

AGENDA

WORCESTER COUNTY COMMISSIONERS

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

October 15, 2019

Item #

- 9:00 AM - Vote to Meet In Closed Session in Commissioners' Conference Room - Room 1103
Government Center, One West Market Street, Snow Hill, Maryland
- 9:01 - Closed Session: Discussion regarding hiring a Correctional Officer Trainee and a
Correctional Officer Trainee/Cook for the Jail; two Grounds Worker II's for the
Maintenance Division, and a Roads Worker II for the Roads Division of Public Works;
Posting for two License Permit Clerk I's in Development Review & Permitting; receiving
legal advice from Counsel; and performing administrative functions
- 10:00 - Call to Order, Prayer (Arlene Page), Pledge of Allegiance
- 10:01 - Report on Closed Session; Review and Approval of Minutes
- 10:05 - S. Norton: Introduction of Lachelle Scarlato, Deputy Director of Economic Development and
Rachael Stein, Assistant Library Director 1
- 10:10 - Presentation of Proclamation Recognizing Economic Development Week, October 21-25, 2019 2
- 10:20 - Public Hearing - Amendment to County Roads Inventory - to add Arcadia Circle 3
- 10:30 - Chief Administrative Officer: Administrative Matters 4-23
(Request for Approved Private Road - Pike Lane - in Stockton; Proposed Complete Count Committee for 2020 US
Census; Pending Board Appointments; Bid Specifications for Carpet Replacement at Ocean Pines Library;
Replacement Vehicle for Sheriff's Office; Proposed Highway Safety Grants for Sheriff's Office; Requests for Out-
of -State Travel to Emergency Managers Conference and National Hurricane Conference; Acceptance of
Emergency Number Systems Board Funding of Headset Bases for Dispatch Centers; Participation in Regional
Request for Proposals for Next Generation 911 Infrastructure; State Homeland Security Grants - 2019 Agreement,
2017 Close-Out and 2016 Close-Out; Additional Request for FY19 Year End Reserve for Assigned Encumbrances;
Scheduling of Public Hearing on Requested 5-Year Capital Improvement Plan - FY21-FY25; Proposed Changes to
Length of Service Award Program (LOSAP) for Volunteer Firefighters and Ambulance Company Members;
Establishment of Volunteer Fire Company Pilot Paramedic Scholarship Program; Revised Resolution Establishing
Standard Sewer Flow Calculations; Lease of West Ocean City Harbor Joint Venture Area - Alyosha; National
Prescription Opiate Litigation; and potentially other administrative matters)
- 10:40 -
- 10:50 -
- 11:00 - Legislative Session
- Public Hearing on Amendments to Bill 19-3 (Zoning - Boarding and Lodging Rentals) 24
 - Introduction of Bills - Zoning - Churches, Temples and Mosques in I-1 Light Industrial District 25
 - Public Safety - Appointment of Fire Marshal 26
- 11:10 -
- 11:20 - Chief Administrative Officer: Administrative Matters 4-23, continued
- 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) 4-23, continued
- 1:10 -
- 1:20 -
- 1:30 -

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

Please be thoughtful and considerate of others.

Turn off your cell phones & pagers during the meeting!

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

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Minutes of the County Commissioners of Worcester County, Maryland

October 1, 2019

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

Following a motion by Commissioner Bunting, seconded by Commissioner Bertino, with Commissioner Mitrecic absent, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (7), and (8) of the General Provisions (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 Kelly Shannahan, County Attorney Maureen Howarth, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton. Topics discussed and actions taken included: hiring Keyvina Voyles as a Document Imager II for the Treasurer's Office, Brandon Townsend as a Grounds Worker II and Troy Waidner as a Building Maintenance Mechanic I for the Maintenance Division, and Heather Sifford as a Transfer Station Attendant for the Solid Waste Division of Public Works; promoting Steve Orth to Vehicle and Equipment Mechanic II for the Water and Wastewater Division; acknowledging the hiring of Rachel Stein as Assistant Library Director and Kristin Merritt as a part-time Library Services Assistant within the County Library; acknowledging the promotion of Corporal Michael Sand to Sergeant and Deputy First Class Mark Powell to Corporal and the hiring of Scott Griffin and Jayson Meekins as part-time Deputy Sheriff's within the Sheriff's Office; receiving legal advice from counsel; and performing administrative functions, including: discussing the findings of two complaint-driven Maryland Occupational Safety and Health (MOSH) inspections at the County Jail and the Water and Wastewater facility in Ocean Pines; noting open enrollment for County health benefit plans runs through October 30; discussing potential board appointments; and discussing the enforcement of off-season occupancy restrictions at White Horse Park.

Following a motion by Commissioner Bertino, seconded by Commissioner Nordstrom, the Commissioners unanimously voted to adjourn their closed session at 10:00 a.m.

Commissioner Mitrecic was absent from the meeting.

After the closed session, the Commissioners reconvened in open session. Commissioner Purnell called the meeting to order, and following a morning prayer by Arlene Page and pledge of allegiance, announced the topics discussed during the morning closed session.

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The Commissioners reviewed and approved the open and closed session minutes of their September 17, 2019 meeting as presented.

The Commissioners observed a moment of silence to honor Anna Foultz, a lifelong volunteer who directed her time, resources, and leadership skills to improving lives in the community, who passed away September 22, 2019.

The Commissioners joined with Worcester County Volunteer Firemen's Association President Tim Jerscheid, Fire Marshal Jeff McMahon, Deputy Fire Marshal Matt Owens, and Senior Deputy Fire Marshal Rob Korb to proclaim October 6-12, 2019 as Worcester County Fire Prevention Week and October as Fire Prevention Month, with the theme "Not Every Hero Wears a Cape: Plan and Practice Your Escape."

The Commissioners presented commendations to Worcester Technical High School (WTHS) instructors Richard Stephens and Crystal Bunting and students who are ranked as top performing career and educational students nationally and who performed with excellence during the 55th annual SkillsUSA National Leadership and Skills Conference in June 2019 as follows: Piper Gooding took 2nd place in the Middle School Pin Design Contest; Michael Brittingham, Trevor Hudson, and Kaleb Steele took 6th place in Occupational Health and Safety; Brandon Anderson, Ethan Gell, and Justin Hurney took 6th place in Team Engineering Challenge- Middle School; and Candy Anderson and Joy Anderson took 9th place in Community Action Project. Mr. Stephens earned the 2019 SkillsUSA Outstanding Educator Award, and Ms. Bunting earned the 2019 SkillsUSA Maryland Region 1 Advisor of the Year Award.

The Commissioners also commended WTHS instructors and students for representing Worcester County across the State of Maryland and the nation with such excellence that WTHS was honored as a National Gold Level Chapter of Excellence during the conference.

The Commissioners conducted a public hearing to receive objections to a proposal to enter into a license agreement with Thrive Engineering, LLC (Licensee) for space to dock the catamaran, Alyosha, at the WOC harbor in the County Joint Venture Area, which is approximately 64 feet in length and running along the bulkhead from the Worcester County boat ramp to the Governor's Dock, for five years beginning on October 1, 2019 and ending on September 30, 2024. Recreation and Parks Director Tom Perlozzo reviewed the proposed lease, which would allow the Alyosha to dock in the Joint Venture Area, while continuing to load and unload passengers at the nearby Mad Fish Restaurant for day trips along the Ocean City coastline to Delaware and back three times each day. He then reviewed the partnership opportunities between the County and Thrive Engineering, for sale of advertising on the Alyosha's sails, which are outlined in the Commissioners' September 3, 2019 open session meeting minutes. He stated that the lease agreement would add a new attraction to the area without adversely impacting the use of the public boat ramp.

Commissioner Bunting stated that he has received a number of calls from individuals who are concerned that the proposed lease will impact the use of the boat ramp, and he stated that it is inappropriate to lease space for commercial use at any County boat ramp. In response to questions by Commissioner Bunting, Mr. Perlozzo advised that Mad Fish Restaurant owners

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anticipate that Alyosha passengers will park in or around the vicinity of the restaurant and frequent their establishment before or after touring the coast. County Attorney Maureen Howarth confirmed that the County received a letter of support from the restaurant's owner confirming that the catamaran is permitted to continue docking at the restaurant to load and unload passengers. Commissioner Bertino stated that he supported the idea of the County receiving the first \$8,500 generated by selling advertising on each sail, with any additional revenues to be split 50/50 by the County and Thrive Engineering; however, he was concerned about the potential impact of allowing the Alyosha to dock in the Joint Venture Area. He further noted that some had expressed concern that the proposed lease could impact how commercial fishing slips are leased at the harbor in the future. Assistant Chief Administrative Officer Kelly Shannahan confirmed that the proposed lease would have no impact on the commercial boat slips at the WOC harbor, as the County Code restricts the leasing of those slips to bonafide commercial fishermen only.

In response to a question by Commissioner Church, Mr. Perlozzo stated that the proposed partnership could generate \$50,000 annually for the County.

Commissioner Purnell opened the floor to receive public comment.

Former County Commissioner Floyd Bassett opposed the proposed lease, stating that the Joint Venture Area should remain a public space that is available to recreational boaters for brief periods as needed to dock their vessels while retrieving boat trailers or making quick repairs.

Commercial fisherman Sonny Gwin expressed concern that the Commissioners would be setting a precedent that would adversely impact the ability of commercial fishermen to lease slips at the harbor in the future. Commissioner Church stated that the County has no intention of amending the law to allow anyone other than commercial fishermen to lease slips in the commercial portion of the harbor.

Attorney and restaurateur Hugh Cropper stated that he respectfully disagrees with Commissioner Church. He explained that he owns the dock next to Mad Fish together with Commissioner Church's son, and nearly half of the Alyosha encroaches onto his property, blocking access to his dock slips in front of his restaurant. He further explained that, while he had allowed the Alyosha to dock there this past summer to load and unload passengers, this arrangement may not continue in the future. Therefore, he urged the Commissioners to consider modifying the lease to a period of less than five years to determine what impact this use may have on the harbor. Mr. Shannahan confirmed that the Alyosha would only be docking in the joint venture area during evening hours and not during the busy daytime hours. Commissioner Bertino expressed concern that the Alyosha may begin loading and unloading passengers in the Joint Venture Area if at some point the boat is no longer permitted to load and unload at Mad Fish.

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

Following much discussion, a motion by Commissioner Nordstrom to approve the lease for a period of one year failed 3-2-1, with Commissioners Elder, Nordstrom, and Purnell voting in favor of the motion, Commissioners Bertino and Bunting voting in opposition, and Commissioner Church abstaining.

The Commissioners reviewed and discussed various board appointments.

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Upon nominations by Commissioner Church, the Commissioners unanimously agreed to appoint Blake Haley to the Water and Sewer Advisory Council for the West Ocean City Service Area for the remainder of a four-year term expiring December 31, 2020 to replace Andrew Delcorro who relocated out of the area, and Chase Church to the Housing Review Board for the remainder of a three-year term expiring December 31, 2020 to replace John Glorioso who resigned.

Upon a nomination by the Pocomoke City Council and a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to appoint Michelle Beckett-El Solo as the Town of Pocomoke City's representative to the Solid Waste Advisory Committee for the remainder of a four-year term expiring December 31, 2020 to replace George Tasker.

Pursuant to the request of Kelly McMullen, Clinical Director of the Delmarva Free School (DFS), and Billy Weiland, Communications Director for Assateague Coastal Trust (ACT) and an agreement by Sheriff Matt Crisafulli and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to provide traffic control by way of two Sheriff's Deputies for the Holly Grove Road cleanup project on Saturday, November 2, 2019, from 9:30-11:30 a.m. Ms. McMullen explained that the project, which will be completed by DFS clients, is a partnership between the DFS and ACT to clean up litter on this roadway that would otherwise end up in the Sinepuxent Bay. The Commissioners and Sheriff Crisafulli thanked Ms. McMullen and Mr. Weiland for everything they are doing to keep Worcester County clean.

Sheriff Crisafulli met with the Commissioners to request an over-expenditure of \$80,097.65 to help cover the cost to purchase and install new equipment in 11 new vehicles within the Sheriff's Office, as the old equipment was not functioning. Sheriff Crisafulli explained that since the FY20 budget was approved two vehicles were totaled in collisions, which required his office to purchase two new vehicles and accompanying equipment. He stated that during the ordering process, it was discovered that the equipment in additional aged vehicles no longer functioned in the replacement vehicles and needed to be replaced. He advised that it would cost \$114,346 to cover these costs, but that his office had been able to reallocate funds within the FY19 budget to cover a portion of these costs.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the requested over-expenditure of \$80,097.65.

Pursuant to the request of Budget Officer Kathy Whited and upon a motion by Commissioner Bertino, the Commissioners unanimously approved FY19 Year-End Budget Transfers totaling \$294,726, which was corrected to \$295,529 and which also includes \$42,458 (mainly in Emergency Services to cover remaining funds due to Federal Engineering) to be included in the encumbrance request. Ms. Whited explained that the Year End Budget Transfers are a housekeeping measure included in the annual audit process, whereby budgeted funds are redirected to cover unanticipated expenses in other line items.

Pursuant to the written request of Ms. Whited and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the proposed Year End Reserve for Assigned Encumbrances in the amount of \$1,841,755. Ms. Whited explained that these funds have been set

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aside in three separate categories: Currently Approved Projects not Completed by June 30, 2019 (\$229,558), Grant Funds Appropriated but Unobligated (\$1,259,847), and Other Projects and Programs (\$352,350). Ms. Whited explained that all encumbrances are for contracts and purchase orders that will be fulfilled in a subsequent fiscal year.

Ms. Whited met with the Commissioners to discuss a proposal to promote the sale of roughly two pallets containing hardback and paperback editions of the 1994 book, "Along the Seaboard Side: The Architectural History of Worcester County, Maryland," by lowering the sale price from \$47.70 to \$35 for the hardback and from \$37.70 to \$25 for the paperback. Commissioner Bunting stated that he was unaware of the book's existence. In response to a question by Commissioner Bunting, Assistant Chief Administrative Officer Kelly Shannahan stated that in 1993 the County Commissioners commissioned local historian Paul Touart to write "Along the Seaboard Side" to preserve the architectural history of the County. Tourism Director Lisa Challenger stated that the book, which mirrors similar works undertaken by Dorchester, Somerset, and Wicomico Counties, is a source she refers back to often.

After some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to lower the sale prices even further to \$5.00 per hardback and \$3.00 per paperback, due to the age of the publication and to distribute the books at no cost to interested nonprofit agencies in the County who wish to use them to raise funds for their organizations.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Bertino, the Commissioners unanimously adopted the Findings of Fact and Resolution 19-30, establishing the Evergreen Village Residential Planned Community (RPC) floating zone for a proposed 90-lot, single-family-dwelling subdivision located on the northwesterly side of Beauchamp Road, north of MD Rt. 589 (Racetrack Road), and more specifically identified on Tax Map 15 as Parcels 127 and 259, as conceptually approved after the public hearing on September 3, 2019.

Pursuant to the recommendation of Mr. Tudor and upon a motion by Commissioner Bunting, the Commissioners unanimously adopted the Findings of Fact and Rezoning Resolution 19-01 for Rezoning Case No. 418 to rezone approximately 9.4 acres of land located at the southerly terminus of North Piney Point Road, south of St. Martins Neck Road, and more specifically identified on Tax Map 10 as Parcels 4, 171, and 304, from E-1 Estate District to I-1 Light Industrial District, as conceptually approved after the public hearing on September 3, 2019.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded bids for the purchase of 17 vehicles, as approved in the FY20 County Operating Budget as follows: one 2020 Ram Promaster City 4x2 cargo van at \$22,861, one 2020 Ram 2500 3/4 ton full-size 4x4 pickup truck with snow plow at \$32,989, and one 2020 Ram 5500 crew cab 1.5 ton 4x4 truck with dump body and snow plow at \$56,889 to Criswell Chevrolet and Criswell Chrysler Jeep Dodge of Gaithersburg, Maryland; one 2020 Ford Fusion at \$17,733, two 2020 Chevrolet Tahoe's with PPV Police Package 4x4 at a cost per unit of \$36,195 for a total cost of \$72,390, three 2020 Chevrolet Tahoes with PPV Police Package 4x2 at a cost per unit of \$33,371 for a total cost of

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\$100,113, one 2020 Chevrolet 3500 Express Cargo Van 4x2 at \$25,923, three 2020 Ram 2500 Reg Cab 4x4 full-size pickup trucks at a cost per unit of \$27,897 for a total cost of \$83,691, two 2020 Ram 1500 classic regular cab 4x2 pickup trucks at a cost per unit of \$18,878 for a total cost of \$37,756 to Hertrich Fleet Services of Milford, Delaware; and one 2020 Ford F250 3/4-ton full-size crew cab pickup truck at \$33,000 and one 2020 Ford F450 1.5-ton 4x2 crew cab truck chassis with dump body at \$47,200 to Lindsay Ford of Wheaton, Maryland.

At the request of Commissioner Bunting, the Commissioners unanimously agreed to table discussing the proposed revised resolution establishing standard sewer flow calculations until their October 15, 2019 meeting, so that Commissioner Mitrecic can be present. Commissioner Bunting explained that Commissioners Church, Mitrecic, and he worked with the Sewer Committee to draft the revisions to be considered.

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, with Commissioner Mitrecic absent, the Commissioners unanimously voted to meet in closed session at 11:36 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(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 Kelly Shannahan, County Attorney Maureen Howarth, and Public Information Officer Kim Moses. Topics discussed and actions taken included: receiving legal advice from counsel and discussing the enforcement of off-season occupancy restrictions at White Horse Park.

Following a motion by Commissioner Bertino, seconded by Commissioner Nordstrom, the Commissioners unanimously voted to adjourn their closed session at 12:15 p.m.

The Commissioners met with Assistant Chief Administrative Officer Kelly Shannahan to review the proposed plan to enforce off-season occupancy restrictions at White Horse Park (WHP). Mr. Shannahan stated that, following the Commissioners' meeting on September 17, 2019, Chief Administrative Officer Harold Higgins met with the WHP Board of Directors, County staff, and the County's State partners from the Health Department, Social Services, and Commission on Aging to develop a plan to enforce the off-season occupancy restrictions in the WHP campground subdivision. He advised that, as a result of these meetings, State partners have agreed to meet with WHP property owners and renters at the Ocean Pines Branch Library on October 9, 2019 to provide consultation on the various programs they offer to help those who may qualify for assistance. Mr. Shannahan then reviewed a series of draft letters designed to address off-season occupancy restrictions, the County's plan to enforce said restrictions, and to invite interested parties to meet with State partners as follows: letter 1 - to all owners (based on State Department of Assessment and Taxation records) to put them on notice that the off-season occupancy restrictions will be enforced beginning October 1, 2019 through March 31, 2020; letter 2 - to owners who may have previously violated the seasonal occupancy restrictions to define the enforcement actions to be taken by way of civil citations and to offer consultation with State partners through the Maryland Access Point (MAP) for guidance and assistance locating

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alternative housing in the area between October and March; and letter 3 - to the renters/tenants who must also comply with the off-season occupancy restrictions and who will likely need to contact their landlords/unit owners regarding their lease agreements, and who are also invited to consult with State partners for guidance and assistance locating alternative housing in the area between October and March.

Upon a motion by Commissioner Bunting, the Commissioners voted 4-2, with Commissioners Church and Nordstrom voting in opposition, to approve the letters and authorize Commission President Purnell to sign the letters as presented.

The Commissioners answered questions from the press.

The Commissioners discussed proper protocol for speaking to the press both as individual Commissioners and corporately as a body.

The Commissioners adjourned at 12:45 p.m. to meet again on October 15, 2019.



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Worcester County

Government Center
Department of Human Resources
One West Market Street, Room 1301
Snow Hill, Maryland 21863-1213
410-632-0090
Fax: 410-632-5614

STACEY E. NORTON
Human Resources Director
HOPE CARMEAN
Benefits Manager
EDDIE CARMAN
Risk Manager
KEVIN CANDY
Safety Coordinator

KELLY BRINKLEY
Volunteer Services Manager
ANN HANKINS
Human Resources Specialist
TARA ARMSTRONG
Office Assistant IV

To: Harold Higgins, Chief Administrative Officer
From: Stacey Norton, Human Resources Director
Date: October 7, 2019
Subject: Introductions of 2 New Hires

I am requesting to introduce the following new hires to the Commissioners during open session at the October 15, 2019 meeting please:

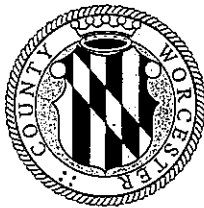
- 1) Lachelle Scarlato – Deputy Director of Economic Development
- 2) Rachel Stein – Assistant Library Director

They both started work on October 7, 2019.

These experienced professionals are in key senior management roles and I think it is important that the Commissioners have an opportunity to meet them.

Thank you for the consideration.

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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

PROCLAMATION

WHEREAS, in recognition of Economic Development Week, October 21 – 25, 2019, we celebrate the Worcester County Economic Development (WCED) partnerships that create jobs and promote economic growth; and

WHEREAS, area businesses benefit greatly from WCED business partnerships with area agencies, like the Maryland Small Business Development Center, which provide access to trusted business advisors who offer expertise and sound advice, consulting, and support to entrepreneurs and small businesses.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby proclaim October 21 – 25, 2019 as **Economic Development Week** in Worcester County and urge all citizens to learn more about WCED partnerships, which attract new residents and businesses, create new jobs, and ultimately strengthen our competitiveness and our economy.

Executed under the Seal of the County of Worcester, State of Maryland, this 15th day of October, in the Year of Our Lord Two Thousand and Nineteen.



Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

Citizens and Government Working Together



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195
September 4, 2019

 **FAXED**
9/4/19 @ 12:44pm

TO: *The Daily Times Group and Ocean City Today Group*
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*.

Please print the attached notice in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on September 12, 2019, September 19, 2019 and September 26, 2019. Thank you.

**NOTICE OF PUBLIC HEARING
REGARDING AMENDMENT TO COUNTY ROADS INVENTORY
WORCESTER COUNTY**

Notice is hereby given pursuant to Section 1-204 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland that the County Commissioners of Worcester County will hold a

**Public Hearing
on October 15, 2019 at 10:20 a.m.**

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

The purpose of the hearing is to receive public comment on the proposed inclusion into the Inventory of County Roads of the following public road which is located on the west side of Langmaid Road, in the Fourth Tax District of Worcester County, Maryland as shown on Worcester County Tax Map 49 as Parcel 27 and known as Arcadia Subdivision:

1. **Arcadia Circle** being approximately 0.39 mile in length.

Copies of the plat for the above referenced road are filed with the Department of Public Works - Roads Division, 6113 Timmons Road, Snow Hill, Maryland and are available during regular business hours (Monday through Thursday, 6:00 AM - 4:30 PM, except holidays) for inspection. The public is invited to attend the hearing and make comment.

WORCESTER COUNTY COMMISSIONERS

la:



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

public hearing
on October 15, 2019

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
DATE: August 29, 2019
SUBJECT: Arcadia – Road Inspection

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 of Public Works – Roads Division performed an inspection on the following road within the Arcadia Subdivision:

Arcadia Circle - 0.39 mile, 26' road width

Attached is the Letter of Certification dated September 26, 2006 from Frank G. Lynch, Jr., Land Surveyor with Frank G. Lynch, Jr. & Associates, Inc. regarding the placement of road monuments and lot corners within the above referenced Subdivision known as "Arcadia Subdivision". I have also included a memorandum from Rita Campbell, Planner I, formerly with the Department of Development Review and Permitting, which states a road monument and corner inspection was performed on September 26, 2006 by Frank G. Lynch, Jr. of Frank G. Lynch, Jr. & Associates, Inc., and Rita Campbell. This memo serves to notify that all the road monuments and lot corner markers have been installed in accordance with the requirements of ZS 2-503, of the Worcester County Code.

A final inspection was performed on December 3, 2018 by the Roads Division and found to meet County specifications. The Department of Public Works is requesting the County Commissioners to proceed with the scheduling of a public hearing pursuant to the Worcester County Code Section PW 1-204 for the acceptance of the above-referenced roads into the County Roads.

If you have any questions regarding this matter, please do not hesitate to contact me.

Attachments

cc: Frank J. Adkins, Roads Superintendent
Maureen Howarth, County Attorney

APPROVED
Worcester County Commissioners
Date HH 9/3/19

succeeding year's roads program. Title to any such land, buildings or equipment purchased by the County Commissioners of Worcester County shall be and remain in the County Commissioners of Worcester County, Maryland.

§ PW 1-103. Public Works Director, or his designee. [Amended 4-20-1999 by Bill No. 99-2]

The county shall, within sixty days after the effective date of the taking over of the construction, reconstruction and maintenance of the county roads in Worcester County, appoint some competent person as Public Works Director, or his designee, with the qualifications set out in § 8-634(e) of the Transportation Article of the Annotated Code of Maryland. The first term of office of said Public Works Director, or his designee shall run until June 30, 1960, and succeeding terms thereafter shall run for four years, accounting from the end of the previous term. He shall be subject to dismissal by the County Commissioners during his term for proper cause. He shall be under and subject to the authority of the County Commissioners and shall have charge of making surface plats, profiles and specifications for the grading, drainage, maintenance, repair and construction of the public roads, bridges, drains, watercourses, public landings, culverts, curbing and guttering in the county and also shall do or supervise the doing of all necessary engineering and other work in connection therewith. He shall receive such salary payable in such manner as the County Commissioners shall determine.

**SUBTITLE II
Roads System**

§ PW 1-201. Definitions.

As used in this Subtitle, the following terms shall have the following definitions:

COUNTY ROAD — Any road which is listed in the classification of "county road" within the Inventory of Public Roads of Worcester County, as from time to time may be adopted by the County Commissioners by resolution, and which is also inventoried with the Maryland State Highway Administration as a "county road."

INVENTORY OF PUBLIC ROADS OF WORCESTER COUNTY — The Inventory of Public Roads of Worcester County shall be as set forth in the resolution of the County Commissioners adopted pursuant to § PW 1-202 hereof.

OTHER PUBLIC ROAD — Any road which is listed within the Inventory of Public Roads of Worcester County, as from time to time may be adopted by the County Commissioners by resolution, not being a county road, as herein defined, and being in the classification of "other public roads."

PUBLIC EASEMENT ROAD — Any road which is listed within the classification of "public easement road" in the Inventory of Public Roads of Worcester County, as from time to time may be adopted by the County Commissioners by resolution. A "public easement road" shall be included as a county road in the inventory submitted to the State Highway Administration. [Added 10-11-1988 by Bill No. 88-17]

ROAD — Any public or private way set aside as a permanent right-of-way for vehicular travel by the general public and affording the principal means of access to abutting properties.

WORCESTER COUNTY ROADS SPECIFICATIONS — Those specifications as may be from time to time adopted by the Worcester County Commissioners by resolution for the construction, reconstruction, maintenance and repair of roads within Worcester County, Maryland.

§ PW 1-202. Inventory of Public Roads. [Amended 10-11-1988 by Bill No. 88-17]

The County Commissioners shall, by resolution, adopt an Inventory of Public Roads of Worcester County. Such inventory shall include the following classifications: county roads, other public roads and public easement roads. Such resolution shall identify all roads by name or number, approximate length and other pertinent information desirable for identification of the road. The resolution shall be accompanied by a map or maps identifying the road by classification.

§ PW 1-203. Status of roads not listed in Inventory.

The Inventory of Public Roads of Worcester County adopted by the County Commissioners pursuant hereto by resolution, as the same may be amended from time to time by the County Commissioners pursuant to the terms hereof, by resolution, shall be deemed to be complete; and any road, path, trail, street, right-of-way or route not listed in such Inventory shall be deemed to be abandoned and no longer a public road of Worcester County. The abandonment of any road pursuant hereto shall in no way adversely affect property rights of adjacent property owners with regard to private roadways or private rights-of-way over said road which has been so abandoned.

§ PW 1-204. Amendments to Inventory.

- (a) Authority to amend. The County Commissioners shall have the power, by resolution, to amend the Inventory of Public Roads of Worcester County, subject to the provisions of this section and in accordance with the procedures set forth herein. The Commissioners are empowered to make the following types of amendments to the Inventory of Public Roads of Worcester County:
- (1) Other public roads may be transferred from the other public roads classification to the county roads classification.
 - (2) Roads not included in the Inventory of Public Roads of Worcester County may be included in the Inventory under the county roads classification.
 - (3) Other public roads may be deleted from the Inventory of Public Roads of Worcester County.
 - (4) County roads may be deleted from the Inventory of Public Roads of Worcester County.

- (5) Alterations in physical characteristics and names of roads may be made.
- (6) Public easement roads may be added to or deleted from the Inventory. **[Added 10-11-1988 by Bill No. 88-17]**
- (b) Other amendments restricted. No additions may be made to the other public roads classification unless it is shown by a preponderance of the evidence that such road existed as an other public road prior to the adoption of the then current Inventory of Public Roads of Worcester County and was not included in such Inventory by oversight or clerical error and then may only be added to the Inventory as an other public road by a vote of a five-sevenths majority of the entire Board of County Commissioners. **[Amended 8-20-2002 by Bill No. 02-11]**
- (c) Procedure for amendment.
 - (1) Amendments may be by the County Commissioners at their own initiative or by the County Commissioners upon petition of any citizen or property owner. In the event that the amendment is upon petition of a citizen or property owner, all costs incurred pursuant thereto shall be borne by such petitioner.
 - (2) The County Commissioners shall schedule a hearing on any proposed amendment to the Inventory of Public Roads of Worcester County. Thirty days notice of such hearing, describing the proposed amendment, shall be given by at least three separate insertions of such notice at weekly intervals in one or more newspapers of general circulation in Worcester County. Amendments shall be made by resolution subsequent to such hearing.
- (d) Minimum requirements for "county road" classification.
 - (1) A fifty-foot right-of-way must exist unless such road is either:
 - A. Constructed wholly within the confines of an approved Residential Planned Community and in conformance with all County specifications for said roads; or
 - B. Listed in the county road classification of the Worcester County Road Inventory as of January 3, 1978, unless included pursuant to Subsection (e) hereof, provided that a right-of-way of less than fifty feet may qualify in the following cases:
 1. Roads platted in subdivisions for which a variance or exception has been granted by the Board of Zoning Appeals pursuant to Title 1, Zoning Regulations, of the Zoning and Subdivision Control Article, and subdivision plat approval given by the Planning Commission and all other planning and zoning criteria complied with;
 2. The road has at least a forty-foot right-of-way and is shown on a plat subdividing the property for the purpose of building lots duly recorded among the land records of Worcester County prior to January 4, 1978; or
 3. The road has at least a thirty-foot right-of-way with a five-foot easement along both right-of-way lines for drainage and utilities and is shown on a plat subdividing the property for the purpose of building lots duly recorded among the land records of Worcester County, Maryland, prior to January 4,

1978, and the road is not or is not contemplated to be a collector road as designated by the Planning Commission or as defined by the Zoning and Subdivision Control Article. Even if such requirements are met, amendments are discretionary with the County Commissioners, and the Commissioners may make additional requirements as they deem appropriate. In the case of roads qualifying under the transitional provisions hereof, the Commissioners shall consider the assessable basis of improvements constructed upon the proposed road and may defer acceptance of the road into the county road classification pending the completion of more substantial and valuable improvements.

4. In no event shall a right-of-way of less than thirty feet qualify. **[Amended 5-15-2001 by Bill No. 01-6]**
 - (2) Such right-of-way must be surveyed and transferred to the County Commissioners free of all liens and encumbrances by fee simple deed or valid dedication, at the expense of the person requesting that such road be included in the Inventory.
 - (3) Utilities shall be as prescribed in § PW 1-207 of this Subtitle. **[Amended 9-13-1988 by Bill No. 88-11; 4-6-1993 by Bill No. 93-4]**
 - (4) The road must be graded, drained, base constructed and surface treated to county specifications.
 - (5) All zoning and subdivision requirements must be met. **[Amended 1-20-1987 by Bill No. 86-11; 1-20-1987 by Bill No. 86-12; 11-10-1987 by Bill No. 87-7]**
- (e) Transfers from "other public road" classification to "county road" classification.
 - (1) Other public roads listed on the Inventory of Public Roads of Worcester County may be transferred to the county roads classification of such Inventory following the procedures set forth in Subsection (c) hereof, provided that such roads meet the minimum requirements set forth herein. Even if such requirements are met, the transfer is discretionary with the County Commissioners, and the Commissioners may also make additional requirements as they deem appropriate.
 - A. A thirty-foot right-of-way must exist.
 - B. Such right-of-way must be transferred to the County Commissioners free of all liens and encumbrances by fee simple deed or valid dedication at the expense of the person requesting that such transfer in classification be made.
 - C. Prior to commencing amendment procedures or improvements, the County Commissioners may require written commitment from all affected property owners to transfer sufficient right-of-way to provide a thirty-foot right-of-way. **[Amended 2-7-1984 by Bill No. 84-2]**
- (f) Temporary classification as "other public road." Roads which have been approved for county road classification may be temporarily placed in the other public road classification pending acceptance by the State Highway Administration for the next fiscal year as being classified as county roads.

- (g) Effect of subdivision approval. Approval of a subdivision plat by the Planning Commission of Worcester County in no way commits the County Commissioners to the inclusion of any road shown on such plat into the Inventory of Public Roads in Worcester County. All amendments shall be governed by the provisions hereof, and all standards, specifications, requirements and conditions hereof or adopted pursuant hereto shall be adhered to.
- (h) Requirements for public easement roads. A road may be included in the classification of a "public easement road," provided that all the following conditions are met:
- (1) The road is under the ownership of an incorporated nonprofit community organization or homeowners association.
 - (2) The owner of the road has granted an easement to the County Commissioners for the general free public use of the road.
 - (3) The owner has entered into an agreement with the County Commissioners providing that the road shall be constructed and maintained by the owner to standards adopted by the County Commissioners for county roads. The agreement may provide that the County Commissioners may allocate that portion, less any inspection fees or other direct county expenses, of the highway user revenues received by the county on account of the inclusion of said public easement roads in the State Highway Administration inventory to the owner for the purpose of the maintenance of said roads. [Amended 10-11-1988 by Bill No. 88-17]

§ PW 1-205. Transitional provisions. [Amended 4-20-1999 by Bill No. 99-2]

Roads shown on plats which had received final approval from the Worcester County Planning and Zoning Commission as subdivision plats on or before April 8, 1975, roads shown on subdivision plats approved by the Worcester County Planning and Zoning Commission as subdivision plats which were exempted from the provisions of a resolution by the County Commissioners dated April 8, 1975, by appropriate act of the County Commissioners prior to the enactment hereof, roads shown on any subdivision plat which subdivides properties into building lots and which was recorded among the land records of Worcester County, Maryland, prior to April 8, 1975, and roads for which individual, specific, affirmative, written commitments of acceptance into the county roads system have been made by the County Commissioners prior to the adoption hereof may be included in the Inventory of Public Roads of Worcester County as county roads by resolution in the same manner, under the same conditions and subject to the same requirements as an other public road may be transferred to the county roads classification; provided, however, that in the case of roads so platted after July 25, 1967, all conditions and requirements are met and necessary actions, including appropriate resolution of the County Commissioners, are taken and completed prior to January 1, 1980; provided, however, that for those roads on which all construction has been completed and approved by the Public Works Director, or his designee, prior to January 22, 1980, the hearing and resolution required by § PW 1-204(c) hereof may be held after January 1, 1980.

