

Minutes of the County Commissioners of Worcester County, Maryland

August 18, 2020

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

Following a motion by Commissioner Bertino, seconded by Commissioner Nordstrom, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton. Topics discussed and actions taken included the following: hiring William West as a part-time temporary Roads Worker II for the Roads Division of Public Works and Carrie Tingle as an Accounting Clerk II for the Treasurer's Office; transferring Josh Pruitt from Animal Control Officer within the Animal Control Division to Emergency Communications Specialist I within Emergency Services; acknowledging the hiring of Kenji Hara, Paul Jordan, and Jennifer DeGiovanni as Deputy Sheriffs within the Sheriff's Office; reviewing certain personnel matters; receiving legal advice from counsel; and performing the following administrative functions: discussing potential board appointments, and receiving the FY20 monthly financial update.

Commissioner Mitrecic announced that the August 4, 2020 meeting was cancelled due to Tropical Storm Isaias and associated tornadoes.

Following a motion by Commissioner Bertino, seconded by Commissioner Elder, the Commissioners unanimously voted to adjourn their closed session at 9:52 a.m.

After the closed session, the Commissioners reconvened in open session. Commissioner Mitrecic called the meeting to order, and following a morning prayer by Pastor Dale Brown of the Community Church at Ocean Pines and pledge of allegiance, announced the topics discussed during the July 21, 2020 afternoon closed session and the August 18 morning closed session.

The Commissioners reviewed and approved the open and closed session minutes of their July 21, 2020 meeting as presented.

The Commissioners presented a proclamation to members of the Suffrage Centennial Celebration Committee (SCCC) of Worcester County to commemorate the 100th anniversary of the passage of the 19th Amendment to the U.S. Constitution on August 26, 1920, which prohibits

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the states and federal government from denying voting rights to citizens on the basis of sex and guarantees all American women the right to vote.

The Commissioners presented a commendation to former Worcester County Commissioner Judith O. Boggs, a founding member of the Worcester County Commission for Women (CFW), for being named the 2020 Woman of the Year by the CFW.

The Commissioners met in legislative session.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to review a text amendment application submitted by Joseph E. Moore, Esquire, on behalf of Ocean Downs, LLC, which seeks to add a Casino Entertainment District as an overlay district in the Zoning and Subdivision Control Article and to establish such a use as a permitted use in the A-2 Agricultural District. Mr. Tudor advised that the Planning Commission and County staff gave favorable recommendations to the application.

Following some discussion, Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell introduced the aforementioned text amendment as Bill 20-7 (Zoning – Casino Entertainment District) and scheduled a public hearing on the bill for September 15, 2020.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Nordstrom, the Commissioners unanimously agreed to appoint Whitney Palmer to the Lower Shore Workforce Development Board for the remainder of a four-year term expiring September 30, 2020.

The Commissioners unanimously approved the nomination made by Commissioner Bunting to reappoint Walter Maizel to the Lower Shore Workforce Development Board for an additional four-year term expiring September 30, 2024 and the nomination he made on behalf of Commissioner Mitrecic to reappoint Bill Paul to the Building Code Appeals Board for a four-year term expiring December 31, 2023.

Environmental Programs Director Bob Mitchell met with the Commissioners to request their acceptance of grant funds of \$549,000 from the Maryland Department of Natural Resources (DNR) for the Bainbridge Pond water quality improvement project within Ocean Pines and the Refuge at Windmill Creek. Mr. Mitchell stated that his staff originally applied for grant funds of \$1.58 million for a \$2.3 million project, so County staff will work with program partners, including the Maryland Coastal Bays Program, Windmill Creek developer, and the Ocean Pines Association (OPA), which has allotted \$600,000 for the project, to reduce the scope of the project to determine how to address water quality and drainage issues with available funds.

In response to a question by Commissioner Bunting, Mr. Mitchell stated that they may be required to purchase an easement, a cost that was not previously anticipated. Commissioner Bunting noted that some significant issues have been raised with this project, and he would prefer to receive an updated proposal from County staff prior to accepting the DNR grant. Commissioner Bertino concurred, noting that the OPA raised concerns as well that should be addressed prior to accepting the grant.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to table further discussion on the matter to provide County

staff with time to work with project partners and to provide the Commissioners with revised plans.

The Commissioners conducted a public hearing to consider adopting the 2020 Hazard Mitigation and Resilience Plan. Emergency Services Director Billy Birch summarized the plan review process, including four public meetings and a survey (results of which have been added to the plan), from March 2019 to date to update the existing 2014 plan, which expired January 12, 2020 and the county is currently operating under an approval-pending-adoption status to assure the County is covered in the event of an emergency. He further advised that the County must update this plan every five years to remain eligible for disaster relief funding from the Maryland Emergency Management Agency (MEMA) and Federal Emergency Management Agency (FEMA). He stated that both MEMA and FEMA have given their conceptual approval, contingent upon the Commissioners' adoption of the 2020 Hazard Mitigation and Resilience Plan.

Commissioner Bertino thanked staff, the community, and all who were involved in this project. However, he expressed concern that mitigation efforts addressed throughout the entire plan are based on questionable climate change projections, and Smith Planning and Design, LLC, the County's consultants for the 2020 plan update, were not in attendance to address these concerns. His specific concerns included references to sea level rise, flooding, referencing a State requirement outlined in Section 3-5 of the plan that "As a result of increased rainfall and nuisance flooding, Maryland will now require each jurisdiction, including Worcester County, to submit a Nuisance Flooding Plan by October 2020." He questioned why the plan references the Paris Climate Agreement, which the United States pulled out of, and why the plan states that development in Ocean Pines is responsible for erosion elsewhere, particularly as no data is presented to prove the accuracy of these statements. Commissioner Bertino also questioned whether the County would be required to change the permitting process for Environmental Programs or Development Review and Permitting if the plan is adopted as presented. Commissioner Bertino concluded that there are a lot of unknowns and confusion related to the resilience plan that must be addressed and quantified when using data points from a 12-year-old study before the Commissioners adopt this plan.

Commissioner Bunting concurred, noting that the basis upon which the plan is built, noting that erosion and sea level rise predictions are based on models, not proven scientific data. Commissioner Church requested staff research and advise the Commissioners if erosion predictions take into account the Assateague Island shoreline. In response to concerns raised by the Commissioners, Mr. Birch advised that the County plan is based on the State Hazardous Mitigation Plan, using information from multiple studies, including a 2008 erosion study and the 2016 Maryland Commission on Climate Change report. He further advised that FEMA and MEMA requires the County plan to addresses four main points involving current and future hazards. These include sea level rise, climate change impacts, increased severe weather, and extended coastal building. County Attorney Roscoe Leslie stated that the Commissioners would not be locking themselves into a particular course of action by adopting the draft plan as presented.

In response to a question by Commissioner Purnell, Mr. Birch confirmed that the County should still be eligible for State and federal hazard funding based on MEMA and FEMA's conditional approval of the 2020 Hazard Mitigation and Resilience Plan.

Assistant Chief Administrative Officer Weston Young stated that the ultimate purpose of the plan is to identify and develop steps to address hazards, including coastal recurring flooding, and it will be necessary for the County to reference this plan when applying for future grants. He suggested Mr. Birch request authorization from MEMA and FEMA to amend areas of concern in the plan, specifically certain assumptions based on flood plain models, worst-case scenarios, and reference to the Paris Climate Agreement. In response to a question by Commissioner Elder, Mr. Birch stated that this plan, once adopted, would be effective for five years until the next plan update.

Following further discussion, Commissioner Mitrecic opened the floor to receive public comment.

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

Following additional discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to table adoption of the 2020 Hazard Mitigation and Resilience Plan until the September 1, 2020 meeting when the County's consultant is able to address the concerns raised by the Commissioners.

The Commissioners conducted a public hearing to consider petitions to sell agricultural easements to the Maryland Agricultural Land Preservation Foundation (MALPF) in FY21 on six properties in Worcester County at no cost to the County. Also present at the meeting were Environmental Programs Director Bob Mitchell and Katherine Munson, Environmental Programs Planner V. These properties are listed in their entirety in the Commissioners' meeting minutes of July 7, 2020. Mr. Mitchell stated that the applications have been reviewed by both the Worcester County Agricultural Land Preservation Advisory Board, which recommended submitting all six applications to MALPF for appraisal, and the Worcester County Planning Commission, which found all six applications to be consistent with the 2006 County Comprehensive Plan.

In response to a question by Commissioner Bunting, Mr. Mitchell stated that staff identified six subdivision rights available on a property identified on Tax Map 92 as Parcel 8 based on cluster housing.

Commissioner Mitrecic opened the floor to receive public comment.

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

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 4-3, with Commissioners Bertino, Bunting, and Elder voting in opposition, to submit all six applications to MALPF for appraisal and further consideration for purchase of agricultural easements.

The Commissioners met with Mr. Mitchell to schedule a public hearing on a Comprehensive Water and Sewerage Plan amendment application submitted by Hugh Cropper, attorney for Mark Odachowski, to expand the sewer planning area for the Mystic Harbour Sanitary Service Area (SSA) to include an entire 10-acre property located at 12424 Old Bridge Road in West Ocean City and more specifically identified on Tax Map 26 as Parcel 193, which is designated S-1 (immediate to two years) to serve a proposed 41-unit residential development. Mr. Mitchell advised that the Planning Commission found the proposed amendment to be consistent with the County's Comprehensive Development Plan and granted the application a favorable recommendation. Mr. Mitchell stated that the applicant is also seeking an expansion of

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the Mystic Harbour SSA and will seek an allocation of equivalent dwelling units (EDUs) of sewer allocation from the Mystic Harbour SSA.

Upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to schedule a joint public hearing on September 15, 2020 to receive public comment on the proposed amendment to the Worcester County Water and Sewerage Plan and expansion of the Mystic Harbour SSA.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Church, with Commissioner Bertino temporarily absent, the Commissioners unanimously approved a six-month extension to the Community Resilience grant from the Department of Natural Resources for the Selsey Road project, a demonstration project to assist with building coastal storm resiliency within Cape Isle of Wight and other communities.

Pursuant to the recommendation of Mr. Mitchell and upon a motion by Commissioner Purnell, the Commissioners unanimously authorized Commission President Mitrecic to sign the FY21 Critical Area Grant Agreement awarding the County \$9,000 to cover a very small portion of the County's actual cost to administer the Chesapeake and Atlantic Coastal Bays Critical Area programs.

Upon a motion by Commissioner Nordstrom, the Commissioners voted unanimously to take no action on the written request from Pocomoke City Manager Jeremy Mason for plan review and inspection services. Commissioner Nordstrom advised that town officials have entered into a contract with First State to provide these services, so there is no need for assistance from the County at this time.

Pursuant to the request of Development Review and Permitting Director Ed Tudor, made on behalf of Housing Program Administrator Jo Ellen Bynum, and upon a motion by Commissioner Bertino, the Commissioners unanimously approved re-bid specifications to replace a single-family home septic system in the Stockton area, which is to be funded through the County's current Community Development Block Grant (CDBG). Mr. Tudor stated that the County received only one bid by the deadline and must rebid the project to satisfy the conditions of the CDBG, which requires projects receiving less than three bids to be rebid a minimum of one additional time.

Pursuant to the request of Assistant Finance Officer Jessica Wilson and upon a motion by Commissioner Bertino, the Commissioners unanimously adopted Resolution No. 20-23 providing for the issuance of up to \$2,093,542 General Obligation Water Quality Bonds for the Newark Spray Irrigation Project. These consist of \$1,046,771 General Obligation Water Quality Bond Series 2020A and \$1,046,771 General Obligation Water Quality Bond Series 2020B (Taxable).

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Elder, the Commissioners unanimously approved the Engineering, Science, and Technology contract adjustment of \$85,946.73 to cover changes required to the original preliminary engineering report and redesign/bidding of the Newark spray irrigation project.

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Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Purnell, the Commissioners unanimously accepted the low bid from Allan Myers of Fallston, Maryland for County-wide blacktop surfacing of roughly 12.16 miles of roads at a fixed price of \$63.50 per ton of bituminous concrete for a total estimated cost of \$836,930, with funds of \$1 million designated in the FY21 budget for this purpose. The Commissioners further approved the expenditure of \$163,070 in remaining funds to purchase an additional 2,568 tons of bituminous concrete to add Circle Road and Five Mile Branch Road to the current blacktop schedule. Mr. Tustin noted that bids came in substantially lower than estimated, making it affordable to include the additional roads in the paving program.

In response to a question by Commissioner Elder, Mr. Tustin confirmed that slurry seal costs much less than tar and chip and is used as part of a five-year preservation program. He stated that typically tar and chip is part of the fall paving program, and any remaining funds are then allocated for use in the slurry seal program the following spring.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the bid to Vertex Roofing Contractors of Manassas, Virginia to replace the roof systems at the Commission on Aging in Snow Hill at a cost of \$164,597 and Animal Control at a cost of \$41,795 for a total cost of \$206,392.

In response to concerns raised by Commissioner Nordstrom, Mr. Tustin stated that neither of the contractors who attended the pre-bid meeting submitted proposals to complete the work. He concluded that the lack of interest in this project is likely due to an overabundance of work or workforce shortfalls due to COVID-19.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved Change Order No. 2 with Baldwin Industries for the Ocean Pines north water tower rehabilitation project in the amount of \$380,035 to replace electric and antenna wires, rehabilitate the tank catwalks (including bird deterrents), replace five exterior tension rods, add steps to access the lower portion of the tank interior, upgrade the interior ladder, add safety rails around the new hatch, and replace the access hatch gasket. Mr. Tustin stated that, with all associated costs, project expenditures total roughly \$410,000, with \$500,000 available for this project in the 2019 Bond Issue.

The Commissioners met with Mr. Tustin to discuss the written request from Cathrin Banks, president of the Maryland Delaware Railroad (MDRR) to declare Central Site Lane a public road, so that MDRR will be eligible to use federal funds to cover the cost of grade crossing improvements at that site. Mr. Tustin stated that the County Commissioners proclaimed Central Site Lane to be a private road due to the 600-foot easement across private property and to discourage land development on the private road adjacent to the active landfill.

In response to a question by Commissioner Elder, Mr. Tustin stated that there is no turnaround on this road between U.S. Rt. 113 and the railroad track, and proclaiming Central Site Lane as a public road would leave it open for public use 24 hours per day.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to maintain Central Site Lane as a private lane.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal from George, Miles, and Buhr of \$16,500 to prepare a preliminary engineering report to aid the County in determining how to plan for and proceed with adding a second solids dewatering area to the Ocean Pines Wastewater Treatment Plant (WWTP). Funding of \$800,000 was included in the 2019 Bond Issue to replace the belt fitter press at the WWTP; however, staff determined that adding the second solids dewatering area will better serve the WWTP by allowing for continuous operations during construction, providing redundancy to the operation, and allowing them to take advantage of the recently completed repairs.

The Commissioners met with Mr. Tustin to review the results of a speed study on Old Furnace Road, which was conducted from July 14-21, 2020 at the request of area resident Dale Abbott to address speeding vehicles and to post a speed limit sign. Mr. Tustin reviewed the results and noted that 1,247 vehicles or 60.1% of drivers traveled 51 miles per hour (mph) or greater, and 824 or 39.9% of drivers traveled 50 mph or less, while the average speed on this currently unposted road was 50 mph during the speed study. Therefore, Mr. Tustin recommended that Old Furnace Road be posted at 50 mph.

Upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to establish the 50 mph speed limit on Old Furnace Road and to post speed limit signs. They further agreed to request that the Sheriff's Office enforce the new speed limit of 50 miles per hour.

Commissioner Bertino extended his thanks to Mr. Tustin and his staff for their successful cleanup efforts following Tropical Storm Isaias.

Pursuant to the request of County Engineer Bill Bradshaw and upon a motion by Commissioner Bertino, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition to proceed with phase 2 of the Worcester County Jail improvement project. Mr. Bradshaw reviewed the scope of the project, noting that this does not include installing air conditioning in the inmate housing units. Commissioner Church expressed concerns regarding clustering inmates in air conditioned spaces during periods of high temperatures in their cells, and stated that air conditioning needs to be addressed in the inmate housing units. In response to questions by Commissioner Church, Warden Donna Bounds advised that the only areas of the County Jail with air conditioning that can be accessed by inmates include N and Q blocks for new arrivals and medical housing. She noted that the heat inside the prison does not dissipate as the temperature on the outside of the prison fluctuates, and there is nothing staff can do to bring these temperatures down. For example, on July 28 the temperature in K block was 83 degrees Fahrenheit, while the temperature today on the same block is 85.5 degrees Fahrenheit. However, she noted that installing air conditioning in the inmate housing units would require additional design studies, increase construction costs, and delay the improvement project.

In response to a question by Commissioner Bunting, Mr. Bradshaw advised that the project before them today is for design services for 12 or more units and corridors and to replace the rooftop. He confirmed that the project completed last year at a cost of \$3.5 million included installing air conditioning in the kitchen, corridors, office spaces, chapel, and barber shop.

In response to a question by Commissioner Mitrecic, Warden Bounds confirmed that air conditioning is not available in the inmate housing units at Sussex Correctional Institute, Eastern

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Correctional Institute, and Somerset County Detention Center. Furthermore, Chief Administrative Officer Harold Higgins confirmed that the County would shoulder the full cost of air conditioning inmate housing units, as federal and state funds cannot be used for this purpose.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved as a consent agenda the housekeeping agenda item numbers 20-25 as follows: approving a six-month extension through April 30, 2021 to the Maryland Community Development Block Grant (CDBG) agreement for Diakonia, Inc. shelter renovations; approving the Governor's Office of Crime Control and Prevention FY21 grant application for funds of \$50,615 for the grant-funded position of Heroin Coordinator within the Sheriff's Office; approving the Certification for Cooperative Local-State Library Aid Programs for FY21, with State aid of \$170,290 and County funding of \$2,760,765 for the County Library; approving two letters of County support for a Heritage Fund grant and a Beach to Bay Heritage Area grant to restore the historic All Hallows Episcopal Church in Snow Hill; approving the FY21 Core Public Health Services Funding Agreement between the Department of Health and Mental Hygiene (DHMH) and Worcester County, with a County contribution of \$5,683,797 or 73.2713% and a State contribution of \$1,143,712 or 26.7287% of the FY21 Worcester County Health Department budget of \$6,827,509, for core public health services in Worcester County; and adopting Resolution No. 20-24 authorizing a 100% tax credit in the amount of \$12,878.66 for real property owned by the Greater Ocean City, Maryland Chamber of Commerce, Inc. for the July 1, 2020 tax year.

Pursuant to the request of Tom Perlozzo, Director of Recreation, Parks, Tourism, and Economic Development, and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the renewal agreement between the Mayor and City Council of Ocean City, Maryland, Wicomico County, Maryland, and Worcester County, Maryland for the Mid-Atlantic Amateur Sports Alliance (MAASA). This agreement allows the three jurisdictions to leverage their combined assets to attract, retain, and build sports marketing events, with a focus on amateur athletics, and to grow the region's economy and reputation as a premiere destination.

Pursuant to the request of Mr. Perlozzo and upon a motion by Commissioner Purnell, with Commissioner Bunting temporarily absent, the Commissioners unanimously authorized Commission President Mitrecic to sign the renewal, three-year Memorandum of Understanding (MOU) between the Mayor and City Council of Ocean City, Maryland, Wicomico County, Maryland, and Worcester County, Maryland (event hosts) and We Build You Play Sports Group, LLC (event organizer) to host the Beachfest Volleyball Tournament in the three jurisdictions. Mr. Perlozzo advised that the only change in the MOU is an incentive for the event organizer to include teams from outside a 60-mile radius and with the caveat that Worcester County facilities are being utilized.

Mr. Perlozzo met with the Commissioners to seek authorization to develop a proposal to institute a year-round riverboat operation on the Pocomoke River that would serve as an economic engine for both Snow Hill and Pocomoke. Mr. Perlozzo stated that such a project would seek to capitalize on excursions, dining, entertainment, and potential gaming on what is considered to be the gem of southern Worcester County. He stated that this type of unique

operation could attract 500-1,000 people to the downtown areas of each jurisdiction and has the potential to attract local government and private sector program partners. He then requested approval to discuss the concept further with the towns, explore purchase options and type of ownership, operation, and grant opportunities.

Commissioner Nordstrom stated that this is a fantastic opportunity to revitalize these towns. Commissioner Purnell concurred and stated that such a project would accentuate the opportunities already available in these jurisdictions. In response to a question by Commissioner Bertino, Mr. Perlozzo stated that the Black Eyed Susan, a sternwheeler river boat, is for sale at \$350,000, and a second boat is for sale at \$450,000. He stated that the County would look at grant opportunities to cover the cost to purchase a riverboat and interest by the towns or the private sector to oversee operations. He noted that Ocean Downs officials have indicated they would be interested in any potential gaming opportunity associated with such a riverboat operation. Commissioner Bunting stated that the County should not be involved in the purchase and operation of a riverboat, as business opportunities like this should be privately run.

Commissioner Elder stated that, while he leans toward such an operation being privately owned and operated, he would like staff to continue exploring this opportunity and to provide the Commissioners with information on how such a concept could be established on the Pocomoke River to boost economic opportunities in the towns of Pocomoke and Snow Hill.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 5-0-2, with Commissioners Bertino and Bunting abstaining from the vote, to allow County staff to pursue the concept of a riverboat operation for economic activity on the Pocomoke River.

Mr. Perlozzo and Andrea Vernot of Choptank Communications met with the Commissioners to propose “Maryland’s Coast – Worcester County,” as the new branding for Worcester County. Mr. Perlozzo noted that County staff began working with Choptank Communications, as well as 160 community partners made up of citizens, business leaders, and entrepreneurs, to identify, position, and develop a platform to sell Worcester County as a place to live, work, and play. Ms. Vernot reviewed a PowerPoint outlining the purpose and need for Worcester County to develop its own unique branding and why “Maryland’s Coast – Worcester County” is the right branding for the County. Specifically, she noted that Worcester County is the only place in Maryland where the ocean meets the land, making the coastal reference a unique way to leverage and energize residents’ sensory connection to and pride in the County.

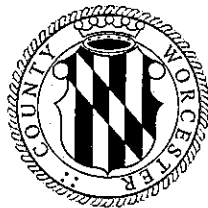
Commissioner Bertino supported the idea of giving Worcester County an identity, but initially expressed concern that the coastal reference does not capture all of Worcester County. Commissioners Bunting and Nordstrom expressed similar concerns. In response, Mr. Perlozzo stated that all community partners, whether they lived at the ocean or 45 minutes away, said they live at the beach. He stated that Worcester County is an exciting place, and the branding proposed will allow them to go out and market the County. Commissioner Church supported the proposed branding, noting that the coast is the hub of the County, so the coastal reference serves as a great draw. Commissioner Purnell concurred, as did Commissioner Elder, who noted that there are numerous opportunities to play off the word “coast,” such as coast on down to Snow Hill and Pocomoke.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to

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allow Mr. Perlozzo and his team to move forward with the conceptual branding of the County.

The Commissioners answered questions from the press, after which they adjourned to meet again on September 1, 2020.



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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

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

PROCLAMATION

WHEREAS, this September, National Suicide Prevention Month, we join representatives from the Health Department, the Jesse Klump Memorial Fund, and the Governor's Commission on Suicide Prevention to promote activities that foster a community conversation aimed at helping the public to learn about effective suicide prevention, engage people with lived experiences in prevention efforts, and empower everyone to help save lives; and

WHEREAS, we all have a role to play in suicide prevention. By joining public health officials for programs and activities that offer help and support, together we can promote hope, recovery, and resilience.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby recognize September as **Suicide Prevention Month** and invite all to participate in the virtual *Out of Darkness Experience* to Prevent Suicide on September 26, 2020 to continue the conversation about suicide prevention.

Executed under the Seal of the County of Worcester, State of Maryland, this 1st day of September, in the Year of Our Lord Two Thousand and Twenty.



Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Joshua C. Nordstrom

Diana Purnell

Citizens and Government Working Together



ITEM
2

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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

August 24, 2020

TO: Worcester County Commissioners
FROM: Karen Hammer, Office Assistant IV
SUBJECT: Pending Board Appointments - Terms Beginning January 1, 2020

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (7) which have current or upcoming vacancies (14 total). They are as follows: Commission on Aging Board (3), Local Development Council for the Ocean Downs Casino (1), Property Tax Assessment Appeal Board (1), Social Services Board Advisory (3), Solid Waste Advisory Committee (4), Tourism Advisory Committee (1) and the Commission For Women (1). I have circled the members whose terms have expired or will expire on each of these boards.

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

Pending Board Appointments - By Commissioner

District 1 - Nordstrom

All District Appointments Received. Thank you!

District 2 – Purnell

p. 7 - Social Services Advisory Board (Nancy Howard) - 3 year

District 3 – Church

p. 9 - Solid Waste Advisory Committee (Bob Augustine)- 4-year

District 4 - Elder

All District Appointments Received. Thank you!

District 5 - Bertino

p. 7 - Social Services Advisory Board (Cathy Gallagher) - 3 year
p. 9 - Solid Waste Advisory Committee (James Rodenberg)- 4 yr.

