

# AGENDA

## WORCESTER COUNTY COMMISSIONERS

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

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

**September 15, 2020**

Item #

- 9:00 AM - Vote to Meet In Closed Session in Commissioners' Meeting Room - Room 1101  
Government Center, One West Market Street, Snow Hill, Maryland
- 9:01 - Closed Session: Discussion regarding a request to hire a Correctional Officer Trainee at the Jail, conduct an Employee Disciplinary Hearing, and certain personnel matters; receiving legal advice from Counsel; and performing administrative functions
- 10:00 - Call to Order, Prayer (Pastor Dale Brown), Pledge of Allegiance
- 10:01 - Report on Closed Session; Review and Approval of Minutes of September 1, 2020
- 10:05 - Presentation of Commendations for Years of Service and Proclamation for World River Day 1-2
- 10:10 - Chief Administrative Officer: Administrative Matters  
(Pending Board Appointments, Local Management Board 2021 Community Partnership Agreement, License Agreement with Snow Hill VFC, Housing Rehabilitation Program Bid Acceptance, Household Hazardous Waste Collection Day, Equestrian Shores Speed Limit Sign Request, Genezer Estates Speed Limit Sign Request, Newark Spray Irrigation Project CO #1, FY20 State Homeland Security Grant Program Award, 2020 Hazard Mitigation & Resilience Plan, Rezoning Case No. 423 Findings of Fact and Resolution, and potentially other administrative matters) 3-13
- 10:20 -
- 10:30 - Work Session: Bill 20-7 - Casino Entertainment District 14
- 10:40 -
- 10:45 - Public Hearing: Community Development Block Grant Application - Emergency Rental Assistance 15
- 10:50 -
- 11:00 - Public Hearing: Amendment to Worcester County Water and Sewerage Plan and Expansion of the Mystic Harbour Sanitary Service Area to add the property at 12424 Old Bridge Road 16
- 11:10 - Chief Administrative Officer: Administrative Matters 3-13
- 11:20 -
- 11:30 -
- 11:40 -
- 11:50 -
- 12:00 - Questions from the Press; County Commissioner's Remarks
- Lunch
- 1:00 PM - Chief Administrative Officer: Administrative Matters (If Necessary) 3-13

**AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING**

**Hearing Assistance Units Available** - see Weston Young, Asst. CAO.  
Please be thoughtful and considerate of others.  
**Turn off your cell phones & pagers during the meeting!**

# DRAFT

## Minutes of the County Commissioners of Worcester County, Maryland

September 1, 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 Elder, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, and Emergency Services Director Billy Birch. Topics discussed and actions taken included: hiring Derek Jarmon as a Recreation Program Manager III for Recreation and Parks, Cynthia Marrufo as an Emergency Communications Specialist Trainee and Danielle Miller and Vincent Esposito as Emergency Communications Specialist II's for Emergency Services, and certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, the Commissioners unanimously voted to adjourn their closed session at 9:46 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 morning closed session.

The Commissioners reviewed and approved the August 18, 2020 open session minutes as presented and closed session minutes as amended.

The Commissioners presented a proclamation recognizing September as Suicide Prevention Month to Susan Schwarten of the Governor's Commission on Suicide Prevention, Jesse Klump Memorial Fund Board President Kim Klump, and Health Department Planning, Quality and Core Services Director Jennifer LaMade, and Health Department staff members, which highlights special events that will take place during September, as part of the public awareness campaign, including the *Out of Darkness Experience to Prevent Suicide* on September 26, to continue the conversation about suicide prevention. To learn the warning signs and risk factors for suicide, please visit <http://worchesterhealth.org>.

# DRAFT

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bunting, the Commissioners unanimously agreed to appoint Ruth Waters to the Tourism Advisory Committee for a four-year term expiring December 31, 2023.

The Commissioners met with Tom Perlozzo, Director of Recreation, Parks, Tourism, and Economic Development, to review a report on the first round of the Workforce Back to Business COVID-19 Assistance Grant Program, which awarded roughly \$1.25 million out of \$2.18 million in CARES Act funding to 205 small businesses in Worcester County. Mr. Perlozzo then recommended moving forward with round two of the grant program, which includes the following three components: roughly \$510,000 for individuals grants of \$2,500 to farmers and small business owners, including sole proprietors; \$250,000 for workforce funding, based on the re-engineering of the STEM program to reflect the skilled trades, agriculture, and tourism (STAT) workforce needs in the County; and \$250,000 for advertising to promote tourism and specific offerings in each of the towns to foster continued and future economic growth, with said funds to be administered by County Tourism and split equally among the towns, with a focus on direct marketing, data collection, and analysis.

In response to a question by Commissioner Bertino, Mr. Perlozzo confirmed that the proposal before the Commissioners does not include increasing the budget for the STEM program. He stated that his staff evaluated and re-engineered the STEM program to focus on STAT to address local workforce needs. He further confirmed that CARES Act funds may be used for workforce development training.

In response to concerns raised by Commissioner Nordstrom, Mr. Perlozzo reviewed the number of applicants by zip code that were awarded grant funds through the Workforce Back to Business COVID-19 Assistance Grant Program. In response to concerns by Commissioner Bunting that relatively few grants were awarded to south-end businesses, Mr. Perlozzo stated that County staff ran advertising campaigns across social, radio, and print media and worked closely with town managers, chambers of commerce, and other business leaders to promote the grant program in the south-end of the County.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the CARES Act grant funding report and the proposal for round two of the Workforce Back to Business COVID-19 Assistance Grant Program, with the provision that the advertising budget of \$250,000 must be weighted heavily toward the south end of the County.

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 Memorandum of Understanding between the United States Attorney's Office for the District of Columbia, the Metropolitan Police Department of Washington D.C., and the Worcester County Sheriff's Office (WCSO), allowing the WCSO to take part in the U.S. Presidential Inauguration from January 17-21, 2021.

Pursuant to the request of Warden Donna Bounds and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the Mutual Aid Agreement between the Worcester County Jail and the Mayor and City Council of

# DRAFT

the Town of Ocean City, authorizing the Jail to assist the Ocean City Police Department (OCPD) with transportation needs from September 24-26, 2020, during an anticipated pop-up H2O event. The Jail will provide three transportation vans and one officer for each van, to assist with the transportation of arrestees. Transportation will take place in eight-hour shifts from 1800 hours to 0200 hours each evening. Warden Bounds advised that one sworn law enforcement officer from either the OCPD or the WCSO will be designated to ride in each van.

In response to comments by Commissioner Mitrecic, Sheriff Crisafulli advised that most local agencies require new recruits to enter into three-to-five-year training contracts, and though the WCSO does not currently have such a contract, he felt this could be a benefit to his office and agreed to look into the feasibility of developing such a contract and discuss with the Commissioners in the future.

Upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved as a consent agenda the housekeeping agenda item numbers 6-11 from Emergency Services Director Billy Birch as follows: a project to be funded by the Emergency Number Systems Board (ENSB) in the amount of \$7,470 to purchase 30 computer tablets loaded with Priority Dispatch protocol software, containing the standards-based processing of 911 call taking protocols in the event that network computers are not functional; reimbursement to the County of \$2,485 from ENSB for emergency dispatch protocol recertification fees for dispatchers; a project to be reimbursed by ENSB of \$25,200 for licensing fees for Priority Dispatch protocol software, providing national standards-based processing of 911 calls; out-of-state travel for Electronic Services Installer Robert Rhode to attend Federal Signal Training Academy for emergency notification sirens at University Park in Matteson, Illinois from November 15-21, 2020 at an estimated cost of \$5,732 for travel, training, lodging, and meals; the purchase of 40 LIFEPAK CR2 Defibrillators, with 40 electrode pads from Stryker Medical of Chicago, Illinois at a cost of \$56,820 at a 50/50 cost share between the Maryland Emergency Management Agency (MEMA) and the County; and the FY20 Sub-Recipient Agreement between MEMA and Worcester County for pass-through funding from the Department of Homeland Security in the form of an Emergency Management Performance Grant – COVID-19 Supplemental of \$21,224.56.

In response to a question by Commissioner Bertino, Mr. Birch confirmed that representatives from Smith Planning and Design, LLC, the County's consultants for the Hazard Mitigation and Resilience Plan update are scheduled to attend the Commissioners' September 15, 2020 meeting to address concerns raised by the Commissioners about certain plan updates.

Environmental Programs Director Bob Mitchell and Kevin Smith, the new Executive Director of the Maryland Coastal Bays Program (MCBP), briefed the Commissioners on details regarding the virtual MCBP Policy Committee Meeting on October 15, 2020 and provided an overview of MCBP operations and initiatives to protect, preserve, and enhance water quality in the Maryland coastal bays and how anticipated State funding cuts may impact certain programs. In response to a question by Commissioner Mitrecic, Mr. Smith advised that the meeting is open to the public.

Pursuant to the written recommendation of Public Works Director John Tustin, as presented by Deputy Director John Ross, and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the turnover documents for the Vander Hackett

# DRAFT

Enterprises sewer line extension along Gum Point Road in the Ocean Pines Sanitary Service Area (SSA).

Pursuant to the written recommendation of Mr. Tustin and upon a motion by Commissioner Nordstrom, the Commissioners unanimously authorized staff to submit a United States Department of Agriculture (USDA) application to secure funding for the Lewis Road sewer extension project.

Commissioner Bertino thanked Mr. Ross and his staff for their work to re-establish water service to Ocean Pines after a Comcast contractor drilled a hole in a 10-inch water line. In response to further concerns raised by Commissioner Bertino, Mr. Ross advised that in this incident the contractor did not follow required procedures. However, since County staff began corresponding with and billing Comcast for certain damages within Ocean Pines, overall, the organization's performance has improved significantly. Assistant Finance Officer Jessica Wilson advised that County staff have billed Comcast \$94,000 for manpower, equipment, materials, and location services, which resulted from damages caused by this organization and/or its contractors in Ocean Pines. She stated that this bill does not include costs for another \$10,000 in manpower costs incurred during the past three months or the costs incurred when the water line was cut. County Attorney Roscoe Leslie agreed to provide status reports regarding the billing of damages incurred by Comcast through to the completion of this project in Ocean Pines.

Commissioner Elder temporarily left the meeting.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to discuss his recommendation to reject the sole bid received from Scrimgeour's Farm All, LLC of Stockton, Maryland of \$24,900 for the deconstruction and repurposing of building materials of the building located at 2618 Snow Hill Road, which is the subject of Nuisance Abatement Order 20-1, and to rebid the project as a standard demolition project. Mr. Tudor stated that the bid submitted by Mr. Scrimgeour does not meet the terms of the notice to bidders and request for proposals, so he called Mr. Scrimgeour who advised that he had not read the bid specifications closely. Then on August 12, Mr. Scrimgeour emailed Mr. Tudor and requested that his bid be retracted in the event that he is not able to use his excavator and his best efforts to recycle and repurpose the materials, as he felt it unlikely that there was any demand for yellow pine. Mr. Tudor noted that another contractor read the bid specifications closely, opted not to submit a bid for the deconstruction and repurposing, but expressed interest in submitting a bid if the Commissioners opt to rebid this as a standard demolition project.

Upon a motion by Commissioner Nordstrom, the Commissioners voted 5-1, with Commissioner Bunting voting in opposition, to reject the project bid and to rebid the project as a standard demolition project.

Pursuant to the request of Mr. Tudor and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to schedule a public hearing on Rezoning Case No. 425 for October 6, 2020. This application was submitted by Attorney Hugh Cropper, IV, on behalf of Daniel and Jana Hope, and seeks to rezone approximately 54.7 acres of land located on the southerly side of Nassawango Road, west of MD Rt. 12 and northwest of Snow Hill, and more

# DRAFT

specifically identified on Tax Map 70 as Parcel 18, Parcel B, from RP – Resource Protection to A-1 Agricultural District. Mr. Tudor advised that the application received a favorable recommendation from the Planning Commission, subject to retaining the wetlands adjacent to the Pocomoke River within the RP District designation.

Commissioner Elder returned to the meeting.

Pursuant to the request of Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to schedule a public hearing on September 15, 2020 to obtain public comment on a Community Development Block Grant (CDBG) application for funds that may be awarded to the County during round two of the federal CARES Act. Ms. Reynolds advised that any funds awarded would be used to provide for emergency rental assistance for County residents through Diakonia, the County's sub-recipient for this grant.

Commissioner Bertino thanked Ms. Reynolds for her efforts to secure computers for the Worcester County Developmental Center.

Pursuant to the request of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Church, the Commissioners unanimously adopted Resolution No. 20-25, granting a six-month extension to the deadline to pay annual equivalent dwelling unit (EDU) deposits in the Mystic Harbour Sanitary Service Area (SSA) due to the COVID-19 emergency, upon request by an owner or an owner's representative.

The Commissioners recessed for 10 minutes.

The Commissioners conducted a public hearing on Rezoning Case No. 423 for an application submitted by Attorney Hugh Cropper, IV, on behalf of Antique Woodwork, Inc. (owned by John S. Collins) and Francis Scott Key (FSK) Motel, LLC, which seeks to rezone approximately two acres of land located on the easterly side of Elm Street, to the south of U.S. Rt. 50 and north of Old Bridge Road in West Ocean City, and more specifically identified on Tax Map 27 as Parcels 200, 201 (which are developed with uses associated with Mr. Collin's woodworking company), and Parcels 203, 204, 207, and 577 (which are developed with cottages associated with the FSK), from R-3 Multi-Family District to C-2 General Commercial District. County Attorney Roscoe Leslie swore in those individuals who planned to give testimony during the hearing. Development Review and Permitting Deputy Director Phyllis Wimbrow reviewed the application, which received a favorable recommendation from the Planning Commission. Ms. Wimbrow stated that all of the parcels were rezoned from B-2 General Business District to R-3 during the 1992 comprehensive rezoning. She noted that the properties directly to the north and east are zoned C-2, while those to the south and west are zoned R-3, and these zoning classifications were maintained in the 2009 comprehensive rezoning. She stated that, according to the application for rezoning, the applicants' claims as the basis for their rezoning request were that there was a mistake in the existing zoning as well as a change in the character of the neighborhood since the 2009 comprehensive rezoning, as the expansion of the Mystic Harbour Wastewater Treatment Plant (WWTP) and resultant availability of additional sewer EDUs, which has allowed the intensification of development in West Ocean City, particularly

commercial uses along the U.S. Rt. 50 corridor. She then entered the Planning Commission's Findings of Fact into the record and stated that the properties have been used for commercial purposes for many years prior to the 2009 comprehensive rezoning. Furthermore, 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 WWTP, and the resultant intensification of commercial uses in WOC. Therefore, the Planning Commission found 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.

Commissioner Mitrecic opened the floor to receive public comment.

Mr. Cropper reviewed the zoning history of the properties. He concurred with the Planning Commission's findings that it was a mistake to rezone the properties from B-2 to R-3, albeit a good-faith mistake, and that there has also been a change in the character of the neighborhood since the 2009 comprehensive rezoning. He advised that Mr. Collins has operated a woodworking shop for many years and was not aware that his property was downzoned. Mr. Cropper then asked the Commissioners to accept the findings of the Planning Commission as his own.

FSK Manager Heather Bruning of Ocean City advised that the cottages on Parcels 203, 204, 207, and 577 are part of motel operations, and guests are permitted to use all motel amenities. Furthermore, there is no line of demarcation between the motel and cottage properties.

Land Planner Bob Hand of Bishopville advised that this property is listed in the commercial land use category in the Comprehensive Land Use Map, so it was a mistake to rezone all six properties R-3. He stated that the properties should have been rezoned C-2 to be consistent with the FSK and the Rambler Motel, which abuts the property to the north.

Francis Price of Snow Hill, the manager of residential properties located at 9901, 9903, 9905, and 9909 Elm Street, stated that she does not oppose the requested rezoning. However, she disagreed with the assertion that there has been a change in the character of the neighborhood from residential to commercial use. Furthermore, she stated that public water is not available, and therefore additional commercial development should not be encouraged in the area.

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

Upon a motion by Commissioner Church, the Commissioners tentatively accepted the Planning Commission's Findings of Fact as their own and approved the rezoning of Parcels 200, 201, 203, 204, 207, and 577 from R-3 Multi-Family District to C-2 General Commercial District.

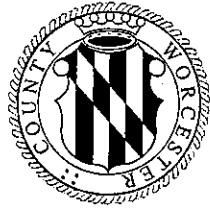
Pursuant to the request of Superintendent of Schools Lou Taylor and upon a motion by Commissioner Bertino, the Commissioners unanimously approved inter-category budget transfers totaling \$957,110 from Instructional Salaries (\$577,110), Textbooks and Classroom Supplies (\$50,000), and Operation of Plant (\$330,000) to offset overages in Administration (\$72,710), Instructional Support (\$102,93), Student Transportation (\$269,143), Maintenance of Plant (\$46,461), and Fixed Charges (\$465,858) for the fiscal year ending June 30, 2020 due to an increase in software costs, additional bus routes for Worcester Technical High School, rising costs to repair heating, ventilation, and air conditioning (HVAC) equipment and other systems, higher than budgeted tuition reimbursement costs for employees, and a realignment in a special education grant.

# DRAFT

Upon a motion by Commissioner Bertino, the Commissioners agreed to schedule a work session to discuss all that may be entailed with adding 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. The Commissioners further agreed to postpone the public hearing on this matter from September 15 to October 6, 2020.

The Commissioners answered questions from the press, after which they adjourned to meet again on September 15, 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

# COMMENDATION

**WHEREAS**, Teresa Jackson has contributed 35 years of dedicated service to the Worcester County Circuit Court where she began her career on May 25, 1984; and

**WHEREAS**, Ms. Jackson played an integral role as a Judicial Assistant within the Circuit Court. Her expertise and experience have been instrumental in the overall management of the Circuit Court.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Teresa Jackson** for her years of devoted service to Worcester County, and we wish her a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



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Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

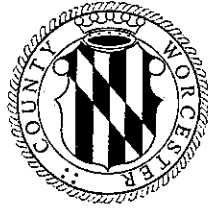
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## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

### COMMENDATION

**WHEREAS**, Assistant Chief Administrative Officer Kelly Shannahan has contributed 30 years of leadership to Worcester County Government (WCG), where he began his career as a Long Range Planner on October 8, 1990 and was selected to serve as the first Assistant Chief Administrative Officer in 1996; and

**WHEREAS**, Mr. Shannahan played a key role in operations. He assembled the Commissioners' meeting packages, coordinated communication of Commissioners' directives, and oversaw key construction projects, including the Worcester County Government Center, Charles and Martha Fulton Senior Center, Recreation Center, Animal Control, the Berlin, Ocean Pines, and Ocean City Branch Libraries, and Health Department offices in Berlin and Snow Hill. He was also a vital member of the leadership team that prepared and delivered bond rating presentations, resulting in WCG maintaining its rating of AA for Fitch, AA+ for Standard and Poor's, and Aa2 for Moody's Investor Services.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Kelly Shannahan** for his years of dedicated service and wish him a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.

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Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

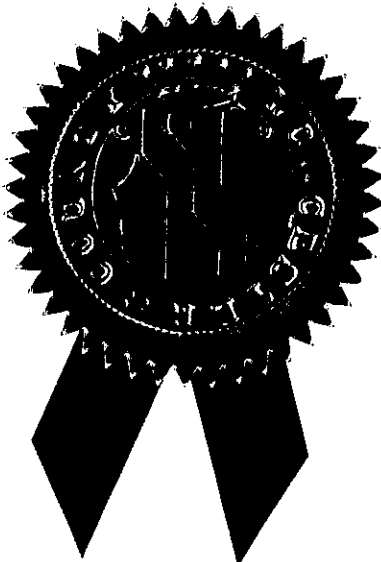
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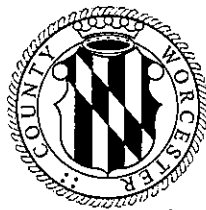
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## Worcester County

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21863-1195

### COMMENDATION

**WHEREAS**, Corporal William C. Riley has contributed 20 years of dedicated service to Worcester County Government where he began his career on May 31, 2001; and

**WHEREAS**, Corporal Riley's expertise and experience have been instrumental in helping the Worcester County Jail fulfill its mission to protect and serve and, thereby, enhance the quality of life enjoyed by both residents and visitors in the community.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Corporal William C. Riley** for his years of devoted service to Worcester County, and we wish him a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.

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Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

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Anthony W. Bertino, Jr.

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MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
JOSHUA C. NORDSTROM  
DIANA PURNELL

# COMMENDATION

**WHEREAS**, Sergeant Tyrone Douglas has contributed 20 years of dedicated service to Worcester County Government where he began his career on April 26, 2000; and

**WHEREAS**, Sergeant Douglas's expertise and experience have been instrumental in helping the Worcester County Jail fulfill its mission to protect and serve and, thereby, enhance the quality of life enjoyed by both residents and visitors in the community.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Sergeant Tyrone Douglas** for his years of devoted service to Worcester County, and we wish him a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



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Joseph M. Mitrecic, President

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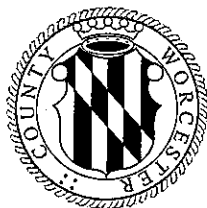
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*Citizens and Government Working Together*



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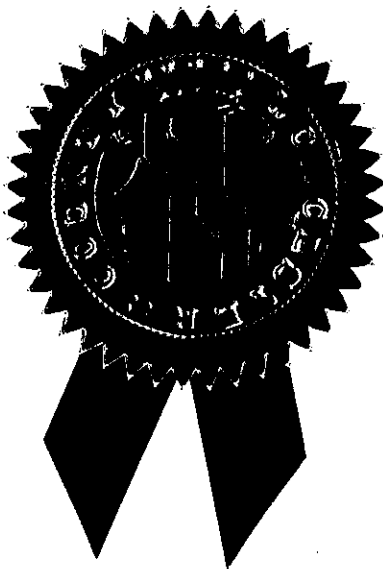
# COMMENDATION

**WHEREAS**, Barry Hastings has contributed 26 years of dedicated service to Worcester County Government where he began his career on December 8, 1993; and

**WHEREAS**, Mr. Hastings played an integral role as a Maintenance Worker IV within the Maintenance Division of Public Works. His expertise and experience have been instrumental in the overall management of the Maintenance Division.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Barry Hastings** for his years of devoted service to Worcester County, and we wish him a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



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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

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

## Worcester County

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

### COMMENDATION

**WHEREAS**, Elizabeth Watson has contributed 33 years of dedicated service to Worcester County Government where she began her career on August 25, 1986; and

**WHEREAS**, Ms. Watson played an integral role as a Custodial Worker I within the Maintenance Division of Public Works. Her expertise and experience have been instrumental in the overall management of the Maintenance Division.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Elizabeth Watson** for her years of devoted service to Worcester County, and we wish her a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

\_\_\_\_\_  
Theodore J. Elder, Vice President

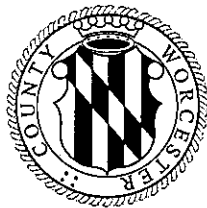
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## Worcester County

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21863-1195

### COMMENDATION

**WHEREAS**, K9 Officer Regan contributed more than eight years of devoted service to the Worcester County Sheriff's Office from May 2011 through September 2019; and

**WHEREAS**, K9 Officer Regan's expertise and experience has been instrumental in taking down suspects, sniffing out drugs, and helping to keep Corporal Charles Dennis, his human police partner, safe.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **K9 Officer Regan** for his years of devoted service to Worcester County, and we wish him a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

\_\_\_\_\_  
Theodore J. Elder, Vice President

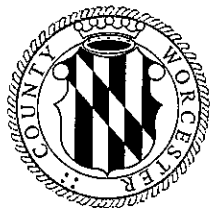
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## Worcester County

GOVERNMENT CENTER  
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SNOW HILL, MARYLAND  
21863-1195

### COMMENDATION

**WHEREAS**, Lieutenant Jeffrey C. Buhrt has contributed 24 years of dedicated service to the Worcester County Sheriff's Office where he began his career on April 8, 1996; and

**WHEREAS**, Lt. Buhrt's expertise and experience has been instrumental in helping the Worcester County Sheriff's Office fulfill its mission to protect and serve and, thereby, enhance the quality of life enjoyed by both residents and visitors in the community.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Lieutenant Jeffrey C. Buhrt** for his years of devoted service to Worcester County, and we wish him a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

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Anthony W. Bertino, Jr.

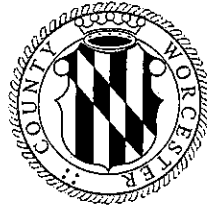
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Madison J. Bunting, Jr.

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James C. Church

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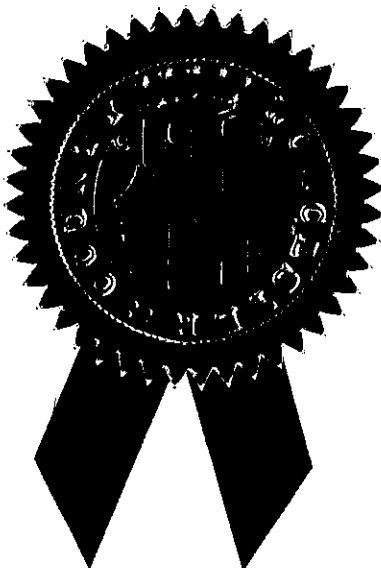
### COMMENDATION

**WHEREAS**, Mallory Eckman has contributed 15 years of dedicated service to the Worcester County State's Attorney's Office where she began her career on June 27, 2005; and

**WHEREAS**, Ms. Eckman played an integral role as a Community Service/Public Information Officer. Her expertise and experience have been instrumental in the overall management of the State's Attorney's Office.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Mallory Eckman** for her years of devoted service to Worcester County, and we wish her a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

\_\_\_\_\_  
Anthony W. Bertino, Jr.

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Diana Purnell



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DIANA PURNELL

## Worcester County

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

# COMMENDATION

**WHEREAS**, Kandi Choisser has contributed 29 years of dedicated service to Worcester County Government where she began her career on August 1, 1991; and

**WHEREAS**, Ms. Choisser played an integral role as an Accounting Manager within the Treasurer's Office. Her expertise and experience have been instrumental in the overall management of the Treasurer's Office.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby commend **Kandi Choisser** for her years of devoted service to Worcester County, and we wish him/her a happy and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

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Anthony W. Bertino, Jr.

\_\_\_\_\_  
Madison J. Bunting, Jr.

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James C. Church

\_\_\_\_\_  
Joshua C. Nordstrom

\_\_\_\_\_  
Diana Purnell



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  
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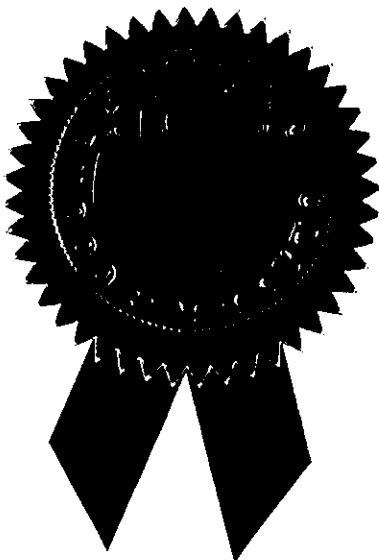
### PROCLAMATION

**WHEREAS**, the County Commissioners and Worcester County Tourism are proud to partner with the Lower Shore Land Trust (LSLT) to celebrate September 27, 2020 as World River Day, a global event started in 2005 to increase public awareness about the value of our waterways and to encourage stewardship of all rivers around the world; and

**WHEREAS**, leading up to World River Day, the LSLT is hosting River Rally 2020 from September 4-7. This is a virtual event aimed at providing environmental, cultural, and historical information and promoting healthy lifestyles by encouraging residents and visitors to complete a 30-mile trek this month and to log their progress at #LSLT30for30. Participants can bike and hike across county, state, and federal parks, and row by canoe, kayak, or standup paddleboard across local waterways.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby proclaim September 4-27, 2020 as **River Rally 2020** and September 27 as **World River Day** in Worcester County and encourage residents and visitors alike to explore Worcester's outdoors.

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

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James C. Church

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Joshua C. Nordstrom

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Diana Purnell

*Citizens and Government Working Together*

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



ITEM  
3

COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
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## Worcester County

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

September 8, 2020

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

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Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (6) which have current or upcoming vacancies (13 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), and the Commission For Women (1). I have circled the members whose terms have expired or will expire on each of these boards.

### **Letter of Interest – Social Services Advisory Board – page 9-10**

Most of these Boards and Commissions specify that current members' terms will expire on December 31<sup>st</sup>. 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. 11 - 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.11 - Solid Waste Advisory Committee (James Rodenberg)- 4 yr.

**District 6 - Bunting** p. 12 - 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.11 - (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

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)

\* = Appointed to fill an unexpired term

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

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

Appointed by: County Commissioners

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

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

Compensation: None

Meetings: At least semi-annually

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

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

**Current Members:**

<u>Member's Name</u>	<u>Nominated By</u>	<u>Represents/Resides</u>	<u>Years of Term(s)</u>
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
Gary Weber	Dist. 4 - Elder	Resident - Snow Hill	*19-20
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
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19, 19-23

**Prior Members:**

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

**Since 2009**

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

Charlie Dorman (12-19)

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

5



## 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	

C) = Chairman

Prior Members: Since 1972

Wilford Showell	Grace C. Purnell (96-04)
E. Carmel Wilson	George H. Henderson, Jr. (97-06)
Daniel Trimper, III	Joseph A. Calogero (04-09)
William Smith	Joan Vetare (04-12)
William Marshall, Jr.	Howard G. Jenkins (03-18)
Richard G. Stone	Robert D. Rose (*06-17)
Milton Laws	Larry Fry (*10-14 alt)(14-18)
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)	

\* = Appointed to fill an unexpired term

Updated: May 21, 2019  
Printed: September 8, 2020

6

## 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	resigned
Cathy Gallagher	D-5, Bertino	Ocean Pines	*13-14-17, 17-20	resigned
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, Mitreic	Ocean City	16-19, 19-22	resigned

\* = Appointed to fill an unexpired term

**SOCIAL SERVICES BOARD**  
(Continued)

Prior Members: (Since 1972)

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

\* = Appointed to fill an unexpired term

Updated: July 21, 2020  
Printed: September 8, 2020



Ellen A. Willingham, MA

Please accept this letter and resume as an expression of my interest in joining the **District Five Social Services Advisory Board** I believe I offer the right combination of community organization, administration, and program development skills for this position.

I bring extensive experience serving rural communities as well as a solid background in program operations, budget management and oversight. I work with partners to mobilize collective action, resulting in policy and environmental supports that foster diverse community betterment initiatives, and resiliency.

Serving as Community Health Advocate for Priority Partners, MCO allows me to support the efforts of local community health, human service, and workforce development programs; and to also work to raise awareness about the preventable and treatable underlying conditions that have made Covid-19 so challenging.

Currently serving on the Homeless Alliance of the Lower Shore Continuum of Care Committee and the Vulnerable Populations Covid-19 Outreach, I am connected to a multidisciplinary network of human service, private and public health organizations serving the tri-state area.

I look forward to meeting with you to discuss my qualifications further. Thank-you for your time and consideration, I look forward to your response.

Sincerely,

Ellen A. Willingham

I will bring extensive experience

**ELLEN A. WILLINGHAN, MA**  
Certified Business Engagement Professional

**Summary:** Working at the crossroads of community betterment, workforce development, and criminal justice, my expertise lies in developing, implementing, and managing strategic initiatives designed to improve outcomes for citizens across the lifespan.

**Community Health Advocate**

Priority Partners, MCO

Coordinate multi-function program activities focused on population health, disease prevention and facilitating access to affordable health insurance and care. Support the efforts of local multi-disciplinary public and private human service agencies working in collaboration to promote health in all policies.

**Case Manager, II**

Goodwill Reentry Opportunities for Work

**Maryland Reentry Navigator**

Maryland Department of Labor, Licensing, & Regulation (DLLR)

Coordinate local efforts to strengthen the investment in and support for citizens with records.

Using a case management approach, assist participants with transitional services (i.e. housing, transportation, child care, license and other supportive services).

**Adult Transition Specialist**

WorWic Community College

Provide incarcerated individuals with services that facilitate successful transition into Maryland's workforce and communities. Successfully facilitated the award of Transition Planning Certificates to 100% of assigned under 21 students March – June 2018.

**Chronic Disease & Tobacco Prevention Supervisor**

Maryland Department of Health - Worcester County Health Department

Coordinated community chronic disease and tobacco prevention impact operations: design, develop, deliver, and evaluate Worcester County Health Department efforts to improve population health outcomes across the lifespan.

Responsible for monitoring awarded grants in excess of \$250,000, insuring grant terms and conditions were met as contracted.

Formulated project goals, objectives, operating policies, strategic program plans, guidelines, standards and priorities.

**Program Director**

University of Maine Center on Aging (COA)

Principle investigator, directing multi-functional program activities for the Corporation for National Community Service (CNCS) grant funded Senior Companion Program (SCP) for the UMaine Center on Aging (CoA). Directed services in 11 rural underserved Maine counties (35,385 sq. mi.); coordinated five community based Outreach Coordinators supporting 100 Senior Companions who provide supportive services to 352 home-bound adults.

**Area Program Manager**

National Able Network

Delivered intensive services and facilitated workforce development activities to dislocated workers. Cultivated business relationships throughout the region to guide business owners to programs that provide direct connection to individuals looking for work. Increased host agency training site inventory by 35% by networking and educating nonprofit and municipalities about program logistics and benefits.