December 3, 2018

To: Mr. Frank J. Adkins
Roads Superintendent
Worcester County Department of Public Works- Roads Division
5764 Worcester Highway
Snow Hill, MD 21863

From: Robert Kitchens

Re: "Arcadia" roadways Final Inspections

Mr. Adkins,

Earlier this year I inquired about dedicating the roadway system within "Arcadia" into Worcester County's inventory. After my inquiry your office provided a list of required improvements necessary to facilitate this request. It is my belief all requested repairs/improvements have been completed.

I am writing to request a Final Inspection be conducted of the Roadways. If satisfactory, I ask that the roadway be presented to the County Commissioners for transfer of Ownership to Worcester County.

Thank You for your help and guidance throughout this process. If there are any further requirements, or additional information needed, please contact me at your earliest convenience.

Sincerely

Robert L. Kitchens

Frank G. Lynch, Jr. & Associates, Inc.

Surveying - Land Planning

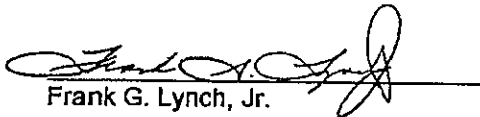
10535 Racetrack Road. Berlin, Maryland 21811
(410) 641-5353 FAX: (410) 208-0227

September 26, 2006

Rita Campbell, Subdivision Planner
Department of Development, Review, and Permitting
Government Office Building
One West Market Street Room 1201
Snow Hill, MD 21863

Dear Rita:

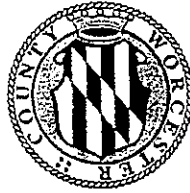
This letter is to certify that all lot and road monumentation has been installed in accordance with the subdivision entitled "Arcadia".


Frank G. Lynch, Jr.



9-26-2006
Date

8773-06 ltrcnb



SEP 27 2006

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

BOARD OF APPEALS
PLANNING COMMISSION
AGRICULTURAL PRESERVATION

ELECTRICAL BOARD
SHORELINE COMMISSION
LICENSE COMMISSIONERS

MEMORANDUM

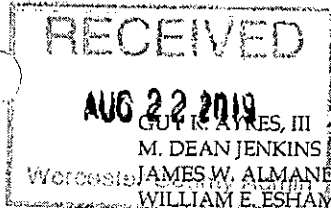
TO: Kelly L. Henry, Zoning Administrator
FROM: Rita C. Campbell, Planner I
DATE: September 26, 2006
SUBJECT: Arcadia, Tax Map 49, Parcel 27, Tax District 4

Attached, please find a copy of a Letter of Certification dated September 26, 2006 from Frank G. Lynch, Jr., Land Surveyor with Frank G. Lynch, Jr. & Associates, Inc., regarding the placement of road monuments and lot corners within the above referenced Subdivision known as Arcadia.

A road monument and lot corner inspection for the above referenced roads was performed on September 26, 2006 by Frank g. Lynch, Jr. of Frank G. Lynch, Jr. & Associates, Inc. and myself. This memo will serve to notify you that all the road monuments and lot corner markers have been installed in accordance with the requirements of §ZS 2-503, of the Worcester County Code.

If you have any questions regarding this matter, please don't hesitate to contact me at your earliest convenience.

Cc:
Arcadia, LLC
M. Lockfaw



Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.
6200 COASTAL HIGHWAY, SUITE 200
OCEAN CITY, MARYLAND 21842
www.ajgalaw.com

EMAIL ADDRESS:
mcropper@ajgalaw.com

(410) 723-1400
FAX (410) 723-1861

OF COUNSEL
HAROLD B. GORDY, JR.

August 22, 2019

Maureen Howarth, Esq.
County Attorney
Worcester County Government Center
1 West Market Street, Room 1103
Snow Hill, MD 21863-1195

RE: Arcadia Road Dedication

Dear Maureen:

I represent Arcadia Development, LLC regarding the dedication of Arcadia Circle to Worcester County. According to the Worcester County Department of Public Works Procedure for Acceptance of Roads, enclosed are the seven (7) items required of my client regarding this matter:

1. Email from Frank Adkins dated January 15, 2019, confirming that the road has been built to County Roads Standards and inspected by the Department of Public Works;
2. A plat for approval by the Department of Development, Review and Permitting;
3. A Deed of Dedication signed by my client;
4. See #2;
5. A title certificate signed by me as the attorney for Arcadia;
6. See #5 and a Certificate of Satisfaction confirming that there is no mortgage on this property; and
7. Check #003724 in the amount of \$500 for advertising fees.

Please let me know if you have any questions.

Very truly yours,

Mark S. Cropper
Mark Spencer Cropper

Enclosures

MSC/slc

Mark Cropper

From: Bobby Kitchens <kitchcraft@yahoo.com>
Sent: Friday, January 25, 2019 11:44 AM
To: Mark Cropper
Subject: Fw: Arcadia
Attachments: Procedures for Acceptance of Road into County Inventory.jpg

Mark,

This is the only acknowledgement regarding County inspection and acceptance of the roads. I'm assuming the person's copied in the email use this as acknowledgment as well.

Thanks,
Bobby

----- Forwarded Message -----

From: Frank Adkins <fadkins@co.worcester.md.us>
To: Bobby Kitchens <kitchcraft@yahoo.com>
Cc: John Tustin <jtustin@co.worcester.md.us>; Lisa Lawrence <llawrence@co.worcester.md.us>; Judith Lobianco <jlobianco@co.worcester.md.us>
Sent: Tuesday, January 15, 2019 12:48:05 PM EST
Subject: FW: Arcadia

Please see the attachment and previous email below. There will also need to be a public hearing regarding the acceptance of these roads.

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

From: Frank Adkins
Sent: Monday, December 03, 2018 4:09 PM
To: Bobby Kitchens
Cc: John Tustin; Lisa Lawrence; Judith Lobianco
Subject: FW: Arcadia

Bobby,

This is a list of procedures to be completed in order to have this road accepted into County inventory. (see attach.)

Item #1 has been completed – Inspected 12/3/18

Item #13 has been completed

Items 2-7 need to be completed and sent to the County Attorney

Items 8-12 will be completed through the County Comm. office

Item #14 will then be completed by the Public Works Dept. and the Roads Div.

Please notify us when items 2-7 have been sent to the County Atty.

Any questions or concerns, please contact me.



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

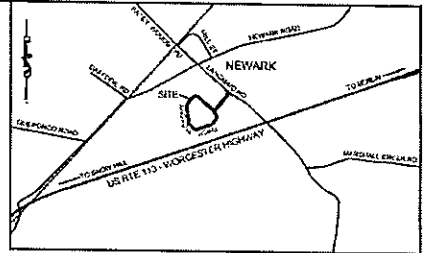


NOTE: THIS PLAN REFLECTS THE DESCRIPTION OF ARCADIA CIRCLE AS SHOWN ON THE RECORD PLAT OF ARCADIA SUBDIVISION AND DOES NOT VERIFY THE EXISTENCE OF HIGHWAYS OR HIGHWAY RIGHTS-OF-WAY, UTILITIES OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON THIS RECORD PLAT. NO TITLE SEARCH OR COVENANTS PRODUCED OR OBTAINED.

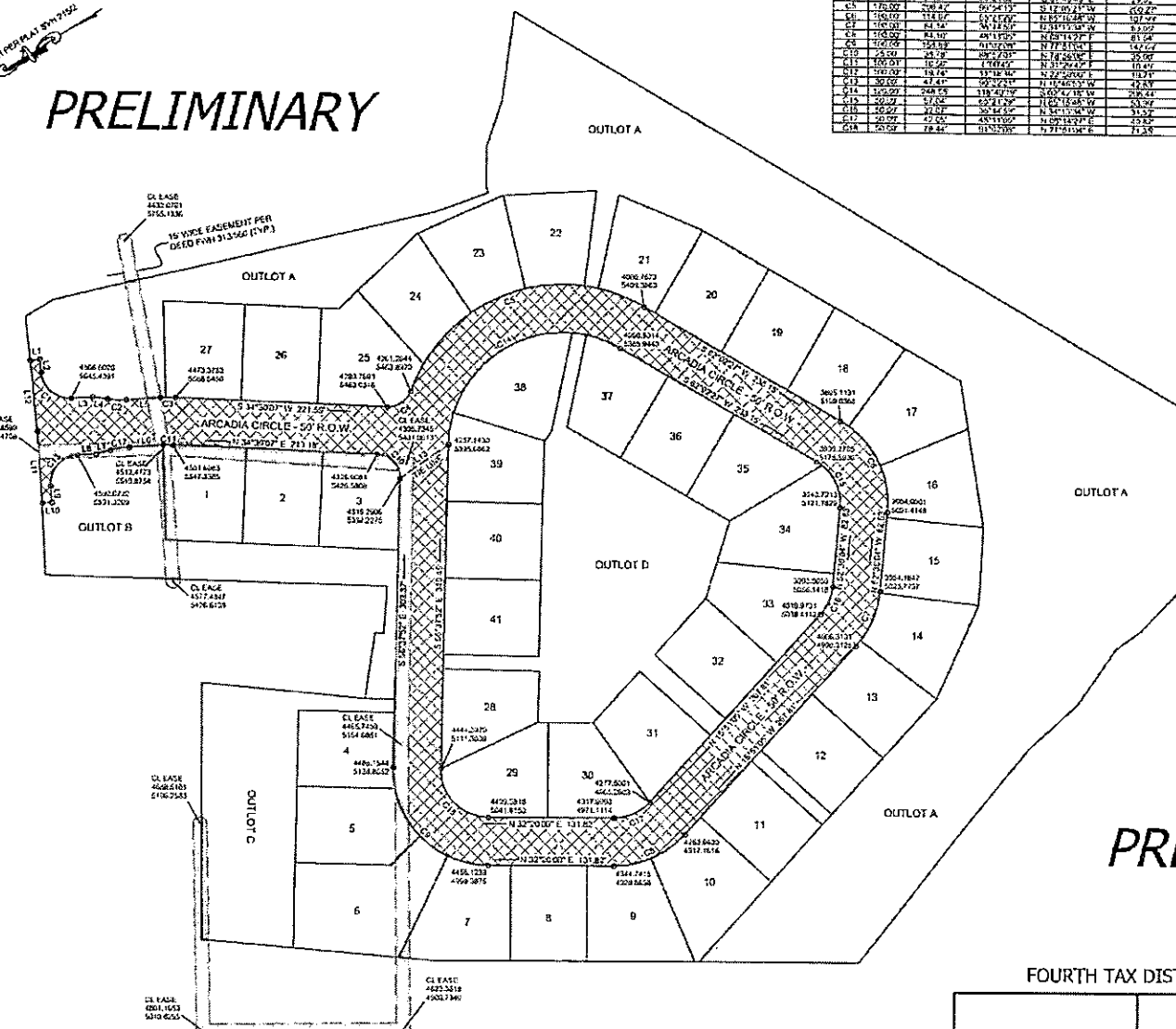
15' WIDE EASEMENT PER DEED FWH 313-566 (PVP)

PRELIMINARY

CURVE NUMBER	ARC LENGTH	DELTA ANGLE	CURVE BEARING	PERPENDICULAR
C1	200.07	45.99	S 77° 21' 00" W	218.1
C2	118.02	39.74	N 11° 18' 00" E	318.25
C3	150.07	35.74	S 81° 20' 42" E	157.72
C4	200.07	45.99	S 81° 20' 42" E	218.1
C5	118.02	39.74	N 11° 18' 00" E	318.25
C6	150.07	35.74	S 81° 20' 42" E	157.72
C7	200.07	45.99	S 77° 21' 00" W	218.1
C8	118.02	39.74	N 11° 18' 00" E	318.25
C9	150.07	35.74	S 81° 20' 42" E	157.72
C10	200.07	45.99	S 77° 21' 00" W	218.1
C11	118.02	39.74	N 11° 18' 00" E	318.25
C12	150.07	35.74	S 81° 20' 42" E	157.72
C13	200.07	45.99	S 77° 21' 00" W	218.1
C14	118.02	39.74	N 11° 18' 00" E	318.25
C15	150.07	35.74	S 81° 20' 42" E	157.72
C16	200.07	45.99	S 77° 21' 00" W	218.1
C17	118.02	39.74	N 11° 18' 00" E	318.25
C18	150.07	35.74	S 81° 20' 42" E	157.72
C19	200.07	45.99	S 77° 21' 00" W	218.1
C20	118.02	39.74	N 11° 18' 00" E	318.25
C21	150.07	35.74	S 81° 20' 42" E	157.72
C22	200.07	45.99	S 77° 21' 00" W	218.1
C23	118.02	39.74	N 11° 18' 00" E	318.25
C24	150.07	35.74	S 81° 20' 42" E	157.72
C25	200.07	45.99	S 77° 21' 00" W	218.1
C26	118.02	39.74	N 11° 18' 00" E	318.25
C27	150.07	35.74	S 81° 20' 42" E	157.72
C28	200.07	45.99	S 77° 21' 00" W	218.1
C29	118.02	39.74	N 11° 18' 00" E	318.25
C30	150.07	35.74	S 81° 20' 42" E	157.72
C31	200.07	45.99	S 77° 21' 00" W	218.1
C32	118.02	39.74	N 11° 18' 00" E	318.25
C33	150.07	35.74	S 81° 20' 42" E	157.72
C34	200.07	45.99	S 77° 21' 00" W	218.1
C35	118.02	39.74	N 11° 18' 00" E	318.25
C36	150.07	35.74	S 81° 20' 42" E	157.72
C37	200.07	45.99	S 77° 21' 00" W	218.1
C38	118.02	39.74	N 11° 18' 00" E	318.25
C39	150.07	35.74	S 81° 20' 42" E	157.72
C40	200.07	45.99	S 77° 21' 00" W	218.1
C41	118.02	39.74	N 11° 18' 00" E	318.25
C42	150.07	35.74	S 81° 20' 42" E	157.72
C43	200.07	45.99	S 77° 21' 00" W	218.1
C44	118.02	39.74	N 11° 18' 00" E	318.25
C45	150.07	35.74	S 81° 20' 42" E	157.72
C46	200.07	45.99	S 77° 21' 00" W	218.1
C47	118.02	39.74	N 11° 18' 00" E	318.25
C48	150.07	35.74	S 81° 20' 42" E	157.72
C49	200.07	45.99	S 77° 21' 00" W	218.1
C50	118.02	39.74	N 11° 18' 00" E	318.25
C51	150.07	35.74	S 81° 20' 42" E	157.72
C52	200.07	45.99	S 77° 21' 00" W	218.1
C53	118.02	39.74	N 11° 18' 00" E	318.25
C54	150.07	35.74	S 81° 20' 42" E	157.72
C55	200.07	45.99	S 77° 21' 00" W	218.1
C56	118.02	39.74	N 11° 18' 00" E	318.25
C57	150.07	35.74	S 81° 20' 42" E	157.72
C58	200.07	45.99	S 77° 21' 00" W	218.1
C59	118.02	39.74	N 11° 18' 00" E	318.25
C60	150.07	35.74	S 81° 20' 42" E	157.72



SHEET	REFERENCE	DISTANCE
11	S 26° 18' 30" W	11.00'
12	N 83° 24' 30" W	11.27'
13	S 78° 04' 00" W	22.82'
14	S 59° 25' 30" W	15.83'
15	S 26° 39' 30" W	32.26'
16	N 14° 28' 00" E	25.10'
17	N 78° 10' 30" E	15.22'
18	N 28° 20' 30" E	16.21'
19	N 28° 05' 00" W	17.62'
20	N 12° 15' 30" E	10.92'
21	N 62° 53' 00" E	25.00'
22	N 62° 53' 00" E	25.00'
23	S 62° 11' 30" E	25.37'

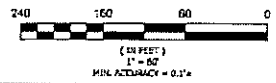


PRELIMINARY

DEDICATION PLAT
ARCADIA SUBDIVISION
VILLAGE OF NEWARK
FOURTH TAX DISTRICT, WORCESTER COUNTY, MARYLAND

GENERAL NOTES:
 AREA OF ARCADIA CIRCLE: 135,165 S.F. & GR 2+142 AC.
 PLAT REFERENCE: SV11 2152

LEGEND:
 □ DENOTES POINT ON RIGHT OF WAY
 ▨ DENOTES AREA TO BE DEDICATED TO WORCESTER COUNTY (123,145 S.F. OR 2.843 AC.)



RUSSELL T. HAMMOND
Surveying, LLC

SURVEYING - LAND PLANNING
 10310 Hold Road, Blisneyville, MD 21813
 (410) 332-5674 • (410) 736-8076

DESIGNED BY: N/A	DRAWN BY: H. OHSERKELT	DATE: 2-12-2018	FILE #:
CHECKED BY: R.T. HAMMOND	SCALE:		2018-ARCADIA
			SHEET 1 OF 1

RUSSELL T. HAMMOND SURVEYING, LLC. LICENSED PROFESSIONAL SURVEYOR. THIS DOCUMENT IS THE PROPERTY OF RUSSELL T. HAMMOND SURVEYING, LLC. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RUSSELL T. HAMMOND SURVEYING, LLC.

This Deed is exempt from taxation under Maryland Code § 12-108(a)(iv)

DEED OF DEDICATION

THIS DEED OF DEDICATION, made this _____ day of _____, 2019, by and between, **Arcadia Development, LLC**, a Delaware limited liability company registered to conduct business in Maryland, ("Grantor") and **The County Commissioners of Worcester County, Maryland**, a body corporate and politic of the State of Maryland ("Grantee").

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby dedicates, grants and conveys with special warranty of title unto Grantee that certain real estate owned by Grantor, as shown and more particularly designated and distinguished as "Arcadia Circle - 50' Right of Way" on a plat entitled "Record Plat, Arcadia, Subdivision of the Lands of Arcadia L.L.C., Fourth Tax District, Worcester County, Maryland," prepared by Frank G. Lynch, Jr. & Associates, Inc., dated March 1, 2006, Revised August 10, 2006, and recorded among the Land Records of Worcester County, Maryland in Plat Book SVH No. 215, folio 2, et seq.; and further, designated and distinguished as "Arcadia Circle - 50' R.O.W." on the plat entitled "Dedication Plat, Arcadia Subdivision, Village of Newark", prepared by Russell T. Hammond Surveying, LLC, dated February 12, 2019 attached hereto as Exhibit A and intended to be a part hereof. BEING PART OF THAT SAME PROPERTY conveyed unto the Grantor herein by Deed dated February 15, 2007 and recorded as aforesaid in Liber SVH No. 4873, folio 742, et seq. The Grantor covenants that it will execute such further assurances as may be requisite. The Right of Way is dedicated, granted and conveyed to Grantee for the purpose of providing public roadways.

The conveyance described in this Deed of Dedication is made subject to all restrictions, covenants, conditions and easement of record, insofar as they may lawfully affect title to the Right of Way, together with the building and improvements thereon erected, made or being, and all and every of the rights, roads and/or alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise pertaining.

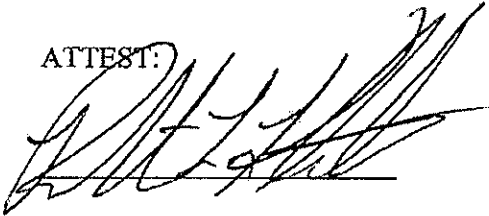
IN WITNESS WHEREOF, Grantor has caused this Deed of Dedication to be executed by its authorized representative as of the day and year first above written.

GRANTOR:

Arcadia Development, LLC, a Delaware limited liability company

By: C. Larry McKinley (Seal)
C. Larry McKinley, Sole Member

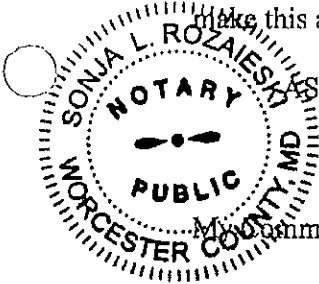
ATTEST:



STATE OF MARYLAND, COUNTY OF WORCESTER, TO WIT:

I HEREBY CERTIFY that on this 2 day of August, 2019, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared C. Larry McKinley, who made oath in due form of law and under penalties of perjury that he is the sole member of Arcadia Development, LLC, who acknowledged the foregoing Deed to be the act and deed of said limited liability company, and who further acknowledged that he is duly authorized to make this affidavit

I do hereby WITNESS my hand and Notarial Seal.



Sonja L. Rozaieski
NOTARY PUBLIC

I, an attorney at law of the State of Maryland, do hereby certify that the within instrument was either prepared by me or prepared under my supervision.

Mark S. Cropper
Mark S. Cropper

AFTER RECORDING RETURN TO:
Ayres, Jenkins, Gordy & Almand, P.A.
6200 Coastal Highway, Suite 200
Ocean City, MD 21842
File No. 15-0936C

Worcester County Commissioners

Title Certificate

Property - Legal Description:

ALL that property as shown and more particularly designated and distinguished as "Arcadia Circle - 50' Right of Way" on a plat entitled "Record Plat, Arcadia, Subdivision of the Lands of Arcadia L.L.C., Fourth Tax District, Worcester County, Maryland," prepared by Frank G. Lynch, Jr. & Associates, Inc., dated March 1, 2006, Revised August 10, 2006, and recorded among the Land Records of Worcester County, Maryland in Plat Book SVH No. 215, folio 2, et seq.; and further, designated and distinguished as "Arcadia Circle - 50' R.O.W." on the plat entitled "Dedication Plat, Arcadia Subdivision, Village of Newark", prepared by Russell T. Hammond Surveying, LLC, dated February 12, 2019 attached hereto as Exhibit A and intended to be a part hereof.

Recording Reference: SVH No. 4873, folio 742

Copy of Deed Attached: Yes No

Assessment Information:

Tax Map : 0049 Parcel No.: 0027

Tax District and Account No.: 04004175

SDAT Information Sheet Attached: Yes No

Fee Simple Owner(s):

Name: Arcadia Development, LLC

Mailing Address: P.O. Box 366, Smyrna, DE 19977

Liens: None

Rights of Way and Easements: None

Encumbrances: None

Pending Litigation: None

Any Other Matter Affecting Title To The Property: None

Unrecorded Instruments Effecting Title Of Which I Have Knowledge: None

Limitation

This Certificate of Title is given for the benefit of the County Commissioners of Worcester County for the purpose of **acceptance of Arcadia Circle into the County Roads System.**

Taxes and Public Charges

No certification is required.

This can be relied on by the County Commissioners for such purposes.

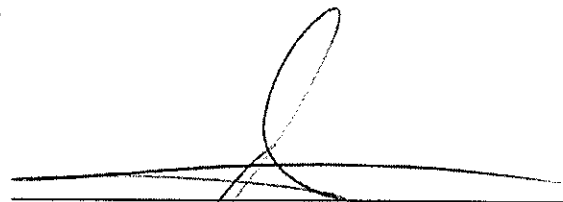
I hereby certify that I am an attorney licensed to practice law in Maryland. Based upon a Title Examination conducted in the land and court records of Worcester County and such other sources of information that I deem necessary and appropriate, I do hereby certify that the owner listed in this certificate is the fee simple owner of the property described in this certificate subject only to the matters set forth herein and further subject to the following standard exceptions:

Matters of survey, unknown heirs, forgeries, matters which could not be determined by physical examination of the property, matters contained in unrecorded instruments of which I am unaware, taxes past due, present due and due in the future, assessments and benefit charges past due, present due and due in the future, and any matter affecting title which is not determinable or ascertainable pursuant to practices and procedures of Members of the Bar of Worcester County with respect to examination of Real Estate Titles.

Other Exceptions: None

Date: _____

8/22/19



Mark Spencer Cropper
Attorney at Law

Ayres, Jenkins, Gordy & Almand, P.A.
6200 Coastal Highway, Suite 200
Ocean City, MD 21842
410 723-1400
MCropper@ajgalaw.com

Return To: First Shore Federal - P O Box 4248 - Salisbury, MD 21803

CERTIFICATE OF SATISFACTION

Worcester County, Maryland, Circuit Court is the location of the following record referenced by this release:

Date of Deed of Trust/Mortgage: November 26, 2013
Recording Reference: November 26, 2013
Liber: 6286
Folio: 209
Name of Grantor: Arcadia Development LLC
Name of Grantee: First Shore Federal S&L Association
Property: Lots 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 33, 34, 35, 36, 37, 38, & 39
 Plat entitled "Arcadia"
Amount of Mortgage: \$500,000.00

I/We certify that the undersigned is the holder of the note(s) secured by the deed of trust or other lien described above, and that the indebtedness evidenced thereby has been paid in full to the person entitled and authorized to receive the same, and the lien therein created and retained is hereby released.

FIRST SHORE FEDERAL SAVINGS & LOAN ASSOCIATION

Date: April 8, 2019

Nestor T. Bleech

By: Nestor T. Bleech

Title: Vice President

Chris [Signature]

Witness

STATE OF MARYLAND, WICOMICO COUNTY, to wit:

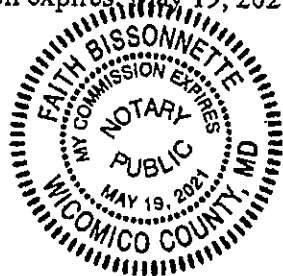
Acknowledged, subscribed and sworn to before me this 8th day of April, 2019.

by Nestor T. Bleech

My commission expires: May 19, 2021

Faith Bissonnette

Notary Public



WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 7427, p. 0186, M... SE31_7603. Date available 06/03/2019. Printed 06/11/2019.

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 7427, p. 0187, MDC31_7603. Date available 06/03/2019. Printed 06/11/2019.

LR - Release Recording Fee 10.00
 Name: Arcadia/First Shore Federal
 Ref:
 LR - Release Surcharge 40.00
 =====
 SubTotal: 50.00
 =====
 Total: 50.00
 05/30/2019 01:48
 CC23-ML
 #12207394 CC0104 -
 Worcester
 County/CC01.04.02 -
 Register 02

MAY 30 2019 The foregoing instrument
 filed for record and is accordingly recorded
 among the land records of Worcester County,
 Maryland.

Shirley Prosser Clerk

RESOLUTION AMENDING
THE INVENTORY OF PUBLIC ROADS OF WORCESTER COUNTY, MARYLAND
TO INCLUDE ARCADIA CIRCLE IN THE ARCADIA SUBDIVISION

WHEREAS, the Worcester County Commissioners have adopted an Inventory of Public Roads of Worcester County in accordance with § PW 1-202 of the Code of Public Local Laws of Worcester County, Maryland; and

WHEREAS, in accordance with the provisions of § PW 1-204 of the Code of Public Local Laws of Worcester County, Maryland, the Worcester County Commissioners held a public hearing on October 15, 2019 for the purpose of receiving public comment on the proposed inclusion of a certain road in the Inventory of Public Roads of Worcester County, Maryland.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The Inventory of Public Roads of Worcester County, Maryland shall be amended as follows pursuant to a public hearing duly held on October 15, 2019 to include the following described road, which is located on the west side of Langmaid Road in the Village of Newark, in the Fourth Tax District of Worcester County, Maryland as shown on Worcester County Tax Map 49 as Parcel 27 and known as Arcadia Subdivision

- 1. **Arcadia Circle** being approximately 0.39 mile in length.

Section 2. Executed this ____ day of _____, 2019 to be effective immediately.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom



4

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: October 7, 2019
RE: Request for Approved Private Road - Pike Lane - Stockton

The Department has processed a request submitted by Hugh Cropper, IV on behalf of his client, Harkins Farms LLC, to establish an approved private road over an existing driveway known as Pike Lane in Stockton. No improvements to the existing driveway are proposed and Harkins Farms will be solely responsible for its maintenance. Harkins Farms currently owns Parcels 186 and 119 on Tax Map 86. Parcel 186 was illegally created by deed only out of Parcel 119 in 1980. Parcel 119 previously contained a derelict farmhouse and associated structures which were removed after the property was purchased by Harkins Farms in 2015. The purpose of the current request is to legitimize the illegal subdivision and permit the future improvement of the property with a single family dwelling. Other solutions to the problem are not viable due to a conservation easement on the properties. This information and other details of the properties are all contained in the staff report to the Planning Commission which was prepared by Zoning Administrator Jennifer Keener and which is attached hereto. The Planning Commission at their meeting on October 3, 2019 reviewed all of this information and gave a favorable recommendation to the request.

§ ZS 1-123(c) which pertains to approved private roads, provides that after receipt of the Planning Commission's recommendation the County Commissioners shall schedule a meeting with the applicant so that the applicant may offer any additional information and answer any questions. The County Commissioners may but are not required to hold a public hearing on the request unless they determine that the request will have an impact on the public generally. Given that this request only involves two property owners and will not result in any changes to the properties, I do not feel there is any reason to schedule a public hearing but suggest that the item simply be placed on a future agenda to give the applicant an opportunity to be heard.

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

Attachments

cc: Jennifer Keener, Zoning Administrator

*

1

Worcester County, MD
Monday, October 7, 2019

Subtitle ZS1:I. General Provisions

§ ZS 1-123. Approved private roads.

- (a) Application. Proposals for approved private roads shall be made by petition to the County Commissioners. The petition must be signed by all record owners of all lands to be served by the proposed road. In the event that the proposal is in conjunction with a map amendment or residential planned community application, the petition may accompany the map amendment application, residential planned community application or application for public easement road designation. Every petition shall be in a form prescribed by the County Commissioners and shall be accompanied by a plat, drawn to scale, showing property lines, the existing and proposed district boundaries, the general location of the proposed private road, the construction and maintenance standards of the proposed private road and such other information as the County Commissioners may deem appropriate in order to properly review the petition. The petition shall include information as to the proposed method of payment for maintenance of the road and assurances to the County Commissioners that such road shall be properly maintained so long as necessary.
- (b) Planning Commission review. The County Commissioners shall refer the petition to the Planning Commission for its review and report. The Planning Commission shall review the petition at a regularly scheduled meeting and shall provide the applicant with an opportunity to be heard.
- (c) Planning Commission report. After receipt of the Planning Commission's report, the County Commissioners shall schedule a meeting with the applicant, at which time the applicant shall have the opportunity to provide additional information or to answer questions with regard to the proposal. The County Commissioners may but shall not be required to hold a public hearing with respect to the application in such cases where the County Commissioners determine that the approval of the private road shall have an impact on the public generally.
- (d) Criteria. The County Commissioners shall, in making a determination as to whether or not to approve the private road, consider the following:
- (1) Its relationship to existing and planned public roads of the County.
 - (2) The nature of the area to be served by the road.
 - (3) The desirability or necessity of public access to the areas to be served by the road.
 - (4) Whether or not the construction and maintenance of the road is financially feasible.
 - (5) Proposed construction and maintenance standards.

- (6) The proposed maintenance plan.
- (e) Determination. The County Commissioners shall, by resolution, approve or disapprove the proposed private road. In the event that the road is approved, the resolution shall be recorded among the land records of Worcester County, Maryland, and be indexed at the expense of the applicant under the name of all property owners served by the road.
- (f) Plats and covenants. Any plats showing an approved private road shall contain an appropriate notation indicating that the road is an approved private road and the date or recording reference of the resolution. The County Commissioners may, as a condition to approval, require a recorded deed covenant running with the land, in such form as may be satisfactory to the County Commissioners, indicating and acknowledging the existence of the approved private road and establishing a procedure for collection of fees for maintenance thereof.
- (g) Construction and maintenance standards. The County Commissioners may, by resolution, establish or adopt construction and maintenance standards for approved private roads.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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www.co.worcester.md.us/drp/drpindex.htm

PLANNING DIVISION
PERMITTING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Edward A. Tudor, Director
From: Jennifer K. Keener, AICP, Zoning Administrator *JKK*
Date: October 3, 2019
Re: Approved Private Road Request – Pike Lane, Stockton

During their regular meeting today, October 3, 2019, the Planning Commission reviewed a request to establish an approved private road as well as proposed a construction standard for Pike Lane in Stockton, Maryland as part of the approved private road requirements of §ZS 1-123. The construction standard for Pike Lane is for it to remain as it currently exists today with no additional road improvements proposed. Based upon their review, the Planning Commission forwarded a favorable recommendation to the Worcester County Commissioners.

At this time, the applicant is requesting that the item be scheduled for review by the Worcester County Commissioners at their next upcoming meeting. I have attached all documentation provided by the applicant regarding the request. If I can be of any further assistance, please do not hesitate to ask.



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DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

PLANNING DIVISION
ZONING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer K. Keener, AICP Zoning Administrator *JKK*
Date: September 26, 2019
Re: Approved Private Road Request – Pike Lane, Stockton

The Department has received a request from Hugh Cropper, IV, Esquire on behalf of his client, Harkins Farms, LLC to establish an approved private road over an existing driveway, identified as Pike Lane in Stockton, Maryland (attached). Harkins Farms, LLC currently owns Tax Map 86, Parcel 186 and Parcel 119. The lane is also currently accessed and located over lands owned by Michael Bradford and Norman Bradford, identified as Tax Map 86, Parcel 247. Messrs. Bradford have signed a letter of consent, agreeing to the request.

This request is the result of a meeting that was held with Mr. Cropper and staff to discuss Parcel 186, which was created by virtue of a deed in 1980 and is a land-locked parcel. It is therefore considered an illegal subdivision. The surrounding lands (Parcel 119) are also owned by Mr. Harkins, and are in a conservation easement. Historically, these properties were viewed as one, with a farm building group and dwelling units spanning the property lines.

In order to rectify the matter of the illegal subdivision and to permit a future single-family dwelling on Parcel 186, the simple solution would have been to create a flag stem to Snow Hill Road (MD Route 12) to give this parcel road frontage; however, the terms of the easement will not allow it. Therefore, the applicant has submitted a request for an approved private road and will proceed with a subdivision plat in order to formally establish Parcel 186 as a legal lot. It is not anticipated that there would be any additional road improvements beyond what currently exists on site today. I would also note that due to the easement as well as the Critical Area designation, there are no other subdivision rights that are available to Mr. Harkins, so it is highly unlikely that Pike Lane will be utilized for anything beyond this request.

Before this request is forwarded to the County Commissioners, the Planning Commission must provide a recommendation, either favorable or unfavorable. As always, I will be available to discuss the matter when necessary.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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PLANNING DIVISION
ZONING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer K. Keener, AICP Zoning Administrator *JKK*
Date: September 30, 2019
Re: Approved Private Road Request – Pike Lane, Stockton

I have received comments from Frank Adkins, County Roads Superintendent, Department of Public Works, subsequent to the distribution of the Planning Commission packets for your review. Mr. Adkins stated that the County has an Approved Private Road specification that requires a cul-de-sac (specification Nos. 200-06 and 200-08), and that Pike Lane should be built to that standard.

The applicant is requesting their own road standard, as the driveway is currently existing on-site. During their review of the request, the County Commissioners may accept the road as proposed, or require the compliance with the Approved Private Road specification that Mr. Adkins outlined.

Before this request is forwarded to the County Commissioners, the Planning Commission must provide a recommendation, either favorable or unfavorable. As always, I will be available to discuss the matter at your meeting.

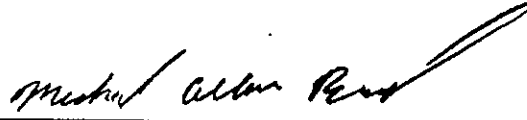
RECEIVED
9-23-19

JKK

CONSENT

We, the undersigned, owners of Worcester County Tax Map 86, Parcel 247, do hereby consent to the establishment of Pike Lane located in Girdletree, Worcester County, Maryland, as an approved private road by the Worcester County Commissioners.