District 6 - Bunting

p. 10 - Tourism Advisory Committee (Isabel Morris) - 4-year
p. 11 - Commission for Women (Bess Cropper) - 4 year

District 7 – Mitrecic

p. 7 – Social Services Advisory Board (Maria Campione-Lawrence)

All Commissioners

p. 5 - (1) Local Development Council for Ocean Downs Casino (Mark Wittmyer - At-Large - business or institution representative in immediate proximity to Ocean Downs) - 4-year

All Commissioners (Awaiting Nominations)

p. 3 - (3) Commission on Aging Board (Cynthia Malament- Berlin, Lloyd Parks – Girdletree and Clifford Gannett - Pocomoke) - self-appointed by Commission on Aging & confirmed by County Commissioners- 3-year

p. 6 - (1) Property Tax Assessment Appeal Board – Waiting For The Governor’s Office to make an appointment – 5-yr.

p. 9 - (2) Solid Waste Advisory Committee (Michael Pruitt - Town of Snow Hill and Jamey Latchum - Town of Berlin) 4 yr.

COMMISSION ON AGING BOARD

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

Appointed by: Self-Appointing/Confirmed by County Commissioners

Function: Supervisory/Policy Making

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

Compensation: None

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

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

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

Current Members:

Member's Name	Resides/Represents	Years of Term(s)
Cynthia Malament	Berlin	07-10-13-16, 16-19
Lloyd Parks	Girdletree	08-11-14-17, 17-20
Clifford Gannett	Pocomoke City	*12-14-17, 17-20
James Covington	Pocomoke City	*18-20
Bonita Ann Gisriel	Ocean City	*18-20
Carolyn Dryzga	Ocean Pines	*18-20
Tommy Tucker	Snow Hill	09-12-15-18, 18-21
Tommy Mason	Pocomoke	15-18, 18-21
Helen Whaley	Berlin	*16-18, 18-21
Rebecca Cathell	Agency - Maryland Job Service	
Lou Taylor	Agency - Worcester County Board of Education	
Roberta Baldwin	Agency - Worcester County Department of Social Services	
Rebecca Jones	Agency - Worcester County Health Department	
Madison J. Bunting, Jr.	Worcester County Commissioners' Representative	
Fred Grant	Snow Hill	*15-16, 16-19, 19-22
Joyce Cottman	Berlin	*16, 16-19, 19-22

* = Appointed to fill an unexpired term

Updated: December 3, 2019
Printed: August 24, 2020

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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 Fassett
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)
Larry Walton (13-18)

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

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

Appointed by: County Commissioners

Function: Advisory

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

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

Compensation: None

Meetings: At least semi-annually

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

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

Current Members:

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

Resigned

Prior Members:

Since 2009

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

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

Charlie Dorman (12-19)

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

PROPERTY TAX ASSESSMENT APPEAL BOARD

Reference: Annotated Code of Maryland, Tax-Property Article, §TP 3-102

Appointed by: Governor (From list of 3 nominees submitted by County Commissioners)

- Nominees must each fill out a resume to be submitted to Governor
- Nominations to be submitted 3 months before expiration of term

Function: Regulatory

- Decides on appeals concerning: real property values and assessments, personal property valued by the supervisors, credits for various individuals and groups as established by State law, value of agricultural easements, rejection of applications for property tax exemptions.

Number/Term: 3 regular members, 1 alternate/5-year terms
Terms Expire June 1st

Compensation: \$15 per hour (maximum \$90 per day), plus travel expenses

Meetings: As Necessary

Special Provisions: Chairman to be designated by Governor

Staff Contact: Department of Assessments & Taxation- Janet Rogers (410-632-1196)
Ext:112

Current Members:

Gary M. Flater (Alternate)	Snow Hill	13-18	Resigned
Steven W. Rakow	Ocean Pines	*19-22	
Arlene C. Page	Bishopville	18-23	
Martha Bennett	Berlin	19-24	

Waiting For The
Governor's Office
To Appoint

C) = Chairman

Prior Members: Since 1972

Wilford Showell
E. Carmel Wilson
Daniel Trimper, III
William Smith
William Marshall, Jr.
Richard G. Stone
Milton Laws
W. Earl Timmons
Hugh Cropper
Lloyd Lewis
Ann Granados
John Spurling
Robert N. McIntyre
William H. Mitchell (96-98)
Delores W. Groves (96-99)
Mary Yenney (98-03)
Walter F. Powers (01-04)

Grace C. Purnell (96-04)
George H. Henderson, Jr. (97-06)
Joseph A. Calogero (04-09)
Joan Vetare (04-12)
Howard G. Jenkins (03-18)
Robert D. Rose (*06-17)
Larry Fry (*10-14 alt)(14-18)

* = Appointed to fill an unexpired term

Updated: May 21, 2019
Printed: August 24, 2020

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SOCIAL SERVICES ADVISORY BOARD

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

Appointed by: County Commissioners

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

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

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

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

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

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

Current Members:

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

Resigned

SOCIAL SERVICES BOARD
(Continued)

Prior Members: (Since 1972)

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

* = Appointed to fill an unexpired term

Updated: July 21, 2020
Printed: August 24, 2020



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

Appointed by: County Commissioners

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

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

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

Meetings: At least quarterly

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

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

Current Members:

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

Prior Members: (Since 1994)

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

* = Appointed to fill an unexpired term

TOURISM ADVISORY COMMITTEE

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

Appointed by: County Commissioners

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

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

Compensation: \$50 per meeting expense allowance

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

Special Provisions: One member nominated by each County Commissioner

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

Current Members:

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

Prior Members: Since 1972

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

* = Appointed to fill an unexpired term

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

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

Updated: December 3, 2019
Printed: August 24, 2020

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COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

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

Compensation: None

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

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

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

Current Members:

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

Prior Members: Since 1995

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

* = Appointed to fill an unexpired term

^c = Charter member

Updated: July 21, 2020

Printed: August 24, 2020

Prior Members: Since 1995 (continued)

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

* = Appointed to fill an unexpired term

^c = Charter member

Updated: July 21, 2020

Printed: August 24, 2020

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RECEIVED

AUG 25 2020

Worcester County Admin

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
Weston Young, Assistant Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation, Parks, Tourism & Economic Development
DATE: August 25, 2020
SUBJECT: Cares Act Grant Funding Report – Sept 1st Commissioner Meeting

Please find enclosed a report with our most recent Covid-19 Back to Business Assistance Grant offering extended with Cares Act funding. As you are aware, we were allocated \$2.18 million dollars for our local businesses meeting the qualifications as directed. Based upon the information within we are recommending the following for approval as we move forward reinvesting in Worcester County.

1. Based on the results of the most recent awards we want to recommend **an additional round of funding** in the amount of \$752,500.00 +/- . Although only 164 businesses met all the requirements, another 39 applicants were not approved for various reasons. We are currently reviewing those applications and determining if we can provide the award or redirect them to another approved window of funding as requested after September 1, 2020.

Additional Recommendations in Round Two (2) that was not included in Round one (1):

- a. Sole Proprietors, LLC's - \$2,500 with zero employees. Sole Proprietors were eligible in the first round of offering but only if they met the minimum employee count of 1. This would also allow Ag producers who may not be fully aware of losses to apply in the fall season.
2. **Workforce** - \$250,000.00. The current workforce funding for economic development only addresses STEM (Science, Technology, Engineering and Mathematics) and is not most reflective of what the County workforce needs are in many sectors. During the most recent budget process a discussion was held and complete reengineering of the STEM program with the added development of STAT (Skilled Trades, Agriculture and Tourism) was included. The County workforce remains deficient in these sectors and not just seasonally. The County Government's workforce is not immune from the need of a skilled workforce in many of these sectors. The loss of the J1 program this year in the region and the impact on the workforce has shown evidence of a greater need for investment in a workforce that is capable of serving the needs of our business community. The ability to invest in experiences for our youth in regard to the County's business communities workforce needs is critical.

There are exceptional possibilities for skilled workers in the trades; plumbing, electrical, masonry, culinary arts, hospitality management, skilled construction management and agriculture careers just to name a few. We would like the resources to be able to invest early in the youth in our community and show them the opportunities available to them to invest in a career on the Shore and remain in the community. The most recent pandemic has heightened the need for investment and for creative adaptation. We would like to build an offering with partnerships in our educational community both locally and regionally to build a workforce for the future in Worcester County.

We have been adversely effected with the pandemic in all regions of the county. It's become even more evident that the collection of talent relating to the needs of the county are deficient. Workforce availability is a priority for business looking to expand or relocate. In recent discussions with Stacey Norton, Human Resources Director, it's been a challenge to fill our open job positions with qualified candidates. In addition, each town leader we have had meetings with has echoed those challenges. It's our recommendation to work with Human Resources and others (not all inclusive):

- A. Worcester County Talent Connect Portal
- B. Development of specific programs with Worcester Technical School, Wor Wic Tech, UMES and Salisbury University
- C. Job Fairs, Private Interview space, referral network
- D. Diverse candidate development – youth, older workers, individuals with disabilities, junior achievement, etc.
- E. Recruitment
- F. Training and Education – industry recognized certifications
- G. Apprenticeships and Internships
- H. Up-Skilling – retention programs

3. Advertising - \$250,000.00 - As an ongoing effort among Tourism, Economic Development and Recreation and Parks, there's been a complete focus on collaboration with our Cities within the county. We have regularly met to discuss capital projects, events and miscellaneous transparency as a resource and trust. Each of our towns have indicated similar and yet different elements for recovery. *The most common thread was tourism and promotion of the specific offerings of each community to foster continued and future economic growth.* The suggested funding would be administered by Worcester County Tourism and would be split and equally (co-op) shared among our towns for the purpose of generating revenues both for the county and the towns. The department will continue to a develop strategic direction and team building with our overall rebranding image, sales, advertising, marketing budgets and key performance metrics and other touchpoints within the county.

Cares Act General Information

Accounting:

Total Budget	\$2,180,000.00	
Current Awards	927,500.00	164 Businesses
Balance	\$1,252,500.00	

Award Breakdown is as follows:

Full Time Employees 1-25	137 applicants or \$685,000.00
Full Time Employees 26-50	16 applicants or \$160,000.00
Agriculture	11 applicants or \$ 82,500.00
Total	164 applicants or \$927,500.00

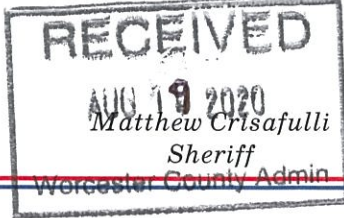
Zip Code Breakdown Applicant and Awards:

21811	50
21813	5
21841	2
21842	79
21843	1
21851	14
21863	9
21864	2
21872	2

cc: Kathryn Causey
Lachelle Scarlato
Melanie Pursel

Worcester County Sheriff's Office

ITEM
4



Mark C. Titanski
Chief Deputy

To: Worcester County Commissioners

From: Sheriff Matthew Crisafulli

Date August 19, 2020

Re: Presidential Inauguration Task Force MOU

Please find attached a hard copy of a MOU that has previously been emailed to President Mitrecic. This MOU will allow the Worcester County Sheriff's Office to participate in the Presidential Inauguration of 2021, as we have done in the past. The costs associated will be reimbursed to the Worcester County Sheriff's Office by the Metropolitan Police Department of Washington D.C.

The attached hard copy is for reference only, the MOU can be completed online via the link contained in the original email.

Thank you in advance for your time and consideration in this matter.

"Proud to Protect, Ready to Serve"

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

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is executed by the United States Attorney's Office for the District of Columbia, the Metropolitan Police Department of Washington, D.C. (MPD) and the Worcester County Sheriff's Office.

I. PURPOSE

The purpose of the MOU is to outline the mission of the Presidential Inauguration Task Force (PITF) in the Washington, D.C. area from Sunday, January 17, 2021, to Thursday, January 21, 2021. Additionally, this MOU defines relationships between the U.S. Marshals Service, MPD and the Worcester County Sheriff's Office, as well as other participating agencies with regard to policy, guidance, utilization of resources, planning, training, public relations and media in order to maximize interagency cooperation.

II. MISSION

The mission of the PITF is to achieve maximum coordination and cooperation in bringing to bear combined resources to effectively implement measures to promote the safety of the President of the United States, inaugural participants, the public, visitors and residents while allowing individuals and groups to exercise their legal rights.

Additionally, all units that are participating agencies will coordinate their activities and be considered a member of the PITF, sharing information and coordinating investigative and law enforcement efforts which may result from any apprehensions originating from the PITF.

III. ORGANIZATIONAL STRUCTURE

A. Direction

The Worcester County Sheriff's Office acknowledges that the PITF is a joint operation in which all agencies, including the MPD, the United States Attorney's Office for the District of Columbia, United States Marshals Service, United States Secret Service, United States Federal Bureau of Investigation, National Park Service, the Worcester County Sheriff's Office and other agencies, act as partners in the operation of the PITF. The Command Center for the operations will be located at the MPD Headquarters and will be staffed by officers from the United States Marshals Service, MPD, U.S. Park Police, and the Federal Bureau of Investigation. These officers will serve as the Executive Council for this operation.

B. Supervision

The day-to-day operation and administrative control of the PITF will be the responsibility of MPD's Inaugural Planning Committee Commanding Officer. The Inaugural Planning Committee Commanding Officer will coordinate with supervisory personnel of the United States Secret Service as the sponsoring agency for Special Deputation (federal) and with MPD as the lead agency for the operation. The daily management of the PITF will be closely monitored by the MPD.

Responsibility for the conduct of the PITF members, both personally and professionally, shall remain with the respective agency directors subject to the provisions in Section IX (Liability).

C. Unilateral Law Enforcement Action

There shall be no unilateral action taken on the part of any participating non-federal or non-MPD law enforcement agency relating to PITF activities. All law enforcement action by participating non-federal and non-MPD law enforcement agencies must be coordinated and conducted in a cooperative manner under the direction of the Executive Council and the MPD.

IV. PROCEDURES

A. Personnel

Continued assignment of personnel to the PITF will be based upon performance and will be at the discretion of the respective agency. Each participating agency will be provided with reports as necessary regarding the program, direction, and accomplishment of the PITF.

B. Deputation

All local and state law enforcement personnel designated to the PITF will be subject to background inquiry and will be federally deputized, with the United States Marshals Service securing the required deputation authorization. These deputations will remain in effect throughout the tenure of each officer's assignment to the PITF or until termination of the PITF, whichever occurs first. Each individual deputized as a Special Deputy U.S. Marshal will have all necessary law enforcement authority as provided by 28 U.S.C. § 566(c) and (d); 28 U.S.C. § 564; 18 U.S.C. § 3053; 28 C.F.R. § 0.112, and the deputation authority of the Deputy Attorney General. The Special Deputy U.S. Marshals will be responsible for: 1) performing necessary law enforcement steps to keep the peace of the United States; 2) enforcing federal law (e.g., 18 U.S.C. §§ 112, 1116, and 878, as well as other provisions of that title); 3) protecting visiting foreign officials, official guests, and internationally protected persons; 4) taking necessary law enforcement steps to prevent violations of federal law, and; 5) enforcing District of Columbia law as a result of the deputation (see D.C. Official Code § 23-581 and 28 U.S.C. § 564).

Individuals deputized as Special Deputy U.S. Marshals pursuant to this MOU who suffer a disability or die as a result of personal injury sustained while acting within the course and scope of their official duties and assignments pursuant to this MOU shall be treated as a federal employee as defined by Title 5 U.S.C. § 8101. Any such individuals who apply to the U.S. Department of Labor for federal workers' compensation under Section 3374 must submit a copy of this MOU with his or her application. All applicants will be processed by the U.S. Department of Labor on a case-by-case basis in accordance with applicable law and regulation.

C. Law Enforcement Activities

Since it is anticipated that almost all cases originating from any PITF arrests will be prosecuted at the state or local level, the law enforcement methods employed by all participating law enforcement agencies shall conform to the requirements of the relevant state or local statutory or common law pending a decision as to a change of venue for prosecution.

D. Prosecution

The criteria for determining whether to prosecute a particular violation in federal or state court will focus upon achieving the greatest overall benefit to law enforcement and the community. Any question which arises pertaining to prosecutorial jurisdiction will be resolved through the Executive Council. The U.S. Attorney's Office for the District of Columbia has agreed to formally participate in the PITF and will adopt policies and seek sentences that meet the needs of justice.

V. ADMINISTRATIVE

A. Records and Reports

All records and reports generated by PITF members shall be routed through MPD's Inaugural Planning Committee Commanding Officer who shall be responsible for maintaining custody and proper dissemination of said records and reports as he or she deems appropriate.

B. Staff Briefings

Periodic briefings on PITF law enforcement actions will be provided to the directors of the participating agencies or their designees. Statistics regarding accomplishments will also be provided to the participating agencies as available.

VI. MEDIA

All media releases pertaining to PITF law enforcement activity and/or arrests will be coordinated by the Executive Council. No unilateral press releases will be made by any

participating agency without the prior approval of the Executive Council. No information pertaining to the PITF itself will be released to the media without Executive Council approval.

VII. EQUIPMENT

A. PITF Vehicles

Each participating agency, subject to availability and individual agency policy, agrees and authorizes PITF members to use vehicles, when available, owned or leased by those participating agencies, in connection with PITF law enforcement operations. Each participating agency agrees to be responsible for any negligent act or omission on the part of its agency or its employees, and for any liability resulting from the misuse of said vehicles, as well as any damage incurred to those vehicles as a result of any such negligent act or omission on the part of the participating agency or its employees, subject to the provisions of Section IX (Liability).

Participating agency vehicles assigned to the PITF are subject to funding availability, are provided at the discretion of the supervisor of the providing agency, and will be used only by PITF members. Vehicles provided by participating agencies will be used only during working hours and will not be used for transportation to and from work by task force members or used for any other purpose. Participating agencies will provide maintenance and upkeep of their vehicles consistent with each agency's policy. Vehicles provided as pool vehicles for PITF use will be parked at the end of each shift at a location determined by MPD's Inaugural Planning Committee Commanding Officer or his/her designee.

B. Other Equipment

Other equipment furnished by any agency for use by other agencies' participating personnel shall be returned to the originating agency upon termination of the PITF or this MOU.

VIII. FUNDING

The Worcester County Sheriff's Office agrees to provide the full-time services of its respective personnel for the duration of this operation, and to assume all personnel costs for their PITF representatives, including salaries, overtime payments, and fringe benefits consistent with their respective agency policies and procedures. Reimbursement for the cost of such personnel will be made by the District of Columbia, with funds provided by the United States and from general revenue.

IX. LIABILITY

Unless specifically addressed by the terms of this MOU, the parties agree to be responsible for the negligent or wrongful acts or omissions of their respective employees. Liability for PITF employees' acts or omissions undertaken outside the terms of this MOU are

the sole responsibility of the respective employee or agency involved.

For the limited purpose of defending tort claims arising out of PITF activity, state or local law enforcement officers who are specially deputized as Deputy U.S. Marshals may request that the Attorney General or his designee certify under 28 U.S.C. § 2679(d) that the officer was an employee of the U.S. government acting in the scope of office or employment at the time of the incident out of which the claim arose. Upon certification, the United States is substituted as the defendant under the Federal Tort Claims Act and the case proceeds against the United States. This procedure does not apply to claims for violations of federal constitutional or statutory rights. *See* 28 U.S.C. 2679(b)(2). Decisions regarding certification under § 2679 are made on a case-by-case basis and no guarantee is made that any PITF personnel will be certified under this provision.

PITF-deputized officers may request representation by the U.S. Department of Justice for individual-capacity civil claims arising from actions taken within the scope of deputation under this MOU. *See* 28 C.F.R. § 50.15. The Department of Justice determines whether to provide individual-capacity representation on a case-by-case basis applying the criteria in § 50.15. Legal representation by the Department of Justice is discretionary and not guaranteed.

To request certification of scope of employment under 28 U.S.C. § 2679(d) or legal representation under 28 C.F.R. § 50.15, a PITF-deputized officer should submit a written request to the Civil Division of the U.S. Attorney's Office for the District of Columbia. The United States Attorney's Office for the District of Columbia will forward the request to the Civil Division of the United States Department of Justice together with a recommendation concerning scope of employment as a deputized federal officer and Department representation. 28 C.F.R. § 50.15(a)(3).

A PITF-deputized officer may request indemnification for an adverse judgment under the circumstances set forth in 28 C.F.R. § 50.15(c). Indemnification decisions are discretionary and made on a case-by-case basis. Indemnification is not guaranteed.

PITF officers from participating agencies covered by the provisions of § 7302 of the National Intelligence Reform and Terrorism Prevention Act of 2004, PL 108-458, 118 Stat. 3538, as amended, and PL 110-250, 122 Stat. 2318 ("the Act"), also have the liability protection afforded by the Act

X. DURATION

This MOU shall remain in effect until the conclusion of the PITF as specified in Part I (Purpose) above, unless that date is modified as set forth in Section XI, and subject to the availability of necessary funding. The United States Attorney's Office for the District of Columbia or the Metropolitan Police Department may terminate this agreement at any time. The Worcester County Sheriff's Office may withdraw from this MOU at any time by providing a

seven-day written notice of its intent to withdraw to the MPD. Upon the termination of the MOU, all equipment will be returned to the supplying agencies.

XI. MODIFICATIONS

The terms of this MOU may be modified at any time by written consent of all parties. Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

XII. LIMITATION

Nothing in this MOU is intended to, or shall be construed to create enforceable rights in third parties.



MURIEL BOWSER
MAYOR
DISTRICT OF COLUMBIA



MICHAEL R. SHERWIN
ACTING UNITED STATES ATTORNEY
DISTRICT OF COLUMBIA

eSigned via SeamlessDocs.com

Key: 6f401c57205d09ad220b34587320ca5d

MATT CRISAFULLI
SHERIFF
WORCESTER COUNTY SHERIFF'S OFFICE
SNOW HILL, MARYLAND

JOSEPH MITRECIC
COMMISSION PRESIDENT
WORCESTER COUNTY
SNOW HILL, MARYLAND



DONNA J. BOUNDS
WARDEN



**Worcester County
Jail**

P.O. BOX 189
SNOW HILL, MARYLAND
21863

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

ITEM
5

QUINTIN L. DENNIS
SECURITY

FULTON W. HOLLAND JR.
CLASSIFICATION

August 19, 2020

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

RE: Ocean City Police Department Mutual Aid Agreement

Dr. Mr. Higgins,

I am submitting a request to enter into a Mutual Aid Agreement with the Ocean City Police Department to assist with transportation needs from Thursday, September 24, 2020 through Saturday, September 26, 2020. The Jail will provide 3 transportation vans and an officer for each van, to assist in 8 hour shifts from 1800 hrs to 0200 hrs each evening. I have included a copy of the agreement for review and approval. There will be overtime costs to assist with this request. Please contact me if you have any questions.

Sincerely,

Donna J. Bounds, Warden
Worcester County Jail

**MUTUAL AID AGREEMENT AMONG THE
WORCESTER COUNTY JAIL, THE COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND AND THE MAYOR AND CITY COUNCIL OF
THE TOWN OF OCEAN CITY**

THIS Agreement, made this ____ day of ____, 2020, by and between the WORCESTER COUNTY JAIL, with the concurrence and agreement of the County Commissioners of Worcester County, Maryland ("the Commissioners"), and the MAYOR AND CITY COUNCIL OF THE TOWN OF OCEAN CITY, ("the Town") an incorporated municipality, by and through the respective governing bodies and law enforcement agencies, as applicable, located in Worcester County, Maryland, collectively referred to as the "Parties."

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

Whereas, the Federal and State governments encourage law enforcement agencies to employ regional approaches to public safety planning, preparedness and response to public safety needs; and

Whereas, all Parties acknowledge that from time to time both emergency and non-emergency public safety and law enforcement situations have developed at locations and times in Worcester County when additional law enforcement resources could be utilized to better enable prompt, effective and professional services to the public; and

Whereas, these Parties wish to extend prompt, effective and professional law enforcement services when needed to protect the public interest, to the extent that law enforcement resources are available;

NOW, THEREFORE, the parties do hereby agree as follows:

1. The parties intend to assist each other in the form of personnel and vehicles to facilitate the transportation of prisoners during mass arrest events within Worcester County, Maryland.
2. The parties specifically agree to help transport prisoners from the Town, who have been committed to the custody of the Warden, to the Worcester County Jail.
3. Request: A request for assistance for mutual aid may be made by the Town or the Chief of Police of the Town or by the Warden or Warden's designee

either formally or informally and need not be in writing. A record of the request, shall, however, be made in writing, either contemporaneously with the request or subsequent thereto which shall include the time of the request and the extent of the aid requested. If in the judgment of the Warden or the Chief of Police, resources are needed and available, they may be dispatched. The requesting agency will identify when and where the resources need to report.

4. The Parties acknowledge that the acts performed pursuant to this Agreement by law enforcement officers, agents or employees and the expenditures made by any Party to this Agreement shall be deemed conclusively to be for a public and governmental purpose and each party will bear its own cost incurred by activities undertaken pursuant to this Agreement.
5. Each party retains for itself all immunities from liability enjoyed by that jurisdiction when acting through its law enforcement officers, agents or employees for a public or governmental purpose within its territorial limits to the same extent when acting pursuant to other lawful authority and/or Agreement beyond the territorial limits of the parties.
6. The parties acknowledge the law enforcement officers, agents and employees, when acting pursuant to this Agreement beyond the territorial limits of the jurisdiction in which they are commissioned or employed, have all the immunities from liability and exemptions from laws, ordinances and regulations and have all of the pension, relief, disability, workers' compensation, and other benefits enjoyed by them while performing their respective duties within the territorial limits of the jurisdiction in which they are commissioned or employed. Said officers remain, for all purposes, employees of their respective jurisdiction, subject to the rules, regulations, procedures, supervision and control of those respective agencies. The law enforcement officers, agents and employees shall not be considered joint employees of the other for any purpose.
7. The Agreement is strictly voluntary in nature and places no party participating in it under any obligation to respond to a request for services that it is unable or unwilling to honor.
8. Each of the Parties hereto shall obtain liability insurance with such companies and in such amounts as may be satisfactory to the other party and which said insurance shall be extended to cover all claims arising out of this Agreement. Self-insurance or pooled insurance may satisfy this requirement. Each of the Parties shall provide for workers' compensation insurance and benefits to be provided by the respective employers at all times.
9. The Parties to this Agreement agree that:

a. . They, to the extent permitted by law, will mutually indemnify each other from all claims by third parties against the State of Maryland, the County Commissioners of Worcester County, Maryland, Worcester County Jail and the Town of Ocean City and its police department for property damage, personal injury or wrongful death which might arise out of the activity covered in this Agreement while personnel or equipment are in the jurisdiction responding to its request for aid.

b. Each Party to this Agreement will waive all claims it might have against any other Party to this Agreement for property damage, personal injury or wrongful death arising out of this Agreement while personnel or equipment are in any jurisdiction responding to that jurisdiction's request for aid, or vice versa.

