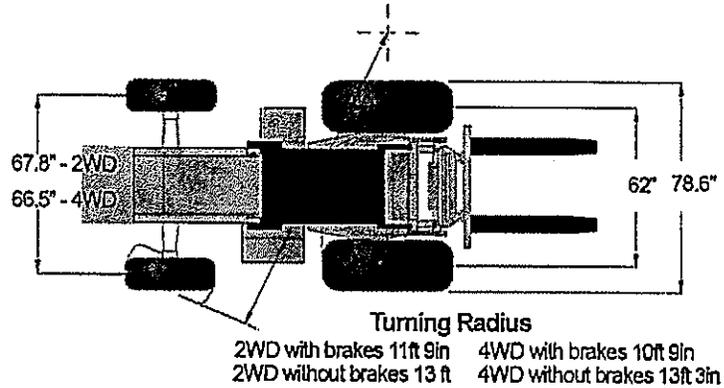
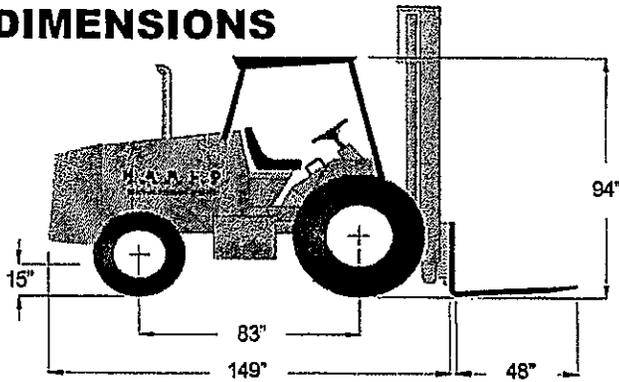
Unlike all rough terrain forklift manufacturers using a gear pump, HARLO chose a **Piston Pump** for more controlled pressure efficiencies.

The redesigned HP Series offers the most versatile rough terrain forklifts on the market. The rugged design allows the operator to navigate effortlessly in a variety of terrains. All models are available in both 2 and 4 wheel drive options. The HP Series forklifts are used in construction, agriculture, oil fields, forestry, as well as many more industries around the world.

TIER 4 FINAL

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DIMENSIONS



MAST OPTIONS

Lift Height	Type	Available Carriage Width	Stage	Overall Lowered	Overall Extended	Capacity at 24" Load Center	2WD Weight	4WD Weight	Freelift
12' Roller	Notch ITA Class 2	48" 60" 72" 84"	2	113 in	183 in	5000lbs to 12'	11,697 lb	11,897 lb	None
14' Freelift	Notch ITA Class 2	48" 60" 72"	3	95 in	215 in	5000lbs to 14'	11,947 lb	12,147 lb	58"
12' Roller	Swing Carriage	48"	2	113 in	183 in	5000lbs to 12'	11,697 lb	11,897 lb	None

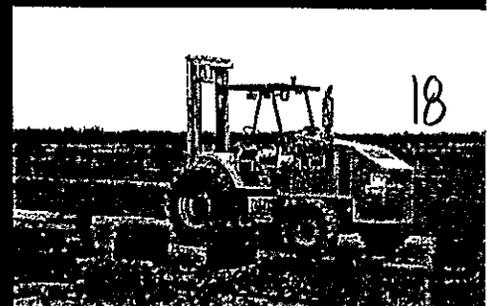
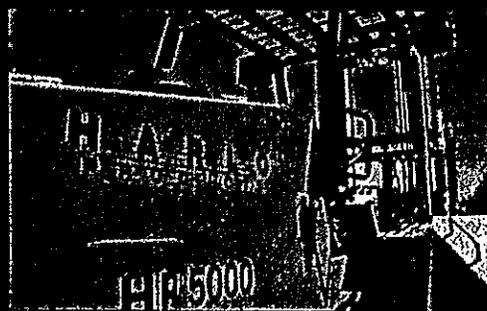
SHOWN WITH OPTIONAL BIN CLAMP

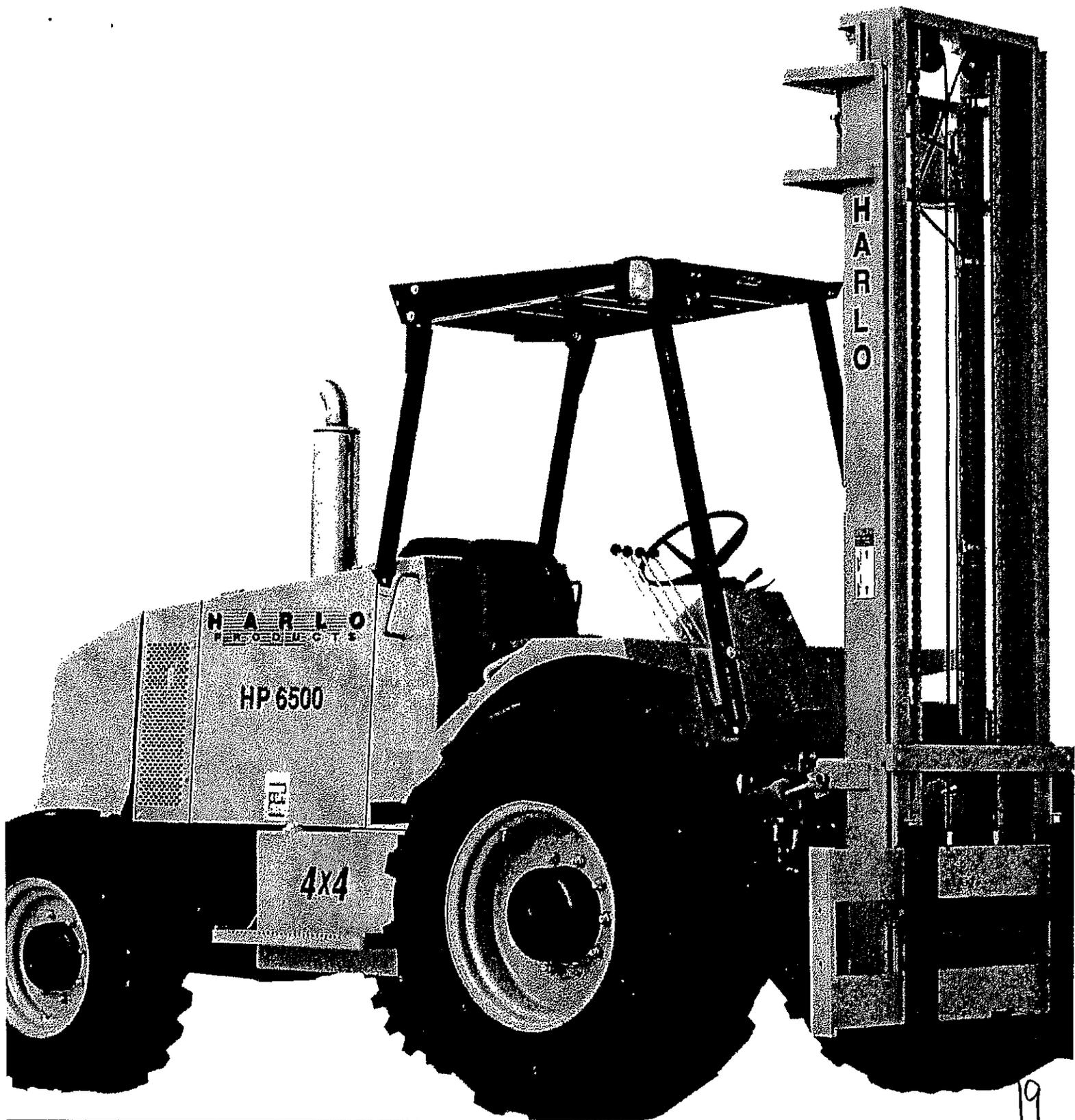
Currently available for the HP5000 only, HARLO's industry exclusive integrated bin clamp is a bestseller. Helping you keep bins stabilized even on the roughest terrain, the bin clamp also reduces mast wear and tear, lessens operator fatigue and makes loading more efficient.

HP5000

PRODUCTIVITY.

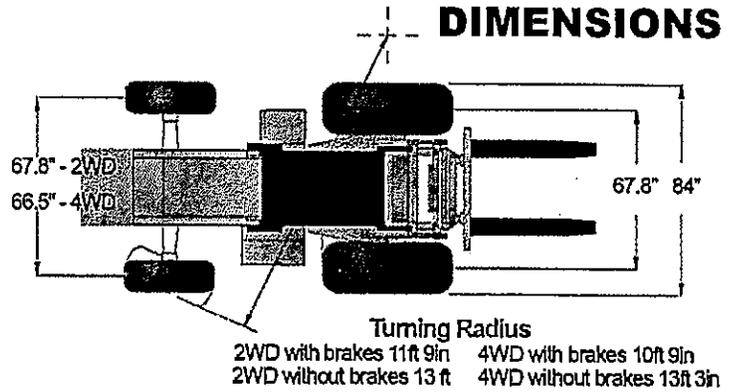
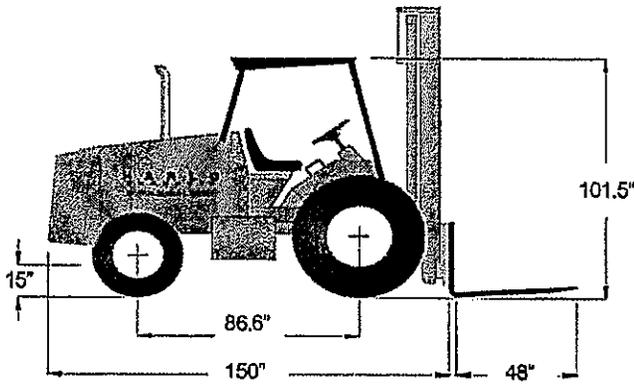
The HP5000's compact design and industry leading turning radius will effortlessly navigate your work site. Engineered to optimize loading performance, the HP series has been designed to maximize lift and turn efficiency, providing superior maneuverability. **Eight different mast configurations** are available to match a variety of needs. The HP5000 is available with several industry focused optional features; including an **industry exclusive integrated bin clamp**. The HP5000 is most commonly found in agriculture applications; such as sod, citrus and vegetable harvesting.





PRODUCTIVITY.

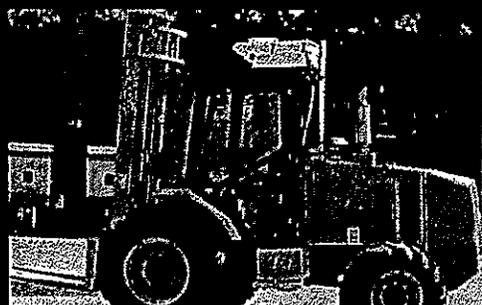
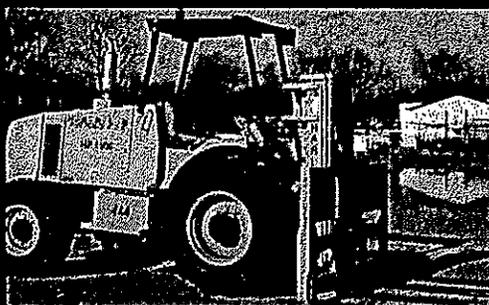
HARLO's mid-sized forklift, the HP6500, is the most versatile, offering six mast height options and 23 different mast configurations. The HP6500 is adaptable and can be built to meet a variety of industry specific needs; including the 28' mast assembly preferred in masonry. Its best in class lift capacity, paired with HARLO's reputation for long-term dependability, makes the HP6500 the go to rough terrain forklift for many rental yards and is HARLO's bestselling forklift model.



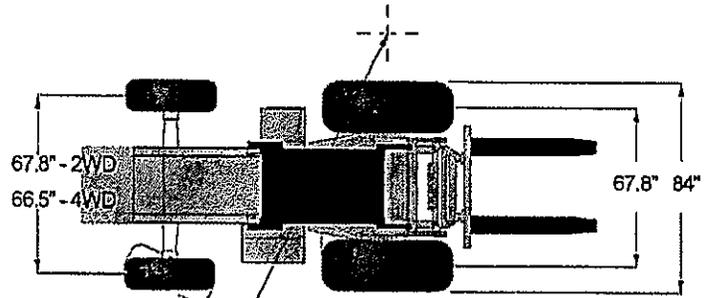
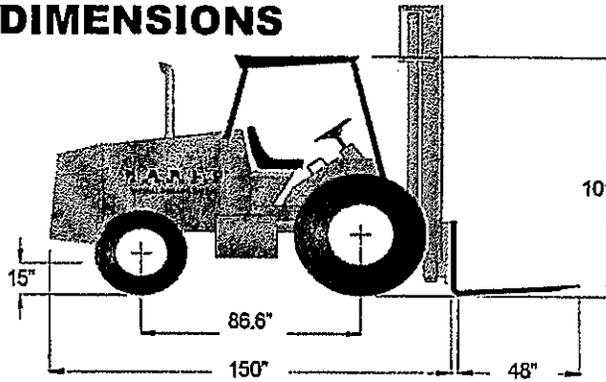
MAST OPTIONS

Lift Height	Type	Available Carriage Width	Stage	Overall Lowered	Overall Extended	Capacity at 24" Load Center	2WD Weight	4WD Weight	Freelift
10' Roller	Notch ITA Class 3	60" 72" 84"	2	100 in	164 in	6500lbs to 10'	12,594 lb	12,934 lb	None
11' Roller	Notch ITA Class 3	48" 60" 72" 84"	3	80 in	166 in	6500lbs to 11'	12,812 lb	13,152 lb	None
15' Roller	Notch ITA - Class 3 or Swing Carriage	60" 72" 84"	2	125 in	212 in	6500lbs to 15'	13,254 lb	13,687 lb	None
20' Freelift	Notch ITA Class 3	60" 72" 84"	3	117 in	277 in	6500lbs to 12' 4500lbs to 15' 2500lbs to 20'	13,972 lb	14,359 lb	80'
22' Roller	Notch ITA or Swing Carriage	60" 72" 84"	3	125 in	300 in	6500lbs to 12' 4500lbs to 15' 2500lbs to 22'	13,874 lb	14,281 lb	None
28' Roller	Notch ITA Class 3	60"	3	146 in	372 in	6500lbs to 12' 4500lbs to 15' 2500lbs to 22' 1000lbs to 28'	14,173 lb	14,457 lb	None

HP 6500 ²⁰



DIMENSIONS



Turning Radius
 2WD with brakes 11ft 9in 4WD with brakes 10ft 9in
 2WD without brakes 13 ft 4WD without brakes 13ft 3in

MAST OPTIONS

Lift Height	Type	Available Carriage Width	Stage	Overall Lowered	Overall Extended	Capacity at 24" Load Center	2WD Weight	4WD Weight	Freelift
15' Roller	Notch ITA Class 3	60" 72" 84" 96"	2	125 in	212 in	8500lbs to 15'	15,624 lb.	15,907 lb	None
16' Roller	Notch ITA Class 3	60" 72" 84"	3	100 in	228 in	8500lbs to 12' 6500lbs to 16'	15,780 lb	15,953 lb	None
20' Freelift	Notch ITA Class 3	60" 72" 84"	3	117 in	277 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 20'	15,984 lb	16,403 lb	80"
20' Freelift	Swing Carriage	84"	3	117 in	277 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 20'	15,984 lb	16,403 lb	80"
22' Roller	Notch ITA Class 3	60" 72" 84"	3	125 in	300 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 22'	16,099 lb	16,497 lb	None
15' Roller	Swing Carriage	60" 72" 84"	2	125 in	212 in	8500lbs to 15'	15,624 lb	15,907 lb	None
22' Roller	Swing Carriage	60" 72" 84"	3	125 in	300 in	8500lbs to 12' 6500lbs to 15' 2500lbs to 22'	16,099 lb	16,497 lb	None

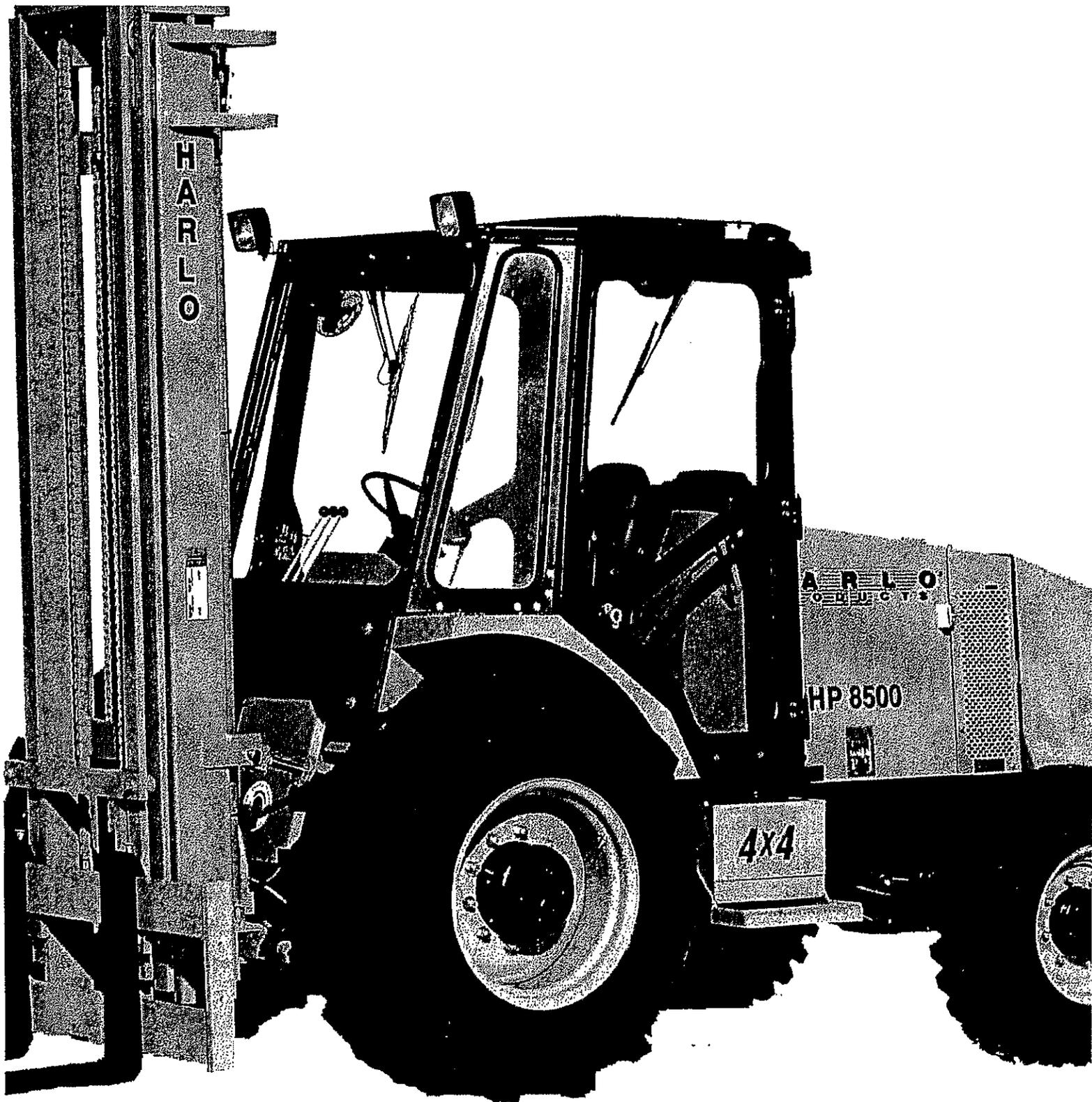
SHOWN WITH OPTIONAL ENCLOSED CAB

Designed with operator comfort in mind, HARLO offers its enclosed cab option exclusively for HP6500 and HP8500 models. The cab is built to maximize operator visibility and space. Heat and air conditioning are also available options with an enclosed cab.

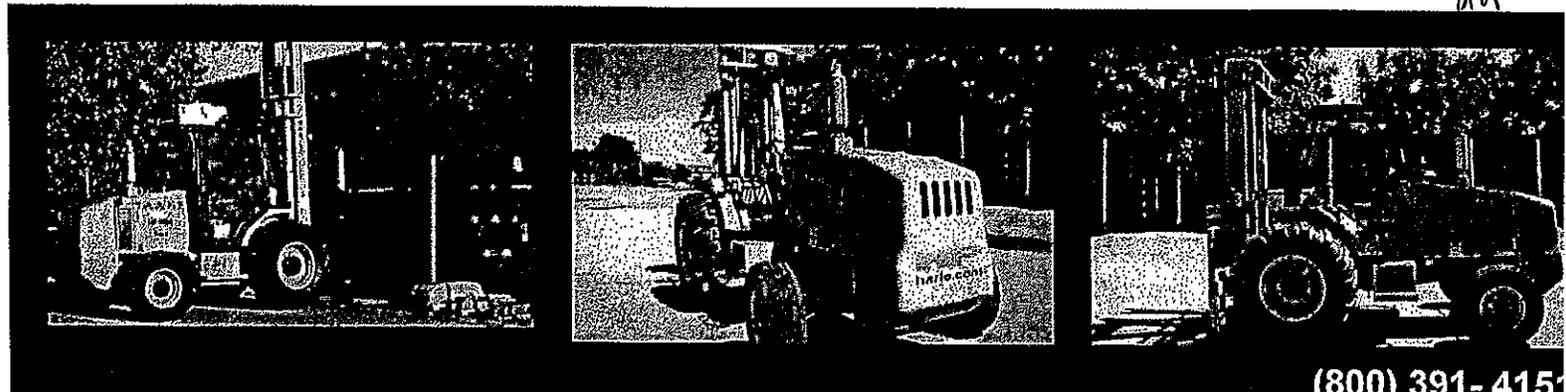
HP8500

PRODUCTIVITY.

HARLO's largest rough terrain forklift, the HP8500, offers 20 different mast configurations at five different heights. The HP8500 is available with several industry focused optional features; including an industry exclusive integrated pipe clamp. The HP8500, with HARLO's heavy gage steel construction and best in class lift capacity, is designed to handle the roughest work environments and is most commonly found in pipe yards, oil refineries, and construction sites.



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(800) 391-4151

HP SERIES STANDARD FEATURES

TRANSMISSION

Carraro Powered
4 x 4 Syncromesh
Torque Converter

OPERATOR PROTECTION

A.N.S.I. B 56.6 Safety Compliant
Adjustable Seat Cushion
Anti-Vandalism Kit
Backup Alarm & Horn
FOP Overhead Guard
Panaramic Rear-View Mirror
3 Inch Seatbelt

INSTRUMENTATION

Gauges:

Fuel Level
Hourmeter

Fault Monitor

Indicator Lights

TRACTOR

Hydraulic Brakes
Hydrostatic Steering
Heavy Gage Steel Construction

MAST

Side Shift (6 inches)
High Visability Mast Design
Heavy Duty Roller Bearings

TIRES

Drive Tires
16.9 x 24
2WD Steer Tires
11L - 16
4WD Steer Tires
12 - 16.5

ELECTRICAL

Dual 12 Volt Battery Kit
FNR Motion Control Switch
Key Start
Neutral Switch
Lights
2 Front Work Lights
1 Rear Work Light
1 Brake Light
Differential Lock
4WD Switch (*with 4WD Model*)

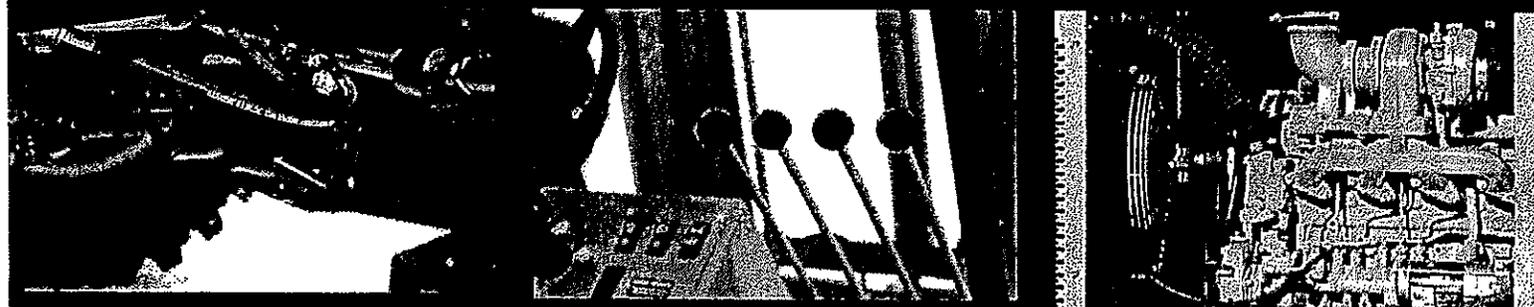
HP5000 STANDARD FEATURES

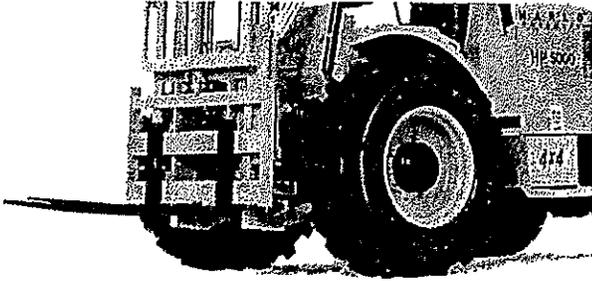
- Easy-Ride Load Cushion
- 1 Strobe Light
- Parking Brake Lever
- Mast Tilt (Forward 13° / Backward 13°)

HP6500/ HP8500 STANDARD FEATURES

- Parking Brake Switch
- Extended Mast Tilt (Forward 30° / Backward 11°)

STANDARD FEATURES





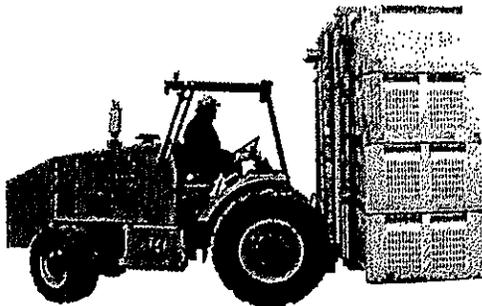
EASY-RIDE LOAD CUSHION

Standard on HP5000s, the HARLO Easy-Ride Load Cushion is also available as an option on HP6500 and HP8500 models. This feature reduces mast wear and tear, stabilizes loads, and lessens operator fatigue.



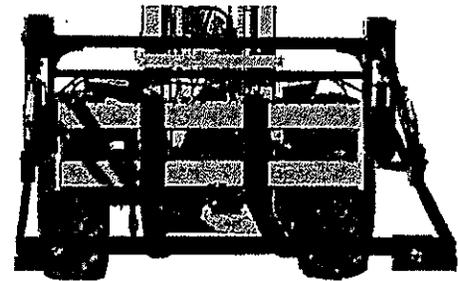
ENCLOSED CAB WITH HEAT & A/C

Full cab enclosure includes front/rear windshield wiper/washers, floor mat, window defogger and dome light. Heat and A/C available as well. Currently available on HP6500 or HP8500 models only.



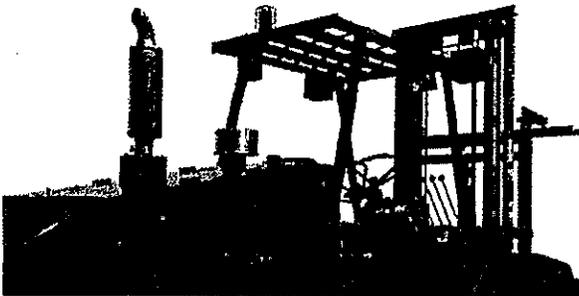
INDUSTRY EXCLUSIVE: BIN CLAMP

Now available on all models, our industry exclusive integrated bin clamp stabilizes produce bins and allows for faster field travel.



INDUSTRY EXCLUSIVE: PIPE CLAMP

Our industry exclusive integrated pipe clamp secures larger pipe loads, increasing safety. This option is currently only available on the HP8500.



CUSTOM PAINT OPTIONS

HARLO offers custom paint colors. Available on all HP models, you can now customize your forklift to match your other fleet equipment.



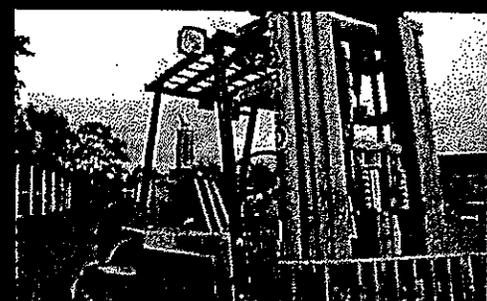
JOYSTICK CONTROLS

HARLO introduces a new way to control your forklift. Joystick controls offer seamless, simultaneous function while optimizing operator comfort and productivity.

Visit the HARLO website to see more optional features we offer.