Date: 9-1-19

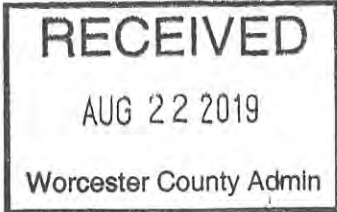


Michael Allen Bradford

Date: 9-1-19



Norman Jeffrey Bradford



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

EASTON OFFICE

130 N. WASHINGTON ST.

EASTON, MD 21601

(410) 822-2929

FAX (410) 820-6586

WEBSITE

www.bbcmlaw.com

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

*ADMITTED IN MD & DC

August 20, 2019

Mr. Harold Higgins CAO
Worcester County Commissioners
One West Market Street
Snow Hill, Maryland 21863

Copy to: Ed Tudar ✓
For processing
- Kelly Henry ✓
- Billy Birch ✓

RE: **Proposed Approved Private Road**

Dear Mr. Higgins:

Please accept this correspondence as the Petition or Application on behalf of my client, Harkins Farms, LLC, to establish an approved private road pursuant to Section ZS1-123. I have the authority of Harkins Farms, LLC, my client, to execute and to submit this application.

Harkins Farms, LLC owns Tax Map 86, Parcel 186, 6019 Pike Lane, Stockton, Maryland 21864, which is approximately 8.03 acres of land. The current deed is attached.

The lot was created by virtue of a deed dated November 21, 1980, by Paul Joyner, a copy of which is also attached. The deed includes a plat. The plat was not approved by the Planning Commission, and it is not a legal subdivision. On the other hand, it was recorded back in 1980, and apparently there was a house on the property, among other structures, for many, many years. Mr. Harkins recently pulled a demo permit and tore down the house, and cleaned up extensive old structures on the property, including old poultry houses.

The 8.03 acres is served by a thirty foot right of way out to Route 12.

The right of way is also known as Pike's Lane, which has existed as a private road for many, many years. The property has a 911 address. Pike's Lane was never formally

approved as a private road by the County Commissioners, and therefore I am submitting this request.

The only other property past Parcel 186 is a large farm also owned by Mr. Harkins, and he is in complete agreement with this request.

The road has existed and served the single family dwellings wells, for almost 40 years, and probably more. There are no formal design standards.

Pursuant to Section ZS1-123, several copies of maps are attached. Again, this request is a little unusual because Pike's Lane already exists.

The road has been, and will be, maintained by the Harkins Family.

I believe that this request must be submitted to the Planning Commission, so I have sent copies to Ed, Phyllis, and Jennifer.

Thank you.

Very truly yours,



Hugh Cropper IV

HC/tgb

Enclosures

CC: Ed Tudor

Phyllis Wimbrow

Jennifer Keener

THIS DEED is made this 21st day of October, 2015, by **HAROLD C. SCRIMGEOUR**, (also known as "HAROLD D. SCRIMGEOUR" and "HAROLD SCRIMGEOUR") hereinafter referred to as "Grantor", witnesseth:

THAT FOR AND IN CONSIDERATION of the sum of SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$75,000.00) and other good, valuable and sufficient considerations in hand paid, receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto **HARKINS FARMS, LLC**, a Maryland limited liability company, hereinafter referred to as "Grantee", its successors and assigns, all the following described property:

ALL that lot or parcel of land lying and being situate in the Eighth Election District of Worcester County, Maryland, on the easterly side of, but not contiguous to the Girdletree to Stockton Road, also known as Maryland Route No. 12, and being more particularly described as follows:

BEGINNING for the same at a concrete monument placed in the ground at a point which marks the northernmost point of the property hereby conveyed, as set forth on a plat entitled "Farm Survey for N. Paul Joyner and Marion H. Joyner and Earl C. Reeder and Frances L. Reeder", dated November 19, 1980, made by Herman Lloyd Purnell, Registered Property Line Surveyor of the State of Maryland, which said plat is attached to a Deed from N. Paul Joyner and Marion H. Joyner, his wife, to Earl C. Reeder and Frances L. Reeder, his wife, dated November 21, 1980, and recorded among the Land Records of Worcester County, Maryland, in Liber F.W.H. No. 735, folio 367, et seq., and from said beginning point by and with the reserve land now or formerly of the said N. Paul Joyner and Marion H. Joyner, his wife, the following eight (8) courses and distances, namely (1) south 54 degrees 24 minutes 08 seconds east 601.71 feet to a concrete monument placed in the ground; (2) north 35 degrees 06 minutes 35 seconds east 224.18 feet to a concrete monument placed in the ground; (3) south 55 degrees 01 minutes 43 seconds east 444.35 feet to a concrete monument placed in the ground; (4) south 35 degrees 18 minutes 27 seconds west 635.02 feet to an iron pipe placed in the ground; (5) north 54 degrees 45 minutes 00 seconds west 143.07 feet to an iron pipe placed in the ground; (6) north 34 degrees 37 minutes 00 seconds east 198.42 feet to an iron pipe placed in the ground; (7) north 55 degrees 04 minutes 30 seconds west 879.69 feet to an iron pipe placed in the ground; and (8) north 30 degrees 03 minutes 08 seconds east

Long Badger & Sheller LLP
P.O. Box 259
124 E. Main Street
Salisbury, MD 21803

SUSAN R. BRANIECKI
CLK. CT. CT.
WOR. CO.

2015 NOV -2 AM 8:25

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 6661, p. 0247, MSA_CE31_6722, Date available 11/10/2015. Printed 08/20/2019.

LAW OFFICES
LONG BADGER & SHELLER LLP
124 EAST MAIN STREET
P.O. BOX 259
SALISBURY, MARYLAND
21803-0259
(410) 744-1336
FAX (410) 744-4701

219.82 feet to the point of beginning; containing 8.03 acres of land as set forth on said plat; AND BEING all the same land conveyed unto Harold Scrimgeour by Johnny L. Hughes, United States Marshal for the District of Maryland, by United States Marshal's Deed dated May 8, 2012 and recorded among the aforesaid Land Records in Liber S.V.H. No. 5889, Folio 1.

Property Address: 6019 Pike Lane, Stockton, MD 21864
Tax ID# 08-008957

REFERENCE to said deeds, plat and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantee, its successors and assigns, forever in fee simple. TOGETHER WITH the various rights of way and easements contained in the following deeds and plats: (1) Deed from N. Paul Joyner and Marian H. Joyner to Benjamin F. Merritt, Jr. and Patricia P. Merritt dated September 28, 1977, and recorded among the aforesaid Land Records in Liber F.W.H. No. 596, Folio 528, et seq.; (2) Deed from N. Paul Joyner and Marian H. Joyner to Earl C. Reeder and Frances L. Reeder dated November 21, 1980, and recorded among the aforesaid Land Records in Liber F.W.H. No. 735, Folio 367, et seq.; (3) Plat entitled "Part of N. Paul Joyner Farm" by John E. Davis and recorded among the aforesaid Land Records in Plat Book F.W.H. No. 58, Folio 11; and (4) Plat entitled "Farm Survey for N. Paul Joyner and Marian H. Joyner and Earl C. Reeder and Frances L. Reeder", dated November 19, 1980, made by Herman Lloyd Purnell III, and recorded among the aforesaid Land Records in Liber F.W.H. No. 735, Folio 371.

AND the Grantor does hereby covenant that he will warrant specially the property hereby conveyed and that he will execute such other and further assurances of the land as may be requisite and necessary.

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 6661, p. 0248, MSA_CE31_6722. Date available 11/10/2015. Printed 08/20/2019.

LAW OFFICES
LONG BARBER & SELLER LLP
111 EAST MAIN STREET
P.O. BOX 139
BALLESBURY, MARYLAND
21033-0139
(410) 749-1336
FAX (410) 749-4321

AS WITNESS my hand and seal the day and year first above written.

WITNESS:

Michelle M. Long

Harold C. Scrimgeour (SEAL)
Harold C. Scrimgeour (a/k/a "Harold D. Scrimgeour" and "Harold Scrimgeour")

STATE OF MARYLAND, COUNTY OF WICOMCICO:

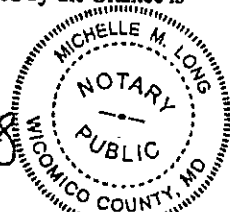
I HEREBY CERTIFY, that on this 21st day of October, 2015, before me, the undersigned officer, personally appeared Harold C. Scrimgeour, (a/k/a "Harold D. Scrimgeour" and "Harold Scrimgeour") known to me to be the person whose name is subscribed unto the within instrument and he acknowledged that he executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantor certified under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the sum total of \$75,000.00.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

8/7/19

Michelle M. Long
Notary Public



The undersigned hereby certifies that this Deed was prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Date: 10-21-15

J. Garrett Sheller
Attorney-at-Law

JGS:mmml

F:\Real-Est\9-7414\deed

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Worcester County

TAXES FOR WHICH ASSESSMENTS
HAVE BEEN RECEIVED HAVE BEEN
PAID AS OF THIS DATE. 10-30-15
Worcester County Finance Officer
By KTE 01601957
EXCEPT PERSONAL PROPERTY

AAU 10-30-15
By AAU & Letter Date
Agricultural Transfer Tax in the
Amount of \$ - 0
SDAT Worcester County

TRANSFER TAX PAID
FINANCE OFFICER
WORCESTER COUNTY MARYLAND
By KTE Date 10-30-15
Tax: 375.00

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 6661, p. 0249, MSA_CE31_6722, Date available 11/10/2015, Printed 09/20/2019.

LAW OFFICES
LONG BARGER & SHELTER LLP
124 EAST MAIN STREET
P.O. BOX 210
BALTIMORE, MARYLAND
21201-0210
(410) 749-2226
FAX (410) 749-8771

MARYLAND FORM WH-AR Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2015

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Harold C. Scrimgeour

2. Reasons for Exemption

- Resident Status [X] I, Transferor, am a resident of the State of Maryland. [] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf. Principal Residence [] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness: Mitchell M. Loag

Name: Harold C. Scrimgeour Signature: [Handwritten Signature]

3b. Entity Transferors

Witness/Attest

Name of Entity: LR - Deed (w Taxes) Recording Fee no CT 20.00 Grantor/Grantee Name: Scrimgeour/Harkins Farms, LLC Reference/Control #: 66617247 Name: LR - Surcharge - linked 40.00 LR - Recordation Tax - linked 495.00 Title: LR - State Transfer Tax - linked 375.00 LR - Non-Resident Tax - linked 0.00 SubTotal: 930.00 Total: 930.00 11/02/2015 09:17 CC73-LN #5092708 CC0104 - Worcester County/CC01.04.02 - Register 02

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 6661, p. 0250, MSA_CE31_6722. Date available 11/10/2015. Printed 08/20/2019.

15-49

NOV 02 2015 The foregoing instrument filed for record and is accordingly recorded among the land records of Worcester County, Maryland. [Signature] Clerk

State of Maryland Land Instrument Intake Sheet
Baltimore City & County WORCESTER
Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

Space Reserved for Grant Deed Draft Processing Validation

1 Type(s) of Instruments
2 Conveyance Type Check Box
3 Tax Exemptions (if applicable)
Cite or Explain Authority

4 Consideration and Tax Calculations
Table with columns for Consideration Amount and Finance Office Use Only Transfer and Recordation Tax Consideration.

5 Fees
Table with columns for Amount of Fees, Doc. 1, Doc. 2, and Agent/Tax Bill/C.B. Credit/Ag. Tax/Other.

8 Description of Property
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From
Doc. 1 - Grantor(s) Name(s)
Doc. 2 - Grantor(s) Name(s)

8 Transferred To
Doc. 1 - Grantee(s) Name(s)
Doc. 2 - Grantee(s) Name(s)

9 Other Names to Be Indexed
Doc. 1 - Additional Names to be Indexed (Optional)
Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
Instrument Submitted By or Contact Person
Name: J. GARRETT SHELLER / MICHELLE LONG
Firm: LONG BADGER & SHELLER LLP
Address: 124 E. MAIN ST., SALISBURY, MD 21801
Phone: (410) 749-2356

11 Assessment Information
IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
Will the property being conveyed be the grantee's principal residence?
Does transfer include personal property? If yes, identify:
Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line
Table with columns for Terminal Verification, Agricultural Verification, Whole, Part, Tran. Process Verification, Assigned Property No.

REMARKS:
Space for handwritten notes.

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 6661, p. 0251, MSA_CE31_6722. Date available 11/10/2015. Printed 08/20/2019.

Space Reserved for County Validation

NOV 24 1980 B 2267750****
NOV 24 1980 B 2267750****
NOV 24 1980 B 2267750****

BOOK 735 PAGE 367

THIS DEED, made this 21ST day of NOVEMBER, in the year nineteen hundred and eighty by N. Paul Joyner and Marion H. Joyner, his wife of Worcester County, Maryland, hereinafter referred to as "Grantors";

WITNESSETH, that in consideration of the sum of one Hundred Fifteen Thousand Dollars (\$115,000.00) the said N. Paul Joyner and Marion H. Joyner, his wife, do hereby grant and convey unto Karl C. Reeder and Frances L. Reeder, his wife, of P. O. Box 143 Stockton, Maryland 21864, as tenants by the entireties, all that lot or parcel of land lying and being situate in the Eighth Election District of Worcester County, Maryland, on the easterly side of, but not contiguous to the Girdletree to Stockton Road, also known as Maryland Route No. 12, and being more particularly described as follows:

BEGINNING for the same at a concrete monument placed in the ground at a point which marks the northernmost point of the property hereby conveyed, as set forth on a plat entitled "Farm Survey for N. Paul Joyner and Marion H. Joyner and Karl C. Reeder and Frances L. Reeder", dated November 19, 1980, made by Herman Lloyd Purnell, Registered Property Line Surveyor of the State of Maryland, which said plat is attached hereto and made a part hereof, and from said beginning point by and with the reserve land of the said N. Paul Joyner and Marion H. Joyner, his wife, the following eight (8) courses and distances, namely: (1) S 54° 24'08" E 601.71 feet to a concrete monument placed in the ground; (2) N 35° 06'35" E 224.18 feet to a concrete monument placed in the ground; (3) S 55° 01'43" E 444.35 feet to a concrete monument placed in the ground; (4) S 35° 18'27" W 635.02 feet to an iron pipe placed in the

WORCESTER COUNTY CIRCUIT COURT (Land Records) FWH733, p. 0367, MSA_CE31_882, Date available 07/30/2003, Printed 07/16/2019.

ground; (5) N 54° 45' 00" W 143.07 feet to an iron pipe placed in the ground; (6) N 34° 37' 00" E 198.42 feet to an iron pipe placed in the ground; (7) N 55° 04' 30" W 879.69 feet to an iron pipe placed in the ground; and (8) N 30° 03' 08" E 219.82 feet to the point of beginning; containing 8.03 acres of land as set forth on said plat, and being a part of the same property which was conveyed unto the said N. Paul Joyner and Marion H. Joyner, his wife, from Arundel Federal Savings and Loan Association of Baltimore City, a body corporate, by deed dated July 3, 1956, and recorded among the land records of Worcester County, Maryland, in Liber F. W. H. No. 95, folio 200 et seq. to which said deed and plat and the references therein contained, reference is hereby made for a more particular description of the property hereby conveyed.

TOGETHER with the buildings and improvements thereupon being and erected and all rights, ways, waters, privileges, appurtenances and advantages thereunto belonging or in anywise appertaining, and together with a right of way unto the said Earl C. Reeder and Frances L. Reeder, his wife, their personal representatives and assigns, and their agents and servants going lawfully to and from the property hereby conveyed and the said Girdletree to Stookton Road, also known as Maryland Route No. 12, said right of way being thirty (30) feet in width as said right of way extends in a northwesterly direction from the northwesternmost boundary line of the property hereinabove described, to the point where said right of way intersects the northeasternmost property line of the property which was conveyed unto Benjamin F. Merritt, Jr. and Patricia P. Merritt, his wife, from the said N. Paul Joyner and Marion H.

Joyner, his wife, by deed dated September 28, 1977, and recorded among the land records of Worcester County, Maryland, in Liber F. W. H. No. 596, folio 528, et seq. with accompanying plat being recorded among said land records in Plat Book F. W. H. No. 58, folio 11; and from said point of intersection, said right of way shall be sixty (60) feet in width to the point of intersection with the said Girdletree to Stookton Road, also known as Maryland Route No. 12.

TO HAVE AND TO HOLD the property hereinabove described and hereby conveyed unto the said Earl C. Reeder and Frances L. Reeder, his wife, as tenants by the entireties, their personal representatives and assigns, forever, in fee simple; SUBJECT, HOWEVER, to the use by the said N. Paul Joyner and Marion H. Joyner, his wife, their personal representatives and assigns, agents and servants, of the right of way hereinabove described, and SUBJECT, FURTHER, unto the said N. Paul Joyner and Marion H. Joyner, his wife, their personal representatives and assigns, agents and servants, the following three right of ways, namely (1) a right of way thirty (30) feet in width extending in a northeasterly direction from said thirty (30) foot right of way designated on said plat as 30' outlet road over and across the property hereby conveyed to the reserved property of the grantors, known as "The Penitentiary Lot"; (2) a right of way thirty (30) feet in width extending in a northeasterly direction from the southeasterly terminus of said thirty (30) foot right of way road, designated on said plat as 30' outlet road over and across the property hereby conveyed to the reserved property of the grantors; and (3) a right of way thirty (30) feet in

LIBEN 735 PAGE 370

- 4 -

width extending in a southwesterly direction from the said southeasterly terminus of said thirty (30) foot right of way road, designated on said plat as 30' outlet road over and across the property hereby conveyed to the reserved property of the grantors; and SUBJECT, FURTHER, to the right unto the said N. Paul Joyner and Marion H. Joyner, their personal representatives and assigns, to remove from the hereinabove described real property the building known as the N. Paul Joyner Shop and Museum which said building shall remain the property of the said grantors.

AND the said N. Paul Joyner and Marion H. Joyner, his wife, do hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further assurances of the same as may be requisite.

WITNESS the hands and seals of the Grantors hereof the day and year first above written.

WITNESS:

John E. King
John E. King

N. Paul Joyner (SEAL)
Marion H. Joyner (SEAL)

STATE OF MARYLAND, COUNTY OF WORCESTER, TO WIT:

I HEREBY CERTIFY, that on this 21ST day of NOVEMBER, 1980, before me, the subscriber, a Notary Public in and for the County and State aforesaid, personally appeared N. PAUL JOYNER AND MARION H. JOYNER, his wife, the Grantors to the foregoing Deed, and did each acknowledge the foregoing Deed to be his or her respective acts and executed the same in my presence.
AS WITNESS, my hand and Notarial Seal.

My Commission Expires: 7-1-82

John E. King
Notary Public

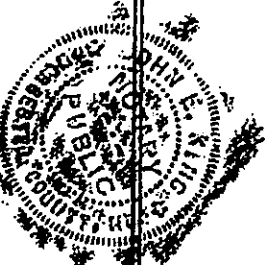
Worcester County Circuit Court (Land Records) Case No. 882. Date available 07/16/2019.

Transferred by office of Supr. of Assessments Wor. Co.

19 80 1121

TAXES FOR WHICH ASSESSMENTS HAVE BEEN RECEIVED HAVE BEEN PAID AS OF THIS DATE 11/10/80

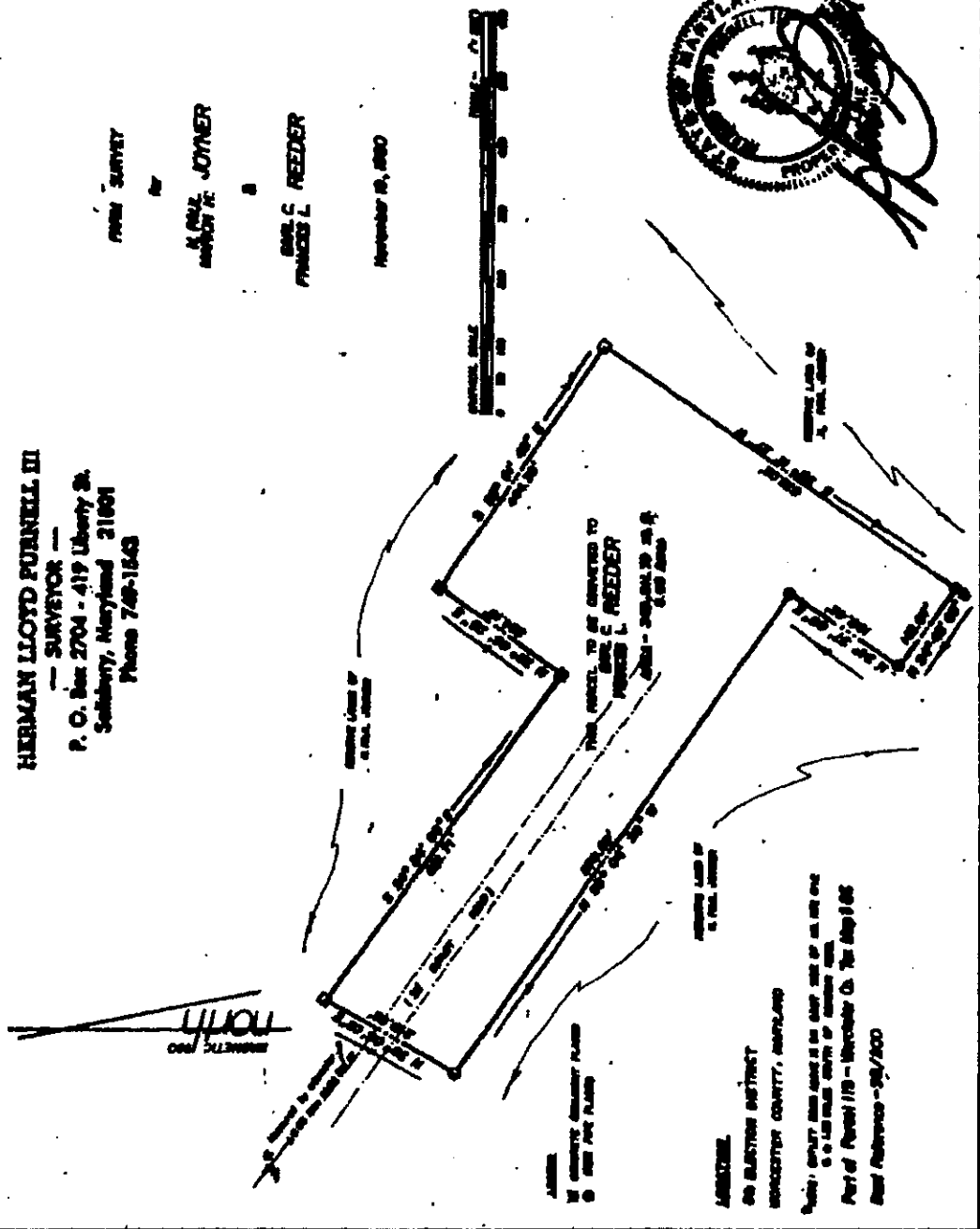
REASURER OF WORCESTER COUNTY



WORCESTER COUNTY CIRCUIT COURT (Land Records) 5M2735 n 0274 MSA CE31 882 Date Available 07/16/2010 Printed 07/16/2010

HERMAN LLOYD FURNELL III
-- SURVEYOR --
P. O. Box 2704 - 419 Liberty St.
Salisbury, Maryland 21801
Phone 748-1843

FROM SURVEY
BY
M. O. JOYNER
AND
FRANCIS L. REEDER
November 19, 1880



19 804 No. 24 The foregoing Deed & Plat and
for record and is accordingly recorded among the land records of Worcester County, Md.,
in Liber F.W.H. No. 735 folios 367 thru 371

Frank W. Hale Clerk
Frank W. Hale

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		AGRICULTURAL TRANSFER TAX							
Account Identifier:		District - 08 Account Number - 008957							
Owner Information									
Owner Name:		HARKINS FARMS LLC			Use:		AGRICULTURAL		
Mailing Address:		31400 WINTERPLACE PKWY STE 400 SALISBURY MD 21804-0000			Principal Residence:		NO		
					Deed Reference:		/06661/ 00247		
Location & Structure Information									
Premises Address:		6019 PIKE LN STOCKTON 21864-0000			Legal Description:		8.03 ACS NEAR E SIDE R-12 N OF STOCKTON		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0086	0017	0186		0000				2017	
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built	Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
					8.0300 AC				
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
		Base Value		Value		Phase-In Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2018		07/01/2019	
Land:	3,000		3,000						
Improvements	0		0						
Total:	3,000		3,000		3,000		3,000		
Preferential Land:	3,000						3,000		
Transfer Information									
Seller: SCRIMGEOUR HAROLD D		Date: 11/02/2015			Price: \$75,000				
Type: NON-ARMS LENGTH OTHER		Deed1: /06661/ 00247			Deed2:				
Seller: REEDER EARL C &		Date: 05/11/2012			Price: \$52,700				
Type: NON-ARMS LENGTH OTHER		Deed1: /05889/ 00001			Deed2:				
Seller: N PAUL & MARIAN H JOYNER		Date: 11/24/1980			Price: \$0				
Type: NON-ARMS LENGTH OTHER		Deed1: FWH /00735/ 00367			Deed2:				
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		AGRICULTURAL TRANSFER TAX							
Homestead Application Information									
Homestead Application Status: No Application									

Real Property Data Search

Search Result for WORCESTER COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Tax Exempt: None **Special Tax Recapture:** AGRICULTURAL TRANSFER TAX
Exempt Class: None
Account Identifier: **District - 08 Account Number - 008957**

Owner Information

Owner Name: HARKINS FARMS LLC **Use:** AGRICULTURAL
Principal Residence: NO
Mailing Address: 31400 WINTERPLACE PKWY STE 400 **Deed Reference:** /06661/ 00247
 SALISBURY MD 21804-0000

Location & Structure Information

Premises Address: 6019 PIKE LN **Legal Description:** 8.03 ACS
 STOCKTON 21864-0000 NEAR E SIDE R-12
 N OF STOCKTON

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0086	0017	0186	8010074.24	0000				2020	Plat Ref:

Special Tax Areas: None **Town:** None
Ad Valorem: None
Tax Class: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			8.0300 AC	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2019	As of 07/01/2020
Land:	3,000	3,000		
Improvements	0	0		
Total:	3,000	3,000	3,000	
Preferential Land:	3,000			

Transfer Information

Seller: SCRIMGEOUR HAROLD D	Date: 11/02/2015	Price: \$75,000
Type: NON-ARMS LENGTH OTHER	Deed1: /06661/ 00247	Deed2:
Seller: REEDER EARL C &	Date: 05/11/2012	Price: \$52,700
Type: NON-ARMS LENGTH OTHER	Deed1: /05889/ 00001	Deed2:
Seller: N PAUL & MARIAN H JOYNER	Date: 11/24/1980	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: FWH /00735/ 00367	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2019	07/01/2020
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Tax Exempt: None **Special Tax Recapture:** AGRICULTURAL TRANSFER TAX
Exempt Class: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

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Real Property Data Search

Search Result for WORCESTER COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Tax Exempt: None Special Tax Recapture: AGRICULTURAL TRANSFER TAX
 Exempt Class: None
 Account Identifier: District - 08 Account Number - 004544

Owner Information

Owner Name: HARKINS FARMS LLC Use: AGRICULTURAL
 Principal Residence: NO
 Mailing Address: 31400 WINTER PLACE STE 400 Deed Reference: /06635/ 00176
 SALISBURY MD 21804-

Location & Structure Information

Premises Address: 6020 PIKE LN Legal Description: 553.45 ACS
 STOCKTON 21864-0000 E SIDE R-12
 Waterview LD OF F.JOYNER & P.MONRO

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 167003
 0086 0017 0119 8010074.24 0000 2020 Plat Ref: 0188/ 0074

Special Tax Areas: None Town: None
 Ad Valorem: None
 Tax Class: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1960 1,132 SF 553.4500 AC

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	STANDARD UNIT	SIDING/	1	2 full		

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments	
			As of 07/01/2019	As of 07/01/2020
Land:	54,800	54,800		
Improvements	25,700	25,700		
Total:	80,500	80,500	80,500	
Preferential Land:	43,600			

Transfer Information

Seller: JOYNER FREDERICK H & Type: NON-ARMS LENGTH OTHER	Date: 09/18/2015 Deed1: /06635/ 00176	Price: \$950,000 Deed2:
Seller: JOYNER N PAUL Type: NON-ARMS LENGTH OTHER	Date: 07/25/1994 Deed1: SVH /02958/ 00239	Price: \$18,000 Deed2:
Seller: JOYNER N PAUL & MARIAN H Type: NON-ARMS LENGTH OTHER	Date: 02/15/1984 Deed1: FWH /00095/ 00200	Price: \$0 Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2019	07/01/2020
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Tax Exempt: None Special Tax Recapture: AGRICULTURAL TRANSFER TAX
 Exempt Class: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

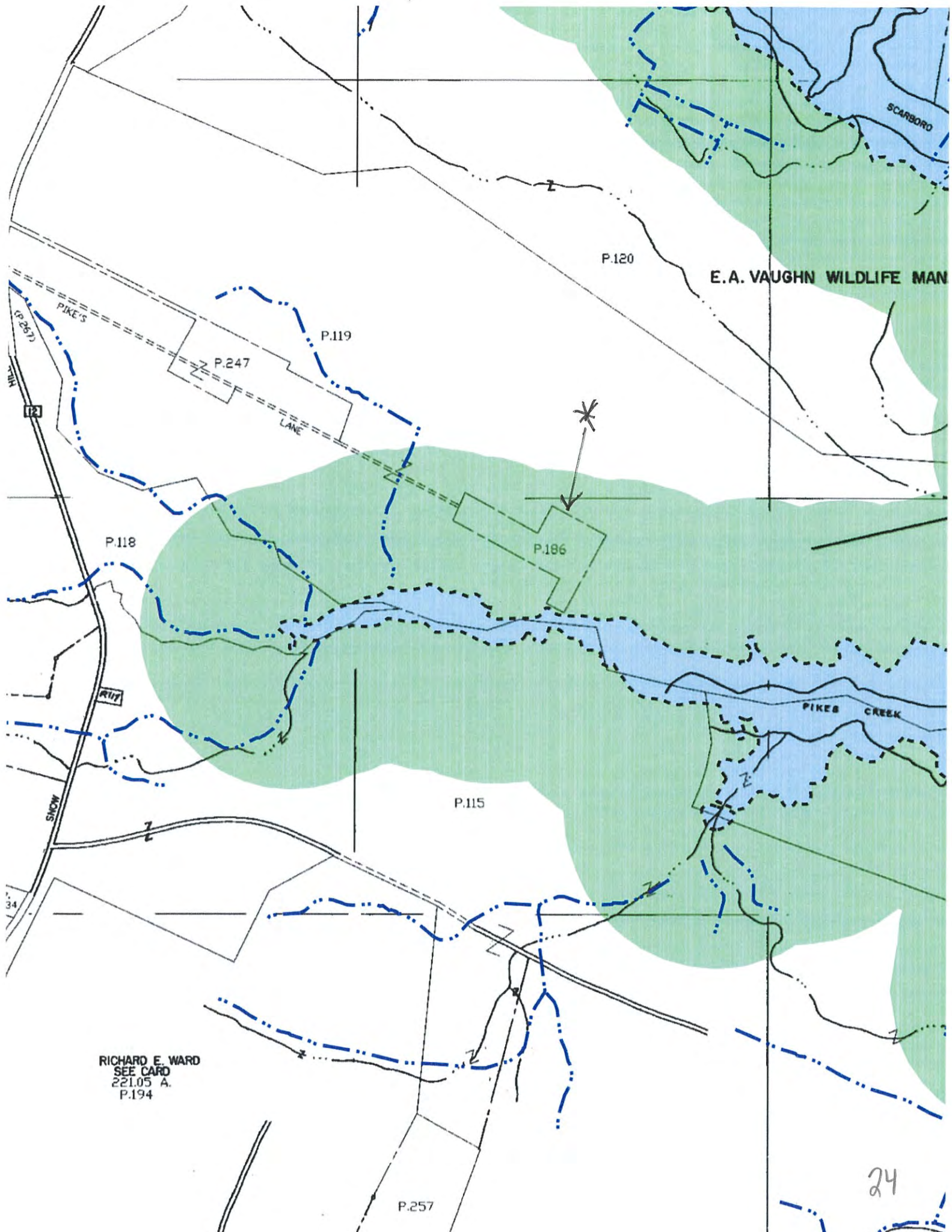
22

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 08 Account Number - 004781			
Owner Information					
Owner Name:	BRADFORD MICHAEL ALLEN & BRADFORD NORMAN JEFFREY		Use:	RESIDENTIAL	
Mailing Address:	5813 PIKE LN STOCKTON MD 21864-0000		Principal Residence:	YES	
			Deed Reference:	/04959/ 00242	
Location & Structure Information					
Premises Address:	5809 PIKE LN STOCKTON 21864-0000		Legal Description:	11.89 ACS E SIDE R-12 N OF STOCKTON	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0086	0017	0247	8010074.24	0000	
					Block: Lot: Assessment Year: Plat No:
					2020 Plat Ref:
Special Tax Areas: None		Town:		None	
		Ad Valorem:		None	
		Tax Class:		None	
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1980	4,174 SF		11.8900 AC		
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
1	NO	STANDARD UNIT	SIDING/	3	5 full
					Garage
					1 Detached
					Last Notice of Major Improvements
					2000
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2019	07/01/2020	
Land:	91,800	91,800			
Improvements	134,600	134,600			
Total:	226,400	226,400	226,400		
Preferential Land:	0				
Transfer Information					
Seller: BRADFORD WILLIAM E & PATRICIA L		Date: 06/29/2007		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: SVH /04959/ 00242		Deed2:	
Seller: UNITED STATES OF AMERICA ACTING		Date: 01/10/1983		Price: \$70,000	
Type: ARMS LENGTH IMPROVED		Deed1: WCL /00852/ 00102		Deed2:	
Seller: MERRITT BENJAMIN F JR		Date: 12/03/1981		Price: \$63,100	
Type:		Deed1: FWH /00795/ 00009		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019		07/01/2020	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: Approved 03/23/2009					
Homeowners' Tax Credit Application Information					