10. Each Party to this Agreement agrees to cooperate fully with any other Party to this Agreement in the defense of claims, pursuant to the indemnification provisions of Paragraph 9. This cooperation will include the following:

- a. Immediate notification to all parties involved of any accident or incident resulting in personal injury, damage or having the potential for liability;
- b. Recognition that each Party to this Agreement involved in an accident or incident resulting in personal injury, property damage or having the potential for liability may conduct a parallel independent investigation of such accident or incident; and
- c. Each Party involved in such accident or incident shall make personnel, records and equipment available for purpose of the defense of any claim or suit.

11. This Agreement becomes effective upon execution by all Parties and remains in effect until any Party to this agreement hereto cancels its participation in this Agreement by sending a written notice to each of the parties notice thirty (30) days prior to the cancellation. Any Party that unreasonably fails or refuses to cooperate under the terms of this Agreement will be deemed to have waived its right to participate.

12. Representatives of the parties will meet annually, on or near the original execution date, and review the terms of this Agreement to ensure its continued validity, completeness and necessity. Failure to comply with this paragraph, however, will not affect the validity of the Agreement. If any dispute or issue arises under this Agreement, the Parties agree to resolve the issue at the lowest management level of each party. In the event the issue remains unresolved, the Parties agree to immediately escalate the issue to upper-level management for their consideration. In all events, the Parties will negotiate, in good faith, a mutually agreeable solution. In the event all

Parties cannot agree on a solution, the issue shall be presented to the Commissioners and the Mayor & Council of the Town of Ocean City.
13. Maryland law governs the terms and enforceability of this Agreement.

AS WITNESS the hands and seals of the parties the day and year first above written.

WITNESS/ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

By: _____

JOSEPH M. MITRECIC, PRESIDENT

_____ Date

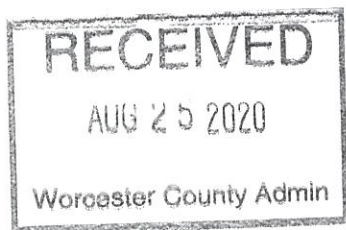
THE TOWN OF OCEAN CITY MAYOR &
COUNCIL

By: _____

DOUG MILLER, CITY MANAGER

_____ Date

ITEM
6



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

BILLY BIRCH
DIRECTOR

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: Emergency Number Systems Board (ENSB) project approval #20-197
Date: 24 August 2020

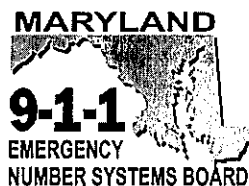
The Department of Emergency Services (DES) is seeking authorization and permission to proceed with ENSB Project #20-197 in the amount of \$7,470.00 to be reimbursed to the County for the purchase of 30 computer tablets loaded with Priority Dispatch protocol software. These tablets contain the 911 call taking protocols that our employees utilize to provide standards-based processing of 911 calls in the event that the network computers are not functional. This project moves us towards having every 911 position utilizing the protocol in both of our centers and Ocean City's positions having the same capabilities, thus adding redundancy that is currently not built into the system.

- Currently, we are under-prepared as we only have two sets of protocols on card sets that have to be moved from position to position and relocated if we operate out of our back-up center.
- In addition, Ocean City has a limited number of card sets at their location.

In addition, Priority Dispatch is moving away from supporting the traditional card sets and supporting computer tablet protocols exclusively. This project allows for easy updates and ensures continued support.

I am available to answer any questions at your convenience.

Attachments (2)



Department of Public Safety and Correctional Services

Emergency Number Systems Board

300 East Joppa Road – Suite 1000, Towson, Maryland 21286-3068
(410) 339-6383 • FAX (410) 339-6306 • www.dpscs.state.md.us/ensb/

STATE OF MARYLAND

LAWRENCE J. HOGAN, JR.
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

CHRISTOPHER McCULLY
DEPUTY SECRETARY
ADMINISTRATION

ANTHONY MYERS
CHAIRMAN

SCOTT ROPER
EXECUTIVE DIRECTOR

JUMARY WEST
FISCAL COORDINATOR

April 30, 2020

Mr. Timothy Coale
Worcester Co. Dept. of Emerg. Serv.
1 West Market Street
Courthouse Room 1002
Snow Hill, MD 21863

RE: ENSB Project # 20-197 Worcester County

Dear Mr. Coale:

This will confirm the Board's decision during its April 30, 2020 meeting, to fund up to \$7,470.00 for Emergency Dispatch Protocols – Backup Tablets (Project # 20-197), per your request. This funding is contingent upon the availability of funds in the Trust Fund.

The Board has established certain time limits concerning funding. Per these time limits you must award a contract for this project within six months from the date of this letter and the project must be completed within one year of the date of this letter. If these deadlines are not met, you must notify the Office of the Executive Director and may be required to appear before the Board to explain the circumstance surrounding the delay of this project.

Once the entire project or billable portion has been completed you can be reimbursed for the costs or the Board can pay the vendor directly. If you want to be reimbursed, please send me a letter specifying the amount of the reimbursement and include a copy of the invoice and a copy of the cancelled check (both sides) along with the county's federal tax ID number. If you want the Board to pay the bill directly forward the invoice accompanied by a letter specifying that the materials or services have been received/installed to your satisfaction, specifying the amount to be paid, and requesting direct payment. The invoice will then be processed for payment directly from the Trust Fund account. **The vendor's/county's Federal ID number must be included or the package will be returned without being processed.**

Thank you for your patience in this matter. Should you have any additional questions, please feel free to contact me at 410-339-6305.

Sincerely,

Scott G. Roper

Scott Roper, Executive Director
Emergency Number Systems Board



QUOTE

110 Regent Street, Suite 500

Salt Lake City, UT 84111
USA

www.prioritydispatch.net

Prepared By: Abigail Horner

Phone: (800) 363-9127

Email: abigail.horner@prioritydispatch.net

Agency:

Worcester County Emergency
Services

Agency ID#:

5127

Quote #:

Q-48958

Date:

2/6/2020

Offer Valid Through:

6/4/2020

Payment Terms

Net 30

Currency:

USD

Bill To:

Worcester County Emergency Services

Timothy Coale

Emergency Number Systems Board

300 E Joppa Road Ste 1000

Townson, Maryland 21286-3068

United States

Ship To:

Worcester County Emergency Services

Timothy Coale

1 W MARKET ST RM 1002

Snow Hill, Maryland 21863-1193

United States

Line	Product Name	Qty	Unit Price	Amount
1	Protocol Tablet for EMD/EFD/EPD Licensed backup protocol tablet	30	249.00	7,470.00

Subtotal	USD 7,470.00
Estimated Tax	
Total	USD 7,470.00

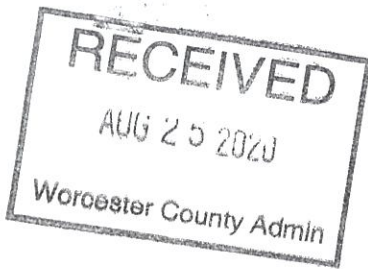
Customer Signature:		Date:	
Customer Name:		Purchase Order ID:	
Credit Card #:		Expiration Date:	

TERMS AND CONDITIONS

This quote is valid for 120 days from date of issue. All prices quoted are exclusive of any applicable taxes, duties, or government assessments relating to this transaction, which are the sole obligation of Buyer. You can find it here: <https://prioritydispatch.net/licensing/>


"To lead the creation of meaningful change in public safety and health."

ITEM
7



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

BILLY BIRCH
DIRECTOR

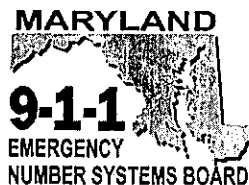
To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services 
Re: Emergency Number Systems Board (ENSB) project approval #21-003
Date: 24 August 2020

The Department of Emergency Services is seeking authorization and permission to proceed with ENSB Project #21-003 in the amount up to \$2,485.00 to be reimbursed to the County for Emergency Dispatch protocol recertification fees for our county's dispatchers.

ENSB has always covered this cost on behalf of our County.

I am available to answer any questions at your convenience.

Attachments (1)



Department of Public Safety and Correctional Services

Emergency Number Systems Board

300 East Joppa Road – Suite 1000, Towson, Maryland 21286-3068
(410) 339-6383 • FAX (410) 339-6306 • www.dpscs.state.md.us/ensb/

STATE OF MARYLAND

LAWRENCE J. HOGAN, JR.
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

CHRISTOPHER McCULLY
DEPUTY SECRETARY
ADMINISTRATION

ANTHONY MYERS
CHAIRMAN

SCOTT ROPER
EXECUTIVE DIRECTOR

JUMARY WEST
FISCAL COORDINATOR

July 6, 2020

Mr. Timothy Coale
Worcester County 9-1-1 Center
1 West Market Street
Courthouse Room 1002
Snow Hill, MD 21863

RE: ENSB Project # 21-003 Worcester County

Dear Mr. Coale:

Under authority granted by the Board, The Office of the Executive Director has approved your request for emergency dispatch protocol recertification for your county's 9-1-1 Specialists in an amount not to exceed \$2,485.00, per your County's request. This funding is contingent upon the availability of funds in the Trust Fund.

The Board has established certain time limits concerning funding. Per these time limits you must award a contract for this project within six months from the date of this letter and the project must be completed within one year of the date of this letter. If these deadlines are not met you must appear before the Board to justify their continued funding of this project.

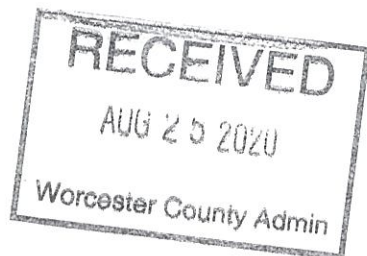
Once the entire project or billable portion has been completed you can be reimbursed for the costs or the Board can pay the vendor directly. If you want to be reimbursed please send me a letter specifying the amount of the reimbursement and include a copy of the invoice and a copy of the cancelled check (both sides) along with the county's federal tax ID number. If you want the Board to pay the bill directly forward the invoice accompanied by a letter specifying that the materials or services have been received/installed to your satisfaction, specifying the amount to be paid, and requesting direct payment. The invoice will then be processed for payment directly from the Trust Fund account. **The vendor's/county's Federal ID number must be included or the package will be returned without being processed.**

Thank you for your patience in this matter. Should you have any additional questions, please feel free to contact me at 410-339-6305.

Sincerely,

Scott Roper, Executive Director
Emergency Number Systems Board

ITEM
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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

BILLY BIRCH
DIRECTOR

To: Harold Higgins, Chief Administrative Officer

From: Billy Birch, Director of Emergency Services *B.B.*

Re: Emergency Number Systems Board (ENSB) project approval #21-004

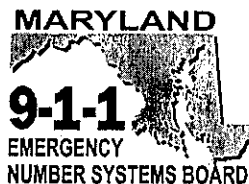
Date: 24 August 2020

The Department of Emergency Services is seeking authorization and permission to proceed with ENSB Project #21-004 in the amount of \$25,200.00 to be reimbursed to the County for licensing fees for the Priority Dispatch protocol software and card sets. These are the 911 call taking protocols our employees utilize to provide national standards-based processing of 911 calls.

Previously the \$25,200.00 was approved in both the FY20 and FY21 budgets for payment by the County. Due to recent changes in the law, ENSB has now agreed to cover this cost on behalf of the County.

I am available to answer any questions at your convenience.

Attachments (2)



STATE OF MARYLAND

LAWRENCE J. HOGAN, JR.
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

CHRISTOPHER McCULLY
DEPUTY SECRETARY
ADMINISTRATION

ANTHONY MYERS
CHAIRMAN

SCOTT ROPER
EXECUTIVE DIRECTOR

JUMARY WEST
FISCAL COORDINATOR

Department of Public Safety and Correctional Services

Emergency Number Systems Board

300 East Joppa Road – Suite 1000, Towson, Maryland 21286-3068
(410) 339-6383 • FAX (410) 339-6306 • www.dpscs.state.md.us/ensb/

July 31, 2020

Mr. Timothy Coale
Worcester Co. Dept. of Emerg. Serv.
1 West Market Street
Courthouse Room 1002
Snow Hill, MD 21863

RE: ENSB Project # 21-004 Worcester County

Dear Mr. Coale:

This will confirm the Board's decision during its July 30, 2020 meeting, to fund up to \$25,200.00 for Emergency Dispatch Protocols – Maintenance (Project # 21-004), per your request. This funding is contingent upon the availability of funds in the Trust Fund.

The Board has established certain time limits concerning funding. Per these time limits you must award a contract for this project within six months from the date of this letter and the project must be completed within one year of the date of this letter. If these deadlines are not met, you must notify the Office of the Executive Director and may be required to appear before the Board to explain the circumstance surrounding the delay of this project.

Once the entire project or billable portion has been completed you can be reimbursed for the costs or the Board can pay the vendor directly. If you want to be reimbursed, please send me a letter specifying the amount of the reimbursement and include a copy of the invoice and a copy of the cancelled check (both sides) along with the county's federal tax ID number. If you want the Board to pay the bill directly forward the invoice accompanied by a letter specifying that the materials or services have been received/installed to your satisfaction, specifying the amount to be paid, and requesting direct payment. The invoice will then be processed for payment directly from the Trust Fund account. **The vendor's/county's Federal ID number must be included or the package will be returned without being processed.**

Thank you for your patience in this matter. Should you have any additional questions, please feel free to contact me at 410-339-6305.

Sincerely,

Scott G. Roper

Scott Roper, Executive Director
Emergency Number Systems Board



Medical Priority Consultants, Inc.
dba Priority Dispatch Corp
110 South Regent Street, Suite 500, Salt Lake City, Utah, 84111, United States
Phone: (801) 363-9127 Fax: (801) 746-5879
www.prioritydispatch.net
accounting@prioritydispatch.net

INVOICE

Invoice Number	SIN257384
Invoice Date	05/20/2020
Agency ID	5127

Billing Address

Worcester County Emergency Services
Emergency Number Systems Board
300 E Joppa Road Ste 1000
Townson, MD 21286-3068
United States

Shipping Address

Worcester County Emergency
Services
1 W MARKET ST RM 1002
Snow Hill, MD 21863-1193
United States

Customer Reference	Quote #	PO #	Invoice Currency	Due Date
	Q-42242		USD	Net 30

Product Name	Quantity	Total
Priority Dispatch System ESP (P) M/F/P <i>System License Renewal, Service & Support</i> 6/30/2020 - 6/30/2021	7	\$ 25,200.00
Net Total		\$ 25,200.00
Tax Total		\$ 0.00
Invoice Total		\$ 25,200.00


Payment Detail
To pay this invoice online please visit: https://payment.prioritydispatch.net
Please make checks payable to Priority Dispatch in US Dollar (USD).
Contact Accounting@prioritydispatch.net with any questions regarding this invoice.

ITEM
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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

BILLY BIRCH
DIRECTOR

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services 
Re: Request for out of state travel
Date: 24 August 2020

The Department of Emergency Services (DES) is requesting permission to send Electronic Services Installer, Robert Rhode for out of state travel. The travel is to attend a Federal Signal training academy session for Emergency Notification Sirens - covering programming, installation and repair. If authorized by the commissioners, this course is being held at University Park, Illinois 15 – 21 November 2020. DES has awarded FY2020 training funds sufficient to cover the cost of the airfare, transportation, hotel, per diem, and tuition which it estimated at \$5,732. If we do not use encumbered funds we do have FY21 funding.

Please note DES currently has no one on staff, nor do we have any available local contractors certified or trained to work on the counties aging emergency notification siren system. The nearest available personnel would be coming from the New Jersey area.

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

Attachment (1)

Federal Siren Training Class November 2020

Attendees: Robert Rhode

When: November 15th – 21st 2020

Where: University Park Matterson, IL 60443

Approximate Costs:

Travel: Flight & baggage fee – \$600

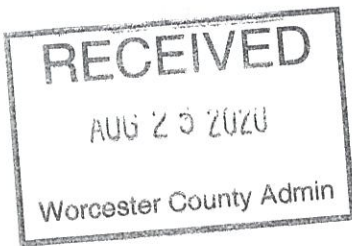
Parking & Transportation: \$200

Lodging: \$218 per night (6 nights) \$1,400

Meals: \$76 per day (7days) \$532

Registration Fee: \$3000

Total: **\$5,732**



ITEM
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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

BILLY BIRCH
DIRECTOR

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: Purchasing Request Waiver – 40 LIFEPAK CR2 Defibrillators with pads.
Date: 24 August 2020

The Department of Emergency Services (DES) is seeking permission to purchase 40 LIFEPAK CR2 Defibrillators (AED) with 40 electrode pads. DES has reached out to three different vendors to purchase the above items.

- Vender #1 Stryker provided a quote for \$56,820.00.
- Vender #2 Allied 100, LLC provided a quote for \$63,133.60.
- Vendor #3 AED ONE-STOP Shop provided a quote for \$64,450.00.

DES is requesting we use Vender #1 due to price, trade in credits in the amount of \$10,000 for 40 old devices, and customer services provided over the last two years with this vender.

The total amount of the request is \$56,820.00 which is under the amount we request in the FY2021 budget for the 40 AED replacements which was \$64,000. I would request permission to use the cost savings in the amount of \$7,180 to purchase more pads and batteries if needed in the FY2021 timespan which we use on a continuous basis for the counties AED program needs.

Additionally, DES is requesting commissioner approval to use Stryker under professional services to purchase an additional 40 AED's and 40 pads as soon as the grant funds are released by MEMA. In the FY2021 budget DES needed to replace 80 AED's for a total of \$128,000. Half funded by the county and half by our MEMA grant.

I am available to answer any questions at your convenience.

Attachments (3)

#1 Quote Jim Springers Quote

stryker

LIFEPAK CR2 AED

Quote Number: 10061274

Remit to: **Stryker Medical**

P.O. Box 93308

Version: 1

Chicago, IL 60673-3308

Prepared For: WORCESTER CTY DEPT OF EMERGENCY SVCS

Rep: James Springer

Attn: Laraine B Buck

Email: jim.springer@stryker.com

lbuck@co.worcester.md.us

Phone Number: 4109848234

410-632-3080

Mobile: 4109848234

GPO: STATE OF MARYLAND BPO NO: 001B8400047

Quote Date: 07/08/2020

Delivery Address

End User - Shipping - Billing

Bill To Account

Name: WORCESTER CTY DEPT OF EMERGENCY SVCS

Name: WORCESTER CTY DEPT OF EMERGENCY SVCS

Name: WORCESTER CTY DEPT OF EMERGENCY SVCS

Account #: 1186046

Account #: 1186046

Account #: 1186046

Address: 1 W MARKET ST RM 1002

Address: 1 W MARKET ST RM 1002

Address: 1 W MARKET ST RM 1002

SNOW HILL

SNOW HILL

SNOW HILL

Maryland 21863

Maryland 21863

Maryland 21863

Equipment Products:

#	Product	Description	Qty	List Price	Sell Price	Total
1.0	99512-001261	LIFEPAK CR2 Defibrillator, Semi-Automatic, WIFI, English, carrying case, 8 year warranty. Includes 1 PR QUIK-STEP electrodes and 1 battery (4 years each), LIFELINKcentral AED Program Manager Basic Account, USB cable, operating instructions	40	\$2,425.00	\$1,576.25	\$63,050.00
2.0	11101-000021	QUIK-STEP pacing/ECG/defibrillation electrodes 4 year. Includes electrode cover, 1 set of adult/ pediatric electrodes, LPCR2	40	\$145.00	\$94.25	\$3,770.00
Equipment Total:						\$66,820.00

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
50994-000113	Trade in of Stryker AED device towards the purchase of a Stryker device	40	-\$250.00	-\$10,000.00

Price Totals:

Grand Total: \$56,820.00

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.



1800 US Hwy 51 N
Woodruff, WI 54568
Phone: 800-422-8129
Fax: 888-364-2377

2 Quote

QUOTE



CUST ID	DATE	QUOTE #
385907	8/7/2020	213336

PREPARED FOR:	410-632-3080
Lorraine Buck Worcester County Emergency Management 1 W Market St Room 1002 Snow Hill MD 21863	

SHIP TO	410-632-3080
Lorraine Buck Worcester County Emergency Management 1 W Market St Room 1002 Snow Hill MD 21863	

Shipped via:	Standard	Fax Number:	Reference:
--------------	----------	-------------	------------

Item	Description	Quantity	Current Price	Your Price	Total
99512-001264	CR2 Fully-Automatic, WIFI, English, Bag. Includes: - Carry Handle - 1 Set of Adult/Child Electrodes - Lithium Battery - USB Cable - User Manual - 8 Year Warranty	40	\$1,995.00	\$1,365.00	\$54,600.00
11101-000021	LIFEPAK CR2 AED Adult/Child Pacing/ECG/Defibrillation QUIK-STEP 4- Year Electrode Pads by Physio-Control	40	\$145.00	\$124.00	\$4,960.00
HSRK-10	CPR/AED Rescue Kit	40	\$25.00	\$0.00	\$0.00
AMP3479	Allied Medical 'Check Tag' for Recording AED Maintenance Inspections. Water Resistant with Brass Grommet	40	\$1.99	\$0.00	\$0.00
AMP1818-RES	AED Window Decal- "AED Equipped Facility" 4 Inch Round Style (Resale)	40	\$0.99	\$0.00	\$0.00
HST-KEY01	Heartsmart Quick Response Keychain	40	\$9.99	\$0.00	\$0.00

Subtotal	\$59,560.00
Shipping	FREE
Sales Tax	\$3,573.60
Estimate Total	\$63,133.60

Estimate valid for 30 days from above date.
All items listed above are covered under our 30 Day Money Back Guarantee!



PROUD SUPPLIER TO THE US GOVERNMENT
GSA/VA Contract Number: V797D-50533
Contract Expiration Date: 02/14/2021
DUNS #: 121 306 984
CAGE Code: 3DHR2
FEIN/TIN: 27-0005083
Business Size Classification: Large

#3 Quote



Quote No: QN-000042

Date: 8/7/2020

AED One-Stop Shop
 purchaseAEDs.com 855-677-2337 Main Phone
 6300 Riverside Plaza Lane NW. 888-241-7339 Fax
 Suite 100 Orders@AEDOneStopShop.com
 Albuquerque, NM 81270 www.AEDOneStopShop.com

Expires On: 60 Days

Comments: Laurence Saban (AED Consultant)

Shipping: FedEx Ground

Billing Address

Worcester County, MD

1 W. Market St.
 Snow Hill, MD 21863

Shipping Address

Worcester County, MD

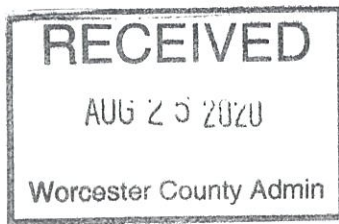
1 W. Market St.
 Snow Hill, MD 21863

Product	Description & Notes	Quantity	Quote Price	Extended Total
LIFEPAK CR2 Fully-Auto Portable Bag Bundle	LIFEPAK CR2 Fully-Auto AED (Wi-Fi capable) White Semi-Rigid Carrying Case CR2 Long Life battery (4-year) CR2 QUIK-STEP Adult/Pediatric electrode pads (4-year) Operating Instructions Getting started and Wireless Set up Guides USB Cable User videos available online 8-Year Manufacturer Warranty *AED LIFELINKcentral readiness software is required for wireless connectivity (purchased separately)	40.00	1480.00	59200.00
Replacement Electrode Kit for LIFEPAK CR2	Replacement Electrode Kit	40.00	125.00	5000.00
AED Rescue Kit purchaseAEDs.com	The AED Rescue Kit from purchaseAEDs.com includes a one-way CPR mask, shears, razor and other accessories in a pouch which can be attached to the AED carrying case for easy access in an emergency situation. These are gray in color and feature the trusted purchaseAEDs.com logo.	40.00	0.00	0.00

Subtotal	\$ 64200.00
Shipping	\$ 250.00
Total	\$ 64450.00


To proceed with your order, please email your PO or signed quote to Orders@AEDOneStopShop.com or call 855-677-2337 option 3 to pay by credit card.

ITEM
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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

BILLY BIRCH
DIRECTOR

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services 
Re: FY 2020 Sub-Recipient Emergency Management Performance Grant – COVID-19 Awarded
Date: 24 August 2020

The Department of Emergency Services is requesting approval of the attached agreement between Worcester County and the Maryland Emergency Management Agency for the FY 2020 Emergency Management Performance Grant COVID-19. These funds are awarded to the State of Maryland as pass through funds authorized by the Department of Homeland Security for COVID-19 approved programs/activities which is why the county is listed as a sub-recipient. The award is in the amount of \$21,224.56 and requires an official signature.