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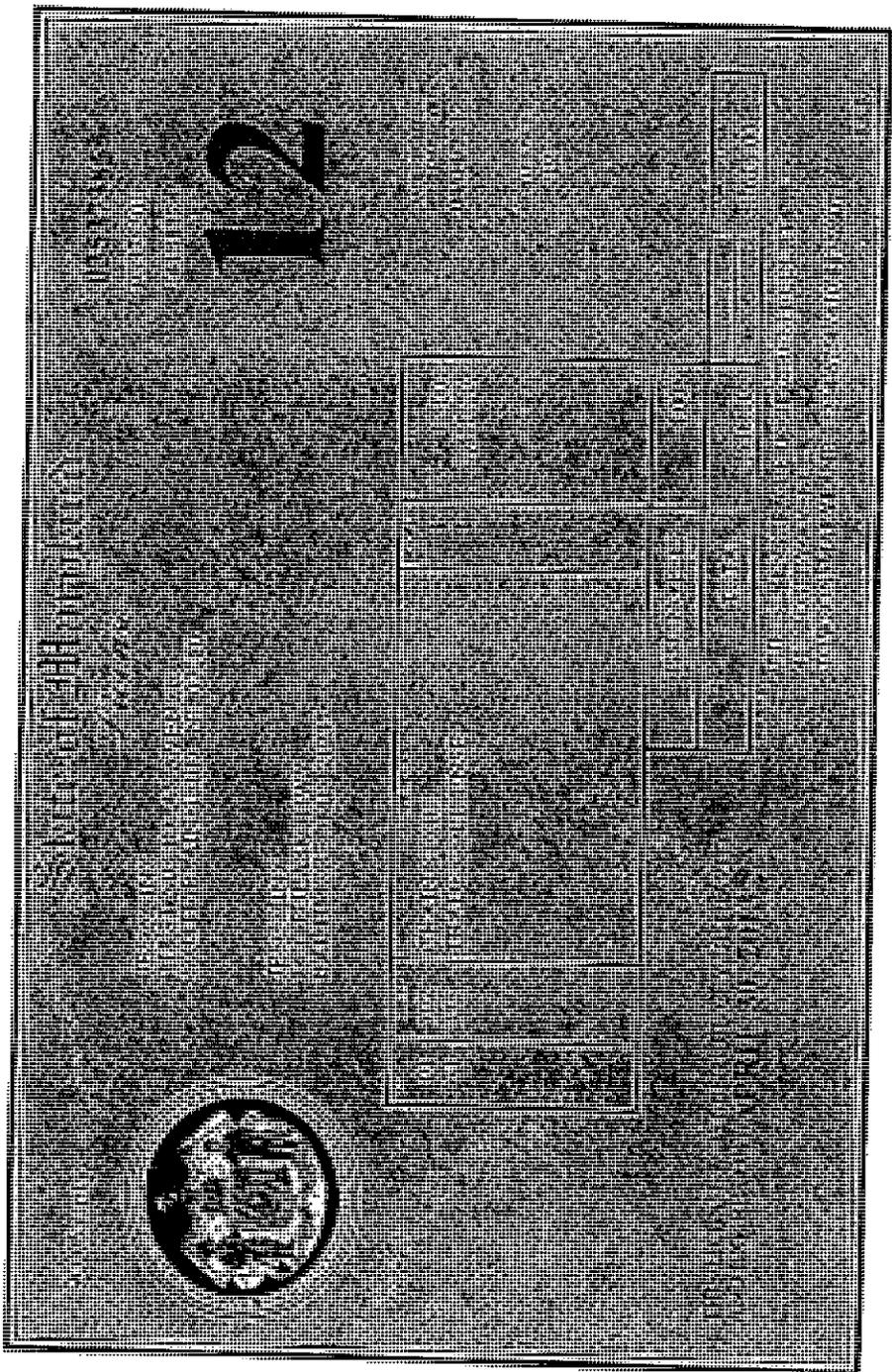
OPTIONAL FEATURES





Connect with HARLO





Certification 2224

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved the report. This approval will remain in effect for the period of 15-03-2018 to 15-03-2019.



JESCO
1250 CENTENNIAL AVE.
PISCATAWAY NJ 08854



Ford M. Scudder
FORD M. SCUDDER
State Treasurer



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

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JOHN H. TUSTIN, P.E.
 DIRECTOR

JOHN S. ROSS, P.E.
 DEPUTY DIRECTOR

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

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: August 1, 2018
SUBJECT: Methane Gas Project – Central Landfill Facility

.....

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

I have been in discussions with a company by the name of 3Degrees out of San Francisco, California, regarding their interest in helping the County reduce its methane gas emissions from the Central Landfill. The attached, non-binding letter of interest from 3Degrees outlines services they would like to propose to the County. The project would include a design to install a new gas collection and control equipment; to refurbish existing equipment; and optimize the system to extract methane gas from Cell 4.

There would be no cost to the County as Days Cove Reclamation Company from Annapolis would operate the gas extraction system. The terms of the agreement would be 10 years subject to a 10 year extension. This is all part of a program called the Regional Greenhouse Gas Initiative (RGGI) in which 3Degrees would apply for and if granted, would receive RGGI Offset Credits that can be sold to fund the Projects operating costs and to recover their initial investment in the project. The County would receive a fee of \$0.10 per offset credit for the first 100,000 credits issued to the project on a cumulative basis and \$0.25 per offset credit issued in excess of 100,000 for the remainder of the term. The preliminary estimate of credit volume is 40,000 per year which would generate income to the Enterprise Fund of \$4,000 for the first 2.5 years and \$10,000 a year thereafter.

I would request that the County Commissioners review and execute this non-binding letter of agreement and allow me to continue discussions with 3Degrees and upon completion of their due diligence effort, I would return at a future meeting, hopefully with a formal agreement that would be acceptable to all parties. Should you have any questions in the mean time, please do not hesitate to contact me.

Attachment

cc: Mike Mitchell

July 30, 2018

Mr. John H. Tustin P.E.
Director, Department of Public Works
Worcester County
6113 Timmons Road
Snow Hill, MD 21863

Dear Mr. Tustin:

3Degrees Group, Inc. ("3Degrees") is pleased to submit this non-binding letter of interest ("Letter") to Worcester County ("the County") to support the County's goal of reduced methane emissions from its Central Landfill. This Letter will serve as the basis for further discussions between 3Degrees and the County with respect to the project outlined below. 3Degrees and the County are sometimes hereinafter referred to individually as a "Party" and collectively as the "Parties."

1. Proposal: This Letter outlines the general terms and conditions pursuant to which 3Degrees proposes to finance the redevelopment, expansion, and operation of the landfill gas collection and control system at Central Landfill ("the Project").
2. Project: 3Degrees plans to engineer and install new gas collection and control equipment, refurbish existing equipment, and optimize the system. A list of equipment and improvements required to undertake the Project will be agreed by the Parties prior to the execution of a definitive agreement.
3. Implementation: The Project would be implemented over a period of 4-6 months by Days Cove Reclamation Company ("Days Cove"), an Annapolis, Maryland-based landfill construction and management firm to be contracted by 3Degrees. Days Cove would also provide day-to-day operation and optimization support to 3Degrees on a long-term basis.
4. Gas Rights and Property Lease: To support the implementation, operation, and financing of the Project, the County would grant to 3Degrees (a) the right to maintain and use certain property and equipment at the site, including but not limited to the flare and other existing gas collection and control equipment and infrastructure, and (b) the right to use the gas generated by the landfill, inclusive of any and all current and future greenhouse gas emission reduction credits, greenhouse gas offsets, allowances or similar items attributable to or arising from the methane destruction activity of the Project.
5. Offset Credits: 3Degrees intends to register the Project with the Regional Greenhouse Gas Initiative ("RGGI"), of which the State of Maryland is a member, for the purpose of obtaining RGGI Offset Credits (the "Offset Credits") that can be sold to fund the Project's operating costs and to recover

3Degrees' investment in the Project. The County will use commercially-reasonable efforts to support any such registration by 3Degrees. 3Degrees will be the sole beneficiary of any such Offset Credits except as described herein.

6. Term: 10 years, subject to extension under the same terms and conditions for an additional 10 years at the option of 3Degrees.
7. Payment: Based upon successful registration of the Project with RGGI, 3Degrees will pay to the County an incentive fee equal to (a) \$0.10 per Offset Credit for the first 100,000 Offset Credits issued to the Project on a cumulative basis, and (b) \$0.25 per Offset Credit for all Offset Credits issued in excess of 100,000 for the remainder of the Term.
8. Asset Transfer: At the end of the Term, the County will purchase all assets associated with the Project from 3Degrees for a price of \$1.00.
9. Ongoing Investment: 3Degrees will have the right to purchase and install additional equipment or make additional improvements during the Term for purposes of increasing the quantity of methane gas collected and destroyed and/or the Offset Credits associated therewith. Any such additional equipment or improvements will become part of the Project.
10. Insurance: 3Degrees agrees to maintain property-casualty insurance covering the Project and to provide the County with evidence of such coverage from time to time in form and substance reasonably satisfactory to the County.
11. Due Diligence: The transaction contemplated by this Letter assumes that the Project will be eligible to produce Offset Credits that have marketable value sufficient to cover the initial and ongoing cost of the Project. The Parties' execution of a definitive agreement will be contingent upon 3Degrees' completion of due diligence that confirms these assumptions.
12. Costs and Expenses: All costs and expenses related to this Letter and the proposed transaction, including attorneys' fees, financial advisor fees, accounting fees, broker or finder's fees and other professional fees and expenses, shall be borne by the Party that incurred such costs or expenses regardless of whether or not the proposed transaction is consummated or a definitive agreement is executed and delivered by the Parties.
13. Exclusivity Period: For a period of 180 days following execution of this Letter, neither Worcester County nor its officers, agents or representatives will, directly or indirectly, (i) solicit, initiate or engage in any discussions with any third parties (other than its attorneys and accountants) relating to the Project or (ii) provide any confidential information regarding the Project to any such party. Upon expiration of this period, so long as the Parties are engaged in good faith negotiations with respect to a definitive agreement, Worcester County agrees to continue to abide by the terms of this paragraph unless it notifies 3Degrees otherwise in writing.

14. Governing Law: This Letter will be governed by and construed according to the laws of the State of Maryland, without regard to the choice of law rules thereof that would result in the application of the laws of any other jurisdiction. Each Party irrevocably waives that Party's rights to a trial by jury in every action related to this Letter.
15. Counterparts; Facsimile and PDF Signatures: This Letter may be executed in counterparts, each of which shall be deemed to be an original, and all of which together shall be deemed to be one and the same instrument. Facsimile or PDF transmission of any signed original document, and retransmission of any facsimile or PDF transmission, will be the same as delivery of any original document. At the request of a Party, the other Party will confirm facsimile or PDF signatures by signing an original document.
16. Legal Effect of Letter: This Letter is not an offer or a commitment on the part of either 3Degrees or Worcester County or any affiliate thereof. The Parties understand that except as expressly set forth in this Section 17, this Letter constitutes a non-binding statement of the Parties' respective intentions with respect to the proposed transaction and does not contain all matters upon which agreement would need to be reached in order for the proposed transaction to be consummated, and therefore does not constitute a binding commitment or agreement with respect to the proposed transaction itself. Any transaction which might arise from discussions shall be contingent upon negotiation and execution of a definitive agreement, receipt of necessary or appropriate approvals, including, to the extent necessary or appropriate, those of the management and boards of 3Degrees and Worcester County, and no binding commitment shall arise prior to then even if the Parties reach some understanding(s) or agreement(s) in principle. Any actions taken by a Party in reliance on the non-binding terms expressed herein or on statements made during negotiations pursuant to this Letter shall be at that Party's own risk, and this Letter shall not be the basis for a contract by estoppel, implied contract, or any other legal theory. Nothing in this Letter shall create a joint venture, partnership, or establish a relationship of principal and agent or any other fiduciary relationship between or among any of the Parties. Notwithstanding the foregoing, the Parties acknowledge and agree that Sections 12 through 16 and this Section 17 create, and are intended to create, binding legal and contractual obligations of the Parties. This Letter shall terminate upon the earlier of: (i) execution of a definitive agreement; or (ii) 180 days from the date of its execution; unless terminated earlier by mutual agreement of the Parties.

[Signature Page Follows]



407 Sansome Street, Fourth floor ☎ 866 476 9378
San Francisco, CA 94111 ☎ info@3degreesinc.com

3DEGREESINC.COM

If the foregoing terms and conditions are satisfactory to you and reflect your understanding with respect to the matters referred to in this Letter, please sign and date the enclosed copy of this Letter where indicated below and return such copy, as so signed and dated.

Very truly yours,

3DEGREES GROUP, INC.

By: _____

Name:

Title:

Date:

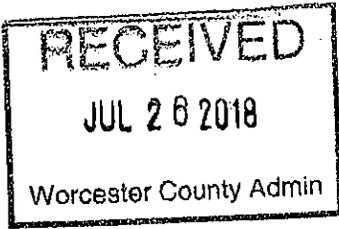
COUNTY COMMISSIONER OF WORCESTER COUNTY

By: _____

Name:

Title:

Date:



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Copy: Maureen Kawark ✓

MEMORANDUM

TO: Kelly Shannahan, Asst. Chief Administrative Officer
FROM: William Bradshaw P.E., County Engineer
DATE: July 26, 2018
SUBJECT: Worcester County Berlin Library Electric Utility Easement

Please find attached two copies of the subject documents which have been signed by the Town of Berlin. These documents are ready for County signatures and recording.

If there are question, please contact me. Thank you.

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

UTILITY EASEMENT

THIS UTILITY EASEMENT, made this _____ day of _____, in the year 2018, between COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, hereinafter called "**Grantor**" and the Town of Berlin, Maryland, hereinafter called "Grantee".

WHEREAS, Grantor is the owner of land located in Worcester County, Maryland, described as 13 Harrison Avenue, Berlin, Maryland, Tax Map 300, Parcel 1287 located in the 3rd Tax District of Worcester County, Maryland; and being all that property conveyed to Grantor by Deed dated June 6, 2017; and recorded among the land records of Worcester County in Liber 06381, Folio 00027.

WHEREAS, Grantee has requested a Utility Easement described as follows: an underground easement being 10 feet in width, running from East of land described in the aforesaid deed recorded at Liber 6381, Folio 27 to the West of the lands and more particularly shown on a plat attached hereto and labeled 10.0 foot wide Utility Easement and approximately 195 feet in length; and

WHEREAS, the parties have agreed upon a Utility Easement benefiting Grantee crossing the property Grantor, herein before referred to; and

NOW, THEREFORE, this Utility Easement WITNESSETH

1. In mutual consideration but no monetary consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor hereby grants unto Grantee a perpetual easement over, across and through property described as Worcester County Library, Berlin Branch, 13 Harrison Avenue, Berlin, Maryland, Tax Map 300, Parcel 1287 in the 3rd Tax District of Worcester County, Maryland as shown on a drawing entitled Plat of Easement on Lands of the County Commissioners of Worcester County, Maryland, Tax Map 300, Parcel 1287 and attached hereto and recorded together herewith.
2. The purposes for this Easement are solely for underground electrical lines running by and with the Easement, together with the right to maintain the same.

3. In exercising its rights under this Easement, Grantee shall at all times be strictly liable to Grantor for the condition of the property over which the Easement is granted and the Easement shall be used in no way which would interfere with any other easement or Grantor=s peaceful enjoyment of Grantor=s property.
4. Grantee shall be responsible for contacting all other utility companies and others having installations or rights in the property over which this Easement is granted to ascertain that Grantee=s activities here shall in no way disturb such third parties enjoyment of their rights. At all times Grantee shall be responsible for restoration of the property over which the Easement is granted subsequent to creating any disturbance in furtherance of Grantee=s rights hereunder.
5. Grantor shall cooperate with Grantee in construction, landscaping and other activities in furtherance hereof, on Grantor=s property so that Grantor=s activities do not unduly interfere with Grantee=s rights hereunder.
6. The granting of this Easement by Grantor is based upon Grantee=s need for such Easement for the following purposes: for the conveyance of electric service to an adjacent property and maintenance of equipment located on and North of the Grantor's property described in the aforesaid deed.
7. Grantor covenants that there is no lienholder on said property.

ATTEST:

 Harold L. Higgins
 Chief Administrative Officer

David H. Engelhart

GRANTOR

County Commissioners of Worcester
 County, Maryland

By: _____ (SEAL)
 Diana Purnell, President

GRANTEE

Mayor & Council of Berlin, Maryland

By: *W. G. Williams, III* (SEAL)
 William Gee Williams, III, Mayor

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2018, before me, the undersigned officer, a Notary Public in and for the State and County aforesaid, personally appeared **Diana Purnell**, President of the County Commissioners of Worcester County, Maryland, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

Notary Public

Commission Expires: _____

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY that on this 20th day of July, 2018, before me, the undersigned officer, a Notary Public in and for the State and County aforesaid, personally appeared **William Gee Williams, III**, Mayor of Berlin, Maryland, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:



Notary Public

AFFIDAVIT

I HEREBY CERTIFY that the foregoing document was prepared by the "Grantee" or its attorney, licensed to practice in the State of Maryland.

Maureen F.L. Howarth



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DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

Proposed Public Hearing
on September 4, 2018

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: July 23, 2018
RE: Planning Commission Findings of Fact and Recommendation
Rezoning Case No. 419
(Cedar Mountain Farm, LLC, and Mallard Landing, LLC, Applicants, and Hugh Cropper, IV, Attorney for the Applicants)



Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 419, seeking to rezone approximately 4.7 acres of land located on the northwesterly side of Market Street to the west of US Route 113 Road, just outside the Snow Hill Corporate Limits, from A-1 Agricultural District to C-2 General Commercial District. The case was reviewed by the Planning Commission at its meeting on July 5, 2018 and given a favorable recommendation.

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

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

EAT/phw

Full package available
for review in County
Administration Office
prior to 9/4/18 hearing

NOTICE
OF
PROPOSED CHANGE
IN ZONING

DRAFT

NORTHWESTERLY SIDE OF MARKET STREET
WEST OF US ROUTE 113

SECOND TAX DISTRICT
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 419 has been filed by Hugh Cropper, IV, attorney, on behalf of Cedar Mountain Farm, LLC, and Mallard Landing, LLC, property owners, for an amendment to the Official Zoning Maps to change approximately 4.7 acres of land located on northwesterly side of Market Street (Business US Route 113) to the west of US Route 113 in the Second Tax District of Worcester County, Maryland, from A-1 Agricultural District to C-2 General Commercial District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

PUBLIC HEARING
on

TUESDAY,
at

in the
COUNTY COMMISSIONERS' MEETING ROOM
ROOM 1101
WORCESTER COUNTY GOVERNMENT CENTER
ONE WEST MARKET STREET
SNOW HILL, MARYLAND 21863-1072

At said public hearing, the Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 419 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 419 and the Planning Commission's recommendation which will be entered into the record of the public hearing are on file and are available for inspection at the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863-1070.

Diana Purnell, President

1b

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 419

ORIGINAL APPLICANT:

**Cedar Mountain Farms, LLC
108 Eldrid Drive
Silver Spring, Maryland 21904-3506**

REVISED APPLICANT:

**Anthony Materese
Mallard Landing, LLC
2 Winslow Road
Pennsville, New Jersey 08070**

ATTORNEY FOR THE APPLICANT:

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

July 5, 2018

WORCESTER COUNTY PLANNING COMMISSION

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2.	Map of revised petitioned area submitted by applicant's attorney	Page 57
3.	Building permit, site plan and zoning certificate submitted as Applicant's Exhibit No. 1 at Planning Commission Meeting	Pages 58 - 60
4.	Aerial photograph dated 1988 submitted as Applicant's Exhibit No. 2 at Planning Commission Meeting	Page 61
5.	Additional comments of Robert J. Mitchell, Worcester County Environmental Programs Director	Pages 62 - 63
6.	Email from Hugh Cropper, applicant's attorney, to Claudia Jones, Maryland Critical Area Commission	Pages 64 - 65
7.	Letter from Hugh Cropper, applicant's attorney, to Phyllis Wimbrow, Worcester County Development Review and Permitting Deputy Director, with attached lease	Pages 66 - 72

I. INTRODUCTORY DATA

- A. CASE NUMBER: Rezoning Case No. 419, filed on January 31, 2018.
- B. ORIGINAL APPLICANT: Cedar Mountain Farms, LLC
108 Eldrid Drive
Silver Spring, Maryland 21904-3506
- REVISED APPLICANT: Anthony Materese
Mallard Landing, LLC
2 Winslow Road
Pennsville, New Jersey 08070
- APPLICANTS' ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
- C. TAX MAP/PARCEL: Tax Map 55 - Part of Parcel 22 - Tax District 2
- D. SIZE: When the rezoning application was originally submitted, the area petitioned for rezoning was 6.0 acres. However, the application was subsequently revised to remove 1.3 acres within the Chesapeake Bay Critical Area, leaving a petitioned area of 4.7 acres. Parcel 22 in its entirety is approximately 130.5 acres.
- E. LOCATION: The petitioned area is located on the westerly side of Market Street (Business US Route 113) near its easterly terminus at US Route 113.
- F. CURRENT USE OF PETITIONED AREA: The property in its entirety was previously used as a research facility for a poultry company. The structure on the petitioned area was constructed as an office facility for that company. It was then utilized as a County retail liquor store for a number of years but is now vacant.
- G. CURRENT ZONING CLASSIFICATION: A-1 Agricultural District.
- H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District.
- I. ZONING HISTORY: At the time zoning was first established in the 1960s the petitioned area was given a M-1 Light Industrial District classification. That classification was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning the petitioned area was placed in the A-1 Agricultural District.

- J. SURROUNDING ZONING: Almost all adjoining and nearby properties to the north and east are also zoned A-1 Agricultural District. Environmentally sensitive areas to the west and north are zoned RP Resource Protection District, including a portion of the subject property of which the petitioned area is a part. The petitioned area itself, however, is zoned A-1 Agricultural District in its entirety. A parcel of land on the opposite side of Market Street (Business US Route 113) from the petitioned area, adjacent to the McDonald's, is zoned C-2 General Commercial District. The Preston Auto Body facility, to the north of the petitioned area, is zoned C-2 General Commercial District.
- K. COMPREHENSIVE PLAN: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area is within the Agricultural Land Use Category.
- L. WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that his department's well and septic records show the property is improved with existing individual well and septic. Mr. Mitchell also states that the existing structure within the petitioned area itself is served by an existing septic system with a capacity of 600 gallons per day.
- M. ROAD ACCESS: The petitioned area fronts on and currently has access to Market Street (Business US Route 113), a State-owned and -maintained roadway. The Comprehensive Plan does not make any comments with regard to Market Street.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, Gregory Wilkins, surveyor, and Chris McCabe, environmental consultant, were present for the review. Mr. Cropper began his presentation by stating that he needed to make two amendments to the rezoning application. He stated that the property owner/applicant has changed from Cedar Mountain Farm, LLC to Mallard Landing, LLC, represented by Anthony Matarese, and submitted the deed of transfer for the subject property as documentation. Secondly, the applicant wishes to remove 1.3 acres from the petitioned area which is within the Chesapeake Bay Critical Area's Resource Conservation Area (RCA). Therefore, the total area now being proposed for rezoning is approximately 4.7 acres. Mr. Cropper provided an aerial map which showed the revised petitioned area. He stated that the petitioned area will be outside of the Critical Area, though the existing access point is within the RCA and will continue to be used. Mr. Cropper stated that he was requesting the

change in zoning solely on the basis of a mistake in existing zoning and that he was no longer asserting that there has been a change in the character of the neighborhood, as had been indicated on the application. He maintained that the mistake was made during the 2009 comprehensive rezoning when the petitioned area was given its current A-1 Agricultural District designation even though the County retail liquor store was operating on the site at the time and it had been used commercially for a number of years. He called Mr. McCabe as his first witness. Mr. McCabe testified that the facility was originally constructed and used as an office for the Holly Farms poultry operation and its successor and was subsequently used for a retail liquor store by the County's Department of Liquor Control for quite some time. Mr. Cropper submitted as Applicant's Exhibit No. 1 a copy of the permit package for Permit No. 14296, comprised of the permit, site plan and zoning certificate for the original Holly Farms office. This permit was issued on March 14, 1986. Mr. Cropper stated that it was a mistake to have given the petitioned area an A-1 Agricultural District designation in 2009 and that the site should have instead been given a commercial zoning designation in conformity with the historical use of the building as a business. He noted that the petitioned area is shown on the Comprehensive Plan's Land Use Map as being within the Agricultural Land Use Category but asserted that this land use map uses a broad brush approach and should not be used as a specific parcel layer analysis. Mr. Cropper stated that commercial land use and zoning are located on the opposite side of Market Street from the petitioned area, which runs all the way into Snow Hill. These existing uses include a Dollar General store, pharmacy, convenience store, and two restaurants, all of which are within the incorporated limits of Snow Hill. A parcel of land located to the east of the existing McDonalds restaurant is within the County's jurisdiction and is zoned C-2 General Commercial District. Mr. McCabe testified that the soils on the petitioned area are well drained and that the Critical Area Commission has confirmed that it will allow the property owner to utilize the existing driveway that runs through the Critical Area (and which has been removed from the request for rezoning) for any future commercial uses on the petitioned area. Mrs. Wimbrow confirmed that zoning will also allow the use of this existing driveway. Mr. Cropper then called Mr. Wilkins to testify. Mr. Wilkins stated that he had done the survey work for the property and concurred with the testimony of Mr. McCabe. He stated that he agrees that the existing A-1 Agricultural District zoning is a mistake and that the proposed commercial zoning classification is more in keeping with the intent of the Comprehensive Plan. Mr. McCabe stated that the State Highway Administration's office and facility yard are located adjacent to the petitioned area and that that site is zoned RP Resource Protection District and is also within the RCA. He confirmed that both the SHA yard and the existing building on the petitioned area are shown on a 1988 aerial photograph which was entered as Applicant's Exhibit No. 2.

Mr. Cropper then went through the matters which the Planning Commission must

consider with regard to rezonings. They were as follows:

1. Regarding the definition of the neighborhood: Mr. Cropper asserted that because his argument for rezoning is based solely on mistake in existing zoning, a definition of the neighborhood is not required.
2. Regarding population change in the neighborhood: Mr. Cropper maintained that there has been no significant change in the area's population.
3. Regarding availability of public facilities: Mr. Cropper stated that, as per the comments of Robert Mitchell, Environmental Programs Director, the petitioned area is served by an existing septic system with a capacity of 600 gallons per day. Mr. Cropper stated that this system had been sufficient to serve the former office use and retail liquor store.
4. Regarding present and future transportation patterns: Mr. Cropper stated that the petitioned area is located at a major intersection in Worcester County and has an existing point of access which has been utilized for many years. Mr. Cropper noted that the comments submitted by the State Highway Administration relative to the proposed rezoning only pertained to future consideration of any redevelopment or upgrades requiring SHA review and did not oppose the rezoning. Mr. Cropper recalled that when this property was used as a poultry operation, it had significant truck traffic, more so than an office building use.
5. Regarding compatibility with existing and proposed development and environmental conditions in the area: Mr. Cropper stated that the petitioned area abuts the SHA yard to the west, the remaining lands of the applicant to the north and east along US Route 113, and the properties to the south are commercially zoned and utilized. He maintained that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is compatible with both the historical use of the petitioned area and the existing zoning and uses in the area. Mr. Cropper also noted that the petitioned area is high, well drained, and out of the Chesapeake Bay Critical Area and asserted that commercial zoning of the existing use will have no adverse environmental impacts.
6. Regarding compatibility with the Comprehensive Plan: Mr. Cropper noted that the petitioned area is within the Comprehensive Plan's Agricultural Land Use Category but maintained that the Comprehensive Plan uses a broad brush approach to its land use map rather than being property specific. He asserted that the petitioned area is truly commercial and should be zoned as such.

7. Regarding whether there has been a substantial change in the character of the neighborhood since the last comprehensive rezoning: Mr. Cropper stated that this is not applicable in the extant case because the argument for rezoning is based solely on a mistake in existing zoning.
8. Regarding whether the change in zoning would be more desirable in terms of the Comprehensive Plan: Mr. Cropper asserted that the change in zoning from A-1 Agricultural District to C-2 General Commercial District would be more desirable because it would bring a long-time commercial structure and use into conformity with zoning after having been made nonconforming during the 2009 comprehensive rezoning. He contended that there is a mistake in the existing zoning because the existing use on the petitioned area does not comply with the current zoning. He asserted that the petitioned area should have been given a C-2 General Commercial District classification in 2009 so as not to make the existing use non-conforming.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The Planning Commission found that because Mr. Cropper was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.
- B. Regarding population change: The Planning Commission concluded that there has been no significant change to the population of the vicinity surrounding the petitioned area since the comprehensive rezoning of 2009.
- C. Regarding availability of public facilities: The Planning Commission found that as it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo (copy attached) that the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He stated that his department's well and septic records show the property is improved with existing individual well and septic. Mr. Mitchell also stated that the existing structure within the petitioned area itself is served by an existing septic system with a capacity of 600 gallons per day. He further stated that seasonal soil testing will be needed to increase the capacity of the existing system, that without expansion of the existing system, many of the uses permitted in the C-2 zone could not be supported utilizing the onsite capacity as it currently exists today and that that would severely limit the potential of the proposed future use(s) should this reclassification be approved. No comments were received from John H. Tustin, P. E., Director of Public Works. According to the Worcester County Soil Survey the primary soil types on the petitioned area

have severe limitations to on-site wastewater disposal. Fire and ambulance service will be available from the Snow Hill Volunteer Fire Company, approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately twenty minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately five minutes away. No comments were received from the Maryland State Police Barracks. Chief Deputy Sheriff Douglas A. Dods of the Sheriff's Department responded that the department did not see any impact on the Sheriff's Office operations at this time. The petitioned area is within the area served by the following schools: Snow Hill Elementary School, Snow Hill Middle School, and Snow Hill High School. No comments were received from the Worcester County Board of Education. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning and, as to wastewater and water, private septic and well systems have served the site for many years. The property will be subject to these limitations.

- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on and currently has access to Market Street (Business US Route 113), a State-owned and -maintained roadway, just to the southwest of US Route 113. This latter roadway is also state-owned and -maintained. The Comprehensive Plan does not make any comments with regard to Market Street. Classifying US Route 113 as a primary highway/arterial highway, the Comprehensive Plan recommends the completion of dualization from Berlin to south of Snow Hill, the implementation of an access control plan to maintain its status as a limited access roadway, and complete scenic and transportation corridor planning for the remainder of US Route 113. The Planning Commission found that James W. Meredith, District Engineer for the State Highway Administration District 1, stated in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, and that if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network. He also stated that future development may require an access permit to be issued from SHA and that, with the exception of the aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment at this time. The Planning Commission noted that the petitioned area is served by an existing access point and driveway from Market Street and that although this particular area is within the Chesapeake Bay Critical Area's Resource Conservation Area and excluded from the area petitioned for rezoning, the Maryland Critical Area Commission has indicated that it will allow continued use of the driveway to serve the petitioned area if rezoned to C-2 General

Commercial District. Based upon its review, the Planning Commission found that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

- E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that there are a number of commercial and quasi-commercial uses in close proximity to the petitioned area. Although within the town limits of Snow Hill, a McDonalds restaurant, a Dollar General store, a pharmacy, a convenience store, and another restaurant are located on the opposite side of Market Street. Additionally, the vacant property on the easterly side of the McDonalds is zoned C-2 General Commercial District by the County. The State Highway Administration office and yard facilities are located adjacent to the westerly side of the petitioned area, within an area zoned RP Resource Protection District. The Planning Commission found that, even more importantly, there is an existing structure on the petitioned area that was constructed in 1987 as an office facility for Holly Farms, Inc., at the time the petitioned area was zoned M-1 Light Industrial District. It was later used for a number of years as a retail liquor store by the County. The Planning Commission found that the existing structure on the petitioned area was made a nonconforming use when the 2009 update of the zoning maps changed the petitioned area's zoning from M-1 Light Industrial District to A-1 Agricultural District. The Planning Commission concluded that the C-2 General Commercial District zoning classification would therefore be more in keeping with the actual office and retail uses that have been located on the petitioned area and for which it was originally approved. The Planning Commission found that the proposed rezoning will not have any adverse impacts on environmental concerns. The petitioned area is high and well drained and is not located within the Chesapeake Bay Critical Area. Additionally, the Maryland State Critical Area Commission has indicated that it will allow the existing access point and driveway to be utilized to serve the petitioned area, although that driveway is located within the Resource Conservation Area. The Planning Commission concluded that the proposed rezoning of the petitioned area is compatible with the vicinity surrounding the petitioned area and is in fact necessary to bring the existing structure into conformance with the zoning regulations. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.
- F. Regarding compatibility with the Comprehensive Plan: The Planning Commission found that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Agriculture Land Use Category.

With regard to this category the Comprehensive Plan states that the importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county's way of life. The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses and residential and other conflicting land uses, although permitted, are discouraged. The Planning Commission concluded that while the majority of the property of which the petitioned area is a part is correctly within the Agricultural Land Use Category, the petitioned area, given its commercial use as an office and retail facility since 1987, should have not been included in that category. The Planning Commission perceived that this portion of the Market Street corridor is a natural commercial area. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. Given that the existing structure on the petitioned was originally constructed as an office at the time the property was zoned M-1 Light Industrial District and then subsequently used as a retail liquor store, the Planning Commission found that it was a mistake to have placed the petitioned area in an A-1 Agricultural District designation during the comprehensive rezoning of 2009 because that structure was then made a non-conforming use. In that the structure and its commercial use was existing on the site at the time of the 2009 comprehensive rezoning, the petitioned area should have been given a C-2 General Commercial District zoning classification so as to prevent the structure's use from being made nonconforming through no action of the property owner. Based upon its review, the Planning Commission concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 419, seeking a rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District subject to no portion of the petitioned area being within the Chesapeake Bay Critical Area and a metes and bounds legal description of the petitioned area being provided if the rezoning is approved by the County Commissioners.

V. RELATED MATERIALS AND ATTACHMENTS

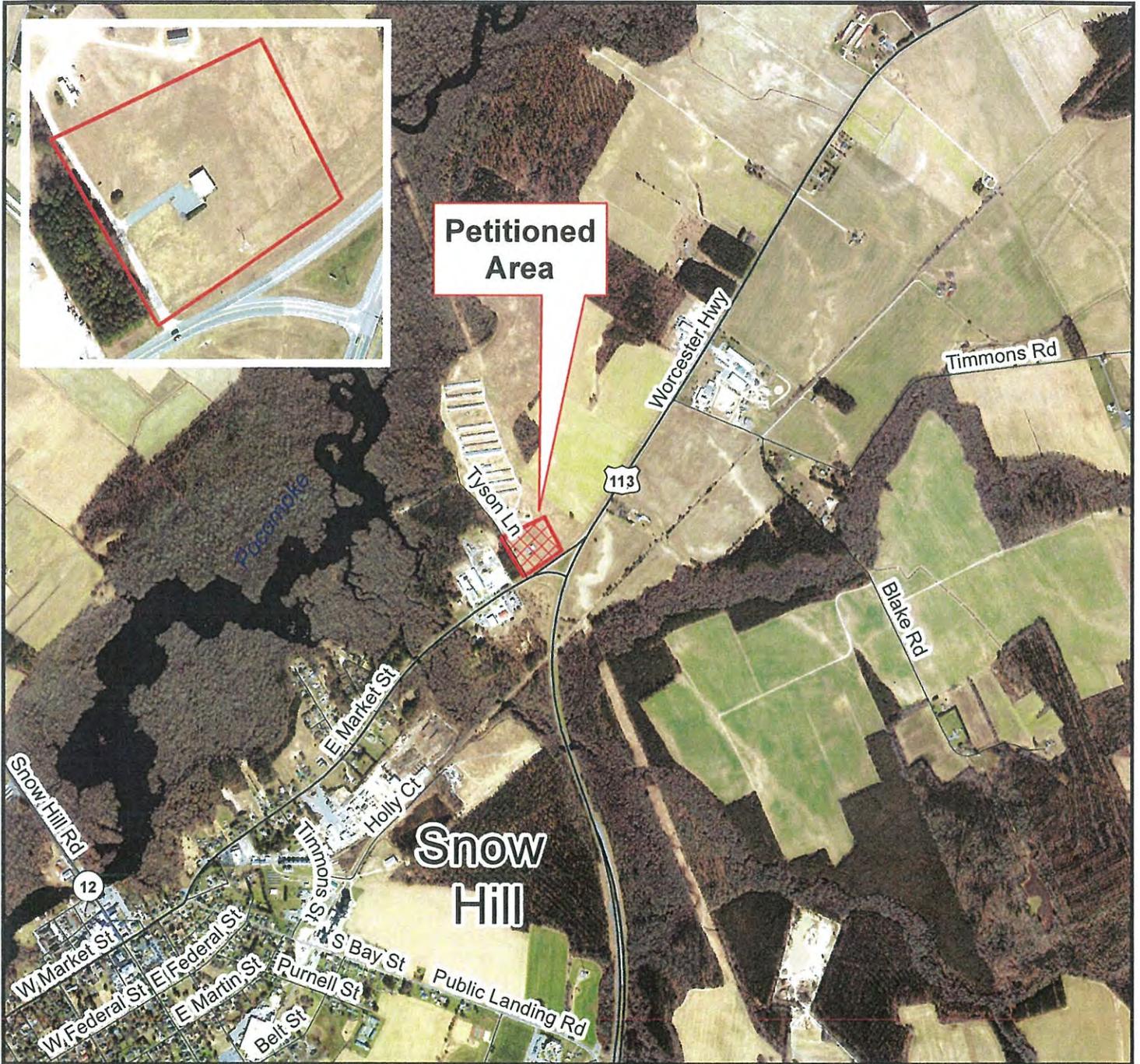


WORCESTER COUNTY, MARYLAND

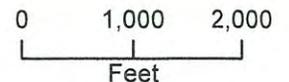


REZONING CASE NO. 419
 A-1 Agricultural District to C-2 General Commercial District
 Tax Map: 55, Parcel 22 (6 acre portion)

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared February 2018



Source: 2016 Aerial Imagery

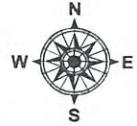
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: PHW

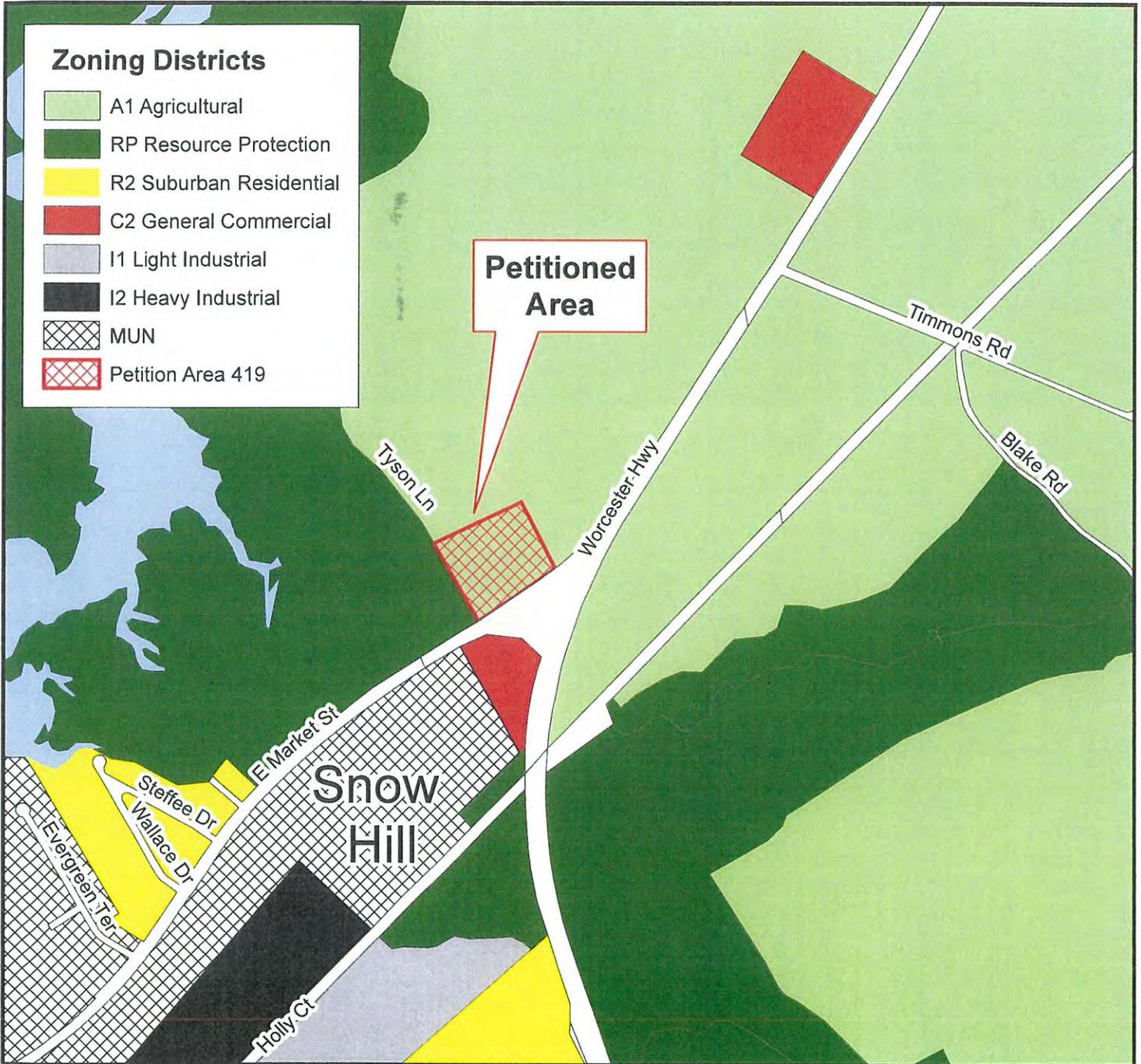


WORCESTER COUNTY, MARYLAND

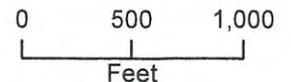


REZONING CASE NO. 419
 A-1 Agricultural District to C-2 General Commercial District
 Tax Map: 55, Parcel 22 (6 acre portion)

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared February 2018



Source: 2006 Zoning District Map (current)

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

Drawn By: KLH

Reviewed By: PHW

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NOTICE OF PUBLIC HEARING

**COMPREHENSIVE (SECTIONAL) RECLASSIFICATION
OF THE E-1 ESTATE ZONED PROPERTIES
ALONG MD ROUTE 611 (STEPHEN DECATUR HIGHWAY) AND SOUTH POINT ROAD
SOUTH OF MD ROUTE 376 (ASSATEAGUE ROAD) TO SOUTH POINT**

**IN THE TENTH TAX DISTRICT OF
WORCESTER COUNTY, MARYLAND**

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, the Worcester County Commissioners have initiated a comprehensive (sectional) reclassification of all those properties currently zoned E-1 Estate District that are located along the MD Route 611 (Stephen Decatur Highway) corridor to the south of MD Route 376 (Assateague Road) and along South Point Road in the Tenth Tax District of Worcester County, Maryland, to R-1 Rural Residential District. The Planning Commission has given a favorable recommendation to the proposed comprehensive (sectional) reclassification.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

PUBLIC HEARING
on
TUESDAY, AUGUST 7, 2018
at 10:30 A.M.

in the
**COUNTY COMMISSIONERS' MEETING ROOM
ROOM 1101 GOVERNMENT CENTER
ONE WEST MARKET STREET
SNOW HILL, MARYLAND 21863**

Copies of the proposed comprehensive (sectional) reclassification maps, the staff report, and all associated documents may be obtained from the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863-1070. These documents may be reviewed at the Department during the regular business hours of 8:00 A.M. to 4:30 P.M., Monday through Friday, except holidays. Anyone having questions may contact Phyllis Wimbrow at 410.632.1200, ext. 1110 or by email at pwimbrow@co.worcester.md.us.

All interested citizens are encouraged to attend the hearing and express their views on these matters. Both written and oral testimony will be accepted.

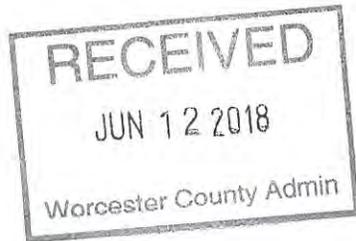
Diana Purnell, President

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DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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

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ADMINISTRATIVE DIVISION
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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

MEMORANDUM

Public Hearing
on August 7, 2018

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*,
Development Review and Permitting
DATE: June 12, 2018
RE: Proposed Sectional Rezoning - Ayres Creek/MD Route 611/MD Route 376/
South Point Road Neighborhood

As you are aware, at their meeting of November 7, 2017 the Worcester County Commissioners directed my staff to commence consideration of a sectional rezoning of the above referenced neighborhood to rezone appropriate properties in this area from E-1 Estate District to R-1 Rural Residential District as recommended by the Worcester County Comprehensive Plan. This directive arose from the recommendation of the Worcester County Planning Commission made in conjunction with consideration of four rezoning cases heard by the County Commissioners that rezoned properties in the Ayres Creek/MD Route 611/MD Route 376 area from E-1 Estate District to R-1 Rural Residential District. The Planning Commission discussed the proposed sectional rezoning at a number of meetings, including March 8, April 5, and May 10, 2018 and have decided upon a recommendation.

Before discussing the Planning Commission's recommendation it is important that some zoning and land use history with regard to this area be given in order to gain perspective into past development patterns in the area. In 1978 the majority of the zoning districts from MD Route 376 to South Point were R-1 Rural Residential District, R-1A Rural Residential District, R-3 Multi-Family Residential District, B-2 General Business District, and A-1 Agricultural District. For the most part these were the zoning districts that were placed upon the area at the time zoning was first established in Worcester County in 1965. In 1978 the R-1 Rural Residential District density was one lot per 20,000 square feet. The R-1A Rural Residential District density was one lot per 40,000 square feet. The R-3 Multi-Family Residential District density was one unit per 6,000 square feet. Many of the older subdivisions in the area, including Grays Creek, Golf Club Shores, Synepuxent Landing, Newport South, Indian Creek, Genezer Estates, and South Point Farms, were developed under these 1978 zoning classifications, primarily the R-1 and R-1A Rural Residential Districts. In 1992 much of the area was comprehensively reclassified to a new zoning district, the E-1 Estate District, which had a density of one lot per two acres. This zoning classification was

APPROVED
Worcester County Commissioners
Date HH 7/3/18 *lc*

retained in the 2009 comprehensive rezoning and the residential density remains the same. The 1978 densities allowed by the zoning districts in the area at that time were two to seven times more dense than those allowed by today's R-1 Rural Residential District regulations and four to 14.5 times more dense than today's E-1 Estate District.

The 1989 Comprehensive Plan placed this area within the Estate Land Use Category, stating that it was so designated in order to maintain an open character and that a rural estate form of development would also be best for the environmentally sensitive nature of the inland bays. The 1989 Comprehensive Plan recommended that the predominant type of development that should occur in these area is low-density residential on lot sizes larger than those for suburban and suburban residential areas and that in consideration of the environmental conditions in the area, the maximum density should be no more than one unit per two acres. The 2006 Comprehensive Plan, which remains in effect, places the residentially developed areas of South Point and the MD Route 611 corridor within the Existing Developed Area Land Use Category while farm land, golf courses, and other, more open areas are within the Agricultural Land Use Category. Sensitive areas such as along the waterfront are within the Green Infrastructure Land Use Category. There is no Estate Land Use Category in the 2006 Comprehensive Plan. Relative to the Existing Developed Area Land Use Category, the Comprehensive Plan states that this category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. The Plan further states that recognizing existing development and neighborhood character is the purpose of this designation and that appropriate zoning providing for densities and uses consistent with this character should be instituted. With regard to the Green Infrastructure Land Use Category, the Comprehensive Plan states that this category addresses state and locally designated natural and open spaces and that these areas are designated to preserve environmentally significant areas and to maintain the environmental functionality of the County's landscape. The Plan also states that greenways improve water quality, provide flood control and maintain the County's rural and coastal character. While the 2006 Comprehensive Plan does not include an Estate Land Use Category, it makes statements relative to large-lot zoning. Specifically, the Comprehensive Plan recommends the deletion of the Estate land use category and the associated zoning district, the E-1 Estate District. The Plan states that, designed as a transition zone between urban/suburban development and the rural landscape, the Estate Land Use Category has consumed excessive amounts of land per housing unit, taking working farms out of production, been overtaken by the requirements of the Atlantic Coastal Bays Critical Area Program, and failed to achieve truly clustered open space development as called for in the 1989 Comprehensive Plan. The 2006 Comprehensive Plan further states that large lot zoning is incompatible with this plan's approach to new growth and that extensive areas of large lots result in sprawl, which is expensive to serve, damaging to water quality and wildlife, and incompatible with increased mass transit service.

During the comprehensive rezoning process that took place approximately ten years ago, both the staff and the Planning Commission recommended to the County Commissioners that the properties zoned E-1 Estate District in the area now under consideration be given a R-1 Rural Residential District zoning classification because of its low-density, single-family residential nature, typical lot sizes, and historical development patterns. Both the staff and the Planning Commission felt that that zoning classification was most in keeping with the existing character. Additionally, both parties were keenly aware that the E-1 Estate District is a transitional zone between the agricultural and residential zoning districts. While the E-1 Estate District allows single-family dwellings and major subdivisions, it also allows by right quite a number of agricultural uses, such as poultry and hog houses, grain dryers, commercial

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greenhouses, etc., that may conflict with residential uses. In adopting the 2009 comprehensive rezoning, however, the County Commissioners chose to retain the existing E-1 Estate District zoning in the area, even though the 2006 Comprehensive Plan called for the elimination of that zoning district.

Relative to the current consideration of a sectional rezoning of the area from E-1 Estate District to a different zoning classification, the Planning Commission found that most of the factors that led to its recommendation during the 2009 comprehensive rezoning process remain in existence. The area remains low density, single-family residential in nature, with older subdivisions developed in the 1960s, 1970s and 1980s under the R-1 and R-1A Rural Residential District zoning classifications. Commercial uses are limited. While crop production does occur within the area, its character is not truly an agricultural one because of the prevalence of residential uses. As stated previously, the current E-1 Estate District allows residential uses but also a wide variety of agricultural uses beyond just crop production. These uses include poultry houses, hog houses, grain dryers and commercial greenhouses, uses often considered, at a minimum, a nuisance by nearby residents. A factor not frequently considered, though, is that these are permitted principal uses, meaning that if structures meet the minimum lot requirements, no type of hearing or special approval beyond a permit is required. The E-1 Estate District regulations do not protect residents from these types of uses because the zoning district is not considered a purely residential district. In fact, agriculture is listed as the first permitted use. These farm structures and uses are not allowed by the R-1 Rural Residential District.

The Planning Commission found that the 2006 Comprehensive Plan remains in effect and is anticipated to do so for the time being. That plan places the residentially developed areas of South Point and the MD Route 611 corridor within the Existing Developed Area Land Use Category. Farm land, golf courses, and other, more open areas are within the Agricultural Land Use Category while sensitive areas such as along the waterfront are within the Green Infrastructure Land Use Category. The Planning Commission noted, however, that although there is no Estate Land Use Category in the 2006 Comprehensive Plan, it does make several statements relative to large-lot zoning. Most importantly, the Comprehensive Plan recommends the deletion of the Estate land use category and the associated zoning district, the E-1 Estate District, because the zoning district has consumed excessive amounts of land per housing unit, taking working farms out of production, been overtaken by the requirements of the Atlantic Coastal Bays Critical Area Program, and failed to achieve truly clustered open space development as called for in the 1989 Comprehensive Plan. The 2006 Comprehensive Plan further states that large lot zoning is incompatible with this plan's approach to new growth and that extensive areas of large lots result in sprawl, which is expensive to serve, damaging to water quality and wildlife, and incompatible with increased mass transit service. The Planning Commission found that the proposed sectional rezoning of those portions of the study area which are zoned E-1 Estate District to a different, more appropriate zoning classification is in keeping with the objectives of the Comprehensive Plan and concluded that the R-1 Rural Residential District is the most appropriate zoning classification given the existing patterns of development in those areas.

Concerns have been raised that rezoning to the R-1 Rural Residential District would allow extensive development of the study area in the future. The Planning Commission found that this will not be the case for a number of reasons. The staff noted that the area did not even develop to its maximum density under previous zoning regulations before various environmental regulations came into effect. The Planning Commission concurred with this assessment and concluded that it is highly unlikely that rezoning the E-1 Estate District zoned

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portions of the study area to R-1 Rural Residential District is going to have nearly as much of an impact as has been claimed by some. Additionally, because Worcester County elected not to map septic tiers as suggested by the State, major subdivisions are no longer permitted in the County unless public sewer is provided and only minor subdivisions can take place. Because a major subdivision is more than five parcels out of what was one parcel in 1967 when the subdivision regulations were first established in the County, that means that not even a single lot can be created if it is the sixth or greater lot out of the parent parcel unless public sewer is provided. Public sewer service is not presently available in the study area, particularly in South Point. In fact, the County's Master Water and Sewerage Plan classifies the area as S-6, No Planned Service. Aware that some members of the South Point Association have expressed concern that public sewer and water service could be extended to South Point, the Planning Commission concluded that that is not likely in the foreseeable future because of extreme expense and the difficulty in locating areas having adequate capacity for wastewater disposal and gaining the necessary approvals for such systems. Additionally, the property owners in the area to be served would have to agree to such service prior to its construction. Furthermore, Robert Mitchell, Director of Environmental Programs, advised the Planning Commission that a property owner cannot provide a community sewer system and simply turn it over to the County in order to gain approval of a major subdivision. The Planning Commission concluded that while it is not impossible to provide public sewer service to the study area, it is highly improbable that it will occur. Another significant factor that will limit future development of the study area is the Atlantic Coastal Bays Critical Area (ACBCA) regulations. They were of course not in effect at the time much of the area was originally platted. The ACBCA law sets strict limits for development within its boundaries. Much of the study area is within the Resource Conservation Area (RCA) or the Limited Development Area (LDA). The RCA has a maximum density of one unit per 20 acres, regardless of what the zoning may permit. The LDA is generally found in areas which are already developed and while it has no density restrictions, it does set a maximum lot coverage requirement that limits development. The staff advised the Planning Commission that it was very unlikely that the LDA lands within the study area could support any further density. In response to residents' concerns that the Ocean City Golf Course could be developed if rezoned, the Planning Commission was advised by the staff that it is within the RCA and is therefore subject to a maximum density of one unit per 20 acres. Additionally, an amendment to the County's Water and Sewerage Plan would be very difficult to obtain for such a project because that site is classified by the Comprehensive Plan as being within the Agricultural Land Use Category. Because of these various factors the Planning Commission concluded that there are layers of regulations that are already in place and expected to continue that will prevent any significant increase in the density of the study area regardless of what the properties are zoned.

In its deliberations the Planning Commission considered what would be the most appropriate zoning classification for the study area if the E-1 Estate District was to be eliminated and the residents did not agree to the proposed R-1 Rural Residential District classification. If the area was to be given a RP Resource Protection District classification, virtually every single use would require Board of Zoning Appeals' approval of a special exception - every house, every addition, every outbuilding, every fence - because residential uses (and the accessory uses associated with them) are special exception uses in that zoning district. This would be cumbersome and somewhat of a nuisance for an area that is residential in character. However, to change the RP Resource Protection District regulations to ease this burden would change those regulations throughout the County and impact properties that are more likely to need that extra level of scrutiny. When considering the R-2 Suburban Residential, R-3 Multi-Family Residential and R-4 General Residential Districts for the study area, the Planning Commission found that their permitted densities are much greater than the

R-1 Rural Residential District and also permit uses that are out of character with the area. The Planning Commission was cognizant that when considering the proper zoning for an area, it is imperative to consider maintaining a level of conformity so as not to make existing uses become nonconforming and add another layer of regulation and difficulty in obtaining approvals. Alternatively, changing the lot requirements themselves in the district regulations as opposed to changing the zoning can have a dramatic effect on existing properties, resulting in many nonconforming lots, structures, etc. and is not recommended. These factors were significant in the staff's recommendation that the R-1 Rural Residential District zoning classification is the most appropriate for the study area as it will result in greater conformity with the original platting and will not result in the significant amount of growth that has been of concern to some. The Planning Commission agreed.

Based upon its review of the aforementioned factors, the Planning Commission recommended that those portions of the study area which are currently zoned E-1 Estate District be sectionally rezoned to R-1 Rural Residential District.

Should the County Commissioners wish to proceed with the sectional rezoning based upon the Planning Commission's recommendation, the County Commissioners will need to schedule a public hearing on the matter. Unlike the requirements for an individual rezoning application, both Sections ZS 1-113(c)(6)E and ZS 1-114(a)(3) of the Zoning and Subdivision Control Article state that posting of the properties and individual notifications to the affected property owners are not required for a sectional or comprehensive map amendment. Any public hearing, however, must be advertised in the newspaper at least once not less than 15 days prior to the hearing. Additionally, please be aware that Section ZS 1-113(c)(6)F states that findings of fact as required in piecemeal rezonings shall not be required for comprehensive (sectional) rezonings.

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Should you have any questions or require additional information, please do not hesitate to contact me.

EAT/phw

cc: Phyllis Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator

See also Bullet Points. p.

- (5) The County Commissioners, upon the rezoning of any land or lands, may impose such 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 may, upon the zoning or rezoning of any land or lands, retain or reserve 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. In the event of a conditional map amendment, the restrictions, conditions and limitations shall be reduced to the form of an agreement signed by the owner and all lien holders and recorded among the land records at the expense of the owner. Restrictions, conditions or limitations may be recommended by the Planning Commission and shall be advertised verbatim or in summary form in the notice of the public hearing on the map amendment. Such recommended restrictions, conditions or limitations shall be considered a part of the Planning Commission's recommendation and subject to the five-sevenths majority vote provisions hereof. If there are no proposed restrictions, conditions or limitations at the time of the advertisement prior to the rezoning hearing, the Commissioners may state in the notice that restrictions, conditions or limitations will be considered at the hearing and may, subsequent to the hearing, without additional advertisement or hearing, impose any such restrictions. A restriction, condition or limitation imposed on an amendment, supplement or change in this Title shall become a part of this Title, and violation thereof shall be deemed to be a violation of this Title.

- (6) Comprehensive (sectional) reclassification map amendments.
- A. Comprehensive (sectional) reclassifications may only be initiated by the Planning Commission or the County Commissioners.
 - B. The Planning Commission shall review the proposed comprehensive reclassification and make a recommendation to the County Commissioners. In the case of a comprehensive (sectional) reclassification initiated by the County Commissioners, the Planning Commission shall make a recommendation to the County Commissioners within one hundred twenty days after its first review by the Planning Commission, unless an extension of time is granted by the County Commissioners. The Planning Commission may make such studies as it deems necessary and appropriate.
 - C. After receiving the recommendation of the Planning Commission, the County Commissioners may require further studies and shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. Public notice of such hearing shall be given in accordance with the provisions of § ZS 1-114 hereof.
 - D. Comprehensive (sectional) reclassifications shall be by resolution of the County Commissioners.
 - E. Notification of property owners and neighboring property owners and the posting of the property, as required in piecemeal rezonings, shall not be

required when the property is the subject of the comprehensive (sectional) reclassification.