23



E.A. VAUGHN WILDLIFE MAN

SCARBORO

P.120

P.119

P.247

LANE

P.118

P.186

PIKES CREEK

P.115

RICHARD E. WARD
SEE CARD
221.05 A.
P.194

P.257

24

51.36

Snow Hill Rd

ODI B DANZI

Scarb

STATE OF MD FOR GAME &
M. 0086
P. 0120
AC. 566.06

P. 0247

Pike Ln

P. 0186

REAGAN STEVEN J & DEE A
M. 0086
P. 0118
AC. 22.5

JOYNER FREDERICK H &
M. 0086
P. 0119
AC. 553.45

R PHYLLIS B
M. 0086
P. 0012
C. 38.62

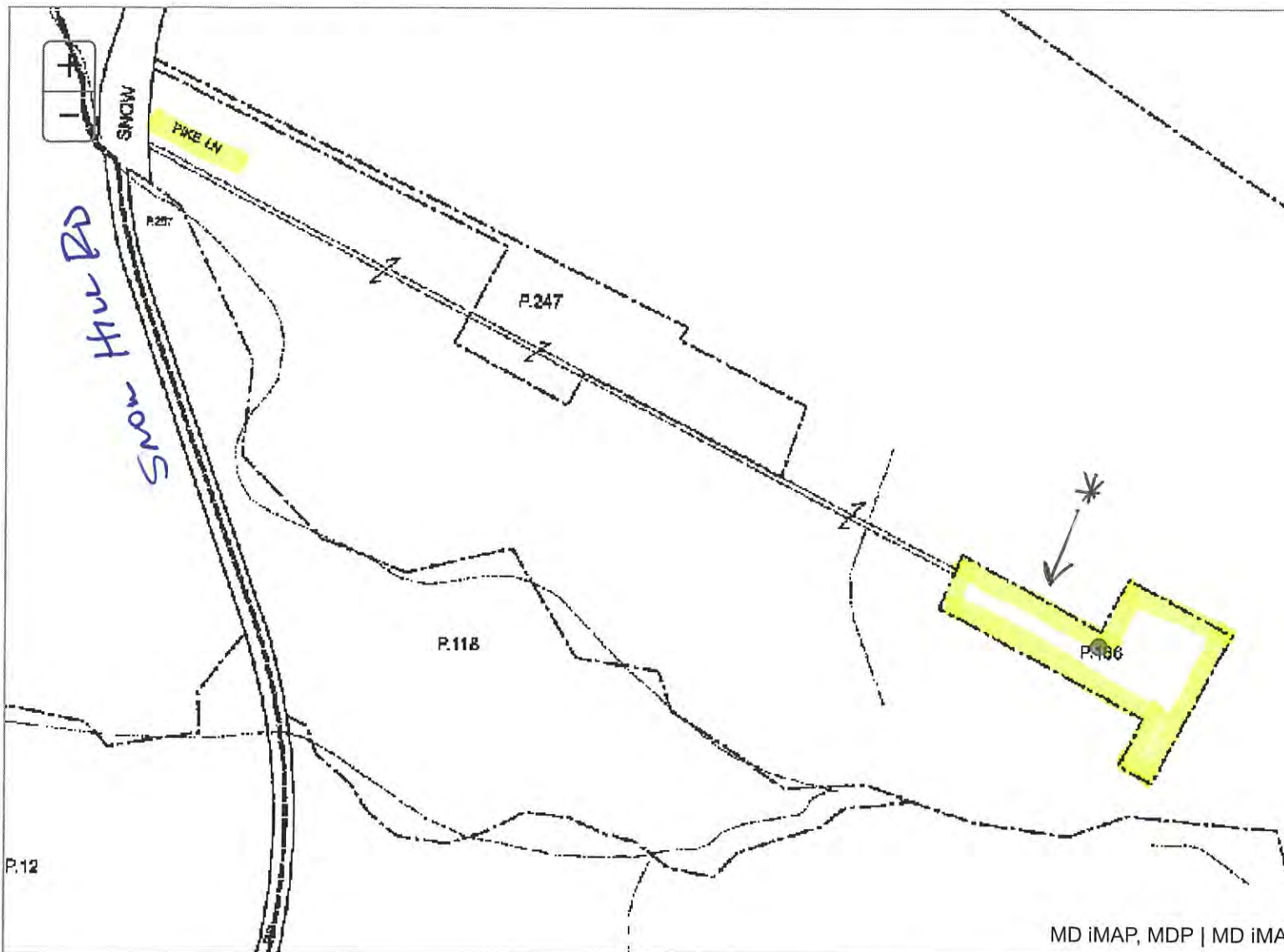
12

Snow Hill Rd

INGERSOLL AVER
M. 0086
P. 0116
AC. 266.98

STATE OF MARYLAND
M. 0086
P. 0115
AC. 878.5

District: **08** Account Number: **008957**



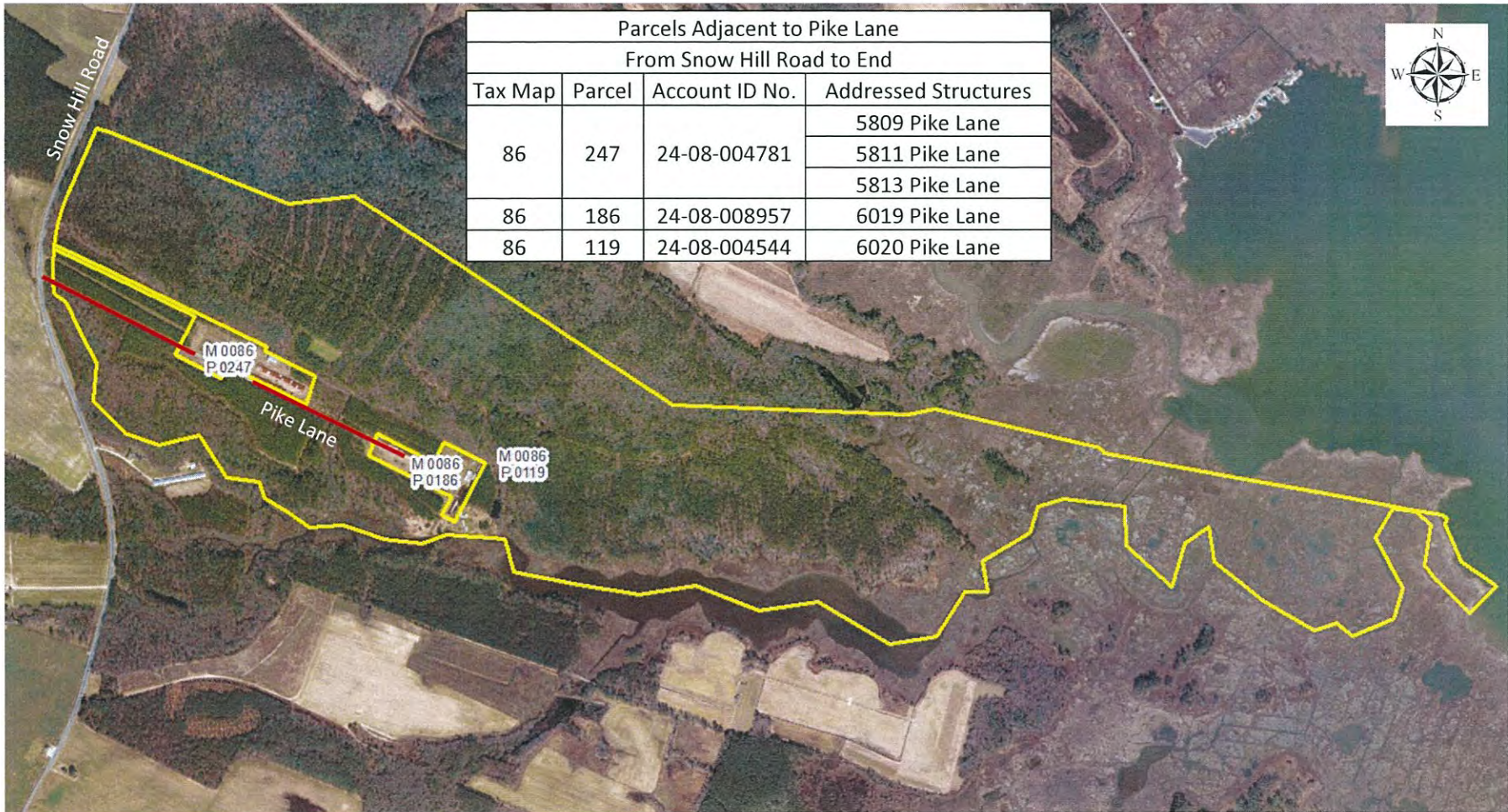
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

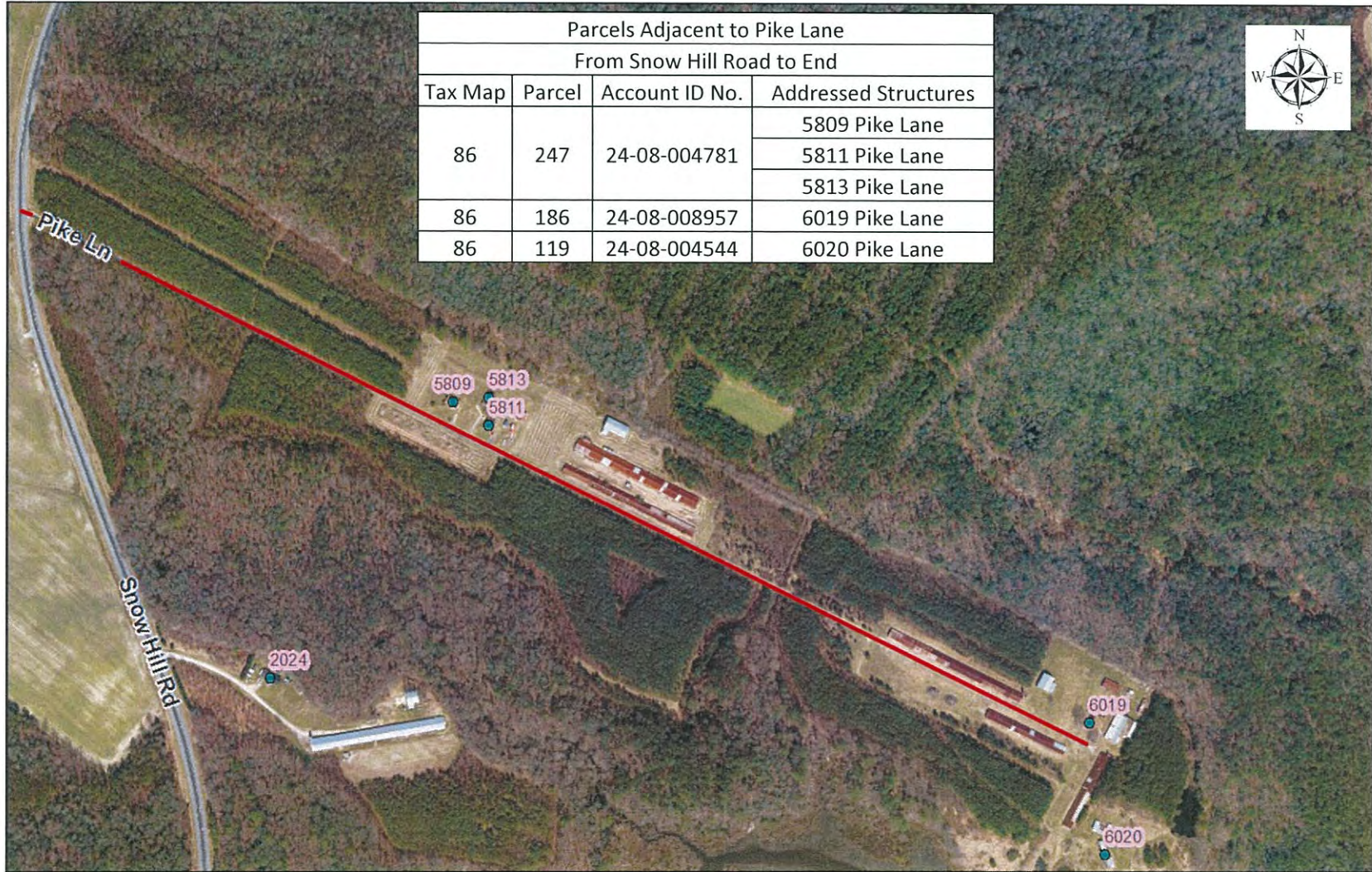
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Request to Convert Private Road to An Approved Private Road—Pike Lane
 Tax Map 86, Parcels 119, 186 and 247



Department of Development Review and Permitting—Technical Services Division—August 2019

Request to Convert Private Road to An Approved Private Road—Pike Lane
 Tax Map 86, Parcels 119, 186 and 247



Department of Development Review and Permitting—Technical Services Division—August 2019

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Source: 2016 Aerial Imagery

Request to Convert Private Road to An Approved Private Road—Pike Lane
Tax Map 86, Parcel 247



Department of Development Review and Permitting—Technical Services Division—August 2019

Source: 2016 Aerial Imagery, Maryland Property View and 2006 House Photos.

Request to Convert Private Road to An Approved Private Road—Pike Lane
Tax Map 86, Parcel 186



Department of Development Review and Permitting—Technical Services Division—August 2019

Source: 2016 Aerial Imagery, Maryland Property View and 2012 House Photo.

Request to Convert Private Road to An Approved Private Road—Pike Lane
Tax Map 86, Parcel 119



Department of Development Review and Permitting—Technical Services Division—August 2019

Source: 2016 Aerial Imagery, Maryland Property View and 2012 House Photo .

RESOLUTION APPROVING A PROPOSAL FOR AN APPROVED PRIVATE ROAD FOR HARKINS FARMS, LLC KNOWN AS PIKE LANE IN STOCKTON

WHEREAS, the County Commissioners of Worcester County, Maryland received a request from Hugh Cropper, IV on behalf of Harkins Farms, LLC for approval of a certain private road over an existing driveway known as Pike Lane in Stockton, which serves as access to Parcels 119, 186 and 247 as shown on Worcester County Tax Map 86, and to accept the existing constructions standards for this private road; and

WHEREAS, in accordance with the provisions of § Section ZS 1-123 (Approved private roads) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the Worcester County Planning Commission reviewed and favorably recommended approval of the proposed approved private road known as Pike Lane as proposed by Hugh Cropper, IV and Harkins Farms, LLC at its meeting of October 3, 2019; and

WHEREAS, the County Commissioners reviewed the request at their meeting of October 15, 2019 and considered its relationship to existing and planned public roads of the County; the nature of the area to be served by the road; the desirability or necessity of public access to the areas to be served by the road; whether or not the construction and maintenance of the road is financially feasible; the proposed construction and maintenance standards; and the proposed maintenance plan and find that the use of the Approved Private Roads in this situation is warranted.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the request for the establishment of the approved private road known as Pike Lane in Stockton and associated construction standard proposed by Hugh Cropper, IV and Harkins Farms, LLC as described herein is hereby approved.

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

PASSED AND ADOPTED this ____ day of _____ 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

DRAFT



5

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: October 7, 2019
RE: 2020 Census - Complete Count Committee

The 2020 Census is fast approaching and it is important that all of Maryland and Worcester County in particular be completely and accurately counted. Census numbers are used in determining the amount of federal funding that flows to the County for a number of programs. You may recall that earlier this year representatives from the Census Bureau met with the County Commissioners and stressed the importance of a full and accurate count. A big part of this effort comes from the establishment of a complete count committee to assist in getting the word out about the Census, particularly in areas of the County that have been historically undercounted. The Census Bureau uses the term "low response score" to describe the undercounted areas. This terminology is somewhat confusing in that a high "low response score" is a bad thing. I prefer to state it that we have four Census tracts that had high rates of non-participation in the last Census. Attached herewith you will find a memo from Kelly Henry, Technical Services Division Manager for my department, that gives further information in this regard.

Should the County Commissioners wish to establish a complete count committee to try to increase participation in the Census, Mrs. Henry has included a list of suggested individuals for possible appointments to such a group. She has also agreed to serve as the committee coordinator. I believe time is of the essence with regard to establishing the committee.

Both Mrs. Henry and I will be available to discuss the matter further with you and the County Commissioners at your convenience.

Attachments

cc: Kelly Henry, Technical Services Division Manager

Jillian Cordova, Partnership Specialist with the Philadelphia region of the U.S. Census Bureau, briefed the Commissioners regarding details of the upcoming 2020 Census, including the following: Census history; available part-time, temporary Census jobs paying \$18.50 per hour; the online option to complete the Census application, which is the preferred submission method; and a suggested partnership with the County to assemble a Complete Count Committee, comprised of individuals from the community who can help encourage participation in the Neighbor-to-Neighbor program to help increase participation in the Census, specifically in low response areas, which have recently included Berlin, Snow Hill, and Pocomoke, where non-response rates are 20% or higher, and the elderly and immigrant populations, where participation rates remain low. Ms. Cordova stated that the information obtained for the Census is confidential and safe, so residents should not be afraid to respond. She explained that a Complete County Committee, including trusted local individuals, can help to increase participation. She also stated that poor census participation can result in reduced federal funding to the County in the future. Therefore, she encouraged them to assemble the proposed committee and to work with the Board of Education (BOE) to help reach the immigrant population and other tough to reach residents who can be encouraged to participate by their children. Commissioner Mitrecic thanked Ms. Cordova for meeting with them, agreed that the BOE should be involved, and offered County assistance to help increase participation in the 2020 Census.



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

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

TO: Edward A. Tudor, Director
FROM: Kelly L Henry, Technical Services Division Manager *Kelly L Henry*
DATE: October 3, 2019
SUBJECT: 2020 Census – Complete Count Committee

In preparation for the 2020 Census, the US Census Bureau has noted four (4) census tracts which received a Low Response Score of 20% or more in Berlin, Pocomoke City and Snow Hill. The US Census Bureau and the State Complete Count Committee has suggested that Worcester County appoint a local Complete Count Committee (CCC) to increase awareness and motivate residents to respond to the 2020 Census. As outlined in the 2020 Census Complete Count Committee Guide, the Committee should include volunteers from the local community that are affiliated with government, education, faith and community based organizations, media, and business. While the focus is on these four census tracts efforts should be made County wide to increase overall response. Continuation and availability of federal funding for programs such as Supplemental Nutrition Assistance Program for Women, Infants and Children, Medicaid, Children’s Health Insurance and highway transportation projects is contingent upon having the most accurate count possible. Over a ten (10) year period the State of Maryland loses \$18,250 for every Marylander not counted.

With today’s technology the 2020 Census survey will be available on-line. It may be necessary to have computers and assistance available at libraries and schools for those people either not having computers or who are not computer savvy. This will require coordination with the libraries and Board of Education. Schools can also play a vital role in educating students about the importance of having their families complete the survey. Faith, business and civic organizations can play a key role in providing outreach to their communities. John Watson, Eastern Shore CCC Coordinator with Maryland Office of Planning informed me that Worcester County will be awarded \$20,000 worth of grant funding. Mr. Watson and Ashley Roush, Census Bureau; will be available to offer assistance and guidance. I envision the local CCC to organize this fall then focus efforts January through March. The survey goes live March 12, 2020.

For your reference I have attached a series of maps illustrating the census tracts and low response scores and a tentative list of individuals and/or organizations that could play an important role in this endeavor. I have requested the towns to provide me with names of individuals and/or organizations that they feel would play a critical role in spreading the word about the importance of responding to the 2020 Census survey. As always I am available to discuss this matter in greater detail.

Attachments

Cc: Kelly Shannahan, Assistant Chief Administrative Officer

Suggested Appointments to the Complete Count Committee

Municipal Governments:

- Berlin
 - Gee Williams, Mayor
 - Dave Engelhart, Planning Director
- Ocean City
 - Doug Miller, Town Manager
 - Bill Neville, Planning Director
- Pocomoke City
 - Bruce Morrison, Mayor
 - Dan Deutsch, Interim City Manager
- Snow Hill
 - Gary Weber, Mayor

County Staff:

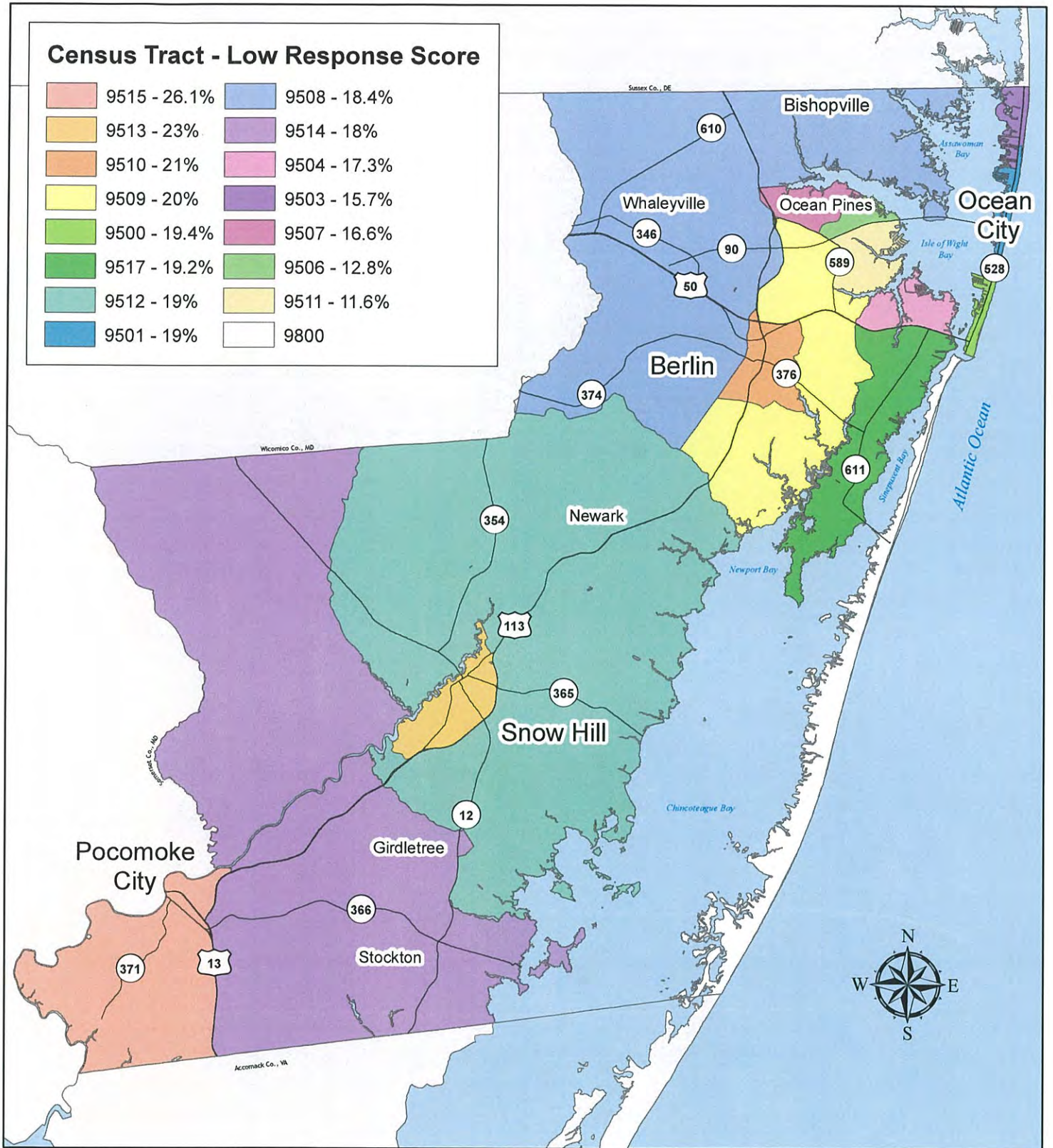
- Kathryn Gordon, Director – Economic Development
- Jennifer Ranck, Director – Library
- Louis Taylor, Superintendent - Board of Education
- Carrie Sterrs, Coordinator of Public Relations & Special Programs – Board of Education
- Kim Moses – Public Information Officer
- Susan McMichen, IT – Social Media
- Kelly Brinkley, Volunteer Services
- Lisa Challenger, Tourism
- Lu Anne Siler – Commission on Aging

State Staff:

- John Watson, Eastern Shore CCC Coordinator, MDP
- Roberta Baldwin, Director of MD Dept. of Human Services

Federal Staff:

- Ashley Roush, US Census Bureau



United States Census- Census Tracts



Department of Development Review & Permitting - Technical Services Division
October 2019

Sources: United States Census- Response Outreach Area Mapper (ROAM)

United States Senate

WASHINGTON, DC 20510

October 3, 2019

The Honorable Lawrence J. Hogan, Jr.
Governor, State of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

We are writing to request an update on the status of Maryland's plans to achieve a complete count in the 2020 census. As you know, the census is a critical responsibility under the Constitution. Moreover, as the Census helps determine allocations of federal funding, Maryland has a clear interest in counting every resident.


Our effort requires engagement from every level of government as well as community leaders and requires resources to reach every household. We have been working to provide additional federal funding for the Census, including allowing the Census to spend what it needs in the Continuing Resolution that passed the Senate last week.


We understand that while the State has distributed some funding to local governments and organizations through a grant application process, approximately \$900,000 remains for additional allocation. We have heard from many counties and municipalities that were unaware of the application process or learned of it too late to apply and, consequently, have no funding to prepare for the census. These include many of Maryland's historically undercounted jurisdictions. We have also received questions from leaders around the State inquiring as to the process for distribution of the remaining \$900,000 funds. At this point, it is essential that funding be provided to the remaining jurisdictions so that all parts of the state can conduct effective outreach and marketing activities.

We are deeply concerned that the State has not provided adequate guidance and support to the jurisdictions. The statewide Complete Count Committee has met a number of times this year, but we have been advised that its members can do little to plan critical outreach efforts without more information about intentions for these funds. Jurisdictions that did not receive earlier state funding are struggling to develop their own outreach plans while they await more information about the State's strategic plan and availability of funding. We ask that you share the process for allocating the remaining funds and ensuring that information and guidance is communicated to local stakeholders.

The 2020 Census is rapidly approaching, and it is critical that the State develop and implement a robust plan to count every Marylander. We stand ready to work with you to do all we can to ensure that all Marylanders participate in this critically important effort.

Sincerely,


Chris Van Hollen
United States Senator


Benjamin L. Cardin
United States Senator



2020

CensusMaryland

Important Easy and Safe

The United States is required to perform a national count of all people living in each state every ten years (U.S. Constitution, Article 1, Section 2).

The 2020 census impacts Maryland in several important ways.
The census:

- Determines representation in Congress and impacts local legislative districts;
- Is the basis for funding critical programs and services; and
- Assists local decision-making for economic development, school construction and transportation projects, as well as public health, public safety and emergency planning.

Every Marylander Counts!

Get Counted in the 2020 Decennial Census

The Census is Important

Census data is used to determine the level of federal funding for programs such as Supplemental Nutrition Assistance Program for Women, Infants and Children (SNAP/WIC), Medicaid, Children's Health Insurance Program (CHIP) and highway and transportation projects.

- Every year, the federal government allocates more than **\$675 Billion** in funding based on census data.
- Every Marylander not counted costs the state approximately **\$18,250** over 10 years – this equates to the state losing **\$26.6 Billion** (based on historical U.S. Census undercount).

Completing your census form ensures Maryland families, neighbors and communities receive the support they need to live, work, play and grow.



7





The Census is **Easy**

Filling out your census form can be done in three ways – **by mail, phone and online.**

The 2020 census will be the **first online census** in U.S. history.

Answering the demographic questions in the census helps make sure your community receives its **fair share of funding** and that economic development and planning decisions accurately reflect your community on April 1, 2020.

Some important facts to remember. Don't forget:

- College students should be counted at their college address, either on or off campus. They should be counted at their parents' home only if they live and sleep there.
- All children must be counted **including those under five years old.**

The Census is **Safe**

The U.S. Census Bureau **must keep all information confidential,** including a resident's citizenship, income and other sensitive personal data.

- Data is collected for statistical purposes only and **personal data is never disclosed.**
- All census information is private and protected by law in Title 13 of the U.S. Code with violations punishable up to five years in federal prison and/or a \$250,000 fine.

So choose the way that you will be counted – by mail, by phone or online.

It is the portrait of us that will last ten years, so let's get everyone in the picture.



Census.Maryland.gov

Email: Census@Maryland.gov • Twitter: @MDCensus2020 • Phone: 410.767.4500



*Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary*



County Complete Count Committee

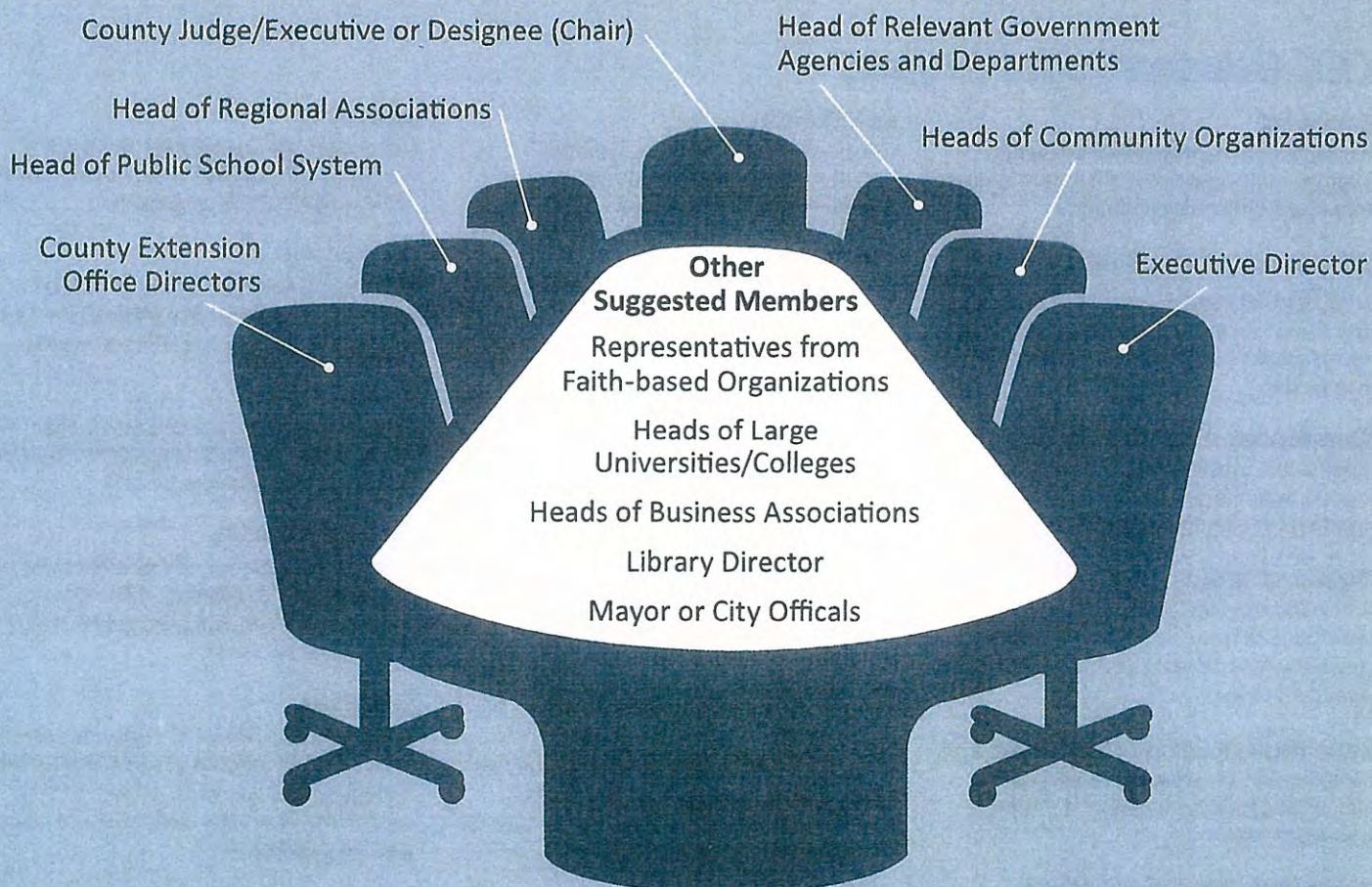
A Complete Count Committee is a mutually beneficial partnership – at the highest level—within each county. The County Judge/Executive often appoints members of the Complete Count Committee (CCC). Committees consist of influential community leaders who are charged with developing a census awareness campaign that:

- Communicates the importance of the census through local messaging.
- Raises awareness of the census throughout the county.
- Motivates every household in the county to participate in the census by completing the questionnaire thoroughly and in a timely manner.
- Increases the county's self-response rate.

The size of the Complete Count Committee is determined by each county. In addition, County Judge/Executive and county officials may allocate funding to support the activities of the CCC. Counties view this funding as a sound investment in the future. Failure to count residents could result in a substantial loss of revenue for the next decade.

Suggested County CCC Membership

Partnership Specialist is advisor and Census Liaison



Key Communications Phases



Education Phase (2018— 2019)

The education phase is often referred to as the “Raising Census Awareness” phase. The message to each community member is that the census is a civic activity that affects people of all ages, races, cultures, and ethnicities. This is the period to strongly emphasize the many uses of census data and highlight specific local examples of how census data benefits a community.

Promotion Phase (April 2019—January 2020)

The promotion phase of the 2020 Census officially starts on April 1, 2019, a year out from Census Day. This phase overlaps with the education phase. The theme of this phase is “The 2020 Census is Coming.” During this period, CCCs implement activities through their government, faith- and community-based organization, business, media, and recruitment partners. An effective strategy guarantees that community residents will encounter census messages during times of work, play, leisure, school, and worship.

Motivation/Action Phase (February 2020—June 2020)

The motivation/action phase starts in February 2020, intensifies in March 2020, and reaches its peak on Census Day—April 1st, 2020. The theme of this phase is “Be Counted for Your Community” and the focus is to motivate each household to take ownership of the census and make a conscious decision to participate. The non-response follow-up operation will be the focus toward the end of this phase, and the message to the community will change, encouraging households to “Cooperate with Census Takers”.

CCC Subcommittee types

Business

Involving a community’s business sector creates a unifying element that touches every household within the community.

Communications, Media and Technology

Assists community organizations in utilizing census toolkit materials and enables them to innovate.

Community Organizations

Community organizations provide outreach opportunities for a broad spectrum of residents of all ages, races and backgrounds.

Data and Maps

Understanding where hard-to survey areas exist is important to direct subcommittee activities toward the correct populations and geographic areas.

Education (Preschool – Grade 12)

Reaches U.S. households through schools and helps create a generation of future self-responders.

Education (Post Secondary)

Works with university housing to obtain administrative records for group quarters; educates off-campus students to participate accurately.

Ex-offender

The ex-offender population is sizable and is often disenfranchised from the community and hard to track.

Faith-based

Faith-based organizations are found in every community and maintain interactive and ongoing communications with their members.

Government

Leveraging the ability of local government to provide knowledge of the population, organizations, and institutions is essential to an accurate count.

Group Quarters

Because of the limited access to most group quarters, cooperation from the institutions is vitally important to achieve an accurate count.

Homeless

In the 2010 Decennial Census, the count was 209,325 for persons counted at shelters, outdoor locations, soup kitchens and mobile food vans.

Immigrant

One of the serious challenges for a Census enumerator is encountering housing units where no one in the household speaks English.

Library

Urban Libraries Council says libraries are the “most trusted government entity”, poised to be pivotal for civic engagement.

Recruiting

Reaching all members of the workforce community enhances the ability of the Census to plug into existing recruiting resources.

Senior Citizen

Although a high responding group, the trend towards reduced home ownership may create enumerating challenges for field.

Special Housing

The rental population will exceed a third of the entire U.S. population by 2020. No matter the housing type, access is vital for an accurate count.

Veterans

Over 22 million veterans living in the United States present a sizable population distributed throughout the 50 states. Former military personnel can provide leadership and excellent recruiting assistance.

2020 Census Timeline

Contact Information

For additional information about the Complete Count Committees program, please contact your regional census office.

Complete Count Committees

2018

- Tribal leader, governor, or highest elected local official or community leader determines Complete Count Committees (CCCs) structure.
- CCCs receive 2020 Census training.

2019

- Continue establishing CCCs.
- Open field offices.
- CCCs develop strategy and work plan.

2020

- CCCs begin community organization mobilization.
- 2020 Census advertising campaign begins in early 2020.
- CCCs support the 2020 Census.
- CCCs encourage self-response.

April 1, 2020 - CENSUS DAY

- CCCs urge households who do not respond to cooperate with census takers.

Please contact:

ATLANTA
Atlanta.rcc
.partnership
@2020census.gov

CHICAGO
Chicago.rcc
.partnership
@2020census.gov

DALLAS
Dallas.rcc
.partnership
@2020census.gov

LOS ANGELES
Los.Angeles.rcc
.partnership
@2020census.gov

NEW YORK
New.York.rcc
.partnership
@2020census.gov

PHILADELPHIA
Philadelphia.rcc
.partnership
@2020census.gov

If you reside in:

Alabama, Florida,
Georgia, Louisiana,
Mississippi,
North Carolina,
and South Carolina

Arkansas, Illinois,
Indiana, Iowa,
Michigan, Minnesota,
Missouri, and
Wisconsin

Arizona, Colorado,
Kansas, Montana,
Nebraska, New
Mexico, North
Dakota, South
Dakota, Oklahoma, Texas,
Utah, and Wyoming

Alaska, California,
Hawaii, Idaho,
Nevada, Oregon,
and Washington

Connecticut, Maine,
Massachusetts, New
Hampshire, New Jersey,
New York, Rhode Island,
Vermont, and Puerto Rico

Delaware, District of
Columbia, Kentucky,
Maryland, Ohio,
Pennsylvania, Tennessee,
Virginia, and West Virginia



The 2020 Census is almost here!