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

Attachment (1)



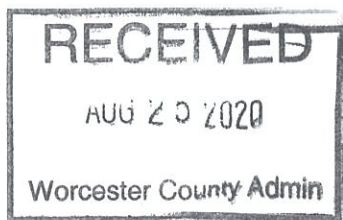
2020 Subrecipient Agreement
for
County Commissioners of Worcester County, Maryland

Date of Award

6/19/2020

1. Sub-Recipient Name and Address		2. Prepared by: <i>Whitestone, Danielle</i>	3. MEMAGMS Award Number: 20-SR 8861-02
County Commissioners of Worcester County, Maryland		4. Federal Grant Information	
		Federal Grant Title:	Emergency Management Performance Grant - COVID-19 Supplemental
		Federal Grant Award Number/CFDA Number:	EMP-2020-EP-00009-S01 / 97.042
		Federal Granting Agency:	U.S. Department of Homeland Security Federal Emergency Management Agency
5. Award Amount and Grant Breakdowns			
Total Award Amount \$21,224.56 100% Match Required		2020 Emergency Management Performance Grant Program COVID-19 Supplemental Performance Period: FROM Jan 27, 2020 – Jul 31, 2021	
6. Statutory Authority for Grant: Authorizing Authority for Program National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.); Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.); Reorganization Plan No. 3 of 1978 (5 U.S.C. App.); and, Section 662 of the <i>Post-Katrina Emergency Management Reform Act of 2006</i> (PKEMRA), Public Law 109-295, as amended, (6 U.S.C. § 762). Appropriation Authority for Program <i>The Department of Homeland Security Appropriations Act, 2017</i>			
7. Method of Payment: Primary method is reimbursement.			
8. Debarment/Suspension Certification: The Sub-Recipient certifies that the subgrantee and its' contractors/vendors are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal department or agency and do not appear in the Excluded Parties List System at https://www.sam.gov/portal/SAM/			
9. Agency Approval			
Approving SAA Official: Janet Monerieffé, Grants Branch Manager Maryland Emergency Management Agency		Signature of SAA Official:	
		Date:	
10. Sub-Recipient Acceptance			
I have read and understand the attached Agreement Articles.			
Type name and title of Authorized Sub-Recipient official:		Signature of Sub-Recipient Official:	
11. Enter Federal Employer Identification Number (FEIN) and DUNS number: 526001064			12. Date Signed :
13. DUE DATE: 7/15/2020 Signed award must be returned to the SAA on or before the above due date.			


ITEM
12



Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: **Maryland Coastal Bays Policy Committee Meeting**
Executive Director Briefing on Policy Committee Discussions

Date: August 24, 2020

Attached you will find a memo from Katherine Munson, our County representative on the MD Coastal Bays Program Board, requesting time for their executive director to brief the County Commissioners on discussions planned in the upcoming Policy Committee meeting on October 15th. As you know, both you and the County Commissioners are members of the Policy Committee. These meetings present a forum where bay related issues are discussed to provide resource officials and public officials with updated research, project, and regulatory presentations to make informed decisions about the management of the coastal bays.

I have also attached the draft meeting agenda for your reference.

Attachments

cc: David Bradford, Deputy Director
Katherine Munson, Planner V

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

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE COMMISSION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

TO: Robert Mitchell, Director

FROM: Katherine Munson, Planner V *KM*

SUBJECT: Kevin Smith, Executive Director, MD Coastal Bays Program

DATE: August 19, 2020

Kevin Smith, Executive Director of Maryland Coastal Bays Program (MCBP), has requested the opportunity to briefly address the County Commissioners at their public meeting on September 1, 2020. Mr. Smith began serving in this position in January 2020, replacing Frank Piorko, who retired.

Worcester County is a signatory to the Maryland Coastal Bays *Comprehensive Conservation and Management Plan* (CCMP) and a partner with MCBP in its implementation. The County Commissioners serve as members of the Policy Committee.

The Policy Committee is scheduled to meet October 15, 2020. Mr. Smith would like to introduce himself to the County Commissioners and provide a brief overview of the topics to be addressed at the Policy Committee meeting.

Thank you for your attention to this matter.

Attachments

Maryland Coastal Bays Program
Policy Committee Meeting Agenda
Virtual Meeting
10/15/2020

11:00: Welcome & Introduction

Jeannie Haddaway-Riccio, Secretary, MD Department of Natural Resources & Policy Committee Chair

- Policy Committee Introductions
- Acknowledgement of Minutes from the last meeting (Sept. 20, 2018)
- Overview

Purpose of the meeting: Review major accomplishments, recent activities, current priorities and define resources needed to accomplish goals.

Meeting outcomes: Identify areas where the Policy Committee may help the program accomplish current priorities.

Review the Action Items from previous meeting: Where did we hit our mark? Where do we still need to go?

11:20: Maryland Coastal Bays Program Overview (Tab #1)

Kevin M. Smith, Executive Director, MD Coastal Bays Program

- 2019 CCMP Program Accomplishments
- 2020 EPA Workplan and Priorities

11:30: 2019 State of the Coastal Bays (Tab #2)

Bill Dennison, Vice President for Science Applications, UMCES
MCBP STAC Committee Chair

11:45: 2019 Monitoring and Assessment Challenges for the Coastal Bays

Cathy Wazniak, MD DNR, Resource Assessment Service

11:55: Committee Questions and Discussion – Secretary Haddaway-Riccio

Possible Discussion Points: Funding. Coordination. Continuous monitoring deactivation

Action Items:

12:10: Lunch

12:40: MCBP Program Updates (Tab #3)

- **Watershed Planning**
Steve Farr, Watershed Coordinator, MCBP
- **Environmental Education**
Liz Wist, Education Coordinator, MCBP

1:00: Committee Questions and Discussion – Secretary Haddaway-Riccio

Possible Discussion Points: Where should we be focusing our resources? How should we be focusing our time and efforts? What other partners should be engaged in these efforts?

Action Items:

1:40: Resiliency Planning and Implementation

- Status of Vulnerability Assessment and Action Plan - Steve Farr, MCBP
- Wetland Health & Monitoring in the Coastal Bays – Roman Jesien, MCBP

2:10: Committee Questions and Discussion – Secretary Haddaway-Riccio

Possible Discussion Points: How planning efforts should inform implementation and targeting? Specifically, how will MCBP work with its partners to inform organizational strategies for resiliency planning and implementation

Action Items:

2:25: Updating the CCMP (Tab #4)

Catherine King, State and Watershed Partnership Program, USEPA Region III
Steve Farr, MCBP

2:45: Committee Questions and Discussion – Secretary Haddaway-Riccio

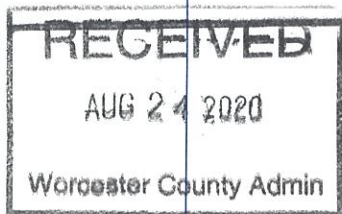
Possible Discussion Points: How should resiliency of the CCMP be integrated into the CCMP Update?

Action Items:

2:55: Committee and Chair Comments/Closing Remarks – Secretary Haddaway-Riccio

3:00: Meeting Adjourned

ITEM
13



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

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

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

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E. Director of Public Works 
DATE: August 24, 2020
SUBJECT: Vander Hackett Enterprises Sewer Line Extension
Turnover Documents

.....

Attached are turnover documents for the Vander Hackett Enterprises Sewer Line Extension along Gum Point Road in the Ocean Pines Service Area. This includes the Deed, Bill of Sale and Assignment Form executed by the owner for turnover of the facilities, and Release of Lien from all of the contractors and consultants used for the project. These documents have been reviewed by the County Attorney and found to be acceptable.

The project record drawings are on file at the Water/Wastewater Division Office in Ocean Pines.

We are recommending approval of the attached documents and accepting these facilities into the County Wastewater System for operation.

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

Attachments

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

DEED, BILL OF SALE
AND
ASSIGNMENT

This Deed, Bill of Sale and Assignment made this 29th day of May, 2020, by and between Keith Vander Kolk and Shonna M. Hackett, "Developer" and County Commissioners of Worcester County, Maryland, "Commissioners".

WHEREAS, Developer, pursuant to all required permits, has constructed a certain Sanitary Facility, "Facility" pursuant to Section 5-307 of Public Works Article, the Code of Public Local Laws of Worcester County, Maryland on property generally described as Tax Map 21, parcel 35 with Deed Reference 7525/332 in the Land Records of Worcester County and;

WHEREAS, Facility is now complete, free and clear of all mechanics and materialman's liens and encumbrances and ready to be transferred to Commissioners in accordance with prior Agreements and Section 5-307 as aforesaid, and;

WHEREAS, Facility is fully operational in accordance with all required permits and;

WHEREAS, all real or personal property lien holders have joined in herein or executed separate documents for the purpose of releasing any and all right, title and interest they may have in and to any of the property herein described.

NOW THEREFORE THIS DEED, BILL OF SALE, AND ASSIGNMENT WITNESSETH:

That for good and valuable consideration, receipt and sufficiency which is hereby acknowledged, the parties do hereby agree as follows:

1. All of the following described components, rights, permits, licenses, personal property, real property, easements and being all of the right title and interest of Developer associated with, in, and to Facility are hereby granted, conveyed and transferred unto Commissioners, including:
 - A. Low-pressure Sewer Force Main.
2. Commissioners agree that the final inspection has been conducted of Facility and it is approved and accepted.
3. Commissioners hereby accept operational control and ownership of the Facility as herein set forth.
4. Developer warrants and agrees that construction of the Facility is in accordance with all permits and approvals.
5. Developer warrants for a period of two (2) years that the Facility is constructed in a workmanlike manner, in accordance with industry standards, is free and clear of all faulty materials, is properly designed for its intended use, is free of imperfections, and will operate in accordance with its design and further that it is free and clear of all liens and encumbrances and that written releases of all workers and suppliers have been delivered.

6. Lienholder hereby releases its lien upon any property hereby transferred.
7. Developer shall execute such other and further assurances hereof as Commissioners may require.

IN WITNESS WHEREOF, the hands and seals of the parties hereto, as of the date and year first above written.

DEVELOPER

By: [Signature] (SEAL)

By: [Signature] (SEAL)

ON BEHALF OF
COUNTY COMMISSIONERS OF
WORCESTER COUNTY

By: _____ (SEAL)
Harold L. Higgins, Chief Administrative Officer

LIENHOLDER

By: _____ (SEAL)

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 17th day of July, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Keith Vanderkolk, known to me (or satisfactorily proven) to be the developer, named in the foregoing instrument, and executed the same in the capacity stated and for the purposes herein contained.

[Signature]
Notary Public

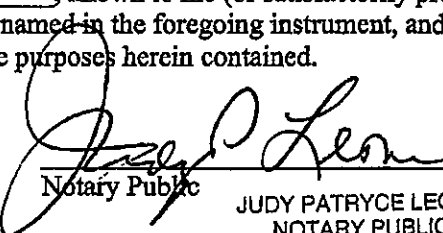
JUDY PATRYCE LEONE
NOTARY PUBLIC
WORCESTER COUNTY
MARYLAND

My Commission Expires 12-07-2022

Commission Expires: 12/07/2022

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 17th day of July, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Shonna M. Hackett, known to me (or satisfactorily proven) to be the Developer, named in the foregoing instrument, and executed the same in the capacity stated and for the purposes herein contained.


Notary Public

JUDY PATRYCE LEONE
NOTARY PUBLIC
WORCESTER COUNTY
MARYLAND

My Commission Expires 12-07-2022

Commission Expires: 12/07/2022

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the Chief Administrative Officer of Worcester County, and executed the same as such Chief Administrative Officer for the purposes herein contained.

Notary Public

Commission Expires: _____

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be _____, Lienholder, and executed the same in the capacity stated and for the purposes herein contained.

Notary Public

Commission Expires: _____

6. Lienholder hereby releases its lien upon any property hereby transferred.
7. Developer shall execute such other and further assurances hereof as Commissioners may require.

IN WITNESS WHEREOF, the hands and seals of the parties hereto, as of the date and year first above written.

DEVELOPER

By: _____ (SEAL)

By: _____ (SEAL)

ON BEHALF OF
COUNTY COMMISSIONERS OF
WORCESTER COUNTY

By: _____ (SEAL)
Harold L. Higgins, Chief Administrative Officer

LIENHOLDER

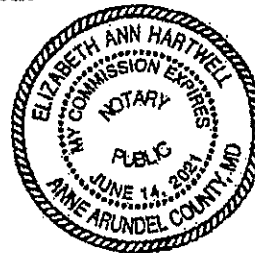
[Signature]
By: David R. Chisholm (SEAL)
Sr. Vice President, Sandy Spring Bank
Anne Arundel

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 27 day of July, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared David Chisholm, known to me (or satisfactorily proven) to be the SVP, named in the foregoing instrument, and executed the same in the capacity stated and for the purposes herein contained.

[Signature]
Notary Public

Commission Expires: 6-14-20



6. Lienholder hereby releases its lien upon any property hereby transferred.
7. Developer shall execute such other and further assurances hereof as Commissioners may require.

IN WITNESS WHEREOF, the hands and seals of the parties hereto, as of the date and year first above written.

DEVELOPER

By: _____ (SEAL)

By: _____ (SEAL)

ON BEHALF OF
COUNTY COMMISSIONERS OF
WORCESTER COUNTY

By: _____ (SEAL)
Harold L. Higgins, Chief Administrative Officer

LIENHOLDER

By: Michael R. Christensen (SEAL)
SR. Vice President ROYAL BANK

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the _____, named in the foregoing instrument, and executed the same in the capacity stated and for the purposes herein contained.

Notary Public

Commission Expires: _____

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the _____, named in the foregoing instrument, and executed the same in the capacity stated and for the purposes herein contained.

Notary Public

Commission Expires: _____

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the Chief Administrative Officer of Worcester County, and executed the same as such Chief Administrative Officer for the purposes herein contained.

Notary Public

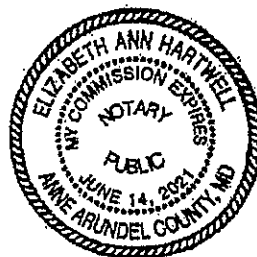
Commission Expires: _____

Anne Arundel
STATE OF MARYLAND, ~~WORCESTER~~ COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of July, 2020, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared David Chisholm, known to me (or satisfactorily proven) to be S.V.P. Bevere Bank, Lienholder, and executed the same in the capacity stated and for the purposes herein contained.

Elizabeth Hartwell
Notary Public

Commission Expires: 6-14-21



RELEASE OF MECHANIC'S LIENS

The undersigned, general or sub-contractor, has provided services and/or materials for construction and improvements at the property owned by Vander Hackett Enterprises, LLC, and described as follows: Resident, property and improvements located at Tax Map 21, Parcel 35, Gum Point Road, Worcester County, Maryland.

In consideration of the sum of \$1.00 in hand paid, receipt whereof is acknowledged, and other benefits accruing to me, I do hereby waive, release and quit-claim a right that I now have or may hereafter have to lien upon the land and improvements above-described, by virtue of the laws of the State wherein said land is situate, or any amendments of said law; and I do further warrant that I have not and will not assign my claim for payment, not my right to perfect a lien against said property, and that I have the right to exercise this waiver and release thereof.

The subscriber of this instrument respectively warrants that all laborers employed by me have been fully paid and that none of such laborers have any claim, demand, or lien against said premises; and further, that no chattel, mortgage, conditional bill of sale or retention of title agreement has been given or executed by the said owner or any general contractor or other party or any of us, for in or in connection with any material, appliances, machinery, fixtures or furnishings placed on or installed in the aforesaid premises.

It is understood and agreed that the signature(s) affixed hereto are for all services rendered, work done and materials furnished heretofore and hereafter by the signer in any and all capacities, and is not only for a particular item against which the signature is affixed.

WITNESS the following signatures and seals this 29 day of MAY, 2020.

WITNESS:

Abdul Nava


_____(SEAL)

_____(SEAL)

_____(SEAL)

RELEASE OF MECHANIC'S LIENS

The undersigned, general or sub-contractor, has provided services and/or materials for construction and improvements at the property owned by Vander Hackett Enterprises, LLC, and described as follows: Resident, property and improvements located at Tax Map 21, Parcel 35, Gum Point Road, Worcester County, Maryland.

In consideration of the sum of \$1.00 in hand paid, receipt whereof is acknowledged, and other benefits accruing to me, I do hereby waive, release and quit-claim a right that I now have or may hereafter have to lien upon the land and improvements above-described, by virtue of the laws of the State wherein said land is situate, or any amendments of said law; and I do further warrant that I have not and will not assign my claim for payment, not my right to perfect a lien against said property, and that I have the right to exercise this waiver and release thereof.

The subscriber of this instrument respectively warrants that all laborers employed by me have been fully paid and that none of such laborers have any claim, demand, or lien against said premises; and further, that no chattel, mortgage, conditional bill of sale or retention of title agreement has been given or executed by the said owner or any general contractor or other party or any of us, for in or in connection with any material, appliances, machinery, fixtures or furnishings placed on or installed in the aforesaid premises.

It is understood and agreed that the signature(s) affixed hereto are for all services rendered, work done and materials furnished heretofore and hereafter by the signer in any and all capacities, and is not only for a particular item against which the signature is affixed.

WITNESS the following signatures and seals this 28 day of May, 2020.

WITNESS:

Sublana

J. W. Salm Engineering, Inc.
John W. Salm, III, P.E. - President
by: [Signature] (SEAL)

_____ (SEAL)

_____ (SEAL)

ITEM
14



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

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

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

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director of Public Works 
DATE: August 24, 2020
SUBJECT: Lewis Road Sewer Extension
USDA Funding Application

.....

We have been working with the U.S Department of Agriculture, Rural Utility Service (RUS) to secure funding for the Lewis Road Sewer Extension and we are to the point of submitting a formal application. The process for submitting an application has now been put on-line at the website RDAppl.com where an applicant creates an account then makes the application on-line, uploading the Preliminary Engineering Report and completing other portions of the application.

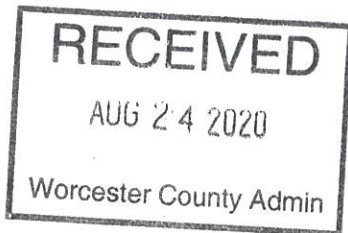
Deputy Director, John Ross has created an account and has begun the process of completing the application. To finalize the application, he needs to have documentation from the County Commissioners authorizing him to complete and submit the application on their behalf.

We are requesting approval to either authorize Mr. Ross to complete the application or identify someone else to do the same.

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

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

ITEM
15



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1201

SNOW HILL, MARYLAND 21863

TEL: 410-632-1200 / FAX: 410-632-3008

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

MEMORANDUM

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: August 24, 2020
RE: Nuisance Abatement Order #20-1

Bids were opened on Monday, August 10, 2020 for the deconstruction and repurposing of building materials of the building located at 2618 Snow Hill Road which is the subject of the above-referenced abatement order. A single bid for \$24,900 was received from Scrimgeour's Farm All, LLC. On Tuesday, August 11, 2020 I attempted to reach Mr. Scrimgeour by telephone to discuss the details of his bid. I wanted to specifically ensure that he understood the details of the notice to bidders and that the request for proposals in that this project was not the typical demolition project but was instead a deconstruction and repurposing project. I was able to reach Mr. Scrimgeour later in the day and he advised me that he had not read the specifications closely. I suggested that he do so and contact me as soon as possible. On Wednesday, August 12, 2020 I received the attached email and letter to the County Commissioners.

I would like to point out that during the bid process I received a call from one other contractor who had read the information closely and wanted additional clarification on the deconstruction and repurposing provisions. This contractor chose not to bid on the current request but did express an interest should the project be rebid for a standard demolition.

In my opinion, Mr. Scrimgeour's bid does not meet the terms of the notice to bidders and request for proposal. Mr. Scrimgeour also asks in his letter that his bid be retracted should he not be able to use his excavator and his best efforts to recycle and repurpose. I also believe it would not be fair to the other contractor who did read the terms carefully and chose not to bid in a manner similar to Mr. Scrimgeour. I therefore recommend that Mr. Scrimgeour's bid be rejected and the project be rebid as a standard demolition project in accordance with the notice to bidders and request for proposals I previously supplied and which were approved by the County Commissioners.

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

Attachments

cc: Jennifer Keener, Deputy Director

8/12/2020

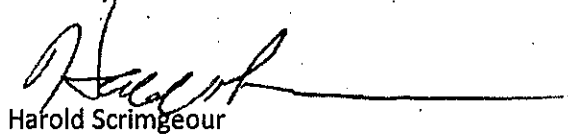
Dear County Commissioners:

The Girdletree/ Scarborough General store has special meaning to me. In 1978 when my family first moved to Girdletree, my Dad took me to the store and I ordered a hot dog, they handed me a fly swatter with the end cut off and a hot dog stuck to it, then motioned you to cook it yourself in a large pot belly stove (pre Ed Potez how did we all survive?). It was a special treat to have a Ms. Payne's sub and a real fountain drink with a shot of cherry. Remembering the decisions of a 10 year old boy on whether to have a shot of cherry or not as a monumental decision. I believe, I sold Muskrats there and purchased peelers and squid for bait, learned where the ducks were flying and the big buck was hiding. It was these special places and people that made a community real unlike the franchise world we live in now. I feel fortunate to have known this place this wrinkle in time. Unlikely to ever be replicated with all the new rules and regulations (another time on this)

I would like for you to consider my bid, I plan on repurposing and recycling all that I can at my sole discretion but it is unlikely there is much demand for yellow pine with potential lead paint on it. I plan on supplying safely whatever I can to anyone who wants any parts. If it was cypress or american chestnut but yellow pine is hard to even give away in any quantities or in a timely manner, retail and HGTV are hard to replicate.

Please consider my bid or considerate it retracted if not able to use my excavator and my best efforts to recycle and repurpose.

Sincerely,



Harold Scrimgeour

Scrimgeour's Farm All, LLC

5728 George Island Landing Road

Stockton, MD 21864

410-251-6926

hscrimg@comcast.net

Competitive Bid Worksheet

Item: Deconstruction 2816 Snow Hill Road, Girdletree, MD

Bid Deadline/Opening Date: 1:00 P.M., Monday, August 10, 2020

Bids Received by deadline = 1

Contractor's Submitting Bids

Total Quote

Scrimgeour's Farm All, LLC
5728 George Island Landing Road
Stockton, Maryland 21864

\$ 24,900

SCRIMGEOUR'S FARM ALL, LLC

(NAME OF COMPANY)

submits this proposal for the following project:

Building Deconstruction for: Location: 2816 Snow Hill Road, Girdletree, MD 21829-2701

A. Proposal Pricing

Lump Sum Scope of Work – Inspections, Deconstruction, Removal of Materials
Disposal, Restoration

\$24,900

List Exceptions to the Scope of Work _____

B. Addendum Acknowledgement

Addendum # _____ - Signature _____

C. Maryland Licensed Material Inspection Contractor

Company Name: AIM Services, Inc

Company Contact: Miller

MD License : M48-00-501

Phone Number: 443-859-8009

D. Bid must be signed to be considered

Date 9/10/2020

Signature: Harold Scrimgeour

Name: Harold Scrimgeour

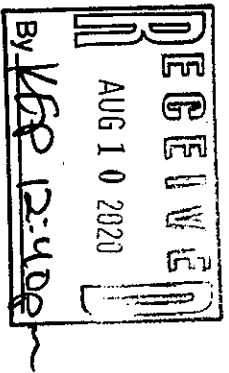
Company: SCRIMGEOUR'S FARM ALL, LLC

Address: 5728 GEORGE ISLAND LANDING RD STOCKTON MD 21864

Telephone: 410-257-6926

MD License : 234 82809

Wilmington Farm
5128 George Island Landing Rd
Stockton, MD 21864



Bid for Deconstruction of 2816 Snowhill Road,
Girdletree, MD "

5

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the Commissioners unanimously agreed to appoint Ivy Wells to fill the vacant business representative position on the Lower Shore Workforce Development Board for the remainder of a four-year term expiring September 30, 2021.

Upon a nomination by Commissioner Nordstrom, the Commissioners unanimously agreed to appoint Sharon Dryden to the Social Services Advisory Board for the remainder of a three-year term expiring June 30, 2021 to fill the vacancy created by the resignation of Wayne Ayer. Commissioner Mitrecic requested County staff issue a press release encouraging those interested in becoming more involved in the community to volunteer on a Worcester County board or commission.

Pursuant to the request of Superintendent of Schools Lou Taylor and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the reallocation of \$82,000 within the Board of Education (BOE) budget to replace a failing, 30-year-old, gasoline underground storage tank with a new above ground tank. These funds were available due to cost savings in design engineering services for the Pocomoke Middle School (PMS) roof replacement project.

In a related matter, Mr. Taylor asked the Commissioners to pray for BOE member Bill Gordy who is battling leukemia at Johns Hopkins Hospital in Baltimore.

Pursuant to the request of Sheriff Matthew Crisafulli and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the Agreement Reaffirming the Worcester County Bureau of Investigation (CBI). This agreement is between the Sheriff's Office, Maryland State Police, Berlin Police Department, Pocomoke City Police Department, County Commissioners, and the State's Attorney's Office, effective July 1 through December 31, 2020, with the terms of subsequent agreements to be effective throughout each calendar year. Sheriff Crisafulli advised that the last agreement was signed on May 13, 1997, and CBI has been operating without a formal agreement since that document expired.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Bunting, the Commissioners unanimously adopted the Findings of Fact and Resolution 20-20, establishing the Shady Side Village Residential Planned Community (RPC) floating zone for a proposed 37-unit townhouse development located on the southerly side of MD Rt. 707, west of Greenridge Lane, and more specifically identified on Tax Map 26 as Parcel 157, as conceptually approved after the public hearing on June 16, 2020.