- F. Findings of fact as required in piecemeal rezonings shall not be required for comprehensive (sectional) reclassifications.
- G. In the case of a comprehensive (sectional) rezoning, conditions placed upon a property by virtue of a prior conditional rezoning shall be null and void unless specifically carried forward by the County Commissioners upon a finding that the reasons for which the conditions were originally imposed are still valid.

§ ZS 1-114. Requirements for public notice.

(a) Generally. Unless otherwise expressly provided by law, all notices to the general public required by the terms of this Title shall be made as follows:

(1) By the posting of a reasonably sized sign upon the property which is the subject of the proceedings as follows:

A. The sign shall be of sufficient size to reasonably advise the public of the fact of the public hearing and shall be posted not less than fifteen days prior to the public hearing. The sign shall be posted (to the extent possible) within a reasonable distance of a public road serving or near the property so as (to the extent possible) to be reasonably visible to the public. Posting requirements shall be subject to the following modifications and provisions:

1. Except in the case of the fifteen-day requirement, reasonable, good-faith compliance with the above requirements, as determined by the hearing agency, shall be sufficient.
2. Where the property lines are difficult to ascertain, posting on an adjacent property may be found to be sufficient.
3. Evidence of posting shall be provided at the public hearing, but no evidence that the sign remained standing during the period of posting shall be required. When a posted sign is destroyed or removed, the property shall be reposted but the date of posting shall be the date of original posting.
4. The hearing agency shall have the authority to determine whether or not a good-faith effort to comply with the posting requirements is sufficient to satisfy the intent of such requirements so as to reasonably advise the public of the pending proceeding.

B. Any applicant and/or owner of the property subject to the proceedings shall be deemed to have consented to the entry upon the property by any County staff or board members to examine the property with respect to the specific request and by the public for the purpose of viewing any sign.

C. Posting shall not be required for proposed sectional or comprehensive map amendment procedures or for proposed amendments to the text of this Title.

(2) All proceedings under the terms of this Title requiring a public hearing shall be advertised at least once in one newspaper of general circulation in the County not less than fifteen days prior to the date such proceeding is scheduled for hearing, which advertisement shall state the following:

A. The date, time and place of such hearing.

B. A summary of the purpose of the proceeding in sufficient detail to inform the public of the nature of the proceeding and the relief sought by the initiator of the proceeding.

C. The location of the property involved, if any, the name of the owner and the file or case number of the proceeding and the name of the governmental body before which such proceeding is to be conducted.

D. Any other information deemed necessary to adequately inform the public of the proceeding.

(3) Whenever the application of this Title requires the holding of a public hearing, a notice of the time and place of such hearing shall be mailed to the initiator of the proceeding, to each incorporated municipality within one mile of the property affected by the proposed change, to the owners of all property contiguous to the property with which the hearing is concerned and to all properties opposite the property with which the hearing is concerned. Opposite properties are measured at right angles to the center line of any intervening roads. Such mailed notices shall be sufficient if directed to such qualifying property owners as shown on the tax records of the County, at the address to which the real estate tax bill on the property is sent, and as shown on the current property tax records for the County. Such notice shall contain the same information as the published notice required by this subsection and shall be mailed not less than fifteen days prior to the date of the hearing. An affidavit of compliance with this section shall be made a part of the record. Posting or notification of property owners shall not be required for proposed sectional or comprehensive map amendment procedures or for proposed amendments to the text of this Title.

(b) Responsibility for public notice. It shall be the responsibility of the Department to ensure that the provisions of Subsections (a)(1) and (a)(3) hereof are fully complied with for all matters that come before the Board of Zoning Appeals, the Planning Commission or the County Commissioners relative to matters regulated by this section.

§ ZS 1-115. Permits and zoning/occupancy certificates.

(a) Permit. It shall be unlawful to:

(1) Erect or locate or begin the construction, reconstruction, extension, renovation, demolition or alteration, including the excavation thereof, of any building or structure until a permit for such work has been issued by the Department; or

§ ZS 1-203. E-1 Estate District.

- (a) Purpose and intent. At the time of its original adoption in 1992, this district was intended to protect and preserve the open character of the rural areas and the environmentally sensitive areas of the County and to enhance the estate character of these neighborhoods. However, advancements in technology have allowed for more in-depth analysis of the lands' suitability for development. This technology shows that approximately eighty percent of the current E-1 Estate District lands lie in a hurricane inundation zone. Hazard mitigation planning calls for development to be located outside such areas. Additionally, much of the zoning district borders roadways that will require extensive improvements to maintain adequate levels of service if the properties are developed. For lands zoned E-1 Estate District on the effective date of these regulations it is the intent of these regulations to allow for their orderly development until these regulations are amended to reflect changes in the Comprehensive Plan resulting from its next state-mandated periodic review. It is further the intent of this section that no additional lands shall be included in this zoning district either by a comprehensive rezoning or individual application and that the district shall be eliminated subsequent to the next state-mandated review of the Comprehensive Plan.
- (b) Permitted principal uses and structures. The following uses and structures are permitted in the E-1 District:
- (1) Agriculture, including feeding lots, dairy barns, agricultural lagoons, hog houses, noncommercial grain dryers, the raising of livestock, farm offices, commercial and noncommercial greenhouses and nurseries, and noncommercial maintenance, storage and repair facilities, excluding commercial grain dryers. Minimum lot requirements shall be: lot area, five acres; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet. See § ZS 1-305(r) hereof. [Amended 4-25-2017 by Bill No. 17-3]
 - (2) ⁸ Poultry operations subject to the provisions of § ZS 1-349 hereof. [Added 4-25-2017 by Bill No. 17-3⁹]
 - (3) Roadside stands offering for sale fresh agricultural products, fresh seafood and processed dairy products from locally raised livestock, operated by the property owner or tenant of the premises upon which such stand is located. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet; and subject to the provisions of §§ ZS 1-322 and 1-325 hereof. Signs shall be subject to the provisions of § ZS 1-324 hereof.
 - (4) Single-family dwellings. Minimum lot requirements shall be: lot area, eighty thousand square feet; maximum density, one unit per two net acres; lot width, two

8. Editor's Note: Former Subsection (b)(2), Aquaculture, was repealed 10-21-2014 by Bill No. 14-11. Bill No. 14-11 also renumbered former Subsection (b)(3) through (16) as Subsection (b)(2) through (15), respectively.

9. Editor's Note: This bill also redesignated former Subsection (b)(2) through (15) as Subsection (b)(3) through (16).

hundred feet; front yard setback, fifty feet; each side yard setback, fifty feet; and rear yard setback, fifty feet.

- (5) Manufactured homes in accordance with § ZS 1-314(b) hereof. Minimum lot requirements shall be: lot area, eighty thousand square feet; maximum density, one unit per two net acres; lot width, two hundred feet; front yard setback, fifty feet; each side yard setback, fifty feet; and rear yard setback, fifty feet.
 - (6) Minor subdivisions in accordance with the provisions of § ZS 1-311 hereof.
 - (7) Rural cluster subdivisions in accordance with the provisions of § ZS 1-308 hereof.
 - (8) Consolidated development rights subdivisions in accordance with the provisions of § ZS 1-309 hereof.
 - (9) Major cluster subdivisions in accordance with the provisions of §§ ZS 1-307 and ZS 1-311 hereof.
 - (10) Golf courses, including golf driving ranges but not miniature golf courses, subject to the provisions of § ZS 1-325 hereof.
 - (11) Public and private conservation areas, including wildlife reservations, arboretums and demonstration forests. Minimum lot requirements shall apply for structures only and shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.
 - (12) Fishing, trapping and hunting blinds and wildlife observation structures. No lot requirements shall apply.
 - (13) The addition to existing structures of telecommunications facilities that do not increase the overall height of the existing structure, subject to the provisions of § ZS 1-343 hereof.
 - (14) Monopoles up to one hundred fifty feet in height, subject to the provisions of § ZS 1-343 hereof.
 - (15) Small and medium wind energy conversion systems up to a maximum of one hundred feet in height, subject to the provisions of § ZS 1-344 hereof.
 - (16) Spray irrigation fields and storage lagoons for Class II effluent in accordance with the provisions of § ZS 1-328(g) hereof.
- (c) Special exceptions. The following principal uses and structures may be permitted by special exception in the E-1 District in accordance with the provisions of § ZS 1-116(c) hereof.
- (1) Firehouses and other public buildings, structures and uses. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet.

- (2) Schools. Minimum lot requirements shall be: lot area, five acres; lot width, four hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet.
- (3) Assisted living facilities, provided they are residence-based and serve no more than five clients. Minimum lot requirements shall be: lot area, eighty thousand square feet; lot width, two hundred feet; front yard setback, fifty feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet; and subject to the provisions of § ZS 1-325 hereof.
- (4) The conversion of an existing historic or architecturally significant dwelling into an inn of a type compatible with the character of the neighborhood but not for use as a nightclub, tavern or roadhouse. To be considered "historic," a dwelling must be on or eligible for inclusion on the National Register of Historic Places. Existing inactive inns may be reactivated under the provisions of this section. The dwelling may not be enlarged to the extent that the public areas of the inn constitute an addition of more than fifty percent of the first floor area of the original dwelling. Dining facilities are permitted, but dining areas may not exceed fifty square feet per sleeping room. Required parking shall be the same as required for hotels/motels. No external architectural modifications which alter the original character of the dwelling shall be permitted. Minimum lot requirements shall be: lot area, two acres; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet. Historic inns shall be established only with Health Department approval and shall be subject to the provisions of §§ ZS 1-322 and ZS 1-325 hereof.
- (5) Country inns for transient overnight guests. Minimum lot requirements shall be: lot area, five acres; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet. Country inns shall be subject to the provisions of §§ ZS 1-322 and ZS 1-325 hereof. Country inns shall contain a minimum of seven sleeping rooms and a maximum of twenty sleeping rooms. Required parking shall be the same as required for hotels/motels.
- (6) Bed-and-breakfast establishments, subject to the provisions of § ZS 1-340 hereof.
- (7) Commercial riding and boarding stables for three or more animals. Minimum lot requirements shall be: lot area, five acres; lot width, five hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet. Furthermore, stables shall be located at least two hundred feet from any perimeter property line or public road right-of-way, and there shall be one acre of lot area for each animal stabled.
- (8) Churches, temples and mosques. Minimum lot requirements shall be: lot area, two acres; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet.

- (9) Cemeteries, including family burial grounds, chapels and mausoleums. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; and no side or rear yard setbacks required unless imposed by the Board. No structures, monuments or grave sites shall be located in any required yard setback.
- (10) Public and private noncommercial cultural, social and recreational areas and centers, including parks, playgrounds, beaches, community centers, nonprofit environmental conservation and land preservation organization offices, country clubs, swimming pools and golf courses but excluding summer camps, marinas and boat landings. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet; and subject to the provisions of § ZS 1-325 hereof. All outdoor swimming pools, including adjacent deck and patio areas, and locker areas shall be at least two hundred feet from any perimeter property lines and public road rights-of-way. **[Amended 1-19-2016 by Bill No. 15-14]**
- (11) Public utility structures and properties other than essential services as defined in § ZS 1-121 hereof, including cross-County lines and mains of all kinds, subject to the provisions of § ZS 1-325 hereof. Minimum lot requirements for construction, maintenance or storage buildings or yards shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet. See § ZS 1-328 hereof for lot requirements for all other facilities. During its review of any public utility structure or property, the Planning Commission may require screening, buffering or landscaping of said structure or property where deemed necessary to protect adjoining land uses.
- (12) Wastewater and water treatment facilities, with the exception of sewage sludge disposal areas, in accordance with the provisions of § ZS 1-328 hereof.
- (13) Dredge spoil disposal sites. Lot requirements for dredge spoil disposal sites, special conditions of operation and conditions regarding reclamation of sites shall be as specified by the Board of Zoning Appeals.
- (14) The addition to existing structures of telecommunications facilities that have the effect of increasing the overall height of the existing structure, subject to the provisions of § ZS 1-343 hereof.
- (15) Monopoles over one hundred fifty feet in height, but not exceeding one hundred ninety-nine feet, and freestanding towers up to one hundred fifty feet in height, subject to the provisions of § ZS 1-343 hereof.
- (16) Small and medium wind energy conversion systems up to a maximum of one hundred fifty feet in height, subject to the provisions of § ZS 1-344 hereof.

- (17) Large solar energy systems in accordance with the provisions of § ZS 1-344(d)(2) hereof. **[Added 7-19-2011 by Bill No. 11-3¹⁰]**
- (18) Day-care centers. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, fifty feet; and subject to the provisions of §§ ZS 1-305(r) and ZS 1-325 hereof. **[Added 2-18-2014 by Bill No. 14-1¹¹]**
- (19) Aquaculture. Minimum lot requirements shall be: lot area, fifteen acres; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet; and subject to the provisions of §§ ZS 1-305(r) and ZS 1-325 hereof. **[Added 10-21-2014 by Bill No. 14-11¹²]**
- (20) Structures and storage yards for marine activities, including dry storage of seaworthy boats in operable condition and light maintenance facilities for engine, hull, deck and interior repairs and painting; all light engine maintenance shall be conducted within an enclosed building. Minimum lot requirements shall be: lot area, twenty acres; lot width, two hundred feet; front yard setback, two hundred feet; each side yard setback, two hundred feet; and rear yard setback, two hundred feet; and subject to the provisions of § ZS 1-325. In addition, such structures and storage yards shall be screened on all sides in accordance with the provisions of § ZS 1-322. If vegetated screening of thirty-five feet or more in width is provided in that portion of the setback closest to the use area, the minimum setbacks may be reduced by the Board of Zoning Appeals to one hundred feet. **[Added 5-19-2015 by Bill No. 15-6¹³]**
- (21) On a farm as defined herein, the accessory use of a principal agricultural structure or use of land for the commercial hosting of non-agricultural functions and events, including, but not limited to, wedding receptions, family reunions, birthday and anniversary celebrations, children's parties, corporate and employee appreciation parties, and the like. All such uses must be clearly accessory and subordinate to the principal agricultural structure or use of the property. All building, fire, health, zoning, and environmental code requirements for such a use or facility shall apply to the same extent as if the structure or use of land was not located on a farm. Minimum lot requirements for the principal agricultural structure or use of land shall be: lot area, twenty-five acres; lot width, two hundred feet; front yard setback, one hundred feet; each side yard setback, one hundred feet; and rear yard setback, one hundred feet; and subject to the provisions of § ZS 1-325 hereof. The site of the commercial event itself and all associated use areas shall be located not less than five hundred feet from any residential structure on an adjacent property

10. Editor's Note: This bill also renumbered former Subsection (c)(17) as Subsection (c)(18).

11. Editor's Note: This bill also renumbered former Subsection (c)(18) as Subsection (c)(19).

12. Editor's Note: This bill also renumbered former Subsection (c)(19) as Subsection (c)(20).

13. Editor's Note: This bill originally added a new Subsection (c)(18) and renumbered former Subsection (c)(18) as Subsection (c)(19). As Subsections (c)(18) and (19) already existed, this new material was added as Subsection (c)(20) and former Subsection (c)(20) was renumbered as Subsection (c)(21).

or public road and no variance to this requirement is permitted notwithstanding the provisions of § ZS 1-116(c)(4). Any amplified music associated with such a use must end by 11:00 p.m. [Added 9-19-2017 by Bill No. 17-9^u]

- (22) Any use or structure which is determined by the Board of Zoning Appeals to be of the same general character as an above-permitted use, not specifically mentioned in another district and compatible with the general character and intent of the E-1 District.
- (d) Accessory uses and structures. The following accessory uses and structures shall be permitted in the E-1 District:
- (1) Noncommercial private residential parking garages and areas, stables for horses or ponies, swimming pools and other customary nonresidential outbuildings and structures for the use of residents. Stables shall be at least fifty feet from any perimeter property line or public road right-of-way and at least two hundred feet from any existing dwelling on adjoining properties.
 - (2) Customary incidental home occupations, subject to the provisions of § ZS 1-339 hereof.
 - (3) Roadside stands not to exceed a maximum of one hundred fifty square feet in size and offering for sale fresh agricultural products, operated by the property owner or tenant of the premises upon which such stand is located. Such stands shall be located so as not to create a traffic hazard, shall be completely removed at the end of the fresh product season and shall be subject to the provisions of § ZS 1-305(h)(2)A hereof. Signs shall be subject to the provisions of § ZS 1-324 hereof.
 - (4) Signs on the premises advertising a lawful use conducted on the premises and temporary and directional signs. All signs shall be subject to the provisions of § ZS 1-324 hereof.
 - (5) Private waterfront structures, subject to the provisions of § NR 2-102 of the Natural Resources Article of the Code of Public Local Laws of Worcester County, Maryland and § ZS 1-335 hereof.
 - (6) Temporary buildings and structures, subject to the provisions of § ZS 1-334 hereof.
 - (7) Accessory apartments, subject to the provisions of § ZS 1-338 hereof.
 - (8) Yard sales, subject to the provisions of § ZS 1-341 hereof.
 - (9) On a farm, as herein defined, a second single-family dwelling for the farm owner, farm tenant or member of his immediate family or for a person primarily engaged in the operation of the farm, provided that the dwelling is located such that, if it were subdivided from the main parcel, it could meet all of the requirements for a single-family dwelling in the E-1 District.

14. Editor's Note: This bill also redesignated former Subsection (c)(21) as Subsection (c)(22).

- (10) On a farm, as defined herein, not more than two manufactured homes for the farm owner, tenant or member of his immediate family or for persons primarily engaged in the operation of the farm, provided that such manufactured homes are located in the farm building group, no closer to any public road right-of-way than the principal building, no closer than the required front yard setback and not less than one hundred feet from any side or rear lot line. Such manufactured homes shall be located only with the Environmental Programs Division approval, subject to the provisions of § ZS 1-314 hereof. A manufactured home in the farm building group shall be located within two hundred feet of the main farm building or accessory farm structure.
- (e) Height regulations. Except for certain other buildings, structures or parts thereof as provided in § ZS 1-305 hereof, no flat-roofed principal structure shall exceed a height of thirty-five feet, no pitched-roofed principal structure shall exceed a height of forty-five feet, and no flat- or pitched-roofed principal structure shall exceed four stories. In addition, no accessory structure shall exceed either two stories or twenty-five feet in height.
- (f) Other regulations. The uses and structures permitted in the E-1 District shall be subject to the applicable regulations contained in Subtitle ZS1:I, General Provisions, and Subtitle ZS1:III, Supplementary Districts and District Regulations, of this Title.

§ ZS 1-204. V-1 Village District.

- (a) Purpose and intent. This district is intended to protect and preserve the unique mixed use character and historical charm of the existing crossroads villages of the County. New development within this district should be of an appropriate scale and use so as to be compatible with the existing pattern of development. In addition, new development is intended to be channeled into effective service areas to permit the efficient provision of public services.
- (b) Permitted principal uses and structures. The following principal uses and structures shall be permitted in the V-1 District:
- (1) Single-family clustered housing. Minimum lot requirements shall be: lot area, eight thousand square feet; maximum density, five units per net acre; lot width, sixty feet; front yard setback, fifteen feet; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-307 hereof.
 - (2) Single-family dwellings. Minimum lot requirements shall be: lot area, ten thousand square feet [see § ZS 1-305(l) hereof]; maximum density, five units per net acre; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, eight feet; and rear yard setback, thirty feet.

- (9) Private waterfront structures, subject to the provisions of § NR 2-102 of the Natural Resources Article of the Code of Public Local Laws of Worcester County, Maryland and § ZS 1-335 hereof.
- (10) Roadside stands not to exceed a maximum of one hundred fifty square feet in size and offering for sale fresh agricultural products, operated by the property owner or tenant of the premises upon which such stand is located. Such stands shall be located so as not to create a traffic hazard, shall be completely removed at the end of the fresh product season and shall be subject to the provisions of § ZS 1-305(h)(2)A hereof. Signs shall be subject to the provisions of § ZS 1-324 hereof.
- (11) Stables and pastures for horses and ponies as an accessory use only. Stables and pastures shall be prohibited on lots less than five acres in size. Where permitted, stables shall be at least one hundred feet from any perimeter property line or public road right-of-way and at least two hundred feet from any existing dwelling on adjoining properties.
- (f) Height regulations. Except for certain other buildings, structures or parts thereof as provided in § ZS 1-305 hereof, no flat-roofed principal structure shall exceed a height of thirty-five feet, no pitched-roofed principal structure shall exceed a height of forty-five feet, and no flat- or pitched-roofed principal structure shall exceed four stories. In addition, no accessory structure shall exceed either two stories or twenty-five feet in height.
- (g) Other regulations. The uses and structures permitted in the V-1 District shall be subject to the applicable regulations contained in Subtitle ZS1:I, General Provisions, and Subtitle ZS1:III, Supplementary Districts and District Regulations, of this Title.

§ ZS 1-205. R-1 Rural Residential District.

- (a) Purpose and intent. This district is intended to protect and preserve the low-density rural residential areas of the County which are not generally planned for substantial population growth and for which limited public services are available or planned. Low-density residential development is permitted in this district while relatively low-intensity uses necessary to serve the needs of the local population may also be compatible. Cluster development and residential planned communities are encouraged in this district in order to preserve and maintain the open space and natural environment currently present in these areas.
- (b) Permitted principal uses and structures. The following uses and structures are permitted in the R-1 District:
- (1) Single-family clustered housing. Minimum lot requirements shall be: lot area, eight thousand square feet; maximum density, one unit per net acre; lot width, sixty feet; front yard setback, fifteen feet; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-307 hereof.

- (2) Single-family dwellings. Minimum lot requirements shall be: lot area, forty thousand square feet; maximum density, one unit per net acre; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, fifty feet.
 - (3) Manufactured homes in accordance with § ZS 1-314(b) hereof. Minimum lot requirements shall be: lot area, eight thousand square feet; maximum density, one unit per net acre; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, fifty feet.
 - (4) Major and minor subdivisions in accordance with the provisions of § ZS 1-311 hereof.
 - (5) Assisted living facilities, provided they are residence-based and serve no more than five clients. Minimum lot requirements shall be: lot area, eighty thousand square feet; lot width, two hundred feet; front yard setback, fifty feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet; and subject to the provisions of § ZS 1-325 hereof.
 - (6) Public and private conservation areas, including wildlife reservations, arboretums and demonstration forests. Minimum lot requirements shall apply for structures only and shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.
 - (7) Fishing, trapping and hunting blinds and wildlife observation structures. No lot requirements shall apply.
 - (8) Spray irrigation fields and storage lagoons for Class II effluent in accordance with the provisions of § ZS 1-328(g) hereof.
 - (9) The addition to existing structures of telecommunications facilities that do not increase the overall height of the existing structure, subject to the provisions of § ZS 1-343 hereof.
 - (10) Monopoles up to one hundred feet in height, subject to the provisions of § ZS 1-343 hereof.
 - (11) Small wind energy conversion systems up to a maximum of seventy-five feet in height, subject to the provisions of § ZS 1-344 hereof.
- (c) Special exceptions. The following principal uses and structures may be permitted by special exception in the R-1 District in accordance with the provisions of § ZS 1-116(c) hereof:
- (1) Schools, including boarding schools. Minimum lot requirements shall be: lot area, five acres; lot width, four hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet. Any boarding facilities shall be two hundred feet from any perimeter property line or public road right-of-way.

- (2) Day-care centers. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifteen feet; and rear yard setback, fifty feet.
- (3) Nursing facilities and assisted living facilities. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet.
- (4) Planned senior developments, subject to the provisions of § ZS 1-316 hereof.
- (5) Group homes. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet. The applicant shall provide evidence that such facility shall be of sufficient size to accommodate the proposed number of developmentally disabled persons and staff and that the facility will not constitute a nuisance. Such facility shall be subject to the provisions of § ZS 1-325 hereof, and no group home shall be located within one thousand feet from any other group home.
- (6) Firehouses, governmental offices and other public buildings, structures and uses. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet.
- (7) Churches, temples and mosques. Minimum lot requirements shall be: lot area, two acres; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet.
- (8) Cemeteries, including chapels and mausoleums. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; no side or rear yard setbacks required unless imposed by the Board. No structures, monuments or grave sites shall be located in any required yard setback.
- (9) Golf courses, including golf driving ranges but not including miniature golf courses, in accordance with the provisions of §§ ZS 1-322 and ZS 1-325 hereof.
- (10) Public and private noncommercial cultural, social and recreational areas and centers, including parks, playgrounds, beaches, community centers, country clubs, and swimming pools but excluding summer camps, marinas and boat landings. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet; and subject to the provisions of § ZS 1-325 hereof. All outdoor swimming pools, including adjacent deck and patio areas, and locker areas shall be at least two hundred feet from any perimeter property lines and public road rights-of-way.

- (11) Private noncommercial marinas designed for the mooring, launching and fueling of pleasure craft, provided that dry storage and boat maintenance facilities do not exceed twenty-five feet in height. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet; provided, however, that any such marina, boat storage, launching or maintenance facility must be incidental to a principal permitted use or structure, group of uses or group of structures and located on the same or on a contiguous lot or tract of land. Such marina, boat storage, launching or maintenance facility may serve a single lot or group of lots, provided that it is contiguous to one or more of such lots or a common area contiguous to and serving the lots. Any marina, boat storage, launching or maintenance facility may not provide for the docking, storage or maintenance of more than one boat per lot or per dwelling unit. The Board of Zoning Appeals may grant a waiver of the requirement of contiguousness, but in no event shall the marina, boat storage, launching or maintenance facility be permitted more than two hundred feet from the lot or from one of the lots served.
- (12) Public utility structures and properties other than essential services as defined in § ZS 1-121 hereof, including cross-County lines and mains of all kinds, subject to the provisions of § ZS 1-325 hereof. Minimum lot requirements for construction, maintenance or storage buildings or yards shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet. See § ZS 1-328 hereof for lot requirements for all other facilities. During its review of any public utility structure or property, the Planning Commission may require screening, buffering or landscaping of said structure or property where deemed necessary to protect adjoining land uses.
- (13) Wastewater and water treatment facilities, with the exception of sewage sludge disposal areas, in accordance with the provisions of § ZS 1-328 hereof.
- (14) Dredge spoil disposal sites. Lot requirements for dredge spoil disposal sites, special conditions of operation and conditions regarding reclamation of sites shall be as specified by the Board of Zoning Appeals.
- (15) The addition to existing structures of telecommunications facilities that have the effect of increasing the overall height of the existing structure, subject to the provisions of § ZS 1-343 hereof.
- (16) Monopoles over one hundred feet in height, but not exceeding one hundred ninety-nine feet, and freestanding towers up to one hundred feet in height, subject to the provisions of § ZS 1-343 hereof.
- (17) Heliports for emergency and law enforcement aircraft only subject to the provisions of § ZS 1-345 hereof.
- (18) Commercial riding and boarding stables for three or more animals. Minimum lot requirements shall be: lot area, ten acres; lot width, five hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty

feet; and rear yard setback, thirty feet. Furthermore, stables shall be located at least two hundred feet from any perimeter property line or public road right-of-way, and there shall be one acre of lot area for each animal stabled. Furthermore, notwithstanding the provisions of § ZS 1-116(c)(4), in no case shall commercial riding and boarding stables be located on parcels with a lot area of less than ten acres. [Added 4-17-2012 by Bill No. 12-2¹²]

- (19) Large day-care homes. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifteen feet; and rear yard setback, fifty feet. [Added 2-18-2014 by Bill No. 14-1¹³]
- (20) Any use or structure which is determined by the Board of Zoning Appeals to be of the same general character as an above-permitted use, not specifically mentioned in

12. Editor's Note: This bill also redesignated former § ZS 1-205(c)(18) as § ZS 1-205(c)(19).

13. Editor's Note: This bill also renumbered former Subsection (c)(19) as Subsection (c)(20).

another district and compatible with the general character and intent of the R-1 District.

- (d) Accessory uses and structures. The following accessory uses and structures shall be permitted in the R-1 District:
- (1) Noncommercial private residential parking garages and areas, swimming pools and other customary residential outbuildings and structures for the use of residents.
 - (2) Customary incidental home occupations, subject to the provisions of § ZS 1-339 hereof.
 - (3) The keeping of not more than two roomers or boarders.
 - (4) Accessory apartments, subject to the provisions of § ZS 1-338 hereof.
 - (5) Roadside stands not to exceed a maximum of one hundred fifty square feet in size and offering for sale fresh agricultural products, operated by the property owner or tenant of the premises upon which such stand is located. Such stands shall be located so as not to create a traffic hazard, shall be completely removed at the end of the fresh product season and shall be subject to the provisions of § ZS 1-305(h)(2)A hereof. Signs shall be subject to the provisions of § ZS 1-324 hereof.
 - (6) Stables and pastures for horses and ponies as an accessory use only. Stables and pastures shall be prohibited on lots less than five acres in size. Where permitted, stables shall be at least one hundred feet from any perimeter property line or public road right-of-way and at least two hundred feet from any existing dwelling on adjoining properties.
 - (7) Signs on the premises advertising a lawful use conducted on the premises and temporary and directional signs. All signs shall be subject to the provisions of § ZS 1-324 hereof.
 - (8) Private waterfront structures, subject to the provisions of § NR 2-102 of the Natural Resources Article of the Code of Public Local Laws of Worcester County, Maryland and § ZS 1-335 hereof.
 - (9) Temporary buildings and structures, subject to the provisions of § ZS 1-334 hereof.
 - (10) Yard sales, subject to the provisions of § ZS 1-341 hereof.
- (e) Height regulations. Except for certain other buildings, structures or parts thereof as provided in § ZS 1-305 hereof, no flat-roofed principal structure shall exceed a height of thirty-five feet, no pitched-roofed principal structure shall exceed a height of forty-five feet, and no flat- or pitched-roofed principal structure shall exceed four stories. In addition, no accessory structure shall exceed either two stories or twenty-five feet in height.
- (f) Other regulations. The uses and structures permitted in the R-1 District shall be subject to the applicable regulations contained in Subtitle ZS1:I, General Provisions, and Subtitle ZS1:III, Supplementary Districts and District Regulations, of this Title.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Worcester County Planning Commission
FROM: Edward A. Tudor, Director *EAT*
DATE: November 15, 2017
RE: Sectional Rezoning - MD Route 611/South Point Road Corridor

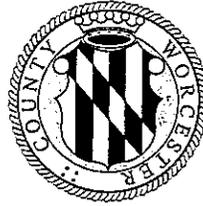
Pursuant to your recent recommendation to the County Commissioners regarding a potential sectional rezoning of the aforementioned area, I am pleased to report that they have instructed the staff to initiate that process. In response to that directive we have prepared the attached map of the MD Route 611/South Point Road corridor from MD Route 376 south. This map shows the current zoning districts in place to facilitate discussion with the Planning Commission. In addition, I have included a copy of both the E-1 Estate and R-1 Rural Residential District regulations so that you may compare the allowable uses in both.