The 2020 Census provides an opportunity for everyone to be counted. Tribal, state, and local governments; community-based organizations; faith-based groups; schools; businesses; the media; and others play a key role in developing partners to educate and motivate residents to participate in the 2020 Census.

When community members are informed, they are more likely to respond to the census. Through collaborative partnerships, the U.S. Census Bureau and community leaders can reach the shared goal of counting EVERYONE in 2020.

The Complete Count Committees (CCC) program is key to creating awareness in communities all across the country.

- CCCs utilize local knowledge, influence, and resources to educate communities and promote the census through locally based, targeted outreach efforts.
- CCCs provide a vehicle for coordinating and nurturing cooperative efforts between tribal, state, and local governments; communities; and the Census Bureau.
- CCCs help the Census Bureau get a complete count in 2020 through partnerships with local governments and community organizations.

Get Started

WHO?

Tribal, state, and local governments work together with partners to form CCCs to promote and encourage response to the 2020 Census in their communities. Community-based organizations also establish CCCs that reach out to their constituents.

WHAT?

A CCC is comprised of a broad spectrum of government and community leaders from education, business, healthcare, and other community organizations. These trusted voices develop and implement a 2020 Census awareness to encourage a response campaign based upon their knowledge of the local community.

WHEN?

The formation of CCCs is happening NOW! Leaders are identifying budget resources and establishing local work plans. In 2020, they will implement the plans and lead their communities to a successful census count.

WHY?

The primary goal of the 2020 Census is to count everyone once, only once, and in the right place.

Community influencers create localized messaging that resonates with the population in their area. They are trusted voices and are best suited to mobilize community resources in an efficient manner.

HOW?

It's up to all of us! CCCs know the best way to reach the community and raise awareness. Some activities could include:

- Holding CCC kickoff meetings with media briefings.
- Participating in Census rallies or parades.
- Coordinating Census unity youth forums.
- Hosting Interfaith breakfasts and weekend events.
- Encouraging the use of Statistics in Schools classroom resources.
- Incorporating census information in newsletters, social media posts, podcasts, mailings, and websites.
- Helping recruit census workers when jobs become available.

The 2020 Census at a Glance



The U.S. Constitution requires that each decade we take a count—or a census—of America’s population. The 2020 Census goal is to count everyone once, only once, and in the right place.

The census provides vital information for you and your community.

- It determines how many representatives each state gets in Congress.
- Communities rely on census statistics to plan for a variety of resident needs including new roads, schools, and emergency services.
- Businesses use census data to help provide more local jobs and places to shop.

Each year, the federal government distributes hundreds of billions of dollars to states and communities based on U.S. Census Bureau data.

In 2020, we will introduce new technology to make it easier than ever to respond to the census. For the first time, you will be able to respond online, by phone, or by mail. We will use data that the public has already provided to cut down on household visits. And, we are building a more accurate address list and automating our field operations—all while keeping your information confidential and safe.

The Census Bureau is the leading source of statistical information about the nation’s people. We provide snapshots on population size and growth and detailed portraits of our changing communities.



U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU
census.gov

Foundation of a Successful Census



Establish Where To Count

- Using aerial imagery and in-field work to identify new homes and buildings
- Partner with U.S. Postal Service
- Local governments input through the Boundary Annexation Survey and Local Update of Census Addresses
- Comprehensive review of all addresses



Motivate People To Respond

- Partner with community leaders and trusted voices
- Use tailored messages
- Encourage self response



Count The Population

- Respond online, by phone, or by mail
- Visit households that do not respond
- Online forms in multiple languages
- Mailed Individual Census ID is not required for online response



Release Census Results

- Deliver apportionment counts to the President by December 31, 2020
- Release counts for redistricting by April 1, 2021
- Make it easier for the public to access data





Become a 2020 Census Partner

Your partnership sends a strong message to your community about the importance of the census and the benefits of being counted. By partnering with the Census Bureau, you can help:

- Assure people that it is important—and safe—to respond to the census.
- Ensure accurate census data, which guide funding decisions for your community and affect your community's representation in Congress.
- Spread the word about temporary census jobs in your community.



Get Involved: What Can You Do Now?

- Create or join a Complete Count Committee and partner with other trusted voices and influential leaders in your area who are committed to increasing census participation. Encourage your peers to get involved too.
- Raise awareness by including census information in newsletters, social media posts, podcasts, mailings, and on Web sites.
- Help recruit census workers when jobs become available.



You can make a difference

As an influential community, business, or organization leader, you can raise awareness and encourage participation.

Key Dates

- | | |
|------|---|
| 2017 | Local Update of Census Addresses—invitations sent to local governments for completion in 2018 |
| | Publish final 2020 residence criteria and situations |
| 2018 | Question wording to Congress—March 31, 2018 |
| | 2018 End-to-End Census Test |
| | Regional Census Centers opening |
| 2019 | Opening Field Offices |
| | Complete Count Committees established |
| 2020 | Advertising—begins in early 2020 |
| | Begin self response |
| | Census Day —April 1, 2020 |
| | Nonresponse Followup—early April–late July |
| | Apportionment counts to the President—December 31, 2020 |
| 2021 | Redistricting counts to the States—March 31, 2021 |

For more information, go to [census.gov](https://www.census.gov).

To get involved in your community, contact us!

2020

CensusMaryland

Maryland Census Participation Rates Census 2000 and 2010



**Important
Easy and Safe**

Participation Rate	2000	2010
Maryland	76%	76%
Allegany	77%	75%
Anne Arundel	80%	78%
Baltimore City	63%	68%
Baltimore County	80%	78%
Calvert	76%	80%
Caroline	71%	76%
Carroll	84%	83%
Cecil	73%	73%
Charles	77%	78%
Dorchester	70%	71%
Frederick	82%	78%
Garrett	57%	67%
Harford	81%	81%
Howard	84%	81%
Kent	66%	70%
Montgomery	82%	80%
Prince George's	75%	74%
Queen Anne's	75%	76%
Somerset	61%	69%
St. Mary's	71%	75%
Talbot	72%	75%
Washington	78%	75%
Wicomico	73%	73%
Worcester	63%	59%



While the statewide participation rate remained the same from 2000 to 2010, more than half of the county rates decreased or stayed the same. We encourage everyone to be counted in 2020.

Source: U.S. Census Bureau

Census.Maryland.gov

Email: Census@Maryland.gov • Twitter: @MDCensus2020 • Phone: 410.767.4500

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



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

October 8, 2019

TO: Worcester County Commissioners
FROM: Karen Hammer, Office Assistant IV
SUBJECT: Pending Board Appointments - Terms Beginning January 1, 2019

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (4) which have current or upcoming vacancies (6 total). The Local Development Council For The Ocean Downs Casino (1), Property Tax Assessment Appeal Board (1), (3 nominees due to Governor), Social Services Advisory Board (1) and the Solid Waste Advisory Committee (3). I have circled the members whose terms have expired on each of these boards.

Please note that the Worcester County Property Tax Assessment Appeal Board still requires one nomination for the alternate position as Mr. Flater has resigned. The Solid Waste Advisory Committee has three positions available for nominations, Bob Augustine (Church) and Jamey Latchum (Town of Berlin), have both resigned and James Rosenberg's (Bertino) position is open. James Rosenberg also served on the Local Development Council For The Ocean Downs Casino (Bertino) as a resident member from Ocean Pines. The Social Services Advisory Board has one position available due to the resignation of Maria Campione-Lawrence (Mitrecic).

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

Pending Board Appointments - By Commissioner

District 1 - Nordstrom

All District Appointments Received. Thank you!

District 2 - Purnell

All District Appointments Received. Thank you!

District 3 - Church

p. 7 - Solid Waste Advisory Board - (Bob Augustine)- 4yr.

District 4 - Elder

All District Appointments Received. Thank you!

District 5 - Bertino

p. 3 - Local Development Council For The Ocean Downs Casino (James Rosenberg) - 4-year

p. 7 - Solid Waste Advisory Committee (James Rosenberg) -4-year

District 6 - Bunting

All District Appointments Received. Thank you!

District 7 - Mitrecic

p. 5 - Social Services Advisory Board - (Maria Campione-Lawrence)- 3yr.

All Commissioners

p. 4 - (1) Property Tax Assessment Appeal Board (Gary M. Flater - alternate-Snow Hill has resigned)
- Must submit 3 nominees to the Governor for his consideration in making the appointment - 5-year

p. 7 - Solid Waste Advisory Board - Jamey Latchum (Town of Berlin)

**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
Maureen Howarth, 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>
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, 15-19
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
Charlie Dorman	Dist. 4 - Elder	Resident - Snow Hill	12-16, 16-20
Rod Murray °	Dist. 6 - Bunting	Resident - Ocean Pines	*09-12-16, 16-20
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
Vacant (J. Rosenberg) °	Dist. 5 - Bertino	Resident - Ocean Pines	09-13-17, 17-21
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

Prior Members:

	Since 2009
J. Lowell Stoltzfus ° (09-10)	Todd Ferrante ° (09-16)
Mark Wittmyer ° (09-11)	Joe Cavilla (12-17)
John Salm ° (09-12)	James N. Mathias, Jr. ° (09-18)
Mike Pruitt ° (09-12)	Ron Taylor ° (09-14)
Norman H. Conway ° (09-14)	
Michael McDermott (10-14)	
Diana Purnell ° (09-14)	
Linda Dearing (11-15)	

3

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

PROPERTY TAX ASSESSMENT APPEAL BOARD

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

Appointed by: Governor (From list of 3 nominees submitted by County Commissioners)
 - Nominees must each fill out a resume to be submitted to Governor
 - Nominations to be submitted 3 months before expiration of term

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

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

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

Meetings: As Necessary

Special Provisions: Chairman to be designated by Governor

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

Current Members:

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

C) = Chairman

Prior Members: Since 1972

- | | |
|-----------------------------|----------------------------------|
| Wilford Showell | Delores W. Groves (96-99) |
| E. Carmel Wilson | Mary Yenny (98-03) |
| Daniel Trimper, III | Walter F. Powers (01-04) |
| William Smith | Grace C. Purnell (96-04) |
| William Marshall, Jr. | George H. Henderson, Jr. (97-06) |
| Richard G. Stone | Joseph A. Calogero (04-09) |
| Milton Laws | Joan Vetare (04-12) |
| W. Earl Timmons | Howard G. Jenkins (03-18) |
| Hugh Cropper | Robert D. Rose (*06-17) |
| Lloyd Lewis | Larry Fry (*10-14 alt)(14-18) |
| Ann Granados | |
| John Spurling | |
| Robert N. McIntyre | |
| William H. Mitchell (96-98) | |

* = Appointed to fill an unexpired term

SOCIAL SERVICES ADVISORY BOARD

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

Appointed by: County Commissioners

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

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

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

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

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

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

Current Members:

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

SOCIAL SERVICES BOARD
(Continued)

Prior Members: (Since 1972)

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

* = Appointed to fill an unexpired term

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:

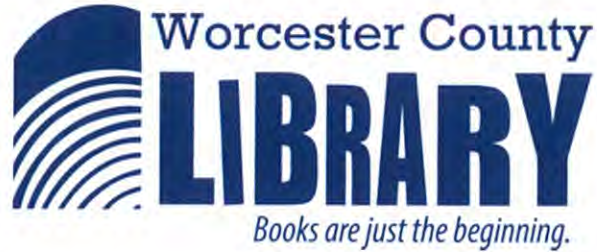
<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Mike Poole	D-6, Bunting	Bishopville	11-15, 15-19
Michael Pruitt	Town of Snow Hill		*15, 15-19
Bob Augustine	D-3, Church	Berlin	16-20
Granville Jones	D-7, Mitrecic	Berlin	*15-16, 16-20
Michelle Beckett-El Soloh	Town of Pocomoke City		*19-20
Rodney Bailey	D-2, Purnell	Berlin	*19-21
Jamey Latchum	Town of Berlin		*17, 17-21
Steve Brown	Town of Ocean City		*10-13-17, 17-21
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

Prior Members: (Since 1994)

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

* = Appointed to fill an unexpired term

7



7

TO: Harold Higgins, Chief Administrative Officer
FROM: Jennifer Ranck *JR*
DATE: October 9, 2019
SUBJECT: Ocean Pines Library - Replacement Carpet Project

Attached for your review and approval is the bid specification and architectural floor plan for replacing the carpet in the Ocean Pines Library. Also included is the Notice to Bidders, Bid Form and Bidders List.

Funds in the amount of \$85,000 (including the cost of moving shelving and furniture) have been approved by the Commissioners, from FY20 for this project.

Also included for review and approval is a bid from Bates Moving & Storage Company, Inc. to move the library stacks, furniture, and staff office area. Bates uses special equipment to move loaded library stacks which will help shorten the duration of the project. I request that the County Commissioners waive the normal bidding process and accept the attached proposal from Bates Moving & Storage Company, Inc. for the total amount of \$29,890.

P. 9

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

Attachments

cc: Ken Whited

DRAFT

**NOTICE TO BIDDERS
Worcester County Library
Ocean Pines Branch - Carpet Replacement Project**

The County Commissioners of Worcester County Maryland are currently accepting bids for replacing the carpet in the Ocean Pines Branch of the Worcester County Library.

Bid specification packages and bid forms are available from the Office of the County Commissioners, Worcester County Government Center, One West Market Street, Room 1103, Snow Hill, Maryland 21863-1072. A pre-bid facility inspection will be held on **Tuesday, October 29, 2019** between the hours of **12:30 p.m. & 1:30 p.m. EST** at the Worcester County Library, Ocean Pines Branch located at 11107 Cathell Road, Berlin, MD. Sealed bids will be accepted until **1:00 p.m., Tuesday, November 12, 2019** in the Office of the County Commissioners, at the above address, at which time they will be opened and publicly read aloud. Envelopes will be marked "**Ocean Pines Branch - Carpet Replacement Project**" in the lower left-hand corner. After opening, bids will be forwarded to the Worcester County Library for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities herein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with county contracts, or any other factors they deem appropriate. All inquiries will be directed to Jennifer Ranck, Library Director, at (410) 632-2600 / jranck@worcesterlibrary.

Additional requests for information (RFI's) will be accepted by Worcester County's Department of Public Works Maintenance Division until 04:00 PM EST on Wednesday November 6, 2019. All inquiries will be directed to Kenneth Whited Maintenance Superintendent at (kenwhited@co.worcester.md.us). RFI's will be responded to promptly and all responses will become part of the bid. Only written responses shall be considered binding. All RFI questions and responses by the County will be issued to all Bidders attending the Pre Bid Meeting.

INSTRUCTIONS TO BIDDERS

1. **BIDS**

Bids shall be submitted in sealed envelopes clearly marked in the lower left-hand corner "**Ocean Pines Branch - Carpet Replacement Project**"

2. **LATE BIDS**

Bids shall be mailed or hand carried to be received in the Office of the County Commissioners by or before **Tuesday, November 12, 2019 at 1:00 p.m. EST.** Bids received after the appointed time will not be considered.

3. **TAXES**

The County is **NOT** exempt from federal and state taxes on this project. Your prices should reflect included taxes.

4. **PRE-BID INSPECTION**

A facility pre-bid inspection will be held on **Tuesday, October 29, 2019** between **12:30 p.m. & 1:30 p.m. EST** at the Worcester County Library, Ocean Pines Branch located at 11107 Cathell Road, Berlin, MD. At that time, questions regarding the project scope will be addressed and attendees may obtain room dimensions. A floor plan will be provided but is not to scale; all dimensions for submitting a bid shall be the responsibility of the Bidder. Any inquiries regarding this project will be directed to Jennifer Ranck, during normal work days Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. at (410) 632-2600 / jranck@worcesterlibrary.org.

5. **BOND**

Bid Bond is not required.

Performance Bond & Labor and Material Payment Bond are NOT required.

6. **AWARD OF CONTRACT**

Bids will be opened in the Office of the County Commissioners at **1:00 p.m. EST Tuesday, November 12, 2019**. After opening, bids will be forwarded to the Worcester County Library for tabulation, review and recommendation to the County Commissioners for consideration at a future meeting. The awarded Bidder will be required to execute the County's Independent Contractors Agreement for the described work which stipulates that the County will not pay for incomplete work. Partial payment(s) will not be issued by the County on this project.

7. **SCOPE OF WORK**

- Replace all existing carpet in the Ocean Pines Library excluding the large meeting room and small conference room. Please include an additional 5% of stock for future use.
- Work Included:
 - .1 Contractor shall provide all supervision, labor, materials, tools and equipment as required to remove existing floor coverings, clean and skim coat concrete floor to acceptable conditions for installation of the new products plus, supply & install new products as described in the Bid Documents to the satisfaction of the County, governing inspection agencies and manufacturer. ***SEE PRODUCT SPECIFICATON SECTION.***
 - .2 Contractor shall notify the County in writing of any potential conflicts observed with performance of the work. Conflicts shall include but are not limited to space temperature control or moisture levels for which the installer shall measure and monitor and report higher than acceptable levels to the County for resolution. ***NOTE: Contractor's installation schedule shall conform to the Library's hours of operation. Contractor shall make allowances to perform the work after normal library working hours and possibly weekends as may be required to complete the work in consecutive days.***
 - .3 Contractor shall provide daily clean-up and removal off-site of all trash and debris generated by the work.
 - .4 Contractor shall be required to locate stored materials in an area(s) designated by the County.
 - .5 Contractor shall furnish and install all floor accessories consisting of but not limited to transition strips, adhesives, etc. as required to complete the work. Some floor leveling/flashing compounds will be required to correct minor deviations that would be detrimental to the installation or create tripping hazards in the final installed product.
 - .6 Contractor shall provide all warranties and guarantees as applicable by the manufacturer and as required by the bid documents. The contractor shall provide the Owner copies of all manufacturer's warranty statements.

- .7 Contractor shall provide any vertical hoisting and horizontal transportation required by this scope.
- .8 Contractor shall provide & maintain protective barriers and barricades as required to keep all library staff and patrons safe from the workplace. Barriers and barricades will be monitored and maintained at all times by this Contractor.
- .9 Contractor shall repair at its own expense any and all damage associated with the performance of this work.
- .10 Contractor to provide dust control & adequate ventilation of adhesive vapors throughout performance of the work.
- .11 Contractor to provide low VOC materials wherever possible.

8. **QUALIFICATIONS**

- A. The supplied products shall be installed only by a qualified contraction firm, which has been installing the specified product for not less than 5 years and is approved (licensed where applicable) by the material manufacturer. Bidder shall provide manufacturer's certification documentation qualifying the Bidder as a certified installer of the specified products.
- B. All material selections, installation methods and fastening systems shall meet all applicable codes by the agency having jurisdiction for the work.
- C. All materials used in sub-floor preparation and repair shall be chemically and physically compatible with the carpet system being bid and installed.
- D. All supplied products shall be new.
- E. Bidder(s) shall include all fees, taxes, permits
- F. Bidder(s) shall be licensed and insured and shall provide a copy of Contractor's License to accompany the submitted Bid Form.
- G. Bidder shall prepare project schedule for the work including anticipated lead time for product and installation period
- H. Worcester County Library will hire a moving company to move library stacks and furniture.

9. **PRODUCTS**

CARPET: MFG.: J&J Flooring...(jjflooringgroup.com)
 STYLE: Tempo Modular...See Attached Specification
 COLOR: TBD by Library Director
 WIDTH: 24" x 24" Carpet Tile

NOTE: See carpet specification cut sheet as included and made part of the Bid Documents

BID FORM

County Commissioners of Worcester County Maryland
Worcester County Library
Ocean Pines Branch - Carpet Replacement Project

We the undersigned have received all of the Bid Documents, Addenda and reviewed the referenced work site as related to this project and fully understand the documents and requirements in their entirety.

BASE BID LUMP SUM PRICE: \$ _____, _____ .00

Estimated Calendar Days to Complete Project _____

Please acknowledge all Addendums received and included in your bid

Addendum # 1 Date _____
Addendum # 2 Date _____
Addendum # 3 Date _____

Unit Price Schedule:

Labor rate per worker hour for additional work _____
Material mark-up percentage for additional work _____

BID MUST BE SIGNED TO BE CONSIDERED

Date: _____ Signature: _____
Name: _____
Company: _____
Address: _____
Telephone: _____

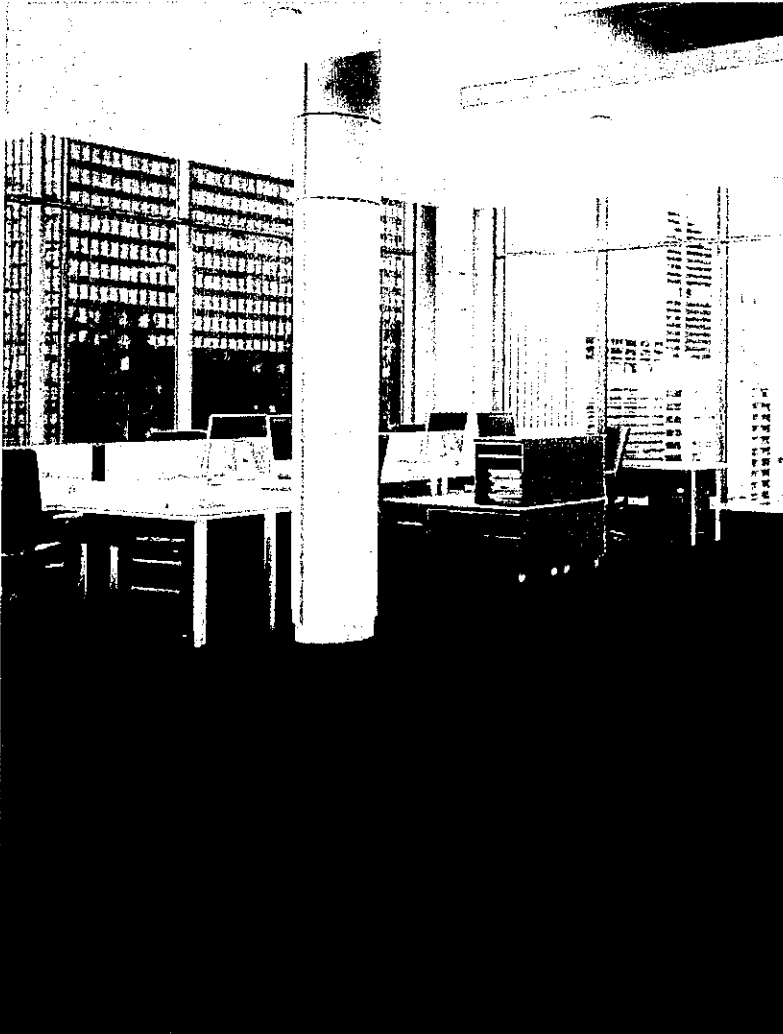
BIDDERS LIST

Value Carpet One
1530 N. Salisbury Blvd.
Salisbury, MD 21801
Te. 410.742.5224
Attention: Brian Eder
briane@valuecl.com

OC Floor Gallery
12319 Ocean Gateway
Ocean City, MD 21842
Te. 410.213.9234
Attention: Glen Levy
glevy@ocfloorgallery.com

Royal Plus Flooring
9939 Jerry Mack Road
Ocean City, MD 21842
Te. 410.219.7717
Attention: James Holland
jholland@royalplus.com

Homeworks Carpet One
8403 Coastal Highway, Suite B
Ocean City, MD 21842
Te. 443.736.2008
Attention: Ryan Hartka
rhartka@homeworksoc.com



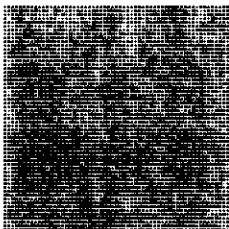
Product Specifications

Construction	Textured Patterned Loop
Backing	Nexus® Modular
Dye Method	Solution Dyed
Nylon Fiber Type	Encore® SD Ultima® (with recycled content)
Face Weight	16 oz./sq yd (543 grams/m ²)
Pile Density	5071 oz./cu yd (188.04 kg/m ³)
Pattern Repeat	N/A
Gauge	1/12 (4.72 rows/cm)
Stitches Per Inch	10 stitches/in (3.94 stitches/cm)
Standard Size	24" x 24" approx. (60.96cm x 60.96cm)
Standard Adhesive	Commercial Premium Modular Adhesive
Optional Adhesive	TileTabs
Standard Warranties	Encore® SD Ultima® Fiber Nexus® Modular Commercial Adhesive for Modular Tiles per J L-1
Optional Warranties	Tile Tabs
Special Technologies	
ProSept® Antimicrobial	Optional
ProTex® Soil Release	Standard
Sentir® Odor-Blocker	Optional
Environmental Specifications & Tests	
NSF 140:	Gold Certified
Indoor Air Quality	GLP9716
Total Recycled Content	48.42%
Flooring Radiant Panel	Class 1
Smoke Density	Less than 450 flaming (ASTM E 662)
Static Test	Less than 3 kv (AATCC-134)
ADA Compliance	Compliant For Accessible Routes
Pill Test	Yes
Lightfastness	Yes

Style also available in: Broadloom

Installation Methods: Brick, Monolithic, Ashlar, Quarter Turn

Colorways



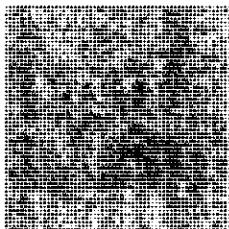
1751 Rhythm



1752 Pitch



1753 Key



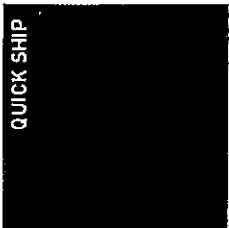
1754 Chord



1755 Duet



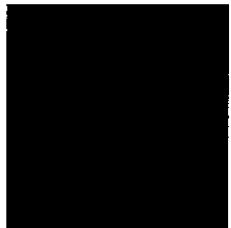
1756 Prelude



1757 Minuet



1758 Finale



1759 Major

BATES MOVING & STORAGE COMPANY, INC.

815 Benny Street - Salisbury, MD 21804 • P.O. Box 1594 - Salisbury, MD 21802
Phone: 410-749-7117 800-543-1902 • www.BatesMoving.com • Fax: 410-548-9520

March 21, 2019

Ms. Jennifer Ranck
Worcester County Library
11107 Cathell Road
Berlin, MD 21811

Dear Ms. Ranck,

Thank you for considering Bates Moving & Storage for assisting with the upcoming carpet replacement project at the Ocean Pines branch location.

Our goal is to insure that the details making up the overall task of relocating are handled smoothly, efficiently, and professionally, with minimal disruption to you.

Based on our visual survey, the estimated cost for this relocation is as follows:

A. Move out and move back of all public areas and leaving items onsite to facilitate carpet replacement, including History and Computer rooms; figuring on six segments determined by carpet installer and space available..... \$22,710.00

* We will supply boxes for staff to pack personal contents; our crew will pack and unpack all shelving and common areas. These rates do not include data/electrical services or draining/refilling of turtle tank.

B. Moving of office areas in 2 segments, excluding Book room..... \$ 7,180.00

The above rates are based on the Standard Moving Contract in which our liability is limited to \$.30 per pound per article. However, optional full value coverage is also available at a cost of \$150 plus \$0.55 for each \$100 of value declared, should you request it.

Should you have any further questions or when you wish to secure dates for this project, please don't hesitate to call.

Sincerely,



Bill von Paris, III
Bates Moving & Storage Company, Inc.

Revisions	No.	Date	Item	Ref.

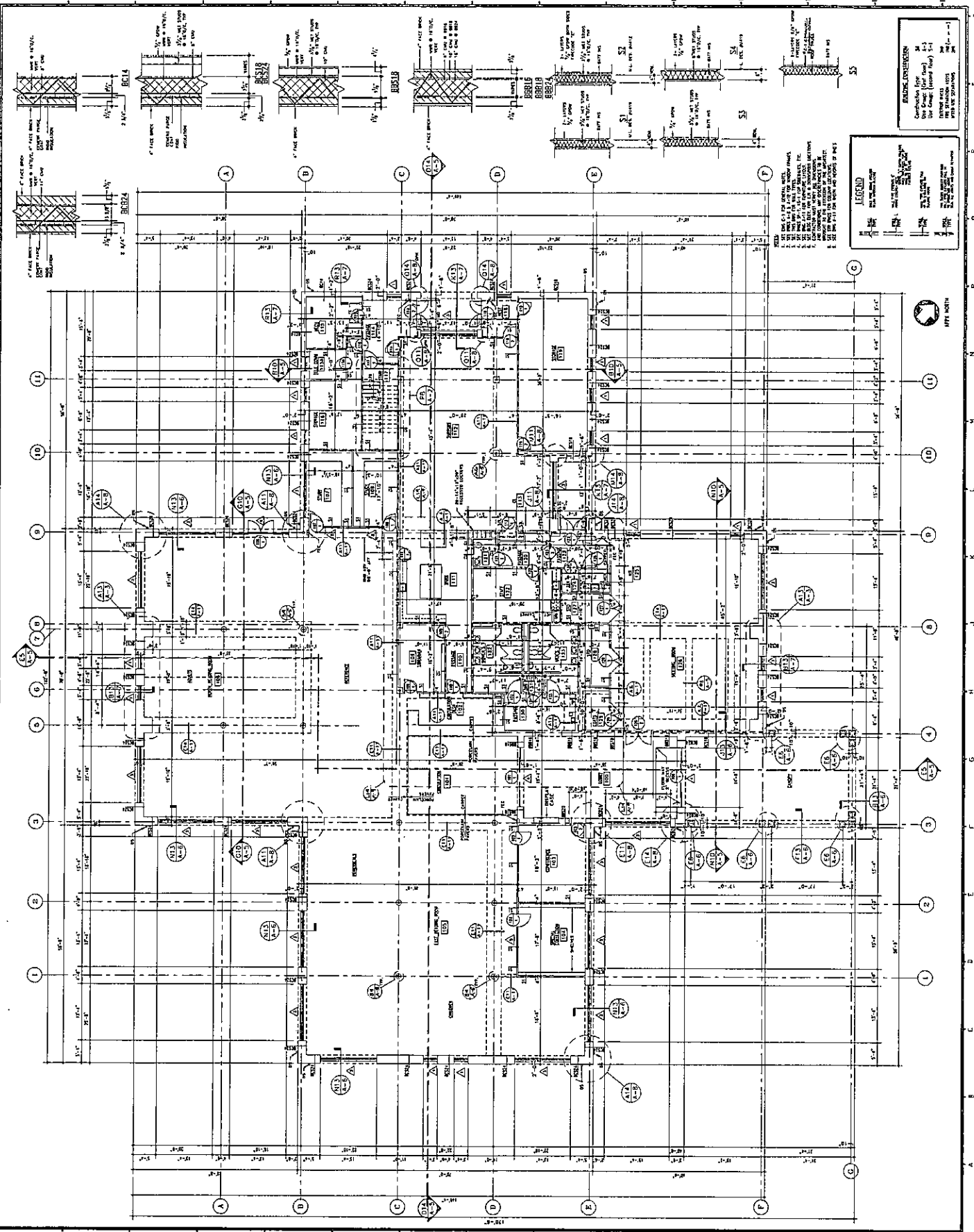


Todd & Associates Inc Architects
 215 North Division Street
 Worcester, Massachusetts 01602
 TEL: 857-8411

WORCESTER COUNTY LIBRARY
 OCEANFRONT MARITIME

FIRST FLOOR PLAN

Project No.	100
Sheet No.	101
Date	10/1/74
Scale	1/8" = 1'-0"
Author	J.M.C.
Checker	J.M.C.
Drawn	J.M.C.
Approved	J.M.C.



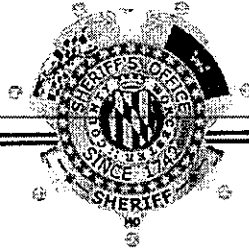
LEGEND

- 1. 1/2" DIA. ROUNDOFF CORNER
- 2. 1/2" DIA. ROUNDOFF CORNER
- 3. 1/2" DIA. ROUNDOFF CORNER
- 4. 1/2" DIA. ROUNDOFF CORNER
- 5. 1/2" DIA. ROUNDOFF CORNER
- 6. 1/2" DIA. ROUNDOFF CORNER
- 7. 1/2" DIA. ROUNDOFF CORNER
- 8. 1/2" DIA. ROUNDOFF CORNER
- 9. 1/2" DIA. ROUNDOFF CORNER
- 10. 1/2" DIA. ROUNDOFF CORNER
- 11. 1/2" DIA. ROUNDOFF CORNER
- 12. 1/2" DIA. ROUNDOFF CORNER
- 13. 1/2" DIA. ROUNDOFF CORNER
- 14. 1/2" DIA. ROUNDOFF CORNER
- 15. 1/2" DIA. ROUNDOFF CORNER
- 16. 1/2" DIA. ROUNDOFF CORNER
- 17. 1/2" DIA. ROUNDOFF CORNER
- 18. 1/2" DIA. ROUNDOFF CORNER
- 19. 1/2" DIA. ROUNDOFF CORNER
- 20. 1/2" DIA. ROUNDOFF CORNER
- 21. 1/2" DIA. ROUNDOFF CORNER
- 22. 1/2" DIA. ROUNDOFF CORNER
- 23. 1/2" DIA. ROUNDOFF CORNER
- 24. 1/2" DIA. ROUNDOFF CORNER
- 25. 1/2" DIA. ROUNDOFF CORNER
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Worcester County Sheriff's Office

8

Matthew Crisafulli
Sheriff



Mark C. Titanski
Chief Deputy

October 8, 2019

Honorable Diana Purnell
President, Worcester County Commissioners
1 W. Market St. Room 1103
Snow Hill, MD. 21863

SUBJECT: Purchase of replacement vehicle

On September 6, 2019 Deputy Chris Newton was involved in a departmental motor vehicle collision. Investigation showed that he was contributory at fault. Estimates to repair the 2015 Tahoe are beyond its current value.

I am requesting the County Commissioner allow the Sheriff's Office to add another Pursuit 2x4 vehicle to the bid package that is up for approval at the next County Commissioners meeting. I request that the funding for this vehicle come from additional FY20 funds from County General Fund. I request that this amount be that of the awarded bid (I understand the low bid came in at \$33,371, however this has not been accepted by the County Commissioners as of this date) and it be added to account 100.1101.030.9010.010 (Capital Equipment Vehicles).

As the vehicle equipment will need to be replaced, I am also requesting an additional \$11,130.00 to be added from General Funds to account 100.1101.030.6540.060 (vehicle equipment).

This will bring the total amount requested to \$44,501.00.

I am requesting that the County Commissioners approve this recommendation and that Fleet Management be instructed to order 1 more vehicle (2x4) to the approved order packet that meet these specifications.

Sincerely

A handwritten signature in black ink, appearing to read "M. Crisafulli".