**Education**

MA Adulthood & Aging

BA Human Service Administration

**Notre Dame of Maryland University**

U.S. Citizen

# SOLID WASTE ADVISORY COMMITTEE

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

Appointed by: County Commissioners

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

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

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

Meetings: At least quarterly

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

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

**Current Members:**

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Michael Pruitt	Town of Snow Hill		*15, 15-19
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
Jamey Latchum	Town of Berlin		*17, 17-21
Hal Adkins	Town of Ocean City		*20-21
George Linvill	D-1, Nordstrom	Pocomoke	14-18, 18-22
James Rosenberg	D-5, Bertino	Ocean Pines	*06-10-14-18, 18-22
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 Stribnick (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

## 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 (3<sup>rd</sup> 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, Mitreic	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 Carnean	D-4, Elder	Snow Hill	*15-16-19, 19-22
Windy Phillips	Board of Education		19-22

**Prior Members: Since 1995**

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

<sup>c</sup> = Charter member

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Prior Members: Since 1995 (continued)

Dr. Mary Dale Craig (02-06)  
Dee Shorts (04-07)  
Ellen Payne (01-07)  
Mary Beth Quillen (05-08)  
Marge SeBour (06-08)  
Meg Gerety (04-07)  
Linda Dearing (02-08)  
Angela Hayes (08)  
Susan Schwarten (04-08)  
Marilyn James (06-08)  
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)

Michelle Bankert \*(14-18)  
Nancy Fortney (12-18)  
Cristi Graham (17-18)  
Alice Jean Ennis (14-17)  
Lauren Mathias Williams \*(16-18)  
Teola Brittingham \*(16-18)  
Jeannine Jerscheid \*(18-19)  
Shannon Chapman \*(17-19)  
Julie Phillips (13-19)  
Bess Cropper (15-19)

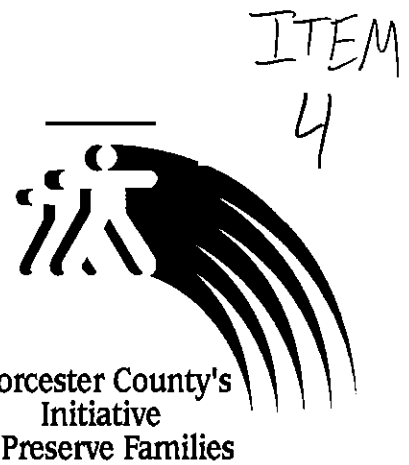
\* = Appointed to fill an unexpired term  
c = Charter member



# *Worcester County's Initiative to Preserve Families*

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

Telephone: 410-632-3648



August 26, 2020

**TO:** Harold Higgins, Chief Administrative Officer  
**THROUGH:** Jessica Sexauer, Director  
Jennifer LaMade, Director of Planning, Quality, and Core Service  
Rebecca Jones, Health Officer  
**FROM:** Christen Barbierri, Coordinator  
Local Management Board  
**SUBJECT:** 2021 Community Partnership Agreement

Please accept this document as a request to approve the Fiscal Year 2021 Local Management Board Community Partnership Agreement. The total award amount for Worcester County is \$755,043. The programs/strategies to be funded in fiscal year 2021 are:

- Building Bridges to Stable Families
- Worcester Education, Employment and Empowerment (WE3)
- Worcester Connects, A Mentoring Program
- Local Care Team Coordinator
- Evaluating and Enhancing Outcomes for Worcester's children, youth, and families

The results and indicators have been reviewed by LMB staff, LMB Board members, and staff from the Governor's Office for Children. This Community Partnership Agreement encompasses services provided during fiscal year 2021. We are requesting that the three copies of the Community Partnership Agreement be reviewed and signed. Please return all three signed copies to the LMB. An original copy will be provided to the County Commissioners after approval by the Governor's Office for Children. If you have any questions, please contact me at 410-632-3648.

Thank you for your time and consideration.

cc: Weston Young, Assistant Chief Administrative Officer

Attachments (4)



# GOVERNOR'S COORDINATING OFFICES

Community Initiatives · Service & Volunteerism · Performance Improvement  
Crime Prevention, Youth, & Victim Services · Small, Minority, & Women Business Affairs  
Banneker-Douglass Museum · Volunteer Maryland · Deaf & Hard of Hearing

To: Local Management Board Chair and Point(s) of Contact

From: Kim Malat, Assistant Deputy Director

Re: FY 2021 Community Partnership Agreement Contract

+++++

The FY 2021 Community Partnership Agreement, which includes the Appendix A and Appendix B approved by the Children and Division (Office), is ready for execution.

There are three (3) additional documents attached to the email that included this memo, as follows:

1. The contract boilerplate – this is main part of the Agreement and was prepared using the FY20 version of the document and is individualized to the Local Management Board;
2. The Appendix A Program Description Chart; and,
3. The Appendix B and cover pages for the Appendix A and Appendix B.

The approved performance measures for each program/strategy have been incorporated in the Program Description chart that is the Appendix A.

Please closely follow the instructions below to execute the contract to prevent delays. DO NOT use a document version that is different from what was sent to you in this email.

1. Print one copy of each document that was included as an attachment to this email. Double-sided printing is acceptable. If more space is needed for additional local signatures on the contract boilerplate, please add a space for the signatures on the last page or add a new page.
  - a. For the Appendix A (program description chart), print all pages;
  - b. For the Appendix B (budget), only print each tab that is shaded green; and,
  - c. For the boilerplate, print all pages.
2. Authorized Local Management Board officials should sign all original copies (2 cover pages and the boilerplate) where indicated by yellow shading on the contract boilerplate and the Appendix A and Appendix B cover sheets. Each signatory should sign where indicated and provide the date of the signature. Electronic signatures will be accepted.
3. If local sign-off for legal sufficiency is not required, please forward with the signed Agreements a brief memo or email that confirms this decision.

GOVERNOR'S COORDINATING OFFICES  
100 COMMUNITY PLACE  
CROWNSVILLE, MD 21032-2023

4. Once all the local signatures have been obtained, send the signed documents to Kim Malat via email.
  - a. A cover letter is not necessary nor should additional materials be attached to the documents.
  - b. I will ensure that the necessary State signatures are obtained and will then forward the fully-executed documents to the Local Management Board for its files.
5. Please DO NOT mail anything to the Office as this will cause a delay in executing the contract. We are still teleworking and no one is on site to retrieve mail.
6. Once the CPA contract is fully-executed, Kim will upload the executed CPA to GMS and update the GMS budget to reflect the approved Appendix B.

If the Board is unable to execute the contract as described above, please contact me to discuss alternate methods.

Please note that the State cannot separately execute the individual parts of the Community Partnership Agreement contract, but must execute the contract in its entirety and at the same time. Deviation from the above instructions will cause a delay in execution of the contract, which will cause a delay in the release of the first payment to the Local Management Board.

Please do not hesitate to contact me at [kim.malat@maryland.gov](mailto:kim.malat@maryland.gov) if you have questions.

**COMMUNITY PARTNERSHIP AGREEMENT**  
**BETWEEN**  
**STATE OF MARYLAND**  
**AND**  
**COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND**

This Community Partnership Agreement ("**Agreement**") effective, as of July 1, 2020, between the State of Maryland ("**State**"), acting by and through the Children's Cabinet ("**Cabinet**"); and the **County Commissioners of Worcester County, Maryland** ("**Subdivision**"), acting by and through the Local Management Board ("**Board**"), the County's Initiative to Preserve Families, designated as the local management board by the Subdivision pursuant to Section 8-301 of the Human Services Article of the Annotated Code of Maryland.

**WHEREAS**, the **Cabinet** and the **Board** intend to enter into a partnership to develop a more comprehensive integration of children and family services and the funding for these services; and

**WHEREAS**, pursuant to Title 8, Subtitle 5 of the Human Services Article of the Annotated Code of Maryland, the **Board** has made an application for money from the **Cabinet** Fund, and desires to enter into a Community Partnership Agreement that: (1) reflects coordination with the State's three-year plan for children, youth, and families and any local government plan for services for children, youth, and families; and (2) addresses the priorities and strategies of the Subdivision for meeting the identified needs of children and families as articulated in the **Board's** community plan; and,

**WHEREAS**, the **Cabinet** intends to disburse **Cabinet** funds to the **Board** subject to certain terms, conditions, performance measures, or outcome evaluations that the **Cabinet** considers necessary,

**NOW THEREFORE**, for good and valuable consideration, the sufficiency of which is acknowledged by both parties, the parties hereto agree as follows:

**I.     SCOPE**

The purpose of this **Agreement** is to establish a Community Partnership Agreement in **Worcester County, Maryland** to establish a comprehensive, integrated children and family interagency service delivery system that is community-based, family-focused and culturally competent. This **Agreement** is based on a shared vision and a joint commitment by the **Cabinet** and the **Board** to advance a results-based accountability and management system that enhances child and family well-being.

This **Agreement** includes Appendices A and B, which are attached hereto and incorporated herein. The appendices that are attached and incorporated into this **Agreement** are as follows:

1. Appendix A, Program Description Chart, which sets forth the details of the programs/strategies to be funded in whole or in part by the **Cabinet** and managed by the **Board** under this **Agreement**, for the fiscal year; and,
2. Appendix B, which contains the annual budget for **Cabinet-funded** programs/strategies and Board Support.

**II.    PROGRAMS AND SERVICES TO BE PROVIDED**

- A. The programs, services, requirements, conditions and other activities of the **Board** as to its operations that will be funded by the **Cabinet** are set forth in the Appendices A and B. By accepting **Cabinet** funds under this **Agreement**, the **Board** agrees to the terms and conditions set forth herein and appended hereto and those contained in the State of Maryland Policies and Procedures Manual for Local Management Boards ("**Manual**"), which is incorporated by

reference into this **Agreement** in accordance with paragraph VIII (H) herein.

- B. The **Board** shall comply with applicable provisions of Title 8 of the Human Services Article of the Annotated Code of Maryland; the Code of Maryland Regulations (“COMAR”); written guidelines and policies communicated in writing and issued by the **Cabinet** and the Executive Director for the **Governor’s Office of Crime Prevention, Youth, and Victim Services**; and other applicable federal and State laws, regulations, and policies relating to the terms and conditions of this **Agreement**, including the delivery of services to children and families described herein.
- C. The parties hereby expressly acknowledge the possibility of substantial changes in State and federal regulations applicable to this **Agreement** and expressly agree to negotiate associated amendments to the **Agreement** as necessary to comply with such changes; *provided* that any increase in the scope of work or cost of performance associated with such amendments may be compensated by a budget increase or, in the alternative, by modifying the scope of work to reduce the cost of performance, as determined by the **Cabinet** in its sole discretion. Any such modification in the scope of work or budget shall be performed in accordance with the provisions of this **Agreement** (see Section V “MODIFICATIONS”).

### III. TERM

This **Agreement** shall be effective and remain in full force and effect for State fiscal year 2021 (July 1, 2020 – June 30, 2021) unless modified or terminated under Sections V. (“MODIFICATIONS”) and VI. (“TERMINATION”) herein, and unless renewed thereafter upon the mutual written agreement of the parties.

### IV. FUNDING

- A. Amount: Funding for the programs/strategies to be provided by the **Board** under this **Agreement** will be provided by the **Cabinet**. The total amount will be determined by the **Governor’s Office of Crime Prevention, Youth, and Victim Services** on behalf of the **Cabinet**, based on the proposed budget submitted by the **Board** and approved by the **Governor’s Office of Crime Prevention, Youth, and Victim Services** on behalf of the **Cabinet**, and which is subject to annual **State** appropriations.
- B. Conditions:
  - 1. Funding received from the **Cabinet** is conditioned upon the availability of **State** appropriations. The **Board** shall make every effort to maximize revenue from sources other than **State** appropriations. In the event of a funding reduction, the **Subdivision** shall not be required to utilize **Subdivision** funds to meet the objectives of this **Agreement**.
  - 2. Funding received from the **Cabinet** is conditioned upon the **Board** complying with the conditions as set forth in this **Agreement**, including Appendices A and B.
  - 3. Funding received from the **Cabinet** is conditioned on the submission by the **Board** of an annual budget that has been approved by the **Cabinet**.
  - 4. Funding received from the **Cabinet** is conditioned on the submission by the **Board** of performance measures for each funded program/strategy noted in Appendix A in accordance with the instructions established by the **Cabinet**.

5. Funding received from the **Cabinet** is conditioned on the utilization by the **Board** of the Results Scorecard web-based application for each funded program/strategy noted in Appendix A in accordance with the instructions established by the **Governor's Office of Crime Prevention, Youth, and Victim Services**.

C. Payments: Payments from the **Cabinet** Fund pursuant to this **Agreement** shall be made in accordance with the provisions of the Manual.

D. Withholding and Repayment of Funds:

1. The **Cabinet** reserves the right to withhold the transfer of **Cabinet** funds to the **Board** if the **Board** fails to:

- a) Comply with the terms and conditions of this **Agreement**, including any and all **Children's Cabinet reporting requirements**; and/or,
- b) Implement the programs/strategies listed in Appendix A in accordance with the terms and conditions of this **Agreement**.

2. Before any funds are withheld hereunder, the **Cabinet** shall notify the **Board** in writing of the provision(s) of the **Agreement** that the **Board** failed to follow. The **Board** shall have thirty (30) calendar days from receipt of the **Cabinet** notice to develop a corrective plan acceptable to the **Cabinet**. This corrective plan shall specify the date by which deficiencies will be corrected. Failure by the **Board** to correct deficiencies shall result in withholding of funds hereunder by the **Cabinet**.

3. Any funds not expended during the fiscal year shall be returned to the Children's Cabinet Fund in accordance with Manual requirements or as directed by the Children's Cabinet.

## V. MODIFICATIONS

No amendment or modification to this **Agreement** is binding unless it is in writing and signed by all parties, except as specifically provided in the Manual.

## VI. TERMINATION

A. This **Agreement** may be terminated by the **Cabinet**, upon sixty (60) calendar days written notice, if the **Board** fails to fulfill its obligations under the **Agreement** as determined by the **Cabinet** in its sole discretion, or if termination is determined by the **Cabinet** in its sole discretion to be in the best interest of the **Cabinet**. The **Subdivision** or the **Board** may terminate the **Agreement**, upon sixty (60) calendar days written notice, if that is determined to be in the best interest of the **Subdivision** or the **Board**. The **Cabinet** shall pay the cost of budgeted expenditures made prior to the date of termination that are consistent with the terms of this **Agreement** and the **Board** Manual.

B. If the **Cabinet** determines that the **Agreement**, or any portion thereof, must be terminated due to a lack of appropriations or other reductions to the **Cabinet** Fund, the provisions of the above paragraph A. do not apply. In such circumstances, the **Cabinet** will attempt to provide prior notice of termination and payment for allowable budgeted expenditures prior to the date of termination, to the extent feasible.

C. Termination of this **Agreement** does not relieve the **Subdivision** of the requirements of Section 8-301 of the Human Services Article of the Annotated Code of Maryland requiring the

establishment of a Local Management Board. Prior to termination of this **Agreement**, the **Subdivision** and the **Board** shall adopt and implement a transition plan, subject to approval by the **Cabinet**, to ensure the continuation of programs and services under this **Agreement** through a State or local entity. However, if the **Cabinet** terminates this **Agreement** due to a lack of appropriations or other reductions to the **Cabinet** Fund, then the **Subdivision** and the **Board** may be relieved of all obligations to continue the programs and services required under this **Agreement** if substitute funding cannot be obtained. Termination under this Paragraph C shall occur in accordance with the provisions of the Manual.

**VII. REVIEW PROCESS**

The **Board** may request a review of any decision made by or on behalf of the **Cabinet** with respect to this **Agreement**. The request must be made in writing to the Assistant Deputy Director of the **Governor's Office of Crime Prevention, Youth, and Victim Services** within thirty (30) calendar days of the decision. The Assistant Deputy Director will respond, in writing, within sixty (60) calendar days of the date of the **Board** request. A request for review of the Assistant Deputy Director's response may be made, in writing, to the **Cabinet** or its designee within thirty (30) calendar days of the date of the Assistant Deputy Director's response.

**VIII. GENERAL PROVISIONS AND CONDITIONS**

- A. State Laws and Regulations: The terms of this **Agreement** and its execution, interpretation, and enforcement shall be governed by and are subject to all applicable Maryland laws and regulations and approval of other agencies of the **State**, as required under said laws and regulations.
- B. Successors and Assigns: This **Agreement** shall bind the respective agents, successors and assigns of the parties.
- C. Nondiscrimination: The **Board** shall comply with applicable nondiscrimination provisions of federal and Maryland laws and regulations.
- D. Anti-Bribery: The **Board** certifies that, to the best of its knowledge, neither the **Board** nor any of its officers, directors, partners, nor any of its employees directly involved in obtaining this **Agreement** with the **State** or any county, city, or other subdivision of the **State**, has been convicted of bribery, attempted bribery, or conspiracy to bribe under the laws of any state or the United States.
- E. It is understood and agreed that the parties to this **Agreement** do not waive any rights they may have to assert governmental or sovereign immunity.
- F. The **State** shall not assume any obligation to indemnify, hold harmless, or pay attorneys' fees that may arise from or in any way be associated with the performance or operation of this **Agreement**.
- G. In the event that monies designated by the United States Department of Health and Human Services for programs under Title IV-A, IV-B, and IV-E of the Social Security Act, as amended, are used in programs provided for under this **Agreement**, the Maryland Department of Human Services, as the Single State Agency for Title IV-A, IV-B, and IV-E funding, retains all decision-making authority which it held as of the date of this **Agreement** for purposes of implementation of any such program. Similarly, if any services provided under this **Agreement** are funded by Medicaid, under Title XX of the Social Security Act, then the Maryland Department of Health, as

the Single State Agency for administration of the Medicaid Program, retains decision-making authority with respect to those funds, to the extent required by 42 U.S.C., Section 1902(a)(5) and 42 CFR 431.10, as amended.

- H. Incorporation by Reference: The provisions of the Manual effective as of July 1, 2019 and amended from time to time, are incorporated herein by reference. The **Board** shall incorporate the Manual by reference into any and all of its subcontracts funded by the **Cabinet** pursuant to this **Agreement**, as appropriate.

**IN WITNESS WHEREOF**, the **State** and **Subdivision** have executed this **Agreement**.

**THE STATE OF MARYLAND**

BY: \_\_\_\_\_

Deputy Director for the **Governor’s Office of Crime Prevention, Youth, and Victim Services**, on behalf of the Children’s Cabinet

DATE: \_\_\_\_\_

**LOCAL MANAGEMENT BOARD**

BY: \_\_\_\_\_, Chair

Local Management Board of **Worcester County**

DATE: \_\_\_\_\_

**SUBDIVISION**

BY: \_\_\_\_\_, (Local official)

**County Commissioners of Worcester County, Maryland**

DATE: \_\_\_\_\_

Approved as to Form and Legal Sufficiency

This \_\_\_\_\_ day of \_\_\_\_\_, 2020

By: \_\_\_\_\_

**Worcester County Legal Counsel**



0

### Budget Summary for Entry Into GMS

#### A. GENERAL INFORMATION

Local Management Board: Worcester County Initiative to Preserve Families  
 Street Address: 6040 Public Landing Road  
 City: Snow Hill, MD State: Maryland Zip: 21863  
 Point of Contact: Jessica Sexauer Phone: 410 632-3648 Fax: 410 632-2869  
 Federal Taxpayer ID: 01-0916667

#### B. BUDGET SUMMARY (Board Support and Programs/Strategies)

	Children's Cabinet Fund	Non - Children's Cabinet Funds that Directly Support CPA - CASH MATCH	Non - Children's Cabinet Funds that Directly Support CPA - IN KIND
Personnel	534,572.00	0.00	0.00
Operating Expenses	68,601.00	9,600.00	0.00
Travel	10,955.00	0.00	0.00
Contractual Services	63,357.00	0.00	0.00
Equipment	4,241.00	0.00	0.00
Other	73,317.00	0.00	0.00
<b>Grand Total</b>	<b>755,043.00</b>	<b>9,600.00</b>	<b>0.00</b>

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Prioritized Result(s)	Prioritized Indicator(s)	Program/Strategy Name	Program/Strategy Description	Target Population	Performance Measures	FY21 Funding	Children's Cabinet Priority
		Board Support	Local state and community representatives that provide ongoing dialogue and feedback to help fill gaps in services in Worcester County for children, youth and families.	Children and Families in Worcester County	<p><b>How much:</b></p> <ul style="list-style-type: none"> <li># of initiatives for which Board convenes the initial interagency or community group</li> <li># of initiatives in which the Board is an active participant</li> </ul> <p><b>How well:</b></p> <ul style="list-style-type: none"> <li>#!/% of the Board's total revenue that is obtained from non-Children's Cabinet awarded sources (county funds, foundations, federal grants, etc.) to fund administrative costs and/or programs/strategies</li> <li>#!/% of all Board staff that have completed no less than introductory training (ex., Results Accountability 101) in Results Accountability (RA) as provided by a trained RA trainer</li> </ul> <p><b>Better off:</b></p> <ul style="list-style-type: none"> <li>#!/% of new and ongoing programs/strategies that meet or exceed performance measure targets (no less than 80% of all performances measures per program/strategy are met or exceeded) that are heading in the right direction or turning the curve</li> </ul>	\$176,639	
		Local Care Team Coordinator	The Local Care Team is a multidisciplinary team of local state and community agencies that convene with families and care givers to offer resources, services and recommendations to meet needs.	Children and Families in Worcester County	<p><b>What/How Much We Do:</b></p> <ul style="list-style-type: none"> <li># of new cases referred to the Local Care Team.</li> <li># of cases reviewed by the Local Care Team:</li> <li># of Local Care Team trainings provided</li> <li># of Local Care Team meetings</li> </ul> <p><b>How Well We Do It:</b></p> <ul style="list-style-type: none"> <li>#!/% of mandated Local Care Team representatives that attend at least 75% of Local Care Team meetings.</li> <li>#!/% of all Local Care Team reviews (new, follow-up, and annual reviews) where the youth's parents (or legal guardians) attended.</li> </ul>	\$53,000	Preventing out-of-state placements; Trauma-Informed Care and reducing Adverse Childhood Experiences;

Prioritized Result(s)	Prioritized Indicator(s)	Program/Strategy Name	Program/Strategy Description	Target Population	Performance Measures	FY21 Funding	Children's Cabinet Priority
Youth Have Opportunities for Employment or Career Readiness; Youth will complete School	Disconnected Youth; Youth Employment; High School Dropout Rate; Educational Attainment; High School Completion	Worcester Employment, Education and Empowerment (WE3)	WE3 is designed to provide support services to the Disconnected Youth population. These support services include: job readiness training, resumes building, soft skills training, career assistance, and connections to secondary education and/or vocational training. The program is designed to help youth successfully transition into adulthood by providing the necessary resources to do so.	Disconnected Youth, ages 16-24 who are neither working or in school. Local community partners and agencies will refer youth to the WE3 program.	<p><b>Is Anyone Better Off?</b></p> <ul style="list-style-type: none"> <li>#/% of new youth referred for in-State residential placement who are alternatively served through community-based services.</li> <li>#/% of new youth referred for out-of-State placement who are alternatively served through in-state community-based services or in-State residential placements.</li> </ul> <p><b>How Much:</b></p> <ul style="list-style-type: none"> <li># of youth served</li> <li># of community partners committed to supporting the WE3 program and WE3 program participants (partners utilizing and making referrals to WE3 staff)</li> </ul> <p><b>How Well:</b></p> <ul style="list-style-type: none"> <li>#/% WE3 participants that report service satisfaction every 6 months via Satisfaction Survey while enrolled in services</li> <li>#/% of WE3 participants that have completed the employment training program</li> </ul> <p><b>Better Off:</b></p> <ul style="list-style-type: none"> <li>#/% of WE3 participants that retain employment or attended an educational program for at least 90 days</li> <li>#/% of WE3 participants that have increased their score on the General Self Efficacy (GSE) Scale 6 months after enrollment into the program</li> <li>#/% of participants not working or in school who report a connection to work/school</li> </ul>	\$150,000	Improving outcomes for disconnected youth
Communities are Safe for Children, youth and Families;	Child Maltreatment; Hunger; Homelessness;	Building Bridges to Stable Families	This program will provide comprehensive support services to children, families, and parents impacted by incarceration. The program will link	Individuals incarcerated in the local detention center, their children and the caregivers of	<p><b>How Much:</b></p> <ul style="list-style-type: none"> <li># of incarcerated individuals that are enrolled in the program</li> <li># of parents/caregivers not incarcerated</li> </ul>	\$161,951	Reducing the impact of incarceration on children,

Prioritized Result(s)	Prioritized Indicator(s)	Program/Strategy Name	Program/Strategy Description	Target Population	Performance Measures	FY21 Funding	Children's Cabinet Priority
Families are Safe and Economically Stable	Child Poverty		parents that are incarcerated to resources, including mental health and substance abuse treatment, case management, housing and other local resources that will help maintain stability, and prevent recidivism once released. Parenting classes will be offered to individuals that are incarcerated as well as parents/caregivers in the community. The program will support the children and families of individuals incarcerated by providing case management services that will link families to services and children to programs that promote resilience and sustainability.	the children; children of incarcerated parents.	<ul style="list-style-type: none"> <li>enrolled in the program</li> <li># of total parenting classes held in the jail and the community</li> <li># of children enrolled in the program</li> </ul> <p><b>How Well:</b></p> <ul style="list-style-type: none"> <li>#/% of Transitional Care Plans completed within the first 3 visits to parents (incarcerated and not)</li> <li>#/% of previously incarcerated parents reporting satisfaction in services offered during their time in detention by the completion of a satisfaction survey within 6 weeks post release</li> <li>#/% of parents enrolled in a parenting class cohort that complete that cohort</li> </ul> <p><b>Better Off:</b></p> <ul style="list-style-type: none"> <li>#/% of incarcerated parents that have improved communication with their children/children's caregivers after completion of parenting class via pre/post test</li> <li>#/% of participants who report an improved attitude/outlook for communication and family stability, and resources available during/post incarceration</li> <li>#/% of parents (incarcerated and non) meeting one or more of their three (3) objectives from their transitional care plan within 6 months of enrollment into the Building Bridges program</li> <li>#/% of participants who report increased communication, family stability, maintenance of familial connections or support in reunification</li> </ul>	\$150,000	youth and families.
Youth will complete School; Families	Dropout Rate; High School Program	Worcester Connects	This program will provide youth, grades 6-12, with a supportive and positive mentor/role model. The mentor service	Youth between the grades of 6-12 that are truant, at risk for	<p><b>How Much:</b></p> <ul style="list-style-type: none"> <li># of youth mentored</li> <li># of 1:1 monthly meetings held between youth</li> </ul>		Trauma-informed care and Reducing

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Prioritized Result(s)	Prioritized Indicator(s)	Program/Strategy Name	Program/Strategy Description	Target Population	Performance Measures	FY21 Funding	Children's Cabinet Priority
are Safe and Economically Stable; Children are Successful in School	Completion; Homelessness; Child Poverty; Bullying/Harassment; Truancy; Local Indicator: Behavioral Health		is designed to be a hybrid of 1:1 mentoring services as well as group mentoring to allow mentees to engender a sense of membership with their peers. This program will be based upon the Check and Connect mentoring program which promotes increased self-esteem, confidence and improve overall health and wellness.	truncy, those that are in low poverty income areas (Pocomoke, Berlin, Snow Hill) and youth who are being bullied/harassed.	<ul style="list-style-type: none"> <li>and mentor</li> <li># of monthly group meetings held between mentees and mentor</li> <li># of youth that were referred by partnering agencies and enrolled in the program who were identified as "at-risk of entering the juvenile justice system"</li> </ul> <p><b>How Well:</b></p> <ul style="list-style-type: none"> <li>#/% of successful contacts (face to face meeting, text messages, and/or phone calls) made to youth during the first 30 days of enrollment</li> <li>#/% of youth that have improved attendance by 10% in school after being enrolled in the program for 3 months</li> <li>#/% of youth who were referred to the diversion program by law enforcement</li> <li>#/% of youth who were referred to the diversion program by the Department of Juvenile Services</li> <li>#/% of youth who successfully complete the diversion program</li> </ul> <p><b>Better Off:</b></p> <ul style="list-style-type: none"> <li>#/% of youth that have improved School Functioning after 3 months enrolled in the program via pre/post BERs Scale</li> <li>#/% of youth that have improved their Intrapersonal Strength after 3 months enrolled in the program via pre/post BERs Scale</li> <li>#/% of youth at risk of entering the juvenile justice system who were alternatively provided support services within their community</li> </ul>	\$63,453	Adverse Childhood Experiences; Juvenile justice diversion; Reducing youth homelessness; Reducing childhood hunger; Improving outcomes for disconnected youth;
Families are Safe and	Hunger; Child Poverty;	Planning Strategy: Evaluating and	The planning strategy will explore the connections between "families are safe	Children, youth and adults and families that	Not required.		Increasing trauma-

Prioritized Result(s)	Prioritized Indicator(s)	Program/Strategy Name	Program/Strategy Description	Target Population	Performance Measures	FY21 Funding	Children's Cabinet Priority
Economically Stable	Homelessness	Enhancing outcomes for Worcester County's Children, Youth and Families	and economically stable" and Disconnected Youth, Childhood Hunger, Homelessness and Juvenile Justice Diversion. Through a coordinator effort by the LMB Staff and a hired consultant, this planning strategy will conduct a community needs assessment throughout Worcester County by way of surveys, focus groups and town hall meetings. Data gathered will enable the LMB to explore future needs for the community.	work and live in Worcester County.			informed services; reducing youth homelessness; Reducing childhood hunger; improving outcomes for disconnected youth; Increasing opportunities for diversion from the juvenile justice system

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



ITEM  
5

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

# MEMORANDUM

TO: Worcester County Commissioners  
FROM: Weston S. Young, Assistant Chief Administrative Officer <sup>WSY</sup>  
DATE: September 9, 2020  
RE: License Agreement with Snow Hill Volunteer Fire Company, Inc.

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At the request of the Circuit Court, the attached license agreement is proposed to help address the need for a facility large enough for jury selection due to COVID-19 concerns. Jury selection can include a pool of 60 or more people, thereby creating social distancing concerns. The Health Department and Fire Marshall offices have been involved in this process and approve of this location.

## **LICENSE AGREEMENT**

**This Agreement** is entered on \_\_\_\_\_ between the Snow Hill Volunteer Fire Company, Inc. ("SHVFC") and the County Commissioners of Worcester County, Maryland ("County") on behalf of the Circuit Court for Worcester County.

**SHVFC and County agree as follows:**

**1. Premises**

SHVFC licenses County to use the portions of the building located at 4718 Snow Hill Road, Snow Hill, Maryland that are depicted in the attached Exhibit A ("Premises").

**2. Term**

Initial Term: The initial term of this agreement begins on October 6, 2020 and ends on January 31, 2021 ("Initial Term"). County may use the Premises on Monday, Tuesday, Wednesday, or Thursday from 8:00AM until 12:30PM.

Upon mutual written consent, the parties may extend the term.

**3. Fees**

3.1. The Base Fee is \$150 per each day of use of the Premises as a jury assembly location. County must pay fees only for days that it uses the Premises for jury assembly.

3.2. In addition to the Base Fee, County must pay \$50 per day of use for setup of the Premises and \$25 per day of use for decontamination of the Premises if these services are requested and performed by SHVFC. However, there is no obligation for SHVFC to perform the requested services.

**4. SHVFC Obligations**

4.1. SHVFC is responsible for utilities.

4.2. SHVFC is responsible for maintenance except for maintenance of County personal property or maintenance required because of County's acts or omissions.

**5. Permitted Activities**

County may do the following at the Premises:



5.1. Activities related to the assembly of jurors for Circuit Court trials.

**6. Termination**

6.1. The County may terminate the agreement for any reason with 7 days' written notice to SHVFC.

6.2. After notice of termination, fees will continue to accrue on a pro rata basis until County vacates the Premises.

**7. Compliance With Applicable Law and Taxes**

7.1. The Parties must strictly comply with all laws, ordinances, rules, and regulations of governing bodies with jurisdiction over it.

**8. Notices**

Notice under the agreement must be by certified mail (postage-prepaid) to the following addresses.

SHVFC:  
4718 Snow Hill Road  
Snow Hill, Maryland 21863

County Administration:  
1 W. Market Street, Room 1103  
Snow Hill, Maryland 21863

Circuit Court for Worcester County, Maryland:  
c/o Mike Howard  
1 W. Market Street, Room 208  
Snow Hill, Maryland 21863

**9. Amendments**

All amendments of this agreement must be in writing and signed by all parties.

**10. Assignment Prohibited**

County must not assign any interest in or sublet of any part of the Premises.

**11. Applicable Law**

This agreement is governed by the laws of the State of Maryland and Worcester County.

**12. Entire Agreement**

This agreement is the entire agreement between the parties and supersedes all earlier related communications.

**13. Third Party Beneficiaries**

Nothing in this agreement gives any rights to any unnamed third persons.

**14. Successors and Assigns**

This agreement is binding upon the successors and assigns of the parties.

**15. Severability**

If a court finds any term of this agreement to be invalid, the remaining terms will be unaffected and construed as if the agreement did not contain the invalid term.