As was our recommendation in 2009 during the last comprehensive rezoning, it is the staff's opinion that all of the land currently zoned E-1 Estate District in the area under consideration should be rezoned to R-1 Rural Residential District. This area is low density single-family residential in nature, with limited commercial use. While crop production does occur within the area, it is not truly one of an agricultural nature. Additionally, the Comprehensive Plan calls for the elimination of the E-1 Estate District zoning classification. The E-1 Estate District is a transitional zoning district, mixing various agricultural and low density residential uses. However, these uses can sometimes be in conflict with one another. Given the largely residential nature of the area and the recommendations of the Comprehensive Plan, the staff concludes that the R-1 Rural Residential District is the most compatible zoning classification for the area. Therefore the staff recommends that the Planning Commission consider a sectional rezoning of the area to R-1 Rural Residential District for those properties which are currently zoned E-1 Estate District.

The staff looks forward to discussing the matter with the Planning Commission at your forthcoming meeting and moving the proposal forward.

EAT/phw

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JOSEPH M. MITRECIC

November 9, 2017

TO: Ed Tudor, Director of Development Review & Permitting
FROM: Harold Higgins, Chief Administrative Officer **HH**
REF: Sectional Rezoning of the Ayres Creek/Maryland Rt 611/Maryland Rt 376 Neighborhood

As you are aware, at their meeting of November 7, 2017, at the request of the Worcester County Planning Commission in conjunction with consideration of several rezoning cases heard by the Commissioners, the County Commissioners have directed your staff to commence a Sectional Rezoning of the Ayres Creek/Maryland Rt. 611/Maryland Rt. 376 neighborhood to rezone appropriate properties in this area from E-1 Estate District to R-1 Rural Residential District as recommended by the Worcester County Comprehensive Plan. The Commissioners look forward to receiving your recommendation on this matter at an upcoming meeting.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact me at this office.

HH/KS/fac

H:\CC108\Ayres Creek Area Rezoning Memo.wpd

The Commissioners conducted a public hearing on Rezoning Case No. 409, which seeks to rezone approximately 20.1 acres located to the west of MD Rt. 611, south of MD Rt. 376, and more specifically identified as Lots 1, 2A, and 2B of Parcel 338 on Tax Map 33. This is the first of four public hearings to consider four applications submitted on the same date by Attorney J. Carroll Holzer and the property owners to rezone properties located on the easterly side of Ayres Creek in the Tenth Tax District of Worcester County, Maryland, from E-1 Estate District to R-1 Rural Residential District. Staff members present at the hearing were Development Review and Permitting Director Ed Tudor and Deputy Director Phyllis Wimbrow. County Attorney Maureen Howarth informed the public of the procedures in rezoning cases. She then swore in all of the individuals who planned to give testimony during each of the four public hearings. Mr. Tudor reviewed the applications and stated that all four applications received a favorable recommendation from the Planning Commission.

Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record for Rezoning Case No. 409. She stated that, according to the application for rezoning, the applicants' claims as the basis for their rezoning request is that there was a mistake in the existing zoning dating from 2009 because the zoning is in conflict with the Comprehensive Plan, which states that the E-1 Estate District was to be eliminated in the last rezoning. Furthermore, in 2016 the Commissioners accepted the idea that they would look at the E-1 Estate District on a case-by-case basis, as shown by Rezoning Case No. 403 for the Nichols-Neff property, formerly Pines Shore Golf Course, near Ocean Pines, which was zoned E-1. That rezoning application was granted on the basis of a mistake in the existing zoning. Furthermore, the mistake argument is just as pertinent in the applications now under review for Rezoning Cases No. 409, 410, 411, and 412. Ms. Wimbrow stated that, when the zoning was established in the mid 1960s, the petitioned area was given an R-1 Rural Residential District zoning classification, which was rezoned to E-1 Estate District during the comprehensive rezoning in 1992, and which retained that designation during the 2009 comprehensive rezoning by the Commissioners. She further stated that all adjoining and nearby properties along the easterly and westerly sides of MD Rt. 611 to the south of MD Rt. 376 are zoned E-1, with the exception of the properties at the southerly side of MD Rt. 376 at the junction of MD Rt. 611, which are zoned C-2 General Commercial District; properties to the north of this intersection are zoned A-2 Agricultural District and C-2 District; and sensitive areas along Ayres Creek are zoned RP Resource Protection District. Ms. Wimbrow advised that in all four applications the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned areas, and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan. Therefore, the Planning Commission gave a favorable recommendation to Rezoning Case No. 409, seeking a rezoning of the petitioned area from E-1 to R-1. Furthermore, the Planning Commission favorably recommended that the Commissioners consider a Sectional Rezoning of the Ayres Creek/MD Rt. 611/MD Rt. 376 neighborhood.

Commissioner Bunting opened the floor for public comment.

Mr. Holzer began by publicly recognizing the Worcester County staff for their assistance in the rezoning application process. He advised that he has worked in many counties throughout the State of Maryland and has yet to find a more professional, helpful, and courteous staff and Planning Commission as here in Worcester County. He concurred with staff's assessment and advised that his requests for Rezoning Cases No. 409, 410, 411, and 412 are all based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He concurred with the

Planning Commissions' report and Findings of Fact and entered them into the record. He offered testimony from subject matter experts in attendance at the hearing and referenced their written testimony. Mr. Holzer then reiterated that the E-1 Zoning is inconsistent with the goals and objectives of the Comprehensive Plan, as determined by the Planning Commission and the County Commissioners in Rezoning Case No. 403. Therefore, he asked the Commissioners to support the zoning request.

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

Upon a motion by Commissioner Mitreicic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 409 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

The Commissioners conducted a public hearing on Rezoning Case No. 410 (applicants Raymond and Jean Shanley), which seeks to rezone approximately 5.128 acres of land located to the west of MD Rt. 611, south of MD Rt. 376, and more specifically identified as Lot 2C of Parcel 338 on Tax Map 33. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record, reviewed the applicants' claims as the basis for their rezoning request, and reiterated that, as outlined in Rezoning Case No. 409, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned areas, and 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. 410, seeking a rezoning of the petitioned area from E-1 to R-1.

Commissioner Bunting opened the floor for public comment.

Mr. Holzer concurred with staff's assessment and advised that his request for Rezoning Case No. 410 is all based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He concurred with the Planning Commissions' report and Findings of Fact and entered them into the record. Mr. Holzer then reiterated that the E-1 Zoning is inconsistent with the goals and objectives of the Comprehensive Plan, as determined by the Planning Commission and the County Commissioners in Rezoning Case No. 403. Therefore, he asked the Commissioners to support the zoning request.

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

Upon a motion by Commissioner Mitreicic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 410 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

The Commissioners conducted a public hearing on Rezoning Case No. 411 (applicants Donald and Deborah Bounds), which seeks to rezone approximately 1.34 acres of land located at the westerly terminus of Raccoon Lane, to the south of MD Rt. 376, and more specifically identified as Parcel 211 on Tax Map 33. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record, reviewed the applicants' claims as the basis for their rezoning request, and reiterated that, as outlined in Rezoning Case No. 409, the Planning Commission had

concluded that there is a mistake in the existing zoning of the petitioned areas, and 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. 411, seeking a rezoning of the petitioned area from E-1 to R-1.

Commissioner Bunting opened the floor for public comment.

Mr. Bounds concurred with staff's assessment and Mr. Holzer's conclusion that Rezoning Cases No. 409, 410, 411, and 412 are all based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He pointed out other properties nearby that are already zoned R-1, as further support of the proposed rezoning.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 411 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

The Commissioners conducted a public hearing on Rezoning Case No. 412 (applicant William Waterman, II), which seeks to rezone approximately 1.22 acres of land located at the westerly terminus of Raccoon Lane, to the south of MD Rt. 376, and more specifically identified as Parcel 190 on Tax Map 33. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record, reviewed the applicants' claims as the basis for their rezoning request, and reiterated that, as outlined in Rezoning Case No. 409, the Planning Commission had concluded that there is a mistake in the existing zoning of the petitioned areas, and 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. 412, seeking a rezoning of the petitioned area from E-1 to R-1.

Commissioner Bunting opened the floor for public comment.

Mr. Holzer concurred with staff's assessment and advised that his request for Rezoning Case No. 412 is based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He concurred with the Planning Commission's report and Findings of Fact and entered them into the record. Mr. Holzer then reiterated that the E-1 Zoning is inconsistent with the goals and objectives of the Comprehensive Plan, as determined by the Planning Commission and the County Commissioners in Rezoning Case No. 403. Therefore, he asked the Commissioners to support the zoning request.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 412 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

Upon a motion by Commissioner Mitrecic, the Commissioners directed staff to develop a Sectional Rezoning of the Ayres Creek/MD Rt. 611/MD Rt. 376 neighborhood to rezone appropriate properties from E-1 Estate District to R-1 Rural Residential District, as recommended in the Comprehensive Plan.

Bullet Points to Sectional Rezoning

The proposed sectional rezoning came from the recommendation of the Planning Commission when acting on Rezoning Cases 409, 410, 411 and 412 in July, 2017.

The Planning Commission's recommendation was presented to the County Commissioners who agreed with the recommendation to consider a sectional rezoning when acting upon the four rezonings on November 7, 2017.

The Planning Commission was advised at their last meeting of the County Commissioners' action and asked when the staff would have something for them to start discussions.

Assertions have been made that staff is rushing this sectional rezoning. Nothing could be further from the truth. Staff never anticipated the Planning Commission would act without adequate discussion. Staff was merely responding to the Planning Commission's request and County Commissioners' directive. Staff prepared maps and a memorandum for the Planning Commission's meeting this Thursday to initiate discussion.

Staff is not recommending that any A-1 or A-2 lands be rezoned to R-1 as alleged. The Director's memo to the Planning Commission clearly says that only those areas that are currently zoned E-1 be considered for rezoning to R-1. Any comment to the contrary is at best ill-informed and at the worst a clear attempt to mislead the public.

Regardless of what densities may be possible under any zoning category sewage disposal limitations do have a material impact on development potential. Because the County did not map septic tiers as established by prior action of the State Legislature, any lot created that meets the definition of a major subdivision MUST be done with public sewer. It is clearly stated in the definition of a major subdivision in the Zoning Ordinance that even the addition of a single lot from any parcel that has already had five or more divisions since July 25, 1967 constitutes a major subdivision and therefore must be served by public sewer. A rezoning of this nature does not "reset" any clock on subdivision rights. Dismissing all of the legal requirements necessary to bring such an idea to fruition lessons learned in the Mystic Harbor recent expansion show the practical limitations to such an idea.

Regardless of zoning category's permitted density, Critical Area regulations limits permitted densities in RCA designated areas to one dwelling unit per twenty acres.

Despite the claim to the contrary, a comprehensive rezoning of the entire County is NOT slated for 2018. Again comments to the contrary are at best ill-informed and at the worst a clear attempt to mislead the public once again.

A sectional rezoning of this size does not constitute illegal spot zoning. The Zoning Ordinance has specific provisions for such sectional rezonings in Section ZS1-113. Despite claims to the contrary the Ordinance does not require there to be a demonstration of a change in the character of the neighborhood or a mistake in the original zoning to approve a sectional rezoning.

The four recent rezoning cases could be argued to be more akin to a spot rezoning. All four cases rezoned properties from E-1 to R-1. Not a single protestant appeared at either the Planning Commission

or County Commissioners' meetings. Comments were solicited on these rezonings from public safety and traffic departments and agencies, as is the case with all rezoning applications. Neither the fire company nor the State Police responded while the Sheriff's Office commented that traffic should not be a major issue. As stated, comments are requested from the agencies for every rezoning application. However, comments are very rarely received.

Numerous comments have been made to the environmental sensitivity of the area and its flood prone nature and how residential development affects that. While these comments do have merit they also ignore the fact that the current E-1 estate District Regulations allow for agricultural uses such as feedlots, grain dryers, hog and poultry houses, all of which could be argued to have a far greater impact on the environment.

Most, if not all, of the area under consideration was developed under the R-1 district regulations in effect at the time and is designated in the current Comprehensive Plan as an Existing Developed Area. There is a valid argument that the R-1 District is the more appropriate zoning district for these properties than an Agricultural District or Resource Protection District designation. To claim a rezoning to R-1 constitutes sprawl in an area defined by the Comprehensive Plan as an Existing Developed Area is misleading, particularly when that area was developed under the R-1 Rural Residential District regulations. Furthermore, the two acre per unit density mandated by the E-1 Estate District zoning is equally emblematic of sprawl, if not more so.

Staff Zoning Considerations from South Point

(Extrapolated from staff report presented to the Planning Commission at their March 8, 2018 work session)

- In 1978, the majority of the South Point area was zoned R-1 or R-1A Rural Residential Districts, where density allowed was 2 to 7 times more dense than today's R-1 regulations, and 4 to 14.5 times more dense than today's E-1 regulations.
- The current E-1 District allows agricultural uses such as poultry operations and hog houses by right, and uses such as aquaculture, the commercial hosting of non-agricultural functions (i.e. weddings, corporate events, etc.), and freestanding telecommunication towers over 150' in height by special exception. None of these uses are allowed in the R-1 District (by right or by special exception).
- Since Worcester County chose not to map septic tiers under the Septic Tier Bill (Senate Bill 236), no major subdivisions on private septic systems are permitted.
- The Atlantic Coastal Bays Critical Area Law has further restrictions on development rights, such as the density limitation of 1 unit per 20 acres in the Resource Conservation District (RCA). Those properties in the Limited Development Area (LDA) have lot coverage (i.e. impervious surface) restrictions, which limit development potential.
- To modify the R-1 District (or any other district for that matter) with respect to the lot area or density regulations may have significant impacts on existing lots and structures, which could potentially create a large amount of non-conformities.

Zoning Considerations for South Point

In 1978, the majority of the zoning districts from MD Route 376 to the South Point area were R-1 Rural Residential, R-1A Rural Residential, R-3 Multi-Family Residential, B-2 General Business and A-1 Agricultural Districts. In the 1978 code the R-1 density was 1 lot per 20,000 sq. ft. The R-1A density was 1 lot per 40,000 square feet. The R-3 density was 1 lot per 6,000 sq. ft.

In 1992, the primary zoning districts in the area were E-1 Estate, B-2 General Business and A-1 Agricultural District.

In the 1992 code the E-1 density was (and still is) 1 lot per 2 acres. The Current R-1 density is 1 unit per acre.

The 1978 densities allowed by the zoning districts in the area at that time were 2 to 7 times more dense than those allowed by today's R-1 regulations and 4 to 14.5 times more dense than today's E-1 regulations.

Septic Tier Bill. Senate Bill 236. Because we did not map septic tiers we cannot have major subdivisions unless they are served by public sewer. Since our definition of a major subdivision is anything of more than 5 lots from a parcel as it existed in 1967, even the creation of a single lot would qualify as a major subdivision and therefore would not be allowed.

Critical Area. Vast sections of the area under consideration are located in the Critical Area and more importantly in the Resource Conservation Area of the Critical Area. Regardless of zoning category, residential density in the RCA is limited to 1 unit per 20 acres. Development in the LDA is subject to limitations on impervious area on a lot, further restricting the development potential.

If not R-1 what zoning district should it be?

A-1 would allow a wide range of incompatible uses and the area is not even consistent with the A-1 Agricultural District's purpose and intent contained in the Zoning Code.

A-2 Agricultural District would allow campgrounds, which is exactly what drove the recent 4 rezoning cases to ask for R-1 instead of E-1. The setback for a rental campground is greater to an R district than the E-1. A-2 would also allow all of the agricultural uses which are incompatible with the area. Additionally, the purpose and intent of the A-2 Agricultural District is also inconsistent with the current development pattern.

The RP Resource Protection District allows single family homes but only by special exception. In accordance with the provisions of ZS1-122(f) if the area was rezoned to RP all single family homes would become conforming special exceptions and, as such, could not be modified, expanded or enlarged without approval of the Board of Zoning Appeals. This would apply to all residential accessory structures as well. If these provisions were modified in any way they would then affect all other areas of the County that are zoned RP, most of which have much more severe environmental constraints.

The R-2 Suburban Residential, R-3 Multi-Family Residential, and R-4 General Residential Districts all allow significantly higher densities than the R-1 Rural Residential District. If modifications were made to any of their provisions or densities large areas of existing development would become nonconforming with respect to lot size, density, and uses, once again causing property owners to go to the Board of Zoning Appeals for modifications.

The V-1 village District also has much higher densities than the R-1 and the district's purpose and intent is clearly inconsistent with the area under consideration.

C-1, C-2, C-3, I-1, I-2 and CM districts are all clearly inappropriate.

The only other consideration may be to change the R-1 minimum lot size and density requirements to match today's E-1 regulations. This has the probability of making many current R-1 lots nonconforming with respect to lot area. If the R-1 Setbacks were also changed to the current E-1 setbacks you would probably make a number of structures nonconforming because the E-1 setbacks are all 50' where the R-1 setbacks are 35', 20' and 50'.

Comprehensive Plan References

Page 3 right hand column.

The Route 611 corridor's northern end begins with commercial development moving south blends into residential uses. Both St. Martin's Neck and South Point host large-lot development and rural "gentleman farms." Forest fills the remainder of the landscape.

Page 14 left hand column.

When the plan is speaking of Existing Developed Areas.. "Examples include Ocean Pines, West Ocean City, South Point, Libertytown, Briddletown, and Germantown. Other small crossroad clusters are included in this category as appropriate.

Page 20 lower left column.

"Large-lot Zoning- Delete the Estate land use category an associated zoning district. Designed as a transition zone between urban/suburban development and the rural landscape, this category has:

Consumed excessive amount of land per housing unit, taking working farms out of production

Been overtaken by the requirements of the Coastal Bays Critical Area Program, and

Failed to achieve truly clustered open space development.

Large lot zoning is incompatible with this plan's approach to new growth. Extensive areas of large lots result in sprawl, which is expensive to serve, damaging o water quality and wildlife, and incompatible with increased mass transit service.

Page 21 lower left hand column.

Land Consumption-Reduce land consumption by encouraging compact design and/or by regulating maximum lot sizes in areas served by public services.

Page 28 right hand column.

Further south the land to the west of MD 611 is wet and forested. Large estates border the bay until the entry to the parks. Below the state and national park entrance, a series of large lot, residential communities blanket "South Point." The Sinepuxent Neck's undeveloped lands are predominately wet, forested, or in agriculture. MD 611 provides adequate access, but it can be congested in summer. MD 611 LOS is nearing the "impacted" category. The entire subwatershed other than its West Ocean City (northern) portion should not be further developed due to its traffic, environmental sensitivity, and high storm hazard vulnerability characteristics along with its value as a gateway to the parks.

Page 75 middle of left hand column.

Nearly two-thirds of the county's soils are classified as hydric and are largely unsuitable for on-site waste disposal systems. Development with on-site septic on suitable sites generally requires two acre lots.

Page 80 bottom of left hand column.

Average daily traffic on MD 611 has increased 163 percent since 1990. MD 611 traffic volume and level of service should be monitored to avoid affecting this roadway. Development along the MD 611 corridor should be kept to infill for the planning period.

Page 85 top of right column.

MD 611 (Two Lane Secondary Highway/Major Collector Highway)

Conduct scenic and transportation corridor planning to continue this road's rural and coastal character particularly from MD 376 to Assateague Island.

Study need for and implement capacity improvements from MD 376 to US 50. Provide for interparcel connectors, service roads and other access controls.

Growth along the mid and southern portion of the corridor should be limited due to the sensitivity of nearby lands and the limited capacity of the area's road system.

Plan for widening and intersection improvements of the corridor's northern end.

MD Route 611 / Stephen Decatur Highway Corridor	
(South of MD Route 376 / Asstateague Road)	
Upland / Wetland Breakdown (Parcel Layer)	
Type	Acreage
Upland Island	16.61
Upland Mainland	3543.74
Wetland	1081.22
Total:	4641.57

MD Coastal Bay Critical Area (MCBCA)	
Type	Acreage
LDA - Limited Developed Area	764.91
RCA - Resource Conservation Area	1732.95
Total:	2497.86

Upland Inside / Outside MD Coastal Bay Critical Area	
Type	Acreage
Upland Mainland	3543.74
MCBCA Total	2497.74
Upland Mainland Outside MCBCA	1046.00

Current Zoning Districts	
District	Acreage
E-1 Estate	2864.04
A-1 Agricultural	183.51
C-1 Neighborhood Commercial	3.24
C-2 General Commercial	7.63
R-1 Rural Residential	28.12
RP Resource Protection	1574.27
Total: *	4660.81

* There is a 19.24 acre discrepancy between Parcel Layer and Zoning Layer. More than likely this discrepancy is within the wetland / RP District acreage totals.

Major Subdivisions - MD Route 611 / Stephen Decatur Highway Corridor

(South of MD Route 376 / Assateague Road)

Subdivision	Number of Lots	Recorded Date	Applicable Code	Zoning when Recorded	Current Zoning	Comments	Acreage
Grays Creek	15	10/19/1990	1978	R-1A	E-1		78.97
Winding Creek	37	3/10/2004	1992	E-1/C-1	E-1	cluster subdivision	334.02
Golf Club Shores	42	8/6/1962		**	E-1	** R-1 in 1964	23.95
Golf Club Shores No. 3	14	11/17/1965	1965	R-1	E-1		
Golf Club Shores III	70	4/14/1970	1965	R-1	E-1	Included 14 lots recorded in 1965	39.41
Rum Pointe Estates	9	1/10/1996	1992	E-1	E-1	For acreage, golf course subtracted (233 ac)	24.54
Synepuxent Landing	17	6/30/1981	1978	R-1	E-1	Residential Condominium	192
Newport South	19	4/13/1987	1978	R-1A	E-1		70.69
Indian Creek	32	7/20/1989	1978	R-1A	E-1		200.9
	32	5/24/2002	1978	E-1		REVISED - R-1 Applies	
Genezer Estates West	4	12/7/1984	1978	R-1 / R-1A	E-1		42.69
Genezer Estates (East)	93	10/1/1976	1965	R-1	E-1		100.41
South Point Farms	31	12/15/1989	1978	R-1	E-1		170
	31	2/14/2014	1978	R-1		Revised- Delete recreational easements	
TOTAL:							1277.58

DRP/TSD:Khenry 12/07/2017 - Updated 12/13/2017

Use	E-1 District	R-1 District	Notes
Agriculture - including feeding lots, dairy barns, hog houses, noncommercial grain dryers, livestock, farm offices, commercial and noncommercial greenhouses and nurseries, and noncommercial maintenance, storage and repair facilities	P		
Poultry operations	P		
Roadside stands (fresh ag & seafood products, processed dairy products)	P		
Single-family dwellings	P	P	E-1 Density: 1 unit per 2 net acres R-1 Density: 1 unit per 1 net acre
Single-family clustered housing		P	R-1 Density: 1 unit per 1 net acre
Manufactured homes (comply with standards of ZS 1-314(b))	P	P	E-1 Density: 1 unit per 2 net acres R-1 Density: 1 unit per 1 net acre
Minor subdivisions	P	P	
Rural Cluster Subdivisions	P		
Consolidated development rights subdivisions	P		
Major Subdivisions*			*Major subdivisions cannot occur without public sewer since the septic tier maps were not adopted by the CC
Major Cluster subdivisions *	P	P	*Major subdivisions cannot occur without public sewer since the septic tier maps were not adopted by the CC
Golf Courses, including driving ranges but not mini golf courses	P	SE	
public and private conservation areas (wildlife reservations, arboretums, demonstration forests)	P	P	
Fishing, trapping, and hunting blinds and wildlife observation structures	P	P	
Addition of telecomm. facilities to existing non-telecomm. Structures that do not increase the overall height	P	P	
Monopoles up to 100' in height		P	
Monopoles up to 150' in height	P		
small wind energy conversion systems (max 75' height)		P	
small and medium wind energy conversion systems (max 100' height)	P		

Use	E-1 District	R-1 District	Notes
spray irrigation fields and storage lagoons for Class II effluent	P	P	
Aquaculture	SE		
Structures and storage yards for marine activities, including dry storage of seaworthy boats, light maintenance facilities	SE		
Accessory use of a farm for the commercial hosting of non-agricultural functions and events (such as weddings, birthday parties, etc.)	SE		
Fire houses and other public buildings, structures and uses	SE	SE	
Schools	SE		
Schools and boarding schools		SE	
Day-care centers	SE	SE	
Large day-care homes		SE	
Assisted Living Facilities (residence based for no more than 5 ppl)	SE	P	
Nursing facilities and assisted living facilities		SE	
Group Homes		SE	
Planned Senior Developments		SE	
conversion of existing historic or significant dwelling into an inn	SE		
Country inns for transient overnight guests	SE		
Bed and Breakfast Establishments	SE		
Commercial riding and boarding stables (3 or more horses)	SE	SE	
Churches, temples, and mosques	SE	SE	
Cemeteries, including family burial grounds, chapels and mausoleums	SE		
Public and private noncommercial cultural, social and recreational areas and centers, including parks, playgrounds, beaches, community centers, nonprofit environmental conservation and land preservation org. offices, country clubs, swimming pools and golf courses (excluding summer camps, marinas and boat landings)	SE		

Use	E-1 District	R-1 District	Notes
Public and private noncommercial cultural, social and recreational areas and centers, including parks, playgrounds, beaches, community centers, country clubs, swimming pools and golf courses (excluding summer camps, marinas and boat landings)		SE	
public utility structures and properties other than essential services, including cross-county lines and mains	SE	SE	
Wastewater and water treatment facilities	SE	SE	
Dredge spoil disposal sites	SE	SE	
Addition of telecom. facilities to existing non-telecomm. Structures that do increase the overall height	SE	SE	
Monopoles over 100' in height, but not exceeding 199' in height		SE	
Monopoles over 150' in height, but not exceeding 199' in height	SE	SE	
Freestanding towers up to 100' in height		SE	
Freestanding towers up to 150' in height	SE		
small and medium wind energy conversion systems (max 150' height)	SE		
large solar energy systems	SE		
Private noncommercial marinas for the mooring, launching and fueling of pleasure craft (includes dry storage and boat maintenance facilities)		SE	
Heliports for emergency and law enforcement aircraft only		SE	
On a farm, a second dwelling for farm owner, family member or farm tenant, provided it could meet the subdivision requirements	Accessory		
On a farm, two additional manufactured homes in the farm building group for the farm owner, tenant or family member	Accessory		



**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: December 7, 2017

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Betty Smith

Jerry Barbierri

Brooks Clayville

Rick Wells

Staff

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

I. Call to Order

II. Administrative Matters

- A. Review and approval of minutes, October 5, 2017**— As the first item of business, the Planning Commission reviewed the minutes of the October 5, 2017 meeting. Following the discussion it was moved by Mr. Barbierri, seconded by Mr. Knerr and carried unanimously to approve the minutes as submitted. Mr. Clayville abstained from the review.
- B. Review and approval of minutes, November 2, 2017**— As the next item of business, the Planning Commission reviewed the minutes of the November 2, 2017 meeting. Following the discussion it was moved by Ms. Ott, seconded by Mr. Clayville and carried unanimously to approve the minutes as amended. Mr. Diffendal, Mr. Wells and Ms. Smith abstained from the review.
- C. Board of Zoning Appeals agenda, December 14, 2017** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for December 14, 2017. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. §ZS 1-325 Site Plan Review - Waiver Request, Casino at Ocean Downs

As the next item of business, the Planning Commission reviewed a waiver request associated with the Casino at Ocean Downs, located on the easterly side of MD Route 589 (Racetrack Road), north of US Route 50 (Ocean Gateway), Tax Map 21, Parcel 99, Tax District 3, A-2 Agricultural District. Bobbi Sample, General Manager, was present for the review. Ms. Sample is requesting a waiver to the requirement for a pedestrian sidewalk along Racetrack Road, and connecting easterly into the existing parking lot. The requirement for a sidewalk is outlined in the *Design Guidelines and Standards for Commercial Uses*. Ms. Sample stated that they had liability concerns since there were no adjacent sidewalks in the area, and theirs would be the only safe pathway. She felt that it would then encourage more pedestrians and bikes to travel along the shoulder of Racetrack Road. She also stated that the location of the proposed path was where the sewer line was also proposed to be located that will connect Ocean Pines with the Crabs to

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The third area of disagreement is the proposed the side yard setback. Mr. Cropper proposed 15 feet, staff recommended 50 feet. Mr. Cropper referenced the setbacks in manufactured home parks, townhouses, and other similar uses with side yard setbacks of six feet. He claims that a seasonal resort development use will be more attractive than a manufactured home park. The fourth item was the parking calculation. Mr. Cropper said that the units would mostly be one big sleeping room, not multiple rooms. Most families would be traveling in one car from out of town, unless they had kids that were old enough to drive. Therefore, he felt that if only half the tenants bring an extra car, the calculation at 1.5 spaces per unit would cover the extra vehicle. He noted that this was a quasi-commercial use, and therefore they should have the flexibility with parking as opposed to requiring two spaces per unit as a residential dwelling requires. Overall, Mr. Cropper concluded that the proposed development would have a large amount of open space and recreational areas required otherwise no one would want to stay there, hence the request for an increase in density.