Matthew Crisafulli
Sheriff of Worcester County

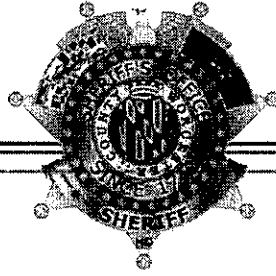
"Proud to Protect, Ready to Serve"

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

Worcester County Sheriff's Office

9

Matthew Crisafulli
Sheriff



Mark C. Titanski
Chief Deputy

10-2-2019

Harold Higgins
Worcester County Administrator
1 West Market Street
Snow Hill Md. 21863

The Worcester County Sheriff's Office has applied for and received a grant from the Maryland Highway Safety Office to participate in traffic enforcement initiatives during the fiscal year of 2020. We have received this grant several years in the past

May we have this topic placed on the agenda for the next commissioners meeting? I am requesting that the Worcester County Commissioners approve the grant for the fiscal year 2020.

Lt. Schreier will be the point of contact for this grant. Once approved Commissioner Purnell will need to accept the terms of the grant through the grant management computer application.

Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Crisafulli".

Matthew Crisafulli, Sheriff
Worcester County Sheriff's Office

"Proud to Protect, Ready to Serve"

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

1



Maryland
Highway
Safety
Office

PROJECT AGREEMENT
6601 Ritchie Highway
Glen Burnie, MD 21062
PHONE 410-787-4050 FAX 410-787-4020

The formal approval of this Project Agreement and the obligation of funds to it are contingent upon the availability of anticipated federal funds, as determined by Congress, Maryland statute, or other federal or state action.

PROJECT TITLE: Worcester County Aggressive Driving *	FOR MHSO USE ONLY
	PROJECT NUMBER: LE-Worcester Co Sheriff-2020-060
PROJECT AGENCY: Worcester County Sheriff's Office	
PROJECT AGENCY ADDRESS: 1 West Market Street Suite. 1001, Snow Hill, MD-21863	
FUND RECIPIENT: Worcester County	
FUND RECIPIENT ADDRESS: 1 West Market Street, Snow Hill, MD-21863	
FEDERAL IDENTIFICATION NUMBER: 52-6001064	

The undersigned agree that the Project Agency will carry out the Project within the dates of the Project Period, in accord with the general programmatic and financial requirements set forth in the agreement, and in compliance with the Project Conditions. Reimbursement is limited to actual eligible expenditures, the total of which is not to exceed the amount of Funds Obligated from MHSO. Furthermore, the Project Agency certifies that it is eligible under grant guidelines to receive grant funds; can accept a reimbursable grant; can successfully implement the project at the indicated funding level; and accepts the provisions of the entire Agreement including its Project Conditions. Costs cannot be incurred prior to the Project Start Date listed below.

BUDGET CATEGORIES	MHSO FUNDS
Salary and Benefits	\$0.00
Law Enforcement Overtime	\$2,000.00
Training / Conference and Accommodations	\$0.00
Mileage	\$0.00
Contractual Services	\$0.00
Equipment	\$0.00
Other Direct Costs	\$0.00
Indirect Costs	\$0.00
Total	\$2,000.00

The Project Director and Authorizing Official signing below cannot be the same person, nor can they be the Financial Official listed in the grant.

PROJECT DIRECTOR & AUTHORIZING OFFICIAL SIGNATURES			
PROJECT DIRECTOR		AUTHORIZING OFFICIAL	
NAME: Edward Schreier		NAME: Diane Purnell	
TITLE: Lieutenant		TITLE:	
AGENCY: Worcester County		AGENCY: Worcester County	
ADDRESS:		ADDRESS:	
PHONE: (410) 632-1111	FAX:	PHONE: (410) 632-1111	FAX:
E-MAIL: eschreier@co.worcester.md.us		E-MAIL: dpurnell@co.worcester.md.us	
SIGNATURE & DATE:		SIGNATURE & DATE:	
Edward Schreier (Electronically Signed) 10/02/2019			

FOR MHSO USE ONLY	
PROJECT PERIOD START DATE: 10/01/2019	FUNDS OBLIGATED FROM MHSO:
PROJECT PERIOD END DATE: 09/30/2020	\$2,000.00
MHSO DIRECTOR APPROVAL (SIGNATURE & DATE)	



Maryland
Highway
Safety
Office

PROJECT AGREEMENT
6601 Ritchie Highway
Glen Burnie, MD 21062
PHONE 410-787-4050 FAX 410-787-4020

The formal approval of this Project Agreement and the obligation of funds to it are contingent upon the availability of anticipated federal funds, as determined by Congress, Maryland statute, or other federal or state action.

PROJECT TITLE: Worcester County Distracted Driving	FOR MHSO USE ONLY
	PROJECT NUMBER: LE-Worcester Co Sheriff-2020-063
PROJECT AGENCY: Worcester County Sheriff's Office	
PROJECT AGENCY ADDRESS: 1 West Market Street Suite. 1001, Snow Hill, MD-21863	
FUND RECIPIENT: Worcester County	
FUND RECIPIENT ADDRESS: 1 West Market Street, Snow Hill, MD-21863	
FEDERAL IDENTIFICATION NUMBER: 52-6001064	

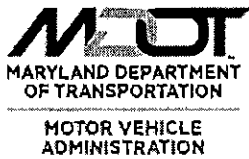
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BUDGET CATEGORIES	MHSO FUNDS
Salary and Benefits	\$0.00
Law Enforcement Overtime	\$2,000.00
Training / Conference and Accommodations	\$0.00
Mileage	\$0.00
Contractual Services	\$0.00
Equipment	\$0.00
Other Direct Costs	\$0.00
Indirect Costs	\$0.00
Total	\$2,000.00

The Project Director and Authorizing Official signing below cannot be the same person, nor can they be the Financial Official listed in the grant.

PROJECT DIRECTOR & AUTHORIZING OFFICIAL SIGNATURES			
PROJECT DIRECTOR		AUTHORIZING OFFICIAL	
NAME: Edward Schreier		NAME: Diane Purnell	
TITLE: Lieutenant		TITLE:	
AGENCY: Worcester County		AGENCY: Worcester County	
ADDRESS:		ADDRESS:	
PHONE: (410) 632-1111	FAX:	PHONE: (410) 632-1111	FAX:
E-MAIL: eschreier@co.worcester.md.us		E-MAIL: dpurnell@co.worcester.md.us	
SIGNATURE & DATE:		SIGNATURE & DATE:	
Edward Schreier (Electronically Signed) 10/02/2019			

FOR MHSO USE ONLY	
PROJECT PERIOD START DATE: 10/01/2019	FUNDS OBLIGATED FROM MHSO:
PROJECT PERIOD END DATE: 09/30/2020	\$2,000.00
MHSO DIRECTOR APPROVAL (SIGNATURE & DATE)	



Maryland
Highway
Safety
Office

PROJECT AGREEMENT
6601 Ritchie Highway
Glen Burnie, MD 21062
PHONE 410-787-4050 FAX 410-787-4020

The formal approval of this Project Agreement and the obligation of funds to it are contingent upon the availability of anticipated federal funds, as determined by Congress, Maryland statute, or other federal or state action.

PROJECT TITLE: Worcester County Impaired Driving	✕	FOR MHSO USE ONLY
PROJECT AGENCY: Worcester County Sheriff's Office		PROJECT NUMBER: LE-Worcester Co Sheriff-2020-061
PROJECT AGENCY ADDRESS: 1 West Market Street Suite. 1001, Snow Hill, MD-21863		
FUND RECIPIENT: Worcester County		
FUND RECIPIENT ADDRESS: 1 West Market Street, Snow Hill, MD-21863		
FEDERAL IDENTIFICATION NUMBER: 52-6001064		

The undersigned agree that the Project Agency will carry out the Project within the dates of the Project Period, in accord with the general programmatic and financial requirements set forth in the agreement, and in compliance with the Project Conditions. Reimbursement is limited to actual eligible expenditures, the total of which is not to exceed the amount of Funds Obligated from MHSO. Furthermore, the Project Agency certifies that it is eligible under grant guidelines to receive grant funds; can accept a reimbursable grant; can successfully implement the project at the indicated funding level; and accepts the provisions of the entire Agreement including its Project Conditions. Costs cannot be incurred prior to the Project Start Date listed below.

BUDGET CATEGORIES	MHSO FUNDS
Salary and Benefits	\$0.00
Law Enforcement Overtime	\$1,000.00
Training / Conference and Accommodations	\$0.00
Mileage	\$0.00
Contractual Services	\$0.00
Equipment	\$0.00
Other Direct Costs	\$0.00
Indirect Costs	\$0.00
Total	\$1,000.00

The Project Director and Authorizing Official signing below cannot be the same person, nor can they be the Financial Official listed in the grant.

PROJECT DIRECTOR & AUTHORIZING OFFICIAL SIGNATURES			
PROJECT DIRECTOR		AUTHORIZING OFFICIAL	
NAME: Edward Schreier		NAME: Diane Purnell	
TITLE: Lieutenant		TITLE:	
AGENCY: Worcester County		AGENCY: Worcester County	
ADDRESS:		ADDRESS:	
PHONE: (410) 632-1111	FAX:	PHONE: (410) 632-1111	FAX:
E-MAIL: eschreier@co.worcester.md.us		E-MAIL: dpurnell@co.worcester.md.us	
SIGNATURE & DATE:		SIGNATURE & DATE:	
Edward Schreier (Electronically Signed) 10/02/2019			

FOR MHSO USE ONLY	
PROJECT PERIOD START DATE: 10/01/2019	FUNDS OBLIGATED FROM MHSO:
PROJECT PERIOD END DATE: 09/30/2020	\$1,000.00
MHSO DIRECTOR APPROVAL (SIGNATURE & DATE)	



10

BILLY BIRCH
DIRECTOR

EMERGENCY SERVICES
Worcester County

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: International Association of Emergency Managers Conference 2019
Date: 1 October 2019

The Department of Emergency Services is seeking permission for me to attend the International Association of Emergency Managers Conference 2019. Which will be November 15th until 22nd in Savannah, Georgia. The total amount of the request is \$2,730.00 which was included in our FY20 approved budget. This amount will cover all costs associated with the conference including: Hotel, meals, lodging, air fare and transportation.

I am available to answer any questions at your convenience.

Attachments (2)

9/30/19



Harold L. Higgins, CPA
Chief Administrative Officer
Worcester County
One West Market Street, Room 1103
Snow Hill, Maryland 21863

IAEM Headquarters
201 Park Washington Court
Falls Church, VA
22046-4527 USA
Ph. 703-538-1795
Fax 703-241-5603
E-mail info@iaem.com
www.iaem.com

Dear Harold,

I am writing to formally request the presence of Billy Birch at the IAEM 67th Annual Conference & EMEX, November 15 - 21, 2019 in Savannah, Georgia, USA. **Your employee is critical to this event's success.**

If you have to pick just one conference for your emergency management professional to attend this year, **the 2019 IAEM 67th Annual Conference & EMEX – Honor the Past, Treasure the Present and Shape the Future** is the one. This multi-day training and education event provides many benefits to all levels of government, the private sector, and non-government agencies alike. The conference includes a multitude of topics across the emergency management spectrum, enhancing your emergency manager's knowledge and strengthening their network of professionals.

The goal of the IAEM Annual Conference is to improve your employee's knowledge, competency level and collaborative skills. IAEM accomplishes this by attracting **relevant high-profile speakers to address current topics and practical solutions**. In addition to this annual event, EMEX, IAEM's Emergency Management & Homeland Security Expo, draws a myriad of exhibitors who are the top suppliers to the fields of disaster preparedness and homeland security.

Your employee will benefit from attending the IAEM Annual Conference in many ways:

- **Education and Training:**
 - Best value for obtaining/learning new skillsets
 - Learn best practices from the field's most respected speakers
 - Hear lessons learned from actual disasters
 - Earn certificates of attendance for training courses and conference sessions
- **Collaboration:** Improve job proficiency through critical information sharing with other emergency management professionals in all levels of government, private sector, public health and related professions with nearly 2,000 participants.
 - Attend private meetings and training sessions specific to your group
- **Hands-On Training:**
 - EMI@IAEM – FEMA, TEEX, EMAP, Naval Postgraduate School – CHDS, NDPTC training offered to maximize continuing education
 - Many other pre/post-conference training courses offered
- **Products and Services:** EMEX 2019 will showcase the industry's best technologies, products and services.
- **Return on Investment:** The attendee overtly and intuitively gains knowledge with attendance.

(more)

Thank you for considering this request. Learn more about the IAEM 67th Annual Conference & EMEX 2019 by visiting our conference web site at <https://iaemconference.info/2019/>.

Sincerely,

Elizabeth B. Armstrong, MAM, CAE

IAEM CEO

International Association of Emergency Managers

201 Park Washington Court | Falls Church, VA 22046

armstrong@iaem.com | www.iaem.com | www.iaemconference.info

Nov. 15 – 20, 2019, IAEM 67th Annual Conference & EMEX, Savannah, GA

International Association of Emergency Managers Conference 2019

Attendees: Billy Birch

When: November 15 – 22, 2019

Where: Savannah, GA

Approximate Costs:

Travel: Flight – \$400

Lodging: \$174 per room per person (Not including tax) (7 nights) - \$1218

Meals: Per Diem \$61 per day (7 days) - \$488

Registration Fee: \$624 per person

Total: \$2730

OCT 07 2019



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BILLY BIRCH
DIRECTOR

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services **B.B.**
Re: National Hurricane Conference 2020
Date: 3 October 2019

Note: Funds are Budgeted
for an additional 16 staff
members and/or Commissioners
to attend

The Department of Emergency Services is seeking permission for me to attend the National Hurricane Conference 2020 which will be April 5th until 10nd in Orlando, Florida. The total amount of the request is \$2,036.00, which is included in our FY20 approved budget. This amount covers all costs associated with the conference including: Hotel, meals, lodging, air fare and transportation.

I am available to answer any questions at your convenience.

Attachment (1)

National Hurricane Conference 2020

Attendees: Billy Birch

When: April 5th until 10th 2020

Where: Orlando, Florida

Approximate Costs:

Travel: Flight – \$400

Parking: \$70

Lodging: \$159 per room per person (Not including tax) (5 nights) - \$795

Meals: Per Diem \$66 per day (6 days) - \$396

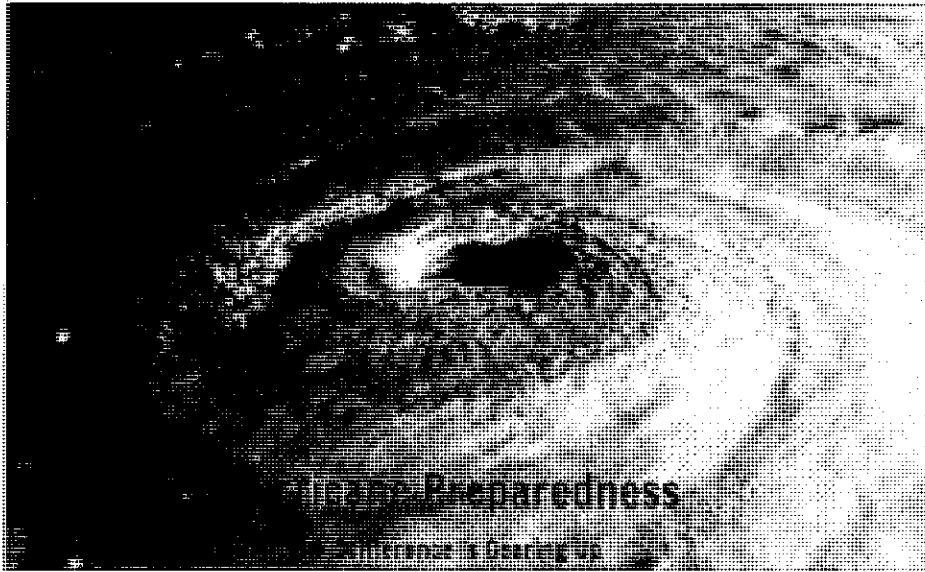
Registration Fee: \$375 per person

Total: \$2,036



2020 National Hurricane Conference
 April 6 - April 9, 2020
 ROSEN CENTRE HOTEL, ORLANDO, FL

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- [About the Conference](#)
- [Awards](#)
- [Information for the Media](#)
- [Refund Policy/Cancellation Fee](#)
- [Planning Committee](#)
- [Topic Committees](#)
- [Participating Organizations](#)
- [Awards Committee](#)

- [Upcoming Conferences](#)
- [2019 Speaker Presentations](#)

Conference Purpose

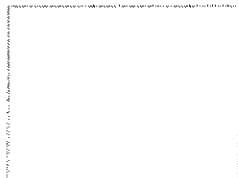
The primary goal of the National Hurricane Conference is to improve hurricane preparedness, response, recovery and mitigation in order to save lives and property in the United States and the tropical islands of the Caribbean and Pacific. In addition, the conference serves as a national forum for federal, state and local officials to exchange ideas and recommend new policies to improve Emergency Management. [Read More >](#)

Who Should Attend

The National Hurricane Conference is the nation's forum for education and professional training in hurricane and disaster preparedness. With an average of 1,500 attendees from around the country, the conference covers all major aspects of hurricane preparedness, response and recovery, which will provide your company with a unique opportunity to show your wares to a large audience of interested decision-makers. [Read More >](#)

Register Today

- ✓ **THREE FULL DAYS** of workshops and training sessions on a wide range of topics for Hurricane Responders.
 - ✓ **A full day** of general session speakers including many of the nation's top experts in hurricane related issues.
 - ✓ **EMI and FEMA Certificate Training** courses and rap sessions.
- STILL TIME TO REGISTER >**



IMPORTANT LINKS

[Home](#)

IMPORTANT FILES

[2020 NHC Topic Committee Guidelines](#)
[2019 Speaker Presentations](#)

NATIONAL HURRICANE CONFERENCE

2952 Wellington Circle
 Tallahassee, FL 32309

SOCIAL



2020 National Hurricane Conference Overview

Daily Coffee Breaks at 8:00 am; 10:00 am and 3:00 pm

Exhibits Open Tuesday 9:30 am-5:00 pm and Wednesday 9:30 am-1:00 pm

Sunday April 5, 2020			
Event Start	Event End Time	Description	Location
1:00 pm	5:00 pm	Conference Registration Desk Open	1 st Floor Registration Desk 2
Monday April 6, 2020			
Event Start	Event End Time	Description	Location
7:30 am	4:30 pm	Conference Registration Desk Open	1 st Floor Registration Desk 2
8:00 am	12:00 pm	Media Rooms Open	Salons 20 and 21
8:30 am	12:00 pm	Training Sessions, including EMI Courses	2nd Floor Salons
12:00 pm	1:30 pm	Lunch on your own	
12:00 pm	5:00 pm	Media Rooms Open	Salons 20 and 21
12:00 pm	5:00 pm	Exhibitor Setup	Grand Ballroom
1:30 pm	5:00 pm	Training Sessions, including EMI Courses	2nd Floor Salons
Tuesday April 7, 2020			
Event Start	Event End Time	Description	Location
7:30 am	4:30 pm	Conference Registration Desk Open	1 st Floor Registration Desk 2
8:00 am	12:00 pm	Media Rooms Open	Salons 20 and 21
8:30 am	5:00 pm	Training Sessions	2nd Floor Salons
9:30 am	5:00 pm	Exhibit Hall Open	Grand Ballroom

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1:00 pm	5:00 pm	Media Rooms Open	Salons 20 and 21
5:30 pm	6:30 pm	Welcome Reception	Grand Ballroom

Wednesday April 8, 2020

Event Start	Event End Time	Description	Location
7:30 am	4:30 pm	Conference Registration Desk Open	1 st Floor Registration Desk 2
8:00 am	12:00 pm	Media Rooms Open	Salons 20 and 21
8:30 am	10:00 am	RAP Sessions	2nd Floor Salons
9:30 am	1:00 pm	Exhibit Hall Open	Grand Ballroom
10:30 am	1:00 pm	Dedicated Time to Tour Exhibit Hall	Grand Ballroom
12:00 pm	1:00 pm	Lunch on your own	
1:00 pm	5:00 pm	Media Rooms Open	Salons 20 and 21
1:00 pm	5:30 pm	General Session including Annual Awards Presentation	Executive Ballroom

Thursday April 9, 2020

Event Start	Event End Time	Description	Location
7:30 am	4:30 pm	Conference Registration Desk Open	1 st Floor Registration Desk 2
8:00 am	12:00 pm	Media Rooms Open	Salons 20 and 21
8:30 am	12:00 pm	Concurrent Workshops	2nd Floor Salons
12:00 pm	1:30 pm	Lunch on your own	
1:00 pm	5:00 pm	Media Rooms Open	Salons 20 and 21
1:30 pm	5:00 pm	Concurrent Workshops	2nd Floor Salons
5:00 pm		Conference Adjourns	



2020 NATIONAL HURRICANE CONFERENCE

April 6-9, 2020 * Rosen Centre Hotel * Orlando, FL

Conference Hotel: Rosen Centre, 9840 International Drive, Orlando, FL 32819 (407) 996-9840

Attendee Registration:

- Early (payment received by 2/21/20)\$375
- Regular (payment received 2/22/20 - 3/20/20)\$425
- Onsite (payment received after 3/20/20)\$475
- Daily\$150 per day
Please check all that apply Monday Tuesday Wednesday Thursday

Name _____

Title _____ Organization _____

Address _____

City _____ State _____ Zip _____

E-mail _____ Phone _____

Payment Information:

Make checks payable to: **National Hurricane Conference, Inc.**
2952 Wellington Circle, Tallahassee, FL 32309

We accept these credit cards: Amex • MasterCard • VISA • Discover

Credit Card Number _____ Expiration _____

Cardholder Name _____ CVR# _____

Cardholder Signature _____

REFUND POLICY

Cancellations received by Feb 21, 2020 will receive a full refund, less a \$50 cancellation fee. Cancellations received by Feb 22 and on or before March 20, 2020 will receive a 50% refund. No refunds will be made for cancellations received after March 20, 2020. NHC must receive cancellation requests in writing, by email or regular mail. Telephone requests will not be honored. Send requests to NHC Cancellations, 2952 Wellington Circle, Tallahassee, FL 32309 or email: Lisa@HurricaneMeeting.com

National Hurricane Conference, Inc. * Federal ID # 20-2105613
2952 Wellington Circle, Tallahassee, FL 32309 * (850)906-9224 Phone/Fax
Lisa@HurricaneMeeting.com

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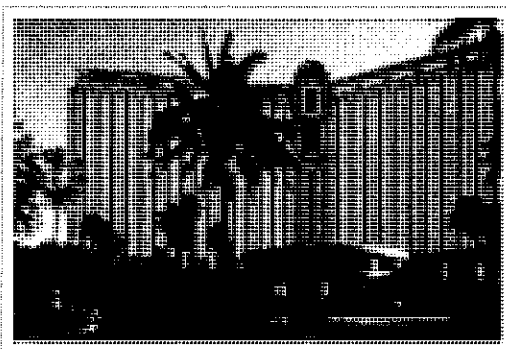
2020 National Hurricane Conference
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2020 Hotel

(\$159/night + tax)

Rosen Centre Hotel



9840 International Drive
 Orlando, Florida 32819
 (407) 996-9840
 \$159.00 Single/Double
 \$20.00 Additional Person

Online Registration

Hotel at a Glance:

Property Location

With a stay at Rosen Centre Hotel in Orlando, you'll be within a 5-minute drive of Orange County Convention Center and Pointe Orlando. This 4-star resort is 1 mi (1.7 km) from Aquatica and 1.8 mi (3 km) from Discovery Cove.

Rooms

Make yourself at home in one of the 1334 air-conditioned rooms featuring refrigerators and flat-screen televisions. Complimentary wireless Internet access keeps you connected, and cable programming is available for your entertainment. Private bathrooms with shower/tub combinations feature complimentary toiletries and hair dryers. Conveniences include laptop-compatible safes and desks, and housekeeping is provided daily.

Amenities

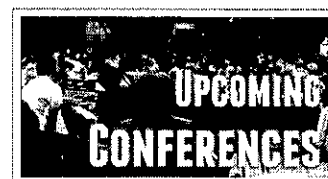
Pamper yourself with a visit to the spa, which offers massages, body treatments, and facials. If you're looking for recreational opportunities, you'll find an outdoor pool, a spa tub, and a 24-hour fitness center. Additional amenities at this resort include complimentary wireless Internet access, concierge services, and babysitting/childcare (surcharge).

Dining

Grab a bite to eat at one of the resort's 7 restaurants, or stay in and take advantage of the room service (during limited hours). Snacks are also available at the coffee shop/café. Relax with a refreshing drink from the poolside bar or one of the 3 bars/lounges. Breakfast is available for a fee.

Business, Other Amenities

Featured amenities include a business center, limo/town car service, and express check-in. Planning an event in Orlando? This resort has facilities measuring 150000 square feet (13935 square meters), including a conference center. Self parking (subject to charges) is available onsite.



Tweet

IMPORTANT LINKS

- [Home](#)
- [Conference Overview](#)
- [Online Registration](#)
- [Mail-Fax Registration](#)
- [Call for Topics](#)

IMPORTANT FILES

- [2020 NHC Topic Committee Guidelines](#)
- [2019 Speaker Presentations](#)
- [2020 NHC Refund Policy](#)
- [NHC Media Policy](#)

NATIONAL HURRICANE CONFERENCE

2952 Wellington Circle
 Tallahassee, FL 32309
 Phone 850.906.9224
 Fax 800.921.4515

SOCIAL



12

BILLY BIRCH
DIRECTOR

EMERGENCY SERVICES
Worcester County

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: Emergency Number Systems Board (ENSB) Project# 20-072– Awarded
Date: 07 October 2019

The Department of Emergency Services (DES) is requesting your approval to proceed with an Emergency Number Systems Board (ENSB) approved project# 20-072 in the amount of \$7,033.95 for the purchase of 21 Plantronics CA12CD-S PTT adapter push to talk headset base switches: 6 - would be for our primary dispatch center, 6 - backup dispatch center and 9 - for Ocean City Dispatch center. We will be required to purchase these units and will submit the invoice for a repayment of \$7,033.95 upon receipt of the units.

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

Attachment (2)

**Factory
Outlet
Store.com** **Garmin Factory Outlet Store**
Phone: (800) 721-1373

worcester county dept emergency service
Phone: 4106323080

Quote # 4690

Issue Date: 09/27/2019

#	Item / Description	Qty	Units	Unit Price	Total
1	Plantronics CA12CD-S PTT Adapter Push-To-Talk Switch	21	pcs.	\$334.95	\$7,033.95
Total:					\$7,033.95

Due Date: 10/04/2019

MARYLAND

9-1-1

EMERGENCY
NUMBER SYSTEMS BOARD

STATE OF MARYLAND

LAWRENCE J. HOGAN, JR.
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

RACHEL SESSA
CHIEF OF STAFF

ANTHONY MYERS
CHAIRMAN

SCOTT ROPER
EXECUTIVE DIRECTOR

JUMARY WEST
FISCAL COORDINATOR

Department of Public Safety and Correctional Services

Emergency Number Systems Board

300 East Joppa Road – Suite 1000, Towson, Maryland 21286-3068
(410) 339-6363 • FAX (410) 339-6306 • www.dpscs.state.md.us/ensb/

October 1, 2019

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

RE: ENSB Project # 20-072 Worcester County

Dear Mr. Coale:

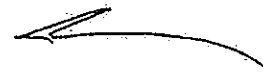
Under authority granted by the Board, The Office of the Executive Director has approved your request to purchase Headset Bases for your county's PSAP in an amount not to exceed \$7,033.95, per your County's request. This funding is contingent upon the availability of funds in the Trust Fund.

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

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

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

Sincerely,



Scott Roper, Executive Director
Emergency Number Systems Board



13

BILLY BIRCH
DIRECTOR

EMERGENCY SERVICES
Worcester County

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: Next Generations 911 procurement
Date: 1 October 2019

The Department of Emergency Services is seeking permission to participate with the other eight eastern shore county emergency directors in requesting the Maryland Emergency Number Systems board (ENSB) fund the development of a "Request for Proposals" document for the future Next Generation 911 (NG911) infrastructure. This is to support the release and technical evaluation of proposals received to conclude in a recommendation of a single vendor to the County Commissioners to serve us and the other eight counties.

Specifically, the RFP will outline requirements for the future NG911 infrastructure to serve Worcester County as well as the other eight counties of Maryland's Eastern Shore. This includes all fiber transport, call routing, and switching technology that will allow individual County 911 phones systems access for NG911 services. Queen Anne's County agreed to serve as the primary county to coordinate this activity. They will be requesting funding from the ENSB to have this RFP drafted. With technical support and the support of the other counties, proposals will be evaluated and a single vendor recommendation made to all the counties for approval. The single vendor recommendation is preferred as it relates to ensuring critical elements are in place to maintain system redundancy, diversity and interoperability. This collaboration will also provide cost savings for all counties involved.

I am available to answer any questions at your convenience.

WIKIPEDIA

Next Generation 9-1-1

Next Generation 9-1-1 (abbreviated **NG9-1-1**) refers to an initiative aimed at updating the 9-1-1 service infrastructure in the United States and Canada to improve public emergency communications services in a growingly wireless mobile society. In addition to calling 9-1-1 from a phone, it intends to enable the public to transmit text, images, video and data to the 9-1-1 center (referred to as a Public Safety Answering Point, or PSAP). The initiative also envisions additional types of emergency communications and data transfer.^[1] This NG9-1-1 infrastructure is intended to replace the current services over time. The National Emergency Number Association (NENA) first identified the need for NG9-1-1 in 2000, and started development actions in 2003, and is nearing full definition and standards for NG9-1-1. Since 2006, the US Department of Transportation (DOT) in the United States and the Canadian Radio-television and Telecommunications Commission (CRTC) in Canada have been leading their respective initiatives, which include research and development projects aimed at advancing NG9-1-1.^{[2][3]} On January 24, 2013, the CRTC announced the first step toward a Canadian implementation of NG9-1-1^[4] and, in March 2016, began a consultation with the public to discuss what services should be offered, who will play a role in offering these services and how these services should be paid for.^[5] Several US states have implemented versions of NG9-1-1, as of October 2013.

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Purpose and history

2

Planning for NG9-1-1 started in 2000 and was published in NENA's Future Path Plan in 2001.^[6] NENA's NG9-1-1 Project began in 2003 and continues to an ultimate goal of establishing national NG9-1-1 architecture and operations standards, and implementation plans to accomplish advanced 9-1-1 systems and services. Public safety communications experts recognized that the nation's current 9-1-1 system was not capable of handling the text, data, images and video that are increasingly common in personal communications. The stated goal of a related USDOT project is: "To enable the general public to make a 9-1-1 "call" (any real-time communication – voice, text, or video) from any wired, wireless, or IP-based device, and allow the emergency services community to take advantage of advanced call delivery and other functions through new internetworking technologies based on open standards."^[7] The project is aimed at supporting establishment of a national architecture for an NG9-1-1 system that would meet these goals, and to create a transition plan for NG9-1-1.

The "Proof of Concept" phase of the DOT project, using the architecture designed by NENA, was completed in 2008, and a report was issued on the results of a proof of concept demonstration conducted over the course of that year.^[8] That report has served as a basic blueprint for planning and implementation of these capabilities. Actual implementation of these capabilities is expected to take several years, and will require changes to existing communications infrastructure, as well as changes to the way PSAPs operate.^[9]

In 2000 Palm Beach County, FL (the largest county east of the Mississippi) implemented the first ESInet in the US. AT&T connecting multiple PSAPs utilizing the SIP protocol. In 2012, the State of Washington completed the first Statewide ESInet implementation in the US.^[10]

In 2015 the FCC initiated a nationwide task force. The FCC Task Force on Optimal Public Safety Answering Point (PSAP) Architecture (Task Force or TFOPA) has been directed to study and report findings and recommendations on structure and architecture in order to determine whether additional consolidation of PSAP infrastructure and architecture improvements would promote greater efficiency of operations, safety of life, and cost containment, while retaining needed integration with local first responder dispatch and support.

Enabling technology

The NG9-1-1 vision relies on 9-1-1 specific application functionality on an Emergency Services IP Network (ESInet) to deliver voice, video, text and data "calls" to the PSAP. The protocol used for delivering these "calls" will be the Session Initiation Protocol (SIP), or IP Multimedia Subsystem (IMS, which incorporates SIP).^[11] The functional and interface standards developed by NENA describe general SIP and IMS-based architectures that allow responsible 9-1-1 Authorities flexibility in developing an infrastructure to support the envisioned features of NG9-1-1.^[12]

Statutory authorization

The 911 Improvement Act of 2008 ^[13] requires IP-enabled voice service providers to provide 9-1-1 service, allows state and tribal fees to pay for such services, and directs the Federal Communications Commission to gather information to facilitate these services. The Act also provides for grants to public agencies, and requires the 911 Implementation Coordination Office to develop a national plan for migrating to a national IP-enabled emergency network.

Today's 9-1-1 vs. Next Generation 9-1-1

In today's 9-1-1 environment, the public can primarily make only emergency voice calls and Teletype calls (by deaf or hearing impaired persons). Only minimal data is delivered with these calls, such as automatic number identification, subscriber name and Automatic Location Identification, when available.

In the Next Generation 9-1-1 environment, the public will be able to make voice, text, or video emergency "calls" from any communications device via Internet Protocol-based networks. The PSAP of the future will also be able to receive data from personal safety devices such as Advanced Automatic Collision Notification systems, medical alert systems, and sensors of various types. The new infrastructure envisioned by the NG9-1-1 project will support national internetworking of 9-1-1 services, as well as transfer of emergency calls to other PSAPs—including any accompanying data. In addition, the PSAP will be able to issue emergency alerts to wireless devices in an area via voice or text message, and to highway alert systems.^[14]

Example scenarios

- Deaf and hard of hearing people in the U.S. today sometimes use telecommunications devices for the deaf (TTYs or TDDs) or interpreting services to contact 9-1-1. Many deaf people use text messaging and instant messages to communicate with others, but unfortunately, today's 9-1-1 is not equipped to accept these media. This under-served demographic accounts for approximately 10% of the general population in Canada and the US (20% of those over 65 and 40% of those over 75).^[15] In the NG9-1-1 environment, hearing and speech impaired individuals will be able to place such a call by sending a text message from their cell phone. They will be able to carry on a text conversation with 9-1-1 center personnel, and even send pictures or video when necessary.^[16] In 2013, the Canadian Radio-television and Telecommunications Commission (CRTC) in Canada, announced the first phase of the country's NG9-1-1 services, implementation of Text with 911 (T911) for the deaf, hard of hearing, and speech impaired community.^[17]
- In the event of a major highway accident involving multiple vehicles, including a hazardous material vehicle, the local 9-1-1 center may receive many calls from different motorists. This can cause the center to be overloaded with calls, leading to initial confusion of the locations of the multiple crashes. The confusion can delay response times for the necessary equipment and services, which can, in turn, cost lives and delay return to normal traffic flow. In the NG9-1-1 environment, everyone in the vicinity with an Internet-connected device can be automatically notified to avoid the area. Highway message signs, and the 5-1-1 system can also display the warning. Any involved vehicle with an Advanced Automatic Collision Notification system automatically sends important crash data to the 9-1-1 center, which can dispatch emergency responders even if the passengers are unable to respond.^[18]

Stakeholders and technologies involved

Many pieces of the existing communications and data infrastructure will require modification to make NG9-1-1 a reality. The private companies and public agencies that provide these goods and services will be significantly affected. Chief among these are:

- Telecommunications equipment and service providers
- Information technology equipment and service providers
- Telematics, including Advanced Automatic Collision Notification
- Hazmat (Hazardous materials) security alerts to or from commercial motor carriers or rail carriers
- Integration of Intelligent transportation systems with public safety communications systems^[19]

4

- Security alarm notification system providers

Other major stakeholders include:

- State and local 9-1-1 agencies
- Public safety and emergency management agencies
- Emergency services industry
- Federal departments, including Transportation, Commerce, Homeland Security, Justice and the Federal Communications Commission
- National organizations with active interests in 9-1-1
- IT research community
- Standards community

Major contributors and stakeholders in the standards community include:

- Association of Public-Safety Communications Officials-Canada (APCO)
- Association of Public-Safety Communications Officials-International (APCO)
- National Emergency Number Association (NENA)
- International Academies of Emergency Dispatch (IAED)
- Internet Engineering Task Force (IETF)
- Telecommunications Industry Association (TIA)

The NENA NG9-1-1 Project and the DOT's NG9-1-1 Initiative look to facilitate the involvement of all these stakeholders going forward in order to develop the architecture and migration plan necessary to make NG9-1-1 a functional reality.^[20]

Public network infrastructure impacts

In order for a useful connection to be made between the Public Safety Answering Point and person reporting the emergency, a number of changes need to be made to the existing infrastructure. For example, if a user is sending a text message, perhaps with video attached, the data needs to be routed to the PSAP that serves the area where the person is currently, and the location of the wireless device must accompany the message. The person's wireless carrier will receive the message first, then forward the message to the appropriate NG9-1-1 system, which routes to the appropriate PSAP along with the location information. Since several different protocols may be used by the wireless device (SMS or XMPP text messaging, MMS (Multimedia Messaging Service) or Wireless Application Protocol for multimedia), translation to a common protocol may be required prior to forwarding. In the case of Advanced Automatic Collision Notification data, the service provider must be able to similarly route this data, along with location data toward the PSAP serving the area where the collision occurred. For the PSAP to be able to send out automatic notifications to all wireless devices currently operating in the area of an emergency, a similar routing mechanism must exist in the opposite (outgoing) direction. Here again, the wireless carrier will be forwarding information.^[21]

PSAP infrastructure impacts

Local PSAP network impacts

A High availability IP infrastructure interface will be needed at the PSAP for it to be able to send and receive all this data. A key element of this will be equipment and software to support IP communications. Internal routing of the emergency communications to the appropriate systems (i.e., text, picture and video data to the Computer-assisted dispatch system, and simultaneously to the communications recording system) will require modifications to the existing PSAP network equipment and software. Some of these changes will be non-trivial.