Pursuant to the request of Mr. Tudor and upon a motion by Commissioner Nordstrom, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition to approve two sets of bid specifications for the demolition of a nuisance structure located at 2816 Snow Hill Road in Girdletree and identified on Tax Map 79 as Parcel 250. Mr. Tudor stated that one of two letters notifying the property owner to correct the nuisance was signed for; however, the owner has not requested a hearing before the Commissioners, and no work has been done to abate the nuisance.

He stated that, in response to a request by Commissioner Mitrecic on May 5, 2020 that the structure be removed in a manner that would allow for the repurposing of the wood material instead of conventional demolition, staff developed two sets of bid specifications, one is for the purposeful deconstruction of the structure, and the other includes standard demolition of the structure, in the event that the County receives no bids for the deconstruction and repurposing of materials.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the low bid for the rehabilitation of treatment unit no. 3 at the Ocean Pines Wastewater Treatment Plant (WWTP) to M2 Construction, Inc. of Landisville, PA at a total cost of \$469,476. Funding is included in the 2019 Bond Issue for this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal from George, Miles, and Buhr (GMB) at a total cost of \$16,650 for construction administration and inspection services for phase one of the Ocean Pines WWTP treatment unit no. 3 rehabilitation project. Funding is included in the 2019 Bond Issue for this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved Change Order No. 1 with Baldwin Industries for the Ocean Pines north water tower rehabilitation project in the amount of \$33,095 to address leaks found in the tower after cleaning, increasing the original contract cost from \$297,200 to \$330,295. Mr. Tustin stated that future change orders are anticipated to fully rehabilitate the water tower. The 2019 Bond Issue included \$500,000 for this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the low bid for the rehabilitation of pump stations S and P at the Ocean Pines WWTP to Retallack and Sons of Easton, Maryland at a total bid price of \$390,719.63. The 2019 Bond Issue included \$500,000 for this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Church, the Commissioners unanimously accepted the proposal from EA Engineering, Science, and Technology (EA) at a total cost of \$39,280.39 for engineering services, construction administration, and inspection services during the bidding and construction phases of the Ocean Pines pump stations S and P rehabilitation project. Funding is included in the 2019 Bond Issue for this project. Mr. Tustin noted that this bid is higher than the bid awarded to GMB for the Ocean Pines WWTP treatment unit no. 3 rehabilitation project because this is a much more intricate and detailed project. The 2019 Bond Issue included \$500,000 for this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to waive the standard bid process and accepted the proposal from Hartwell Engineering of Stevensville, Maryland to pre-purchase pump control panels for Ocean Pines Sanitary Service Area (SSA) pump stations S and P at a cost of \$28,500 each. This proposal reflects a savings of \$4,200 per panel and is part of efforts by the Water and

Ed Tudor

From: HAROLD SCRIMGEOUR <hscrimg@comcast.net>
Sent: Wednesday, August 12, 2020 11:32 AM
To: Ed Tudor
Subject: RE: Girdletree
Attachments: girdletree bid.jpg

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

Mr. Tudor:

Thank you for clarifying the bid.
Harold 410-251-6926

> On 08/11/2020 4:12 PM Ed Tudor <etudor@co.worcester.md.us> wrote:

>

>

> Harold, I need to speak with you because I have some questions.

>

> Ed Tudor

> Director, Development Review and Permitting Worcester County

> Government

>

> -----Original Message-----

> From: HAROLD <hscrimg@comcast.net>

> Sent: Tuesday, August 11, 2020 4:11 PM

> To: Ed Tudor <etudor@co.worcester.md.us>

> Subject: Girdletree

>

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

>

> Ed,

> Sorry I missed your call earlier today. I am able to start the job as soon as needed.

> Thank you,

> Harold Scrimgeour

> 410-251-6926

>

>

> Sent from Xfinity Connect Application

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

ITEM
16



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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

TEL: 410.632.1200 / FAX: 410.632.3008

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

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Harold L. Higgins, Chief Administrative Officer
From: Edward A. Tudor, Director, Development, Review and Permitting *EAT*
Date: August 20, 2020
Re: Rezoning Case No. 425 – Daniel Strickland Hope and Jana P. Hope, applicants,
Hugh Cropper IV, Esquire attorney for the applicants

Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 425, seeking to rezone approximately 54.7 acres of land located on the southerly side of Nassawango Road, to the west of MD Route 12, northwest of Snow Hill, from RP Resource Protection District to A-1 Agricultural District. The case was reviewed by the Planning Commission at its meeting on July 2, 2020 and was given a favorable recommendation, subject to retaining the wetlands adjacent to the Pocomoke River within the RP Resource Protection District designation.

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

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

EAT/jkk

cc: Jennifer K. Keener, Deputy Director

PROPOSED PUBLIC
HEARING DATE:

OCTOBER 6, 2020

NOTICE
OF
PROPOSED CHANGE IN ZONING

SOUTHERLY SIDE OF NASSAWANGO ROAD
WEST OF MD ROUTE 12

SEVENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

DRAFT

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 425 has been filed by Hugh Cropper, IV on behalf of Daniel Strickland Hope and Jana P. Hope, property owners, for an amendment to the Official Zoning Maps to change approximately 54.7 acres of land located on the southerly side of Nassawango Road, west of MD Route 12 in the Seventh Tax District of Worcester County, Maryland, from RP Resource Protection District to A-1 Agricultural District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

PUBLIC HEARING

on

TUESDAY, _____

AT _____

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

At said public hearing the County Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 425 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. 425 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are on file and available to view electronically by contacting the Department of Development, Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863 Monday through Friday from 8:00 A.M. and 4:30 P.M. (except holidays), at (410) 632-1200 as well as www.co.worcester.md.us.

Joseph M. Mitrecic, President

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 425

APPLICANT:

**Daniel Strickland Hope & Jana P. Hope
4224 Nassawango Road
Snow Hill, Maryland 21863**

ATTORNEY FOR THE APPLICANT:

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

July 2, 2020

WORCESTER COUNTY PLANNING COMMISSION

1c

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I. INTRODUCTORY DATA

- A. CASE NUMBER: Rezoning Case No. 425, filed on January 31, 2020.
- B. APPLICANT: Daniel Strickland Hope & Jana P. Hope
4224 Nassawango Road
Snow Hill, Maryland 21863
- APPLICANT'S ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
- C. TAX MAP/PARCEL: Tax Map 70 - Parcel 18 – Parcel B - Tax District 7
- D. SIZE: The petitioned area is 54.7 acres in size. It is part of a larger parcel which totals 153.56 acres in size. The petitioned area is comprised of the existing agricultural field and wooded areas adjacent to the Pocomoke River.
- E. LOCATION: The petitioned area is located on the southerly side of Nassawango Road, to the west of MD Route 12, northwest of Snow Hill. It is on the easterly side of the former Nassawango Country Club and Golf Course.
- F. CURRENT USE OF PETITIONED AREA: Tilled land and forest.
- G. CURRENT ZONING CLASSIFICATION: RP Resource Protection District.
- H. REQUESTED ZONING CLASSIFICATION: A-1 Agricultural District.
- I. ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an A-1 Agricultural District classification, with a portion of the forested waterfront area placed in the C-1 Conservation District. That designation was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning, the entire property was placed in the RP Resource Protection District. This district was the former C-1 Conservation District.
- J. SURROUNDING ZONING: All adjoining and nearby properties are also zoned RP Resource Protection district, with the exception of the adjacent former Nassawango Country Club and Golf Course property, which is zoned A-2 Agricultural District because of the golf course use that existed at the time of the comprehensive rezoning in 2009.
- K. COMPREHENSIVE PLAN: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural and Green

Infrastructure Land Use Categories.

- L. **WATER AND WASTEWATER:** According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), this property is unimproved, and there are no well or septic records on this property. He notes that septic capacity can only be realized with a successful seasonal soil evaluation. Mr. Mitchell states that the subject property has a designation of Sewer Service Category S-6 (no Planned Service).
- M. **ROAD ACCESS:** The petitioned area fronts on Nassawango Road, a County-owned and -maintained roadway. The Comprehensive Plan classifies Nassawango Road as a two-lane secondary highway/minor collector highway. It should be noted that other portions of this roadway are named Dividing Creek Road and/or MD Route 364 and are State-owned and -maintained. This minor collector begins at US Route 13 in Pocomoke City and links to MD Routes 12 and 354 to the north of Snow Hill.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, Frank G. Lynch, Jr., surveyor, Chris McCabe, environmental consultant, and Mr. Hope and Mrs. Hope, property owners, were present for the review. Mr. Cropper stated that he represents the prospective buyer, Mr. Smithson. Mr. Cropper testified that the request is being made based upon a mistake in the assigned zoning district, and not as a result of a change in the character of the neighborhood.

Submitted as Applicant's Exhibit No. 1 was a copy of the RP Resource Protection District zoning regulations. Mr. Cropper noted that the district allows a very limited number of uses by right and that the construction of a single-family dwelling would require a special exception by the Board of Zoning Appeals. Mr. Cropper emphasized the importance of agriculture in Worcester County as expressed in the staff report. Mr. Cropper further noted that agricultural uses, such as tilling land, would also need a special exception; though staff clarified that such a use is allowed in every zoning district by right and can be found in §ZS 1-105. He argued that the entire property should be zoned A-1 Agricultural District, with the exception of a small strip at the Pocomoke River that is classified as wetlands. Overall, he stated that county staff too generously drew the RP District line in 2009 at the time of the comprehensive rezoning.

Submitted as Applicant's Exhibit No. 2 was a copy of the Land Use Map taken from the 2006 Worcester County Comprehensive Plan reflecting the petitioned area as being located within the Agricultural category, with a portion of the wetlands at the Pocomoke River being located within the Green Infrastructure

category. Mr. Cropper further indicated he believes the zoning should have followed the boundary line indicated on the aforementioned Land Use Map. Additionally, Mr. Cropper testified that the entire 54.7 acres should be rezoned as requested; however, he agreed that it would be reasonable to maintain the area located within the wetlands bordering the river within the RP Resource Protection District, if the Planning Commission so found. Submitted as Applicant's Exhibit No. 3 was a survey of the petitioned area. Mr. Cropper outlined the area along the river, bordering the wetlands, that could remain as RP Resource Protection District.

Frank G. Lynch, Jr., surveyor was called as the first witness. In response to a question posed by Mr. Cropper, Mr. Lynch confirmed it is axiomatic to say that the land should be zoned A-1 Agricultural District to be consistent with the Land Use Map. He agreed that there was a mistake in the zoning of the property and also believed it should have been designated in an agricultural district at the time of the 2009 comprehensive rezoning since it was an agricultural field at that time.

Chris McCabe, environmental consultant, was called as the second witness. Mr. Cropper also questioned Mr. McCabe indicated his agreement of Mr. Lynch's testimony and that the Comprehensive Plan recognizes the importance of agriculture in Worcester County. Mr. McCabe also testified that the remaining lands to the east owned by Mr. and Mrs. Hope are zoned RP Resource Protection District, while the lands to the west, consisting of the former Nassawango Country Club and Golf Course, is zoned A-2 Agricultural District. Relative to the Critical Area comments, Mr. McCabe explained that the property is located within the Resource Conservation Area (RCA), which allows a maximum density of one dwelling per 20 acres. Therefore, the development potential for this property is a maximum of two residential lots or two single-family dwellings. The A-1 District zoning classification would be consistent with these regulations in his opinion. Mr. Cropper further expressed that in the event two single-family dwellings were built on the property, they would be required to comply with current Stormwater Management practices which could cause the water quality of the river to improve.

Mr. Cropper called Daniel Hope, property owner, as his next witness. Mr. Hope explained that he owns and lives on the adjoining property. His family farm, encompassing the petitioned area, had been in the family for three generations and was used for agricultural purposes for over one hundred years. Mr. Hope agreed that A-1 District zoning is more compatible with the current and historical uses.

In closing, Mr. Cropper stated that the property does not meet the purpose and intent of the RP District zoning and that the land is not environmentally sensitive. Mr. Cropper expressed that the RP District was a new district created in 2009 and

felt that the County Commissioners were unaware of the impact that this zoning district would create. Mr. Cropper alleged that the current agricultural field is a non-conforming use and that agriculturally used lands should be zoned agricultural. Staff again confirmed that pursuant to §ZS 1-105, cropland is allowed in every zoning district and that the current use is allowed by right.

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 there would be no impact upon public facilities as it pertains to wastewater disposal and the provision of potable water, as a single-family dwelling in this location would require a private septic system regardless of zoning. Mr. Mitchell's memo stated that the subject property is in the S-6 category (no planned service) of the Master Water and Sewerage Plan. Additionally, the Planning Commission found that the Critical Area designation of Resource Conservation Area (RCA) limits development to one dwelling per 20 acres; thus, the petitioned area could theoretically have a maximum of two lots with one dwelling each. Fire and ambulance service will be available from the Snow Hill Volunteer Fire Company's facility, approximately ten minutes away from the subject property. 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 thirty minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately ten minutes away. No comments were received from either the Maryland State Police or the Worcester County Sheriff's Department. The petitioned area is served by the following schools: 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 the site will be subject to the limitations of private water and wastewater as well as the Critical Area regulations.
- D. Regarding present and future transportation patterns: The Planning Commission

found that the petitioned area fronts on Nassawango Road, a County-owned and -maintained roadway. The Comprehensive Plan classifies Nassawango Road as a two-lane secondary highway/minor collector highway. It should be noted that other portions of this roadway are named Dividing Creek Road and/or MD Route 364 and are State-owned and -maintained. This minor collector begins at US Route 13 in Pocomoke City and links to MD Routes 12 and 354 to the north of Snow Hill. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 office commented by letter (copy attached) that if development of the property is proposed in the future, the MDOT SHA may require a traffic impact study to determine potential impacts to the surrounding state roadway network and that future development may also require an access permit to be issued from his office. He also stated that with the exception of the aforementioned comments, MDOT 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. 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 as no significant changes are anticipated with a maximum of two dwellings able to be permitted.

- E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that the petitioned area is current tilled lands and forested wetlands. Based upon the testimony of Mr. McCabe, the wetlands adjacent to the Pocomoke River have been located as illustrated on the survey labeled as Applicant's Exhibit No. 3. Mr. Cropper has suggested that this area can remain in the RP Resource Protection District, consistent with the Green Infrastructure category of the Comprehensive Land Use Map should the Planning Commission include such in their recommendation. Additionally, the Planning Commission agreed that the petitioned area has historically been cultivated fields; and that the potential use of the property for a single-family dwelling is consistent with the A-1 Agricultural District. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from RP Resource Protection District to A-1 Agricultural District, excluding the area designated as wetlands adjacent to the Pocomoke River on Applicant's Exhibit No. 3, 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 Agricultural and Green Infrastructure

Land Use categories within the Comprehensive Plan. Therefore, rezoning the tilled uplands would further the petitioned area's compatibility with the Comprehensive Plan. They agreed that the portion of the petitioned area containing wetlands and located adjacent to the Pocomoke River is more consistent with the Green Infrastructure category and should remain in the RP Resource Protection District. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from RP Resource Protection District to A-1 Agricultural District, excluding the area designated as wetlands adjacent to the Pocomoke River on Applicant's Exhibit No. 3, is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. Given the current and historical use of the petitioned area as tilled lands, as well as the Agricultural Land Use category in the Comprehensive Plan, the Planning Commission found that it was a mistake to have placed the uplands portion of the petitioned area in the RP Resource Protection District designation during the 2009 comprehensive rezoning. The uplands portion of the petitioned area should have received an A-1 Agricultural District zoning classification so as to be consistent with the Land Use Map. 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. 425, seeking a rezoning of the petitioned area from RP Resource Protection District to A-1 Agricultural District, on the condition that the portion of the petitioned area containing wetlands and located adjacent to the Pocomoke River, as illustrated on the survey provided as Applicant's Exhibit No. 3 be retained in the RP Resource Protection District.

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT

REZONING CASE NO. 425

PROPERTY OWNER: Daniel Strickland Hope and Jana P. Hope
4224 Nassawango Road
Snow Hill, Maryland 21863

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

TAX MAP/PARCEL INFO: Tax Map 70 - Parcel 18 -Parcel B - Tax District 7

SIZE: The petitioned area is 54.7 acres in size. It is part of a larger parcel which totals 153.56 acres in size. The petitioned area is the existing agricultural field and wooded areas adjacent to the Pocomoke River.

LOCATION: The petitioned area is located on the southerly side of Nassawango Road, to the west of MD Route 12, northwest of Snow Hill. It is on the easterly side of the former Nassawango Country Club and golf course.

CURRENT USE OF PETITIONED AREA: Tilled land and forest.

CURRENT ZONING CLASSIFICATION: RP Resource Protection District

REQUESTED ZONING CLASSIFICATION: A-1 Agricultural District

APPLICANT'S BASIS FOR REZONING: According to the application, the request for rezoning is based on a mistake in existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960s the petitioned area was primarily given an A-1 Agricultural District classification, with a portion of the forested waterfront area placed in the C-1 Conservation District. That designation was been retained by the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning the entire property was placed in the RP Resource Protection District.

SURROUNDING ZONING: All adjoining and nearby properties are also zoned RP Resource Protection District, with the exception of the adjacent Nassawango Country Club property which is zoned A-2 Agricultural District because of the golf course.

COMPREHENSIVE PLAN:

According to Chapter 2 - Land Use of the Comprehensive Plan and associated land use plan

map, the petitioned area lies within the Agricultural and Green Infrastructure Land Use Categories. With regard to the Agricultural Land Use Category, the Comprehensive Plan states the following:

"The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the 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." (Page 18)

With regard to the Green Infrastructure Land Use Category, the Comprehensive Plan states that this category addresses state and locally designated natural and open spaces and that these areas are designated to preserve environmentally significant areas and to maintain the environmental functionality of the County's landscape. It states that greenways improve water quality, provide flood control and maintain the County's rural and coastal character. The Comprehensive Plan further states that this category includes conservation zones, which are highly restricted due to their special sensitivity and that conservation areas are defined by their soils (muck), state owned natural areas, existing conservation zoning, tidal wetlands, and selected riparian corridors. It also states that greenway and conservation areas have distinct physical characteristics which make them special habitat areas or place extreme limitations on development and that such areas are "place dependent", that is, they only occur at specific locations. Their identification and preservation must be proactively addressed and after-the-fact mitigation and restoration is expensive and often of limited effect. The Comprehensive Plan also states that the green infrastructure system is designed to maintain existing resource areas and, where absent, create sufficient natural "corridors" linking larger green "hubs."

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

-
2. Continue the dominance of agriculture and forestry uses through the county's less developed regions.
 3. Maintain the character of the county's existing population centers.
 4. Provide for appropriate residential, commercial, institutional, and industrial uses.
 5. Locate new development in or near existing population centers and within planned growth centers.
 6. Infill existing population centers without overwhelming their existing character.
 7. Work with municipalities to develop annexation guidance policies that encourage infill within a municipality and then provide for logical community extensions.
 8. Regulate development to minimize consumption of land, while continuing the county's rural and coastal character.

9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
10. Locate employment centers close to the potential labor force.
11. Set high environmental standards for new development, especially in designated growth areas.
12. Develop green infrastructure system.
13. Expand the protection of the Coastal Bays and the Pocomoke River drainage basins through watershed plans and their implementation.
-
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors.
16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads.
17. Discourage highway strip development to maintain roadway capacity, safety and character.
-
19. Limit rural development to uses compatible with agriculture and forestry.
20. Direct new development in growth areas to planned communities.
21. Promote mixed use development.

.....
(Pages 12, 13)

In Chapter 3, Natural Resources, pertinent objectives include the following:

- "1. Use a systems approach to environmental planning addressing pollution at or close to its source and use sustainable development techniques.
2. Instill environmental stewardship as a universal ethic.
3. Identify and protect environmentally sensitive areas.
4. Restore and/or enhance natural resource functions where possible.
5. Reduce imperviousness of existing and new development.
-
8. Conserve resources by reducing unnecessary consumption.
-
10. Establish sufficient buffers for sensitive areas.

(Page 33)

Chapter Seven - Transportation of the Comprehensive Plan states that "Worcester's roadways experience morning and evening commuter peaks; however, they are dwarfed by summer resort traffic.Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90." (Page 79)

In this same chapter, under the heading General Recommendations - Roadways, it states the following:

- "1. Acceptable Levels of Service -- It is this plan's policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
-
3. Traffic studies -- Developers should provide traffic studies to assess the effect of each major development on the LOS of nearby roadways.
4. Impacted Roads -- Roads that regularly have LOS D or below during weekly peaks are considered "impacted." Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
5. Impacted Intersections -- Upgrade intersections that have fallen below a LOS C.
- (Page 87)

WATER AND WASTEWATER: According to the response memo dated March 20, 2020 from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject properties have designations of Sewer and Water Service Categories S-6 and W-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that this department does not have any well and septic records, as this property is unimproved at the present, and septic can only be realized with a successful seasonal soil evaluation. Neither John H. Tustin, P. E., Director of Public Works, or John Ross, Deputy Director of Public Works, submitted any comments.

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

HbA - Hambrook sandy loam - severe limitations to on-site wastewater disposal
WdA - Woodstown sandy loam - severe limitations to on-site wastewater disposal
SaB - Sassafras sandy loam - severe limitations to on-site wastewater disposal
Zk - Zekiah silt loam - severe limitations to on-site wastewater disposal
MC - Mannington and Nanticoke soils - severe limitations to on-site wastewater disposal
GaB - Galestown loamy sand - severe limitations to on-site wastewater disposal
In - Indiantown silt loam - severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Snow Hill Volunteer Fire Company's facility, approximately ten 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 thirty minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately ten minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Department.

ROADWAYS AND TRANSPORTATION: The property of which the petitioned area is a part fronts on and currently has access to Nassawango Road, a County-owned and -maintained roadway. The Comprehensive Plan classifies Nassawango Road as a two lane secondary

highway/minor collector highway. It should be noted that other portions of this roadway are named Dividing Creek Road and/or MD Route 364 and are State-owned and -maintained. This minor collector begins at US Route 13 in Pocomoke City and links to MD Routes 12 and 354 to the north of Snow Hill. James W. Meredith, District Engineer for the State Highway Administration District 1 commented by letter (copy attached) that if development of the property is proposed in the future, the SHA may require a traffic impact study to determine potential impacts to the surrounding state roadway network and that future development may also require an access permit to be issued from his office. He also stated that with exception of the aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment at this time.

SCHOOLS: The petitioned area is within the area served by the following schools: Snow Hill Elementary School, Snow Hill Middle School, and Snow Hill High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS: According to Mr. Mitchell's response memo, the petitioned area is located within the Chesapeake Bay Critical Area (CBCA). He states that the parcel is presented designated as a Resource Conservation Area (RCA) and has an associated 100 foot buffer from the mean high water line of tidal waters, the edge of the back of tributary streams, and the landward extent of tidal wetlands. He further states that RCAs are areas characterized by nature-dominated environments (i.e., wetlands, forests, abandoned fields and resource-utilization activities (i.e., agriculture, forestry, fisheries, aquaculture). He states that allowed uses within the A-1 Agricultural District support the purpose and intent of that district, specifically, to preserve, encourage and protect the County's farms and forestry operations. He states that therefore there does not seem to be any outstanding issues with the proposed rezoning and the Critical Area. Mr. Mitchell goes on to state that it should be noted that if the proposed rezoning is approved, lands within the RCA boundaries must abide by allowances under § NR 3-206 of the Natural Resources Article of the Code of Public Local Laws of Worcester County and that this includes, but is not limited to, lot coverage, clearing and density limitations. He also states that no new commercial, industrial or instructional uses can be permitted without the approval of a growth allocation. Mr. Mitchell states that all rezonings located wholly or partially within the Critical Area require that a notification be sent to the Critical Area Commission (CAC) and he attached the CAC's comments.

Kathryn Durant, Natural Resources Planner with the CAC, states in the attached comments that a zoning map amendment can only be made in the Critical Area on the basis of mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification. Ms. Durant states that the A-1 zone is mostly consistent with the RCA classification as evidenced by the description of the A-1 Agricultural District in the County's zoning code as being *intended to preserve, encourage and protect the County's farms and forestry operations*. She further states that the A-1 zone however allows certain uses that are not permitted in the RCA per Worcester County Code NR 3-206 and NR 3-

217. These uses include, but are not limited to, landing strips, spray irrigation fields and storage lagoons for Class II effluent, and large solar energy systems and the County must therefore ensure that the site complies with the RCA use limits outlined in the Code. Ms. Durant further notes that any future development of this site, including construction of a dwelling and accessory structures, or any future subdivision of this property must be governed by the County and State Critical Area regulations, including rules and regulations regarding lot coverage, forest and developed woodland clearing, buffer establishment, and RCA density.

FLOOD ZONE: The FIRM map indicates that the petitioned area is primarily within Zones A and AE (100 year flood).

PRIORITY FUNDING AREA: The petitioned area is not within a designated Priority Funding Area.

INCORPORATED TOWNS: The site is not within one mile of any incorporated town.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Kathryn Gordon, Deputy Director, Economic Development: Doesn't see anything that would affect her department's initiatives.

Rob Clarke, DNR Forester: Finds the proposal compatible with current land uses in the area.

!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! **IMPORTANT** !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

- 1) What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
- 2) Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
- 3) Relating to population change.
- 4) Relating to availability of public facilities.
- 5) Relating to present and future transportation patterns.
- 6) Relating to compatibility with existing and proposed development and existing

environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.