**16. No Waiver**

The failure of either party to enforce any term of this agreement is not a waiver.

**The Parties agree to this agreement on the date stated above.**

Attest:

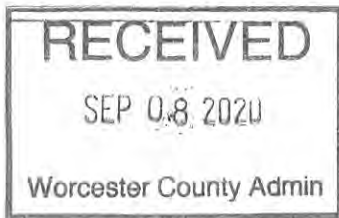
**County Commissioners of  
Worcester Count, Maryland  
on behalf of the Circuit Court for  
Worcester County**

\_\_\_\_\_  
Harold L. Higgins  
Chief Administrative Officer

\_\_\_\_\_(Seal)  
Joseph M. Mitrecic  
President

Witness  
  
\_\_\_\_\_

**Snow Hill Volunteer Fire  
Company**  
*Howard L. Stephens* (Seal)  
By: Howard L. Stephens  
Secretary / Treasurer



ITEM  
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DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

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


TEL: 410.632.1200 / FAX: 410.632.3008

[www.co.worcester.md.us/drp/drpindex.htm](http://www.co.worcester.md.us/drp/drpindex.htm)

ZONING DIVISION  
BUILDING DIVISION  
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

# Memorandum

**To:** Worcester County Commissioners  
**CC:** File  
**From:** Jo Ellen Bynum   
**Date:** 9/8/2020  
**Re:** Housing Rehabilitation Program Bid Recommendation

---

Per State CDBG procurement requirements, the septic system installation for the Coston property in Stockton was recently re-bid and the bid opening was held on September 8. One bid was received in the amount of \$14,249 from Doug Vann Excavating, Inc. Attached are copies of the submitted bid and the Competitive Bid Worksheet for your review.

At this time, it is my recommendation to accept this bid as the County has now exhausted the options available under the terms of the CDBG grant agreement with the State. This will enable me to move forward with obtaining loan funding from the State Special Loans Program on Mrs. Coston's behalf for the replacement home portion of the project.

# Competitive Bid Worksheet

## **Item: Housing Rehabilitation Project -Septic System**

Bid Deadline/Opening Date: 1:00 P.M., Tuesday, Sept. 8, 2020

Bids Received by deadline = 1

Coston Property  
1522 Wesley Lane  
Stockton, MD 21864

Contractor's Submitting Bids

Total Quote

**Doug Vann Excavating, Inc.**  
P.O. Bx. 125  
Princess Anne, MD 21853

14,249

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**DOUG VANN EXCAVATING, INC.**

P.O. Box 125

Princess Anne, MD 21853

443-735-1125/FAX 410-651-5811

**RE: Estimate for septic system for property of Francine Coston, 1522 Wesley Lane, Stockton,  
MD 21864**

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

Total Quote: \$ 14,249.00

Date: 9-7-2020

  
Signature

Doug Vann

Typed Name

President/Owner

Title

Doug Vann Excavating, Inc.

Company Name

P.O. Box 125, Princess Anne, MD 21853

Address

443-735-1125

Phone Number

**DOUG VANN EXCAVATING, INC.**

P.O. Box 125

Princess Anne, MD 21853

443-735-1125/FAX410-651-5811

**Property of Francine Coston  
1522 Wesley Lane  
Stockton, MD 21864**

**Line Item Price Detail:**

3 loads topsoil	\$1000.00
13 loads of sand	3250.00
1 load of stone	750.00
Pipe	1200.00
Electric	650.00
Pump out	250.00
Pump	550.00
Survey	375.00
Permit	325.00
Tanks	1800.00
Bobcat, excavator & labor	<u>4099.00</u>
<b><u>Total</u></b>	<b><u>\$14,249.00</u></b>

ITEM  
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**RECEIVED**  
SEP 08 2020  
Worcester County Admin



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

**JOHN H. TUSTIN, P.E.**  
DIRECTOR

**JOHN S. ROSS, P.E.**  
DEPUTY DIRECTOR

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

**MEMORANDUM**

**TO: Harold L. Higgins, Chief Administrative Officer**  
**FROM: John H. Tustin, P.E., Director** *JHT*  
**DATE: September 1, 2020**  
**SUBJECT: Household Hazardous Waste Collection Day –  
October 31, 2020**

**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

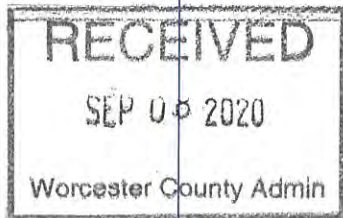
**WATER AND  
WASTEWATER**  
TEL: 410-641-5251  
FAX: 410-641-5185

.....  
Our annual Household Hazardous Waste Day has been scheduled for Saturday, October 31, 2020 at the West Ocean City Park & Ride. MDE and MES have been notified and have put us on their schedule for that day as they need to know in advance as other counties are also scheduling events at that time of year. The Worcester County Recycling Division will also collect electronics (computers, servers and laptops only) at this event. CLEAN VENTURES will handle the Hazardous Waste collection. The total cost of this event, including advertising is expected to be around \$20,000. The funds for this are in the Recycling Budget – 100.1206.6700.640.

The Towns of Ocean City, Berlin, Snow Hill & Pocomoke City will be notified about this event and will be invited to participate.

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

cc: Mike Mitchell  
Mike McClung



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

**JOHN H. TUSTIN, P.E.**  
DIRECTOR

**JOHN S. ROSS, P.E.**  
DEPUTY DIRECTOR

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

**MEMORANDUM**

**TO: Harold L. Higgins, Chief Administrative Officer**  
**FROM: John H. Tustin, P.E., Director** *JHT*  
**DATE: September 8, 2020**  
**SUBJECT: Equestrian Shores – Speed Limit Signs**

**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

.....  
The Department received a request from Beth Monte of Equestrian Shores concerning the possibility of posting 25 mph signs within the subdivision of Equestrian Shores in Snow Hill. Currently, there are no signs posted on any road within this subdivision; therefore, 50 mph governs.

After investigating this request and the area involved, I would recommend that we post (1) 25 mph sign on Carry Back Road and (1) 25 mph all streets on Secretariat Drive which would also cover Sea Biscuit Road.

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

Attachment

cc: Frank J. Adkins



WORCESTER COUNTY  
DEPARTMENT OF PUBLIC WORKS  
ROADS DIVISION  
WORK ORDER REQUEST

WORK ORDER #

10408

Date of Request: 8-17-20

Phone #

Person Making Request: Beth Moads

Cell# 410-253-16744

Location/Address Where Work Is Needed:

Contact Person:

See Biscuit Rd

The following work is requested at the above location:

No speed limit sign there, what  
is speed limit? 50 MPH way to high

Assigned to:

Comments:

Completion Date:

Sign Off:

ID# 67061 800-441-8355 MISS UTILITY LOCATE TICKET#

Name of Road: Date:

Type of Work:

Closest Intersection:

ADC Map # ADC Grid #

Directions:

Mark Which Side of Road \_\_\_\_\_ Road Marked With \_\_\_\_\_

- Choptank
- Delmarva Power
- Comcast
- Del Electric
- WC Public Works

- Verizon
- Eastern Shore Gas
- Medicom
- MD Broadband
- Chesapeake Utilities

Date To Be Located: \_\_\_\_\_

Ticket Expires: \_\_\_\_\_



ITEM  
9

RECEIVED  
SEP 08 2020  
Worcester County Admin



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

JOHN H. TUSTIN, P.E.  
DIRECTOR

JOHN S. ROSS, P.E.  
DEPUTY DIRECTOR

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

MEMORANDUM

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** John H. Tustin, P.E., Director *JHT*  
**DATE:** September 8, 2020  
**SUBJECT:** Genezer Estates – Speed Limit Signs

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

.....  
The Department received a request from Maria Haynes of Genezer Estates concerning the possibility of posting 25 mph signs within the subdivision of Genezer Estates in Berlin. Currently, there are no signs posted on any road within this subdivision; therefore, 50 mph governs.

After investigating this request and the area involved, I would recommend that we post (1) 25 mph sign on Cove Court and Terrapin Point Road and (1) 25 mph all streets on Fox Run and Knoll Hill Drive which would also cover Hammock Point.

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

Attachment

cc: Frank J. Adkins

**Lisa Lawrence**

---

**From:** Frank Adkins  
**Sent:** Thursday, August 20, 2020 9:07 AM  
**To:** John Tustin  
**Cc:** Keith Berdan; Jimmie Clarke  
**Subject:** FW: Knoll Hill Drive, Berlin Speed Limit

Would you like a speed study or just do a memo requesting approval for 25 mph?

Also, Equestrian Shores (Secretariat) is wanting speed limit signs. It's not posted either. Should we just do a memo requesting 25 mph for this one? (25 mph all streets) Should only take 1 sign.

Looks like we're going to have to post every road in the county although posting doesn't seem to help much.

*Frank J. Adkins  
Roads Superintendent  
Worcester County DPW - Roads Division  
5764 Worcester Highway  
Snow Hill, MD 21863  
Phone: 410-632-2244  
Fax: 410-632-0020  
Email: [fadkins@co.worcester.md.us](mailto:fadkins@co.worcester.md.us)*

---

**From:** Maria Schierscher <[schierschermt@gmail.com](mailto:schierschermt@gmail.com)>  
**Sent:** Thursday, August 20, 2020 8:52 AM  
**To:** Frank Adkins <[fadkins@co.worcester.md.us](mailto:fadkins@co.worcester.md.us)>  
**Subject:** Knoll Hill Drive, Berlin Speed Limit

**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.**

Dear Mr. Adkins,

I live on Knoll Hill Drive in Berlin, MD.

On several occasions, there have been vehicles speeding on our road. It is not a thru street. No reason to be on the street unless you live here or are visiting someone that does.

There are three bends in the road that create blind spots and make it dangerous for anyone speeding down the road. Many people enjoy walking and biking on Knoll Hill Drive, including myself.

Last night I had an incident where I could have been seriously injured if not killed. A young man came flying up the road (northbound). When he was barely fifty feet away from me he slowed down, after I screamed stop. He then approached me and proceeded to yell at me. He said 'What is the speed limit? There are no signs

posted'. I responded simply with 'I'm not positive, but it sure as heck isn't 50 on this road'. He sped off and threw garbage out his window.

I'm told that if no sign is posted, then it's 50. There is no reason unless you're the ambulance or fire company to drive 50 on this road. I honestly hate the idea of signs in such a beautiful area, but with the new construction going on and the vacation rentals in the area I think it is necessary to post the speed limit. Please dear Lord don't let it be 50.

I am kindly asking if we could put a speed limit sign at the corner of Knoll Hill and South Point, Fox Run and South Point, and Fox Run and Knoll Hill.

In addition, the speed limit on South Point road is 40. No one does 40. I don't walk on South Point because it is too dangerous. There is a sign posted when entering the road that 40 is the speed limit, but that's the only one that I recall.

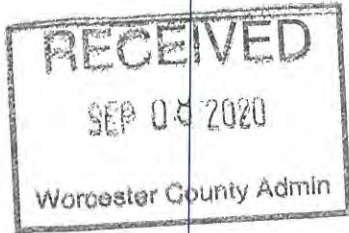
This is a beautiful neighborhood with many people including kids and pets enjoying the scenery. There are no businesses down here, only one public boat access. In short, no reason to speed.

I would appreciate your consideration in posting more speed limit signs in South Point.

Sincerely,  
Maria Haynes  
6411 Knoll Hill Drive  
Berlin, MD 21811  
443-513-1441

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  
10



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

**JOHN H. TUSTIN, P.E.**  
DIRECTOR

**JOHN S. ROSS, P.E.**  
DEPUTY DIRECTOR

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

**MEMORANDUM**

**TO: Harold L. Higgins, Chief Administrative Officer**  
**FROM: John H. Tustin, P.E., Director of Public Works** *JHT*  
**DATE: August 24, 2020**  
**SUBJECT: Newark Spray Irrigation Project**  
**Change Order Number 1**

**DIVISIONS**

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

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

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

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

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



Attached is a request from Bunting and Murray Construction (B&M) for Change Order Number 1 to the referenced project. The purpose of this change order is to allow B&M to construct a new precast wet well at the Newark Wastewater Treatment Plant instead of modifying the existing chlorine contact tank as shown on the project drawings. This change is proposed at no cost to the County.

During the redesign of the project we had considered this change but felt there was no financial benefit and therefore did not pursue it. B&M say this change will eliminate potential construction problems dealing with a 50-year old concrete structure and can be completed with little additional construction effort.

The Project Engineers, EA Engineering, have approved the proposal and the Department of Public Works concurs. We are requesting the County Commissioners approve Change Order Number 1 for the Newark Spray Irrigation Project.

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

Attachments

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

# Change Order

No. 1

Date of Issuance: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Project: Worcester County - Newark Spray Irrigation	Owner: County Commissioners of Worcester County, Maryland	Owner's Contract No.:
Contract:	Date of Contract: February 10, 2020	
Contractor: Bunting and Murray Construction Corporation	Engineer's Project No.: 1584101	

**The Contract Documents are modified as follows upon execution of this Change Order:**

**Description:**

Revision to the as-contracted pump station design generally pertaining to the modification of the existing concrete chlorine contact structure for use as a wet well. Proposed pump station under this change order shall provide a new 6-ft. diameter, precast concrete wet well structure installed independent of the existing chlorine contact structure system. Proposed 8" inflow pipe will be connected to existing 8" inflow pipe upslope of existing valve vault and chlorine contact structure. Existing valve, valve vault, and chlorine contact structure shall be backfilled and abandoned in place. Proposed work will be in accordance with revised Drawings C-201 and C-401 attached.

**Attachments (list documents supporting change):**

Revised Drawing Sheets C-201 and C-402

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$ 1,604,253.60

Increase from previously approved Change Orders

No. N/A to No. N/A :

\$ N/A

Contract Price prior to this Change Order:

\$ 1,604,253.60

Increase of this Change Order:

\$ 0.00

Contract Price incorporating this Change Order:

\$ 1,604,253.60

Original Contract Times:  Working days  Calendar days

Substantial completion (days or date): 12/11/2020

Ready for final payment (days or date): 1/10/2021

Increase from previously approved Change Orders

No. N/A to No. N/A :

Substantial completion (days): \_\_\_\_\_

Ready for final payment (days): \_\_\_\_\_

Contract Times prior to this Change Order:

Substantial completion (days or date): 12/11/2020

Ready for final payment (days or date): 1/10/2021

Increase of this Change Order:

Substantial completion (days or date): 0

Ready for final payment (days or date): 0

Contract Times with all approved Change Orders:

Substantial completion (days or date): 12/11/2020

Ready for final payment (days or date): 1/10/2021

RECOMMENDED:

By: \_\_\_\_\_

Engineer (Authorized Signature)

Date: 8/25/20

Approved by Funding Agency (if applicable): \_\_\_\_\_

ACCEPTED:

By: \_\_\_\_\_

Owner (Authorized Signature)

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

ACCEPTED:

By: \_\_\_\_\_

Contractor (Authorized Signature)

Date: 8/19/20

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

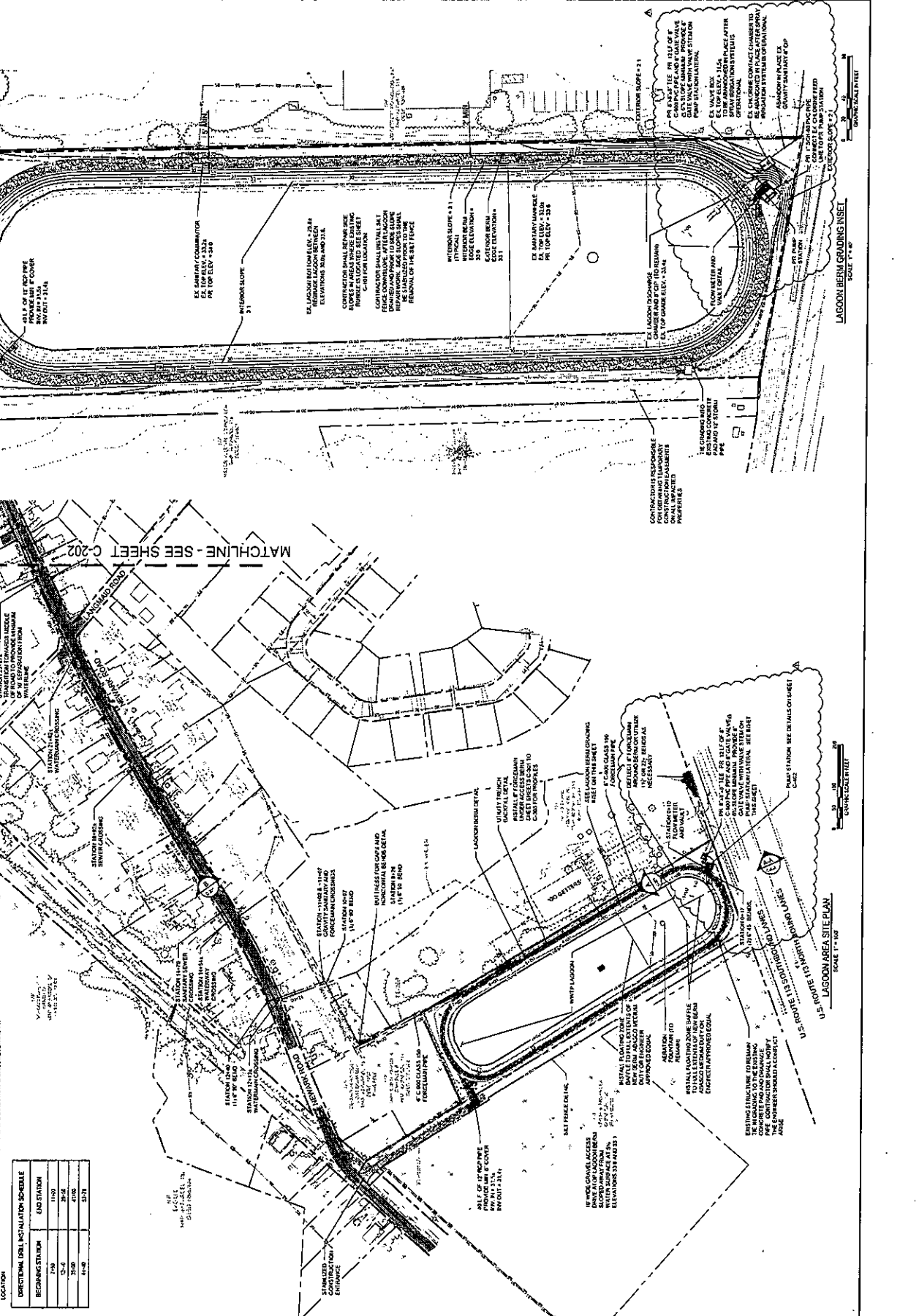
2

1. CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD DRAWINGS OF THE LAGOON AREA AND THE PERIMETER OF THE LAGOON. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD DRAWINGS OF THE LAGOON AREA AND THE PERIMETER OF THE LAGOON. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD DRAWINGS OF THE LAGOON AREA AND THE PERIMETER OF THE LAGOON.

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RECORDING STATION	EXISTING STATION
1+00	1+00
1+50	1+50
2+00	2+00
2+50	2+50
3+00	3+00
3+50	3+50
4+00	4+00

CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD DRAWINGS OF THE LAGOON AREA AND THE PERIMETER OF THE LAGOON. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND RECORD DRAWINGS OF THE LAGOON AREA AND THE PERIMETER OF THE LAGOON.



LAGOON AREA SITE PLAN  
SCALE 1" = 100'

Worcester County  
DEPARTMENT OF PUBLIC WORKS  
NETWORK SPRAY IRRIGATION  
PROPOSED CONDITIONS PLAN I - LAGOON AREA

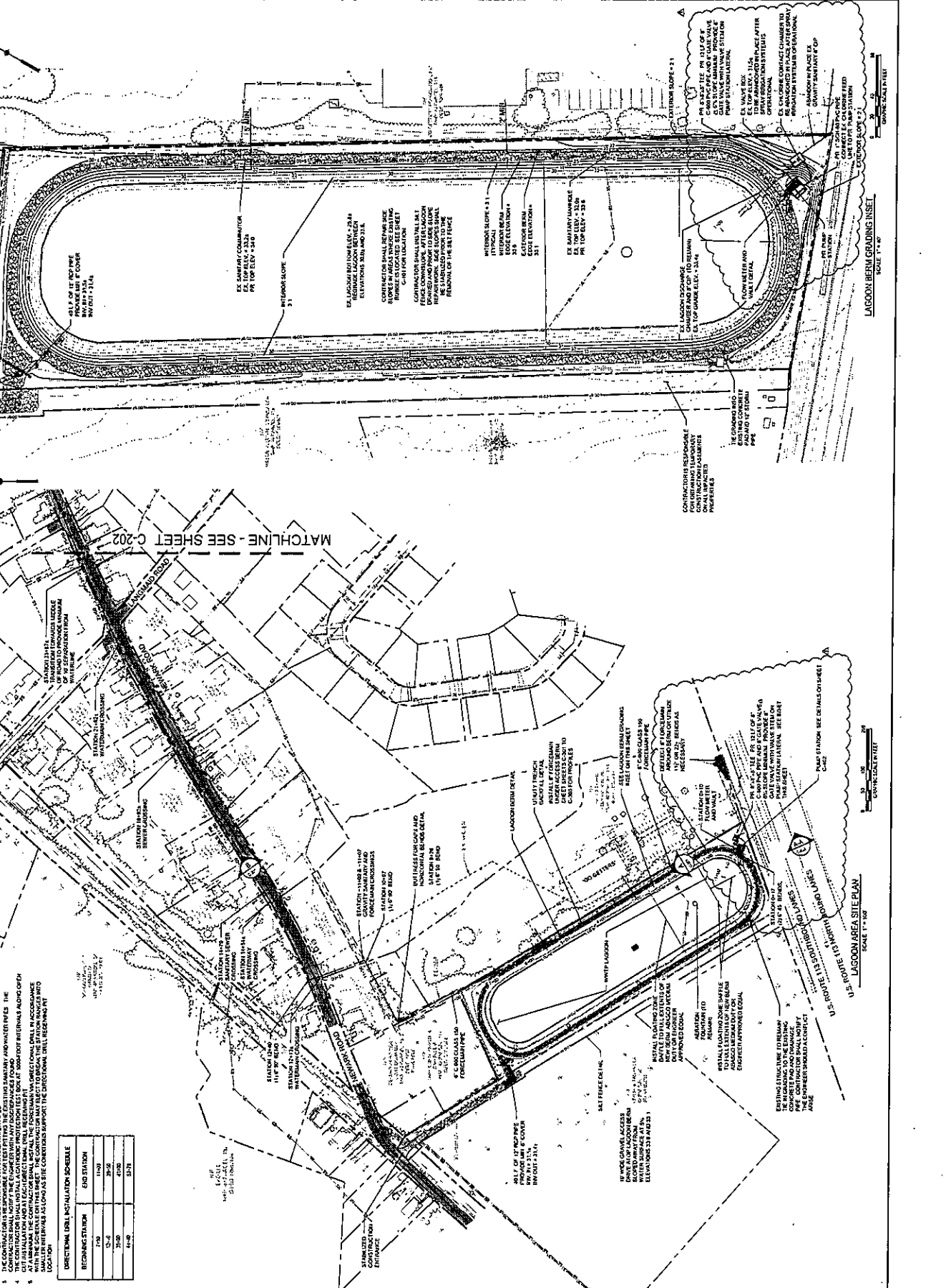
DATE: 08/11/2011  
PROJECT NUMBER: 100-101  
SHEET: 5 OF 7  
C-201

EA Engineering, Science, and Technology, Inc. PBC  
1000 Worcester Street  
Worcester, MA 01601  
Tel: 508-853-2200  
Fax: 508-853-2201  
www.ea-engineering.com

DESIGNER: [Signature]  
CHECKED: [Signature]  
APPROVED: [Signature]

PROJECT NUMBER: 100-101  
SHEET: 5 OF 7  
C-201

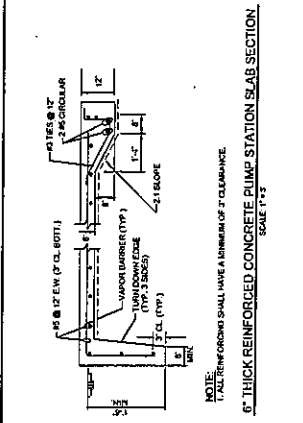
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SCALE 1" = 100'



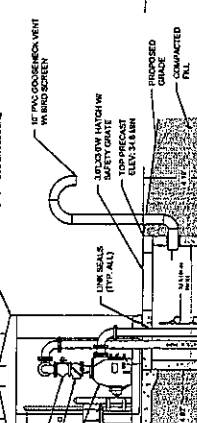
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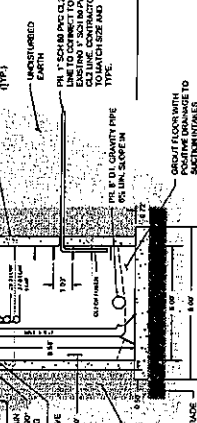
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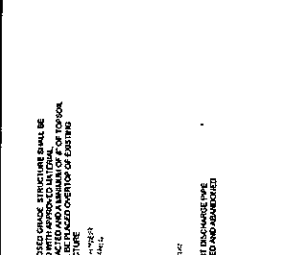
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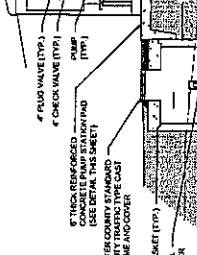
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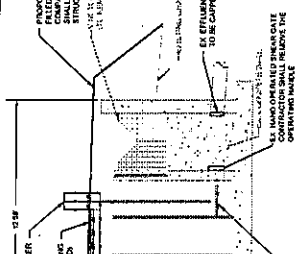
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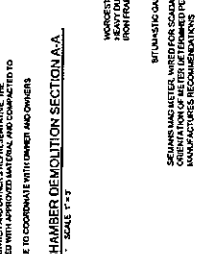
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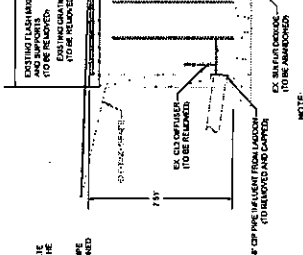
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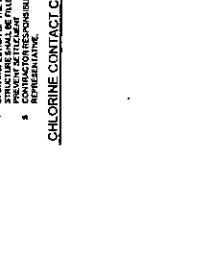
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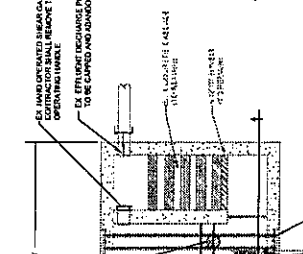
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 SCALE 1\"/>



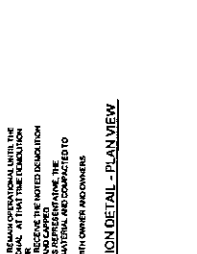
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 SCALE 1\"/>



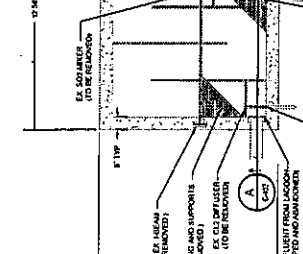
**WELL AND PUMP STATION DETAIL - PLAN VIEW**  
 SCALE 1\"/>



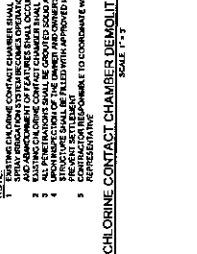
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 SCALE 1\"/>



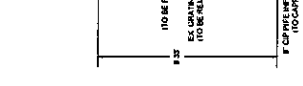
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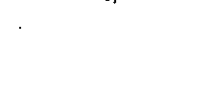
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 SCALE 1\"/>



**WELL AND PUMP STATION DETAIL - PLAN VIEW**  
 SCALE 1\"/>



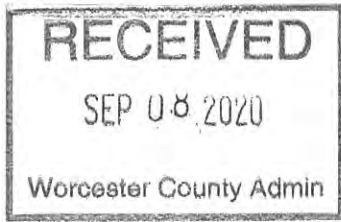
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 SCALE 1\"/>



**WELL AND PUMP STATION DETAIL - PLAN VIEW**  
 SCALE 1\"/>




ITEM  
11



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 – State Homeland Security Grant Program Awarded  
Date: 3 September 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 State Homeland Security Grant Program. These funds are awarded to the State of Maryland as pass through funds authorized by the Department of Homeland Security for approved programs/activities which is why the county is listed as a sub-recipient. The award is in the amount of \$97,308.52 and requires an official signature.

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

Attachment (1)



**2020 Sub-Recipient Agreement**  
for  
*County Commissioners of Worcester County, Maryland*

Date of Award  
9/3/2020

1. Sub-Recipient Name and Address		2. Prepared by: <i>Mellerson, Angela</i>	3. MEMAGMS Award Number: 20-SR 6881-03
County Commissioners of Worcester County, Maryland		4. Federal Grant Information	
		Federal Grant Title:	State Homeland Security Grant Program
		Federal Grant Award Number/CFDA Number:	EMW-2020-SS-00010 SHSP /
		Federal Granting Agency:	U.S. Department of Homeland Security

5. Award Amount	
<b>Total Award Amount</b>  \$97,308.52	<b>2020 State Homeland Security Program</b> Performance Period: FROM Sep 1, 2020 – Feb 28, 2023

6. Statutory Authority for Grant: This project is supported under the Homeland Security Act of 2002 as amended as amended (Public Law 107-296),(6USC603)  
Appropriations Authority for Grant: The Department of Homeland Security Appropriations Act, 2017

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: <i>Janet Moncrieffe, Grants Branch Manager</i> Maryland Emergency Management Agency	Signature of SAA Official:
	Date:

10. Sub-Recipient Acceptance	
I have read and understand the attached Special Terms and Conditions and Certifications and Assurances.	
Type name and title of Authorized Sub-Recipient official:	Signature of Sub-Recipient Official:

11. Enter Federal Employer Identification Number (FEIN) and OUNS number: 528001084	12. Date Signed :
---	-------------------

13. DUE DATE: **9/24/2020**  
Signed award must be returned to the SAA on or before the above due date.

AGREEMENT ARTICLES Homeland Security Grant Program

GRANTEE: Maryland Emergency Management Agency

PROGRAM: Homeland Security Grant Program

AGREEMENT NUMBER: EMW-2020-SS-00010-S01

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Article VI - Debarment and Suspension

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Article XXV - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

Article XXVII - Lobbying Prohibitions

Article XXVIII - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

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Article XLI - Notice of Funding Opportunity Requirements

Article XLII - SAFECOM

Article XLIII - Environmental Planning and Historic Preservation

Article I - Summary Description of Award

The purpose of the FY 2020 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the

Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of \$7,692,000 and Urban Area Security Initiative (UASI) funding in the amount of \$4,250,000. These grant programs fund a range of activities, including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas.

#### Article II - Activities Conducted Abroad

Sub-recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

#### Article III - Reporting of Matters

Related to Recipient Integrity and Performance If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

#### Article IV - Trafficking Victims Protection Act of 2000 (TVPA)

Sub-recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

#### Article V - Federal Leadership on Reducing Text Messaging while Driving

Sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

#### Article VI - Debarment and Suspension

Sub-recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

#### Article VII - Fly America Act of 1974

Sub-recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

#### Article VIII - Americans with Disabilities Act of 1990

Sub-recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

#### Article IX - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

#### Article X - Copyright

Sub-recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

#### Article XI - Civil Rights Act of 1968

Sub-recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

#### Article XII - Best Practices for Collection and Use of Personally Identifiable Information (PII)

Sub-recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Sub-recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

#### Article XIII - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Sub-recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that sub-recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-accesspeople-limited> and additional resources on <http://www.lep.gov>.

#### Article XIV - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a, sub-recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. section 2225.)

#### Article XV - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

#### Article XVI - Patents and Intellectual Property Rights

Sub-recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq. unless otherwise provided by law. Sub-recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

#### Article XVII - DHS Specific Acknowledgements and Assurances

All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Sub-recipients must give DHS & MEMA access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Sub-recipients must submit timely, complete, and accurate reports to the appropriate MEMA officials and maintain appropriate backup documentation to support the reports.
4. Sub-recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years as long as they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Sub-recipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.
6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

#### Article XVIII - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

#### Article XIX - Terrorist Financing

Sub-recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Sub-recipients are legally responsible to ensure compliance with the Order and laws.

#### Article XX - Civil Rights Act of 1964 - Title VI

Sub-recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

#### Article XXI - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from MEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(c) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from MEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget MEMA last approved. You must report any deviations from your approved budget in the first Federal Financial Report (SF-425) you submit with the Quarterly Status Report (QSR) following any budget deviation, regardless of whether the budget deviation requires prior written approval.

#### Article XXII - Acknowledgement of Federal Funding from DHS

Sub-recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

#### Article XXIII - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, sub-recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate sub-recipient acceptance of the changes to the award.

Please call the MEMA's Grants Division at 410-517-3600 or email [Grants.mema@maryland.gov](mailto:Grants.mema@maryland.gov).