While an application cannot be based on a site plan for a particular property, the applicant did present the Planning Commission with their proposal based on the proposed language at the request of several members. Mrs. Wimbrow reiterated that this text amendment applies to every R-4 zoned property, and individual site plans should not be considered during the review. Relative to the parking issue, Mr. Knerr said that many times, families are coming from different areas and are bringing several vehicles. Mr. Tudor stated that it is also not only vehicles, but boats, jet skis, and the trailers associated with those that were of concern to staff.

Ms. Ott asked how staff would feel about a compromise in the side yard setback somewhere between 15' and 50'. Staff believed that there could be some compromise, but that depended on other factors, such as the density provisions. Mr. Clayville stated that he had concerns with a 600 square foot unit, a porch of unlimited size and a 15' side yard setback. He felt that there needed to be some limitations on the request. There was discussion regarding limiting the decks/covered porches to one at 200 square feet total, to which Mr. Cropper agreed. There was additional discussion on various side yard setbacks, but the applicant's said they would have to consider their proposal and what the various setbacks could do to their density request before agreeing to any compromises.

The Planning Commission evaluated each of the four points item by item to get some form of consensus on what they were comfortable with recommending. With respect to the decks/covered porches, a 200 square foot per unit limitation was felt to be adequate. With respect to the density, Mr. Clayville said if they get the side yard setback correct, then the density may not be an issue. Mr. Cropper said that if they don't get the parking and the setback that they requested, then the density is a huge issue.

Overall, a motion was made by Mr. Wells, seconded by Ms. Smith, and carried unanimously to postpone the request until the January 2018 meeting.

V. Sectional Map Amendment

As the next item of business, the Planning Commission reviewed a proposed sectional rezoning of the MD Route 611 (Stephen Decatur Highway)/ South Point Road Corridor. Mr. Diffendal

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stated that the Planning Commission is not making a recommendation today; staff will explain what the process is, and the Planning Commission will advise what additional information they would like to review and consider as part of the process.

Mr. Tudor gave the Planning Commission the history on how this sectional rezoning request came about. Despite the information that has been distributed, the Planning Commission had made a recommendation in July 2017 as part of their review of four individual rezoning cases that the County Commissioners should consider a sectional rezoning of this area. The Commissioners agreed to have the Planning Commission consider their request, and both boards directed staff to prepare maps of the area. The County Commissioners did not say that they would rezone it, simply that they would consider the Planning Commission's recommendation. Staff is not rushing anything along, despite claims to the contrary. It has been pointed out that the Comprehensive Plan recommends the elimination of the E-1 Estate District by the next comprehensive rezoning. Mrs. Wimbrow stated that the current Comprehensive Plan dates from 2006, so it should have been eliminated in 2009. There were a number of areas that were zoned E-1 Estate District and were rezoned to R-1 Rural Residential District. Staff's recommendation in 2009 was to change this particular area to the R-1 District.

Another claim is that the County is responsible for proving a change in the character of the neighborhood, or a mistake in the original zoning. Mr. Tudor explained that sectional or comprehensive rezonings do not have the same standards that an individual rezoning request must justify. Any statements made to the contrary are false. The four individual cases that were presented in July 2017 had to prove either the change or mistake argument. There is also a claim that this proposed sectional rezoning constitutes an illegal spot zoning. If anything, an example of spot zoning was the four previously approved cases in July. A sectional rezoning looks at an entire area, not an individual parcel.

Another claim made was that if approved, the rezoning would result in an upzoning of 5,000 acres for development. The entire acreage of South Point may reach that amount (including wetlands, currently RP Resource Protection District zoned lands, etc.), but that is basing the assumption that every acre is available for further development. For many individuals, they would have to build a sewage treatment plant. Mr. Tudor stated that people need to understand that because the septic tiers were not mapped by the County Commissioners, we cannot permit any major subdivisions without a public sewer treatment system, which is costly for an individual to build. Mr. Tudor offered to the public that they come in and discuss any matter that they may be unclear on, and he would provide them with the information as stated in the law, and asked that they not rely on statements falsely made. He reiterated how the current sectional rezoning request came to be, and Mr. Diffendal and Mr. Clayville supported the statements that it was at the Planning Commission's request. Mr. Clayville added that a sectional rezoning may be the best option for South Point, as it focuses all of the attention on the area and what is best for them, as opposed to a comprehensive rezoning, where they are just one facet of the County being reviewed. He strongly encouraged the public to attend these meetings and the public hearing with the Commissioners, as he noted that when the Comprehensive Rezoning took place in 2009, we didn't have nearly half the attendance for those occasions as was present at this meeting.

Mr. Diffendal clarified that the four applicants in July 2017 made application to protect themselves from the potential redevelopment of the Burbage property. While conducting that review, the Planning Commission considered recommending a sectional rezoning. He reiterated that this is the first step in the process, and there is still a lot of information that will be reviewed and considered before a recommendation by the Planning Commission can even be made. Mr. Diffendal said that their process is open and transparent, and he asked that the public not jump to conclusions.

There was a discussion on how the E-1 Estate District was developed, and what sorts of development projects triggered the creation of those regulations. Mrs. Wimbrow noted that the intent when it was developed was to reduce the density, but instead it created sprawl. She added that what most people don't understand is that much of South Point was developed under the original R-1, R-1A or R-3 District regulations, before Critical Area laws, septic tier maps, and they didn't develop to the density that was allowed. Mr. Tudor noted that the density under those regulations were 4 to 17 times higher than the current R-1 District regulations, and that doesn't take into account the other regulations that may limit zoning density. Mrs. Wimbrow stated that the residents need to consider what zoning they would want if not the E-1 District.

Mr. Tudor then addressed the Planning Commission regarding the scheduling of meetings to discuss this topic, and asked that they let staff know of any regulations in addition to Critical Area and the septic tier bill that they may want to consider as part of their review. Mr. Diffendal said that he and other board members will formulate questions and go from there.

VI. **Adjourn** – The Planning Commission adjourned at 2:19 P.M.


Betty Smith, Secretary


Jennifer K. Keener

reiterated that the uses on the ground are not compatible with the revised A-1 Agricultural District. Her concern was the term "placeholder for future development" that was described in the purpose and intent section of the A-2 Agricultural District. Mr. Bloxom reiterated that future development is not the only purpose behind the A-2 District, and Mrs. Wimbrow noted that in fact it isn't even the most important intent of the district. She noted that by rezoning from A-1 to A-2, those properties are not getting anything new with respect to uses that they don't already have now under the current A-1 District. Mr. Tudor read the purpose and intent. Mr. Bloxom said that they chose the A-2 District since the mixed uses do not fit into the newly revised "pure" A-1 District. Mrs. Wimbrow said that they wanted to get away from the broad category that the current A-1 District was becoming therefore they created the A-2 District to make it more pure. On Tax Map 26, Ms. Cummins asked where the service road was to be located in relation to the new C-3 Highway Commercial District. The extent of the service road was pointed out on the tax map. The Planning Commission discussed the differences in the R-1 Rural Residential District existing and proposed along Jerry Mack Road on the south side of US Route 50 (Ocean Gateway). Mrs. Henry stated that the properties with houses on the west side of the road have been added to the R-1 Rural Residential District however the remainder of the property to the east shall remain in the R-1 District. On Tax Map 27, Ms. Cummins asked if any zoning had been changed on this particular map. Mrs. Wimbrow stated that they changed very few things; straightening up the RP Resource Protection District line, or if zoning had changed, it was in recognition of an existing use or to avoid splitting parcels.

On Tax Map 30, the E-1 Estate District has been revised to A-1 Agricultural District at Sandyfield Road and Libertytown Road. On Tax Map 32 and 33, Mr. Tudor noted that on the north side of Assateague Road the zoning has changed from E-1 Estate to A-2 Agricultural, and the south side went from E-1 Estate to R-1 Rural Residential where it is residentially developed. Ms. Cummins asked about the revision from E-1 Estate to R-1 Rural Residential at Racoon Road on the south side of Assateague Road. Mrs. Wimbrow noted that the property is the golf course and residential development. Mr. Bunting noted that the residences have been developed on acre lots (i.e. at the R-1 Rural Residential density). Since the golf course is currently closed, the Planning Commission discussed whether the R-1 Rural Residential District was appropriate. Mrs. Wimbrow stated that they tried to keep the south side of the road R-1 Rural Residential since the vast majority of the road has been developed under pre-1992 regulations. In addition they didn't want to make the existing golf course a non-conforming use. Ms. Cummins felt that it should perhaps be an A-2 Agricultural District. Mr. Tudor noted that the Critical Area constraints are going to affect the development potential of the area regardless of the zoning. Ms. Cummins stated that if the critical area line is going to eliminate the development potential, and according to Mr. Clayville the groundwater zone is A (difficult to perk), why should they give it a zoning that wouldn't be able to be utilized. Mr. Tudor noted that they really didn't want to downzone it, and they don't really have any issue with the A-2, but why raise unnecessary fire if it isn't going to have an adverse effect. The consensus was to leave it as the R-1 Rural Residential District. The Planning Commission then focused on the area at the intersection of Assateague

South
Pt. /
611

Road and MD Route 611 (Stephen Decatur Highway) where the area is being down-zoned from B-2 General Business to A-2 Agricultural District.

On Tax Map 40 in the Village of Newark, Mrs. Wimbrow noted that the V-1 Village District line was straightened up to the west, and much of the formerly B-2 General Business District was decreased in area. On Tax Map 42, it was pointed out again that they were proposing to rezone from E-1 Estate to A-1 Agricultural and R-1 Rural Residential Districts in the South Point area along MD Route 611 (Stephen Decatur Highway), the Assateague Market has been down-zoned from B-2 General Business to C-1 Neighborhood Commercial District. On Tax Map 48 the lands between US Route 113 (Worcester Highway) and Basketswitch Road are currently zoned M-1 Light Industrial however they are proposed to be A-1 Agricultural District based on the current uses. On Tax Map 49 on the easterly side of US Route 113 (Worcester Highway), just outside of Newark, the area currently zoned B-2 General Business District is proposed to be reduced. Ms. Cummins asked why they aren't proposing to rezone all of it A-1 Agricultural District. Mr. Tudor noted that it was a battle that they didn't want to fight at this time.

Tax Map 55 encompasses a majority of the lands to the northwest of the town limits of Snow Hill, as well as a portion of the properties to the northeast. A portion of the property to the northwest of Snow Hill, east of MD Route 12 (Snow Hill Road) is proposed to be A-2 Agricultural District. Ms. Cummins was concerned about the size of the proposed A-2 District. Mrs. Wimbrow noted that the Planning Commission needs to realize that the A-1 Agricultural District is not going to allow a majority of the uses that are necessary to serve the traditional agricultural uses. Mr. Tudor reiterated again that the A-2 District is essentially what the A-1 District is currently. Mr. Clayville questioned why they were split zoning a property along Whiton Road between the A-2, A-1 and RP Districts. Mr. Bloxom thought that the principle of avoiding split zoning on a property should override the idea of "squaring off" the specific district lines. Mrs. Wimbrow didn't have a problem with it since it shows clear boundaries. While some members recommended reducing the A-2 District, Mrs. Wimbrow noted that they might as well get rid of it since reducing will only cause split zoning on a majority of parcels. The nursery school was brought up as a use that would become non-conforming if it was left in the A-1 District. A consensus was made to revise Parcels 12, 26, 27, 28, and 75 from the proposed A-2 back to the A-1 District.

Outside of Snow Hill on US Route 113 (Worcester Highway) and Market Street on Tax Map 55, the commercial district was expanded to replace the current M-1 Light Industrial District where the liquor store and the State Highway Roads Barn are located. Mrs. Lynch didn't feel that the entire strip between Tyson Road and the existing car dealership parcel should remain commercially zoned. Several points were brought up, including that the area is considered the entrance into the Town of Snow Hill, that there may be some argument from the town against making it commercial as it may take away from their downtown area and the issue of access to US Route 113 (Worcester Highway). The State Highway Administration will have control over the access points, and Mr. Bunting pointed out that there will be a service road built to serve those commercial uses

**Worcester County Planning Commission
Work Session Meeting Minutes**

Meeting Date: August 20, 2009

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Madison J. Bunting, Chairman
Carolyn Cummins, Vice Chairman
Betty Smith
Jeanne Lynch
Marlene Ott
Coston Gladding
Brooks Clayville

Staff

Ed Tudor, Director, DRP
Phyllis Wimbrow, Deputy Director DRP
Sonny Bloxom, County Attorney
Jennifer Grasso, Zoning Administrator
Chris McCabe, Natural Resources
Administrator
Janet Davis, Customer Service Manager

I. Call to Order

**II. Review and discussion by Planning Commission of recommended revisions to the draft
Zoning and Subdivision Control Article associated with Emergency Bill 09-1**

Mr. Bunting called the meeting to order. Mr. Tudor began the discussion by distributing a packet on the recommended revisions to the Comprehensive Rezoning Maps based on previous discussions with the Planning Commission. The first area was on Tax Map 26 bounded by the commercial zoning on the southerly side of US Route 50 (Ocean Gateway), Holly Grove Road and Sinepuxent Road. There had been multiple requests for additional lands within this area to be rezoned to RP Resource Protection District. Based on the wetland maps, existing soils and forest cover, Staff recommended several parcels for rezoning to RP. The Planning Commission agreed by consensus to accept the changes as presented by Staff.

South Point was the next area reviewed. It had been recommended for revision from the proposed R-1 Rural Residential District to the original E-1 Estate District based on the comments provided by the residents. This change had been previously approved by consensus by the Planning Commission. In Stockton, the area reviewed was the changes to Harold Scrimgeour's parcels based on his request. The Planning Commission had previously accepted these changes. Upon further review of the revised map, it was noted that there were several A-2 Agricultural zoned parcels on the easterly side of MD Route 12 (Snow Hill Road) south of Stockton that were not connected to the current limits of the A-2 Agricultural District after the revision. Several members felt that if the property owner had wanted a change from the A-2, then they would have made a request during the public comment period. Others felt that those parcels should be rezoned back to A-1 Agricultural District, or have the intermediate parcel that is proposed to remain A-1 to be rezoned to A-2. The Planning Commission decided by consensus to revise Parcel 248 from A-1 to A-2 Agricultural District.

To the north of the Willowbrook subdivision on Griffin Road, there was a parcel of land that had been incorrectly identified by number within the public comments. The correct identification is

Public Comments

Jennifer Keener

From: Mike Diffendal [mthomasdiffendal@comcast.net]
Sent: Wednesday, April 04, 2018 6:24 PM
To: Jay Knerr; Marlene Ott (marleneott@shamrockrealty.com); Brooks Clayville; Betty Smith; Jerry Barbierr; Rick Wells; Ed Tudor; Jennifer Keener
Subject: Fwd: Rt 611 Corridor - A letter from Assateague Coastal Trust for the 4/5/2018 Planning Commission meeting
Attachments: 4.4.2018 ltr M.Diffendal.pdf

Please find attached hereto a copy of a letter that I received today from ACT for your review.

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

From: Kathy Phillips <coastkeeper@actforbays.org>
To: "mthomasdiffendal@comcast.net" <mthomasdiffendal@comcast.net>
Cc: "bestenan@aol.com" <bestenan@aol.com>, "southpointmembership@gmail.com" <southpointmembership@gmail.com>, "bchurch565@aol.com" <bchurch565@aol.com>
Date: April 4, 2018 at 5:12 PM
Subject: Rt 611 Corridor - A letter from Assateague Coastal Trust for the 4/5/2018 Planning Commission meeting

Hello Mike - I hope you will share this follow up letter with the other members of the Planning Commission. It is regarding the ongoing Planning Commission discussions about the E-1 parcels within the Rt 611 corridor south of Assateague Road.

I'll see you tomorrow at the meeting.

Thank you,

Kathy Phillips

Kathy Phillips

Executive Director/Assateague COASTKEEPER

Assateague Coastal Trust

PO Box 731, Berlin, MD 21811

443-235-2014

Member: WATERKEEPER Alliance and WATERKEEPERS Chesapeake



Assateague Coastal Trust - PO Box 731, Berlin, MD 21811 - 410-629-1538

April 4, 2018

Michael Diffendal
President, Worcester County Planning Commission
1 West Market Street
Snow Hill, MD 21863

Dear Mike,

In preparation for tomorrow's Planning Commission meeting I wanted to get this follow up correspondence to you and the other members of the Planning Commission. I appreciated your offer at the last meeting for anyone in the audience to speak up regarding the discussions with the Permitting Department staff about the Rt. 611 E-1 zoning changes, but given the Permitting Department response to ACT's December letter I knew my comments might not be rational. Instead I'm submitting this letter to you and the Commission today.

Assateague Coastal Trust remains steadfast in our opposition to a sectional map amendment of the E-1 parcels south of Assateague Road along the Rt 611 Corridor to an R-1 designation.

First and foremost, up-zoning the E-1 parcels to R-1 is not consistent with the County's Comprehensive Plan, or the County's vision for this area of the county. County residents and stakeholders, when they approved the Comprehensive Plan, envisioned the Rt. 611 corridor as a 'gateway' to our State and National Parks on Assateague Island, with open fields and green forests that provide visitors with a lovely view-scape. Additionally, by placing most parcels in the E-1 designation County planners understood this would protect a sensitive, low lying area from over development, and would allow the area to sustain impacts from storms, flooding and sea level rise. Our County planners also understood that Rt 611 experiences heavy traffic during the summer months and by keeping growth controlled they could help alleviate additional traffic burdens.

We also remain opposed to the idea that wastewater and critical area constraints are a valid argument for telling residents "not to worry, growth won't happen." Wastewater treatment technology is rapidly advancing and is already allowing development in areas previously restricted to growth due to septic and effluent handling constraints. As this technology develops, drain fields will get smaller and smaller, and soils will matter less. Therefore R-1 development will not be so 'constrained.'

ACT strongly feels the South Point sectional map amendment to R-1 is not sound planning for the future of this county and we urge the Planning Commission to not feel they are locked in to only this R-1 option but rather look outside of the box and consider other options.

If the Commission, and residents, are so concerned about the possibility of poultry houses being built on the E-1 parcels why not consider just removing all concentrated animal production from the E-1 zoning code? Most of the county E-1 parcels are in low lying, flood prone areas that are not conducive to industrial scale animal production, and many parcels are located in areas where suburban/urban sprawl have made these parcels

unfavorable for animal production. For instance, the Rt 611 Corridor is very unlikely to see concentrated animal production on its E-1 parcels because commercial development and summer tourist traffic make it impossible for the multiple daily trips of tractor trailer trucks to reach the South Point area.

We would offer an even better option, such as putting all the county E-1 zoning in a NEW agriculture zone that only allows small-scale artisanal operations for local sale. This would be a much more progressive option that will encourage a more diverse and sustainable agricultural industry in the county without increasing traffic and human population.

In closing, I wish to repeat what was said in our December 2017 letter to the Planning Commission. Worcester County is in the position to be a leader in 'coastal resiliency' land planning. Before the next Comprehensive Rezoning, the County planning department and experts in the field of coastal zone land management need to engage the government and citizens of Worcester County in a transparent and inclusive stakeholder public process to best plan for the inevitable fact that many areas of Worcester County will become wetter and wetter, and this process should be conducted in a **forward-thinking strategy** that may mean determining new coastal resiliency adaptive zoning districts.

The Planning Commission, if acting responsibly for the benefit of Worcester County and its coastal communities, should **not approve** the staff recommendations for a 'sectional map amendment' and **instead recommend back to staff that a comprehensive study, incorporating coastal resiliency land planning strategies, be commissioned in preparation for the next Comprehensive Plan update and Comprehensive Zoning update.**

For these reasons, listed above, Assateague Coastal Trust, our Board of Directors and our members implore the Planning Commission to fully consider the ramifications of such an action that is certain to promote higher density in a flood prone area of the county that will lead to further impairment of water quality in Sinepuxent Bay and Newport Bay, already impaired for nutrients and sediment. Let's not destroy a very special open, unencumbered view-scape that residents and visitors alike enjoy, without first exploring many more options that could be available beyond increasing growth potential in such a sensitive area of the County.

Thank you for your consideration of our concerns, and for your efforts to protect the quality of life in our Coastal Bays watershed.

All the best,



Kathy Phillips
Executive Director and Assateague COASTKEEPER
Assateague Coastal Trust

Ed Tudor

From: Maureen L. Howarth
Sent: Tuesday, April 3, 2018 12:07 PM
To: Hugh Cropper; Harold Higgins
Cc: Ed Tudor; Chris McCabe; Todd Burbage; bob@rdhand.com; mthomasdiffendal@comcast.net; Ed Tudor
Subject: RE: Sectional Rezoning

Hugh,

We received your letter. The 611 sectional rezoning was initiated by the County Commissioners. I see nothing in the County Code that prohibits them in their choice to limit this sectional review to R1. As they initiated and it requires Planning Commission review and recommendation, they sent it to Planning Commission to review and provide a recommendation. Yes the Planning Commission may make such studies as it deems necessary and appropriate to review whether R1 is appropriate for the area. If the Planning Commission chooses to recommend one or more properties for another zoning classification than R1 so be it and the County Commissioners will address the Planning Commission's recommendation when they receive it.

Thank you,

Maureen

Maureen F.L. Howarth

County Attorney for Worcester County, Maryland

Worcester County Government Center

One W. Market Street, Room 1103

Snow Hill, Maryland 21863

410-632-1194

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From: Hugh Cropper [mailto:hcropper@bbcmlaw.com]

Sent: Tuesday, March 27, 2018 11:30 AM

To: Harold Higgins <hhiggins@co.worcester.md.us>

Cc: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>; Chris McCabe <coastalcompliancesolutions@gmail.com>; Todd Burbage <tburbage@bwdc.com>; bob@rdhand.com; mthomasdiffendal@comcast.net

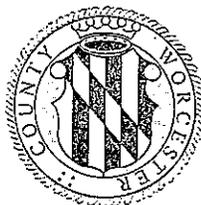
Subject: Sectional Rezoning

Harold:

Please see attached letter which has been sent by mail today.

Thank you.

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

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

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

COMMISSIONERS
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MADISON J. BUNTING, JR.
JAMES C. CHURCH
MERRILL W. LOCKFAW, JR.
JOSEPH M. MITRECIC

March 22, 2018

Hugh Cropper, IV, Esquire
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, #D-2
Ocean City, Maryland 21842

RE: Sectional Rezoning Along MD Route 611 - South Point Corridor

Dear Mr. Cropper:

Please be advised that at their meeting of March 20, 2018, the Worcester County Commissioners reviewed your letter of March 13, 2018 regarding the sectional rezoning of Maryland Route 611 - South Point Corridor and reconfirmed their direction to the staff and the Planning Commission to consider rezoning this area from E-1 Estate District to R-1 Rural Residential District only. No other zoning district classifications are to be considered as part of this sectional rezoning process.

Thank you for your understanding with regard to this matter.

Sincerely,

Harold L. Higgins
Chief Administrative Officer

HLH/KS:dd

cc: Maureen F. L. Howarth, County Attorney
Edward A. Tudor, Director of Development Review & Permitting
Worcester County Planning Commission
CC108/HCropper.Sectional Rezoning

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

*ADMITTED IN MD & DC
** OF COUNSEL

LAW OFFICES

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

9923 STEPHEN DECATUR HIGHWAY, #D-2
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(410) 213-2681

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

WEBSITE
www.bb-cmlaw.com

February 5, 2018

Mr. M. Thomas Diffendal, Chairman
Mr. Jay Kner, Vice-Chair
Ms. Marlene Ott, Member
Ms. Betty Smith, Member
Mr. Jerry Barbierri, Member
Mr. Richard L. Wells, Member
Mr. Brooks Clayville, Member
Worcester County Planning Commission
One West Market Street
Snow Hill, Maryland 21863

RE: *Ayres Creek Family Farm, LLC*

Dear Chairman Diffendal and Planning Commission Members:

I represent Ayres Creek Family Farm, LLC, owner of approximately 2.7 acres located on the west side of Maryland Route 611. The property is part of a larger parcel, comprised of approximately 99 acres. I would respectfully request that you consider rezoning this property from E-1, Estate District, to C-2, General Commercial District, as part of your Sectional Comprehensive Rezoning, which I understand will be heard on March 8, 2018.

In 2001, the subject property was permitted as a clubhouse, pro-shop, small restaurant, and parking lot in connection with the Creek Club Golf Course.

The property is designated Resource Conservation Area (RCA) in the Atlantic Coastal Bays Critical Area Law. Golf courses are permitted in an RCA, but principal buildings and/or structures such as the clubhouse, pro-shop, parking lot, etc. are not permitted in an RCA. Therefore, over the next several years, the clubhouse was a non-conformity (yet legally existing) with respect to the Atlantic Coastal Bays Critical Area Law.

The property is currently occupied by the Coastal Bays Program, by virtue of a recent Text Amendment. Previously, the Coastal Bays Program occupied the property by virtue of two separate transient uses granted by the Board of Zoning Appeals.

February 5, 2018
Page Two

The Coastal Bays Program is a very specific and unique use. If for some reason the Coastal Bays Program vacated the premises, or otherwise changed their charter, it would be difficult to determine what, if any, residential or agricultural use would be appropriate for this property. The structure, parking lot, and all other appurtenances are commercial in nature. The building is really only capable of a commercial use. The property fronts directly on Maryland Route 611. The property is more appropriately zoned C-2, General Commercial District.

The Coastal Bays Office is served by a 3,500 gpd on-site septic system, which is a commercial system.

I am happy to answer any questions. Have a great day. Thank you for your kind consideration.

Very truly yours,



Hugh Cropper IV

HC/tgb

CC: Ayres Creek Family Farm, LLC. Attn: Todd E. Burbage
Jennifer Keener, Zoning Administrator
Ed Tudor, Director, Development, Review & Permitting
Phyllis Wimbrow, Deputy Director, Development, Review & Permitting
R.D. Hand
Chris McCabe
Robert J. Mitchell, Director, Environmental Programs

Dave Wilson
10705 Par 5 Lane
Berlin, MD 21811

December, 4, 2017

Dear Worcester County Commissioners and Planning Commission,

As a person who was intimately involved in the Worcester County Comprehensive Plan update and associated rezoning, I'd like you to please accept the following comments on the recent proposal by planning staff to upzone South Point to R-1.

First I'd like to extend my compliments to Ed and Phyllis who I have worked with for more than 20 years now. I look forward to their working on the 2018 Comprehensive Plan update with Jennifer. While I empathize with their desire to have an easy fix with zoning inconsistencies at South Point, I am obliged to beg to differ with their opinion on this particular proposal.

As you are aware, upzoning the entire 5,000 acres south of Assateague Road (aka South Point) from E-1, A-1 and A-2 to R-1 will effectively change the zoning from a maximum of 2 lots per acre to 1 lot per acre. It will also reset the clock on all parcels regardless of size allowing new development by right on most parcels. This could more than double the current amount of developable land in South Point by right.

While I am aware of septic and critical area constraints, those constraints have so far not stopped new development in allowable areas and we wouldn't expect that to change. Moreover, the wastewater treatment sector is advancing rapidly so the reasoning that septic constraints will keep down sprawl is specious. This would especially promote roadside development right on MD 611, the gateway to Assateague.

In addition, going to R-1 in a wetland and critical area-constrained region is what professional planners call "internally inconsistent" which means that, in this case, the planning staff are upzoning to a zoning classification they say can't be built anyway due to perceived environmental constraints. If this is the case, then why zone it to that classification?

Planning staff are also using language in the Worcester County Comprehensive plan that calls for elimination of the E-1 zone without putting it in context. Indeed the "ZS 1-203 E-1 Estate District" of the zoning code states:

"At the time of its original adoption in 1992, this [E-1] district was intended to protect and preserve the open character of the rural areas and the environmentally sensitive areas of the County and to enhance the estate character of these neighborhoods. However, advancements in technology have allowed for more in-depth analysis of the lands' suitability for development. This technology shows that approximately eighty percent of the current E-1 Estate District lands lie in a hurricane inundation zone. Hazard mitigation planning calls for development to be located outside such areas. Additionally, much of the zoning district borders roadways that will require extensive improvements to maintain adequate levels of service if the properties are developed."

No doubt this upzoning would substantially degrade the Assateague viewshed, increase traffic on an already highly congested summer corridor and burden already taxed fire, police, other first responders, especially during Noreasters and hurricanes. Before any large upzoning, there should be substantial study and research regarding traffic changes, strain on fire and police, susceptibility to flooding, etc.

The change will have tax implications for property owners, compromise one of the most bird-sensitive parts of the county, and further degrade water quality in the struggling Newport Bay where the majority of juvenile flounder spend their summers. The Comp Plan clearly states that new development should be kept adjacent to existing towns, and out of wetlands, forests, and flood-prone areas.