- 7) Relating to compatibility with the Comprehensive Plan.
- 8) Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
- 9) Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

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

PLEASE TYPE
OR PRINT IN
INK

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

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

Rezoning Case No. 425

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 1/31/2020

Date Reviewed by Planning Commission: _____

I. Application

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

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

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 70
B. Parcel Number(s): 18
C. Lot Number(s), if applicable: Parcel B
D. Tax District Number: 7th

III. Physical Description of Property

- A. Located on the South Side side of Nassawango River Road.
B. Consisting of a total of 153.56 acres of land.
C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:

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

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): RP, Resource Protection
(Name and Zoning District)
- B. Acreage of zoning classification(s) in "A" above: 30.54.7
- C. Requested zoning classification(s): A-1, Agricultural District
(Name and Zoning District)
- D. Acreage of zoning classification(s) in "C" above: 30.54.7

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

- A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

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

IV. Filing Information and Required Signatures

- A. Every application shall contain the following information:
1. If the application is made by a person other than the property owner, the application shall be co-signed by the property owner or the property owner's attorney.

2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 

Printed Name of Applicant:

Hugh Cropper, IV, Attorney for Property Owner

Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City,
MD 21842 Phone Number: 410-213-2681

E-Mail: hcropper@bbcmilaw.com

Date: January 31, 2020

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

Signature: _____

Printed Name of Owner:

Daniel Strickland Hope and Janna P. Hope

Mailing Address: 4224 Nassawango Road, Snow Hill, MD 21863

Phone Number: _____

E-Mail: _____

Date: January 31, 2020

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

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of

any calendar year.

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

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

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

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

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there is a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive

Plan.

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

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

LAW OFFICES

BOOTH CROPPER & MARRINER

CURTIS H. BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
LYNDSY J. RYAN

A PROFESSIONAL CORPORATION

9923 STEPHEN DECATUR HIGHWAY, D-2

OCEAN CITY, MARYLAND 21842

(410) 213-2681

FAX (410) 213-2685

EMAIL: hcropper@bbcmllaw.com

EASTON OFFICE

130 N. WASHINGTON ST.
EASTON, MD 21601
(410) 822-2929
FAX (410) 820-6386

WEBSITE

www.bbcmllaw.com

*ADMITTED IN MD & DC

January 31, 2020

Mrs. Phyllis H. Wimbrow, Deputy Director
Worcester County Department of
Development, Review and Permitting
One West Market Street
Snow Hill, Maryland 21863

Dear Mrs. Wimbrow:

Please find enclosed a Rezoning Application for Worcester County Tax Map 70, Parcel 18, Parcel B, 153.56 acres, more or less.

I am sending a copy of this application to Mr. Frank G. Lynch, Jr. He will provide us with a scaled plat, showing a more accurate acreage. It was my intent to follow the northwesterly property line of the existing field.

We may also make some adjustments along the Pocomoke River, once the delineation is performed.

I have estimated the acreage at 30 acres, and therefore attached is the fee in the amount of \$1,100.00. We can adjust this amount (either way) once we have a more accurate acreage.

I will also be submitting a more detailed summary of our arguments. I just want to get in today, in conformance with the deadline.

January 31, 2020
Page Two

Thank you and have a great day.

Very truly yours,



Hugh Cropper IV

HC/tgb

Enclosures

CC: B. Randall Coates, Esquire
J. Richard Phillips, IV
Christopher McCabe
Frank G. Lynch, Jr.

LAW OFFICES

BOOTH CROPPER & MARRINER

CURTIS H. BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
LYNDESEY J. RYAN

A PROFESSIONAL CORPORATION

9923 STEPHEN DECATUR HIGHWAY, D-2

OCEAN CITY, MARYLAND 21842

(410) 213-2681

FAX (410) 213-2685

EMAIL: hcropper@bbcm1aw.com

EASTON OFFICE

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

WEBSITE

www.bbcm1aw.com

*ADMITTED IN MD & DC

January 31, 2020

Mr. Daniel Strickland Hope
Mrs. Janna P. Hope
4224 Nassawango Road
Snow Hill, Maryland 21863

Dear Mr. and Mrs. Hope:

As you know, I represent Mr. Richard D. Smithson, the contract purchaser of your property. Prior to the closing, Mr. Smithson is desirous of obtaining certain zoning approvals, such as a possible rezoning, special exception to construct a single-family dwelling, etc.

Inasmuch as you still own the property, I will be representing you in these applications.

I am not involved in the contractual negotiations between you and Mr. Smithson. Still, there is a possibility of a conflict of interest.

I would like your authorization to represent you with respect to these applications. Of course, I will provide you copies of everything, and keep you in the loop. It may be necessary for you to testify at the rezoning hearing.

I would also like you to waive any potential conflict of interest. Again, I am not going to be involved in your contractual negotiations.

Mr. Smithson will pay the entirety of my bill, as well as any application fees.

January 31, 2020
Page Two

If this is acceptable, please sign the bottom of this letter, where indicated, and return it to me at your earliest convenience.

Very truly yours,



Hugh Cropper IV

HC/tgb

CC: J. Richard Phillips, IV
B. Randall Coates, Esquire

AGREED TO THIS 31 DAY OF Jan, 2020.


DANIEL STRICKLAND HOPE

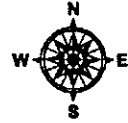

JANNA P. HOPE

Telephone Number: 410 430 4095

Email Address: DPINEWOOD@GMAIL.COM

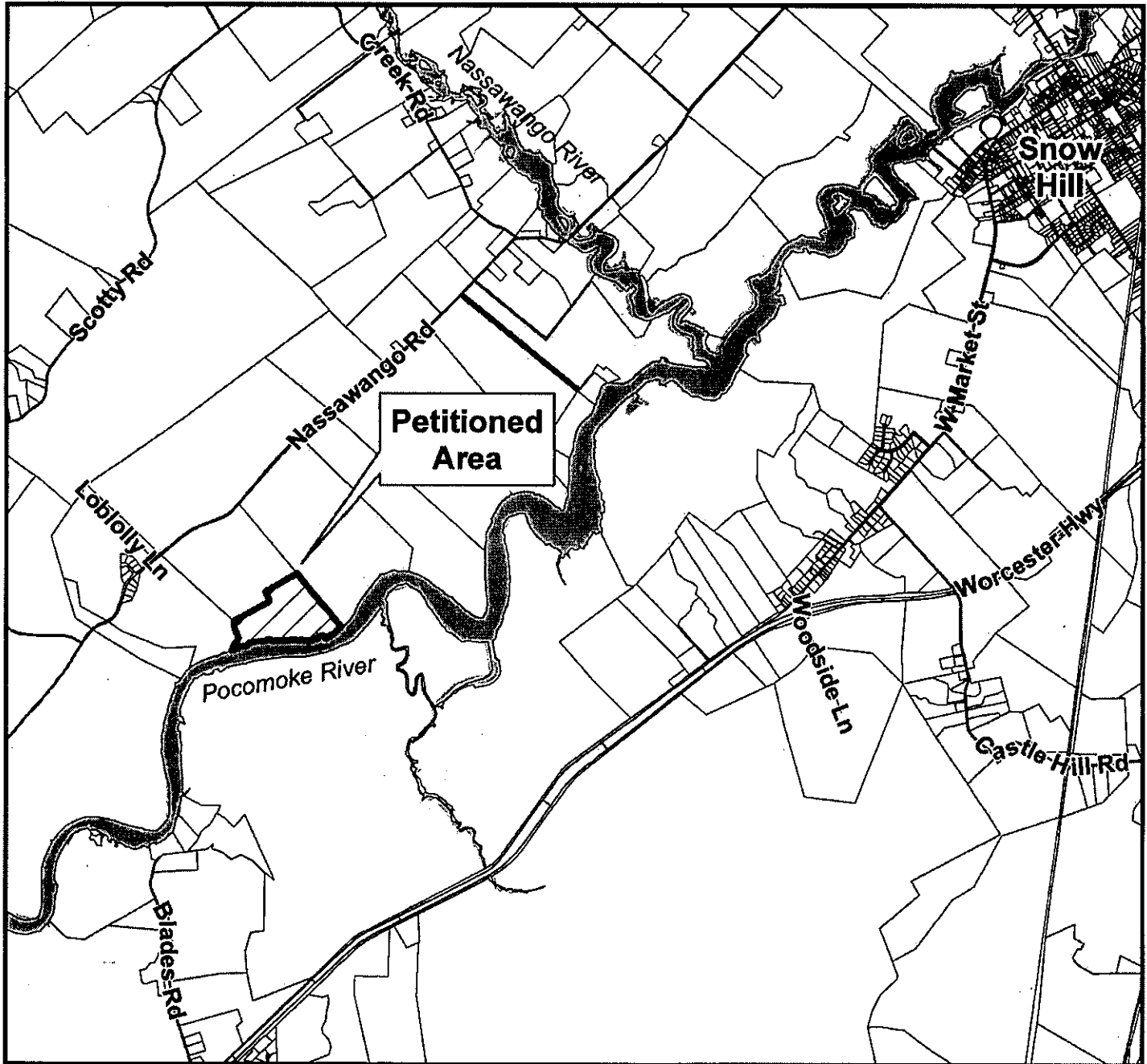


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

LOCATION MAP



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

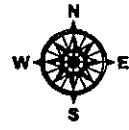
0 2,500 5,000
Feet

Source: Worcester County GIS Data Layers

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

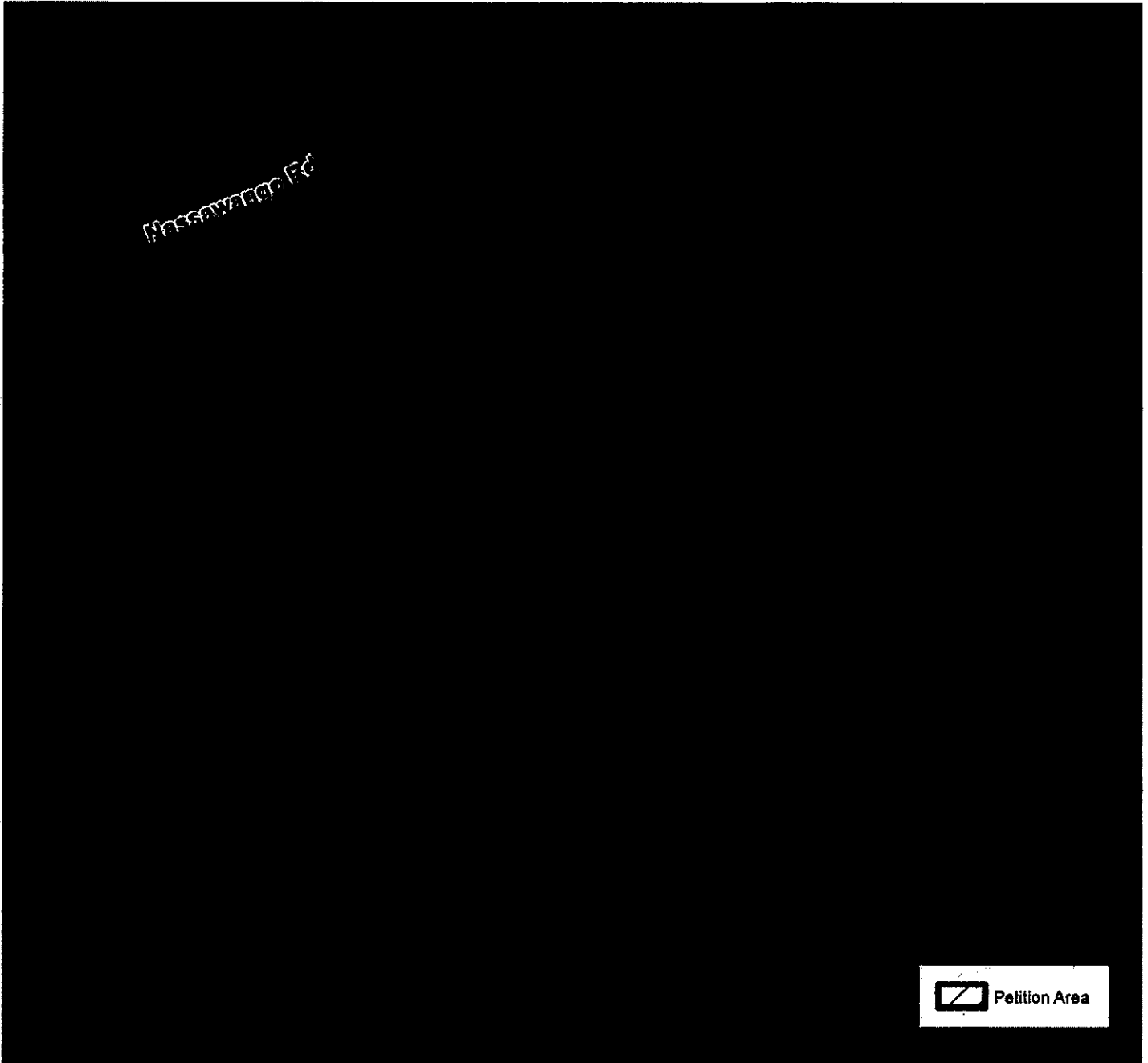


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

AERIAL MAP



 Petition Area

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

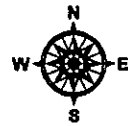
0 500 1,000
Feet

Source: Worcester County GIS Data Layers - 2019 Aerial Imagery

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

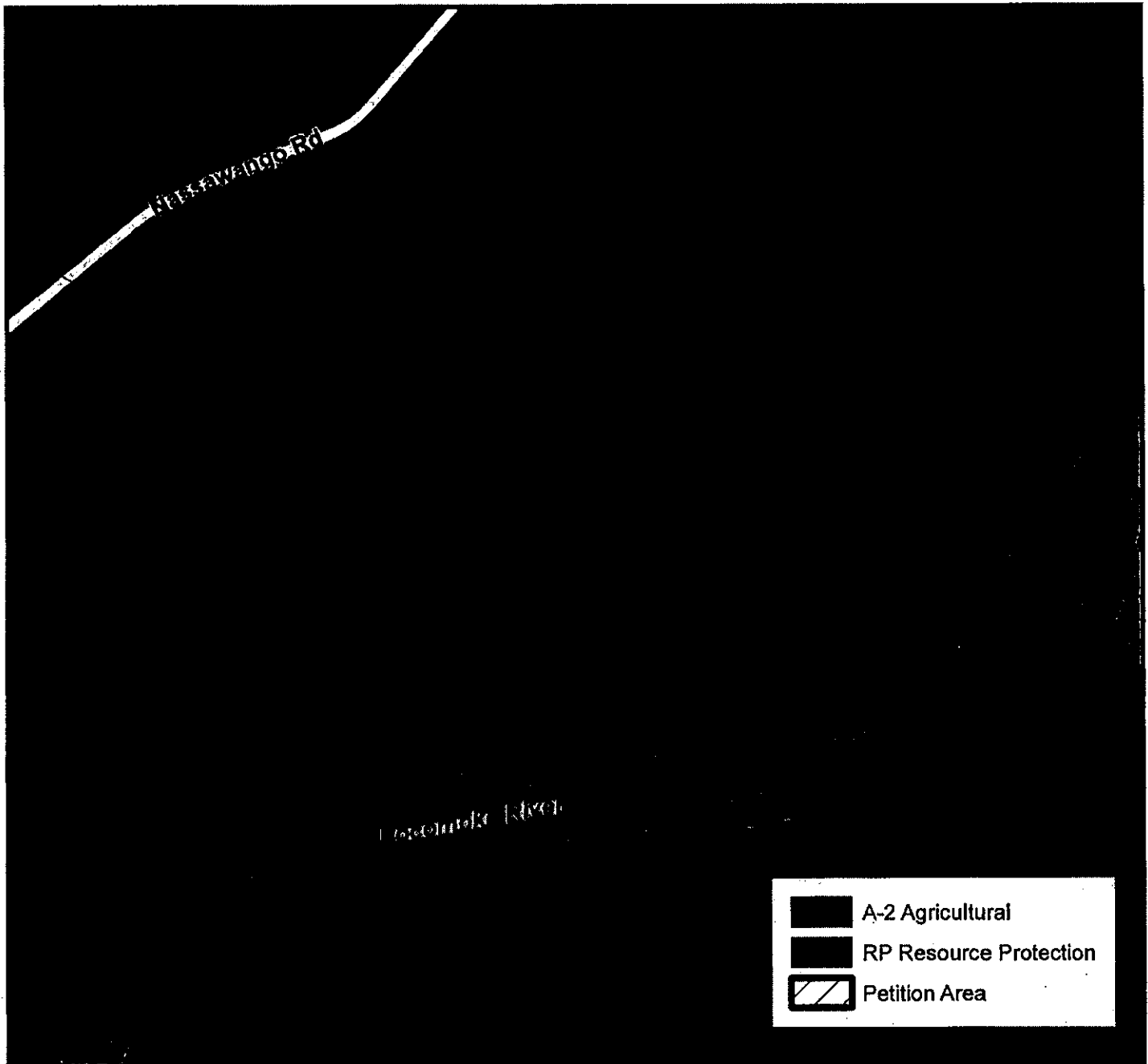


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

ZONING MAP



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

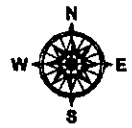
0 500 1,000
Feet

Source: Worcester County GIS Data Layers - 2009 Zoning Map

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



WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

LAND USE MAP



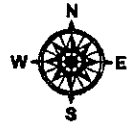
DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared February 2020

Source: Worcester County GIS Data Layers - 2006 Land Use Plan Map

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

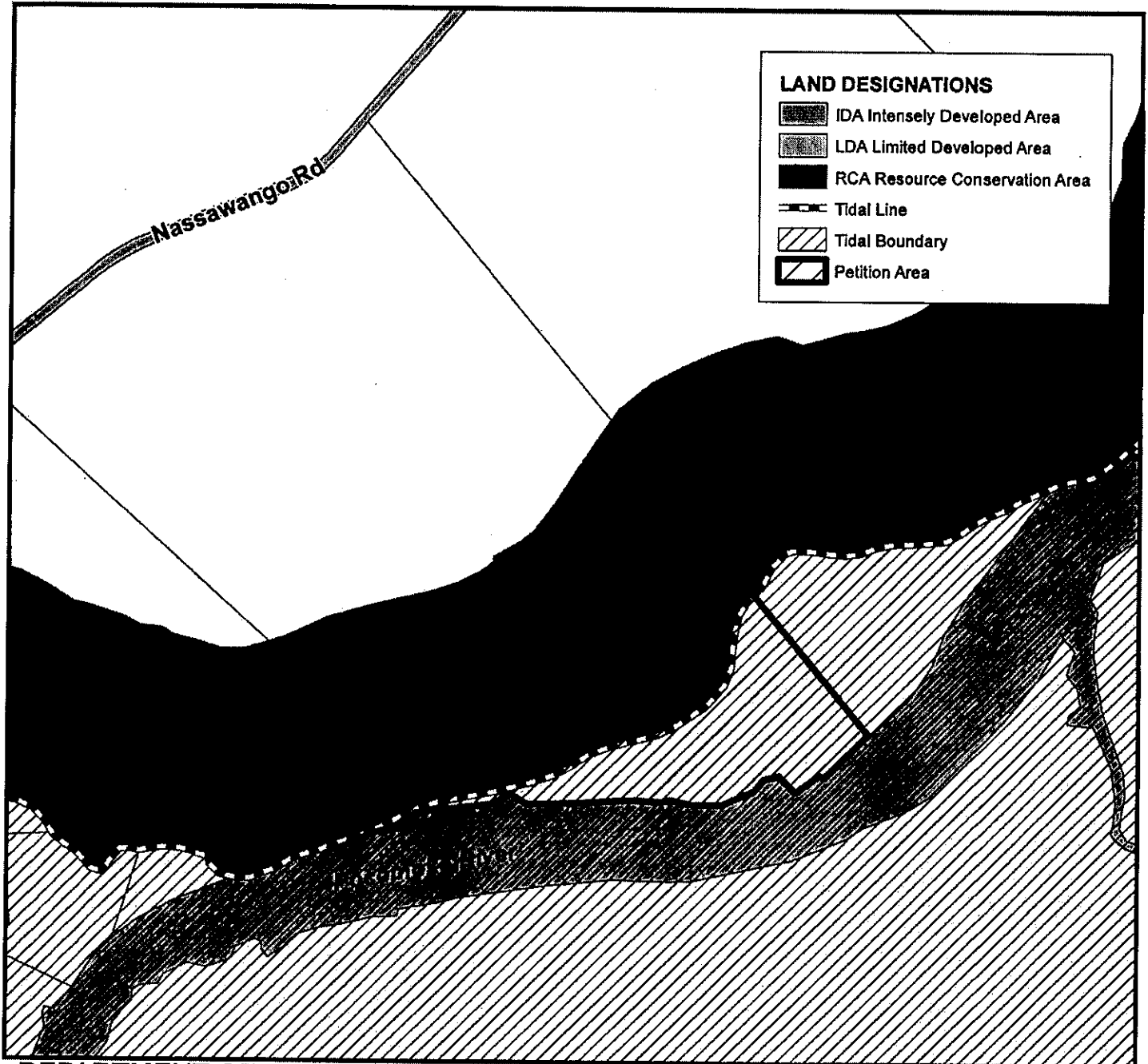


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

CRITICAL AREA MAP



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

0 500 1,000
Feet

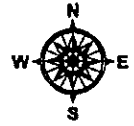
Source: Worcester County GIS Data Layers - Chesapeake Bay Critical Area Map

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

Drawn By: KLH Reviewed By: PHW

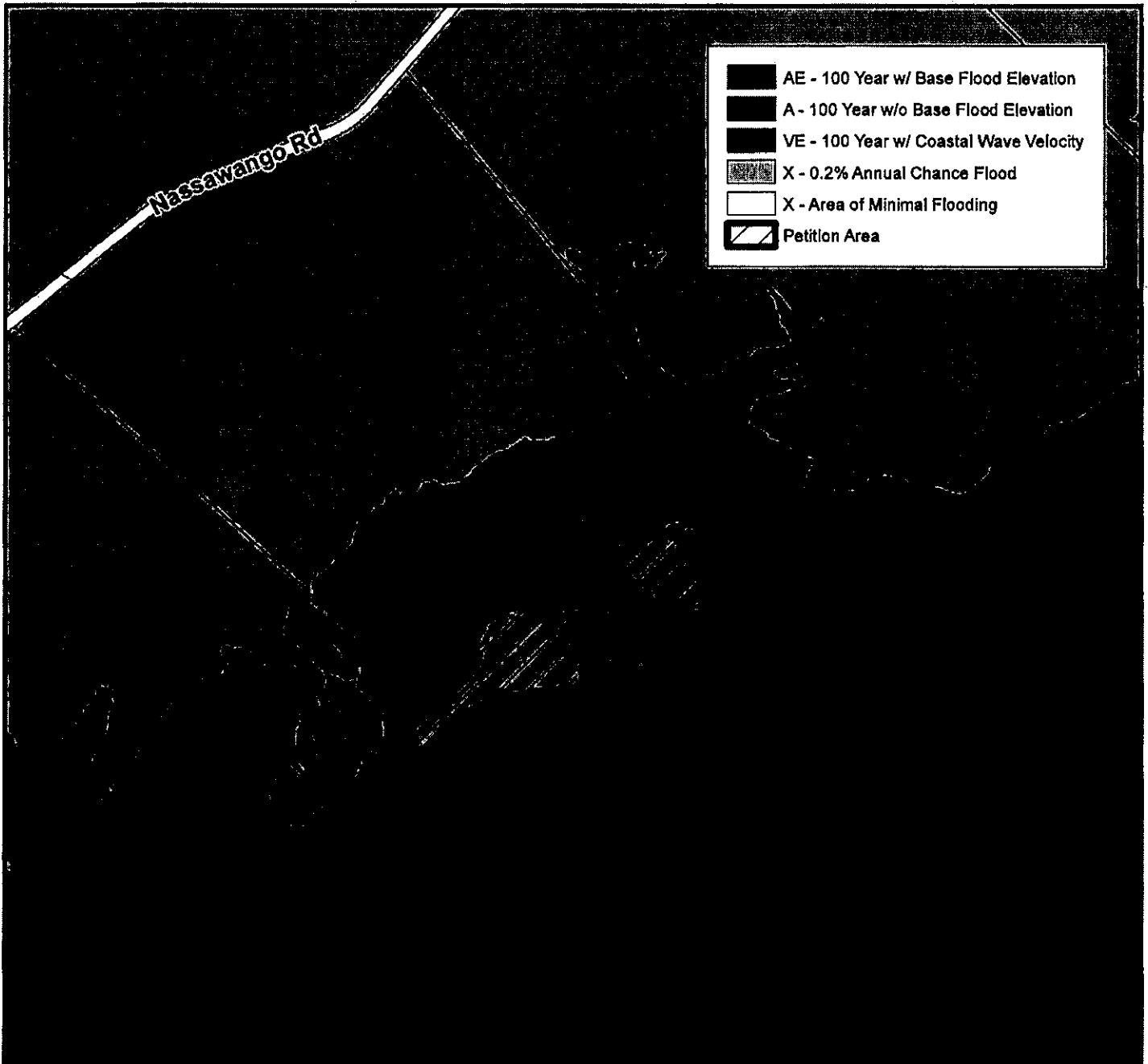


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

FLOODPLAIN MAP



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

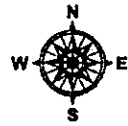
0 500 1,000
Feet

Source: Worcester County GIS Data Layers - 2015 FEMA Map

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



WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

SOILS MAP



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

0 500 1,000
Feet

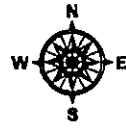
Source: Worcester County GIS Data Layers - 2007 Soil Survey