#### Article XXIV - Rehabilitation Act of 1973

Sub-recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. section 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

#### Article XXV - False Claims Act and Program Fraud Civil Remedies

Sub-recipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

#### Article XXVI - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Sub-recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

#### Article XXVII - Lobbying Prohibitions

Sub-recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the sub-recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

#### Article XXVIII - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Sub-recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

#### Article XXIX - Age Discrimination Act of 1975

Sub-recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

#### Article XXX - National Environmental Policy Act

Sub-recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require sub-recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### Article XXXI - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

#### Article XXXII - USA PATRIOT Act of 2001

Sub-recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. sections 175-175c.

#### Article XXXIII - Non-Supplanting Requirement

Sub-recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### Article XXXIV - Drug-Free Workplace Regulations

Sub-recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

#### Article XXXV - Universal Identifier and System of Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XXXVI - Reporting Subawards and Executive Compensation Sub-recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

#### Article XXXVII - Energy Policy and Conservation Act

Sub-recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

#### Article XXXVIII - Whistleblower Protection Act

Sub-recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

#### Article XXXIX - Federal Debt Status

All sub-recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

#### Article XL - Use of DHS Seal, Logo and Flags

Sub-recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XLI - Notice of Funding Opportunity Requirements All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All sub-recipients must comply with any such requirements set forth in the program NOFO.

#### Article XLII - SAFECOM

Sub-recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

#### Article XLIII - Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires sub-recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/ FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders.

To access the FEMA's EHP screening form and instructions, go to the MEMAGMS > Admin Menu > Forms Manager. In order to initiate EHP review of your project(s), sub-recipients must complete all relevant sections of this form and submit it to [janet.moncrieffe@maryland.gov](mailto:janet.moncrieffe@maryland.gov) & [copy\\_grants.mema@maryland.gov](mailto:copy_grants.mema@maryland.gov) along with all other pertinent project information.



ITEM  
12



EMERGENCY SERVICES

**Worcester County**

GOVERNMENT CENTER

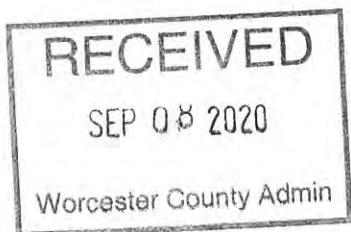
ONE WEST MARKET STREET, ROOM 1002

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: 2020 Hazard Mitigation & Resilience Plan – Changes & Considerations  
Date: 4 September 2020

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The Department of Emergency Services (DES) is requesting possible language changes and considerations to the 2020 Hazard Mitigation & Resilience Plan (HMP&R). Topics for discussion will be considerations of language changes, references and studies cited, potential impacts to municipalities and county residences/visitors, and timeline options moving forward regarding FEMA and MEMA approval.

SP&D personnel, staff and I are available to answer any questions at your convenience.

- 1 – Reference 2020 Hazardous Mitigation & Resilience Plan
- 6 – Potential Chapter changes

Weston,

My thoughts: We use the highlight portion below as a quick read by the commissioners as the contractors executive summary, all 6 proposed chapter attachments, and reference the 2020 HMRP with the updated memo.

Good afternoon Billy. We have reviewed the comments from the public meeting that Lorraine compiled and have watched the video of the meeting. As such, we have modified the plan to reflect those comments and concerns collected during the public meeting. Please see attached the modified plan sections for your review.

In addition, I have included below a brief listing of those changes.

- Additional text was included in Chapter 1 on page 1-16 regarding *Plan Review and Adoption Process: The local adoption process included multiple public meetings. The first meeting was held on July 21, 2020, followed by a second meeting on August 18, 2020. During these meetings, the public was given an opportunity to comment as well as the Board of County Commissioners. Comments included sea level rise projects, shoreline erosion, and the operation of sirens as notification devices. Slight modifications were made to the plan. A third public meeting, which included a formal hearing to adopt the Plan, was held on September 15, 2020.*
- Text in Chapter 2 on page 2-4 was modified: *The Salisbury Ocean City Wicomico Regional Airport in Wicomico County and the Ocean City Municipal Airport on MD 611 are both available for public use.*
- Chapter 4 modifications dealt specifically with sea level rise and shoreline erosion. We deleted all information referring to the *2008 Sea Level Rise Response Strategy, Paris Climate Agreement*, and shoreline erosion rates. We added new text to the introduction that more clearly reflects Worcester County's position on these subjects based upon comments made by the Board of County Commissioners.
- Chapter 6: Added sentence to section *Emergency Alert Signals* at the end of page 6-3: *Reports indicate that sirens are in need of repair and upgrade.*
- Chapter 9: Bullet listing on page 9-4 modified. *Climate Adaptation & Resilience Strategies* modified. Removed - *Strengthen our climate information infrastructure to support climate adaptation practices.* Modified existing bullet- previous bullet stated: *Increase focus on managing climate impacts in towns and other population centers.* Modified to: *Increase awareness of climate impacts in towns and other population centers.*
- The Introduction for Chapter 9 was modified to include text about the 2 new mitigation action ideas identified during public review and adoption process. The following text included: *In conjunction with goals, objectives, and adaption strategies, new mitigation items and projects were developed as part of the plan update process. New mitigation action items ore listed in Table 9-2, while new projects are detailed on pages 9-9 to 9-15. Finally, the public review and plan adaption yielded two additional mitigation action items, which include:*
  - *Upgrade existing sirens used for public warning and notification.*
  - *Update the 2008 Sea Level Rise Response Strategy, Worcester County, Maryland, the most recent study specific to Worcester County.*
- Please refer to Chapter 9, a mitigation action item #10 and project on page 9-18 specific to emerging infectious disease.

- *Action Item #10: Develop hazard preparedness and mitigation public outreach materials targeting At-Risk Populations. New- This information should include infectious disease information and health impacts.*

**Note-** Additional information in Chapter 5 page 5-33 includes: *Finally, Worcester County should continue to improve the vulnerable population identification, planning initiatives, and develop hazard preparedness and mitigation public outreach materials. These materials should include infectious disease outbreak information, health impacts, citizen alert system, and how citizens can be notified of hazard events and forecasts. Outreach initiative mitigation action items have been included in Chapter 9: Mitigation Strategies.*

Have a great holiday weekend. -Ginny



SP&D

*Smart Planning and Design*

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Cumberland, MD 21502  
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process included multiple public meetings. The first meeting was held on July 21, 2020, followed by a second meeting on August 18, 2020. During these meetings, the public was given an opportunity to comment as well as the Board of County Commissioners. Comments included sea level rise projects, shoreline erosion, and the operation of sirens as notification devices. Slight modifications were made to the plan. A third public meeting, which included a formal hearing to adopt the Plan, was held on September 15, 2020.

Two major tidally influenced rivers are located in the county. The Pocomoke River has two areas with urban development: Pocomoke City and Snow Hill. The second river, the St. Martin is the main tributary of the Isle of Wight Bay. There is significant development along its southern shore and the northern shore has estate development. The St. Martin River headwaters branch towards the northernmost portion of the county into agricultural and rural areas ending in Delaware.

There are smaller tidally influenced waterways. Several are Isle of Wight Bay tributaries and have significant development currently or proposed new development. These are Manklin Creek, Herring Creek, Turville Creek and Trappe Creek according to the 2006 *Worcester County Comprehensive Plan*.

*"Hazard Mitigation works best as a policy objective of local planning when it is so completely integrated into the comprehensive plan that it becomes a normal assumption behind all daily planning activities."*

*Source: American Planning Association, Planning for Post-Disaster Recovery and Reconstruction*

Transportation in Worcester County is served by US 13, US 113, and US 50 making Worcester County easily accessible. Route 12 provides access to the county seat, Town of Snow Hill. Access to Assateague Island is by rural two-lane highways (MD 376 and MD 611) while Ocean City is served by US 50 (dual highway), MD 90 (two lane-controlled access) and MD/DE 54 and DE 1 to the north (two lane rural highway and local highway respectively).

Two airports provide Worcester County with public general aviation access. The Salisbury-Ocean City Wicomico Regional Airport in Wicomico County and the Ocean City Municipal Airport on MD 611 are both available for public use. Private airports include Bunting's Field near Berlin, Carey Field near Bishopville, Guy's Field near Pocomoke and Davis Field near Pittsville.

## Demographics

The population of the County has grown remarkably since mid-century. In fact, at 51,454 residents, the population has more than doubled since 1970. Statewide, Worcester County was only surpassed in population percentage increase by Calvert County. With a 9.5% increase of 4,911 people since the last census, this trend is expected to continue. More than half of the County's population (23,297) lives in the northeastern quadrant. This area contains the communities of: Berlin, Ocean Pines, West Ocean City and Ocean City. These areas are expected to accommodate much of the County's future growth. According to the Maryland Department of Planning, Projections and State Data Center, estimated population total projections for Worcester County from 2020-2045 will continue to increase over the next twenty-five years. These projections are shown in Table 2-1.

## Sea Level Rise & Shoreline Erosion

### Sea Level Rise Profile & Vulnerability

The definition of the word “projection” is an estimate or forecast of a future situation or trend based on a study. Worcester County recognizes sea level rise, however, understands that various sources of information are based on projections. Worcester County has not confirmed the use of one particular projection, however, recognizes that the State of Maryland has various published sea level rise projections that have been used for planning purposes.

According to the *2018 Sea Level Rise Projections for Maryland*, the likely range of the relative rise of mean sea level expected in Maryland between 2000 and 2050 is 0.8 to 1.6 feet, with about a one-in-twenty chance it could exceed 2.0 feet and about a one in-one hundred chance it could exceed 2.3 feet. After 2050, rates of sea-level rise depend increasingly on the future pathway of global emissions of greenhouse gases during the next sixty years; thus, separate projections are provided for three emissions pathways. If emissions continue to grow well into the second half of the 21st century, the likely range of sea-level rise experienced in Maryland is 2.0 to 4.2 feet over this century, two to four times the relative sea-level rise experienced during the 20th century. Moreover, there is a one-in-twenty chance that it could be over 5.2 feet. If, on the other hand, global society were able to bring net greenhouse gas emissions to zero sufficient to meet the goals of the Paris Climate Agreement to limit the increase in global mean temperature to less than 2°Celsius over pre-industrial levels, the likely range for 2100 is 1.2 to 3.0 feet, with a 5% chance that it would exceed 3.7 feet.

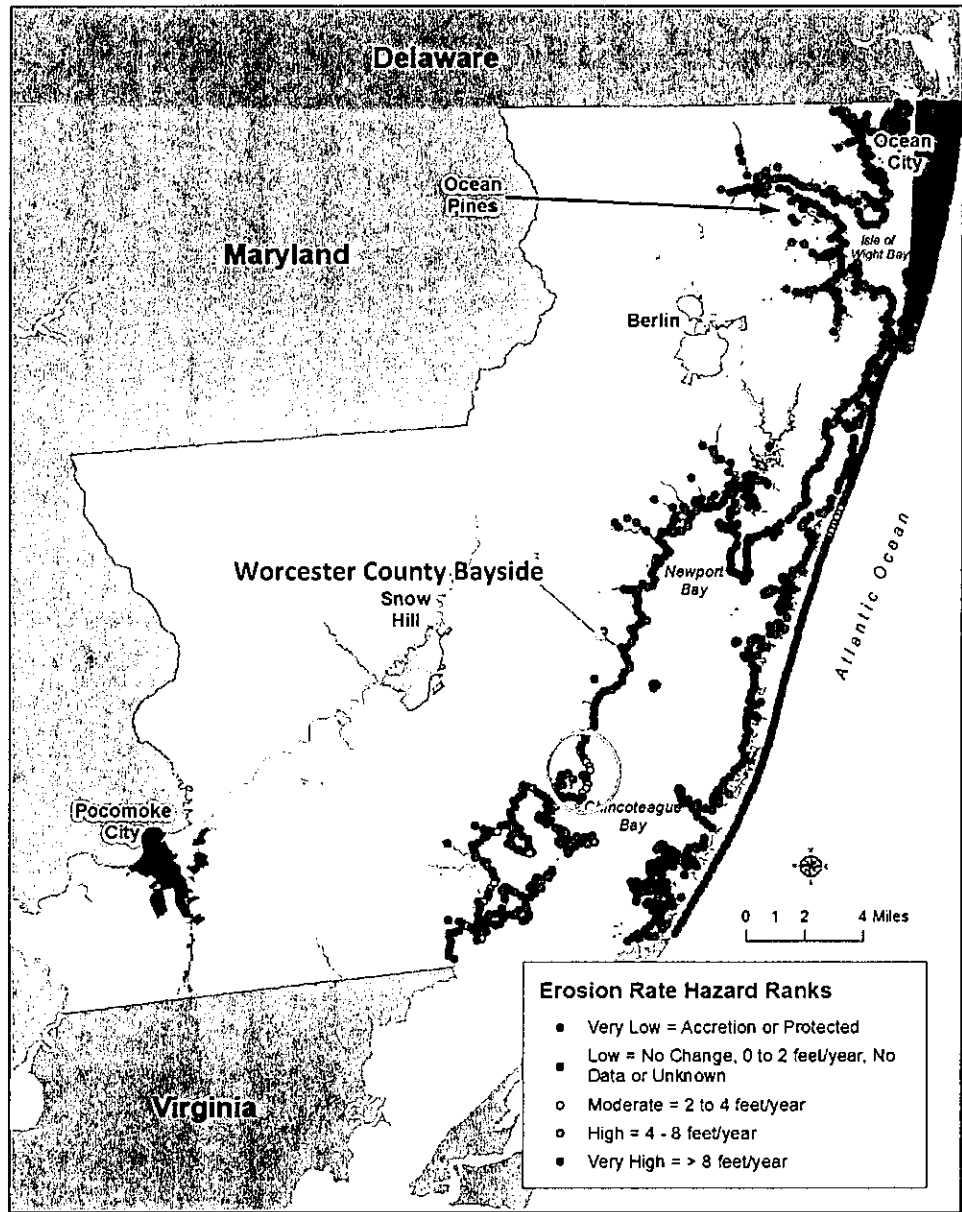
Expected impacts of potential sea level rise include inundation of wetlands and lowlands, accelerated coastal erosion, exacerbated coastal flooding, threatened coastal structures, raised water tables, and increased salinity of rivers, bays, and aquifers. Potential sea level rise can greatly increase the severity of the flood events. In low-lying coastal areas, a one-foot rise in sea level translates into a one-foot rise in flood level; intensifying the impact of coast flood waters and storm surge. Due to its long-term and on-going effect, potential sea level rise will require long range hazard mitigation planning. Potential sea level rise could eventually have implications on future land use planning and may need to be considered for future policy development and comprehensive planning.

### Shoreline Erosion Profile & Vulnerability

Shoreline erosion results from both storm surge and sea level rise. In 2016, the Maryland Department of Natural Resources with support from the Nature Conservancy (TNC), partnered with the Chesapeake and Coastal Services (CCS) to conduct a Statewide Coastal Resiliency Assessment. As a result, products developed from the Assessment include calculation of a Shoreline Hazard Index, which estimates the relative exposure to coastal hazards for the entire Maryland shoreline; delineation of Coastal Community Flood Risk Areas; selection of Priority

Shoreline Areas for conservation and/or restoration; and the calculation of a Marsh Protection Potential Index. Also, within this the database is the Erosion Rate Hazard Ranking. Ranks were assigned as follows, based on categories used by the Maryland Geological Survey (MGS): Very Low (1) = Accretion or Protected; Low (2) = No change, 0 to 2 feet/year, No Data or Unknown; Moderate (3) = 2 to 4 feet/year; High (4) = 4 - 8 feet/year; and Very high (5) = > 8 feet/year. As shown on Map 4-8, the majority of shorelines in Worcester County have a very low hazard ranking. As shown on Map 4-8, using the Erosion Rate Hazard Ranks, Worcester County's bayside shoreline is predominately "very low" or "low." However, there are a few areas that are ranked at a higher risk for shoreline erosion as indicated by the yellow and orange dots shown on the map.

Map 4-8



## Social Vulnerability & Flood Hazards

Every community must prepare for and respond to hazardous events. Information on the location and relative concentration of different types of social vulnerabilities in small geographic areas, such as census tracts can help emergency managers locate and plan for the specific needs of their communities.

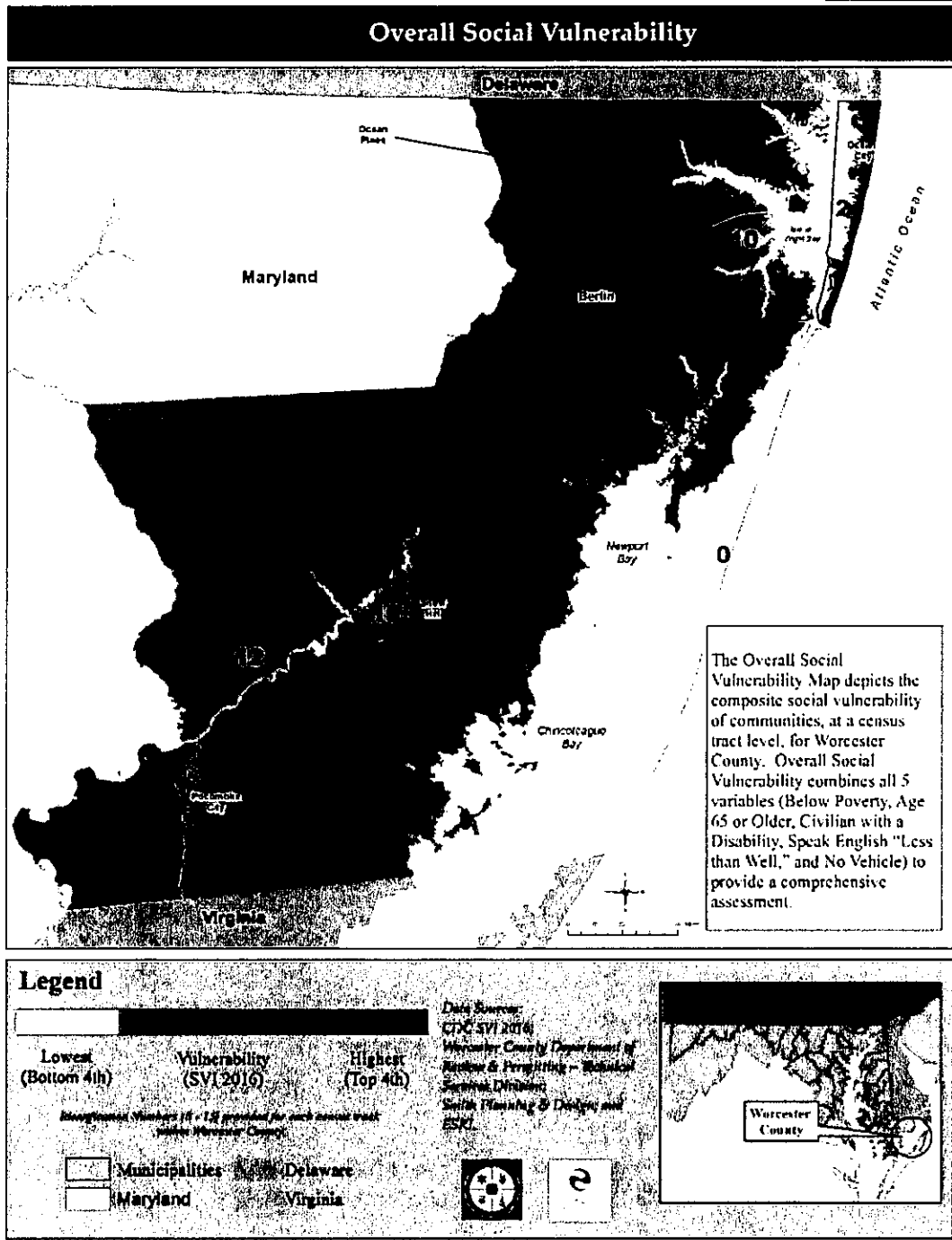
A Social Vulnerability Assessment was performed at a census track level using five variables. The Overall Social Vulnerability Map below depicts the composite social vulnerability of communities within Worcester County. As shown on Map 4-8: Overall Social Vulnerability, the map combines all five variables: *Below Poverty, Age 65 or Older, Civilian with a Disability, Speaks English "Less than Well", and No Vehicle* to provide a comprehensive assessment of the (4) four flood related hazard within this chapter.

***Social Vulnerability*** is defined in terms of the characteristics of a person or group that affect “their capacity to anticipate, cope with, resist, and recover from the impact” of a discrete and identifiable disaster in nature or society.



Additional and large format social vulnerability maps detailing the five variables listed above can be found in *Appendix I: Vulnerable Populations*.

Map 4-9

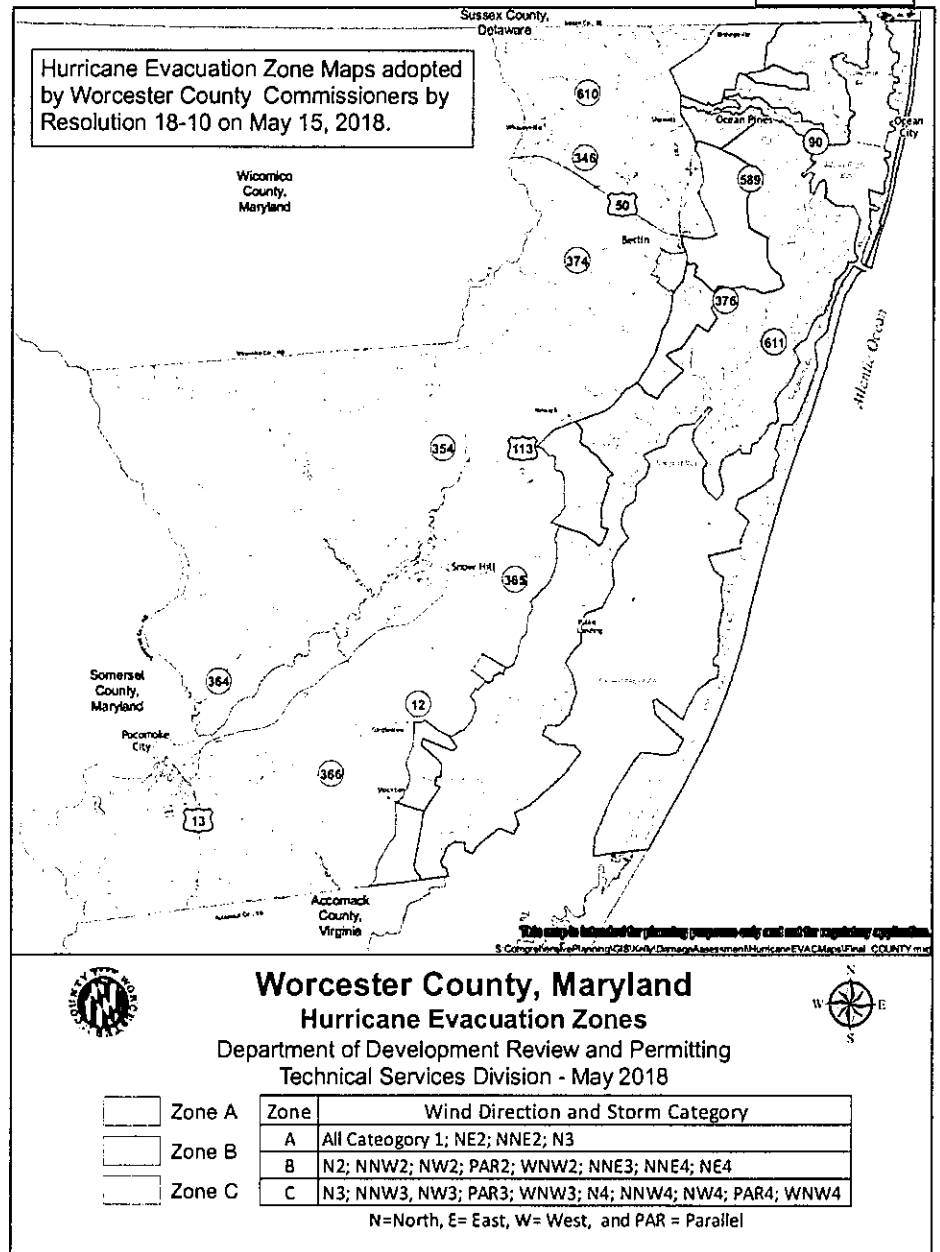


In all hazard events, vulnerability to people is based on the availability, reception, and understanding of early warning of hazard events. In addition, access to shelter and means and desire to adhere to evacuation order affects overall vulnerability to people. Finally, despite having access to technology that allows reception for of the warning, language differences oftentimes become a barrier to individuals understanding them. Children, elderly, and non-English speaking residents may face greater challenges overcoming the impacts of hazard events.

Reviewing the overall social vulnerability in relation with flood hazards, Ocean Pines has the highest vulnerability not only from a social vulnerability perspective but also to flood hazards. The northeastern portion of the county is at-risk to all flood hazards and is highly vulnerable to tropical storms and hurricanes and coastal flooding.

Therefore, this area of the county should be targeted for outreach on “Know Your Zone,” Community Emergency Response Team (CERT) training and FEMA’s new campaign, “You Are The Help, Until Help Arrives” information. Hurricane evacuation maps should be dispersed throughout the county to ensure the safety of the vulnerable populations within this area.

Figure 4-7



The International Building Code (IBC) and the International Residential Code (IRC) are designed to ensure safety to life and property from all hazard incidents with building design and construction at the least possible cost consistent with national recognized standards. More recently, Worcester County has adopted both the 2015 IBC and IRC and other codes consistent with the Maryland Building Performance Standards and the Maryland Accessibility Code. In addition, Worcester County adopted the 2015 International Energy Code and the 2017 National Electric Code.

**County and Municipal Departments**

The County and its municipalities possess capabilities through various departments and staff resources.

**Table: 6-1: Government Department & Staff Resources**

Communities	Land Use/ Development Planning	Public Works & Engineering	Emergency Services	Floodplain Manager	GIS	Fiscal Staff	Planning Commission
Worcester County	X	X	X	X	X	X	X
Town of Berlin	X	X	Police Dept.; Fire Co.; EMS			X	Historic District; Board of Zoning Appeals
Pocomoke City	X	X	Police Dept.; Fire Dept.; EMS		X	X	Commission & Board of Appeals
Town of Snow Hill	X	X	Police Dept.; Fire Co.; EMS.			X	X

*Source: County & Municipal Local Information*

**Notifications and Alarms**

Emergency Alert Signals

Worcester County emergency alert signals will sound from area fire sirens throughout the County, a steady tone that will sound for approximately one minute, on the first Saturday of each month. In the event of an actual emergency, the sirens would be used as additional means to warn the surrounding communities of imminent danger and the need to tune to either radio, television or the internet for information. Reports indicate that sirens are in need of repair and upgrade.

11



## **CHAPTER 9: MITIGATION STRATEGIES**

### **Introduction**

Goals and objectives serve as the basis for implementing action items and projects that mitigate the hazards detailed in Chapters 3-9 of the Plan Update. During the July 25<sup>th</sup> meeting of the Worcester County Hazard Mitigation Planning Committee (HMPC), nine existing goals and associated objectives were reviewed. New objectives were added to existing goals and two new goals and associated objectives were added as part of the update process. New goals and objectives are shown in red text below. In addition, new Climate Adaptation & Resilience Strategies were developed and are listed on page 9-4.

In conjunction with goals, objectives, and adaption strategies, new mitigation items and projects were developed as part of the plan update process. New mitigation action items are listed in Table 9-2, while new projects are detailed on pages 9-9 to 9-15. Finally, the public review and plan adoption yielded two additional mitigation action items, which include:

- Upgrade existing sirens used for public warning and notification.
- Update the *2008 Sea Level Rise Response Strategy, Worcester County, Maryland*, the most recent study specific to Worcester County.

### **Goals and Objectives**

Goals as identified in this plan are broad-based and long-term in nature. The following goals identify what the community expects to accomplish through mitigation actions during the next five years. Objectives as identified in this plan are more specific and narrower in scope.

*These goals, objectives, and mitigation action items apply to municipal participants as well as the unincorporated part of the county.*

**GOAL 1**      **Maintain and enhance Worcester County’s Department of Emergency Service’s capacity to continuously make Worcester County less vulnerable to hazards, specifically those rated as high and medium high.**

- Objective 1.1 Institutionalize hazard mitigation.
- Objective 1.2 Improve organizational efficiency.
- Objective 1.3 Maximize utilization of best technology.
- Objective 1.4 Maximize utilization of GIS software and applications.
- Objective 1.5 Continue to improve Community Rating System score in order to reduce the cost of flood insurance within Worcester County.

Objective 9.2 Improve routes utilized in flood hazard events to mitigate life-threatening road conditions and road closures.

Objective 9.3 Mitigate problem road sections within the County and municipalities.

**GOAL 10 Organize effectively and address resilience priorities.**

Objective 10.1 Address infrastructure dependencies and cascading effects in system failures.

Objective 10.2 Determine customized short-term and long-term resilience initiatives.

Objective 10.3 Regularly review and integrate the best available projections for sea level rise, flooding, precipitation, and other hazards into county and municipal planning.

**GOAL 11 Integrate plan and policies across disciplines and agencies within the County through the consideration of potential hazards and future development.**

Objective 11.1 Integrate hazard mitigation and resilience into areas such as land use, transportation, climate change, natural and cultural resource protection, water resources, and economic development.

Objective 11.2 Solicit participation and offer opportunities for various departments to work together on a regular basis

Objective 11.3 Clearly define roles of, and improve intergovernmental coordination between planners, emergency managers, engineers, and other staff, and municipal and regional partners in improving disaster resilience.

Objective 11.4 Train and exercise emergency plans and protocols.

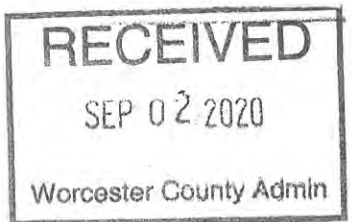
**Climate Adaptation & Resilience Strategies**

In addition to the new goals and objectives added during this planning process, new climate adaptation & resilience strategies were recommended.

Below are five adaptation recommendations for Worcester County, along with hazard mitigation related strategies formulated to support the implementation of these recommendations:

- Build greater resilience to extreme precipitation;
- Identify opportunities to strengthen the climate resilience and health of vulnerable populations;
- Increase focus on preserving natural and restored terrestrial and aquatic ecosystems and habitat to increase resilience of wildlife and native plants;
- Strengthen agricultural water management efforts to increase resilience to climate change impacts; and,
- Increase awareness of climate impacts in towns and other population centers.

ITEM  
13



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1200 / FAX: 410-632-3008  
<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 *E.A.T.*  
DATE: September 2, 2020  
RE: Rezoning Case No. 423 - John Collins/Antique Woodworks and James and Annemarie Dickerson/Francis Scott Key LLC, Applicants and Hugh Cropper, IV, Applicants' Attorney

\*\*\*\*\*

*PG. 2-7*      *PG. 8-9*

Attached please find the County Commissioners' Findings of Fact and Resolution the staff drafted relative to the above referenced rezoning case. As you are aware, the public hearing was held by the County Commissioners on September 1, 2020. Once the County Commissioners adopt and execute these Findings of Fact and Resolution please forward signed copies to me so that I may notify the appropriate parties.

If you have any questions or need any further information, please do not hesitate to contact me.

phw  
Attachments

IN THE MATTER OF \*  
 THE REZONING APPLICATION OF \*  
 ANTIQUE WOODWORK, INC. AND \* REZONING CASE NO. 423  
 FRANCIS SCOTT KEY, LLC \*

\*\*\*\*\*  
FINDINGS OF FACT

Subsequent to a public hearing held on September 1, 2020 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of § ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 423 : This case seeks to rezone approximately 2.0 acres of land (hereinafter referred to as the petitioned area) 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 Residential District to C-2 General Commercial District. The petitioned area is shown on Tax Map 27 as Parcels 200, 201, 203, 204, 207 and 577.

Applicant's testimony before the County Commissioners: Hugh Cropper, IV, attorney representing the applicant, began his presentation by stating that the request for rezoning is based upon a mistake in existing zoning and a change in the character of the neighborhood. He asserted that the petitioned area has been developed with commercial uses for many years, predating the 1992 comprehensive rezoning. Mr. Cropper noted that Kenny Baker, former owner of the Francis Scott Key hotel, purchased Parcels 203, 204, 207 and 577 in the 1970s and developed them with cottages associated with the hotel. Mr. Cropper called Heather Brunning as his first witness. Ms. Brunning stated that she is a manager at the Francis Scott Key hotel and has worked there since 1994. She stated that the cottages are vacation homes rented on a Saturday to Saturday basis as part of the hotel, with full use of all amenities, daily maid service, and card key access to the units. Mr. Cropper asserted that these rental units are for all intents and purposes part of the hotel and 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. 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 noted that the Rambler Motel adjoins the northerly side of Mr. Collins' property and that this property is zoned C-2 General Commercial District. He maintained that because of these facts, the petitioned area should have been given a commercial zoning classification in 2009 and there is therefore a mistake in existing zoning. Mr. Cropper called R. D. Hand, land planner, as his next witness. Upon questioning by Mr. Cropper, Mr. Hand stated that the petitioned area is located within the Commercial Center Land Use Category according to the Comprehensive Plan, thus further supporting the assertion that the petitioned area should not have been zoned residential. Mr. Cropper stated that this rezoning request is also based upon a claim of a change in the character of the neighborhood. He submitted as Applicant's Exhibit No. 2 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 is equally applicable to the rezoning request now under consideration and that the Planning Commission found during that case 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 constituted 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. When questioned by Mr. Cropper, Mr. Hand stated that he agreed with the Planning Commission's conclusion that there has been a change in the character of the neighborhood since the 2009 comprehensive rezoning and that there is a mistake in the existing zoning. Mr. Cropper then closed his presentation.