In light of these problems, along with the fact that South Point is one of the most flood-prone areas of the county, this area should be either downzoned to A-1 or A-2 or the county should consider another zoning classification, perhaps A-3, which removes campgrounds from a permitted use in developing rural areas.

This should be looked at during the scheduled Comprehensive County rezoning slated to take place in 2018. Why not wait and do zoning comprehensively, rather than spot zoning months in advance of this effort? The 2006 Comprehensive Plan and subsequent rezoning involved substantial public participation over a period of five years. This type of piecemeal, cherry-picked zoning with limited public input is inconsistent with what should be a public process.

To make any zoning changes the county would need to prove: 1) Mistake in zoning on a given parcel 2) It's part of a Comprehensive rezoning study 3) Change in character of neighborhood. Our attorney suggests that hasn't been fulfilled.

As a small biz owner whose prosperity relies on unspoiled natural resources in Worcester County, I ask that we take our time on the rezoning, employ a science and fact-based approach, and seek adequate public input on this important effort.

Sincerely,

Dave Wilson Jr.

2021
2022



Assateague Coastal Trust - PO Box 731, Berlin, MD 21811 - 410-629-1538

December 1, 2017

Michael Diffendal
President, Worcester County Planning Commission
1 West Market Street
Snow Hill, MD 21863

Dear Mike,

Assateague Coastal Trust is very concerned about the proposed staff recommendations to the County Planning Commission regarding the up-zoning of 5,000 acres of land on the Sinepuxent peninsula located along the Rt. 611 Corridor south of Assateague Road. This low lying area of the county, prone to hurricane inundation and sea level rise, is bordered by Newport Bay and Sinepuxent Bay, two waterbodies in the Coastal Bays watershed that are already impaired for water quality. These waterbodies need the protection of wooded, low density land use so as to not increase sediment and nutrient pollution which are the main impairments to both these bays.

The following is pulled from the Worcester County Zoning Code, describing the current E-1 Estate District and I am inserting it here for reference:

ZS 1-203 E-1 Estate District

"At the time of its original adoption in 1992, this district was intended to protect and preserve the open character of the rural areas and the environmentally sensitive areas of the County and to enhance the estate character of these neighborhoods. However, advancements in technology have allowed for more in-depth analysis of the lands' suitability for development. This technology shows that approximately eighty percent of the current E-1 Estate District lands lie in a hurricane inundation zone. Hazard mitigation planning calls for development to be located outside such areas. Additionally, much of the zoning district borders roadways that will require extensive improvements to maintain adequate levels of service if the properties are developed."

There are many issues of concern ACT feels the Planning Commission must address prior to approving the staff recommendations for a 'sectional zoning amendment' and sending a recommendation to the County Commissioners.

First, regarding the Rt. 611 corridor:

- Flood-prone area and susceptible to hurricane inundation
- It will lead to up-zoning the whole way down the 611 corridor from West OC
- Traffic to and from Assateague already extremely heavy in the summer months
- This will put a burden on fire, police, first responders
- This will destroy the viewshed to Assateague, one of the most popular parks in the United States

- We must protect habitat and natural areas. This is one of the most biologically sensitive parts of the county.
- The annual Christmas bird count, including South Point, is one of the highest in North America.

Second, ACT has reviewed with county Planning staff their recommendations and we have the following concerns related to basic 'Best Management Practices' for land use planning:

- Do we really want to up-zone 5,000 acres in a rushed fashion, with no prior environmental impact assessment, traffic assessment, or land use study?
- "Internally inconsistent" is a term Planners use when there is no logical zoning tenet, as is the case now.
- The recommendation before you this week is what professional Planners call spot zoning. It induces sprawl.
- This will allow more lots on every single parcel, even ones that are currently built out.
- This is a much higher density than E-1 and will not be protective of an area the current Zoning Code already recognizes as needing additional protections.
- This recommendation doubles allowable density, again not consistent with the County Comprehensive Plan for land use planning in this particular area of the county.
- **Critical Areas constraints will only put more houses out along the roadway, again not consistent with the County's Comprehensive Plan.**
- Tier mapping has been suggested as a possible constraint to higher density if re-zoned to R-1, but that is a baseless strategy as Worcester County does not have a tier map.
- **There has been no formal study done to determine how this amount of potential growth will change the current County Sewer and Water plan.**

By law, to up-zone these 5,000 acres to a less protective zoning district, the County needs to prove:

- 1) A mistake in zoning
- 2) This decision is part of a **COMPREHENSIVE rezoning study**
- 3) There has been a substantial change in character of neighborhood

Worcester County is in the position to be a leader in 'coastal resiliency' land planning. Before the next Comprehensive Rezoning, the County planning department and experts in the field of coastal zone land management need to engage the government and citizens of Worcester County in a transparent and inclusive stakeholder public process to best plan for the inevitable fact that many areas of Worcester County will become wetter and wetter, and this process should be conducted in a **forward-thinking strategy** that may mean determining new **coastal resiliency adaptive zoning districts**.

The Planning Commission, if acting responsibly for the benefit of Worcester County and its coastal communities, should **not approve** the staff recommendations for a 'sectional map amendment' at the December 7 Planning Commission meeting and **instead should recommend back to staff that a comprehensive study, incorporating coastal resiliency land planning strategies be commissioned in preparation for the next Comprehensive Plan update and Comprehensive Zoning update.**

For these reasons, listed above, Assateague Coastal Trust, our Board of Directors and our members implore the Planning Commission to fully consider the ramifications of such an action that is certain to promote higher

density in a flood prone area of the county that will lead to further impairment of water quality in Sinepuxent Bay and Newport Bay, already impaired for nutrients and sediment. Should this sectional zoning amendment move forward, Assateague Coastal Trust will consider all options to oppose this action.

Thank you for your consideration of our concerns, and for your efforts to protect the quality of life in our Coastal Bays watershed.

All the best,

A handwritten signature in cursive script that reads "Kathy Phillips".

Kathy Phillips
Executive Director and Assateague COASTKEEPER
Assateague Coastal Trust

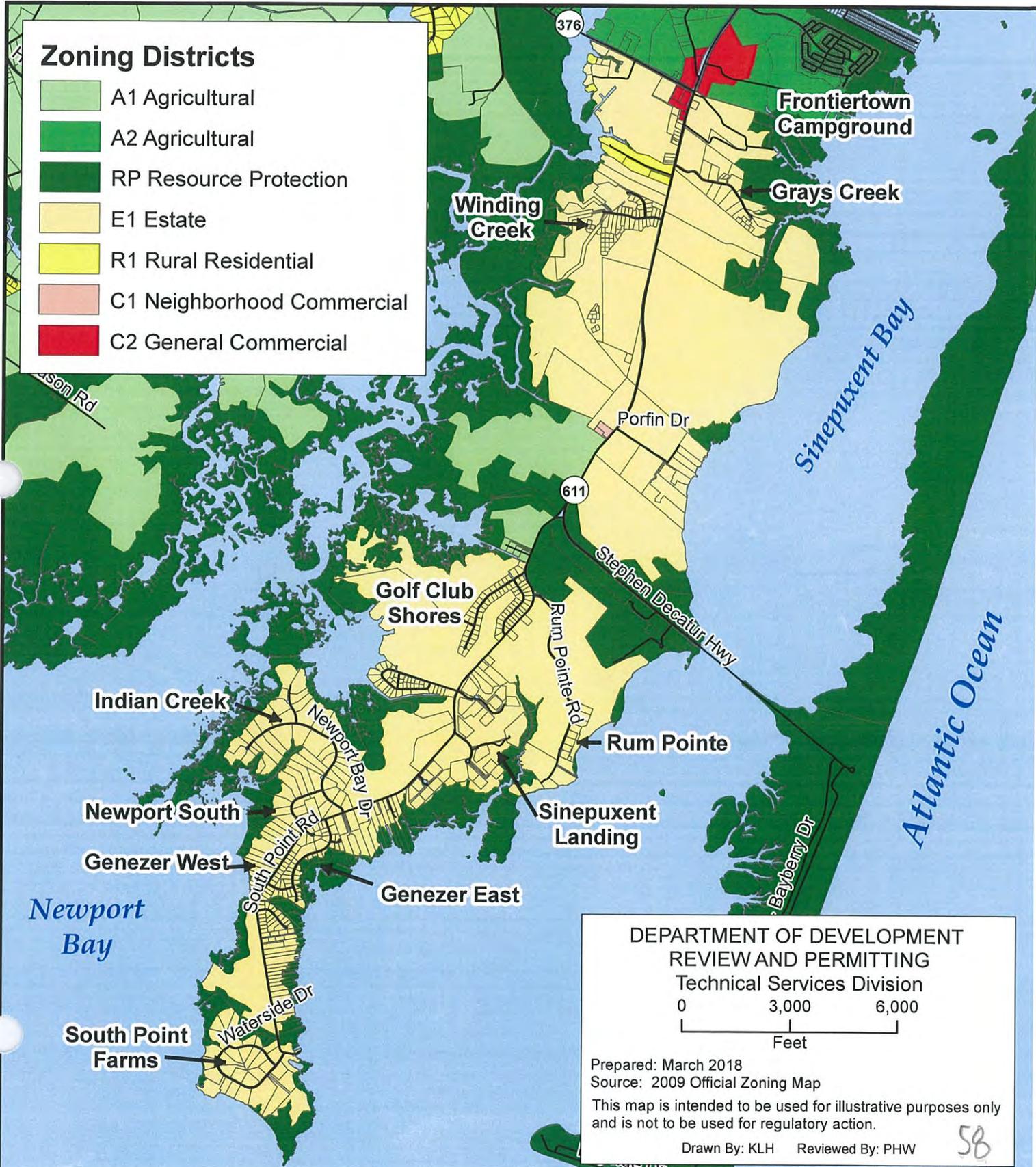


WORCESTER COUNTY, MARYLAND

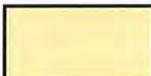
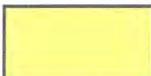
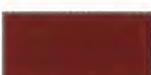


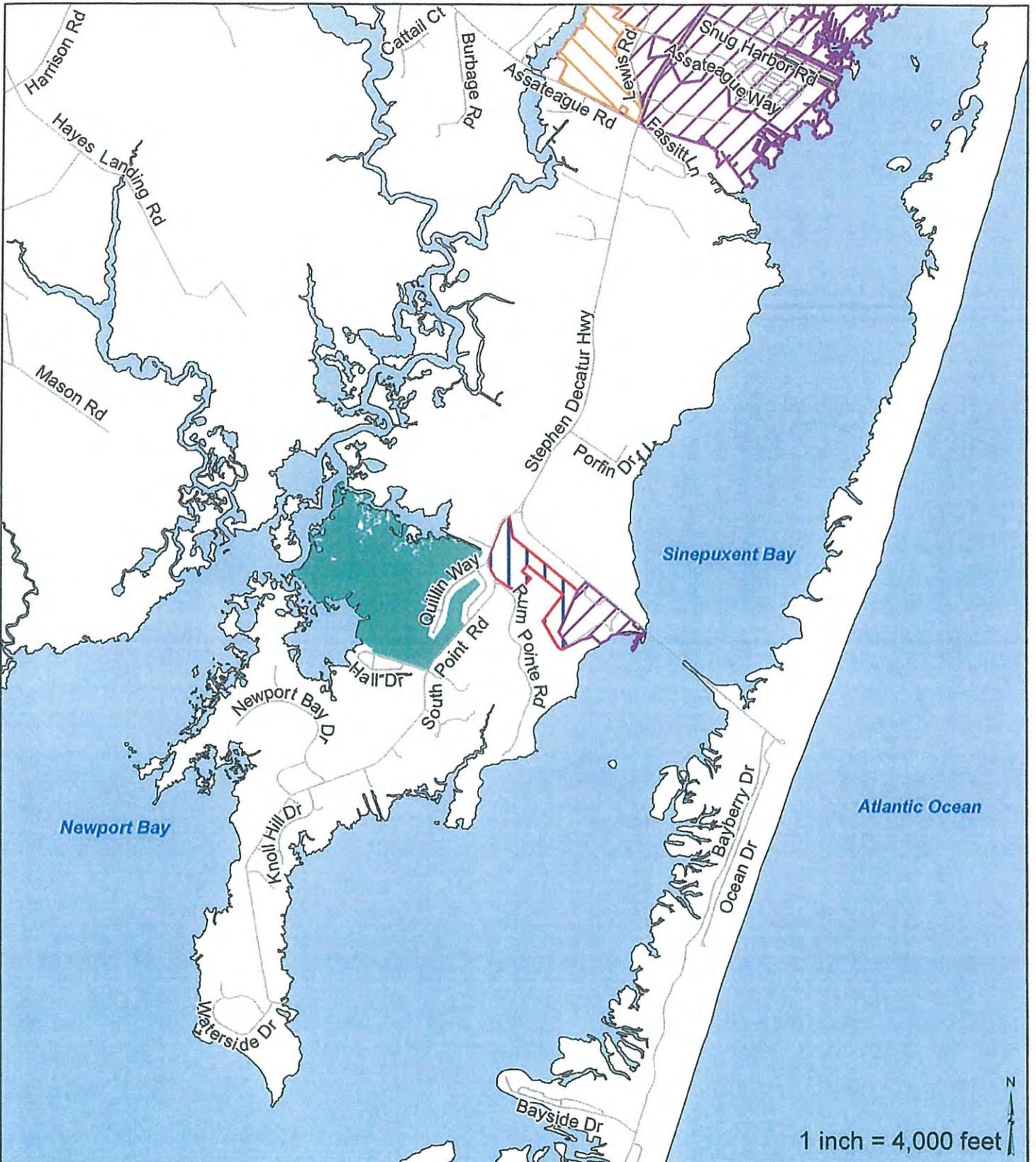
SECTIONAL REZONING MD ROUTE 611 / SOUTH POINT ROAD CORRIDOR

ZONING MAP



Current Zoning District

	A1 Agricultural
	A2 Agricultural
	RP Resource Protection
	E1 Estate
	R1 Rural Residential
	R2 Suburban Residential
	R3 Multi Family Residential
	R4 General Residential
	V1 Village
	C1 Neighborhood Commercial
	C2 General Commercial
	C3 Highway Commercial
	CA Commercial Airport
	CM Commercial Marine
	I1 Light Industrial
	MUN Municipality
	I2 Heavy Industrial



Sewer Planning Areas

-  S1
-  S3
-  S6 - No Future Service
-  Sewer - Private



Sewer Planning Areas

South Point Planning Area

Prepared by Worcester County Department of Development Review and Permitting, May 09, 2018.
 Source: 1994 Comprehensive Water and Sewerage Plan, Worcester County 1994, As Amended;
 MDD H:\GIS Data\Sanitary Services\Water and Sewer Amendments\SouthPoint\SouthPoint_SewerPlanningAreas_05-09-18.mxd



Audubon MARYLAND-DC

Add to
19

2901 E. Baltimore St.
Baltimore, MD 21224

Tel: 410-558-2473

August 6, 2018

Worcester County Commissioners
1 West Market St, Room 1103
Snow Hill, MD 21863

2 letters received
on August 6, 2019

Re: Upzoning of South Point to R1

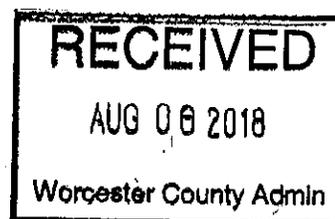
Dear Commissioners,

Please consider these comments on behalf of Audubon Maryland-DC on the recent proposal to upzone South Point to R-1. Audubon Maryland-DC is the state office of the National Audubon Society, which has 152 members in Worcester County. The mission of Audubon Maryland-DC is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity.

The South Point peninsula has a large influence on the ecology of the Maryland Coastal Bays, particularly Newport Bay which struggles with pollution by nitrogen and other organic pollutants. The forests and tidal marshes around South Point lie within the Maryland Coastal Bays Important Bird Area, which is recognized by Audubon due to its 25,000-30,000 wintering waterfowl, colonies of nesting seabirds and wadingbirds, and globally significant populations of Saltmarsh Sparrow in Newport Bay's tidal marshes.

Upzoning the entire 5,000 acres south of Assateague Road from E-1 to R-1 will effectively change the zoning from a maximum of 1 lot per acre to 2 lots per acre. It will also reset the clock on all parcels regardless of size allowing new development by right on most parcels. The many built out 2-6 acre parcels will suddenly be able to be subdivided again. This will likely more than double the current amount of developable land in South Point by right.

The development that would be spurred by the proposed upzoning would increase the nutrient pollution of Newport Bay and Sinepuxent Bay and negatively impact water quality of the Coastal Bays. Worcester County's economy depends in part on the quality of this valuable natural resource.



Septic and critical area constraints have so far not stopped new development in allowable areas. This would especially promote roadside development right on MD 611, a critical forested area for declining migratory birds and the gateway to Assateague.

The proposed upzoning would not only harm migratory birds, but would substantially degrade the Assateague viewshed, increase traffic on an already highly congested summer corridor and burden already taxed fire, police, other first responders, especially during Noreasters and hurricanes. Before any large upzoning, there should be substantial study and research regarding traffic changes, strain on fire and police, effect on wildlife, susceptibility to flooding, etc.

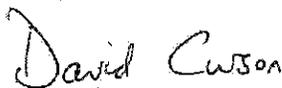
The change will have tax implications for property owners, compromise one of the most bird-sensitive parts of the county, and further degrade water quality in the struggling Newport Bay, the summer holding area for tens of thousands of juvenile flounder. The Comp Plan clearly states that new development should be kept adjacent to existing towns, and out of wetlands, forests, and flood-prone areas.

Ideally, zoning issues should be considered during the scheduled Comprehensive County rezoning slated to take place in 2018. A comprehensive approach makes more sense, and better allows for public input, than this piecemeal approach. The 2006 Comprehensive Plan and subsequent rezoning involved substantial public participation over a period of five years.

We ask that you employ a science and fact-based approach and seek adequate public input on any rezoning effort.

Thank you for considering these comments.

Sincerely,



David Curson, Ph.D.
Director of Bird Conservation
dcurson@audubon.org

Attachments:

1. Maryland-DC Important Bird Areas Program fact sheet.

Important Bird Areas Program Fact Sheet

August 2015

What is an IBA?

Important Bird Areas (IBAs) are sites that support significant populations of birds considered vulnerable. Sites are identified based on rigorous scientific criteria that focus on three categories of vulnerable birds:

- 1) At-risk species of conservation priority.
- 2) Species assemblages of birds that specialize in a particular habitat type.
- 3) Birds that occur in exceptional concentrations.

IBAs can be small or large in extent, but usually are discrete sites that stand out from the surrounding landscape. IBAs may be National Wildlife Refuges, State Parks or other protected public lands, but they can also be private farms, forests and other private areas. Not all IBAs are open to the public – the intent of the IBA Program is conservation of birds and their habitats rather than highlighting places for bird watching.

Goals of the IBA Program

The overall goal of the IBA Program is to ensure the continued viability of the habitats and their bird populations within IBAs. It is a strategic conservation-planning tool, and as such it is proactive rather than reactive. Program goals are achieved through three action steps:

Identify the most essential areas for birds

Monitor those sites for changes to birds and habitat

Conserve these areas for long-term protection of bird populations

The IBA program seeks to achieve conservation goals through partnerships with conservation planners, private landowners and managers of public lands. A major component of the program is the participation of volunteers who act as citizen scientists and conservation stewards, studying species population trends, evaluating threats to birds, and restoring and enhancing bird habitats. Conservation at IBAs can take the form of developing and improving management plans, pursuing conservation easement or land purchase and seeking legislative support and protection. On-the-ground activities may include management of vegetation, invasive species control, designing structures to reduce human impacts, erecting nesting structures and managing agricultural crops for wildlife.

A Brief History of the IBA Program

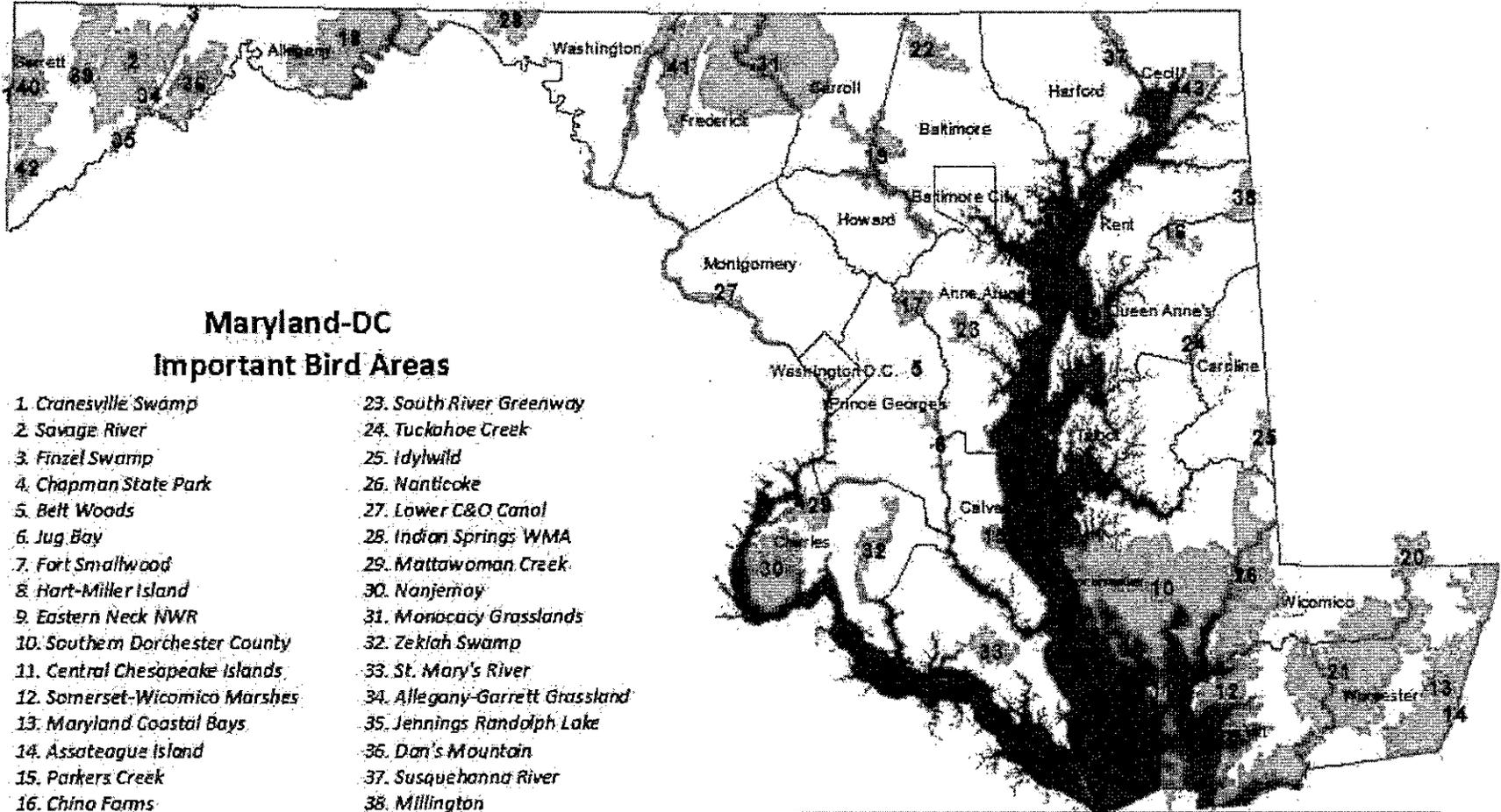
The IBA Program began in the 1980s as an initiative of BirdLife International, a global partnership of more than 100 organizations worldwide. First implemented in Europe, IBA programs now exist on every continent and over 10,000 IBAs have been identified worldwide. In the U.S. the National Audubon Society is BirdLife International's partner and has established IBA Programs state by state. Programs are now up and running in 46 states-with over 2,100 IBAs identified across the country.

The IBA Program in Maryland and DC

Important Bird Areas are identified by an IBA Technical Review Committee, which reviews all nominated sites against scientific criteria based on analysis of bird populations and their habitats. The Audubon Maryland-DC IBA Technical Review Committee includes: Kyle Rambo (Chair), Patuxent River Naval Air Station; Wayne Bell, Washington College; David Curson, Audubon Maryland-DC; Lynn Davidson, Md. Department of Natural Resources; David Smith, Maryland Ornithological Society; Glenn Therres, Md. Department of Natural Resources, Bill Hubick.



Audubon MARYLAND-DC



Maryland-DC Important Bird Areas

1. Cranesville Swamp
2. Savage River
3. Finzel Swamp
4. Chapman State Park
5. Belt Woods
6. Jug Bay
7. Fort Smallwood
8. Hart-Miller Island
9. Eastern Neck NWR
10. Southern Dorchester County
11. Central Chesapeake Islands
12. Somerset-Wicomico Marshes
13. Maryland Coastal Bays
14. Assateague Island
15. Parkers Creek
16. China Farms
17. Patuxent Research Refuge
18. Green Ridge
19. Patapsco Valley
20. Great Cypress Swamp
21. Pacomake-Nassawango
22. Prettyboy
23. South River Greenway
24. Tuckahoe Creek
25. Idylwild
26. Nanticoke
27. Lower C&O Canal
28. Indian Springs WMA
29. Mattawoman Creek
30. Nanjemoy
31. Monocacy Grasslands
32. Zekiah Swamp
33. St. Mary's River
34. Allegany-Garrett Grassland
35. Jennings Randolph Lake
36. Dan's Mountain
37. Susquehanna River
38. Millington
39. The Glades
40. Youghiogheny Valley
41. Maryland Blue Ridge
42. Pleasant Valley
43. Elk Neck

For more information contact Dr David Curson, Director of Bird Conservation at 410-558-2473 or dcurson@audubon.org
Visit our website at <http://md.audubon.org>



MARYLAND COASTAL BAYS PROGRAM

8219 Stephen Decatur Highway

Berlin, Maryland 21811

(410) 213-2297

mcbp@mdcoastalbays.org

www.mdcoastalbays.org

August 6, 2018

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

Dear Commissioners,

The Maryland Coastal Bays Program (MCBP) offers the following comments related to the proposed comprehensive (sectional) re-classification of all properties currently zoned E-1 Estate District that are located along the MD Route 611 (Stephen Decatur Highway) corridor to the south of MD Route 376 (Assateague Rd) and along South Point Rd in the Tenth Tax District of Worcester County, Maryland to R-1 Rural Residential District.

The MCBP is a partnership among the Towns of Ocean City and Berlin; Worcester County; Maryland Departments of Natural Resources, Agriculture, Environment and Planning; National Park Service and the US Environmental Protection Agency. The Program provides an independent, science-based approach that offers a neutral forum for determining the problems, solutions and creative ideas that are necessary for inclusive and resilient watershed conservation and improvement.

A Comprehensive Conservation Management Plan (CCMP) containing 14 broad goals for watershed and bay health governs the 222 action items for implementing the plan. Many of the actions contained in the plan are directly related to strengthening our coastal storm resiliency and response. These goals are shared by our watershed partners including Worcester County. The county, in our view, should continue to support these mutual goals within the Worcester County 2014 Hazard Mitigation Plan that eliminates or reduces hazards related to economic and environmental losses. As stated in this document, the county strives to become a storm resilient community.

The County Hazard Mitigation Plan emphatically states that based on an assessment of risk, the highest priority for natural hazard mitigation should clearly be coastal and flood, as a result of hurricanes and other major storms. It is also stated in the County Comprehensive Plan that growth should be directed away from flood prone areas and this will guide future floodplain policy.

August 6, 2018
Worcester County Commissioners
Letter re: Rezoning
Page 2

As stated in the Worcester County Zoning Code, approximately eighty percent of the current E-1 Estate District lands lie in a hurricane inundation zone. Hazard mitigation planning calls for development to be located outside such areas. In addition, much of this land lies within the recently mapped 100-year floodplain. Increasing the residential density of these E-1 zoned areas would be incongruent to the above stated goals of the Coastal Bays CCMP and the County Hazard Mitigation Plan.

Since future elimination of the E-1 Zoning District was recommended in the 2006 Comprehensive Plan and stated in the 2009 Zoning Code, it is understandable that this action is being proposed, but consideration should be given to a zone or zones that better reflects the plan for this corridor. In our view, this proposal presents a conflict with the Comprehensive Plan, Hazard Mitigation Plan and our CCMP and for that reason we cannot support the zoning change as proposed.

The Maryland Coastal Bays Program and the Board of Directors ask that the Worcester County Commissioners continue to support the goals of both the County Hazard Mitigation Plan and the Coastal Bays Comprehensive Conservation Management Plan as they relate to coastal protection and future planning for storm resiliency.

Thank you for the opportunity to reflect on previous planning efforts and offer comment on this proposed action.

Regards,

Frank M. Piorko

Frank M. Piorko
Executive Director



The Board of Education of Worcester County

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

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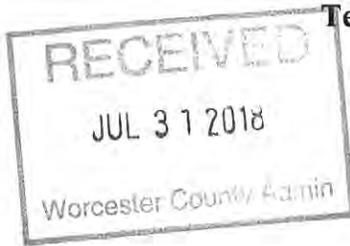
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Chief Operating Officer



August 7, 2018

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

Dear President Purnell:

The Board of Education is very pleased to report a successful bid opening for the Showell Elementary Replacement School project on June 13, 2018. Upon completion of comprehensive scope reviews conducted by Oak Contracting, LLC, the construction management firm for the project, fifteen proposed bid awards were presented to the Board of Education in the amount of \$39,045,266.00. Proposed bids were approved by the Board of Education on July 17th, contingent upon final approval by the County Commissioners. With your consent, we anticipate beginning construction in October 2018.