Local wireless infrastructure impacts

Since some of the emergency communications data will have to be forwarded to field units such as police and fire vehicles, changes will be required to the software running on the terminals that receive the data, and on those that transmit the data.^[2] If the existing wireless communications system is Project 25 compliant, little or no change will be required to the transmit/receive equipment itself, since it already supports transmission of any type of data.^[22]

Communications recording system impacts

NG9-1-1 requires that these new types of emergency communications (text, pictures, video) be recorded along with the voice communications that have traditionally been recorded. Most existing communications recorders are not capable of recording anything other than audio, and major changes may be required to bring these devices into NG9-1-1 compliance. This may require a significant investment on the part of the PSAPs if the existing equipment cannot be modified to support the new requirements.

Human resource impacts

There will also be significant operational impacts on the PSAP "call takers", dispatchers (those who dispatch emergency vehicles and personnel), and on their managers. Workloads are expected to increase, and significant new training will be required for those responsible for responding to these new communication types. Similar impacts on both public and private emergency response providers, and on Telematics and medical services providers are also anticipated.^{[2][23]}

Accessibility

Various features of NG9-1-1, including text messaging and video messaging, provide accessible features for those who cannot use a regular telephone. It is also considered as a long term replacement for the use of TDD/TTY devices for the deaf, currently in use with 9-1-1. TDD/TTY devices are considered legacy systems, and may be replaced by other real-time text technologies that transmit text as it is being typed. In Europe, real-time text is used in Reach 112 emergency service trials (<http://www.reach112.eu>). Reach 112 is a European equivalent of the accessible features of NG9-1-1.

See also

- 9-1-1
- Enhanced 9-1-1

6

- PSAP

References

1. U.S. Dept. Of Transportation NG9-1-1 initiative (<http://www.its.dot.gov/ng911/index.htm>)
2. *Mission Critical Magazine*: "Greater Expectations" (http://www.its.dot.gov/press/pdf/911_network.pdf)
3. "T9-1-1 CRTC INTERCONNECTION STEERING COMMITTEE REPORT" (<http://www.crtc.gc.ca/public/cisc/es/ESRE0061.pdf>)
4. "CRTC announces enhancements to 911 services for Canadians with hearing or speech impairments" (<http://crtc.gc.ca/eng/com100/2013/r130124.htm>)
5. "CRTC reviewing next-generation 9-1-1 services" (<http://news.gc.ca/web/article-en.do?nid=1042979>)
6. NENA NG9-1-1 Future Path Plan (<http://www.nena.org/ng911-project>)
7. NG9-1-1 Initiative Overview (<http://www.its.dot.gov/ng911/docs/NG2007.ppt>)
8. NG9-1-1 Proof Of Concept Test Report (http://www.its.dot.gov/ng911/pdf/NG911_POCTesTReport091708.pdf)
9. DOT NG9-1-1 Overview (http://www.its.dot.gov/ng911/ng911_overview.htm)
10. In 2009, Washington State signed a contract (contract number E09-196) with Qwest Communications to implement a statewide Next Generation 911 ESInet. This implementation was completed with the connection of the last PSAP in April 2012.
11. NENA i3 TECHNICAL REQUIREMENTS DOCUMENT (<http://www.nena.org/standards/technical/voip/i3-requirements>)
12. NENA Functional and Interface Standards for Next Generation 9-1-1 (<http://www.nena.org/standards/technical/voip/functional-interface-NG911-i3>)
13. 911 Improvement Act of 2008 (<https://www.govtrack.us/congress/bill.xpd?tab=summary&bill=h110-3403%7CNET>)
14. Today's 9-1-1 vs. Future 9-1-1 (http://www.its.dot.gov/ng911/ng911_future.htm)
15. *World Health Organization*: "Global burden of hearing loss" (http://www.who.int/healthinfo/statistics/bod_hearingloss.pdf)
16. Next Generation 9-1-1 System Preliminary Concept of Operations (http://www.its.dot.gov/ng911/next_gen_911_sys.htm)
17. *Cellular News*: "Canada's Wireless Industry Commends CRTC Decision to Implement Text with 911" (<http://www.cellular-news.com/story/58305.php>)
18. NG9-1-1 Examples and Scenarios (http://www.its.dot.gov/ng911/ng911_ex.htm)
19. NG9-1-1 technologies (http://www.its.dot.gov/ng911/ng911_tech.htm)
20. NG9-1-1 stakeholder involvement (http://www.its.dot.gov/ng911/ng911_stake.htm)
21. NG9-1-1 Operational Needs (http://www.its.dot.gov/ng911/next_gen_911_sys.htm#need) Archived (https://web.archive.org/web/20080916084357/http://www.its.dot.gov/ng911/next_gen_911_sys.htm#need) September 16, 2008, at the Wayback Machine
22. Telecommunications Industry Association standard "TIA.102" (series) (<http://www.tiaonline.org/standards/>) Archived (<https://web.archive.org/web/20111106042758/http://www.tiaonline.org/standards/>) 2011-11-06 at the Wayback Machine
23. Operational Impacts and Needs (http://www.its.dot.gov/ng911/next_gen_911_sys.htm#operate)

External links

- [APCO Canada Website \(http://www.apco.ca/\)](http://www.apco.ca/)
 - [US DOT Next Generation 9-1-1 Initiative \(http://www.its.dot.gov/NG911\)](http://www.its.dot.gov/NG911)
 - [NENA \(National Emergency Number Association\) NG9-1-1 Page at http://www.nena.org/?NG911_Project \(http://www.nena.org/ng911-project\)](http://www.nena.org/?NG911_Project)
 - [Next Generation 9-1-1 News \(http://ng911news.com\)](http://ng911news.com)
-

Retrieved from "https://en.wikipedia.org/w/index.php?title=Next_Generation_9-1-1&oldid=861516129"

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14
BILLY BIRCH
DIRECTOR

EMERGENCY SERVICES
Worcester County

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: FFY 2019 Sub-Recipient State Homeland Security Grant Program Agreement – Awarded
Date: 03 October 2019

The Department of Emergency Services is requesting approval of the attached agreement between Worcester County and the Maryland Emergency Management Agency for the FFY 2019 State Homeland Security Grant Program. The money is awarded to the State of Maryland by the U.S. Department of Homeland Security which is why the county is listed as a sub-recipient. The award is in the amount of \$103,463.63 and requires an official signature. We will be able to use these funds in three eligible categories: planning to deliver capabilities, whole community security and emergency management, and access control and identity verification.

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

Attachment (1)



2019 Sub-Recipient Agreement
for
County Commissioners of Worcester County, Maryland

Date of Award:
9/25/2019

1. Sub-Recipient Name and Address: County Commissioners of Worcester County, Maryland		2. Prepared by: <i>Moncrieffe, Janet</i>	3. MEMAGMS Award Number: 19-SR 8851-01
4. Federal Grant Information			
Federal Grant Title:		State Homeland Security Grant Program	
Federal Grant Award Number/CFDA Number:		EMW-2019-SS-00064 SHSP / 97.067	
Federal Granting Agency:		U.S. Department of Homeland Security	

5. Award Amount	
Total Award Amount \$103,463.63	2019 State Homeland Security Program Performance Period: FROM Sep 1, 2019 – Aug 1, 2021

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: Robert Thomas 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 DUNS number: 526001064	12. Date Signed :
---	-------------------

13. DUE DATE: 11/9/2019
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-2019-SS-00064-S01

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Article XLIII	Assurances, Administrative Requirements, Cost Principles, Representation and Certifications

Article I - Summary Description of Award

The purpose of the FY 2019 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 \$8,000,000 and Urban Area Security Initiative (UASI) funding in the amount of \$4,000,000. 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 - DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, 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 MEMA & DHS 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.

Article III - 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 IV - 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 V - 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 VI - 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 sub-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 VII - 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 VIII - 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 IX - 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 sub-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 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 - Debarment and Suspension

Sub-recipients are subject to nonprocurement 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 XII - Drug-Free Workplace Regulations

Sub-recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the sub-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 XIII - 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 sub-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 XIV - 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 XV - 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 XVI - 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 XVII - 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 XVIII - 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 XIX - 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 XX - 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 XXI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Sub-recipients must comply with the *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-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXII - 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 XXIII - National Environmental Policy Act

Sub-recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires 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 XXIV - 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 participation of faith-based organizations in individual DHS programs.

Article XXV - 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 XXVI - Notice of Funding Opportunity Requirements

All of 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 XXVII - Patents and Intellectual Property Rights

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Unless otherwise provided by law, sub-recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. section 200 *et seq.* 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 XXVIII - 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 XXIX - 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 XXX - Reporting of Matters Related to Sub-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 sub-recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Sub-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 XXXI - 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 XXXII - 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 XXXIII - 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 XXXIV - Trafficking Victims Protection Act of 2000

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 XXXV - Universal Identifier and System for 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 - 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), which amends 18 U.S.C. sections 175-175c.

Article XXXVII - 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 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 - Environmental Planning and Historic Preservation

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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-recipients 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 & copy grants.mema@maryland.gov along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify MEMA.

Article XL - 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 by MEMA. Once notification has been made, any subsequent request for funds will indicate sub-recipients acceptance of the changes to the award. Please call the MEMA's Grants Division at 410-517-3600 or email grants.mema@maryland.gov.

Article XLI - Prior Approval for Modification of Approved Budget

Before making any changes to the DHS/FEMA approved budget for this award, sub-recipient 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(e) 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.

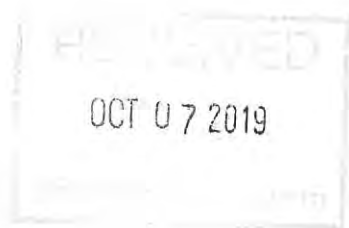
Article XLII - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by 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 MEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article XLIII - Assurances, Administrative Requirements, Cost Principles, Representation 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.



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BILLY BIRCH
DIRECTOR

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: 2017 Sub-Recipient State Homeland Security Grant Program Agreement – **Final Close out**
Date: 03 October 2019

The Department of Emergency Services (DES) is requesting a signature for final close out of the attached agreement between Worcester County and the Maryland Emergency Management Agency for the 2017 State Homeland Security Grant Program. The original award of the 2017 grant was \$80,400.00, however \$4,250.00 of those funds were unspent. This reduction requires an official signature to finalize the grant paperwork, and that the awarded amount of \$76,150.00 has been received by Worcester County.

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

Attachment (1)



2017 Grant Adjustment Notice
for
County Commissioners of Worcester County, Maryland

Date of Award:
8/1/2019

1. Sub-Recipient Name and Address:		2. Prepared by: <i>Moncrieffe, Janet</i>	3. MEMAGMS Award Number: 17-GA 8861-07
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-2017-SS-00019-SHSP / 97.067
		Federal Granting Agency:	U.S. Department of Homeland Security

5. Award Amount:	
Total Award Amount \$76,150.00	2017 State Homeland Security Program Performance Period: FROM Sep 1, 2017 – Jul 31, 2019

6. Statutory Authority for Grant: This project is supported under the Homeland Security Act of 2002 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: Donald Lumpkins, Chief Financial Officer Maryland Emergency Management Agency	Signature of SAA Official: Date:

10. This award supercedes all prior awards. Sub-Recipient Acceptance

I have read and understand the attached Agreement Articles.	
Type name and title of Authorized Sub-Recipient official:	Signature of Sub-Recipient Official:

11. Enter Federal Employer Identification Number (FEIN) and DUNS number: 526001064	12. Date Signed :
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13. DUE DATE: **8/15/2019**
Signed award must be returned to the SAA on or before the above due date.

AGREEMENT ARTICLES

PROGRAM: Homeland Security Grant Program
EMW-2017-SS-00019-S01

GRANT NUMBER:

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Article XLI	Duplication of Benefits

Article I - Summary Description of Award

The purpose of the FY 2017 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. 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 - Buy American and Hire American

All sub-recipients are required to comply with any applicable provisions of the Buy American Act (41 U.S.C. Sections 8301 through 8305), and any other applicable statutes, regulations, or rules that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States.

Article III - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the 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 MEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article IV - 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. For awards with an approved budget greater than \$150,000, 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 DHS/FEMA last approved.

Article V - Acceptance of Post Award Changes

In the event MEMA 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's acceptance of the changes to the award. Please call MEMA at (410) 517-3622 or via e-mail to janet.moncrieffe-kee@maryland.gov if you have any questions.

Article VI - Procurement of Recovered Materials – Applies to MEMA only.

All recipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and

Recovery Act. 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 VII - Whistleblower Protection Act

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

Article VIII - Use of DHS Seal, Logo and Flags

All sub-recipients must obtain permission from MEMA, 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 IX - USA Patriot Act of 2001

All sub-recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

Article X - Universal Identifier and System of Award Management (SAM)

All sub-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 in the terms and conditions.

Article XI - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the sub-recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you 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 XII - Rehabilitation Act of 1973

All sub-recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, as amended, 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 XIII - Trafficking Victims Protection Act of 2000

All sub-recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) as amended by 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 in the award terms and conditions.

Article XIV - Terrorist Financing

All sub-recipients must comply with E.O. 13224 and U.S. law 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.

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Article XV - SAFECOM

All 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 XVI - Reporting Sub-awards and Executive Compensation

All sub-recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Sub-awards 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 XVII - Debarment and Suspension

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

Article XVIII - Copyright

All 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 XIX - Civil Rights Act of 1964 - Title VI

All sub-recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (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 XX - Best Practices for Collection and Use of Personally Identifiable Information (PII)

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. All sub-recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Sub-recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

Article XXI - Americans with Disabilities Act of 1990

All sub-recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits sub-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. (42 U.S.C. sections 12101-12213).

Article XXII - Age Discrimination Act of 1975

All sub-recipients must comply with the requirements of the Age Discrimination Act of 1975 (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 XXIII - Activities Conducted Abroad

All 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 XXIV - Acknowledgment of Federal Funding from DHS

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

Article XXV – DHS & MEMA Specific Acknowledgements and Assurances

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

1. Sub-recipients must cooperate with any compliance reviews or compliance investigations conducted by MEMA and/or DHS.
2. Sub-recipients must give DHS and/or 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. If, during the past three years, sub-recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, sub-recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to MEMA, the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the sub-recipient, or sub-recipients settle a case or matter alleging such discrimination, sub-recipients must forward a copy of the complaint and findings to MEMA and the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

Article XXVI - Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance sub-recipients must complete either the 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 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 financial assistance office if you have any questions.

DHS financial assistance sub-recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at 2 C.F.R. Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article XXVII - Patents and Intellectual Property Rights

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Unless otherwise provided by law, sub-recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq. All sub-recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from 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 XXVIII - Notice of Funding Opportunity Requirements

All of 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 XXIX - Non-supplanting Requirement

All 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 XXX - 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. All 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 XXXI - National Environmental Policy Act

All sub-recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires 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 XXXII - Lobbying Prohibitions

All sub-recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under an 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 concerning the award or renewal.

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

All sub-recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) 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-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXXIV - 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, all 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, as amended, 15 U.S.C. section 2225.

Article XXXV - Fly America Act of 1974

All 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 XXXVI - Federal Leadership on Reducing Text Messaging while Driving

All 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 XXXVII - 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 XXXVIII - False Claims Act and Program Fraud Civil Remedies

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

Article XXXIX - Energy Policy and Conservation Act

All sub-recipients must comply with the requirements of 42 U.S.C. section 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

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

All sub-recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (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 XLI - 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 sub-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.

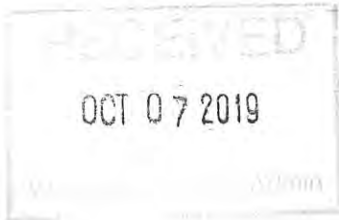
Article XLII - Drug-Free Workplace Regulations

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All sub-recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. section 8101 et seq.), which requires all organizations receiving grants from any federal agency agree to maintain a drug-free workplace. You as the sub-recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the sub-recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101-8107).

Article XLIII - Civil Rights Act of 1968

All sub-recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits sub-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 (42 U.S.C. section 3601 et seq.), as implemented by the 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. section 100.201).



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BILLY BIRCH
DIRECTOR

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

To: Harold Higgins, Chief Administrative Officer
From: Billy Birch, Director of Emergency Services *B.B.*
Re: 2016 Sub-Recipient State Homeland Security Grant Program Agreement – **Final Close out**
Date: 03 October 2019

The Department of Emergency Services (DES) is requesting a signature for final close out of the attached agreement between Worcester County and the Maryland Emergency Management Agency for the 2016 State Homeland Security Grant Program. The original award of the 2016 grant was \$80,400.00, however \$24,446.00 of those funds were unspent. This reduction requires an official signature to finalize the grant paperwork, and that the awarded amount of \$55,954.00 has been received by Worcester County.

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

Attachment (1)



2016 Grant Adjustment Notice
for
County Commissioners of Worcester County, Maryland

Date of Award
3/29/2019

1. Sub-Recipient Name and Address 2. Prepared by: *Monciffe, Janet* 3. MEMAGMS Award Number: 16-GA 8861-03

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-2016-SS-00008-SHSP / 97.067
	Federal Granting Agency:	U.S. Department of Homeland Security

5. Award Amount

Total Award Amount \$55,954.00	2016 State Homeland Security Program Performance Period: FROM Sep 1, 2016 – Aug 30, 2018
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6. Statutory Authority for Grant: This project is supported under the Homeland Security Act of 2002 as amended (Public Law 107-296),(6USC603)
 Appropriations Authority for Grant: The Department of Homeland Security Appropriations Act, 2016

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: Donald Lumpkins, Chief Financial Officer Maryland Emergency Management Agency	Signature of SAA Official:
	Date:

10. This award supercedes all prior awards. Sub-Recipient Acceptance

I have read and understand the attached Agreement Articles.

Type name and title of Authorized Sub-Recipient official:	Signature of Sub-Recipient Official:
---	--------------------------------------

11. Enter Federal Employer Identification Number (FEIN) and DUNS number:
526001064

12. Date Signed :

13. DUE DATE: **4/10/2019**
 Signed award must be returned to the SAA on or before the above due date.

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Agreement Articles

Thu Sep 01 00:00:00 GMT 2016

Maryland Emergency Management Agency
5401 Rue Saint Lo Drive
Reisterstown, MD 21136

AGREEMENT ARTICLES

Homeland Security Grant Program

GRANTEE: Maryland Emergency Management Agency
PROGRAM: Homeland Security Grant Program
AGREEMENT NUMBER: EMW-2016-SS-00008-S01

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Article I - Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance recipients must complete either the 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 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 financial assistance office 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 2 C.F.R. Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article II - Whistleblower Protection Act

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

Article III - Use of DHS Seal, Logo and Flags

All recipients must obtain permission from their financial assistance office, 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 IV - USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. sections 175 175c

Article V - Universal Identifier and System of Award Management (SAM)

All recipients are required to comply with the requirements set forth in the government-wide 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 in the terms and conditions of your award.

Article VI - Reporting of Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal assistance office exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, you must comply with the requirements set forth in the government-wide Award Term and

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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 terms and conditions of your award.

Article VII - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. section 794, as amended, which provides that no otherwise qualified handicapped individual 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 VIII - Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended (22 U.S.C. section 7104). The award term is located at 2 CFR section 175.15, the full text of which is incorporated here by reference in the terms and conditions of your award.

Article IX - Terrorist Financing

All recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the Order and laws.

Article X - SAFECOM

All recipients who receive 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 XII - Procurement of Recovered Materials

All recipients must comply with Section 6002 of the *Solid Waste Disposal Act*, as amended by the *Resource Conservation and Recovery Act*. 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 XIII - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, **5**

and codified in 35 U.S.C. section 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from 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 XIV - Notice of Funding Opportunity Requirements

All of 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 terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.

Article XV - Non-supplanting Requirement

All recipients who receive 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.

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All recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under an award may be expended by the 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 concerning the award or renewal.

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All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that 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-access-people-limited> and additional resources on <http://www.lep.gov>.

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In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. section 2225a, all 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*, as amended, 15 U.S.C. section 2225.

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All 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.

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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. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

Article XXI - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, 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. (42 U.S.C. sections 12101 12213).

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All recipients must comply with the requirements of the *Age Discrimination Act of 1975* (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

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All 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.

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All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part

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Article XXV - Federal Leadership on Reducing Text Messaging while Driving

All 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.

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All 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 XXVII - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. section 3729 - 3733 which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See 31 U.S.C. section 3801-3812 which details the administrative remedies for false claims and statements made.

Article XXVIII - Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. section 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

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

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (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 XXX - Duplication of Benefits

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would **8**

not preclude a recipient from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal award.

Article XXXI - Drug-Free Workplace Regulations

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. section 701 et seq.), which requires all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R. Part 3001.

Article XXXII - Debarment and Suspension

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict 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 XXXIII - Copyright

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

Article XXXIV - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, 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 (42 U.S.C. section 3601 et seq.), as implemented by the 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. section 100.201).

Article XXXV - Civil Rights Act of 1964 - Title VI

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (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 XXXVI – DHS & MEMA Specific Acknowledgements and Assurances

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

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS & MEMA.
2. 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 award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS & MEMA regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate MEMA officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to DHS & the MEMA financial assistance office and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hq.DHS.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C.

20528.

6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the MEMA financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

Article XXXVII - Acceptance of Post Award Changes

In the event MEMA 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, recipients will be notified of the changes in

writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the MEMA if you have any questions.

Article XXXVIII - Prior Approval for Modification of Approved Budget

Before making any change to the MEMA approved budget for this award, you must request prior written approval from MEMA where required by 2 C.F.R. Section 200.308. For awards with an approved budget greater than \$150,000, 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 MEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XXXIX - 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 MEMA, you must request instructions from MEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article XL - Summary Description of Award

The purpose of the FY 2016 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 (the Goal) of a secure and resilient Nation. 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 \$6,153,500 and Urban Areas Security Initiative (UASI) funding in the amount of \$2,962,000.

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



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

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

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

October 7, 2019

TO: Harold Higgins, Chief Administrative Officer
FROM: Kathy Whited, Budget Officer *Kathy*
SUBJECT: Additional Request for Fiscal Year End Reserve for Assigned Encumbrances

I would like to request an additional \$32,000 be added to the fiscal year 2019 year end reserve for encumbrances. The Roads Division delivery of a Tow Master trailer with electric over hydraulic bi-fold lift gate was delivered without the correct lift gate. It was therefore rejected and the correct trailer will be delivered in FY20. As a result of this mistake, the vendor has agreed to provide free delivery which will reduce the total cost from \$33,562 to \$32,000 which needs to be encumbered from the FY19 budget to the FY20 budget.

Attached for your review and the County Commissioners approval is the additional request. Please contact me with any questions you may have.

Attachments

H:\19 Audit\encumbrance\fy19 additional yrendrequest encum to commissioners.doc

FY2019 BUDGET ENCUMBRANCE REQUEST

Department Name: DPW - Roads Division
Dept Head Approval:
Date Submitted:

A ENCUMBRANCE REQUEST-CURRENTLY APPROVED PROJECTS (UNCOMPLETED AT 6/30/19):

General Ledger Account No.	Project Description	Remaining funds to Encumber as of 6/30/19	Meeting Date Approved by Commissioners
1			
2			
3			
4			
5			
6			
7			
TOTAL		\$ -	

B ENCUMBRANCE REQUEST- GRANT FUNDS APPROPRIATED BUT UNOBLIGATED:

General Ledger Account No.	Project Description	Encumbrance \$ Request as of 6/30/19	Agency
1			
2			
3			
4			
5			
TOTAL		\$ -	

C ENCUMBRANCE REQUEST- OTHER (REQUEST FOR ENCUMBRANCE DOES NOT FIT CATEGORY I OR II ABOVE)

General Ledger Account No.	Project Description	Encumbrance \$ Request as of 6/30/19	Detailed Description
1 100.1202.9010.070	Capital Equipment - Heavy Equipment	32,000	FY19 Trailer w/ Hydraulic Gate - ordered FY19 waiting on delivery original cost of \$33,562
2			
3			
4			
TOTAL		\$ 32,000	

TEL: 410-632-1194
FAX: 410-632-3131
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WEB: www.co.worcester.md.us



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

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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND
21863-1195

October 9, 2019

Proposed For Public Hearing
on November 19, 2019

TO: Harold Higgins, Chief Administrative Officer
Worcester County Commissioners

FROM: Kim Reynolds, Senior Budget Accountant

RE: “REQUESTED” Capital Improvement Plan FY2021 through FY2025

Please find attached, the Requested Fiscal Year 2021 through Fiscal Year 2025 Five-Year Capital Improvement Plan. The Plan Summary by Category indicates projects totaling \$75,110,390 are requested over the five-year period. Of these projects, \$9,840,108 or 13.1% is proposed to come from the General Fund and \$36,957,977 or 49.2% from general bond funds. The remaining portion would come from grant funds, state match funds, state loans, assigned funds and enterprise bonds. Public School projects have been included in the Capital Improvement Plan.

We would ask you to assess the requests for FY2021 to see if there are items in the plan that the County should review. The FY2021 General Fund request is \$1,715,784 or 25% of the capital outlay and General Bonds total \$0. The Bond Rating Agencies look closely at the Capital Improvement Plan as a financial planning tool for the County.

Administration would like to propose a public hearing be held on the requested capital improvement plan on November 19, 2019. Should you have any questions please do not hesitate to contact me.

Worcester County

Requested

5 Year Capital Improvement Plan
FY 2021 to FY 2025



NOTE: The proposed Capital Improvement Plan is a planning document to anticipate future financial needs of the County. Inclusion of a project in the plan does not constitute a guarantee of funding from the county. Some capital projects will be added, deleted and or amended as necessary. As with the Operating Budget, the projects for each fund have to be balanced with the resources available in that fund.

October 15, 2019

REQUESTED PLAN SUMMARY BY CATEGORY

10/7/2019

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN
FY 2021 TO FY 2025 PROJECT SUMMARY**

Project Category	2021	2022	2023	2024	2025	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete *	Total Project Cost
General Government	0	5,790,000	605,000	0	0	6,395,000	8.51%	250,000	0	6,645,000
Public Safety	400,000	5,701,231	3,971,731	0	0	10,072,962	13.41%	3,500,000	0	13,572,962
Public Works	5,872,368	4,500,000	4,340,000	2,700,000	1,600,000	19,012,368	25.31%	3,066,000	0	22,078,368
Recreation & Parks	70,000	2,950,000	0	0	0	3,020,000	4.02%	0	0	3,020,000
Public Schools	315,437	8,317,988	6,370,297	4,819,870	11,596,866	31,420,458	41.83%	248,055	44,532,884	76,201,397
Community College	145,784	2,196,188	225,105	150,885	2,471,640	5,189,602	6.91%	0	107,775	5,297,377
TOTAL	6,803,589	29,455,407	15,512,133	7,670,755	15,668,506	75,110,390	100.00%	7,064,055	44,640,659	126,815,104

Source of Funds	2021	2022	2023	2024	2025	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete	Total Project Cost
General Fund	1,715,784	2,224,368	2,749,071	1,650,885	1,500,000	9,840,108	13.10%	1,016,000	0	10,856,108
User Fees	0	0	0	0	0	0	0.00%	0	0	0
Grant Funds	1,209,563	2,925,000	1,420,000	600,000	50,000	6,204,563	8.26%	675,000	0	6,879,563
State Match	824,000	4,137,000	1,989,500	860,000	6,728,000	14,538,500	19.36%	120,000	6,728,000	21,386,500
State Loan	300,000	25,000	0	0	0	325,000	0.43%	675,000	0	1,000,000
Assigned Funds	1,254,242	370,000	0	0	0	1,624,242	2.16%	3,878,055	0	5,502,297
Private Donation	0	0	0	0	0	0	0.00%	0	0	0
Enterprise Bonds	1,500,000	2,050,000	1,420,000	600,000	50,000	5,620,000	7.48%	700,000	0	6,320,000
General Bonds	0	17,724,039	7,933,562	3,959,870	7,340,506	36,957,977	49.20%	0	37,912,659	74,870,636
TOTAL	6,803,589	29,455,407	15,512,133	7,670,755	15,668,506	75,110,390	100.00%	7,064,055	44,640,659	126,815,104

* Balance to Complete - Years FY2026 and future

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**FY 2021 TO FY 2025 SUMMARY BY PROJECT
REQUESTED**

10/7/2019

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN**

	FY2021	FY2022	FY2023	FY2024	FY2025	Prior Allocation	Balance To Complete	TOTAL
General Government Facilities								
Pocomoke Library Building Improvements		5,790,000				250,000		6,040,000
Snow Hill Library Building Improvements			605,000					605,000
Total General Government Facilities	0	5,790,000	605,000	0	0	250,000	0	6,645,000
Public Safety								
Worcester County Jail Improvement Project	400,000	5,701,231	3,971,731	0	0	3,500,000		13,572,962
Total Public Safety	400,000	5,701,231	3,971,731	0	0	3,500,000	0	13,572,962
Public Works								
Asphalt Overlay/Pavement Preservation of Roads	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000		8,500,000
Bridge Replacement -Bayside Road Bridge	1,922,368					16,000		1,938,368
Water Wastewater								
Mystic Harbour Wastewater Plant Expansion	100,000	1,200,000	2,400,000	1,200,000	100,000			5,000,000
Newark Spray Irrigation	600,000	50,000				1,350,000		2,000,000
Lewis Road Sewer Extension	600,000	600,000	440,000					1,640,000
Ocean Pines Service Area Upgrades	1,150,000	1,150,000				700,000		3,000,000
Total Public Works	5,872,368	4,500,000	4,340,000	2,700,000	1,600,000	3,066,000	0	22,078,368
Recreation & Parks								
Northern Worcester Athletic Complex	35,000	2,250,000				0	0	2,285,000
West Ocean City Commercial Harbor	35,000	700,000						735,000
Total Recreation & Parks	70,000	2,950,000	0	0	0	0	0	3,020,000

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**FY 2021 TO FY 2025 SUMMARY BY PROJECT
REQUESTED**

10/7/2019

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN**

	FY2021	FY2022	FY2023	FY2024	FY2025	Prior Allocation	Balance To Complete	TOTAL
Public Schools								
Pocomoke Middle School - Roof Replacement		2,677,500				117,000		2,794,500
Stephen Decatur Middle School Addition	315,437	5,166,120	3,736,726			131,055		9,349,338
Snow Hill Middle/Cedar Chapel School - Roof Replace		236,000	1,687,000	1,856,000				3,779,000
Buckingham Elementary Replacement School		238,368	826,571	2,103,870	10,651,866		44,532,884	58,353,559
Pocomoke Elementary School - Roof Replacement			120,000	860,000	945,000			1,925,000
Total Public Schools	315,437	8,317,988	6,370,297	4,819,870	11,596,866	248,055	44,532,884	76,201,397
Wor-Wic Community College								
Wor-Wic Applied Technology Building	145,784	2,196,188	225,105					2,567,077
Wor-Wic Learning Commons Building				150,885	2,471,640		107,775	2,730,300
Total Wor-Wic	145,784	2,196,188	225,105	150,885	2,471,640	0	107,775	5,297,377
CAPITAL PROJECT SUMMARY - BY SOURCE OF FUNDS								
Source of Funds	FY2021	FY2022	FY2023	FY2024	FY2025	Prior Allocation	Balance to Complete	TOTAL
General Fund	1,715,784	2,224,368	2,749,071	1,650,885	1,500,000	1,016,000		10,856,108
User Fees								0
Grant Funds	1,209,563	2,925,000	1,420,000	600,000	50,000	675,000		6,879,563
State Match	824,000	4,137,000	1,989,500	860,000	6,728,000	120,000	6,728,000	21,386,500
State Loan	300,000	25,000				675,000		1,000,000
Assigned Funds	1,254,242	370,000				3,878,055		5,502,297
Private Donation								0
Enterprise Bonds	1,500,000	2,050,000	1,420,000	600,000	50,000	700,000		6,320,000
General Bonds		17,724,039	7,933,562	3,959,870	7,340,506		37,912,659	74,870,636
TOTAL	6,803,589	29,455,407	15,512,133	7,670,755	15,668,506	7,064,055	44,640,659	126,815,104

Project: Pocomoke Library Building Improvements

Dept Head, Title & Phone #: Jennifer Ranck, Library Director, 410-632-2600

Project Summary: Pocomoke Library Building Improvements

Purpose: Replace roof, air conditioning unit and flooring; make energy improvements to plumbing and lighting systems; reallocate space to improve building functionality and staff visibility; construct 4,000 SF addition.