Protestants' testimony before the County Commissioners: Frances Price stated that she was the property manager for several residential properties on Elm Street. She asserted that the street is primarily a residential neighborhood and that there shouldn't be a rezoning of the petitioned area until public water is available.



Interested parties' testimony before the County Commissioners: No interested parties appeared to speak before the County Commissioners.

The County Commissioners' findings 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 had accepted that definition. Based upon the findings of the Planning Commission, the County Commissioners concur that that definition of the neighborhood is applicable to the current rezoning case.

The County Commissioners' findings regarding population change in the area: The County Commissioners concur with the Planning Commission's finding 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 anticipate that this will continue to increase. The County Commissioners agree with the Planning Commission's conclusion that this increased population is further reflected by the increased number of EDUs made available by the Mystic Harbour Sanitary Service Area and the allocation process.

The County Commissioners' findings regarding availability of public facilities: Based upon the Planning Commission's findings, the County Commissioners find that as it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo (copy attached to the Planning Commission's findings) that 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 County Commissioners find that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.

The County Commissioners' findings regarding present and future transportation patterns: Based upon the Planning Commission's findings, the County Commissioners find 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 states 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 to the Planning Commission's findings) 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 noted that Elm Street does not drain well and may cause more drainage issues in the future. In consideration of the Planning Commission's findings and based upon their review, the County Commissioners find that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

The County Commissioners' findings 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: Based upon the Planning Commission's findings and the testimony of the applicants' representatives, the County Commissioners find 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 County Commissioners concur with the Planning Commission's conclusion that these uses have coexisted with the residences and other commercial land uses in the area and with the finding that the proposed rezoning will not have any adverse impacts on environmental concerns. Based upon their review, the County Commissioners find 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.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: Based upon the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Commercial Center Land Use 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 County Commissioners agree with the Planning Commission 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. The County Commissioners concur that this is appropriate. Based upon their review, the County Commissioners find 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.

The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. The County Commissioners find that the petitioned area is within the Commercial Center Land Use Category of the Comprehensive Plan and has been used for commercial purposes for many years, well prior to the 2009 comprehensive rezoning. Additionally, the County Commissioners conclude that there has 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. The County Commissioners agree with the Planning Commission's conclusion 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. Based upon their review and in consideration of their findings, the County Commissioners conclude that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 423 and thus rezone the petitioned area, shown on Tax Map 27 as Parcels 200, 201, 203, 204, 207 and 577, from R-3 Multi-Family Residential District to C-2 General Commercial District.

Adopted as of September 1, 2020. Reduced to writing and signed  
\_\_\_\_\_, 2020.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY

\_\_\_\_\_  
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

ZONING RECLASSIFICATION RESOLUTION NO. 20-3

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO § ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF CERTAIN PARCELS OF LAND SHOWN ON TAX MAP 27 AS PARCELS 200, 201, 203, 204, 207 AND 577 FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT.

WHEREAS, pursuant to § ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, John S. Collins, President, Antique Woodwork, Inc., and James and Annemarie Dickerson, Francis Scott Key Motel, LLC, applicants, and Hugh Cropper, IV, applicants' attorney, filed a petition for the rezoning of approximately 2.0 acres of land shown on Tax Map 27 as Parcels 200, 201, 203, 204, 207 and 577, located to the easterly side of Elm Street, south of US Route 50 and north of Old Bridge Road in West Ocean City, requesting a change in zoning classification thereof from R-3 Multi-Family Residential District to C-2 General Commercial District; and

WHEREAS, the Worcester County Planning Commission gave the said petition a favorable recommendation during its review on January 2, 2020; and

WHEREAS, subsequent to a public hearing held on September 1, 2020, following due notice and all procedures as required by §§ ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made findings of fact and found that there is a mistake in the existing zoning of the petitioned area and that a change in the character of the neighborhood has occurred since the 2009 comprehensive rezoning and also made findings of fact relative to the other criteria as required by law;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by John S. Collins, President, Antique Woodwork, Inc., and James and Annemarie Dickerson, Francis Scott Key Motel, LLC, applicants, and Hugh Cropper, IV, applicants' attorney, and shown on Tax Map 27 as Parcel 200, 201, 203, 204, 207 and 577 is hereby reclassified from R-3 Multi-Family Residential District to C-2 General Commercial District.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, September 1, 2020.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY

\_\_\_\_\_  
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



ITEM  
14

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

# MEMORANDUM

TO: Worcester County Commissioners  
FROM: Weston S. Young, Assistant Chief Administrative Officer *WSY*  
DATE: September 9, 2020  
RE: Work Session on Bill 20-7

---

The proposed Bill 20-7, introduced at the August 18, 2020 meeting, was scheduled for a public hearing at the September 15, 2020 meeting at 10:30am.

At the September 1, 2020 meeting, direction was given to instead have a work session on this bill at the September 15, 2020 meeting. I have scheduled the work session, as requested, and have it proposed on the agenda at 10:30am when the public hearing would have occurred.

The public hearing for Bill 20-7 has been rescheduled for the October 6, 2020 meeting at 10:30am.

NOTICE OF PUBLIC HEARING ON BILL 20-7  
WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 20-7 (Creation of a Casino Entertainment District) was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell on August 18, 2020.

A fair summary of the bill is as follows:

§ZS 1-103(b). (Adds the definition for “Casino” in the Zoning and Subdivision Control Article to describe a building or structure in which gaming tables, wagering devices or machines, or other games of chance are present and available for persons to wager. It does not include games of chance that are operated by a charitable organization licensed under County Law.)

§ZS 1-103(b). (Adds the definition for “Gaming Facility” in the Zoning and Subdivision Control Article to describe a “casino” as well as the associated amenities, such as but not limited to a restaurant, bar, hotel, retail establishment, or exhibition hall.)

§ZS 1-202(b)(20). (Adds “Casino entertainment district” to the list of uses permitted in the A-2 Agricultural District.)

§ZS 1-352. (Adds this entirely new section to the Zoning and Subdivision Control Article to establish an overlay district for the “casino entertainment district” with the intent of encouraging comprehensive planned gaming facilities or casinos under a unified plan of development that allows for flexibility while also requiring harmonious design within the development and ensuring compatibility with and minimum impact upon existing and future development in the surrounding area; establishes requirements for the district, including: a minimum lot area of fifty acres; direct access to a major collector or arterial highway; provides a list of permitted uses; parking and pedestrian circulation requirements; open space and landscaping provisions; architectural design; height limitations; and establishes a review and approval process with specific standards and criteria to be evaluated by the Planning Commission.)

**A Public Hearing**

will be held on Bill 20-7 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on a rescheduled date of **Tuesday, October 6, 2020 at 10:30 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center once County Government Offices are opened to the public. In the interim, a full copy of the bill is available on the County Website at [www.co.worcester.md.us](http://www.co.worcester.md.us).

THE WORCESTER COUNTY COMMISSIONERS



COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 20-7

---

BY: Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell  
INTRODUCED: August 18, 2020

---

A BILL ENTITLED

AN ACT Concerning

Zoning - Casino Entertainment District

For the purpose of amending the Zoning and Subdivision Control Article to allow the Casino Entertainment District in the A-2 Agricultural District as a permitted use and to set forth the regulations for the Casino Entertainment District as an overlay district.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing § ZS 1-103(b) be amended by the addition of a new definition to read as follows:

CASINO - A building or structure in which one or more gaming tables, wagering devices or machines, or other games of chance are present and available for persons to wager money or something of value on an uncertain outcome, with an unassured prospect of winning money or other stakes, prizes or something of value, including but not limited to video lottery terminals, roulette, card games, dice, sports betting and off-track simulcast horse race wagering. This definition does not apply to games of chance operated by charitable organizations licensed under County law.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing § ZS 1-103(b) be amended by the addition of a new definition to read as follows:

GAMING FACILITY - A casino with table games and/or video lottery terminals as regulated under COMAR Title 36 as from time to time amended and any buildings, facilities or rooms functionally or physically connected to the casino, including but not limited to any bar, restaurant, hotel, cocktail lounge, nightclub, retail establishment, exhibition hall, or arena or any other facility located under the control of a casino licensee or affiliated company.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing § ZS 1-202(b) be amended by the addition of a new subsection § ZS 1-202(b)(20) to read as follows:

(20) Casino entertainment district, subject to the provisions of § ZS 1-352 hereof.

Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new § ZS 1-352 be enacted to read as follows:

**§ ZS 1-352. Casino Entertainment District.**

(a) Purpose and intent. The purpose and intent of this section is to encourage

comprehensively planned gaming facilities or casinos and associated uses under a unified plan of development that allows for flexibility while also requiring harmonious design within the development and ensuring compatibility with and minimum impact upon existing and future development in the surrounding area. The casino entertainment district (CED) is intended to encourage economic growth and tourism in Worcester County and shall include a gaming facility that will serve as a local and regional draw. Although development of the entire CED may not occur at one time and may instead be phased, its development is intended to be accomplished in a manner which will ensure compatible, integrated development with provisions being made for safe internal traffic circulation, sufficient parking, appropriate access to public roadways, appropriate pedestrian circulation, and adequate screening, buffering and landscaping, as the lands are developed. The first phase of any CED development shall consist of, at a minimum, the fully licensed and constructed casino building with all necessary and appropriate approvals for legal operation.

- (b) Location and area requirements. The CED is permitted in the A-2 Agricultural District upon review and approval by the Planning Commission. The minimum required lot area for a CED is fifty acres which in no case may be reduced by action of the Board of Zoning Appeals notwithstanding the provisions of § ZS 1-116(c)(4) hereof. Any CED must be located such that it is directly served by a major collector or arterial highway as identified by § ZS 1-326 of the Zoning and Subdivision Control Article or by a service road as defined in § ZS 1-103 of the Zoning and Subdivision Control Article and in accordance with § ZS 1-319 of the Zoning and Subdivision Control Article to provide access from such a highway. The location and construction standards for such service road shall be as determined and approved by resolution of the County Commissioners.
- (c) Permitted uses and structures. The following uses and structures may be permitted in a Casino Entertainment District:
- (1) Fairgrounds and commercial race tracks licensed by the Maryland State Racing Commission.
  - (2) Commercial boarding stables for three or more animals, used in conjunction with fair grounds or commercial race tracks licensed by the Maryland State Racing Commission.
  - (3) Gaming facilities and casinos licensed under the Maryland Video Lottery Facility Location Commission.
  - (4) Off street parking garage or structure.
  - (5) Restaurants, bars, nightclubs and banquet halls.
  - (6) Motels and hotels.
  - (7) Retail or service establishments.
  - (8) Stadiums and arenas for outdoor entertainment.
  - (9) Theaters, including movie and/or performing arts.

- (10) Health clubs and fitness centers.
  - (11) Places of assembly for exhibitions.
  - (12) Public commercial, cultural, social and recreational areas and centers, including playgrounds, parking and outdoor areas utilized for tents and other temporary uses selling any item brought to the location for such purpose.
- (d) Area limitations for uses. Within a CED a minimum of twenty percent of the total gross lot area [as defined in § ZS 1-305(a) hereof] but excluding state wetlands [as defined in § ZS 1-103(b) hereof] shall be devoted to open space. Such open space shall not include utility and other service areas, roads, parking lots or loading areas, except underground utility areas, nor shall it include buildings except those specifically intended for recreational use. Where possible, those areas contained in the one-hundred-year floodplain should be dedicated as open space. At least twenty-five percent of the required open space shall be provided for common use such as landscaped pedestrian plazas or pedestrian greenways with seating, picnic areas and similar facilities and may include walking paths, except for those connecting principal and/or accessory buildings. Proposed common use open space areas must be specified on the site plan for review and approval by the Planning Commission.
- (e) Lot and road frontage requirements. For individual structures, there shall be no minimum lot area, bulk, lot width, area or road frontage requirements. Such standards shall be as approved by the Planning Commission on a site plan prepared in accordance with § ZS 1-325 hereof. Notwithstanding the Planning Commission's determinations herein, in no instance may a principal structure be constructed closer than one hundred feet to the perimeter property line of the CED. Where adjoining the A-1, A-2, E-1, V-1, RP and all R Districts, such setback shall be increased to a minimum of two hundred feet.
- (f) Parking requirements. The following provisions shall apply to all uses within the CED:
- (1) Notwithstanding the provisions of § ZS 1-320, the required amount of off-street parking for all uses in the CED shall be a minimum of one space for each two hundred and fifty square feet of gross floor area. There shall be a maximum of one space per two hundred square feet of gross floor area allowed.
  - (2) Bicycle spaces shall be provided in accordance with § ZS 1-320(a) for the individual uses.
  - (3) All other standards for the design of the off-street parking areas shall be as provided for in § ZS 1-320.
  - (4) The CED shall be served by internal driveways or roads of sufficient capacity and design to ensure that traffic congestion does not occur on the major collector or arterial highway that serves as access to the site, either directly or via a service road.

- (g) Pedestrian circulation. The CED shall be designed to provide a site-wide comprehensive pedestrian network fully accessible to all structures on the property but shall not be used to comply with the calculation of the common use open space required in subsection (d) above. Such sidewalks shall be landscaped as required by the Worcester County “Design Guidelines and Standards for Commercial Uses.”
- (h) Architectural design. A coordinated architectural design shall be established for the site consistent with one or more of the architectural traditions contained within the Worcester County “Design Guidelines and Standards for Commercial Uses.”
- (i) Landscaping, buffering and screening requirements. In addition to the requirements set forth in Subsection (d) herein, the CED shall comply with all pertinent landscaping, buffering and screening requirements set forth in § ZS 1-322 hereof. Buffering shall be required along all perimeter property lines, except screening shall be required where adjoining any residentially zoned or used property, and all such perimeter buffering or screening shall be installed in the first phase of development.
- (j) Height. No structure shall exceed either four stories or forty-five feet in height. However, notwithstanding the provisions of § ZS 1-305(n), the Planning Commission may allow an increase above the maximum permitted height or number of stories where they find that such an increase is reasonably necessary for the proposed purpose and no neighborhood adverse effects or safety hazards will be created.
- (k) Review and approval procedure. Any CED application shall be reviewed by the Technical Review Committee and the Planning Commission in a two-step process. Each step must be completed in its entirety prior to initiating the next step.
  - (1) In Step I, a schematic concept plan generally identifying the type, location, and acreage of all proposed land uses, a preliminary traffic study and any other pertinent documents or plans necessary to sufficiently address the items identified in this section as the Planning Commission criteria shall be submitted for review and approval by the Technical Review Committee and the Planning Commission. This plan shall also include general information relative to the applicable architectural traditions contained in the *Design Guidelines and Standards for Commercial Use*.
  - (2) In Step II, a master site plan prepared in accordance with § ZS 1-325 hereof. It shall include a final traffic study, an outline of the proposed protective covenants, lease and management and maintenance agreements by which the applicant proposes to operate the development, and all other pertinent documents or plans necessary to fully address the items identified in this section as the Planning Commission criteria shall be submitted for review and approval by the Technical Review Committee and the Planning Commission. Minor revisions to the Step II plan may be approved by the Department as provided for in § ZS 1-325(h).
- (l) Planning Commission criteria. The Planning Commission shall not approve a

CED until it shall find that each of the following criteria have been met:

- (1) The proposed development will not be detrimental to or endanger the public health, safety or general welfare and is consistent with the goals and objectives of the Comprehensive Plan. This evidence shall take the form of a community impact statement covering such topics as highway capacity, traffic congestion and traffic safety, the capacity and availability of public services, including water and sewer service, air and water pollution, the effect on County revenues and expenditures, jobs created, and such additional information as may be requested to adequately understand and review the application.
  - (2) The proposed development is sufficient in size to provide gaming and entertainment facilities and services to the marketing area which may be expected to use the development, yet is not of such a size as to overwhelm the site or be a detriment to the surrounding community.
  - (3) The proposed development is at a location where traffic congestion does not exist on the roads to be used for access to the development or where such congestion can be obviated by committed public road improvement projects or by projects to be undertaken by the applicant at his expense.
  - (4) The proposed development will consist of structures of an integrated and harmonious design, provided with adequate vehicular, pedestrian and bicycle circulation, parking, service, utility services, and landscaping.
- (m) Other regulations. In regulating the development of the CED, the provisions of this section shall first apply, but when a matter is not specifically regulated by this section, then the other provisions of this Title and of the district in which the development is located shall apply, as well as any Acts of the Maryland Legislature.
- (n) Permits. No permit shall be issued for any work in connection with a CED or any permitted uses designated in this section until all required review by the Planning Commission shall have been completed and approved. Construction and development of the CED shall be in accordance with the site plan as approved by the Planning Commission pursuant to § ZS 1-325 hereof.

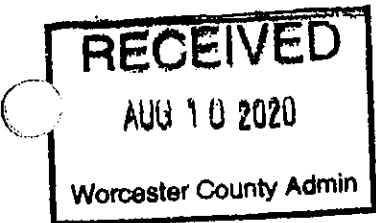
Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

ITEM  
9



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

### Worcester County

GOVERNMENT CENTER  
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SNOW HILL, MARYLAND 21863  
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### MEMORANDUM

To: Harold L. Higgins, Chief Administrative Officer  
From: Edward A. Tudor, Director *EAT*  
Date: August 6, 2020  
Re: Planning Commission Recommendation - Text Amendment Application -  
Casino Entertainment District

\*\*\*\*\*

The Department has received and processed a text amendment application submitted by Joseph E. Moore, Esquire, which seeks to add a Casino Entertainment District as an overlay district in the Zoning and Subdivision Control Article, and establish such use as a permitted use in the A-2 Agricultural District.

The proposed text amendment was reviewed by the Planning Commission at its meeting on August 6, 2020. Following the discussion, the Planning Commission gave a favorable recommendation to the text amendment application as submitted by the applicant. Attached herewith you will find a copy of the entire text amendment file, which includes the draft amendment in bill form. An electronic version has also been sent to your office for use should one of the Commissioners wish to introduce it at their upcoming legislative session.

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

#### Attachments

cc: Phyllis Wimbrow, Deputy Director  
Jennifer Keener, Deputy Director



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

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### MEMORANDUM

To: Edward A. Tudor, Director  
From: Jennifer K. Keener, AICP, Deputy Director *JKK*  
Date: August 6, 2020  
Re: Planning Commission Recommendation - Text Amendment Application -  
Casino Entertainment District

\*\*\*\*\*

The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding a text amendment application submitted by Joseph E. Moore, Esquire, which seeks to add a Casino Entertainment District as an overlay district in the Zoning and Subdivision Control Article, and establish such use as a permitted use in the A-2 Agricultural District.

In their report to the Planning Commission, the staff expressed that an overlay district of this type is more appropriate than a rezoning of the Ocean Downs property, for a number of reasons. Historically, Ocean Downs has operated as a horse racing track for most of its history, along with the associated betting, food and beverage service, etc. When casinos became legalized in Maryland, Worcester County classified casinos as an accessory use to the live horse racing activity in the A-2 Agricultural District. Therefore, Ms. Wimbrow notes that a significant number of other uses that are generally associated with a casino are not allowed under the current zoning, such as retail establishments, hotels, theaters, and exhibition space. The overlay district would provide for a variety of entertainment-based uses to make it more of a destination, while eliminating the reliance of the casino on the live horse racing for its continued existence. The district establishes appropriate design standards for parking, pedestrian circulation, landscaping provisions and open space, while the review and approval process by the Planning Commission will involve long-standing criteria for evaluation of its impact on the public health, safety and welfare, among other considerations. Overall, staff was supportive of the proposed text amendment.

The Planning Commission reviewed the proposed text amendment at its meeting on August 6, 2020. Mr. Moore noted that this request was for an overlay district that would fully recognize the economic driver that Ocean Downs has become with the addition of the casino. He also assuaged members' concerns by noting that Ocean Downs, owned and operated by Churchill

Downs, had no intentions of eliminating the live horse racing activity. In fact, Ms. Bobbi Sample, General Manager, stated that the horse races actually bring in more people to the casino. Following the discussion, the Planning Commission gave a favorable recommendation to the text amendment application as submitted by the applicant.

A copy of the staff report including the application is attached, as is a draft bill should any of the County Commissioners wish to introduce it. Should you have questions or require additional information, please do not hesitate to contact me.

Attachment





DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

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MEMORANDUM

To: Worcester County Planning Commission  
From: Jennifer Keener, AICP, Deputy Director *JKK*  
Date: July 29, 2020  
Re: Text Amendment Application – Casino Entertainment District

\*\*\*\*\*

The attached text amendment application was submitted by Joseph E. Moore, Esquire. It seeks to add a Casino Entertainment District as an overlay district in the Zoning and Subdivision Control Article, and establish such use as a permitted use in the A-2 Agricultural District.

Following our customary practice, once the text amendment application was received, it was reviewed by Ed Tudor, Director, Phyllis Wimbrow, Deputy Director, Roscoe Leslie, County Attorney and Planning Commission Attorney, as well as myself for comment. The comments of both Mr. Tudor and Ms. Wimbrow are attached. Mr. Tudor states that staff has internally discussed the need for the comprehensive recognition of the activities of the Ocean Downs Casino into something more than an accessory use for some time now. Ms. Wimbrow notes that Ocean Downs has operated as a horse racing track for most of its history, along with the associated betting, food and beverage service, etc. When casinos became legalized in Maryland, Ocean Downs morphed into something much more than anything that was originally contemplated. Worcester County allows casinos as an accessory use to the live horse racing activity. Therefore, Ms. Wimbrow notes that a significant number of other uses that are generally associated with a casino are not allowed under the current zoning, such as retail establishments, hotels, theaters, and exhibition space.

Staff assisted Mr. Moore in the drafting of an overlay district that would provide for a variety of entertainment-based uses to make it more of a destination, while eliminating the reliance of the casino on the live horse racing for its continued existence. As Ms. Wimbrow stated, the district establishes appropriate design standards for parking, pedestrian circulation, landscaping provisions and open space. The review and approval process by the Planning Commission will involve long-standing criteria for evaluation of its impact on the public health, safety and welfare, among other considerations. For the Ocean Downs property, Ms. Wimbrow concludes that an overlay district of this type is more appropriate than the rezoning of the property to a commercial designation, and therefore she is supportive of the text amendment. Mr. Tudor

echoes her sentiments relative to the important considerations that were part of the development of the text amendment language, and also supports the amendment as drafted.

I concur with the comments of Mr. Tudor and Ms. Wimbrow, and conclude that the Casino Entertainment District is appropriate. Therefore, the staff gives a favorable recommendation to the text amendment application as requested. A draft bill is attached for your reference.

Should you have any questions or require additional information, please do not hesitate to contact me.

**Attachment**

cc: Edward A. Tudor  
Phyllis Wimbrow  
Roscoe Leslie  
Joseph E. Moore



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

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### MEMORANDUM

TO: Jennifer K. Keener, Deputy Director  
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*  
DATE: July 15, 2020  
RE: Text Amendment Application - Casino Entertainment District

This memorandum is in response to your request for comments on the text amendment application and draft legislation submitted by Joseph E. Moore on behalf of the owners of the Ocean Downs Casino. As you are aware, the text amendment seeks to establish a Casino Entertainment District as a permitted use in the A-2 Agricultural District and set forth the regulations for it as an overlay district.

For most of its history Ocean Downs operated as a horse racing track, with the associated betting, food, beverages, etc. It has only been since casinos became legalized in Maryland that Ocean Downs morphed into the much more complex development that it is today. Yet that evolution was only brought about zoning-wise by construing the casino use as an accessory to the permitted use of the site as a race track. As such, it would not permit some of the other uses that are often associated with casinos such as retail establishments, hotels, theaters, exhibition space, and the like. In drafting the legislation, we attempted to make the overlay district one that would provide a variety of entertainment uses and allow the site to become more of a destination in and of itself while also making it no longer dependent on the race track for its legal existence. Additionally, we included appropriate design standards for parking, pedestrian circulation, landscaping, buffering and screening, and open space. The procedures for review by the Planning Commission establish specific criteria to be considered regarding the public health, safety and welfare, highway capacity, traffic congestion, and public services. I have long felt that an overlay district such as this was needed for Ocean Downs rather than a commercial rezoning of the property, which would in turn permit any use allowed by that zoning district as opposed to limiting the use solely to those associated with a casino. I am fully supportive of the proposed text amendment.

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

attachment



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

# Worcester County

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## MEMORANDUM

To: Jennifer Keener, Deputy Director  
From: Edward A. Tudor, Director *EAT*  
Date: July 29, 2020  
Re: Text Amendment Application – Casino Entertainment District –  
Joseph E. Moore, applicant

\*\*\*\*\*

This memorandum is in response to your request for comment on the above referenced text amendment application.

As you know, we have discussed internally for some time the need to recognize the Ocean Downs Casino in a more comprehensive manner than just as an accessory use to the pari-mutuel wagering at the racetrack. I personally envisioned that at some time in the future we would find the time to prepare new language to do just that. As it turns out, Mr. Moore's text amendment application just sped that process up. I think Ms. Wimbrow's memo clearly states the important considerations in the development of the language that is currently before the Planning Commission for review, and I am fully supportive of the proposed text amendment as well.

**Jennifer Keener**

---

**From:** Jennifer Keener  
**Sent:** Tuesday, July 14, 2020 3:24 PM  
**To:** Ed Tudor; Phyllis Wimbrow; Roscoe Leslie  
**Subject:** FW: Ocean Downs-Casino Entertainment District  
**Attachments:** 20200713132255.pdf; Draft Bill Casino Entertainment Overlay District 7.7.2020.docx

Good afternoon,

Joe would like us to proceed with the final amended version of the Casino Entertainment District overlay that we drafted. The only change from the May draft was a modification to the height section, to allow the Planning Commission the authority to approve anything in excess of 4 stories and 45' in height. Attached is his letter and request, along with a Word version of the latest and greatest bill.

I would like to schedule this for the August 6<sup>th</sup> Planning Commission meeting, so I would need to have comments back by Wednesday, July 29<sup>th</sup> to prepare the staff report.

Thank you!!

Jen

Jennifer K. Keener, AICP  
Deputy Director  
One West Market Street, Room 1201  
Snow Hill, MD 21863  
(410) 632-1200, extension 1123  
jkkeener@co.worcester.md.us

---

**From:** Joe Moore <jmoore@whmsh.com>  
**Sent:** Monday, July 13, 2020 2:27 PM  
**To:** Jennifer Keener <jkkeener@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>  
**Cc:** Bobbi Sample (Ocean Downs) <Bobbi.Sample@oceandowns.com>; Neal Curtis (CDI) <Neal.Curtis@kyderby.com>  
**Subject:** Ocean Downs-Casino Entertainment District

---

Jen; I attach a letter and its exhibits, requesting that the Version 2 Casino Entertainment District Bill be submitted to the Planning Commission for its review, and recommendation.

Thanks, Joe

**Joseph E. Moore, Esq.**  
Williams, Moore, Shockley & Harrison, L.L.P.  
3509 Coastal Highway  
Ocean City, MD 21842  
(410)289-3553 – office  
(410)289-4157 – facsimile

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MARCUS J. WILLIAMS (1923-1996)  
EDWARD H. HAMMOND, JR. (1949-2010)

OF COUNSEL  
JOSEPH O. HARRISON, JR.

July 13, 2020

Jennifer Keener, Deputy Director  
Development Review and Permitting  
Worcester County Government Center  
One West Market Street, Rm 1201  
Snow Hill, MD 21863  
Via email: [jkeener@co.worcester.md.us](mailto:jkeener@co.worcester.md.us)

**RE: Proposed Bill for Casino Entertainment Districts**

Dear Jennifer:

I attach hereto my cover letter to Kelly Shanahan dated April 15, 2020 wherein I submitted my request for the creation of a casino entertainment district, which has been reviewed by you and Mr. Tudor, and Version 2 of the proposed bill amending the zoning and subdivision control article to allow casino entertainment districts, with the attended provisions related thereto. I have reviewed the Version 2 of the proposed bill, and submitted it for review by the Senior Management of Ocean Downs Casino. We do not have any further comments with respect to any potential amendments to Version 2. Accordingly, it is my understanding that the matter is now ready to submit to the Worcester County Planning Commission for its review, and subsequent recommendation to the County Commissioners.

With my letter to Mr. Shanahan, I paid the required filing fee for the Text Change.

When the matter is scheduled for the agenda of the Planning Commission, I would appreciate it if you would provide me with the date and time thereof.

Sincerely,

  
Joseph E. Moore

JEM/kd  
Attachment

cc: Ed Tudor, Director of Development Review and Permitting  
Bobbi Sample  
Neal Curtis

SERVER\\User Shares\\kdw\\sig\\OCEAN DOWNS CASINO\\jr\\JenniferKeener\\7112020.docx



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
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### MEMORANDUM

TO: Edward A. Tudor, Director  
Jennifer K. Keener, Zoning Administrator  
Roscoe Leslie, County Attorney

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: April 21, 2020

RE: Text Amendment Application - Casino Entertainment District

The attached text amendment application has been submitted by Joseph E. Moore, Esquire, on behalf of Ocean Enterprise 589, LLC, property owner of the Ocean Downs Casino. It seeks to amend the A-2 Agricultural District regulations to add a casino entertainment overlay district as a permitted use and to amend the supplementary district regulations of the Zoning Code to establish the casino entertainment overlay district and its regulations.

I anticipate scheduling this text amendment for consideration by the Planning Commission at a forthcoming meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than May 15, 2020. In the interim I will be putting the proposed regulations into bill form.

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

attachment



Please Type  
or  
Print in Ink

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

**PETITION FOR AMENDMENT OF OFFICIAL TEXT  
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE**

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

Date Received by Office of the County Commissioners: \_\_\_\_\_

Date Received by Planning Commission: 4/15/2020

Date Reviewed by Planning Commission: \_\_\_\_\_

Planning Commission Recommendation Received by \_\_\_\_\_  
on \_\_\_\_\_

(Date)

1. **Application** - Proposals for amendments to the text of the Zoning Ordinance may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agencies of the County. Check applicable status below:

A. Resident of Worcester County.

B. Taxpayer of Worcester County.

C. Governmental Agency.  \_\_\_\_\_  
(Name of Agency)

2. **Proposed Change to Zoning Ordinance Text.**

A. Section Number: ZS1-202(b)-add (20)  
Add Section ZS1-352 to Supplementary Districts.

B. Page Number: \_\_\_\_\_



C. Proposed revised text, addition or deletion:

1. Section ZS1-202(20):

"Casino Entertainment Area subject to the provisions of ZS1-352 hereof".

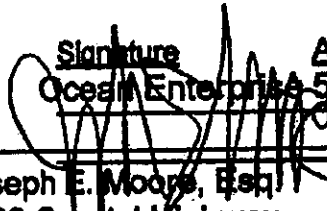
2. Add "Casino Entertainment District" as a Supplementary District as Section 1-352 - set forth in attached District Regulations - Exhibit "A"

III. Reasons for Requesting Text Change.

A. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

To provide a regulated Casino Entertainment District in order to facilitate the appropriate uses in such zone, and the conditions thereof.

IV. Signature of Applicant

<u>Signature</u>	<u>Address</u>	<u>Phone</u>
	Ocean Enterprises 589, LLC	10218 Racetrack Road
By: _____	_____	Berlin, MD 21811
Joseph E. Moore, Esq.	_____	410-641-0600 ext. 3192
3509 Coastal Highway	_____	
Ocean City, MD 21842 410-389-3553	_____	

V. General Information Relating to the Text Change Process.

- A. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- B. Procedure for Text Amendments - Text amendments shall be passed by the County Commissioners of Worcester County as public local laws according to legally required procedures, with the following additional requirements. Any proposed amendment shall first be referred to the Planning Commission for recommendation. The Planning Commission shall make a recommendation within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing and the nature of the proposed amendment shall be published in an official paper or a paper of general circulation in Worcester County. In the event no County Commissioner is willing to introduce the proposed amendment as a bill, it will not be considered.

## EXHIBIT "A"

### ZS1-352 Casino Entertainment District

(a) Purpose and Intent. The purpose and intent of this section is to encourage comprehensively planned Casino Entertainment Development with appropriate uses in areas near established residential communities which have vehicular access from adequate highways and roads in a close proximity to such sites, while requiring beneficial design features and compatibility with the surrounding area.

Such development must be located within tracts of land with sufficient acreage in order to maintain adequate open space, safe internal traffic circulation, adequate parking, appropriate access to public roadways, and with adequate buffering and landscaping within the site.

(b) Location and area requirements. The minimum required lot area for a Casino Entertainment area is 90 acres of land.

(c) Permitted uses and structures.