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

Drawn By: KLH Reviewed By: PHW

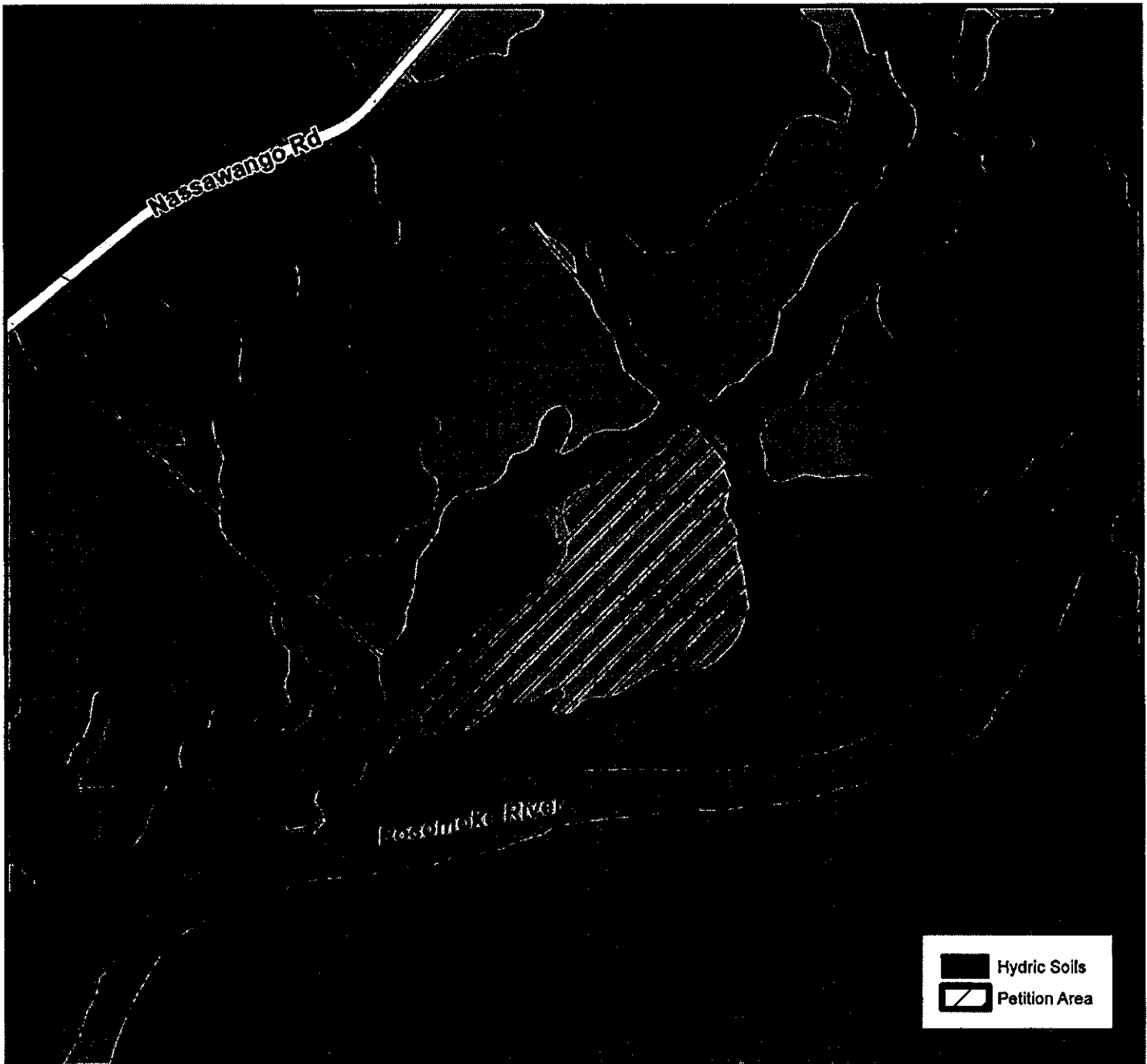


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 425
RP Resource Protection District to A-1 Agricultural District
Tax Map: 70, Parcel 18, Parcel B (portion = 54.7 acres)

HYDRIC SOILS MAP



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

0 500 1,000
Feet

Source: Worcester County GIS Data Layers - 2007 Soil Survey

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




Worcester County

Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, DDRP

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

Subject: EP Staff Comments on Rezoning Case No. 425
Worcester County Tax Map 70, Parcel 18, Lot B
54.7 Acres
RP Resource Protection to A-1 Agricultural District

Date: 3/20/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced properties. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009 and argues a substantial change in the character of the neighborhood has occurred as well. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The application for zoning reclassification is for 54.7 acres of a property totaling 153.56 acres. Referring to the land use designations in the *Comprehensive Plan*, approximately 34.4 acres of the request are located in the Agricultural land use district, while the remaining 20.3 acres are located in the Green Infrastructure District. The Green Infrastructure land use designation addresses state and locally designated natural and open spaces. These areas are designated to preserve environmentally significant areas and to maintain the environmental functionality of the county's landscape. Greenways improve water quality, provide flood control and maintain the county's rural and coastal character. The Agricultural land use designation is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. It is expected that residential and other conflicting land uses although permitted, are discouraged within this district. The areas adjacent to this property are all in the Agricultural

land use district save the portions directly fronting the Pocomoke River, where a Green Infrastructure designation is found.

This property is surrounded by properties carrying either a Resource Protection or agricultural zoning designation. The agricultural zoning designation is on the property directly southwest of the subject property and is the only agricultural zoning designation in the surrounding area. That property was a former golf course and has since been acquired by the Maryland Department of Natural Resources. The current uses are compatible with their corresponding land use designations in the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. The subject property has a designation of Sewer Service Category S-6 (*no Planned Service*). We do not have any well and septic records as this property is unimproved at the present. Septic can only be realized with a successful seasonal soil evaluation.
2. This proposed rezoning is located inside of the Chesapeake Bay Critical Area (CBCA). The parcel is presently designated as a Resource Conservation Area (RCA) and has an associated 100ft buffer from the mean high water lone of tidal waters, the edge of the back of tributary streams, and the landward extent of tidal wetlands. RCAs are areas characterized nature-dominated environments (i.e. wetlands, forests, abandoned fields) and resource-utilization activities (i.e. agriculture, forestry, fisheries, aquaculture). Allowed uses within the A-1 Zoning District support the purpose and intent of that district, specifically, to preserve, encourage, and protect the County's farms and forestry operations; therefore there does not seem to be any outstanding issues with the proposed rezoning and the Critical Area.
3. It should be noted that if the proposed rezoning is approved, lands within the RCA boundaries must abide by allowances under the Code of Public Local Laws of Worcester County, Maryland, Natural Resources Article, §NR 3-206. This includes, but is not limited to, lot coverage, clearing, and density limitations. Also, no new commercial, industrial, or instructional uses can be permitted without the approval of a growth allocation. Any existing industrial, commercial facilities may not exceed density specified in §NR 3-206(c)(3).
4. All rezonings located wholly or partially within the Critical Area require a notification to be sent to the Critical Area Commission for comment. Those comments are attached.
5. Regarding the acreage and portion of the farm included within this zoning reclassification request, the portion of the property in the Green Infrastructure land use designation should have the existing zoning classification remain so. While the existing cleared portion of the request is currently farmed and utilized for agricultural purposes, the Green Infrastructure designated portion of the request is wholly forested from the edge of the farm field to the shoreline of the Pocomoke River. To provide water quality benefits and secure the essential wildlife food, shelter, and cover within the undisturbed portion of the property along the Pocomoke River, that portion that carries the Green Infrastructure designation should not have the zoning designation reclassified to A-1.

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

Attachments

35

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410.632.1220 FAX: 410.632.2012

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

March 11, 2020

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

Re: Rezoning Case No. 425: Hope, Daniel & Jana
4224 Nassawango Road (Tax Map 70, Parcel 18, Lot B)

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of revised Parcel B¹ within the Resource Conservation Area (RCA) from Resource Protection (RP) to Agricultural District (A-1). The petitioned area is located at 4224 Nassawango Road in Snow Hill on Tax Map 70, Parcel 18, Lot B. The parcel is located partially in the Critical Area, with the requested rezoning area located entirely in the Critical Area.

The applicant is arguing that a mapping mistake was made in the Comprehensive Rezoning in 2009. A zoning map amendment in the Critical Area can only be made in the Critical Area on the basis of mistake in the existing zoning and a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification (Natural Resources Article 8-1809(h)(2)). The A-1 zone is mostly consistent with the RCA classification as evidenced by the description of the A-1 Agricultural District in the County's zoning code as being *intended to preserve, encourage and protect the County's farms and forestry operations*. However, the A-1 zone allows certain uses that are not permitted in the RCA per Worcester County Code NR 3-206 and NR 3-217. These uses include, but are not limited to, landing strips, spray irrigation fields and storage lagoons for Class II effluent, and large solar energy systems. Therefore, the County must ensure that the site complies with the RCA use limits outlined in the Code.

Additionally, any future development of this site, including construction of a dwelling and accessory structures, or any future subdivision of this property, must be governed by Worcester County Code NR3:II Chesapeake Bay Critical Area and COMAR Title 27, including, but not limited to, rules and regulations regarding lot coverage, forest and developed woodland clearing, Buffer establishment, and RCA density. Where Worcester County Code NR3:II and COMAR Title 27 differ, the stricter rule or regulation shall prevail.

¹ The proposed rezoning area of revised Parcel B is either 48.2 or 54.7 acres within the RCA; the application materials are inconsistent.

Ms. Jenelle Gerthoffer
March 11, 2020
Page 2 of 2

Please include this letter in the file and submit it as part of the record. In addition, please notify the Commission in writing of the decision made in this case. Thank you for the opportunity to comment. If you have any questions, please contact me at (410)260-3477.

Sincerely,

A handwritten signature in black ink that reads "Kathryn Durant". The signature is written in a cursive, flowing style.

Kathryn Durant
Natural Resources Planner

File: WC 136-20

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

February 14, 2020

Ms. Phyllis H. Wimbrow
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

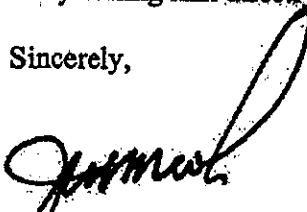
Dear Ms. Wimbrow:

Thank you for the opportunity to review the Rezoning Application from Hugh Cropper for Rezoning Case No. 425 – Daniel S. and Janna P. Hope, in Worcester County. The property is described as Tax Map: 70, Parcel number: 18, Lot Number: Parcel B, Tax District Number: 7th. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents. We are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding state roadway network. Future development may also require an access permit to be issued from this office.

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

Sincerely,



James W. Meredith,
District Engineer

cc: Ms. Jennifer Keener, Zoning Administrator, Worcester County
Mr. Rodney Hubble, Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Shannon Smith, Transportation Engineer, Project Development, MDOT SHA
Mr. Tony Turner, Asst. Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Daniel Wilson, Access Management Regional Engineer, MDOT SHA



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

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: February 10, 2020
RE: Rezoning Case No. 425

DIVISIONS

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

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

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

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

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

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

Rezoning Case 425: No comments at this time.

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

cc: John H. Tustin, P.E., Director

FJA/l
\\wcfiler2\users\llawrence\Rezoning\Rezoning Case 425.doc

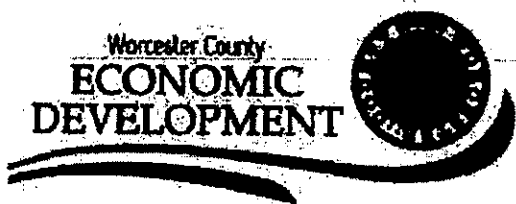
Phyllis Wimbrow

From: Kathryn Gordon
Sent: Monday, February 24, 2020 12:18 PM
To: Phyllis Wimbrow
Subject: Rezoning Case No. 425 -

Good Afternoon Phyllis,

I looked over the application for the rezoning case no. 425 and did not see anything that would affect my department's initiatives.

Thank you,
Kathryn



Kathryn Gordon
Director
Worcester County Economic Development
100 Pearl Street, Suite B
Snow Hill, Maryland 21863
P: 410.632.3112
F: 410.632.5631
C: 410.430.8776

Phyllis Wimbrow

From: April Mariner
Sent: Friday, February 7, 2020 3:45 PM
To: Phyllis Wimbrow
Subject: FW: Rezoning Case #425 Agency Memo.pdf

April L. Mariner

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

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Friday, February 7, 2020 3:44 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning Case #425 Agency Memo.pdf

Hi April,

I have reviewed the proposed changes and on behalf of the Forest Service I find the proposal to be compatible with current land uses in the area.

 	<p>Rob Clarke Forester</p> <p>Lower Shore Project</p> <p>Maryland Forest Service Department of Natural Resources 10990 Market Lane Princess Anne, MD 21853-2910 Office: 410-651-2004 Mobile: 443-235-1636 Rob.Clarke@Maryland.gov</p>
---	---

[Click here](#) to complete a three question customer experience survey.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21883
TEL: 410-832-1200 / FAX: 410-832-3008
<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Billy Birch, Director, Worcester County Emergency Services
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office
John H. Tustin, P.E., Director, Worcester County Public Works Department
John Ross, P.E., Deputy Director, Worcester County Public Works Department
Frank Adkins, Roads Superintendent, Worcester County Public Works Department
Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
Tom Perlozzo, Director of Recreation and Parks, Tourism & Economic Development
Kathryn Gordon, Director, Economic Development
Louis H. Taylor, Superintendent, Worcester County Board of Education
James Meredith, District Engineer, Maryland State Highway Administration
Lt. Earl W. Starnier, Commander, Barracks V, Maryland State Police
Rebecca L. Jones, Health Officer, Worcester County Health Department
Rob Clarke, State Forester, Maryland Forest Services
Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
Trey Heiser, Fire Chief, Snow Hill Volunteer Fire Department

FROM: Phyllis H. Wimbrow, Deputy Director

DATE: February 7, 2020

RE: Rezoning Case No. 425- Daniel S. and Janna P. Hope, Property Owners, and Hugh Cropper, IV, Attorney- South of Nassawango Road at Pocomoke River, Southwest of Snow Hill

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 54.7 acres of land shown on Tax Map 70 as Parcel 18, Parcel B, from RP Resource Protection District to A-1 Agricultural District. Uses allowed in the District include, but are not

Citizens and Government Working Together

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limited to, single family dwellings, agriculture, grain dryers, feed mills, agricultural processing plants, aquaculture or seafood processing facilities and landing sites, sawmills, and commercial hosting of non-agricultural functions and events.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which your agency is responsible. ***If no response is received by MARCH 23, 2020, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at pwimbrow@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments



ITEM
17

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


OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

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

August 25, 2020

To: Harold Higgins, Chief Administrative Officer
From: Kim Reynolds, Senior Budget Accountant 
Subject: Public Hearing CDBG COVID-19 Round 2 Funding Availability

This is a request to hold a public hearing regarding the Community Development Block Grant Funding Availability which can be utilized for Emergency Rental Assistance.

This funding would potentially be used to assist Worcester County residence through Worcester County's sub-recipient Diakonia, Inc with costs associated with rental assistance during the Covid-19 pandemic.

*First Public Hearing Notice
(Sample shows minimal language to be included)*

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

DRAFT

The Worcester County Commissioners will conduct a Public Hearing on Tuesday, September 15, 2020 to obtain the views of citizens on community development and housing needs to be considered for submission of an application to the Maryland Community Development Block Grant Program (CDBG) for funds awarded through the federal CARES Act. Funds must be used to prevention, prepare for and respond to the coronavirus.

Citizens will have the opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held on September 15, 2020 at the Worcester County Government Center, Room 1101, Snow Hill, Maryland 21863 at 10:45am. The draft application will be available for the public to review on September 10, 2020 on the county's website: www.co.worcester.md.us.

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

- * the amount of CDBG funds available;
- * the range of activities that may be undertaken with CDBG funds; and
- * the proposed projects under consideration by Worcester County.

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

Efforts will be made to accommodate the disabled and non-English speaking residents with 7 days advance notice to Weston S. Young at 410-632-1194. Questions may be directed to Kimberly Reynolds, Senior Budget Accountant, at 410-632-1194.

(Chief Executive Officer of Jurisdiction)

Administration

LOUIS H. TAYLOR
Superintendent of Schools

C. DWAYNE ABT, Ed.D.
Chief Safety & Human Relations
Officer

DENISE R. SHORTS
Chief Academic Officer, Gr. PK-8

VINCENT E. TOLBERT, CPA
Chief Financial Officer

ANNETTE E. WALLACE, Ed.D.
Chief Operating & Academic Officer,
Gr. 9-12



ITEM
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Board Members

ERIC W. CROPPER, SR.
President

SARA D. THOMPSON
Vice-President

BARRY Q. BRITTINGHAM, SR.

WILLIAM E. BUCHANAN

TODD A. FERRANTE

WILLIAM L. GORDY

ELENA J. MCCOMAS

The Board of Education of Worcester County
6270 Worcester Highway | Newark, Maryland 21841
Telephone: (410) 632-5000 | Fax: (410) 632-0364
www.worcesterk12.org

August 24, 2020

Mr. Joseph M. Mitrecic
Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863-1195

Dear President Mitrecic:

To address increased costs experienced in FY20 under the categories of Administration, Instructional Support, Student Transportation, Maintenance of Plant and Fixed Charges, the Board of Education is requesting your approval of the categorical budget transfers described in the attached Inter-category Budget Transfers and Budget Amendment for the year ended June 30, 2020. The budget category of Administration experienced higher than planned expenditures in areas including supplies and memberships, dues and subscriptions. Actual costs in the category of Instructional Support were higher than planned due to an increase in software costs and increased copier expenses. The budget category of Student Transportation exceeded the original budget allocation due to several items including the additional routes added for the Worcester Technical High School over the last several years to address increased enrollment and the increasing costs of providing transportation to our homeless students. The category of Maintenance of Plant experienced higher than budgeted expenditures due to the rising costs associated with repairing and maintaining our HVAC equipment and other systems. The budget category of Fixed Charges exceeded original budget allocations due to several factors including higher than budgeted costs in employee tuition reimbursements and a realignment in a special education grant. As shown in the attachment, the increases in the categories of Administration, Instructional Support, Student Transportation, Maintenance of Plant and Fixed Charges will be offset by a reduction in the categories of Instructional Salaries, Textbooks & Classroom Supplies and Operation of Plant. After review, the Board of Education approved these transfers at their meeting on August 18, 2020.

As outlined in the budget amendment, the total budget appropriation for FY20 did not change. These budgetary transfers are necessary to align our budget with actual FY 2020 categorical expenditures as we complete our year-end closeout process. We deeply appreciate your continued support of the Worcester County Public School System. Should you have any questions or concerns, please contact me.

Sincerely,

Louis H. Taylor
Superintendent of Schools

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

BOARD OF EDUCATION OF WORCESTER COUNTY

INTER-CATEGORY BUDGET TRANSFERS and BUDGET AMENDMENT

FY 2020 - JUNE 30, 2020

Five categories of the FY 2020 Unrestricted Operating Budget have expenditures that exceed the amount allocated. In order to properly account for this variance, the following transfers are being submitted to the Board of Education at their meeting on August 18, 2020. In compliance with Maryland law, these transfers will also be submitted to the Worcester County Commissioners for approval.

REDUCE THE FOLLOWING EXPENDITURE CATEGORIES:

	APPROVED <u>AMOUNT</u>	AMENDED <u>AMOUNT</u>	<u>CHANGE</u>
INSTRUCTIONAL SALARIES	44,359,118	43,782,008	-577,110
TEXTBOOKS & CLASSROOM SUPPLIES	2,351,238	2,301,238	-50,000
OPERATION OF PLANT	8,239,425	7,909,425	-330,000
TOTAL OPERATING BUDGET REDUCTIONS			-957,110

INCREASE IN TOTAL OPERATING BUDGET - Additional Revenues

FY20 SUPPLEMENTAL APPROPRIATION	\$0
ADDITIONAL REVENUES	0
TOTAL OPERATING BUDGET INCREASE	0
ORIGINAL APPROVED OPERATING BUDGET	<u>111,330,941</u>
REVISED TOTAL OPERATING BUDGET	\$111,330,941

BOARD OF EDUCATION OF WORCESTER COUNTY
INTER-CATEGORY BUDGET TRANSFERS and BUDGET AMENDMENT
FY 2020 - JUNE 30, 2020

INCREASE THE FOLLOWING EXPENDITURE CATEGORIES:

	<u>ORIGINAL AMOUNT</u>	<u>AMENDED AMOUNT</u>	<u>CHANGE</u>
ADMINISTRATION	\$1,709,040	\$1,781,750	\$72,710
Costs in the area of Administration were higher than budgeted due to several factors including higher than budgeted expenditures in the area of supplies and materials and in the area of memberships, dues and subscriptions.			
INSTRUCTIONAL SUPPORT	\$7,612,419	\$7,715,357	\$102,938
Costs in the area of Instructional Support were higher than budgeted due to increased software costs and increased copier expenses.			
STUDENT TRANSPORTATION	\$6,607,183	\$6,876,326	\$269,143
Areas in this category experiencing increased costs include additional routes for the Worcester Technical High School to address enrollment increases, after-school programs transportation and transportation for our homeless students.			
MAINTENANCE OF PLANT	\$1,097,895	\$1,144,356	\$46,461
This transfer is necessary to cover the increasing cost of maintaining our school buildings. The costs of HVAC and other repairs and supplies continue to escalate.			
FIXED CHARGES	\$26,215,720	\$26,681,578	\$465,858
This transfer is necessary to cover higher than budgeted employee tuition reimbursements for teachers to meet state certification renewal guidelines. Expenses in this category were also higher than budgeted due to a State realignment in our Special Education Pass-Thru grant.			

SUMMARY OF TOTAL INCREASES IN EXPENDITURE CATEGORIES:

TOTAL OPERATING BUDGET CATEGORY INCREASES	\$957,110
LESS TRANSFERS FROM OTHER CATEGORIES	<u>-957,110</u>
INCREASE IN OPERATING BUDGET	\$0
ORIGINAL APPROVED OPERATING BUDGET FY 2020	<u>111,330,941</u>
TOTAL REVISED OPERATING BUDGET FY 2020	\$111,330,941

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**NOTICE
OF
PROPOSED CHANGE
IN ZONING**

**EASTERLY SIDE OF ELM STREET
SOUTH OF US ROUTE 50
WEST OCEAN CITY**

**TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND**

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 423 has been filed by Hugh Cropper, IV, attorney, on behalf of Antique Woodwork, Inc. and Francis Scott Key Motel, LLC, property owners, for an amendment to the Official Zoning Maps to change approximately two acres of land located on the easterly side of Elm Street, to the south of US Route 50 and north of Old Bridge Road in West Ocean City, in the Tenth Tax District of Worcester County, Maryland, from R-3 Multi-Family Residential District to C-2 General Commercial District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

**PUBLIC HEARING on
TUESDAY, SEPTEMBER 1, 2020
at 11:00 A.M.**

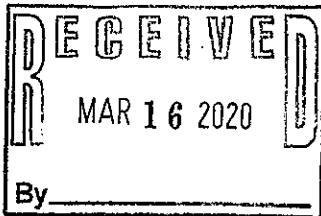
**in the County Commissioners' Meeting Room
Room 1101 Government Center, One West Market Street
Snow Hill, Maryland 21863**

At said public hearing, the Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 423 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. 423 and the Planning Commission's recommendation which will be entered into the record of the public hearing are on file and are available to view electronically by contacting the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863, Monday through Friday from 8:00 am until 4:30 pm (except holidays), at 410-632-1200 as well as www.co.worcester.md.us.

Joseph M. Mitrecic, President

1a



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1201

SNOW HILL, MARYLAND 21863

TEL: 410-632-1200 / FAX: 410-632-3008

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

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: March 10, 2020
RE: Planning Commission Findings of Fact and Recommendation
Rezoning Case No. 423
(Antique Woodworks, Inc. and Francis Scott Key Motel 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. 423, seeking to rezone approximately two acres of land located on the easterly side of Elm Street, to the south of US Route 50 and north of Old Bridge Road, in West Ocean City, from R-3 Multi-Family District to C-2 General Commercial District. The case was reviewed by the Planning Commission at its meeting on January 2, 2020 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

APPROVED
Worcester County Commissioners
Date *HH* *4/2/2020*

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 423

APPLICANTS:

**John S. Collins, President
Antique Woodwork, Inc.
9938 Elm Street
Ocean City, Maryland 21842**

**James and Annemarie Dickerson
Francis Scott Key Motel, LLC
12806 Ocean Gateway
Ocean City, Maryland 21842**

ATTORNEY FOR THE APPLICANT:

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

January 2, 2020

WORCESTER COUNTY PLANNING COMMISSION

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A.	Copy of Written Staff Report	Pages 11 - 17
B.	Attachments to the Staff Report:	
1.	Maps of petitioned area	Pages 18 - 25
2.	Letter dated May 31, 2019 to Phyllis Wimbrow from Hugh Cropper, IV with attached Application for Amendment of Official Zoning Map with attachments	Pages 26 - 38
3.	Copy of E-mail dated December 2, 2019 to Phyllis Wimbrow from Hugh Cropper, IV with attached map	Pages 39 - 40
4.	Comments of Robert J. Mitchell, Worcester County Environmental Programs Director	Pages 41 - 42
5.	Comments of Frank Adkins, Worcester County Roads Superintendent	Page 43
6.	Comments of Kathryn Gordon, Worcester County Economic Development Director	Page 44
7.	Memo dated June 11, 2019 requesting comments	Pages 45 - 46

I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 423, filed on May 31, 2019.