As you are aware, planning for the Showell Elementary Replacement School project has been underway since 2014. On June 11th, the State of Maryland Interagency Commission on School Construction approved our FY 2019 Capital Improvement Program (CIP) request for \$4,336,000 of the \$8,672,000 total maximum State allocation for the project. We will request the balance of the State allocation in our FY 2020 CIP in October 2018.

We look forward to meeting with you on August 7th to review the construction bids for the Showell Elementary project. Enclosed you will find a Summary of Approved Bid Awards, a Summary of Approved Bid Alternates and an updated Project Budget. Representatives from the Board of Education, Oak Contracting, LLC and Becker Morgan Group, the project architect, will be available to review the project bids and answer questions.

As always, thank you for your ongoing support of the Worcester County Public School System. As a result of your commitment to education we continue to provide an excellent educational program to our children and address our school facility needs.

Sincerely,

Louis H. Taylor
Superintendent of Schools

LT:jjp

cc: Board of Education Members
Mr. Harold Higgins



**SUMMARY OF BOARD OF EDUCATION APPROVED BID AWARDS
Showell Elementary Replacement School**

BID PACKAGE	CONTRACTOR	BASE BID	BID ALTERNATES	TOTAL
2A - SITEWORK AND BUILDING DEMO	Reynolds Excavating, Inc Princess Anne, MD.	\$4,215,000.00	\$0.00	\$4,215,000.00
3A - BUILDING CONCRETE	Harkins Concrete Const., Inc. Salisbury, MD.	\$1,325,000.00	\$0.00	\$1,325,000.00
4A - MASONRY	Diamond State Masonry, Inc. New Castle, DE.	\$3,690,000.00	\$0.00	\$3,690,000.00
5A - STRUCTURAL STEEL / MISC. METALS	Crystal Steel Fabricators, Inc. Delmar, DE.	\$2,548,000.00	\$0.00	\$2,548,000.00
6A - CARPENTRY, CASEWORK AND MISC. BUILDING SPECIALTIES	KB Coldron, Inc. Selbyville, DE.	\$3,114,370.00	\$0.00	\$3,114,370.00
7A - ROOFING / METAL WALL PANELS	Cole Roofing Company, Inc. Baltimore, MD.	\$4,867,532.00	\$0.00	\$4,867,532.00
8A - WINDOWS, STOREFRONTS, CURTAIN WALL AND GLAZING	Charles Brown Glass Company Salisbury, MD.	\$1,575,385.00	\$0.00	\$1,575,385.00
9A - DRYWALL/ACOUSTICAL/ COLD FORM FRAMING	Leonard A. Kraus Co., Inc. Baltimore, MD.	\$3,181,700.00	\$0.00	\$3,181,700.00
9B - CERAMIC TILE / RESINOUS FLOORING	Churchville Tile & Marble Abingdon, MD.	\$151,000.00	\$37,000.00	\$188,000.00
9D - CARPET / VCT / RESILIENT	Value Carpet One Salisbury, MD.	\$391,839.00	(\$32,510.00)	\$359,329.00
9E - PAINT	Jamestown Painting & Decorating Newark, DE.	\$235,000.00	\$0.00	\$235,000.00
11A - FOOD SERVICE EQUIPMENT	11400, Inc. Lancaster, PA.	\$318,000.00	\$0.00	\$318,000.00
11B - GYM EQUIPMENT	TJ Distributors, Inc. Forest Hill, MD.	\$31,350.00	\$0.00	\$31,350.00
15A - MECHANICAL	Joseph M. Zimmer, Inc. Salisbury, MD.	\$6,601,200.00	\$8,400.00	\$6,609,600.00
16A - ELECTRICAL	Nickle Electric Companies Georgetown, DE.	\$6,787,000.00	\$0.00	\$6,787,000.00
	TOTALS	\$39,032,376.00	\$12,890.00	\$39,045,266.00

**Showell Elementary Replacement School
Board of Education Approved Bid Alternates**

Alt #	Bid Package	Bid Alt. Cost	Recommended	Bid Alternate Description
1	2A, 3A, 4A, 5A, 6A 7A, 8A, 9A, 9B, 9D, 9E, 15A, 16A	\$873,474.00	No	Add four Pre-K classrooms. Base Bid: No additional classrooms.
2	9D	\$88,656.00	No	Provide rubber floor tile in Corridors. Base Bid: VCT in Corridors.
3	9B, 9D	\$91,926.00	No	Provide resinous epoxy flooring in Main Entrance Corridor. Base Bid: Provide rubber floor tile.
4	9B, 9E	\$47,000.00	No	Provide ceramic wall tile on all bathroom walls. Base Bid: Provide ceramic wall tile only on bathroom "wet" walls.
5	6A, 16A	\$20,995.00	No	Provide manually operated roller shades on all exterior storefront window frames. Base Bid: Provide horizontal louver blinds.
6	9B, 9D	\$4,490.00	Yes	Provide quarry tile flooring and base in Kitchen area. Base Bid: Provide vinyl sheet flooring.
7	6A	\$15,175.00	No	Provide metal storage shelving in storage rooms. Base Bid: No metal shelving.
8	16A	\$87,100.00	No	Provide Studio video production hardware and software. Base Bid: No video production equipment.
9	2A	\$30,000.00	No	Provide Alternate Plan at Performance Plaza, including two color scored concrete. Base Bid: Provide Base Bid plan at Performance Plaza (one color scored concrete).
10	2A, 3A, 16A	\$102,735.00	No	Provide Alternate Plan at Courtyard, including two color scored concrete and 4' wide concrete/grass strips. Base Bid: Provide Base Bid plan at Courtyard (one color scored concrete in center, grass on boundary).
11	16A	\$0.00	Yes	Provide additional cost for telecommunication system by Baltimore Sound. Preferred vendor alternate. Base Bid: Provide telecommunication system by any listed communications vendor.

**Showell Elementary Replacement School
Board of Education Approved Bid Alternates**

Alt #	Bid Package	Bid Alt. Cost	Approved	Bid Alternate Description
12	16A	\$17,120.00	No	Provide additional cost for security systems by Baltimore Sound. Preferred vendor alternate. Base Bid: Provide security system by any listed security vendor.
13	6A	\$38,605.00	No	Add doors to all classroom storage cubbies. Base Bid: No doors on storage cubbies.
14	15A	\$0.00	Yes	Provide grooved piping system by Victaulic at heat pump and dual temperature water piping. Preferred vendor alternate. Base Bid: Provide grooved piping by any listed manufacturer.
15	15A	\$8,400.00	YES	Provide airflow monitoring station to measure air velocity and temperature with thermal dispersion by Ebtron. Preferred vendor alternate. Base Bid: Provide airflow monitoring system by any listed manufacturer.
16	16A	\$0.00	Yes	Provide electrical gear (transformers, switchboards, panelboards, switches, breakers and controllers) by Square D Company. Preferred vendor alternate. Base Bid: Provide electrical gear by any listed manufacturer.
17	16A	\$75,000.00	No	Provide and install theatrical lighting system at Stage. Base Bid: No theatrical lighting system.
18	15A	\$0.00	Yes	Circuit cooler heat exchanger coil shall be stainless steel. All manufacturers do not offer stainless. Alternate added to increase bid competition. Base Bid: Circuit cooler heat exchanger shall be copper.

Total All Alternates	\$1,500,676.00
Total Recommended	\$12,890.00

**Showell Elementary Replacement School
Board of Education Approved Construction and Project Costs**

Construction Costs	
Building Construction Costs	\$34,830,266
Sitework & Demolition	\$4,215,000
Total Construction Costs	
\$39,045,266	
Project Costs	
Construction	\$39,045,266
Contingency	\$721,190
Moveable Equipment	\$1,180,000
Technology	\$550,000
Portable Classrooms	\$0
Architect and Engineering Fees	\$2,502,961
Construction Management Fees	\$1,800,000
Construction Management General Conditions	\$850,003
Testing, Reproduction, Misc.	\$503,000
Playground Equipment	\$200,000
Building Commissioning	\$200,000
Total Project Costs	
\$47,552,420	
Funding	
Maximum State Allocation	(\$8,672,000)
County Funding	\$38,880,420
Total Funding	
\$47,552,420	

WORCESTER COUNTY BOARD OF EDUCATION
6270 Worcester Highway
Newark, Maryland 21841

July 17, 2018

TO: Board of Education Members
Louis H. Taylor, Superintendent of Schools

FROM: Joe Price, Facilities Planner

RE: Showell Elementary Replacement School Bid Results

We have completed the bidding phase for the Showell Elementary Replacement School project.

- The construction documents were made available to prospective bidders on April 30, 2018.
- The construction manager, Oak Contracting, LLC, conducted a pre-bid meeting on Tuesday, May 15, 2018 at Showell Elementary School. Representatives from the project architect, Becker Morgan Group, and Oak Contracting reviewed the project requirements and documents and answered bidder's questions.
- The project bid opening was held on Wednesday, June 13, 2018 at 2:00 p.m. in the Board of Education meeting room. Bids were received for all bid packages. We received twenty-nine bids for the fifteen bid packages.
- Oak Contracting reviewed the bids and conducted scope reviews with the apparent low bidders for all fifteen bid packages from June 18th through July 11th.
- Listed below are the fifteen bid packages for the Showell Elementary School project:

2A	Sitework & Building Demolition	9A	Drywall/Acoustical/Cold Form Framing
3A	Building Concrete	9B	Ceramic Tile & Resinous Flooring
4A	Masonry	9D	Carpet/VCT/Resilient
5A	Structural Steel/Misc. Metals	9E	Paint
6A	Carpentry, Casework, Bldg. Specialties	11A	Food Service Equipment
7A	Roofing/Metal Wall Panels	11B	Gym Equipment
8A	Windows, Storefronts, Curtain Wall and Glazing	15A	Mechanical
		16A	Electrical

The Superintendent's recommendation is that the Board of Education accept and approve the following bids:

<u>Pkg.</u>	<u>Bidder</u>	<u>Base Bid</u>	<u>Alternates</u>	<u>Total</u>
2A	Reynolds Excavating, Inc.	\$ 4,215,000.00	\$ 0.00	\$ 4,215,000.00
3A	Harkins Concrete, Inc.	\$ 1,325,000.00	\$ 0.00	\$ 1,325,000.00
4A	Diamond State Masonry, Inc.	\$ 3,690,000.00	\$ 0.00	\$ 3,690,000.00
5A	Crystal Steel Fabricators, Inc.	\$ 2,548,000.00	\$ 0.00	\$ 2,548,000.00
6A	KB Coldiron, Inc.	\$ 3,114,370.00	\$ 0.00	\$ 3,114,370.00
7A	Cole Roofing Company, Inc.	\$ 4,867,532.00	\$ 0.00	\$ 4,867,532.00
8A	Charles Brown Glass, Co.	\$ 1,575,385.00	\$ 0.00	\$ 1,575,385.00
9A	Leonard Kraus Co., Inc.	\$ 3,181,700.00	\$ 0.00	\$ 3,181,700.00
9B	Churchville Tile & Marble	\$ 151,000.00	\$ 37,000.00	\$ 188,000.00
9D	Value Carpet One	\$ 391,839.00	\$ (32,510.00)	\$ 359,329.00
9E	Jamestown Painting	\$ 235,000.00	\$ 0.00	\$ 235,000.00
11A	11400, Inc.	\$ 318,000.00	\$ 0.00	\$ 318,000.00
11B	TJ Distributors, Inc.	\$ 31,350.00	\$ 0.00	\$ 31,350.00
15A	Joseph M. Zimmer, Inc.	\$ 6,601,200.00	\$ 8,400.00	\$ 6,609,600.00
16A	Nickle Electrical Companies	\$ 6,787,000.00	\$ 0.00	\$ 6,787,000.00
Total Construction Cost		\$ 39,032,376.00	\$ 12,890.00	\$ 39,045,266.00

The following Bid Alternates are recommended for approval:

<u>Alternate #</u>	<u>Bid Pkg.</u>	<u>Description</u>	<u>Total</u>
#6	9B, 9D	9B: Provide quarry tile floor in Kitchen 9D: Credit for delete sheet flooring in Kitchen Total Cost for Alternate #6	\$ 37,000.00 \$ (32,510.00) \$ 4,490.00
#11	16A	Additional cost for telcom system by Baltimore Sound Engineering	\$ 0.00
#14	15A	Provide grooved pipe system by Victaulic	\$ 0.00
#15	15A	Airflow monitoring system by Ebtron	\$ 8,400.00
#16	16A	Provide electrical gear by Square D	\$ 0.00
#18	15A	Provide stainless steel heat exchanger coil	\$ 0.00
Total Cost for All Recommended Alternates			\$ 12,890.00

TABLULATION OF BIDS
Showell Elementary Replacement School

BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1	Alt. #9	Alt. #10					TOTAL
2A SITEWORK & BUILDING DEMOLITION	REYNOLDS EXCAVATING, INC. Princess Anne, MD.	\$4,215,000.00	\$5,000.00	\$30,000.00	\$45,000.00					\$4,215,000.00
	A-DEL CONST. CO., INC. Newark, DE.	\$5,526,700.00	\$10,000.00	\$9,100.00	\$53,700.00					\$5,526,700.00
	DAVID A. BRAMBLE, INC. Chestertown, MD.	\$5,900,000.00	\$10,000.00	\$5,000.00	\$10,000.00					\$5,900,000.00
3A BUILDING CONCRETE	HARKINS CONG. CONST., INC. Salisbury, MD.	\$1,325,000.00	\$54,500.00	\$31,000.00						\$1,325,000.00
	SODY CONCRETE CONST., INC. Timonium, MD.	\$1,575,000.00	\$55,000.00	\$0.00						\$1,575,000.00
4A MASONRY										
	DIAMOND STATE MASONRY, INC. New Castle, DE.	\$3,690,000.00	\$130,000.00							\$3,690,000.00

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TABULATION OF BIDS
Showell Elementary Replacement School

BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1									TOTAL
5A STRUCTURAL STEEL & MISC. METALS	CRYSTAL STEEL FABRICATORS, INC. Delmar, DE.	\$2,548,000.00	\$37,000.00									\$2,548,000.00
	KINSLEY CONSTRUCTION, INC. York, PA.	\$2,657,000.00	\$65,000.00									\$2,657,000.00
	S.A. HALAC IRON WORKS, INC. Sterling, VA.	\$2,880,000.00	\$68,700.00									\$2,880,000.00
6A CARPENTRY, CASEWORK AND MISC. BUILDING SPECIALTIES	CONTRACTOR	BASE BID	Alternate #1	Alt. #5	Alt. #7	Alt. #10	Alt. #13					TOTAL
	KB GOLDIRON, INC. Selbyville, DE.	\$3,114,370.00	\$104,515.00	\$20,985.00	\$15,175.00	\$1,735.00	\$38,605.00					\$3,114,370.00
7A ROOFING/ METAL WALL PANELS	CONTRACTOR	BASE BID	Alternate #1									TOTAL
	COLE ROOFING COMPANY, INC. Baltimore, MD.	\$4,867,532.00	593,000.00									\$4,867,532.00

TABULATION OF BIDS
Showell Elementary Replacement School

BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1								TOTAL
8A WINDOWS, STOREFRONT, CURTAIN WALL & GLAZING	CHARLES BROWN GLASS CO. Salisbury, MD.	\$1,575,385.00	\$7,600.00								\$1,575,385.00
	CHESAPEAKE GLAZING, INC. Reisterstown, MD.	\$1,664,600.00	\$30,000.00								\$1,664,600.00
<hr/>											
BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1								TOTAL
9A DRYWALL/ ACOUSTICAL/ COLD FORM FRAMING	LEONARD A. KRAUS CO., INC. Baltimore, MD.	\$3,181,700.00	\$104,000.00								\$3,181,700.00
	KB COLDIRON, INC. Selbyville, DE.	\$3,352,110.00	\$103,745.00								\$3,352,110.00
<hr/>											
BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1	Ail. #3	Ail. #4	Ail. #6					TOTAL
9B CERAMIC TILE AND RESINOUS FLOORING	CHURCHVILLE TILE AND MARBLE Abingdon, MD.	\$151,000.00	\$9,000.00	\$126,500.00	\$50,000.00	\$37,000.00					\$188,000.00

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TABULATION OF BIDS
Showell Elementary Replacement School

BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1	Alt. #2	Alt. #3	Alt. #6				TOTAL
9D CARPET/ACT/ RESILIENT	VALUE CARPET ONE Salisbury, MD.	\$391,839.00	\$12,359.00	\$88,656.00	(\$34,574.00)	(\$32,510.00)				\$359,329.00
	CHURCHVILLE TILE AND MARBLE Abingdon, MD.	\$425,000.00	\$13,800.00	\$94,200.00	(\$19,800.00)	(\$22,000.00)				\$403,000.00
9E PAINT	JAMESTOWN PAINTING & DEC. Newark, DE.	\$235,000.00	\$6,000.00	(\$3,000.00)						\$235,000.00
	R&R COATINGS, INC. Salisbury, MD.	BID ARRIVED LATE								
11A FOOD SERVICE EQUIPMENT	CONTRACTOR	BASE BID								TOTAL
	11400, INC. Lancaster, PA.	\$318,000.00								\$318,000.00
	ASHLAND EQUIPMENT Belcamp, MD.	\$338,113.00								\$338,113.00
	TODD DEVIN FOOD EQUIP., INC. Yardley, PA.	\$351,000.00								\$351,000.00

TABULATION OF BIDS
Showell Elementary Replacement School

BID PACKAGE	CONTRACTOR	BASE BID	Alternate #1	Ail. #14	Ail. #15	Ail. #18							TOTAL
11B GYM EQUIPMENT	TJ DISTRIBUTORS, INC. Forest Hill, MD.	\$31,350.00											\$31,350.00
15A MECHANICAL	JOSEPH M. ZIMMER, INC. Salisbury, MD. MYCO MECHANICAL, INC. Telford, PA ROMMEL CONSTRUCTION, LLC. Linthicum, MD.	\$6,601,200.00 \$6,587,000.00 \$7,393,000.00	\$162,500.00 \$146,000.00 \$204,000.00	\$0.00 (\$10,000.00) \$15,000.00	\$9,400.00 \$46,000.00 \$0.00	\$0.00 \$20,000.00 \$0.00							\$6,609,600.00 \$6,643,000.00 \$7,408,000.00
16A ELECTRICAL	NICKLE ELECTRICAL COMPANIES Georgetown, DE. ROMMEL ELECTRIC COMPANY Eden, MD.	\$6,787,000.00 \$7,798,450.00	\$148,000.00 \$168,380.00	\$0.00 (\$10,850.00)	\$87,100.00 \$105,000.00	\$25,000.00 \$18,860.00							\$6,787,000.00 \$7,798,450.00

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TABULATION OF BIDS
Showell Elementary Replacement School

BID SUMMARY										
TOTALS	BASE BID	BID ALT #1	BID ALT #2	BID ALT #3	BID ALT #4	BID ALT #5	BID ALT #6	BID ALT #7	BID ALT #8	BID ALT #9
	\$39,032,376.00	\$873,474.00	\$88,656.00	\$91,926.00	\$47,000.00	\$20,995.00	\$4,490.00	\$15,175.00	\$87,100.00	\$30,000.00
		Four Pre-K Classroom Addition	Rubber floor tile in Corridors	Epoxy floor in Main Entrance Corridor	Ceramic wall tile on all bathroom walls	Manually operated roller shades storefronts	Quarry tile floor in Kitchen	Metal stor. shelving in Stor. rooms	Studio video production hardware & software	Alternate plan at Performance Plaza
		BID ALT #10	BID ALT #11	BID ALT #12	BID ALT #13	BID ALT #14	BID ALT #15	BID ALT #16	BID ALT #17	BID ALT #18
	\$102,735.00	\$0.00	\$17,120.00	\$38,605.00	\$0.00	\$0.00	\$5,490.00	\$0.00	\$75,000.00	\$0.00
		Alternate plan at Courtyard	Add. cost for telecom system by Baltimore Sound	Add. cost for security system by Baltimore Sound	Add doors to Classroom storage cubbies	Groomed pipe system by Victaulic	Airflow monitoring system by Ebtron	Electrical gear by Square D	Theatrical lighting sys. at Stage	Staircase steel heat exchange coil
		TOTAL ALL ALTERNATES \$1,500,676.00								
		TOTAL ALTERNATES RECOMMENDED \$12,890.00								
		\$39,032,376.00								
		TOTAL BASE BID CONTRACT VALUE FOR ALL BID PACKAGES								
		TOTAL VALUE OF ALL RECOMMENDED BID ALTERNATES								
		TOTAL CONSTRUCTION CONTRACT AMOUNT								
		\$39,045,266.00								

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Worcester County
Showell Elementary School

Prepared by Harold Higgins 7/27/18

Bid Package		Bids	Variance
2A	Sitework	4,215,000	
2B	Paving/Site Concrete		
2C	Landscaping		
Sitework Sub total		3,000,000	4,215,000
			915,000
1A	Demolition	300,000	
3A	Building Concrete	1,325,000	
4A	Masonry	3,690,000	
5A	Structural Steel	2,548,000	
6A	Carpentry	3,114,370	
7A	Roofing	4,867,532	
8A	Glass & Glazing	1,575,385	
9A	Drywall	3,181,700	
9B	Ceramic Tile	188,000	
9C	Wood Flooring		
9D	Carpet/Vct	359,329	
9E	Paint	235,000	
11A	Food Service Equipment	318,000	
11B	Gym Equipment	31,350	
15A	Mechanical	6,609,600	
A16A	Electrical	29,481,379	6,787,000
Construction Sub total		32,781,379	39,045,266
Additional Construction Costs:			
LEED Silver			
		32,781,379	
Contingency		721,000	721,000
Total(Sitework, Demo,Construction, Contingency)		33,502,379	
Final Bid after reduction in space (area summary)			
	FFE	1,297,000	1,180,000 (117,000)
	Technology	811,000	550,000 (261,000)
	A/E Fee	2,502,961	2,502,961 -
	Construction Mgt Fee	2,650,000	1,800,000 (850,000)
	General Conditions		850,003 850,003
	Miscellaneous	603,000	503,000 (100,000)
	Portables	240,000	(240,000)
	Building Commissioning	600,000	200,000 (400,000)
	Playground Equipment	200,000	200,000 -
Total School costs		42,406,340	47,552,230 5,145,890
State Funding		7,539,000	8,672,000
County Funding		34,867,340	38,880,230
Assigned Fund Balance			1,500,000
Bond School Funds Needed			37,380,230
Issuance Costs			
Bond Proceeds Needed			

The Commissioners met with Superintendent of Schools Louis Taylor on the anniversary of his first year in his new position to review and discuss the Board of Education's (BOE's) proposed FY18 Capital Improvement Plan (CIP) request. Also in attendance were BOE President William Gordy, Chief Operating Officer Steve Price, Chief Academic Officer Dr. John Quinn, Chief Financial Officer Vince Tolbert, Facilities Manager Joe Price, and Teachers Association President Beth Shockley-Lynch. Mr. Taylor thanked the Commissioners for the strong-working relationship that exists between the two boards and for their ongoing support of the BOE to provide exceptional educational opportunities for Worcester County students. Mr. Taylor stated that the CIP has been developed in accordance with Maryland Interagency Committee for Public School Construction (IAC) regulations. He further advised that the CIP is consistent with the Worcester County CIP and incorporates all prior recommendations of the County Commissioners regarding future school construction needs. He then reviewed the proposed CIP, which includes replacing Showell Elementary School (SES) at an estimated cost of \$42,406,000, with total requested State funding of \$8,672,000 and County funding of \$33,734,000, with bidding scheduled for September 2018 and construction starting in January 2019; Stephen Decatur Middle School (SDMS) 16,300-square-foot addition at a total estimated cost of \$9,463,000, with requested planning approval for FY20; Pocomoke Middle School Systemic Roof Replacement at an estimated cost of \$3.35 million in FY22; and Snow Hill Middle School Systemic Roof Replacement at an estimated cost of \$3.58 million in FY23.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved the BOE FY19 CIP as presented.

The Commissioners met with Superintendent of Schools Lou Taylor to review the latest schematic design plans to replace the Showell Elementary School (SES). Also in attendance were Board of Education (BOE) President Bill Gordy and members Doug Dryden and Elena McComas, Chief Operating Officer Steve Price, Chief Financial Officer Vince Tolbert, Facilities Planner Joe Price, and Showell Elementary School Principal Diane Schwartz.

Mr. Taylor thanked the Commissioners for approving design funding for SES in November 2016. He stated that thanks to their ongoing partnership with the Commissioners, the BOE recently completed the third phase of design, schematic design, refined concept, site and floor plans, while consistently focusing on cost saving measures.

Mr. Price reviewed a PowerPoint outlining the schematic designs for the new SES that included the background, design process, conceptual design review, design opportunities, schematic design, working estimate, and the schedule moving forward, all of which were designed with student safety (crime prevention through environmental design) and cost savings in mind. He reviewed revised schematic plan advantages, which included a simpler design that allowed them to reduce the exterior perimeter wall by 214 linear feet; keep the portable classrooms in place during construction, to save \$240,000 in relocation costs; eliminate 39 exterior classroom doors; improve safety with a fully-protected courtyard surrounded by 18 rooms; the use of cost-effective and durable materials; simplified structural design and building massing; simplifying, and consolidating mechanical, electrical, plumbing, technology, and fire protection designs, with improved solar orientation and fewer exterior security cameras and lighting. He stated that this simplified design saves money and improves safety and security as the length of corridor space deputies would be required to traverse in the event of an emergency has been reduced. He then advised that they separated the cafetorium from the previously proposed shared gymnasium and cafeteria space and created two separate spaces to comply with the Code of Maryland Regulations (COMAR) that all new construction/major renovations in Maryland public schools shall provide a separate gymnasium. He advised that the revised plans replaced the previously proposed geothermal system with a hybrid heating and air conditioning system that will eliminate the need to drill 300 wells on the site and save approximately \$1 million, for an overall approximate savings of \$1.2 million to date for a revised SES construction estimate of \$33,502,569, with the project to go out to bid in August 2018, with construction to begin in March 2019 and to be completed by July 2021.

Commissioner Bertino commended school officials and the Commissioners, noting that it is amazing what can be accomplished when they work together. Commissioner Bunting thanked the BOE for meeting with them and sharing this good news.

You Are Cordially Invited

To join the County Commissioners and the
Library Board of Trustees for the
Dedication of the new Berlin Branch of the
Worcester County Library

Date: Tuesday, August 7, 2018

Time: 2:00 p.m.

Place: Berlin Branch Library

13 Harrison Avenue

(just off Main Street in Berlin, Maryland)

*Light refreshments will be served in the library
immediately following the ceremony*

Please RSVP by calling (410) 632-2600



Berlin Branch Library Dedication



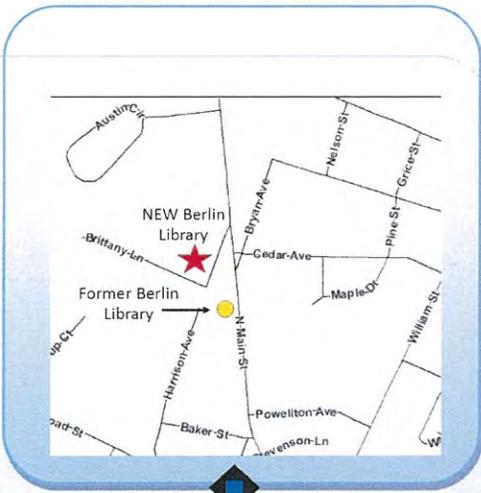
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Worcester County Library
Berlin Branch
13 Harrison Avenue
Berlin, Maryland 21811

Worcester County Library
Berlin Branch Ribbon Cutting and
Dedication Ceremony August 7, 2018

Come, Open the Doors With Us

See You There.



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BERLIN BRANCH LIBRARY DEDICATION

WELCOME/REMARKS.....Diana Purnell
President, Worcester County Commissioners

REMARKS.....Ron Cascio
President, Board of Library Trustees

Wm. Gee Williams, III
Mayor, Town of Berlin

Irene Padilla
Maryland State Librarian

RIBBON CUTTING & PLAQUE UNVEILING

REFRESHMENTS TO FOLLOW CEREMONY

WORCESTER COUNTY COMMISSIONERS

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

BOARD OF LIBRARY TRUSTEES

Ron Cascio, President
Nancy Howard, Vice President
Vivian Pruitt, Secretary
Holly Anderson, Treasurer
Rosemary Keech
Donald James Bailey
Leslie Mulligan

Jennifer Ranck, Library Director

AT A GLANCE: *The New Berlin Branch of the Worcester County Library*

The façade of the new 12,000-square-foot branch library complements the historic architecture of the Town of Berlin. The flexible, open-space design includes energy efficient features, such as a geothermal loop system, LED lighting, triple pane windows that supply plenty of natural lighting, and foam insulation to improve performance and reduce energy costs.

Inside this two-story structure, there are spacious reading areas for children and teens, a community meeting room, art gallery, public computers and laptop use area, and local history room. Plenty of cozy seating areas are interspersed throughout the building.

Outside the library, there is a covered children's patio on the first floor. An open-air deck, which overlooks the grounds, graces the second level.

The new location also includes an expanded community garden, in keeping with the beloved fixture that graced the former branch library.