- (1) Casino Gaming Facilities licensed under the Maryland Video Lottery Facility Location Commission (Md. State Gov't §9-1A-36)
- (2) Off street parking garage or structure
- (3) Nightclubs or other similar entertainment facilities
- ~~(4) Fairgrounds and race tracks, limited to commercial race tracks, licensed by the Maryland State Racing Commission~~
- (5) Commercial boarding stables for three or more animals, used in conjunction with fair grounds or commercial race tracks licensed by the Maryland State Racing Commission
- (6) Public commercial, cultural, social and non-retail recreation areas and centers, including playgrounds, parks, and outdoor areas used in conjunction with a licensed casino facility, and for the outdoor display of tents, temporary uses selling any items brought to the location for such purpose.
- (7) Stadiums, arenas for outdoor entertainment

- (8) Theaters, including movie and/or performing arts
- (9) Restaurants and bars, banquet halls
- (10) Health clubs, fitness centers
- (11) Places of assembly for exhibitions

(d) Road frontage requirements. Although there shall be no minimum road frontage requirements, there shall be maintained adequate frontage on a public road to render the casino facility fully visible and adequately designated as a Casino Entertainment area facility.

(e) Parking requirements. Parking shall be in accordance with the provisions of Section ZS1-320 hereof.

(f) Height. By virtue of the unique nature of size of Casino facilities, it is likely that the height of a request casino structure will exceed that otherwise allowed by the Code. The Board of Zoning Appeals shall determine by Special Exception the appropriate height of a casino structure, if the allowed District height is exceeded.

(g) Landscaping, buffering and screening requirements. Casino facilities shall comply with all pertinent landscaping, buffering and screening requirements set forth in ZS1-322 hereof.

(h) Review and approval procedure. Any casino facility application shall be reviewed by the Technical Review Committee and the Planning Commission pursuant to the provisions of ZS1-325 hereof, and this section; except any facility that has been previously reviewed and approved.

(i) Other regulations. In addition to the provisions of this section, the other provisions of this Title and of the District in which the Casino Entertainment area is located shall apply, as well as any Acts of the Maryland Legislature.

(j) Permits. No permit shall be issued for any work in connection with a Casino Entertainment facility or permitted uses designated in this section until all required review by the Planning Commission shall have been completed and approved.

LAW OFFICES

**WILLIAMS, MOORE, SHOCKLEY & HARRISON, L.L.P.**

3509 COASTAL HIGHWAY  
OCEAN CITY, MARYLAND 21842

JOSEPH E. MOORE  
RAYMOND C. SHOCKLEY  
J. RICHARD COLLINS  
REGAN J.R. SMITH  
CHRISTOPHER T. WOODLEY  
CHRIS S. MASON  
PETER S. BUAS  
MORGAN A. FISHER

(410) 289-3553  
TELEFAX (410) 289-4157

MARCUS J. WILLIAMS (202) 398-8888  
EDWARD H. HAMMOND, JR. (301) 423-9080

OF COUNSEL  
JOSEPH G. HARRISON, JR.

April 15, 2020

Mr. Kelly Shannahan  
Assistant Chief Executive Officer for  
Worcester County  
Worcester County Government Center  
1 West Market Street, Room 1103  
Snow Hill, MD 21863

**RE: Requested Text Amendment creating a Casino Entertainment Area --  
including new Casino Entertainment District as a supplementary district**

Dear Kelly:

Several months ago, I met with Ed Tudor, Director of Development Review and Permitting, Phyllis Wimbrow, Deputy Director, and Jen Keener, Zoning Administrator with respect to the potential creation of a Casino Entertainment District at the location of Ocean Downs Casino. The agreement at that time was that it would be appropriate for me, on behalf of Ocean Enterprise 589, LLC, property owner of the casino, to make application for a Text Amendment and a commensurate new supplementary district for the appropriate regulation of casino entertainment properties.

Subsequent to that conference, I have proceeded with developing an outline for the potential text amendment and for the creation of a district, as an overlay district and, the submission is enclosed herewith.

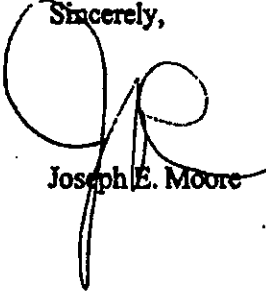
I want to recognize the guidance and cooperation of Phyllis, and particularly Ed, who have been instrumental in fashioning the concept upon which I submit the enclosed provisions for consideration.

Mr. Kelly Shannahan  
Page 2  
April 15, 2020

I understand that this will be submitted to the Office of Development Review and Permitting for staff review, and I will stand by to cooperate in every way necessary, in order to accommodate this beneficial Text Change to the Worcester County Code.

I also enclose the required \$350.00 filing fee check payable to Worcester County.

Sincerely,



Joseph E. Moore

JEM/kd  
Enclosures

cc: Ed Tudor

Phyllis Wimbrow

WMAV.COM | For more information, visit WMAV.COM or call 1-800-448-6222

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



ITEM  
15

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

**September 3, 2020**

To: Harold Higgins, Chief Administrative Officer  
Worcester County Commissioners

From: Kim Reynolds, Senior Budget Accountant 

Subject: CDBG COVID Round 2 – Emergency Rental Assistance Grant

Attached please find the Community Development Block Grant (CDBG) COVID Round 2 Funding Application and attachments. The CDBG COVID Round 2 Grant would allow Diakonia, Inc. as Worcester County's grant sub-recipient to assist individuals and families in Worcester County with emergency rental assistance for a period up to 6 months. The total requested CDBG funds are \$336,000 with an overall in kind match of \$29,549.

Contingent upon favorable comments at the public hearing, staff recommends that the Commissioners approve the grant application as requested and adopt the draft resolution.



**STATE OF MARYLAND  
CDBG PROGRAM**

**COVID FUNDING**

**APPLICATION – ROUND 2**

**August 2020**



**Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor  
Kenneth Holt, Secretary**

Department of Housing and Community Development  
Division of Neighborhood Revitalization  
7800 Harkins Road  
Lanham, MD 20706



**MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
CORONAVIRUS FUNDING – APPLICATION – ROUND #2**

1. Name of County: County Commissioners of Worcester County

2. Address: 1 W. Market Street, Room 1103  
Snow Hill, MD 21863

3. FID Number:  
52-6001064

4. DUNS Number:  
101119399

5. Name, phone number, and email of County's CDBG contact person for this application:  
Kimberly Reynolds, 410-632-1194, [kreynolds@co.worcester.md.us](mailto:kreynolds@co.worcester.md.us)

6. If applicable, identify subrecipients whose projects are included in this application:  
Diakonia, Inc.

7. Number of Projects Included in this Application:

8. Required Resolution attached?  Yes  No

9. Total CDBG request: \$ 336,000.00  
Total Local funds \$ 0  
Total Other funds \$ 0  
Total all costs \$ 336,000.00

10. U.S. Congressional District No. 1  
State District No. 38  
(List State legislators for *entire* district):  
Senator Mary Beth Carozza  
Delegate Charles Otto  
Delegate Wayne Hartman

11. Date Public Hearing Advertised:

12. Date Public Hearing Held: September 15, 2020

13. Is Citizens Participation Plan current?  Yes  No Please attach.  
If not, did you attach new plan?  Yes  No

14. Is Residential Anti-Displacement Plan current?  Yes  No Please attach.  
If not, did you attach new plan?  Yes  No

15. Date Application Submitted:

## PART A

### **SUMMARY OF APPLICATION: Summarize the information found in the application.**

Worcester County Government does not have an internal department that handles rental assistance services to residents of the county. Worcester County relies on the Department of Social Services and non-profit organizations such as Diakonia, Inc. to help our citizens with their housing assistance needs. Other non-profits refer county residents to Diakonia, Inc. for their essential services and rental assistance needs.

Worcester County's sole sub-recipient of the Emergency Rental Assistance Grant application will be Diakonia, Inc. Diakonia is a comprehensive homeless services provider in Worcester County, Maryland. Diakonia has been providing services for almost 50 years for the Lower Eastern Shore of Maryland for homeless men, women and families. Diakonia provides: emergency shelter, emergency food assistance/pantry, case management services, rapid re-housing, homeless prevention, and veteran services. Diakonia also has a Thrift store that provides clothing, shoes, basic household items, for minimal prices so that low income individuals and families can get what they need and concentrate on using their wages/income to maintain their housing.

Since the COVID19 crisis began, Diakonia has continued services for the homeless; providing emergency housing/shelter within the Governor's orders in regards to social distancing, 50% capacity which caused our 50 bed facility to become 25 bed capacity to date. Diakonia has provided quarantine, PPE supplies, and has been able to prevent the outbreak of COVID within their shelter to date.

Diakonia has been striving to meet the increasing need throughout the present COVID19 crisis, and has provided services throughout this time. Services provided throughout this pandemic are; emergency housing/shelter, emergency food assistance, homeless prevention, rapid rehousing as funding was available, and veteran services.

The County Commissioners of Worcester County are applying for CDBG-COVID Round 2 Grant funding on behalf of Diakonia to help with the increase of rental assistance needed in our county due to the COVID19 pandemic. Diakonia is applying for emergency rental assistance to help up to 70 households with an average median of \$800/monthly rent for the 6 months (current month and up to 5 months arrears) for a total of \$336,000. Diakonia has had to turn away 68 households to date that needed help and due to income restrictions and lack of funding being available.

**PART B**

**NEEDS ASSESSMENT: Describe the need for rental assistance in your county as a result of the coronavirus, the proposed accomplishments and impact of activities. Identify data sources.**

**Number of households in need of rental assistance at time of application: 68**

**% of population of county in need of assistance: 40%**

Diakonia has had to turn away 68 households due to being unable to serve them since Jan. 2020; due to the not meeting the income threshold and due to the current COVID pandemic. Families that regularly would not receive any services, and were surviving paycheck to paycheck are finding themselves with reduced wages or unemployment and are in need of help to prevent homelessness. Per the ALICE report 2018, 40% of Worcester County, Maryland is below the ALICE (Asset Limited Income Constrained Employed) threshold. Diakonia is finding those households are the ones calling in for help.

Prior to the present COVID19 crisis, it was noted that homelessness was increasing per the National Alliance to End Homelessness, State of Homelessness 2020 edition. The National Alliance to End Homelessness stated that 2019 was the third year in a row that an increase in homelessness had occurred. That information was prior to the COVID pandemic. The COVID pandemic has caused an astronomical increase in homelessness due to the rise of unemployment and decreased wages due to the national and state orders to put restrictions on opening businesses and restrictions on the capacity of customers in order to reduce the COVID 19 disease spread.

According to the National Low Income Housing Coalition- Maryland State Overview: There is a need for estimated one hundred billion dollars nationally for emergency rental assistance to help keep renters stabilized in housing during and after the present pandemic. And as of July 29, 2020, 20% of Maryland residents were behind on their rent per census surveys.

<https://nlihc.org/housing-needs-by-state/maryland>

**PART C**

**PROJECT SUMMARY: Please complete Part C for each project. If more than one subrecipient, complete Part C for each. Attach requested support information as well as any other relevant information.**

**DESCRIPTION:** The County Commissioners of Worcester County are requesting funds to help prevent individuals and families in Worcester County from falling behind on their rent payments and to help prevent evictions and homelessness through seeking emergency rental assistance.

**SUBRECIPIENT:** Diakonia, Inc.  
12747 Old Bridge Road  
Ocean City, Maryland 21842

**IS THIS A NEW SERVICE OR ACTIVITY?**  Yes  No

**IF NO, PLEASE DESCRIBE THE QUANTIFIABLE INCREASE FOR SERVICE OR ACTIVITY:**

The quantifiable need is due to the increased households needing rental assistance due to COVID19 crisis, loss of jobs, and/or unemployment causing them to have to choose between feeding their families and providing essential needs for their families or paying rent. Many of these individuals need rental assistance but do not otherwise qualify for other types of funding due to income restrictions.

**NUMBER OF HOUSEHOLDS TO RECEIVE ASSISTANCE:** up to 70 households

**AVERAGE AMOUNT OF ASSISTANCE PER HOUSEHOLD:** \$4,800 (6 months of rental assistance, based on est. median rent of \$800/month)

**TOTAL AMOUNT OF CDBG FUNDS REQUESTED FOR THIS PROJECT:** \$336,000

**SCHEDULE:**

All projects can begin to incur costs as of October 20, 2020 after consultation with CDBG staff and, if required, the Subrecipient Agreement(s) has been executed.

<u>ACTIVITY</u>	<u>START DATE</u>	<u>COMPLETION DATE</u>
Emergency Rental Assistance	10/20/2020	6/30/2021

**PROJECT MANAGEMENT:**

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

Jennifer Trager, Diakonia Program Director, will be the primary person to administer this project. Ms. Trager is currently working with DHCD through HSP (Homeless Solutions Program) and ESG (Emergency Shelter Grant-COVID) grant programs as well as SSVF (Supportive Services for Veterans and their Families) program as well. Diakonia has received CDBG grant funds for renovations and repairs for our emergency shelter in the past as well. Jennifer Trager, Program Director has been operating our homeless prevention and rapid re-housing for almost 3 years. She has also been with Diakonia for the past seven years working with the homeless.

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

Belinda/Bee Miller, Executive Director of Diakonia, Inc. will be helping with the administration of the CDBG project, overseeing the program operation. Ms. Miller has been the Executive Director in the past (1996-2003) and recently returned as Executive Director in June 2019. Ms. Miller has been working with Worcester County Government for the past year with another CDBG grant that was awarded to provide renovations and repairs to the current emergency shelter location in West Ocean City, Md.

This project will also be assisted by Program Director's case managers. Diakonia currently has case managers that are providing case management for those calling in experiencing housing crisis and are looking for assistance for; food, rent, housing, and/or shelter. Our four case managers have been working with the homeless population for an average of 9 years. The case managers are supervised by Jennifer Trager, Program Director.

3. If requesting funding for Project Administration for staffing, please identify the following:

Person	# Hours Anticipated to Work on Project	Hourly Wage	Total Funds
N/A			

4. If planning to use Project Administration funds for expenses other than staffing, identify those expenses and estimated costs.

Expenses	Total Funds
All grant funds being requested will be for rental assistance only (up to 6 months for each household) paid directly to landlords that submit W9 information and any and all other required documentation to ensure housing for those clients in need due to COVID impact.	\$336,000 (est. median rent of \$800/per month for 6 months/70 households)

**PROJECT BUDGET – Attach description of how costs were determined and identify if any funds committed, pending or to be sought are private, state, local or federal funds made available specifically to address coronavirus.**

ACTIVITY	SOURCES OF FUNDS					TOTALS	SOURCE*
	CDBG	LOCAL (Cash)	LOCAL (In-kind)	FEDERAL	OTHER		
1 Emergency Rental Assistance	\$336,000					\$336,000	P
2 County Project Admin		\$1,500				\$1,500	C
3							
4							
PROJECT ADMINISTRATION (Diakonia, Inc Executive. Director- 10/hrs weekly & Program Director 10hrs/week. )			\$28,049			\$28,049	C
<b>TOTALS BY SOURCES OF FUNDS</b>	\$336,000	\$0	\$29,549	\$0	\$0	\$365,549	

Local includes County and/or Subrecipient

\*Note if each source is Committed (C), Pending (P) or Not Sought (N)

**PART D**

**SUMMARY OF ALL PROJECTS:**

LIST OF ALL PROJECTS	CDBG REQUEST	TOTAL LEVERAGE	TOTAL
1 Emergency Rental Assistance (Diakonia, Inc.)	\$336,000	\$28,049	\$364,049
2			
3			
4			
5			
6			
7			
8			
9			
PROJECT ADMINISTRATION FOR COUNTY		\$1,500	\$1,500
TOTALS BY SOURCES OF FUNDS	\$336,000	\$29,549	\$365,549



**PART E**

**GRANT MANAGEMENT PLAN: Applicants are to respond to questions below as to how the grant will be managed by the County.**

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

Kimberly Reynolds, Senior Budget Accountant for the Worcester County Commissioners Office. Has worked with CDBG Grant Regulations and Requirements in the past and presently with the CDBG Homeless Initiative Grant and Round 1 COVID Grant Award.

2. Identify others in County government who will assist in the administration of this CDBG project.  
Roscoe Leslie, County Attorney will assist with legal advice.

3. Discuss how you will manage subrecipient(s).  
Monthly/Quarterly reporting will need to be submitted to Worcester County by the subrecipient.

4. If requesting funding for Project Administration for staffing, please identify the following:

Person	# Hours Anticipated to Work on Grant	Hourly Wage	Total Funds

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

Expenses	Total Funds

**PART F**

**FAIR HOUSING/EQUAL OPPORTUNITY: Applicants certify that grants received will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and that the County and its subrecipients, if any, will affirmatively further fair housing. Complete the following to demonstrate compliance or to identify any issues.**

1. What is the most recent date of the county's written employment and personnel policies and practices? 5/7/19 Are they consistent with current federal equal opportunity guidelines?  Yes  No

2. In the past three years, have any complaints of discrimination in employment been filed against the county by employees or applicants?  
 Yes  No If yes, please explain:

3. In the past three years, have any complaints of discrimination in employment been filed against any of the subrecipients by employees or applicants?  
 Yes  No If yes, please explain.

4. Has the county taken any actions to affirmatively further fair housing through activities such as land development, zoning, site selection policies or programming or needs assessment?  Yes  No If yes, please describe:

The County Commissioners of Worcester County commit to affirmatively further fair housing in our community. Our programs will be administered in accordance with our efforts to provide a range of fair housing choices to our citizens. The County will undertake the following activities on an annual basis:

- Adopt a Fair Housing Proclamation and celebrate the month of April as Fair Housing Month.
- Review local zoning laws and building codes to determine if they impact fair housing choice.

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

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

## **STATEMENT OF ASSURANCES AND CERTIFICATIONS**

The applicant hereby assures and certifies that it:

1. has adopted and maintains a written Citizen Participation Plan in accordance with the citizen participation requirements for the Community Development Block Grant (CDBG) Program at the Code of Federal Regulations 24 Part 570.486; and
2. held the required number of public hearings, conducted a needs assessment and provided appropriate notice to ensure participation of citizens in the development the project(s) and of this application for CDBG funding; and
3. assures that all reasonable steps have been taken to minimize the displacement of persons as a result of CDBG assisted activities identified in this application and has adopted and maintains a Residential Anti-Displacement and Relocation Assistance Plan required under Section 104(d) of the Housing and Community Development Act of 1974, 42 U.S.C. § 5304(d), as amended, in connection with any activity assisted with funding under the CDBG Program; and
4. will not attempt to recover any capital costs of public improvements assisted with CDBG funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than with CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds if the State certifies that it lacks CDBG funds to cover the assessment; and
5. will conduct and administer grant in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations and agrees to take action to affirmatively further fair housing; and
6. has adopted and is enforcing or will adopt prior to commencing grant activities:
  - a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
  - b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

7. will certify, to the best of the certifying official's knowledge and belief, that:
  - a) no Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
  - b) if any funds other than Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress with this Federal contract, grant, loan or cooperative agreement, it will complete and submit Standard Form- LLL, Disclosure Form to Report lobbying in accordance with its instructions; and
  - c) it will require that the language of paragraphs (a) and (b) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
8. will adhere to federal and state Code of Conduct standards relative to conflict of interest restrictions and financial disclosure requirements for local elected officials and candidates; and
9. will prevent fraud, waste and abuse of federal funds and ensure that funds are expended on activities that are reasonable and necessary; and
10. will comply with the provisions of Title I of the Housing and Community Development Act of 1974, 42 U.S.C. § 5301 et seq., as amended, Title 24 CFR Part 570, and with other applicable State and Federal laws if awarded this grant; and
11. has not requested funds that duplicate other sources of funds made available to address the preparation, prevention or recovery of the coronavirus.

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

Joseph M. Mitrecic, President  
 Typed Name and Title  
 Chief Elected Official

\_\_\_\_\_ Signature

\_\_\_\_\_ Date

## ENVIRONMENTAL REVIEW RECORD

Grantee: County Commissioners of  
Worcester County, Maryland

Program: Emergency Rental Assistance

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### Compliance with Other (58.6) Laws and Authorities

**Description:** The County will provide funding to low and moderate income households as emergency rental assistance. The funding is temporary as it is only for a 6 month period.

The following federal requirements do not apply to temporary assistance:

1. Airport Runway Clear Zones and Accident Potential Zones
2. Coastal Barrier Resources
3. Flood Disaster Protection Act of 1973, as amended.

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By signing below the Responsible Entity certifies in writing that the activities under this program are Categorically Excluded (not subject to 58.5) and meets the conditions specified for such determination per section 24 CFR 58.35(b).

Chief Elected Official

Date

---

**Maryland Community Development Block Grant Program  
Request for Release of Funds and Certification**

**This form is to be signed by the grantee when requesting the Release of Funds for their Maryland Community Development Block Grant (CDBG) funded project, and requesting the authority to use such funds. Please submit to the Maryland CDBG Environmental Officer upon completion.**

**Part 1. Program Description and Request for Release of Funds (to be completed by grantee.)**

1. Project Name Emergency Rental Assistance	2. Grant Number	3. OMB Catalog Number(s) <b>14.228</b>
4. Name and address of responsible grantee County Commissioners of Worcester County, Maryland 1 W. Market Street, Room 1103 Snow Hill, Maryland 21863		
5. For information about this request contact: ( <i>grantee contact name and phone number</i> ) <b>Kimberly Reynolds, Senior Budget Accountant 410-632-1194</b>		
6. Project Address ( <i>street, city, county, for project location</i> ) <b>Worcester Countywide</b>		
7. Brief Project Description		

Emergency Rental Assistance funds for residence in need in Worcester County, Maryland. Up to 70 households in need of rental assistance for a 6 month period.

**Part 2. Environmental Certification**

With reference to the above Project(s)/Activity(s), I, the undersigned officer of this jurisdiction, certify that:

1. We have fully carried out the responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. We have assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agree to comply with the authorities in 24 CFR 58.6 and applicable state and local laws.
3. We have assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal  did  **did not** require the preparation and dissemination of an environmental impact statement.
5. We have disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.

6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the jurisdiction personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Chief Elected Official	Title: President, County Commissioners of Worcester County, Maryland
	Date Signed

Address  
1 W. Market Street, Room 1103  
Snow Hill, Maryland 21863

Based on form HUD-7015.15  
OMB No. 2506-0087  
(exp. 08/31/2023)

MARYLAND CDBG PROGRAM

Debarment Check

Name of Contractor Diakonia, Inc.  
Contractors Address 12747 Old Bridge Rd, Ocean City, MD 21842  
Date Debarment Check Completed 8/26/20

CERTIFICATION SIGNATURE:

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

Grantee Name: County Commissioners of Worcester County, MD

Program Name: Maryland CDBG Program

Chief Elected Official or Designee: \_\_\_\_\_

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

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

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





A NEW WAY TO SIGN IN - If you already have a SAM account, use your SAM email for login.gov. [Log In](#)

[Login.gov FAQs](#)

ALERT: SAM.gov will be down for scheduled maintenance Saturday, 09/12/2020 from 8:00 AM to 1:00 PM.

ALERT: CAGE is experiencing intermittent service interruptions. SAM registrants may encounter an error validating a CAGE Code. If this happens, please try again later.

## Entity Dashboard

DIAKONIA, INC.  
DUNS: 021599639 · CAGE Code: 55R07  
Status: Active  
Expiration Date: 03/10/2021  
Purpose of Registration: All Awards

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

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

[RETURN TO SEARCH](#)

### Entity Overview

#### Entity Registration Summary

Name: DIAKONIA, INC.  
Business Type: Business or Organization  
Last Updated By: Jennifer Trager  
Registration Status: Active  
Activation Date: 03/10/2020  
Expiration Date: 03/10/2021

#### Exclusion Summary

Active Exclusion Records? No



IBM-P-20200814-1254  
WWW2

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

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

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

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](http://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, Assistant Chief Administrative Officer, at 410-632-1194. Questions may be directed to Kimberly Reynolds, Senior Budget Accountant, at 410-632-1194.

THE WORCESTER COUNTY COMMISSIONERS

RESOLUTION No. 20 - \_\_

MARYLAND COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM  
CORONAVIRUS FUNDING

WHEREAS, the State of Maryland through the Department of Housing and Community Development has solicited applications from eligible jurisdictions to apply for funding under the Maryland Community Development Block Grant Program for funds awarded through the federal CARES Act; and

WHEREAS, **The County Commissioners of Worcester County**, are eligible to apply for funds from the Maryland Community Development Block Grant program through the Maryland Department of Housing and Community Development; and

WHEREAS, **The County Commissioners of Worcester County** have held the required public hearing(s) related to the formulation of the **County Commissioners of Worcester County's** Block Grant Application; and

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

NOW, THEREFORE, BE IT RESOLVED, that the **County Commissioners of Worcester County** authorize the submittal of an application for Community Development Block Grant funds in the amount of **\$336,000** this **15th** day of **September 2020** for **Emergency Rental Assistance due to the COVID-19 pandemic.**

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

Passed and Approved 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., Commissioner

\_\_\_\_\_  
Madison J. Bunting, Jr., Commissioner

\_\_\_\_\_  
James C. Church, Commissioner

\_\_\_\_\_  
Joshua C. Nordstrom, Commissioner

\_\_\_\_\_  
Diana Purnell, Commissioner

ITEM  
16

**Notice of Public Hearing**

Amendment to Worcester County Water and Sewerage Plan  
and  
Expansion of the Mystic Harbour Sanitary Service Area  
to add the property at 12424 Old Bridge Road

The Worcester County Commissioners will hold a concurrent public hearing to consider applications filed by Hugh Cropper and Dane Bauer, on behalf of Mark Odachowski, owner, for a proposed amendment to the Worcester County Water and Sewerage Plan and an expansion of the Mystic Harbour Sanitary Service Area. The application for amendment to the Water and Sewerage Plan seeks to add the subject property to the Mystic sewer planning area on the property shown as Parcel 193 on Worcester County Tax Map 26, Tax Account I.D. #10-012244, located on Old Bridge Road west of Keyser Point Road and north of the current boundary of the Mystic Harbour Sanitary Service Area. The applicant also proposes the sanitary services area for the project be designated for a sewer planning category as an S-1 (Present to 2 years) within the Mystic Harbour sewer planning area. The Worcester County Planning Commission reviewed the proposed Water and Sewerage Plan amendment at its meeting of June 8, 2020 and found it to be consistent with the Worcester County Comprehensive Plan and the zoning category for the subject property. The County Commissioners will also evaluate the proposed expansion of the sanitary service area in accordance with the provisions of Section PW 5-305 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland and the staff reports.

The **public hearing** on these applications will be held on

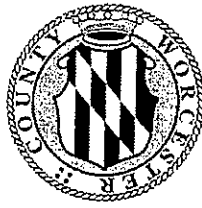
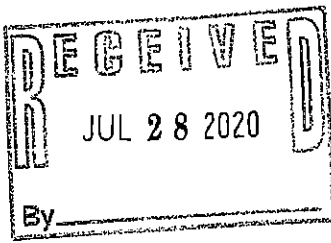
**TUESDAY, SEPTEMBER 15, 2020 at 11:00 A.M.**

in the Commissioners' Meeting Room, Room 1101 – Government Center

One West Market Street, Snow Hill, Maryland 21863

The case file for this application may be reviewed on the on the County Website at <http://www.worcester.md.us>. Questions may be directed to Robert Mitchell, Director of Environmental Programs, by calling 410-632-1220, or by email at [bmitchell@co.worcester.md.us](mailto:bmitchell@co.worcester.md.us).

THE WORCESTER COUNTY COMMISSIONERS



# Worcester County

Department of Environmental Programs

## Memorandum

**To:** Harold L. Higgins, Chief Administrative Officer

**From:** Robert J. Mitchell, LEHS  
Director

**Subject:** **Public Hearing Request**  
Expansion of Sewer Planning Area  
Mystic Harbour Sanitary Service Area  
12424 Old Bride Road  
Case No. (SW-2020-03)

PROPOSED PUBLIC  
HEARING ON  
SEPT. 15<sup>TH</sup>, 2020

**Date:** July 27, 2020

The Planning Commission met on June 8, 2020, and reviewed this application. We are writing to forward the Planning Commission's finding of consistency with the *Comprehensive Development Plan* and their recommendation to amend the *Comprehensive Water and Sewerage Plan* for an amendment to revise the sewer planning area for the Mystic Harbour Sanitary Service Area.

Mr. Hugh Cropper is the applicant on behalf of the owner, Mr. Mark Odachowski. This amendment seeks to expand the Mystic Harbour sewer planning area for the subject property. The property is 10 acres in size and has the western portion of the property already within the Mystic Harbour sewer planning area with a designation of S-1 (immediate to two years). They are applying to include the whole property within the Mystic sewer planning area with a designation of S-1 (immediate to two years), and include in the Mystic Harbour sewer service information in *The Plan* to include a revised Mystic Harbour sewer planning area map that will reflect the entire property as a planned S-1 designation. Since we already have a West Ocean City sewer planning area overlay in the area, the subject property is already designated S-1 in *The Plan* for the West Ocean City sewer planning area. This amendment would not change that planning designation for the West Ocean City sewer planning area, it would only include the entire property within the Mystic Harbour sewer planning area with an S-1 designation.

The applicant requested the change in sewer service classification in order to serve a proposed forty-one (41) unit residential development. The subject property, is located at 12424 Old Bridge Road (MD Route 707), in West Ocean City, Maryland. The property is more specifically identified on Worcester County Tax Map 26 as Parcel 193. The owner will need to seek an allocation of Mystic Harbour sewer EDUs from the County Commissioners to serve the proposed development from available capacity in Area 1 (North of the Airport).

Citizens and Government Working Together

The County Commissioners, after reviewing this request, may approve or disapprove the proposed amendment. Enclosed are the following attachments:

1. Environmental Program's transmittal letter and report to the Planning Commission; and
2. Minutes for the Planning Commission meeting on June 8, 2020.

At his time, we are requesting the public hearing be scheduled. A draft advertisement has been forwarded to County Administration under separate cover. As always, I am available at any time for the presentation and to answer any questions on this matter.

Attachment

cc: WS File – Mystic Harbour - Expansion of Sewer Planning Area (SW-2020-03)

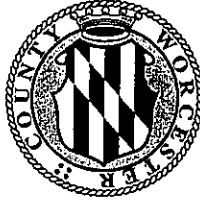
# **Attachment 1**

# **Staff Report to Planning Commission**

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Expansion of Sewer Planning Area – Mystic Harbour  
12424 Old Bridge Road  
Case No. SW 2020-03  
June 8, 2020





DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1306  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1220 / FAX: 410-632-2012

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

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

May 26, 2020

Worcester County Planning Commission  
Worcester County Courthouse  
1 West Market Street, Room 1201  
Snow Hill, MD 21863

RE: Transmittal-Comprehensive Water and Sewerage  
Plan Amendment –Mystic Harbour Sanitary Area –  
Expansion of Sewer Planning Area  
12424 Old Bridge Road  
TM 26 P 193  
(SW-2020-03)

Dear Commissioners:

We are writing to forward the proposed *Worcester County Comprehensive Water and Sewerage Plan (The Plan)* amendment to revise certain sanitary area data for the Mystic Harbour Sanitary Area in *The Plan*, for your review and comment to the County Commissioners. According to Chapter One, Section 1.4.2 of *The Plan* ("Application for Amendments"), the applicant submitted a complete application and we have attached it.

Mr. Hugh Cropper is the applicant on behalf of the owner, Mr. Mark Odachowski. This amendment seeks to expand the Mystic Harbour sewer planning area for the subject property. The property is 10 acres in size and has the western portion of the property already within the Mystic Harbour sewer planning area with a designation of S-1 (immediate to two years). They are applying to include the whole property within the Mystic sewer planning area with a designation of S-1 (immediate to two years), and include in the Mystic Harbour sewer service information in *The Plan* to include a revised Mystic Harbour sewer planning area map that will reflect the entire property as a planned S-1 designation. Since we already have a West Ocean City sewer planning area overlay in the area, the subject property is already designated S-1 in *The Plan* for the West Ocean City sewer planning area. This amendment would not change that planning designation for the West Ocean City sewer planning area, it would only include the entire property within the Mystic Harbour sewer planning area with an S-1 designation in the same.

May 26, 2020

The applicant requested the change in sewer service classification in order to serve a proposed forty-one (41) unit residential development. The subject property, is located at 12424 Old Bridge Road (MD Route 707), in West Ocean City, Maryland. The property is more specifically identified on Worcester County Tax Map 26 as Parcel 193. The owner will need to seek an allocation of Mystic Harbour sewer EDUs from the County Commissioners to serve the proposed development from available capacity in Area 1 (North of the Airport).

Other than the subject property, this amendment does not seek to amend or intensify the wastewater planning areas approved in prior amendments with respect to the mapped planning areas.

The Planning Commission is tasked by Section 1.4 of *The Plan* (“Procedures for Plan Amendments”) to make a finding as to whether this amendment would be consistent with *The Comprehensive Plan*. The Planning Commission may also submit its project comments and recommendations. The findings and comments will be submitted to the County Commissioners. The County Commissioners will hold a public hearing and then take action on the proposal.

### **Comprehensive Plan Policies**

The *Comprehensive Plan* assigns a single land use designation for this property within the Mystic Harbour sewer planning area:

#### 1. Existing Developed Area

Existing Developed Centers are defined (p. 13) as follows:

- Existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained.
- Not designated as growth areas, these areas should be limited to infill development.

The *Comprehensive Plan* goes on to state:

Chapter One, “Introduction” states:

- Provide for adequate public services to facilitate the desired amount and pattern of growth (p.8).

Chapter Three, “Natural Resources” states:

- Provides a goal that Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources (...) clean surface and ground water (p.33).
- Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources...clean surface and ground water (p. 33).
- Improve water bodies on the “Impaired Water Bodies (303d) List” to the point of their removal from this list (p. 33).