B. APPLICANTS: Parcels 200 and 201:
John S. Collins, President
Antique Woodwork, Inc.
9938 Elm Street
Ocean City, Maryland 21842

Parcels 203, 204, 207 and 577:
James and Annemarie Dickerson
Francis Scott Key Motel, LLC
12806 Ocean Gateway
Ocean City, Maryland 21842

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

C. TAX MAP/PARCEL: Tax Map 27 - Parcels 200, 201, 203, 204, 207 and 577 - Tax District 10

D. SIZE: The petitioned area is comprised of six parcels and totals approximately 2.0 acres in size.

E. LOCATION: The petitioned area is located on the easterly side of Elm Street, to the south of US Route 50 and north of Old Bridge Road, in West Ocean City.

F. CURRENT USE OF PETITIONED AREA: All of the properties are developed. Parcels 200 and 201 (Collins) are developed with uses associated with Mr. Collins's woodworking company. Parcels 203, 204, 207 and 577 (Dickerson) are developed with cottages associated with the Francis Scott Key Hotel.

G. CURRENT ZONING CLASSIFICATION: R-3 Multi-Family Residential District.

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

I. ZONING HISTORY: At the time zoning was first established in the 1960s, Parcels 200 and 201 (Collins) were given a B-2 General Business District zoning classification while Parcels 203, 204, 207 and 577 were placed in the R-3 Multi-Family Residential District classification. During the 1992 comprehensive rezoning all of the petitioned area was placed within the R-3 Multi-Family

Residential District. Thus the Collins properties were taken out of their prior B-2 General Business District classification. During the 2009 comprehensive rezoning the petitioned area was retained in the R-3 Multi-Family Residential District.

- J. **SURROUNDING ZONING:** The properties directly to the north and east are zoned C-2 General Commercial District while those to the south and west are zoned R-3 Multi-Family Residential District.
- K. **COMPREHENSIVE PLAN:** According to the 2006 Comprehensive Plan and associated land use map, the petitioned area is within the Commercial Center Land Use Category.
- L. **WATER AND WASTEWATER:** According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property has designations of Water and Sewer Service Category W-1 and S-1 (immediate to two year time frame) in the Master Water and Sewerage Plan and his records indicate that the properties are improved with existing public sewer from the West Ocean City Sanitary Area and with individual wells.
- M. **ROAD ACCESS:** All of the parcels which make up the petitioned area have frontage of Elm Street, a County-owned and -maintained roadway which has a 40 foot right-of-way. Elm Street provides direct access to both US Route 50 and to Old Bridge Road. The Comprehensive Plan does not make any statements regarding Elm Street but classifies US Route 50 as a multi-lane divided primary highway/arterial highway.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, John S. Collins, property owner, R. D. Hand, land planner, and Becky Tucker, the Francis Scott Key Hotel's Front Desk and Group Sales Administrator, were present for the review. Mr. Cropper stated that the Francis Scott Key Hotel has existed for at least 50 years and that Kenny Baker, the previous owner, had purchased Parcels 203, 204, 207 and 577 in the 1970s, upon which cottage type units were subsequently constructed. He asserted that these rental units are for all intents and purposes part of the hotel, using all of the same amenities, having maid service and rented through the hotel's lobby/front desk and website. He noted that there is a seamless transition between these two segments of the Francis Scott Key property, the R-3 Multi-Family District portion and the C-2 General Commercial District portion, because they operate in conjunction with one another and maintained that when on site there is absolutely no way to differentiate between the two zoning districts. Mr. Cropper

submitted a photograph of the Francis Scott Key rental units located on the petitioned area as Applicants' Exhibit No. 1. Submitted as Applicants' Exhibit No. 2 was a copy of the Comprehensive Plan's Land Use Map, showing that the petitioned area is within the Commercial Center Land Use Category.

Relative to the properties owned by Mr. Collins, specifically Parcels 200 and 201, Mr. Cropper explained that Mr. Collins' woodworking business has been located on the site for many years and was previously zoned commercially. However, the 2009 comprehensive rezoning placed it in a R-3 Multi-Family Residential District classification, thus rendering the business a non-conforming use. Mr. Cropper asserted that there is therefore a mistake in the existing zoning.

Mr. Cropper submitted a photograph of the Rambler Motel adjoining Mr. Collins' property as Applicants' Exhibit No. 3. Mr. Cropper noted that this property is zoned C-2 General Commercial District. Submitted as Applicants' Exhibit No. 4 was a photograph of the Francis Scott Key units that are within the petitioned area while Applicants' Exhibit No. 5 was a close-up photo of the front of one of these units, showing the keycard entry. Upon questioning by Mr. Cropper, Ms. Tucker testified that these units are fully integrated with the hotel facilities and amenities and are only rented on a seasonal basis.

Mr. Cropper stated that this rezoning request is also based upon a claim of a change in the character of the neighborhood. He submitted Applicants' Exhibit No. 6, the neighborhood map which was used in Rezoning Case No. 397 (GCR Development, LLC) which successfully sought the rezoning of Parcel 702 on Tax Map 27 from R-3 Multi-Family Residential District to C-2 General Commercial District. That parcel is located on the westerly side of Golf Course Road, just north of the intersection with Sunset Avenue. Upon questioning by Mr. Cropper, Mr. Hand stated that the neighborhood as defined by this exhibit was bound on the north by US Route 50, on the east by the Sinexpuxent Bay, on the south by Marsh Harbor and the southerly rear property lines of the properties located on the southerly side of Sunset Avenue, and on the west by MD Route 611 and asserted that this definition of the neighborhood accurately reflects the limits of the neighborhood for the properties now petitioned for rezoning. The Formal Notice of Zoning Action with attached County Commissioners' Findings of Fact and Resolution from Rezoning Case No. 397 was submitted as Applicants' Exhibit No. 7. Mr. Cropper stated that the intensification of development along the US Route 50 corridor in the neighborhood and the increase in available Equivalent Dwelling Units (EDUs) of sewer service since the comprehensive rezoning of 2009 were found to constitute substantial changes to the character of the neighborhood in Rezoning Case No. 397 and remain applicable to the current rezoning request. He maintained that the increased availability of sewer EDUs has allowed intensified development of the US Route 50 corridor and cited the

construction of several hotels, the Park Place Plaza and the commercial plaza where Starbucks is located, immediately west of Hooper's Restaurant, as evidence of this intensified development. He submitted a copy of the County Sewer Committee's report on the request for an EDU allocation for the property petitioned for rezoning by Case No. 397 as Applicants' Exhibit No. 8 and noted this report states that the expansion of the Mystic Harbour Wastewater Treatment Plant and funding from the United States Department of Agriculture in 2008 were predicated upon the need for infill and intensification of properties along the US Route 50 commercial corridor and vicinity. Submitted as Applicants' Exhibit No. 9 was County Commissioners' Resolution No. 17-19 which established the Mystic Harbour Sanitary Service Area Sewer EDU Allocation Process. Mr. Cropper submitted the Formal Notice of Zoning Action with attached County Commissioners' Findings of Fact and Resolution from Rezoning Case No. 416 (MEJ Investments, LLC) as Applicants' Exhibit No. 10. This rezoning reclassified a property on the westerly side of Golf Course Road to the north of Sunset Avenue from a residential to a commercial classification based upon a change in the character of the neighborhood due to intensification of commercial uses in West Ocean City. Submitted as Applicants' Exhibit No. 11 was another map reflecting the limits of the neighborhood. Mr. Hand testified that the neighborhood is commercial in character and that commercial zoning for the petitioned area is more consistent and desirable in terms of the comprehensive plan. Upon questioning by Mr. Cropper, Mr. Collins stated that his property faces the Rambler Motel and was commercially zoned when he purchased it. Mr. Cropper asserted that there is a mistake in the existing zoning of the petitioned properties, albeit one made in good faith, and that they have been used for commercial purposes for many years.

Mr. Cropper furthermore maintained that there has been a change to the character of the neighborhood since the comprehensive rezoning of 2009 as the expansion of the Mystic Harbour Wastewater Treatment Plant and resultant availability of additional sewer EDUs has allowed the intensification of development in West Ocean City, particularly commercial uses along the US Route 50 corridor. Mr. Cropper stated that the properties petitioned for rezoning are part of this US Route 50 corridor and are right in the center of the Comprehensive Plan's Commercial Center Land Use category. He stated that there has been an increase in both the residential and commercial population of the neighborhood since 2009 and that adequate EDUs of sewer service are available to provide for the proposed rezoning. Relative to transportation patterns he stated that the present transportation pattern is functional and no changes are anticipated. As it pertained to compatibility with existing and proposed development Mr. Cropper stated that the existing cottage units on Parcels 203, 204, 207 and 577 have been onsite since the 1970s and look consistent with the remainder of the Francis Scott Key property. Likewise, the commercial use on the Collins property has existed for

many years. Relative to consistency with the Comprehensive Plan Mr. Cropper stated that according to the Plan's Land Use Map, the petitioned properties are squarely within the Commercial Center Land Use category. He reiterated the changes in the character of the neighborhood, including two rezonings, increased availability of sewer EDUs and the resultant intensification of commercial uses in the area, and asserted that a change in zoning of the petitioned properties would be more desirable because it would bring nonconforming uses into compliance with the zoning regulations and with the Comprehensive Plan's Commercial Center Land Use category.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: Mr. Cropper asserted that the neighborhood was as defined in Rezoning Case No. 397, specifically that area bound on the north by US Route 50, on the east by the Sinepuxent Bay, on the south by Marsh Harbor and the southerly rear property lines of the properties located on the southerly side of Sunset Avenue, and on the west by MD Route 611. The Planning Commission concurred.
- B. Regarding population change: The Planning Commission concluded that there has been an increase in both the residential population and the commercially generated population of the area since the comprehensive rezoning of 2009 and anticipates that this will continue to increase. The Planning Commission felt this increased population was further reflected by the increased number of EDUs made available by the Mystic Harbour Sanitary Service Area and the allocation process.
- C. Regarding availability of public facilities: The Planning Commission found that as it pertains to wastewater disposal and the provision of potable water, according to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the petitioned area has a designation of a Sewer and Water Service Category of S-1 and W-1 (Immediate to two-year time frame) in the Master Water and Sewerage Plan. He stated that his records show that the properties are improved with existing public sewer from the West Ocean City Sanitary area and with individual wells. Fire and ambulance service will be available from the Ocean City Fire Company's station on Keyser Point Road, located a short distance to the west of the petitioned area. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or the Worcester County Sheriff's Department. The petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School,

and Stephen Decatur High School. No comments were received from the Worcester County Board of Education. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.

- D. Regarding present and future transportation patterns: Based upon the staff report on the proposed rezoning, the Planning Commission found that all of the parcels which make up the petitioned area have frontage of Elm Street, a County-owned and -maintained roadway which has a 40 foot right-of-way. Elm Street provides direct access to both US Route 50 and to Old Bridge Road. The Comprehensive Plan does not make any statements regarding Elm Street. The Comprehensive Plan classifies US Route 50 as a multi-lane divided primary highway/arterial highway while Old Bridge Road (MD Route 707) is classified as a two lane secondary highway. With regard to US Route 50 the Comprehensive Plan that development should be limited until capacity is no longer impacted and that the amount of commercial zoning along US Route 50 should be reduced to maintain its capacity. With regard to Old Bridge Road the Comprehensive Plan states that acquisition of right-of-way for widening should occur as projects develop, that eventual widening will be required, as this road is becoming a minor bypass through the West Ocean City commercial area and that this road should be designated a "minor collector highway." No comments with regard to this rezoning application were received from the State Highway Administration District 1 office. Frank Adkins, Worcester County Roads Superintendent, stated in his response memo (copy attached) that rezoning to a C-2 General Commercial District may cause more congestion with traffic and pedestrians in an area that has full-time residential homeowners, depending on what the property is used for, and that the road was not built for commercial traffic. He also notes that Elm Street does not drain well and may cause more drainage issues in the future. Based upon its review, the Planning Commission found that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.
- E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that the portion of the petitioned area owned by Francis Scott Key, LLC has been utilized as cottages in conjunction with the remainder of the Francis Scott Key Hotel since the 1970s. Likewise, the property owned by Mr. Collins has been utilized for his woodworking business for many, many years. The Planning Commission concluded that these uses have coexisted with the residences and other commercial land uses in the area. The Planning Commission found that the proposed rezoning will not have any adverse impacts on environmental concerns.

Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

- F. Regarding compatibility with the Comprehensive Plan: The Planning Commission found that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Commercial Center Land Use Category. With regard to the Commercial Center category the Comprehensive Plan states that this category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses and that retail, offices, cultural/entertainment, services, mixed uses, warehouses, civic, light manufacturing and wholesaling would locate in commercial centers. The Comprehensive Plan also states that commercial areas by their nature locate on prominent sites and can visually dominate a community and that, for this reason, special attention must be given to the volume, location and design of these uses. The first step is to balance supply with demand. The Planning Commission found that the petitioned properties have been used in the past and continue to be used for commercial purposes. However, because of their current residential zoning classification, the uses are considered nonconforming uses by the Zoning Code. The Planning Commission concluded that rezoning of the petitioned area to a commercial classification would not only bring the existing uses into conformity with the Zoning Code but also with their Commercial Center Land Use category from the Comprehensive Plan. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. The Planning Commission found that the properties which make up the petitioned area have been used for commercial purposes for many, many years, well prior to the 2009 comprehensive rezoning. The Planning Commission concluded that there has also been a change in the character of the neighborhood as evidenced by Rezoning Case Nos. 397 and 416, the increased availability of sewer EDUs due to the expansion of the Mystic Harbour wastewater treatment plant, and the resultant intensification of commercial uses in West Ocean City, particularly in the US Route 50 corridor. 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 would give the petitioned properties a zoning classification consistent with their

longtime commercial uses. Therefore, the Planning Commission gave a favorable recommendation to Rezoning Case No. 423, seeking a rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District.

V. RELATED MATERIALS AND ATTACHMENTS

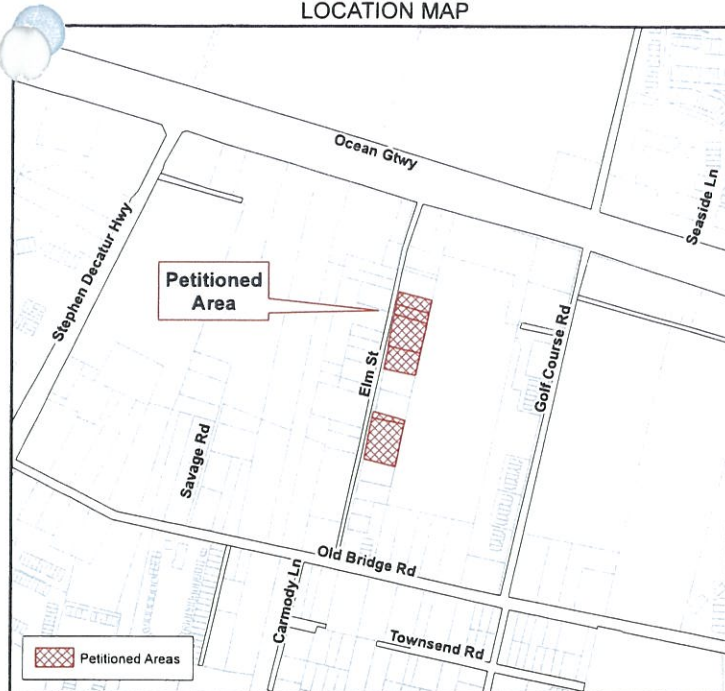


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 423
R-3 Multi- family Residential to C-2 General Commercial District
Tax Map: 27, Parcel 200, 201, 203, 204, 207 and 577

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared June 2019 - Revised December 2019

Source: Worcester County GIS Data Layers
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

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Feet

Drawn By: KLH Reviewed By: PHW

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WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 423
R-3 Multi- family Residential to C-2 General Commercial District
Tax Map: 27, Parcel 200, 201, 203, 204, 207 and 577

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared June 2019 - Revised December 2019

Source: 2016 Aerial Imagery
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

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Drawn By: KLH Reviewed By: PHW

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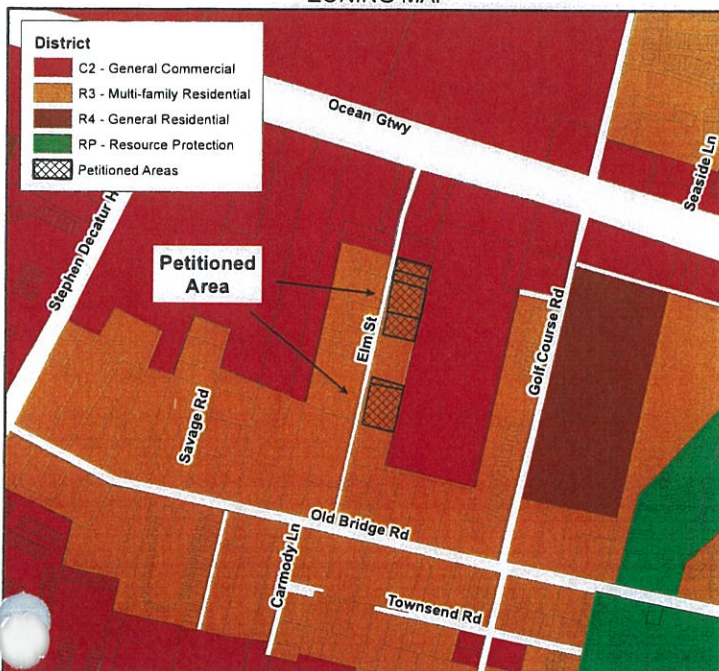


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 423
R-3 Multi- family Residential to C-2 General Commercial District
Tax Map: 27, Parcel 200, 201, 203, 204, 207 and 577

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared June 2019 - Revised December 2019

Source: Worcester County GIS Data Layers
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

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Drawn By: KLH Reviewed By: PHW

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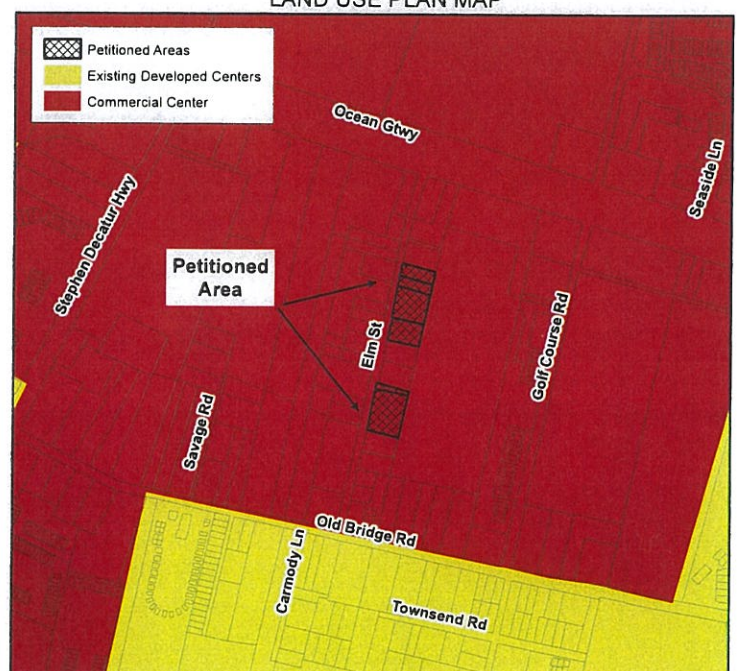


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 423
R-3 Multi- family Residential to C-2 General Commercial District
Tax Map: 27, Parcel 200, 201, 203, 204, 207 and 577

LAND USE PLAN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared June 2019 - Revised December 2019

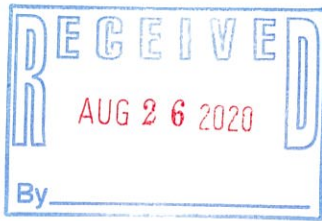
Source: 2006 Land Use Plan
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

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Drawn By: KLH Reviewed By: PHW

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11



ITEM
20



Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: **Mystic Harbour Sewer EDU Allocation Process**
Request for Extension of Annual Deposits

Date: August 26, 2020

Pg. 4

The County Commissioners adopted Resolution No. 17-19 on September 19, 2017; specifying the equivalent dwelling unit (EDU) Allocation Process for sewer EDUs within the Mystic Harbour Sanitary Service Area. Within the approved procedures was a requirement for an annual deposit of \$1,000 per EDU per year for development projects that were allocated Mystic sewer EDUs but have not been placed into service, as specified under paragraph 1.D of the subject Resolution. These are projects where the developer has not decided to move forward yet with their construction phase and are still within the five (5) year timeframe limit for reservation of sewer service.

At their meeting on August 6th, the Worcester County Water and Sewer Committee reviewed the potential that Mystic customers who were allocated sewer EDUs previously under Resolution No. 17-19, would want to request a delay in their annual deposits. We have subsequently received that first request. Within that request and what staff is hearing from the public, it is evident that our local business and development community in the commercial sector have been very strained during this pandemic response. Some are delaying construction or expansion plans while others are looking to re-tailor their development concept and will need to revise their site plans. When the Committee looked at the requirements within Resolution 17-19, the consensus was not to amend the prior procedure but to provide a delay for annual deposits specific to this pandemic response. This would be an appropriate, business-friendly solution to this matter.

Attached is a resolution that upon request, allows during this pandemic response a six (6) month delay in the annual deposits required from owners of development projects that have not placed allocated sewer capacity into service at this time. There are just three (3) such projects that would

Citizens and Government Working Together

fit into this category at this time. Staff would respectfully recommend that the County Commissioners approve this resolution and provide for this delay.

If you have any questions or need any additional information, please do not hesitate to ask. I am sure that the Water and Sewer Committee can be on hand to answer any questions the Commissioners may have on this item.

Attachment

cc: Water and Sewer Committee

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



COMMISSIONERS
MADISON J. BUNTING, JR., PRESIDENT
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MERRILL W. LOCKFAW, JR.
JOSEPH M. MITRECIC

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

September 19, 2017

TO: Worcester County Sewer Committee
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*
SUBJECT: Implementation of Resolution No. 17-19 - Sewer EDU Allocation Process in
Mystic Harbour

As you are aware, at their meeting of September 19, 2017, the County Commissioners adopted Resolution No. 17-19 creating the Mystic Harbour Sanitary Service Area Sewer EDU Allocation Process (copy attached). This resolution details when applications for EDU allocation should be made to the Commissioners during the project planning process, a deposit structure for reserving the necessary EDUs for the proposed project, and a time frame in which the EDUs must be utilized by the developer or returned to the County for future allocation and utilization. Attached is an updated application for Mystic Harbour Sewer Service which will need to be completed by any party requesting the allocation of EDUs in the Mystic Harbour Sanitary Service Area and submitted to County Administration for processing. Please distribute the attached application form and resolution to any potential applicants in the future and encourage them to submit their application at the appropriate stage of the development process based upon the type of permit or plan required as specified in Section 1.A. of the resolution.

It is my understanding that there may be a few currently proposed projects which do not have sufficient sewer capacity for their planned projects and which therefore need an allocation of sewer EDUs in accordance with Resolution No. 17-19. Please encourage those applicants to complete and submit the attached application for Mystic Harbour Sewer Service as soon as possible. From this date forward, no approvals may be granted for such projects until sufficient sewer EDUs have been allocated in accordance with the provisions of Resolution No. 17-19.

Thank you for your cooperation and assistance with regard to this matter. If you should have any questions or concerns, please feel free to contact me at this office.

RESOLUTION NO. 17 - 19

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

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

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

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

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

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

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

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

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

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


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

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

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

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

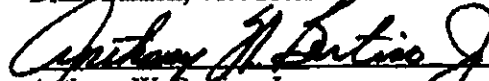
ATTEST:


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


COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND


Madison J. Bunting, Jr., President

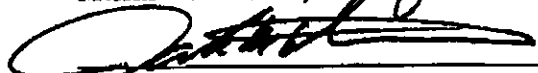

Diana Burnell, Vice President


Anthony W. Bertino, Jr.


James C. Church


Theodore J. Elder


Merrill W. Lockfaw, Jr.


Joseph M. Mitrecic

DRAFT

RESOLUTION NO. 20-__

**RESOLUTION EXTENDING THE DEADLINE TO PAY ANNUAL EDU
DEPOSITS DUE TO COVID-19 EMERGENCY**

WHEREAS, COVID-19 is a global pandemic and its progress is rapidly evolving with impacts trickling down to small businesses and property owners; and

WHEREAS, the County Commissioners adopted Resolution No. 17-19 on September 19, 2017; specifying the equivalent dwelling unit (EDU) Allocation Process for sewer EDUs within the Mystic Harbour Sanitary Service Area, including the requirement for an annual deposit of \$1,000 per EDU for each year of additional reservation of service up to a maximum of five years; and

WHEREAS, the Worcester County Commissioners have begun to receive requests for an extension to the deadline for payment of annual deposits for sewer service allocations that were previously approved; and

WHEREAS, the County Commissioners of Worcester County, Maryland considered the local impacts of the COVID pandemic, along with staff's recommendation and favorably acted upon the request for an extension of the due date for the payment of the annual deposit; and

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that:

1. Upon request by owner or owner's representative, during this COVID-19 pandemic response, the due date for the annual deposit of \$1,000 per EDU for development projects that have been allocated Mystic sewer EDUs but have not been placed into service, as specified under paragraph 1.D of County Commissioner Resolution No. 17-19, is hereby extended by six (6) months from the date it would have been otherwise due.
2. There will be no interest charged in connection with granted extension requests.
3. These requests must be made to County Administration.

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

PASSED AND ADOPTED this _____ day of _____, 2020.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Joshua C. Nordstrom

Diana Purnell