Chapter Three, “TMDLs” states:

- “all reasonable opportunities to improve water quality should be undertaken as a part of good faith efforts to meet the TMDL standards.” (p.36)

Chapter Six, “Public Infrastructure” states:

- Consistent with the development philosophy, facilities and services necessary for the health, safety, and general welfare shall be cost effectively provided (p.70).

May 26, 2020

- Plan for efficient operation, maintenance, and upgrades to existing sanitary systems as appropriate (p. 73).
- Provide for the safe and environmentally sound water supply and disposal of wastewater generated in Worcester County (p.73).
- Use land application of treated wastewater as the preferred wastewater disposal method where appropriate (p. 73).
- Sewer systems should be sized to serve their service areas' planned for land uses (p. 74).

Chapter Seven, "Transportation", under Transportation Policies, Projects, and Recommendations, MD 611 (p. 85), states:

- Growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system.

### Zoning

The *Planning Area* is has already been approved under various amendments and is appropriate zoned for the current and proposed uses planned for the existing sanitary area properties, including the subject property. This property, approximately 10 acres in area, has a single zoning designation, R-4 (General Residential District).

### Staff's Comments

Staff comments are submitted below for your consideration.

1. This proposal seeks to meet existing needs and demand generated by infill development within the planning areas. The project would provide service to an area designated by the *Comprehensive Plan* and *Master Water and Sewerage Plan* for public sewer service. The property is upgrading an existing sewer planning area designation to reflect an expedited timeframe with respect to the proposed development schedule.
2. The property is already classified as an S-1 in the West Ocean City sewer planning area. Since the West Ocean City area has limited capacity and overlays the subject property and adjacent properties, this proposed expansion of the Mystic Harbour sewer planning area is designed to accommodate the proposed sanitary needs of this development.
3. The subject property is mapped as an IDA (Intensely Developed Area) for the Atlantic Coastal Bays Critical Area, with the easternmost portion of the property located outside the critical area.
4. The *Planning Area's* comprehensive plan designations and zoning permits the proposed uses. Any construction in the *Planning Area* would be required to meet the provisions of the storm water program, critical area program, and other local and state requirements.
5. This proposal does not require the expansion of the treatment facilities capability and can be adequately handled in the recently upgraded Mystic Harbour WWTP.
6. This infill development will occur in the manner and character of the surrounding neighborhoods in existing developed areas.
7. *The Plan* states that proposed amendments must be consistent with *The Comprehensive Plan* and existing zoning classifications. As proposed, the project appears to be consistent with *The Comprehensive Plan* and existing zoning. While the rear portion of the property has a land use designation of Green Infrastructure, this entire property is already in the Mystic sewer planning

May 26, 2020

- Plan for efficient operation, maintenance, and upgrades to existing sanitary systems as appropriate (p. 73).
- Provide for the safe and environmentally sound water supply and disposal of wastewater generated in Worcester County (p.73).
- Use land application of treated wastewater as the preferred wastewater disposal method where appropriate (p. 73).
- Sewer systems should be sized to serve their service areas' planned for land uses (p. 74).

Chapter Seven, "Transportation", under Transportation Policies, Projects, and Recommendations, MD 611 (p. 85), states:

- Growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system.

### Zoning

The *Planning Area* is has already been approved under various amendments and is appropriate zoned for the current and proposed uses planned for the existing sanitary area properties, including the subject property. This property, approximately 10 acres in area, has a single zoning designation, R-4 (General Residential District).

### Staff's Comments

Staff comments are submitted below for your consideration.

1. This proposal seeks to meet existing needs and demand generated by infill development within the planning areas. The project would provide service to an area designated by the *Comprehensive Plan* and *Master Water and Sewerage Plan* for public sewer service. The property is upgrading an existing sewer planning area designation to reflect an expedited timeframe with respect to the proposed development schedule.
2. The property is already classified as an S-1 in the West Ocean City sewer planning area. Since the West Ocean City area has limited capacity and overlays the subject property and adjacent properties, this proposed expansion of the Mystic Harbour sewer planning area is designed to accommodate the proposed sanitary needs of this development.
3. The subject property is mapped as an IDA (Intensely Developed Area) for the Atlantic Coastal Bays Critical Area, with the easternmost portion of the property located outside the critical area.
4. The *Planning Area's* comprehensive plan designations and zoning permits the proposed uses. Any construction in the *Planning Area* would be required to meet the provisions of the storm water program, critical area program, and other local and state requirements.
5. This proposal does not require the expansion of the treatment facilities capability and can be adequately handled in the recently upgraded Mystic Harbour WWTP.
6. This infill development will occur in the manner and character of the surrounding neighborhoods in existing developed areas.
7. *The Plan* states that proposed amendments must be consistent with *The Comprehensive Plan* and existing zoning classifications. As proposed, the project appears to be consistent with *The Comprehensive Plan* and existing zoning.

Mystic Harbour WS Amendment Case No. 2020-03  
May 26, 2020

If you need further information, please contact us.

Sincerely,



Robert J. Mitchell, LEHS  
Director

Attachments

cc: WS Amendment File (SW 2020-03)



9

# **Attachment 1**

# **Application**

---

Mystic Harbour Sanitary Area  
Expansion of Sewer Planning Area  
Case No. SW 2020-03  
May 26, 2020

**Application for Amendment of the  
Comprehensive Water and Sewerage Plan**  
Worcester County, Maryland

Date: April 9, 2020

Applicant (name, mailing address, phone and FAX number):

**Name** Mark R. Odachowski  
**Address** 12424 Old Bridge Road  
West Ocean City, MD 21842  
**Contact Person: Dane Bauer**  
**Telephone: 410.812.9109**

Amendment Type: \_\_\_ Water X Sewer \_\_\_ Other  
Amendment Character: X Addition \_\_\_ Deletion \_\_\_ Change

Please complete all the applicable forms included in this package. If a system does not already exist, the "Existing System" sheet is not required. Include a map of the area to be served at a scale of at least 1" = 2,000'. Return the completed application to:

Department of Environmental Programs  
1 West Market Street Room 1306  
Snow Hill, Maryland 21863

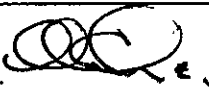
The fee for major amendment [adding or deleting service capacity or area(s)] is \$500.  
Minor amendments (not adding or deleting service) are \$100.  
**Note: Modification of this form will void the application.**


Property Identification:

Tax Map 26 Parcel Number(s): 193  
Town/Community Name: Odachowski Residential Development

Location Description:

Southside of Old Bridge Road, abutting Greenridge Lane.

Property Owner Signature:  attorney for Mark R. Odachowski  
Date: 4/21/20  
Mark R. Odachowski

Applicant Signature:  Date: 4/21/20  
(If other than property owner)  
Mark R. Odachowski  
Hugh Cropper IV

**Application for Amendment of the  
Comprehensive Water and Sewerage Plan  
Worcester County, Maryland**

Date: April 9, 2020

Applicant (name, mailing address, phone and FAX number):

Name Mark R. Odachowski  
Address 12424 Old Bridge Road West Ocean City, MD 21842  
Contact Person: **Dane Bauer**  
Telephone: **410.812.9109**

Amendment Type:  Water  Sewer  Other  
Amendment Character:  Addition  Deletion  Change

Please complete all the applicable forms included in this package. If a system does not area the "Existing System" sheet is not required. Include a map of the area to be served at a scale of at least 1" = 2,000'. Return the completed application to:

Department of Environmental Programs  
1 West Market Street Room 1306  
Snow Hill, Maryland 21863

The fee for major amendment [adding or deleting service capacity or area(s)] is \$500.  
Minor amendments (not adding or deleting service) are \$100.  
**Note: Modification of this form will void the application.**

Property Identification:

Tax Map 26 Parcel Number(s): 193  
Town/Community Name: Odachowski Residential Development

Location Description:

Southside of Old Bridge Road, abutting Greenridge Lane.

Property Owner Signature: \_\_\_\_\_

Mark R. Odachowski

Date: 4/21/20

Hugh Copper II, Attorney

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

(If other than property owner)

Mark R. Odachowski

Date: 4/21/20

Hugh Copper II



# Water and Sewerage Plan Amendment Application Worcester County, Maryland Proposed Uses

\* Please provide as much detail as possible on the proposed uses and review Worcester County zoning provisions for permitted uses.

<u>Tax Map</u>	<u>Parcel</u>	<u>Zoning</u>	<u>Proposed Use</u>	<u>EDU's Needed (Approx.) *</u>
26	193	R-4	Residential District	35

**\* Note:**

Mr. Odachowski, through his corporate entity, previously applied for, and received, the allocation of forty-five (45) wastewater EDU's in the MHSSA in connection with the redevelopment of the Alamo Motel, located a short distance away on US Route 50. If the Service Area

April 13, 2004

**Water and Sewerage Plan Amendment Application  
Worcester County, Maryland  
Existing Sewer System**

**System Parameters**

Date: 9-Apr-20  
 System Name: Mystic Harbour WWTP  
 System owner: Worcester County  
 System operator: Worcester County  
 Priority/Sewer and  
 Water Plan Category: S-1  
 Service area: Mystic Harbour Sanitary Service Area  
 [Tax Map and parcel(s)]

	Mystic Harbour Phase I Buildout			
	Year			
	2020	2025	2030	2035
Population served:	904	936	968	1,000
EDU's served	96	64*	32*	0
EDU's unserved				
GPD per EDU	250	250	250	250

	Mystic Harbour Phase 2 Buildout			
	Year			
	2020	2025	2030	2035
	300	500	600	687
	387	167	67	0
	300	300	300	300

	System capacity			
	Demand (MGD)			
	2020	2025	2030	2035
Demand (MGD)	0.25	0.25	0.25	0.25
Planned (MGD)	0.26	0.25	0.25	0.25
Permitted (NPDES/groundwater)	0.45	0.45	0.45	0.45

	System capacity			
	Demand (MGD)			
	2020	2025	2030	2035
Demand (MGD)	0.34	0.40	0.425	0.45
Planned (MGD)	0.45	0.45	0.45	0.45
Permitted (NPDES/groundwater)	0.45	0.45	0.45	0.45

Collection system description: A system of gravity sewers, pump stations and forcemains.

Treatment Plant  
 Location (N/E): 38°19'33.3"N 75°06'53.7"W (Mystic Harbour Blvd)  
 Type: Advanced ENR facility  
 Site area (acres):      Occupied area:      Unused area:       
 Current Capacity (MGD): Secondary: 0.450 Advanced:       
 Potential Capacity (MGD): Secondary:      Advanced:       
 Existing flow (MGD): 0.270 Average:      Peak:       
 Sludge disposal: Dewatered sludge to landfill

Discharge:  
 Type: Spray irrigation on golf course, Mystic Harbour injection wells, transfer to Ocean City WWTP as needed  
 Location: As defined in MDE permits  
 NPDES/groundwater permit number: 10-DP-2273

Comments (planned expansion; alteration, abandonment if interim [indicate date], or other changes; problems; etc.)  
Water and Sewer Plan amendment submitted along with a Sanitary Service Area expansion request to allow assignment of 35 EDUs to accommodate the Odachowski Residential Development.

\* These EDUs have been allocated but not used.

**Water and Sewerage Plan Amendment Application  
Worcester County, Maryland  
Planned Sewer System**

Date: 4/9/2020

**System Name:** Mystic Harbour WWTP  
**Area Served:** Mystic Harbour Sanitary Service Area  
**Owner:** Worcester County  
**Operator:** Worcester County

Population and Capacity	2020	2025	2030	2035
Population Served (EDU):	1,300	1,500	1,600	1,667
Population Unserved (EDU):	367	167	67	0
GDP per EDU:	250   300	300	300	300
System Capacity Demand (MGD)	0.45	0.45	0.45	0.45
System Capacity Planned:	0.45	0.45	0.45	0.45
Permitted Capacity (MGD):	0.45	0.45	0.45	0.45

**Collection System**  
**Type (circle one):** Combined Separate  
**Description:** A system of pump stations, gravity sewers, and forcemains  
**Condition of Transmission facilities:** Facilities in good condition and maintained by Worcester County.

**Treatment Facility**  
**Location (MD coordinates):** 38°19'33.3"N 75°06'53.7"W  
**Type:** Advanced ENR facility with spray irrigation and injection wells.  
**Total Site Size (acres):** 18-20 **Occupied by facility:** 10  
**Design Flow (MGD)** 0.45  
**Existing Flow (MGD): Average:** 0.34 **Peak:** \_\_\_\_\_  
**Sludge disposal method:** Dewatered sludge to landfill

**Discharge**  
**Type:** Spray irrigation on golf course and injection wells  
**Location:** Eagles Landing Golf Course | Injection wells of of Pony Island Ln  
**NPDES permit # & expiration date:** 10-DP-2273 | Exp - April 30, 2022

**Op., Maint., and Replacement Costs:** Owned and operated by Worcester County  
**Funding Source:** Rate payer utility fees.

**Comments:** Water and Sewer Plan amendment submitted along with a Sanitary Service Area expansion request to allow assignment of 35 EDUs to accommodate the Odachowski Residential Development.

April 13, 2004

# Water and Sewerage Plan Amendment Application Worcester County, Maryland

## Existing Water System

Date: April 7, 2020

System name: \_\_\_\_\_

System owner: \_\_\_\_\_

System operator: \_\_\_\_\_

Priority/Sewer and \_\_\_\_\_

Water Plan Category: \_\_\_\_\_

Service area: \_\_\_\_\_

	Year		
	<u>2018</u>	<u>2020</u>	<u>2025</u>
<u>EDU's Population served:</u>			
Served	_____	_____	_____
Unserved	_____	_____	_____
GPD per EDU	_____	_____	_____
<u>System capacity</u>			
Demand (MGD)	_____	_____	_____
Planned (MGD)	_____	_____	_____

### Production Wells

Well number: \_\_\_\_\_

Aquifer: \_\_\_\_\_

Location: \_\_\_\_\_

Depth: \_\_\_\_\_

Diameter: \_\_\_\_\_

Max. yield: \_\_\_\_\_

Pumping capacity: \_\_\_\_\_

Water quality: \_\_\_\_\_

### Treatment

Water source: \_\_\_\_\_

Type: \_\_\_\_\_

Location: \_\_\_\_\_

Rated Capacity: \_\_\_\_\_

Average production: \_\_\_\_\_

Max. peak flow: \_\_\_\_\_

Storage capacity: \_\_\_\_\_

Sludge disposal: \_\_\_\_\_

**Comments** (expansion plans [MGD/dates]; problems; planned improvements; etc.)

Water service is currently connected to the property and capacity for additional EDUs is available for purchase.

April 13, 2004

**Water and Sewerage Plan Amendment Application  
Worcester County, Maryland  
Planned Water System**

Date: 9-Apr-20  
System Name: \_\_\_\_\_  
System Owner: \_\_\_\_\_  
System Operator: \_\_\_\_\_

Sewer/Water Plan  
proposed category: \_\_\_\_\_ (W-1, W-2, W-3)

Service area:  
[Tax Map and parcel(s)] \_\_\_\_\_

Population served:  
(EDU's served)

Year		
2018	2020	2025

Gallons per EDU: \_\_\_\_\_

Constructed by: \_\_\_\_\_

Planned Distribution System: \_\_\_\_\_

**System parameters:**

Well location: \_\_\_\_\_  
Well depth/aquifer: \_\_\_\_\_  
Treatment facilities: \_\_\_\_\_  
Storage facilities: \_\_\_\_\_

Distribution system: \_\_\_\_\_

Pumping capacity: \_\_\_\_\_  
System Cost: \_\_\_\_\_  
Funding source: \_\_\_\_\_

**Construction schedule:**

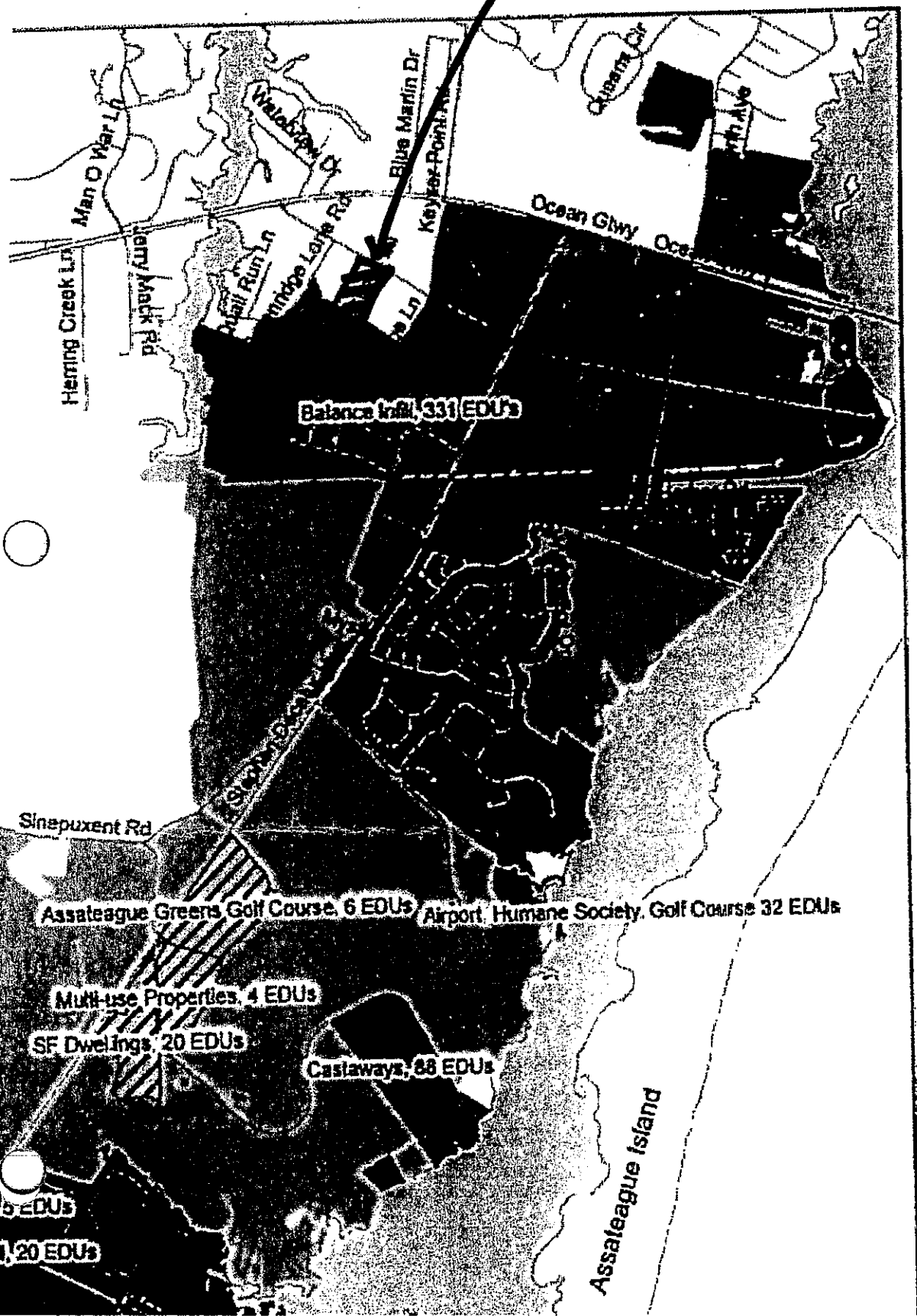
Start: \_\_\_\_\_  
Complete: \_\_\_\_\_

Comments: Water service is currently connected to the property and capacity for additional EDUs is available for purchase.

Agreement, Policies: \_\_\_\_\_

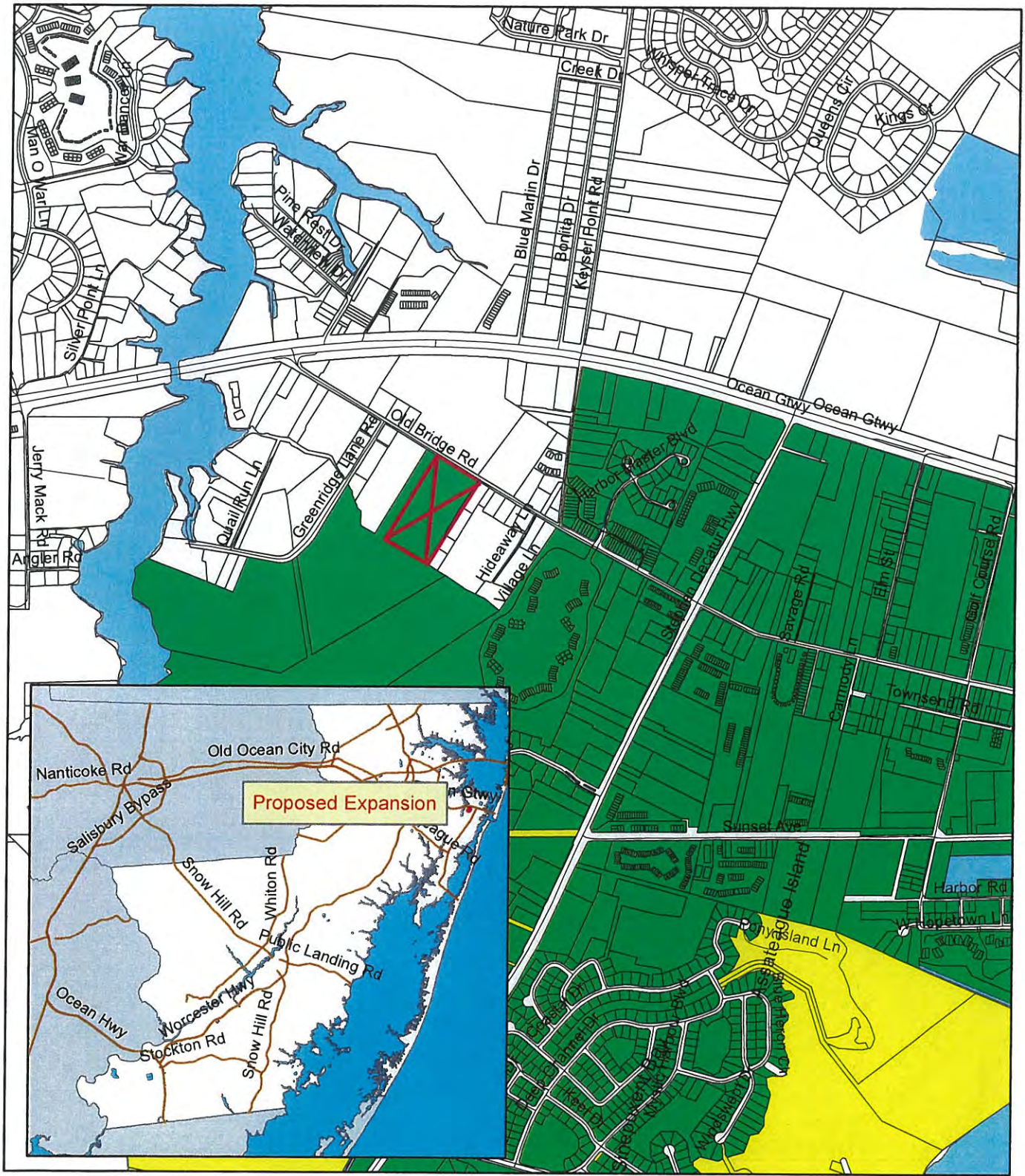
Allocation: \_\_\_\_\_

# Mystre Service Area Expansion



# Attachment 2

# Maps



0 0.15 0.3 0.6 Miles

**General Location Map**  
Mystic Harbour Sewer Planning Area

**Mystic Harbour Service Area**

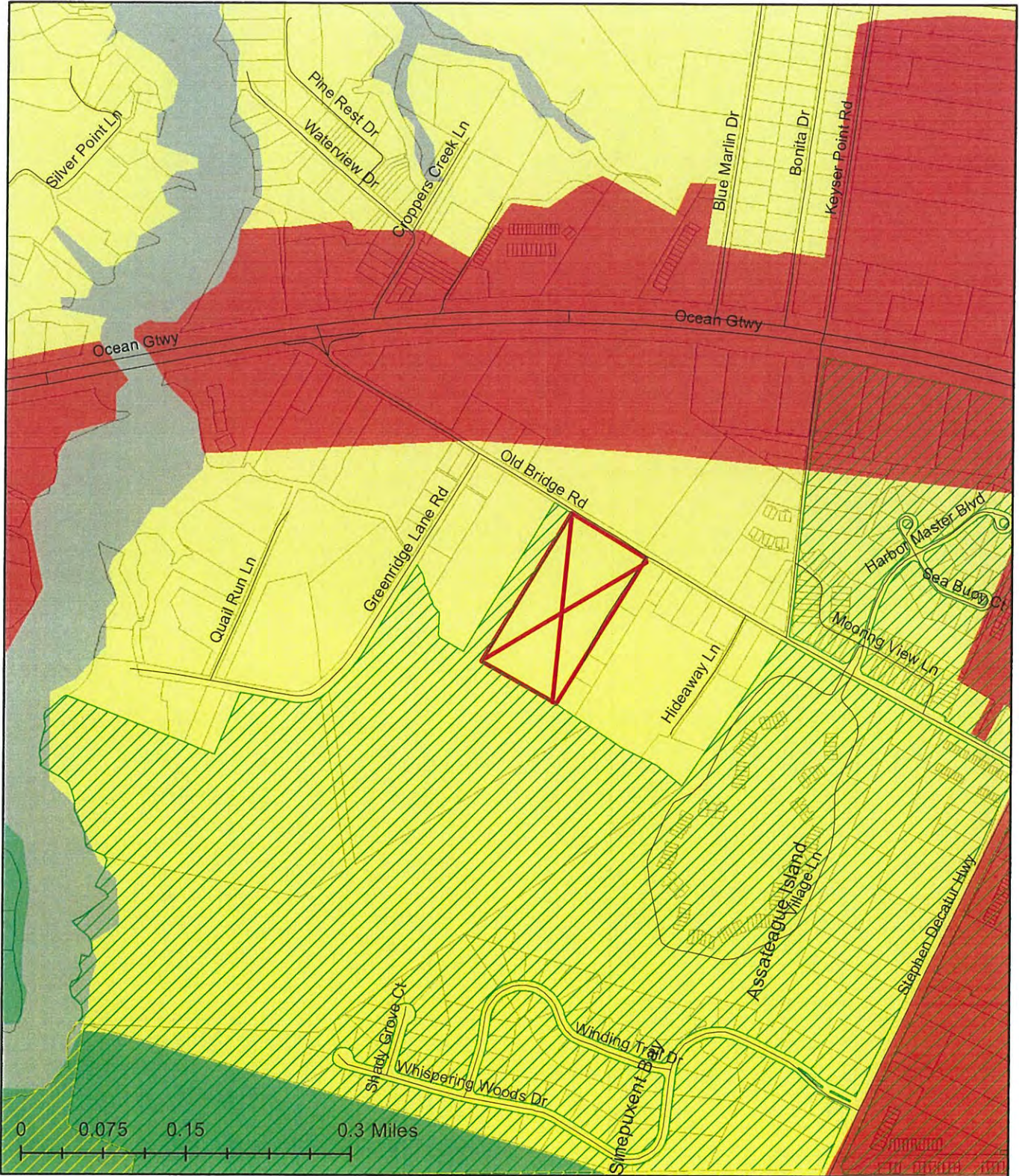
- S1
- S3
- Expansion Area



Prepared by the Worcester County  
Department of Environmental Programs  
May 18, 2020

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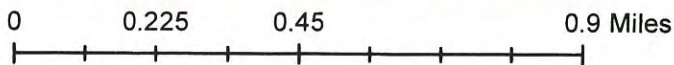
# Land Use Plan

Mystic Harbour Sewer Planning Area



Prepared by the Worcester County  
 Department of Environmental Programs  
 May 18, 2020

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**Mystic Harbour Service Area**

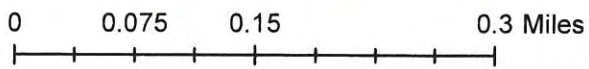
- S1
- S3
- Expansion Area

**Proposed Amendment**  
Mystic Harbour Sewer Planning Area



Prepared by the Worcester County  
Department of Environmental Programs  
May 18, 2020

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**Mystic Harbour Service Area**

- S1
- S3
- Expansion Area
- 500 Year Floodplain
- 100 Year Floodplain

## Floodplain

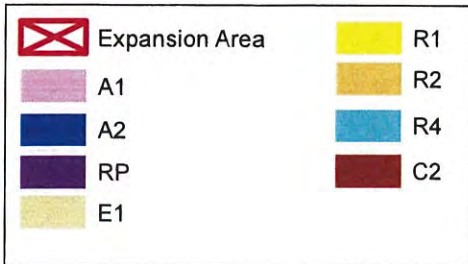
Mystic Harbour Sewer Planning Area



Prepared by the Worcester County  
 Department of Environmental Programs  
 May 20, 2020



0 0.075 0.15 0.3 Miles



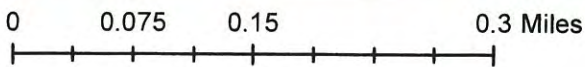
### Zoning

Mystic Harbour Sewer Planning Area



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 Department of Environmental Programs  
 May 18, 2020

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Mystic Harbour Service Area	
	S1
	S3
	Expansion Area
	Water
	Excessively drained
	Somewhat excessively drained
	Moderately well drained
	Well drained

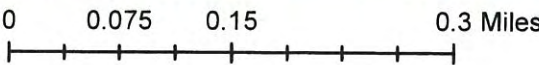
### Soil Drainage Types

Mystic Harbour Sewer Planning Area



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 Department of Environmental Programs  
 May 20, 2020

25  
 6



**Mystic Harbour Service Area**

- S1
- S3
- Expansion Area
- Wetlands

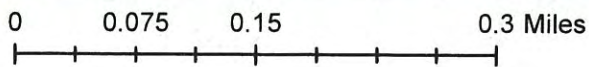
**Wetlands**

Mystic Harbour Sewer Planning Area



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 Department of Environmental Programs  
 May 18, 2020

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### Aerial Image

Mystic Harbour Sewer Planning Area

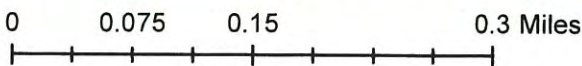
**Mystic Harbour Service Area**

- S1
- S3
- Expansion Area



Prepared by the Worcester County  
 Department of Environmental Programs  
 May 20, 2020

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Mystic Harbour Service Area	
	S1
	S3
	Expansion Area
	All areas are prime farmland
	Prime farmland if drained
	Prime farmland if irrigated

### Ag Suitability

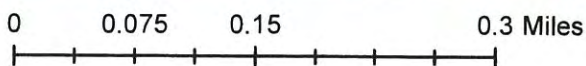
Mystic Harbour Sewer Planning Area



Prepared by the Worcester County  
 Department of Environmental Programs  
 May 20, 2020

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Mystic Harbour Service Area	Maryland Coastal Bays Critical Area
S1	IDA - Intensely Development Areas
S3	LDA - Limited Development Areas
Expansion Area	RCA - Resource Conservation Areas
	Out of Program
	Tidally Influenced Areas

## Critical Area

Mystic Harbour Sewer Planning Area



Prepared by the Worcester County  
Department of Environmental Programs  
May 20, 2020

# Attachment 2

# PC Minutes

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Expansion of Sewer Planning Area – Mystic Harbour  
12424 Old Bridge Road  
Case No. SW 2020-03  
June 8, 2020

30

**Worcester County Planning Commission  
Meeting Minutes**

**Meeting Date:** June 4, 2020

**Time:** 1:00 P.M.

**Location:** Worcester County Government Office Building, Room 1102

**Attendance:**

**Planning Commission**

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Rick Wells

Betty Smith

Jerry Barbierri

**Staff**

Roscoe Leslie, County Attorney

Ed Tudor, Director

Phyllis Wimbrow, Deputy Director

Jennifer Keener, Zoning Administrator

Jessica Edwards, Customer Service Representative

Robert Mitchell, Director of Environmental Programs

Weston Young, Asst. CAO

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes – May 7, 2020** — As the next item of business, the Planning Commission reviewed the minutes of the May 7, 2020 meeting. Following the discussion, it was moved by Ms. Ott, seconded by Mr. Knerr, and carried unanimously to approve the minutes as submitted.

**B. Board of Zoning Appeals agenda, June 11, 2020**— As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals hearing scheduled for June 11, 2020. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

**III. §ZS 1-325 Site Plan Review – Mad Fish Restaurant Waiver request**

As the next item of business, the Planning Commission reviewed a loading space waiver request associated with the proposed redevelopment of the Mad Fish restaurant. The overall project consists of the construction of a 13,775 square foot restaurant with outdoor dining and an off-premise parking area, located on the north and south sides of Harbor Road, east of First Street, Tax Map 27, Parcel 376, 374 & 388, Lots 44, 2 & 3, Tax District 10, CM Commercial Marine and C-2 General Commercial Districts. Cole Taustin, owner, Eddie Johnson, manager, Hugh Cropper, IV, Esquire, Keith Iott, architect, and Mike Gershenfeld, Sysco Eastern Maryland, LLC, were present for the review. Mr. Cropper stated that in order to meet the 10% on-site parking requirements, they have to request a waiver to the 10' by 65' loading space requirement as required by the Zoning Code. If the Planning Commission were to do so, as a condition the applicant would replace it with an 11' by 46' 1.5" loading space/ dock, available during the morning hours.

Mr. Cropper provided the history of the previous restaurant prior to the fire and proposed redevelopment. He noted that the former Captains Galley restaurant had 495 seats, Mad Fish

restaurant upon renovations had 450 seats, and the new proposal when built out will provide 400 seats. In comparing the square footage of the original versus the proposed building, the former building contained 2,225 square feet more than what is currently proposed. Overall, Mr. Cropper requested that the Planning Commission waive the formal loading space and accept the modified plan.

Mr. Taustin stated that the parking spaces will have "No Parking" signage in front of them with the hours stipulated from close of business to 11:30 A.M. the next day. The manager would coordinate all deliveries. Mr. Cropper asked how long Mr. Taustin's family had been in the restaurant business, and he stated 75 years. In addition, Mr. Taustin stated that the layout will be much better than what it was before, when deliveries were occurring in the parking lot or in the County road with hand carts. With respect to the design, Mr. Iott stated that the delivery vehicle will approach from the east and back into the loading space; once they do they will have the extra width to allow for maneuverability into the dock. A drop gate will be used to off-load the product, with a 6' 9" wide dock for circulation. According to the testimony, this design will allow deliveries to take much less time.

Mr. Cropper reiterated that they are asking a waiver for the loading space, with the condition that they provide a modified loading space and signage at the two parking spaces. Mr. Gershenfeld stated that he is employed with Sysco as the President and COO. Has been with them for nearly 30 years, and provides product to the majority of the restaurants in the area (including the former Mad Fish). Relative to the hours of delivery, he noted that they can definitely provide service prior to 11:30 A.M. Mr. Gershenfeld stated that the plan will bring a significant level of safety for his personnel and vehicles by being able to load onto a dock. He said that it will reduce delivery time by 50%, increase the safety of the product by delivering it to the kitchen faster, and provide much more safety to his team. He agreed that even if the restaurant were to be sold in the future, that same level of service can be provided to any future owners. Mr. Gershenfeld stated that the dock itself increases productivity, so it will take precedence for deliveries.

Mr. Diffendal stated that Mr. Barbierrri had recused himself from this review as he is currently employed by Sysco.

Mr. Knerr inquired about the building elevations and the fact that the architectural plans showed a gate in front of the loading dock, where the site plan did not. Mr. Iott stated that they will be removing the gate from the elevation sheet as a gate makes it difficult operationally.

Following the discussion, a motion was made by Mr. Knerr, seconded by Ms. Ott and carried unanimously to grant the waiver with the following condition:

1. The 11' by 46' 1.5" loading space/ dock as proffered by the applicant shall be provided; and
2. Signage shall be provided in front of the two parking spaces prohibiting parking between the hours of 3 A.M. to 11:30 A.M.

#### **IV. Text Amendment**

As the next item of business, the Planning Commission reviewed a proposed text amendment request to include the E-1 Estate District as one of the zoning districts in which a home occupation may be in an accessory building of up to 3,000 square feet in gross floor area. Currently, this is limited to the A-1 and A-2 Agricultural Districts on parcels of greater than 80,000 square feet in area.

Mr. Mark Cropper, Esquire was present for the review. He noted that he is seeking to amend the section of the code to allow the E-1 Estate District to have the same development ability as those currently allowed on an A-1 or A-2 zoned property. He agreed fully with staff that the E-1 Estate District was supposed to be eliminated, and that this amendment will mirror the existing language. Mr. Cropper stated that while a text amendment is not site specific, obviously his client has property in the E-1 District that happens to be surrounded by A-1 and A-2 zoned properties. He said that his client should not be treated any different because the property is zoned E-1 Estate District.

Mr. Diffendal allowed the public to comment. Kathy Phillips with Assateague Coastal Trust was present and stated that she wanted to note that while she is aware that the Comprehensive Plan suggested the elimination of the E-1 zoning district, there has never been another comprehensive discussion on the way that the E-1 district should be rezoned since 2009. She stated that text amendments while seemingly general in nature, have been proposed as a result of a particular situation. She said that there has been no discussion with respect to sea level rise, storm inundation, and climate change in text amendments. She noted that when the Comprehensive Plan was written, those items were identified as significant issues, and the E-1 zoned properties are typically found in those low-lying areas. Overall, she wanted more than a piecemeal discussion on the E-1 Estate District uses, and suggested that other zoning districts (even ones not currently in the code) may be better suited.

Mr. Cropper responded that he would welcome another comprehensive review of the zoning maps and the code with respect to the items of her concern, but feels that in this matter, they are not directly specific to the request at hand.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Ms. Ott, and carried unanimously to forward a favorable recommendation to the Worcester County Commissioners.

#### **V. Water and Sewer Plan Amendment, No. SW 2020-02**

As the next item of business, the Planning Commission reviewed an application associated with the addition of certain informational items in the Master Water and Sewerage Plan (The Plan) for the Mystic Harbour Sanitary Service (SW 2020-02). Robert Mitchell, Director of Environmental Programs, appeared on behalf of the applicant, the Worcester County Commissioners, and presented the staff report to the Planning Commission.

Mr. Mitchell explained that the applicant is requesting a revision of the EDU sewer allocation table for new capacity in the Mystic Harbour Sewer Planning Area in The Plan. This revision is

to provide sewer sanitary capacity to serve a proposed 112 campsite expansion of the Frontiertown Campground. He explained that the Sewer EDU Allocation Table was included in the state's modified approval of a prior amendment to The Plan. Since the EDUs are coming from the North Area to the South Area, the EDU chart must be revised. Mr. Mitchell stated that the County Commissioners have tentatively allocated the EDUs for this expansion, pending the submittal of this amendment and the upcoming public hearing on the project. The amendment would modify the Allocation of Sewer EDUs (table) in the Mystic Harbour Sewer Planning Area to reassign twenty-nine (29) sewer EDU's from the "Infill and Intensification" category for properties in Area 1 (North of Airport) and nine (9) EDU's from the "vacant or Multi-lot properties" category properties in Area 1 (North of Airport) to the Frontier Town Campground category in Area 2 (South of Airport). The sanitary capacity for the Frontiertown property would be similarly increased by a total of thirty-eight (38) sewer EDUs.

Mr. Mitchell reviewed the staff report noting the consistencies found for such a development within the Comprehensive Plan and land use designations, and that the proposed improvements would be permitted in accordance with existing zoning within the property boundaries of the current campground.

Following the discussion, a motion was made by Mr. Knerr, seconded by Ms. Smith, and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

#### **VI. Water and Sewer Plan Amendment, No. SW 2020-03**

As the next item of business, the Planning Commission reviewed an application associated with an expansion of the Sewer Planning Area in the Master Water and Sewerage Plan (The Plan) for the Mystic Harbour Sanitary Service (SW 2020-03). Robert Mitchell, Director of Environmental Programs, presented the staff report to the Planning Commission. Hugh Cropper, attorney, was present on behalf of Mark Odachowski, who is the applicant for this amendment. Dane Bauer, from HB Solutions, also was present on behalf of the Applicant.

Mr. Cropper concurred with staff's findings on this report and offered that the owner already has part of the property within the Mystic Harbour sewer planning area and simply wants all of the property designated within the Mystic Area to acquire the capacity needed to complete his proposed development. The property already has a stem along its western edge to MD Route 707 designated as S-1 within the Mystic Harbour Sewer Planning Area. The remainder of the property is designated as S-1 within the West Ocean City Sewer Planning Area.

He also introduced Dane Bauer, a consultant, from H&B Solutions who testified on the project. Mr. Bauer testified that in his opinion the overlapping service areas sometimes cause problems. He also testified that the West Ocean City Sanitary Area had limited capacity as it was established to bring public sewer to an existing developed area to alleviate a public health matter

Mr. Mitchell explained the applicant requested the change in sewer service classification in order to serve a proposed residential development. The owner will need to seek an allocation of Mystic Harbour sewer EDUs from the County Commissioners to serve the proposed

development from available capacity in Area 1 (North of the Airport). He went on further to say that there was not enough capacity in the West Ocean City Sanitary area to serve this proposed project and this property was on the border of the Mystic-West OC overlay where the two areas co-exist.

Mr. Mitchell reviewed the staff report noting the consistencies found for such a development within the Comprehensive Plan and land use designations, and that the proposed improvements would be permitted in accordance with existing zoning classification for the properties.

Following the discussion, a motion was made by Ms. Smith, seconded by Ms. Ott and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

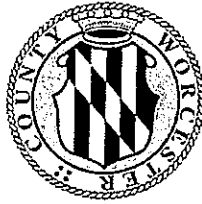
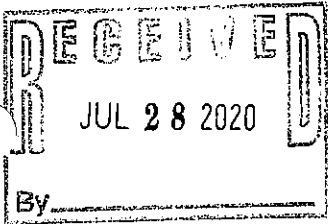
**VII. Adjourn** – The Planning Commission adjourned at 1:51 P.M.

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Jerry Barbierri, Secretary

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Jennifer Keener



**Worcester County**  
Department of Environmental Programs

Memorandum

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**To:** Harold L. Higgins, Chief Administrative Officer

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

**Subject:** **Sanitary Service Area Expansion**  
Request for Public Hearing  
12424 Old Bridge Road  
Mystic Harbour Sanitary Service Area  
SSA-2020-02

**Date:** July 27, 2020

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Attached is a copy of a petition for Sanitary Service Area expansion and connection of the subject property to the sewer system of the Mystic Harbour Sanitary Area from Hugh Cropper and Dane Bauer on behalf of the applicant, Mark Odachowski. The petition was received in accordance with § PW 5-305 (b)(1) and is being processed as an expansion of the Mystic Harbour Sanitary Service Area.

This amendment seeks to expand the Mystic Harbour sanitary service area for entire subject property. The property is 10 acres in size and has the western portion of the property already within the Mystic Harbour sewer planning area with a designation of S-1 (immediate to two years). They are also applying to amend the *Master Water and Sewerage Plan* to include the whole property within the Mystic sewer planning area with a designation of S-1 (immediate to two years), and include in the Mystic Harbour sewer service information in *The Plan* to include a revised Mystic Harbour sewer planning area map that will reflect the entire property as a planned S-1 designation. Since we already have a West Ocean City sewer planning area overlay in the area, the subject property is already designated S-1 in *The Plan* for the West Ocean City sewer planning area. Their amendment application to the *Master Water and Sewerage Plan* would not change that planning designation for the West Ocean City sewer planning area, it would only include the entire property within the Mystic Harbour sewer planning area with an S-1 designation in the same.

**Citizens and Government Working Together**



The applicant requested the change in sewer service classification in order to serve a proposed forty-one (41) unit residential development. The subject property, is located at 12424 Old Bridge Road (MD Route 707), in West Ocean City, Maryland. The property is more specifically identified on Worcester County Tax Map 26 as Parcel 193. The owner will need to seek an allocation of Mystic Harbour sewer EDUs from the County Commissioners to serve the proposed development from available capacity in Area 1 (North of the Airport).

The proposed sanitary facilities will consist of construction of connecting infrastructure to adjacent County sewer collection system mains.

The planning amendment has been reviewed by the Planning Commission and found to be consistent with the *Comprehensive Plan*.

I have investigated and evaluated the petition to expand the Ocean Pines Sanitary Service Area. In order to evaluate the proposal I solicited the comments of Mr. John Ross, Deputy Director of Public Works, and Jessica Wilson, the Assistant Finance Officer. If the applicant is willing to construct all the connecting infrastructure and apply for and get allocated the needed sanitary capacity and pay for said capacity, then the proposal is feasible from a financial and engineering stand point. Applicant will need to pay the equity contribution and future capital improvement charges with any EDU purchases associated with this application. While the applicant envisions a return of capacity to the Mystic Sanitary Service Area from another property they own within the Mystic Area, they will still need to go through the Mystic allocation process to secure the necessary sewer capacity they need to serve this project.

After reviewing all of the applicable information, I find the following:

1. The proposed expansion would be desirable for the comfort, convenience, health, safety, and welfare of the people who will, or in the future may be, served by the proposed expansion. The existing property will now be served by Mystic Harbour sewer, which will provide the necessary capacity that does not exist in the West Ocean City Sanitary Area for the proposed project.
2. The construction of this property to the Mystic Harbour collection and system is certainly feasible from both the engineering and economic standpoints. All costs to operate the system will be borne by the service area customers with the property owner responsible for the construction of the connections. An acceptable Public Works agreement for construction and turnover of said facilities will also need to be approved and accepted by the County.
3. The proposal is in the best interest of the public health, safety, and welfare of the residents of the County. In addition to the findings outlined in number 1 above, the fact that the infrastructure will be approved and operated by the County will permit the orderly development of the subject property within the area. Public sewer is preferable to septic and capacity provided by the Mystic Plant will enable full development of this property. The applicant will need to secure adequate capacity from the Mystic Sanitary Service Area through the allocation process specified in County Commissioner Resolution 17-19.

4. The proposal will not be unduly detrimental to the environment of the County. A public system in this area with the necessary capacity to serve the proposed development should provide for greater degrees of protection of the environment of the County. Public water and sewer are preferable to private wells and septic.
5. The design and operation of the facility will be completed according to State and County guidelines. Plans will be approved by the Department of Public Works and construction work will be inspected and approved prior to turnover. The applicant is responsible for all costs associated with design and permitting of the infrastructure. The County will be responsible for operations, with the costs being paid for by the applicant.

I would respectfully request that the Commissioners schedule a public hearing to consider the expansion of the Mystic Harbour Sanitary Area to include this property. I have forwarded a draft advertisement for this hearing to County Administration.

As always, I will be available to discuss this matter with you and the County Commissioners at your convenience. Should you have any questions or require future information in the interim, please do not hesitate to contact me.

#### Attachments

1. Application
2. Map for the Proposed SSA Addition

cc: Mystic Harbour Sanitary Area File, SSA-2020-02

Attachment 1  
Application

LAW OFFICES

# BOOTH CROPPER & MARRINER

A PROFESSIONAL CORPORATION

9923 STEPHEN DECATUR HIGHWAY, D-2

OCEAN CITY, MARYLAND 21842

(410) 213-2681

FAX (410) 213-2685

EMAIL: [hcropper@bbcmlaw.com](mailto:hcropper@bbcmlaw.com)

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EASTON, MD 21601

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WEBSITE

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

\*ADMITTED IN MD & DC

April 28, 2020

Robert J. Mitchell, LEHS, REHS  
Director, Worcester County Department of  
Environmental Programs  
One West Market Street  
Snow Hill, Maryland 21863

RE: Service Area Expansion

Dear Bob:

Please find enclosed the Petition to Expand the Mystic Harbour Sanitary Service Area filed on behalf of Mark R. Odachowski, along with Mr. Odachowski's check in the amount of Five Hundred Dollars (\$500.00).

Please find enclosed an Application to Amend the Worcester County Comprehensive Water and Sewerage Plan, together with Mr. Odachowski's check in the amount of Five Hundred Dollars (\$500.00).

Thank you, and have a great day.

Very truly yours,



Hugh Cropper IV

HC/tgb

Enclosures

CC: Mark R. Odachowski

Dane Bauer

Melissa Hall

40  
-c



H&B Solutions, LLC  
37534 Oliver Drive  
Selbyville, DE 19975  
Tel: 410.292.4385

April 22, 2020

Worcester County Government Center  
Department of Environmental Programs  
1 West Market Street, #1306  
Snow Hill, MD 21863

Attn: Mr. Robert Mitchell, RS  
Director

Re: Service Area Expansion Request  
Comprehensive Water and Sewer Plan Amendment  
Project No: 20004.00

Dear Bob:

Please accept this correspondence as the PETITION, on behalf of Mr. Mark R. Odachowski, to expand the MYSTIC HARBOUR SANITARY SERVICE AREA ("MHSSA") to include the property known as Worcester County Tax Map 26, Parcel 193, 10 acres, more or less, and known as 12424 Old Bridge Road, West Ocean City, Maryland 21842.

The westerly portion of Parcel 193 is currently included in the MHSSA. In other words, the parcel is bisected by the Service Area, and the Service Area boundary does not follow the boundary lines of Parcel 193. This is a request to expand the Service Area to simply include the entire parcel.

The applicant has proposed a forty-one (41) unit residential development, which will be consistent with the underlying zoning. The applicant previously purchased seven (7) wastewater EDU's in the MHSSA, only one (1) of which has been used in connection with his single family dwelling. The applicant has six (6) wastewater EDU's. Therefore, if the Service Area Expansion is approved, the applicant will apply pursuant to Resolution 17-19, for the purchase of an additional thirty-five (35) wastewater EDU's.<sup>1</sup>

Service Area Expansion Request:

Specifically, this serves as the necessary petition of the Owner pursuant to § PW 5-305 (b)(1) to request the Worcester County Commissioners authorize an addition to the MHSSA to accommodate thirty-five (35) equivalent dwelling units (EDUs) to support the proposed expansion and residential development.

1. Mr. Odachowski, through his corporate entity, previously applied for, and received, the allocation of forty-five (45) wastewater EDU's in the MHSSA in connection with the redevelopment of the Alamo Motel, located a short distance away on US Route 50. If the Service Area Expansion is approved, and Mr. Odachowski is allocated thirty-five (35) EDU's in connection with his residential development, Mr. Odachowski will relinquish and re-convey those forty-five (45) EDU's back to Worcester County (and he will forfeit approximately \$90,000.00 in deposits and fees).

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1. ***The proposed expansion would be desirable for the comfort, convenience, health, safety, and welfare of the people who will be served by the proposal.***

One of the underlying objectives of this request is to eliminate the reliance on using EDUs from the West Ocean City Sanitary Service Area (WOCSSA). As you know, the WOCSSA was established to specifically address public health and environmental concerns associated with use of septic systems in hydric soils of the County. For these reasons, this request is in keeping with the industry standards and consistent with the various goals and objectives of public health, environmental protection, and the general welfare of the community. This would also eliminate the current bisection of the property between two (2) service areas causing many functional, operational, and administrative challenges.

Water service is currently connected to the property and capacity for additional EDUs is available for purchase

2. ***The operation and construction is certainly feasible from both the engineering and economic standpoints.***

Mystic Harbour Service already exists within the Route 707 corridor and consists of a County owned wastewater treatment plant (WWTP), a system of forcemains, pump stations, and gravity sewers. This Project would include the infrastructure needed to affect this Sewer Service Area Expansion using an interconnection and associated pump station with discharge to a County approved interconnection location. It has been determined that water service is currently available to this property which is designated W-1 in the County Comprehensive Water and Sewer Plan.

The public infrastructure will be designed by the Owner in accordance with engineered plans reviewed by the Department of Public Works. The Department will inspect all water and sewer improvements before turnover to the County.

The expansion area where the public water and sewer extension is proposed by this request/petition, to be identified as Tax Map 26, Parcel 193, approximately ten (10) acres located at 12424 Old Bridge Road.

3. ***The proposal is in the best interest of the public health, safety, and welfare of the residents of the County.***

This project is in the best interest of the public health, safety, and welfare to the residents of Worcester County. It is to everyone's benefit to promote the use of a single public sewer system, rather than a combination of infrastructure emanating from two (2) different service areas. Certainly not having multiple pipes and other appurtenances associated with two (2) different services areas and requiring different levels of maintenance and operational requirements would be beneficial.

4. ***The proposal will not be unduly detrimental to the environment of the County.***

The expansion will not be unduly detrimental to the environment of the County, and in fact, would be preferable then the alternative to serve the development with two (2) different competing service areas.

**5. The design and operation of the facility will be completed according to State and County Guidelines.**

The design and operation of the facilities will be completed according to State and County Guidelines and all construction plans will be reviewed and inspected by Worcester County Department of Public Works.

Comprehensive Water and Sewer Plan Amendment:

Commensurate with the Sanitary Service Area Expansion, included herein is an application to amend the County Comprehensive Water and Sewer Plan. This application defines the existing treatment and collection system capacity, existing and remaining EDUs, and proposed assignment of the EDUs to the proposed development.

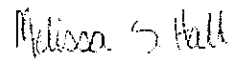
As noted above, serving a development with sewer service from two (2) different sanitary districts is not in the public interest and the community would be better served if a single sanitary service area provided the entire service needed for project buildout. Overall, this is consistent with the underlying principals guiding Water and Sewer Plan Amendments.


A check in the amount of \$500.00 has been enclosed associated with the Water and Sewer Plan Amendment Request. A check in the amount of \$500.00 associated with the Sewer Service Area Expansion Request is also enclosed.

Please advise should you need anything further in these regards.

Sincerely,

H&B Solutions, LLC

  
Melissa S. Hall  
Managing Member

  
Dane S. Bauer  
Member

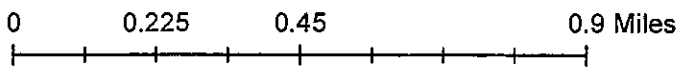
Cc: Mr. Hugh Cropper, IV (w/ enclosures)  
Mr. Mark R. Odachowski (w/ enclosures)

Enclosures

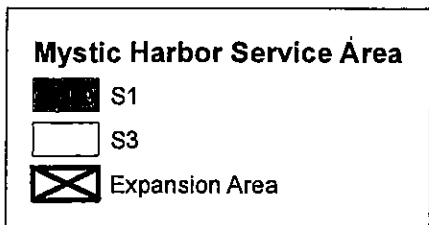
# Attachment 2

# Map





**Proposed Service Area Expansion**  
 Mystic Harbor Sanitary Service Area  
 Case # SSA-2020-02



Prepared by the Worcester County  
 Department of Environmental Programs  
 May 18, 2020

45

DRAFT

RESOLUTION NO. 20-\_\_

**RESOLUTION AMENDING THE COMPREHENSIVE WATER AND  
SEWERAGE PLAN FOR WORCESTER COUNTY -  
FOR  
RECLASSIFICATION AND EXPANSION OF SEWER PLANNING AREA  
MYSTIC HARBOUR SANITARY SERVICE AREA**

**WHEREAS**, the County Commissioners of Worcester County, Maryland adopted a Comprehensive Water and Sewerage plan for the County on August 23, 1994, pursuant to Section 9-503 of the Environment Article of the Annotated Code of Maryland; and

**WHEREAS**, the Worcester County Commissioners have received a request from Hugh Cropper, IV, and Dane Bauer on behalf of Mark Odachowski, applicant, to amend the *Comprehensive Water & Sewerage Plan for Worcester County* (hereafter the *Plan*) to reclassify and expand the sewer planning areas for the subject property to accommodate a proposed development; and

**WHEREAS**, the Worcester County Planning Commission, at its June 8, 2020, meeting, reviewed the proposed amendment to the Worcester County Water and Sewerage Plan and found the proposal consistent with the *Worcester County Comprehensive Plan*; and

**WHEREAS**, the cost of any sewer or water infrastructure improvements will be the sole responsibility of the property owners served by the facilities; and

**WHEREAS**, the County Commissioners held a duly advertised public hearing on September 15, 2020 to consider the request for these requested changes within the Mystic Harbour Sanitary Service Area; and

**WHEREAS**, the County Commissioners reviewed the recommendation of the Planning Commission and staff report and as a result of their investigation and evaluation of the proposal in accordance with the provisions of Section 9-503 et.seq. of the Environment Article of the Annotated Code of Maryland, determined that the proposed amendment to the *Worcester County Comprehensive Water & Sewerage Plan* to reclassify the water and sewer planning areas as proposed, is desirable.

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

1. The *Comprehensive Water and Sewerage Plan for Worcester County* (the *Plan*) is hereby amended as specified in the proposal of Hugh Cropper, IV and Dane Bauer, on behalf of Mark Odachowski, to amend the *Plan* to reclassify and expand the sewer planning area designations for the subject property, more specifically described as follows:

- a. The expansion of the Mystic Harbour sewer planning area to include the entire property located on the south side of MD Route 707 (Old Bridge Road), west of Keyser Point Road, and identified on Worcester County Tax Map 26 as Parcel 193 (Tax ID #10-012244).
- b. The sewer service designations for the entirety of the subject property will be reclassified to S-1 (planned to be served within two years) for the Mystic Harbour Sewer Planning Area and this amendment will include the relevant informational updates for the Mystic Harbour planning area in The Plan for the Mystic Harbour Sanitary Service Area (MHSSA).

**AND BE IT FURTHER RESOLVED** that this proposed amendment to the *Worcester County Comprehensive Water and Sewerage Plan* shall be forwarded to the Maryland Department of the Environment (MDE) for their review and approval in accordance with the provisions of Section 9-507 of the Annotated Code of Maryland, and that this amendment shall be officially incorporated into the *Worcester County Comprehensive Water and Sewerage Plan* upon approval by MDE.

Passed and Approved 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

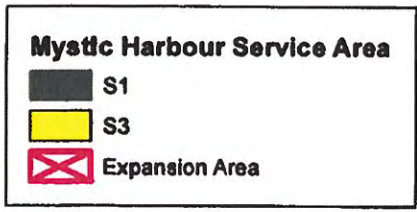
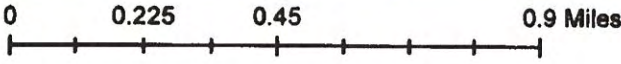
\_\_\_\_\_  
Anthony W. Bertino, Jr., Commissioner

\_\_\_\_\_  
Madison J. Bunting, Jr., Commissioner

\_\_\_\_\_  
James C. Church, Commissioner

\_\_\_\_\_  
Joshua C. Nordstrom, Commissioner

\_\_\_\_\_  
Diana Purnell, Commissioner



**Proposed Amendment**  
Mystic Harbour Sewer Planning Area



Prepared by the Worcester County  
Department of Environmental Programs  
May 18, 2020

**RESOLUTION NO. 20 - \_\_\_\_**

**DRAFT**

**RESOLUTION EXPANDING THE MYSTIC HARBOUR SANITARY SERVICE AREA  
FOR 12424 OLD BRIDGE ROAD**

WHEREAS, the County Commissioners of Worcester County, Maryland (County Commissioners) established the Mystic Harbour Sanitary Service Area in which all public water and sewer facilities serving the Mystic Harbour community are owned and operated by the County Commissioners; and

WHEREAS, in accordance with the provisions of Section PW 5-305 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners have received a petition filed by Hugh Cropper, IV, attorney, and Dane Bauer, on behalf of Mark Odachowski, property owner, for expansion of the Mystic Harbour Sanitary Service Area to include the subject property located on the south side of Maryland Route 707 (Old Bridge Road) west of its intersection with Keyser Point Road in West Ocean City, Maryland, which will be delineated on service area maps adopted by the County Commissioners. The sanitary service area expansion includes the following property: Worcester County Tax Map 26, Parcel 193, Tax Account I.D. # 10-012244, located north of the current boundary of the Mystic Harbour Sanitary Service Area; and

WHEREAS, the petitioners have proposed that the sanitary services for the expanded area be provided by the purchase of additional equivalent dwelling units (EDUs) of wastewater treatment capacity from the Mystic Harbour Sanitary Service Area to serve the proposed residential development and that the sanitary facilities will consist of a private collections system on the property and a connection to the existing Mystic Harbour collections system infrastructure; and

WHEREAS, the request specifies that the construction of the facilities will begin after the Water and Sewer Plan amendment and the Service Area Expansion applications are approved and all other permits are issued; and

WHEREAS, the County Commissioners held a duly advertised public hearing on September 15, 2020 to hear public comment on the proposed expansion of the Mystic Harbour Sanitary Service Area; and

WHEREAS, as a result of their investigation and evaluation of the proposal in accordance with the provisions of Section PW 5-305 (Sanitary service areas, sub-areas and amendments) of the Code of Public Local Laws of Worcester County, Maryland the County Commissioners have determined that the proposed expansion of the service area is desirable and in the best interests of the comfort, convenience, health, safety and general welfare of the people who will be served by the facility as well as the best interests of public health, safety and welfare of the residents of the County in general, and that the facilities do not appear to be unduly detrimental to the environment of the County, and that the construction, operation, and design of the facilities are in accordance with all required permits and applicable standards, and are feasible from both an engineering and economic standpoint.

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

1. The Mystic Harbour Sanitary Service Area is expanded to include the petitioned area owned by Mark Odachowski for construction of the proposed residential development on the subject property located on the south side side of Maryland Route 707 (Old Bridge Road) west of its intersection with Keyser Point Road in West Ocean City, Maryland, as identified on Worcester County Tax Map 26, Parcel 193, Lots A & B, Tax Account I.D. # 03-169855 and #03-169863, and as shown on the service area maps attached hereto; and
2. Sanitary services for the expanded service area will be provided by an allocation from the County Commissioners according to the Mystic Harbour Allocation Policy detailed on County Commissioner Resolution # 17-19 for the necessary equivalent dwelling units (EDUs) of sewerage treatment capacity from the Mystic Harbour Sanitary Service Area to serve the proposed residential development. The sanitary facilities will consist of a private collections system on the property and a connection to the existing Mystic Harbour collections system infrastructure, all of which will be constructed by the developer and the portions in the County Right of Way will turned over to the County for operation.

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

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Anthony W. Bertino, Jr., Commissioner

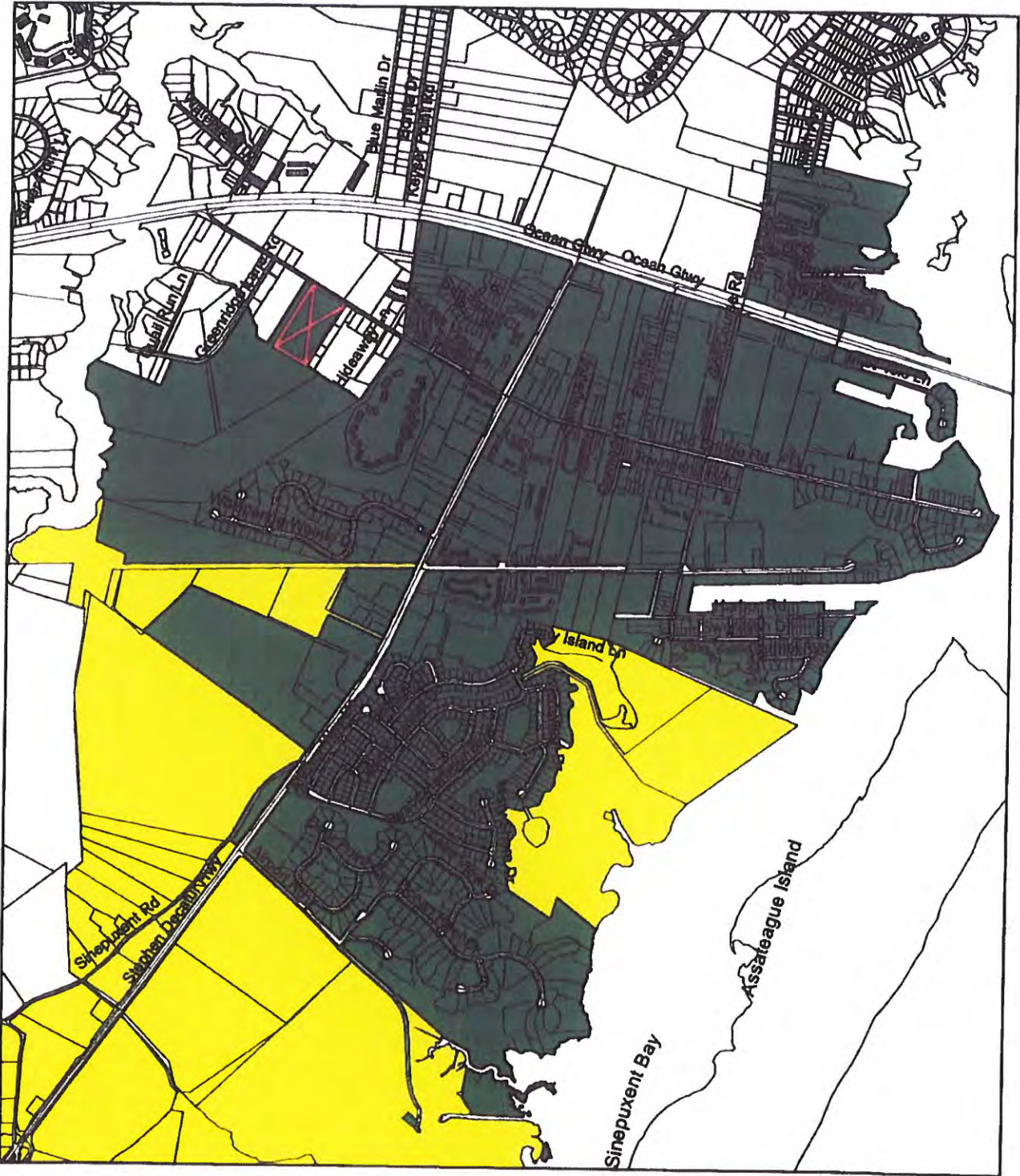
\_\_\_\_\_  
Madison J. Bunting, Jr., Commissioner

\_\_\_\_\_  
James C. Church, Commissioner

\_\_\_\_\_  
Joshua C. Nordstrom, Commissioner

\_\_\_\_\_  
Diana Purnell, Commissioner





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**Proposed Service Area Expansion**  
 Mystic Harbor Sanitary Service Area  
 Case # SSA-2020-02

**Mystic Harbor Service Area**

- S1
- S3
- Expansion Area



Prepared by the Worcester County  
 Department of Environmental Programs  
 May 18, 2020