Location: Pocomoke Library, 301 Market Street, Pocomoke, Maryland

Impacts on General Fund Operating, Personnel or Maintenance: No impact to personnel; operating and maintenance costs should decrease with more efficient equipment.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design						250,000		250,000
Land Acquisition								0
Site Work		383,000						383,000
Construction		5,187,000						5,187,000
Equipment/Furnishings		220,000						220,000
Other								0
EXPENDITURES								
TOTAL	0	5,790,000	0	0	0	250,000	0	6,040,000
SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match		2,500,000				120,000		2,620,000
State Loan								0
Assigned Funds		370,000				130,000		500,000
Private Donation								0
Enterprise Bonds								0
General Bonds		2,920,000						2,920,000
								0
								0
TOTAL	0	5,790,000	0	0	0	250,000	0	6,040,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: Pocomoke Library Building Improvements

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Worcester County Library completed a Facilities Master Plan in 2013. The Berlin Branch Library replacement project was identified as the first priority; building improvements to the Pocomoke Branch Library were identified as the second priority. The Pocomoke Branch opened in 1970 with an addition constructed in 2004. The addition provided much needed space but much of the library's furniture and shelving was re-used and many of building systems are in need of replacement. This project will address the following problems: 1) the lack of flexible space for collaborative work for patrons and staff; 2) the need for upgraded electrical and data systems; 3) the need for upgraded heating, ventilation, air conditioning and lighting; 4) roof and window replacement; and 5) accessibility issues.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The residents and visitors to Pocomoke City and the surrounding areas will benefit from this project. Many of the building's systems are nearing the "end of useful life" and replacement equipment will help maintain proper temperatures, improve lighting, and reduce the library's overall energy use. New flooring and furnishings will improve overall functionality and enable the library to reallocate collection space, create a dedicated young adult space, reconfigure staff area, and revise public service desk. Adjacent to the children's area, the lack of separation limits the use of the YA section. Due to space and wiring constraints, the library's 3D printer is housed on the other side of the building. Lack of programming space within the collection spaces limit the kinds of programs and equipment that the library can offer. The branch is often the recipient of discarded furniture. The mix of hodgepodge shelving negatively affects the overall character and layout of the branch. Library staff are continually weeding and shifting collections due to lack of space. The library would like to purchase additional non-fiction picture books for the Children's area to support Common Core curriculum but there is no room to expand library collections. Dated HVAC equipment has failed five times this past year. The circulation desk is crowded and there is little room to store held items and interlibrary loan materials for customers. The staff office and staff kitchen also serve as storage spaces. Many library operations must take place at the circulation desk in between assisting customers and checking out materials. The circulation desk is not accessible for those in wheelchairs and obstructs flow for all users. A more welcoming desk would improve the patron experience. A renovated and larger building will enable the library to create inspiring and defined spaces that will facilitate greater and higher quality use by its visitors. The addition of quiet study and the possibility of a small conference room will expand the types of activities that can take place in the library. Additional places for visitors to plug in their own devices will enable users to research, complete online classes, and communicate in a more comfortable setting. New shelving will allow for the print collections to be displayed in a functional manner and easier to access by all patrons. The library will increase aisle widths to 42" to meet ADA preferred guidelines. The projected increase for library use is 15%. A well-designed staff area will increase productivity and staff morale. Efficient electrical and data communications systems will modernize technology for now and future reconfiguration. The library will also strive to minimize its environmental footprint and will explore the opportunities to use sustainable building materials, incorporate natural light to reduce energy costs, and other design elements that are cost effective and environmentally friendly. The library is central to the Pocomoke community and serves as the cultural and learning center. The space, if renovated and expanded, will support modern usage and technology and enable the library to meet the needs of the current and evolving community.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Preliminary estimates were calculated in May 2018 by The Design Group. Engineering/Design fees (\$250,000); Construction costs (\$2,500,000); new furnishings and equipment (\$200,000). Those estimates were used to complete last year's CIP request. In FY 19, the Library completed pre-design work to assess programming needs and site options for the Pocomoke Library. Two building schemes were developed, one with an addition of 2,500 SF, the other with an addition of 4,000 SF. Both schemes included mechanical system improvements, including code required ventilation, and additional meeting room space, enhanced children's and young adult space, vestibules at each entrance, new restrooms, and overall better space functionality. Other significant needs included in the schemes are office and work area improvements, small meeting/tutoring rooms, and technology and power upgrades. The larger addition scheme with a new community room and the existing room to be converted to a children's area is the preferred option. Updated cost estimates were completed in May 2019 by the Whiting Turner Contracting Company.

Project: Pocomoke Library Building Improvements

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

This project was first requested in FY 2019 and has been expanded to include a 4,000 SF addition. The library completed pre-design in FY 19 and has been awarded \$120,000 in matching funds to complete design phase in FY 20. The library will apply for construction funding through the Public Library Capital Grant program in FY 22.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project is necessary but not time critical, although some building systems are at the end of their life cycle. Building improvements should lower ongoing operating costs.

Project: Snow Hill Library Building Improvements

Dept Head, Title & Phone #: Jennifer Ranck, Library Director, 410-632-2600

Project Summary: Snow Hill Library Building Improvements

Purpose: Replace HVAC system and make energy improvements to plumbing and lighting systems.

Location: Snow Hill Library, 307 N. Washington Street, Snow Hill, Maryland

Impacts on General Fund Operating, Personnel or Maintenance: No impact to personnel; operating and maintenance costs should decrease with more efficient equipment.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design			55,000					55,000
Land Acquisition								0
Site Work								0
Construction			550,000					550,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	0	0	605,000	0	0	0	0	605,000
SOURCES OF FUNDS								
General Fund			302,500					302,500
User Fees								0
Grant Funds								0
State Match			302,500					302,500
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	0	0	605,000	0	0	0	0	605,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: Snow Hill Library Building Improvements

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Worcester County Library completed a Facilities Master Plan in 2013. Building improvements to the Snow Hill Branch Library were identified as the third priority after the Berlin Branch Library replacement project and building improvements to the Pocomoke Branch Library. The Snow Hill branch was built in 1974 and is in good shape architecturally but the building's mechanical systems are in need of replacement. Some of the lighting has been upgraded, but improvements are needed in the staff areas and meeting room. The building's plumbing, including domestic water heater and restroom fixtures, need to be upgraded as well.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The residents and visitors to Snow Hill and the surrounding areas will benefit from this project. The Snow Hill branch houses the library's Worcester Room which contains the local history collection and includes some unique and one-of-a-kind items. Replacing the HVAC will help maintain proper will help preserve those items. Improvements made to the lighting and plumbing will reduce the library's overall energy use.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Preliminary estimates were calculated in 2012 by Entech Engineers. Figures have been adjusted, using the Berlin library project as a recent comparison. Engineering/Design fees (\$55,000); HVAC replacement (including air handling units, circulating pumps, and controls (\$300,000); plumbing and lighting improvements (\$250,000). Increased the overall estimate by 10% from the FY 20 CIP to account for escalation.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

This project was first submitted in FY 2019, and has been requested for approval in the FY 2023 budget. The library will apply for a matching grant Library Capital Grant program through the Maryland State Library. Anticipated grant application deadline for FY23 grant is May 2021.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project is necessary but not time critical. Building improvements should lower ongoing operating costs.

Project: Jail Improvements (Split Phase)

Dept Head, Title & Phone #: Donna Bounds, Warden, 410-632-1300

Project Summary: This project is being implemented in multiple phases. Phase 1 includes the replacement of high priority aging infrastructure equipment including electrical switchgear, generator, kitchen HVAC, corridor HVAC, gymnasium HVAC, laundry ventilation, services rooms HVAC, duct work, piping, pumps, and controls with the modern and more efficient equipment that will utilize the existing hot water boilers for the heating and cooling systems for select locations. Phase 1 work was completed during the spring/summer 2019. Phase 2 includes equipment for the original and work release housing facilities primarily for HVAC, roofing replacement and coatings, interior kitchen doors and coating of exterior structural detention equipment, and building safety systems.

Purpose: This project is intended to replace infrastructure equipment based on priorities of need and intended to mitigate future operational outages and disruptions.

Location: The project is located just off Route 113 at the intersection of Bay Street and Joyner Road - Worcester County, Snow Hill, Maryland. Worcester County Jail, 5022 Joyner Road, Snow Hill, MD 21863.

Impacts on General Fund Operating, Personnel or Maintenance: This project does not increase the number of employees required at the Worcester County Jail. Upon completion, this project will result in increased efficiency of the building systems replaced. This project will also result in the reduction of maintenance costs associated with the upkeep of the current 30 yr old system components. Additionally, the project will increase energy costs and will only require (1) computer to control the system. This project will incur as a one-time cost of the labor and equipment replacement during each phase.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	400,000	250,000	100,000			325,000		1,075,000
Land Acquisition								0
Site Work								0
Construction		3,951,231	3,371,731			2,000,000		9,322,962
Equipment/Furnishings		1,500,000	500,000			950,000		2,950,000
Other						225,000		225,000
EXPENDITURES								

TOTAL	400,000	5,701,231	3,971,731	0	0	3,500,000	0	13,572,962
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	400,000					3,500,000		3,900,000
Private Donation								0
Enterprise Bonds								0
General Bonds		5,701,231	3,971,731					9,672,962
								0
								0

TOTAL	400,000	5,701,231	3,971,731	0	0	3,500,000	0	13,572,962
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PROJECTED OPERATING IMPACTS								
	0	0	0	0	0			0

Project: Jail Improvements (Split Phase)

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The project scope was determined by the HVAC and supporting Electrical Engineering Study/Feasibility Analysis completed by Gipe Associates. Equipment failures during the winter 2016-2017 have escalated the need for replacement of equipment based on operational priority separated as phase 1 and included in the prior allocation funding estimate above. Therefore the project has been split to multiple years beginning FY 18.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The County saves money by replacing a 30 year old system with a newer, more efficient system components. Original equipment is 35 years old, failing and inefficient by current standards. If this project is not funded, or if it is delayed, the County will continue to pay high maintenance costs and fund emergency repairs.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The cost estimate was developed by Gipe Associates engineering study. The current funding request was developed by priority determination of systems which upon failure disrupt facility operations. An inflationary adjustment of 3% was applied to the 2014 study estimates. These estimates were developed based on the condition assessment associated with the original facility (original construction beginning 1980). The facility addition (construction 2008-2010) was not evaluated for building improvements within this scope of this project.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The original request based on engineering assessment of the original facility has been partially funded in 2019. Equipment failures and emergency repairs have resulted in a smaller scope plan phase 1 to address facility systems based on functional loss of use impact prioritization. Phase 1 work has been completed during 2019 budgeted at \$3.5 million. Current project forecast is 2.5% below budget. Phase 1 work has reveals additional priority items including interior kitchen doors and exterior structures which are recommended to be included in phase 2. Phase 2 estimates include the escalated balance from the original 2014 engineering study minus phase 1 and do not include funds for the newer facilities. Additionally, direction is needed on the extend of space conditioning for the housing units which are currently not conditioned but are heated and ventilated. While the 2014 study considered air conditioning specific direction must now be provided for engineering and detailed scoping of the next project phase.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded? If not completed antiquated equipment will continue to fail, cause the need for emergency repairs and operational disruptions which is more costly than addressing the issues on a planned basis. Phase 1 work was prioritized to address critical building infrastructure. There remains original 1980's vintage equipment serving the original housing units of the facility. When this equipment fails housing units will need to be vacated until repairs or replacement is completed.

Project: Asphalt Overlay/Pavement Preservation of County Roads

Dept Head, Title & Phone #: John H. Tustin, P.E., Public Works Director, 410-632-5623

Project Summary: Asphalt overlay and pavement preservation of County Roads.

Purpose: To preserve and maintain the condition of roads within Worcester County.

Location: Various roads throughout Worcester County.

Impacts on General Fund Operating, Personnel or Maintenance: In FY10 the Highway User Revenue was cut significantly; therefore, the General Fund has been funding the costs of our paving projects. The Highway User Revenue has not been restored to previous allocations which means the General Fund will have to continue to fund our paving projects. This puts a strain on the County's General Fund Budget.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design								0
Land Acquisition								0
Site Work								0
Construction	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000		8,500,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000	0	8,500,000
SOURCES OF FUNDS								
General Fund	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000		8,500,000
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000	0	8,500,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0	0	0	0

Project: Asphalt Overlay/Pavement Preservation of County Roads

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

To preserve and maintain the roads within Worcester County to allow for safe travel. It is not mandated by State or Federal Law. We do receive Highway User Revenue funds to cover transportation costs; however, this allocation has been significantly reduced since FY10.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

This would benefit the County in general since the project covers all roads maintained by the County. Delay and discontinued funding will enhance deterioration of roads leading to unsafe vehicular travel. This could ultimately result in major road repairs leading to a more costly alternative than simply preserving the road.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Estimate is based on paving projects prior to HUR funding cuts. Although our estimate is higher than previous funding, we feel that the roads in Worcester County are in need of more preservation and maintenance. The additional funding would result in a regular schedule of surface treatment and overlays which would provide safer transportation for vehicular traffic.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

N/A

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

It is vital to continue to preserve and maintain our County Roads. By addressing the road maintenance/resurfacing issues now, it will avoid costly repairs in the future. If not continued, it can lead to a more significant impact not only financially, but as a safety issues for the traveling public.

Project: Bridge Replacement - Bayside Road Bridge WO-203

Dept Head, Title & Phone #: John H. Tustin, P.E., Public Works Director, 410-632-5623

Project Summary: Bridge Replacement.

Purpose: To preserve and maintain bridges within Worcester County.

Location: Bayside Road Bridge over Paw Paw Creek

Impacts on General Fund Operating, Personnel or Maintenance: Bridge replacements are typically funded using State Aid and the County General Fund. State Aid covers 80% of the cost while the County pays 20%. When budgeting for a bridge replacement project, the County budgets 100% of the total cost of the project then submits at the end of the project a reimbursement for 80% from State Aid. Due to several bridge replacements over the last couple of years, the balance in State Aid has decreased significantly. We do not have sufficient funds in our State Aid to make the 80/20 split.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design						16,000		16,000
Land Acquisition								0
Site Work								0
Construction	1,922,368							1,922,368
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	1,922,368	0	0	0	0	16,000	0	1,938,368
SOURCES OF FUNDS								
General Fund						16,000		16,000
User Fees								0
Grant Funds	559,563							559,563
State Match	824,000							824,000
State Loan								0
Assigned Funds	538,805							538,805
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	1,922,368	0	0	0	0	16,000	0	1,938,368
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: Bridge Replacement - Bayside Road Bridge WO-203

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Worcester County bridges are inspected either on an annual or biennial cycle. The engineering consulting firm performs a structural evaluation for each bridge and creates the Bridge Sufficiency Rating (BSR). To be eligible for State funding the BSR must be rated a 50 or below. During the last inspection cycle Bayside Road Bridge (WO203) had a BSR rating of 27.9 making the bridge eligible for State Aid funding. Bridge inspections/replacements are mandated by the State Highway Administration Federal Bridge Program.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The citizens and the County benefit from this project since it serves as a connecting point for property owners within the area. It also benefits the general public since various activities, such as the triathlons, are dependent upon its existence. Delaying this project could cause this section of road to be closed to the public and would cause an inconvenience to property owners and citizens.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The cost estimate was developed by means of a comparison to our latest bridge replacement costs in 2017 and an engineers recommendation. The estimated structure costs is on a per foot basis. This estimate could possibly increase due to the rising costs of material and/or labor.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project? N/A

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

It is imperative that this project be completed in a timely manner due to the fact that the rating of this bridge could drop significantly which would cause this structure to be closed to the general public.

Project: Mystic Harbour Wastewater Treatment Plant Expansion, Solids Handling and Effluent Disposal

Dept Head, Title & Phone #: John H. Tustin, P.E. Director - 410-632-5623

Project Summary: Mystic Harbour Solids Dewatering and Wastewater Treatment Plant Expansion including effluent disposal at a new spray irrigation site.

Purpose: Resolving the solids dewatering problems at the Mystic Harbour Wastewater Treatment Plant and increasing the rated plant capacity.

Location: Mystic Harbour/West Ocean City

Impacts on General Fund Operating, Personnel or Maintenance: Project will be constructed and operated using Enterprise Funds.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000	200,000	200,000	200,000	100,000			800,000
Land Acquisition		1,000,000						1,000,000
Site Work								0
Construction			2,200,000	1,000,000				3,200,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	100,000	1,200,000	2,400,000	1,200,000	100,000	0	0	5,000,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds	50,000	600,000	1,200,000	600,000	50,000			2,500,000
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds	50,000	600,000	1,200,000	600,000	50,000			2,500,000
General Bonds								0
								0
								0

TOTAL	100,000	1,200,000	2,400,000	1,200,000	100,000	0	0	5,000,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Mystic Harbour Wastewater Treatment Plant Expansion, Solids Handling and Effluent Disposal

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

This project includes expansion of the Mystic Harbour Wastewater Treatment Plan and construction of needed improvements to the sludge handling facilities. In addition, the scope of work includes work needed to provide the effluent disposal systems for the increased treatment plant capacity.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The purpose of this project is to allow continued controlled growth in the West Ocean City area of the County. Without this project, growth in this area cannot continue and the only available wastewater disposal available would be on-site septic systems. Controlled growth is needed to ensure the economic viability of the area.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The cost estimate for the treatment plant expansion and sludge handling systems was taken from recently completed studies. The cost estimate for effluent disposal was a historical "best guess" based on recent experience with disposal of effluent. The final cost will be greatly impacted by the disposal site which has not been identified at this time.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

This project is being added based on the request of the County Commissioners. The project is being added now based on the expected timing for when all of the existing plant capacity will be distributed to potential users.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

Continued development within the West Ocean City/Mystic Harbour Area will require adequate public utilities. The only County owned wastewater facility in this area is the Mystic Harbour Wastewater Treatment Plant. To continue well controlled economic growth in this area, this expansion is needed.

Project: Newark Spray Irrigation

Dept Head, Title & Phone #: John H. Tustin, P.E. 410-632-5623

Project Summary: Transitioning of the Newark Wastewater Treatment Plant to Spray Irrigation for effluent disposal

Purpose: Because of the poor quality effluent produced by the Newark Wastewater Treatment plant, it will be necessary to transition this plant from surface discharge to spray irrigation for effluent disposal. In 2008, the County Commissioners identified this need and purchased a property that is suitable for spray.

Location: Newark Sanitary Service Area

Impacts on General Fund Operating, Personnel or Maintenance: Transitioning to spray irrigation will require additional staff time from the Water Wastewater enterprise fund. Costs will be paid from User fees.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000	20,000				150,000		270,000
Land Acquisition								0
Site Work								0
Construction	500,000	30,000				1,200,000		1,730,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	600,000	50,000	0	0	0	1,350,000	0	2,000,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds	300,000	25,000				675,000		1,000,000
State Match								0
State Loan	300,000	25,000				675,000		1,000,000
Designated Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	600,000	50,000	0	0	0	1,350,000	0	2,000,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0	0		0
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Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The project involves constructing a pipeline between the Newark Treatment Plant and the Spray site, providing storage for effluent at the spray site, installation if spray piping and sprinkler heads and other features needed at the spray site.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The primary benefit of this project is the reduction in nutrient discharges to the Newport Bay Watershed. If this project is not completed, the Newark Service Area will need to complete significant improvements to the existing wastewater Treatment Plant to comply with water quality regulations.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The cost estimate was generated in-house and has since been updated by the design engineer.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The project is currently being delayed by increased efforts in the permitting of the spray site.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project is mandated by orders from MDE.

Project: Lewis Road Sewer Extension

Dept Head, Title & Phone #: John H. Tustin, P.E., Director of Public Works 410-632-5623

Project Summary: Extension of sanitary sewer lines along Lewis Road to serve approximately 50 homes.

Purpose: The project is proposed to eliminate approximately 50 septic systems in an area of high groundwater.

Location: Lewis Road behind the Landings Wastewater Treatment Plant.

Impacts on General Fund Operating, Personnel or Maintenance: The project will have no impact on the general fund Operating, Personnel or Maintenance expenses. Operating expenses will be paid from user fees.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000	100,000	40,000					240,000
Land Acquisition								0
Site Work								0
Construction	500,000	500,000	400,000					1,400,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	600,000	600,000	440,000	0	0	0	0	1,640,000
SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds	300,000	300,000	220,000					820,000
State Match								0
State Loan								0
Designated Funds								0
Private Donation								0
Enterprise Bonds	300,000	300,000	220,000					820,000
General Bonds								0
								0
								0
TOTAL	600,000	600,000	440,000	0	0	0	0	1,640,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0	0	0	0

Project: Lewis Road Sewer Extension

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The project involves constructing a pipeline along Lewis Road and connecting the homes and businesses in that area to the Landings Wastewater Treatment Plant. Although the project is not currently under a mandate to be constructed, it is consistent with the goal of reducing nutrients to the Coastal Bays.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The primary benefit of this project is the reduction in nutrient discharges to the Coastal Bays Watershed. If this project is not completed, there is no potential for future growth along Lewis Road. It is expected that the project will be funded by outside sources. If no federal/state funding is awarded, the project will not be affordable.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Estimate was completed as a part of the currently ongoing preliminary Engineering Report. That report developed the scope of the project, cost estimates and potential funding sources.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

This project was identified as the top priority project for 2017/2018 by the County Commissioners. Timing of the project will depend on available funding.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project was identified as the top priority project for 2017/2018 by the County Commissioners.

Project: Ocean Pines Service Area Upgrades

Dept Head, Title & Phone #: John H. Tustin, P.E., Director of Public Works 410-632-5623

Project Summary: Improvements in the Ocean Pines Service Area Includes:

- Construction of a new operations center
- Paint the North Water Tower
- Rehabilitation of Treatment Unit 3
- Pump Station Upgrades
- Service Tubing Replacement

Purpose: The project is proposed to replace an aging pieces of equipment, improve operator space and upgrade aging infrastructure.

Location: Ocean Pines Service Area

Impacts on General Fund Operating, Personnel or Maintenance: The project will have no impact on the general fund Operating, Personnel or Maintenance expenses.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000	100,000				100,000		300,000
Land Acquisition								0
Site Work								0
Construction	1,050,000	1,000,000				600,000		2,650,000
Equipment/Furnishings		50,000						50,000
Other								0
EXPENDITURES								
TOTAL	1,150,000	1,150,000	0	0	0	700,000	0	3,000,000
SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Designated Funds								0
Private Donation								0
Enterprise Bonds	1,150,000	1,150,000				700,000		3,000,000
General Bonds								0
								0
								0
TOTAL	1,150,000	1,150,000	0	0	0	700,000	0	3,000,000
PROJECTED OPERATING IMPACTS	0	0	0	0				0

Project: Ocean Pines Service Area Upgrades

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The existing pumps at Pump Stations P and S need to be upgraded, the North Water Tower is in need of minor repairs, repainting. Treatment Unit 3 of the Ocean Pines Wastewater Treatment plant needs to have the aeration system replaced and other miscellaneous repairs completed.

The Ocean Pines Wastewater Treatment plant needs to improve the environment for its operating staff. Then have no designated space of eating, the Chief Plant Operator has no area to keep sensitive salary information and employee reviews. A new operations center has been planned for some time and needs to be constructed.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The primary benefit of this project is to ensure the pump stations operate properly, keep the water tower in good condition, replace failing equipment at the wastewater plant and to provide adequate space for the operators to work efficiently and safely.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Estimate was completed internally.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The ongoing project is a part of long term system upgrades for the entire Ocean Pines Water and Wastewater Systems.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project needs to be completed as a part of ongoing long term upgrades to the 50-year old Ocean Pines Water and Wastewater systems.

Project: Northern Worcester Athletic Complex

Dept Head, Title & Phone #: Tom Perlozzo, Director of Recreation and Parks, 410-632-2144

Project Summary: Northern Worcester Athletic Complex

Purpose: Develop 2 Little League Baseball Fields and 3 Multipurpose Fields and Acquire Adjacent Land from Berlin Lion's Club

Location: Berlin, Maryland

Impacts on General Fund Operating, Personnel or Maintenance: Minimal impact to the Recreation and Parks operating budget. Allows for additional funding and opportunities for the youth, etc. within Worcester County

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	35,000							35,000
Land Acquisition		1,500,000						1,500,000
Site Work								0
Construction		750,000						750,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	35,000	2,250,000	0	0	0	0	0	2,285,000

SOURCES OF FUNDS								
General Fund	35,000	250,000						285,000
User Fees								0
Grant Funds		2,000,000						2,000,000
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	35,000	2,250,000	0	0	0	0	0	2,285,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Northern Worcester Athletic Complex

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development?

Acquire the entire property known as the Berlin Lion's Club currently operated and leased to the Berlin Little League. Develop the remaining land with two additional little league fields. In addition, continue to develop the rectangular fields located within the county owned property adjacent to Berlin Little League. Berlin Little League is expected to grow and the efforts of the county to attract and develop quality playing fields has been tasked.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The county will benefit through providing equal access to a growing population. The project meets the demands and benefits from the Land Preservation Plan, allows additional tourism based revenues through hotels, etc.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

Funding from the State of Maryland can expedite the process.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

The acquisition of the property from the Lions Club is critical as the site will hit the open market. The county has the first right of refusal and since acquisition funding is available at 100 percent from Program Open Space, this project should begin to have discussions, etc. to acquire the land.

Project: West Ocean City Commercial Harbor

Dept Head, Title & Phone #: Tom Perlozzo, Director of Recreation and Parks, 410-632-2144

Project Summary: West Ocean City Commercial Harbor

Purpose: Repair and Replace Commercial Bulkhead

Location: West Ocean City Commercial Harbor

Impacts on General Fund Operating, Personnel or Maintenance: Current commercial fishing leases are tied to the site. Failing bulkhead will impact the general fund, operating revenue, maintenance, etc.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	35,000							35,000
Land Acquisition								0
Site Work								0
Construction		700,000						700,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	35,000	700,000	0	0	0	0	0	735,000
SOURCES OF FUNDS								
General Fund	35,000							35,000
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds		700,000						700,000
								0
								0
TOTAL	35,000	700,000	0	0	0	0	0	735,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: West Ocean City Commercial Harbor

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The commercial harbor is not eligible for any state or federal funds to repair. 900 lineal feet of bulkhead is failing with parking lot scouring, etc.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

The county derives revenue from 8 commercial lease spaces in the amount of \$35,000 + or - annually. The harbor also serves the recreation community through the use of 3 recreational boat slips and several special events.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Preliminary costs estimates were provided by J. Stacey Hart, Engineering. Further investigation is underway through 2019.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

This project should be completed as soon as possible. The timing of the project and failing bulkhead will be determined by our natural weather patterns.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project is critical.

Project: Pocomoke Middle School Roof Replacement

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer Board of Ed, 410 632-5063

Project Summary: Replace Roof - Pocomoke Middle School

Purpose: Demolish existing and install 87,600 square feet of new roof.

Location: 800 Eighth Street, Pocomoke, MD. 21851

Impacts on General Fund Operating, Personnel or Maintenance: Ongoing maintenance has escalated over the past few years as the existing roof continues to deteriorate and the Maintenance Department must address alligating, blistering, exposed felt and expansion joint and counter flashing concerns.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design						117,000		117,000
Land Acquisition								0
Site Work								0
Construction		2,677,500						2,677,500
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	0	2,677,500	0	0	0	117,000	0	2,794,500
SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match		1,275,000						1,275,000
State Loan								0
Assigned Funds						117,000		117,000
Private Donation								0
Enterprise Bonds								0
General Bonds		1,402,500						1,402,500
								0
								0
TOTAL	0	2,677,500	0	0	0	117,000	0	2,794,500
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: Pocomoke Middle School Roof Replacement

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Ongoing roof inspections by an independent roofing contractor have resulted in prioritization of the replacement of the Pocomoke Middle School roof. The deteriorating condition of the Pocomoke Middle roof has also been documented by the State of Maryland Public School Construction Program (PSCP) inspectors.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the roof replacement project will provide current and future students and staff with a sound roof structure and will eliminate roof leaks encountered at the school.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Current working construction and project cost estimates were developed based upon bids received from roof contractors for the Snow Hill High and Pocomoke High renovation/addition projects and through discussion with roof manufacturer regarding current and projected roof replacement square foot costs. There are no concerns with the estimate.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

Funding approval for the Pocomoke Middle School project will determine the start of the following major construction project, the addition to Stephen Decatur Middle School.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

As stated above, the Pocomoke Middle School roof continues to deteriorate over time. The project is the Board of Education's number one roof replacement priority as deficiencies with the roof system must be addressed in the near term.

Project: Stephen Decatur Middle School Addition

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer Board of Ed, 410 632-5063

Project Summary: Addition to Stephen Decatur Middle School

Purpose: Provide additional classrooms to alleviate overcrowding and eliminate nine portable classrooms.

Location: 9815 Seahawk Road, Berlin, MD. 21811

Impacts on General Fund Operating, Personnel or Maintenance:

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	285,941	74,736	49,821			131,055		541,553
Land Acquisition								0
Site Work		621,057						621,057
Construction		4,067,386	3,073,816					7,141,202
Equipment/Furnishings			359,559					359,559
Other	29,496	402,941	253,530					685,967

EXPENDITURES

TOTAL	315,437	5,166,120	3,736,726	0	0	131,055	0	9,349,338
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SOURCES OF FUNDS

General Fund								0
User Fees								0
Grant Funds								0
State Match		362,000						362,000
State Loan								0
Assigned Funds	315,437					131,055		446,492
Private Donation								0
Enterprise Bonds								0
General Bonds		4,804,120	3,736,726					8,540,846
								0
								0

TOTAL	315,437	5,166,120	3,736,726	0	0	131,055	0	9,349,338
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Stephen Decatur Middle School Addition

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Stephen Decatur Middle School was constructed in 1997. During design of the new school, building systems were provided to allow for a 12-15 classroom addition in anticipation of future population growth in the north end of the county. SDMS currently utilizes nine portable classrooms for instruction. Projected SDMS enrollment projections indicate continued growth from the current 644 students.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the addition project will provide current and future students and faculty the facilities necessary for high-quality instruction for the SDMS student population and will allow removal of the aging portable classrooms at the SDMS site.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Preliminary, pre-design cost estimate was developed by the BOE Facilities Department through school construction cost estimating worksheet developed and updated through five major school construction projects over the past fifteen years, with special emphasis placed on actual construction and project costs realized on the Showell elementary Replacement School project. There are no concerns with the estimate.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The approval of the Pocomoke Middle roof project determines the start of the Stephen Decatur Middle School Addition project.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

Enrollment projections through 2028 indicate that the SDMS student population will grow from a total of enrollment Of 650 students to 714 students in 2027. These students will be enrolled in a school with a local-rated capacity of 638 students and a school at which nine portable classrooms are currently being utilized for additional instructional space.

Project: Snow Hill Middle/Cedar Chapel School - Roof Replacement

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer Board of Ed, 410 632-5063

Project Summary: Replace Roof - Snow Hill Middle School / Cedar Chapel Special School

Purpose: Demolish existing and install 107,175 square feet of new roof.

Location: 522/510 Coulbourne Lane, Snow Hill, MD. 21863

Impacts on General Fund Operating, Personnel or Maintenance: Ongoing maintenance has escalated over the past few years as the existing roof continues to deteriorate and the Maintenance Department must address alligating, blistering, exposed felt and expansion joint and counter flashing concerns.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design		236,000						236,000
Land Acquisition								0
Site Work								0
Construction			1,687,000	1,856,000				3,543,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	0	236,000	1,687,000	1,856,000	0	0	0	3,779,000
SOURCES OF FUNDS								
General Fund		236,000						236,000
User Fees								0
Grant Funds								0
State Match			1,687,000					1,687,000
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds				1,856,000				1,856,000
								0
								0
TOTAL	0	236,000	1,687,000	1,856,000	0	0	0	3,779,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: Snow Hill Middle/Cedar Chapel School - Roof Replacement

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Ongoing roof inspections by an independent roofing contractor have resulted in prioritization of the replacement of the Snow Hill Middle School and Cedar Chapel Special School roofs. The deteriorating condition of the roofs has also been documented by the State of Maryland Public School Construction Program (PSCP) inspectors.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the roof replacement project will provide current and future students and staff with a sound roof structure and will eliminate roof leaks encountered at the school.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Current working construction and project cost estimates were developed based upon bids received from roof contractors for the Snow Hill High and Pocomoke High renovation/addition projects and through discussion with roof manufacturer regarding current and projected roof replacement square foot costs. There are no concerns with the estimate.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The Snow Hill Middle/Cedar Chapel Special School roof replacement project request timing is consistent with previous Board of Education and County Capital Improvement Programs. Funding approval for this project will determine the start of the following major construction project, a roof replacement project at Pocomoke Elementary School.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

As stated above, the Snow Hill Middle School and Cedar Chapel Special School roofs continues to deteriorate over time. The project is the second in a series of three major roof replacement projects (PMS, SHMS/CCSS and PES).

Project: Buckingham Elementary Replacement School

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer, Board of Education, 410 632-5063

Project Summary: Buckingham Elementary Replacement School

Purpose: Demolish existing school and construct replacement school.

Location: 100 Buckingham Road, Berlin, Md. 21811

Impacts on General Fund Operating, Personnel or Maintenance: The Buckingham Elementary Replacement School will provide more square footage than the existing 49,000 square foot school. However, with energy efficiency elements included in the future design of the replacement school and new building systems requiring minimum maintenance costs, the impact on general funds is not expected to rise significantly.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
							(FY26 / 27)	
Engineering/Design		238,368	826,571	1,753,976	222,933		387,905	3,429,753
Land Acquisition								0
Site Work					3,600,097		3,600,097	7,200,194
Construction				56,216	6,828,836		34,409,940	41,294,992
Equipment/Furnishings							2,084,267	2,084,267
Other				293,678			4,050,675	4,344,353
EXPENDITURES								
TOTAL	0	238,368	826,571	2,103,870	10,651,866	0	44,532,884	58,353,559

SOURCES OF FUNDS								
General Fund		238,368	826,571					1,064,939
User Fees								0
Grant Funds								0
State Match					6,728,000		6,728,000	13,456,000
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds				2,103,870	3,923,866		37,804,884	43,832,620
								0
								0
TOTAL	0	238,368	826,571	2,103,870	10,651,866	0	44,532,884	58,353,559

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Buckingham Elementary Replacement School

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The Buckingham Elementary School project will begin with a Feasibility Study, tentatively scheduled for summer 2021. The Study will provide a comprehensive evaluation of the existing school, providing data on the schools' condition, systems and instructional deficiencies. The Study will also provide the architectural/engineering recommendation regarding renovation and addition to the existing school or construction of a replacement school. This project is tentatively being titled "Replacement School".

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the construction project will provide current and future students, faculty and Buckingham Elementary parents and community with a complete upgrade to the existing 41-year-old facility.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Preliminary, pre-design cost estimate was developed by the BOE Facilities Department through school construction cost estimating worksheet developed and updated through execution of six major school construction projects, including the Showell Elementary Replacement School project, over the past eighteen years. There are no concerns with the conceptual estimate.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The Buckingham Elementary School project request timing is consistent with previous Board of Education and County Capital Improvement Programs.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

Buckingham Elementary is a 41-year-old facility with aging structural/mechanical/electrical systems and five portable classrooms are utilized for instructional space. Maintenance and repair costs will only increase as the building systems continue to age.

Project: Pocomoke Elementary School - Roof Replacement

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer Board of Ed, 410 632-5063

Project Summary: Replace Roof - Pocomoke Elementary School

Purpose: Demolish existing and install 52,512 square feet of new roof.

Location: 2119 Pocomoke Beltway, Pocomoke, MD. 21863

Impacts on General Fund Operating, Personnel or Maintenance: Ongoing maintenance has escalated over the past few years as the existing roof continues to deteriorate and the Maintenance Department must address alligating, blistering, exposed felt and expansion joint and counter flashing concerns.

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design			120,000					120,000
Land Acquisition								0
Site Work								0
Construction				860,000	945,000			1,805,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	0	0	120,000	860,000	945,000	0	0	1,925,000
SOURCES OF FUNDS								
General Fund			120,000					120,000
User Fees								0
Grant Funds								0
State Match				860,000				860,000
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds					945,000			945,000
								0
								0
TOTAL	0	0	120,000	860,000	945,000	0	0	1,925,000
PROJECTED OPERATING IMPACTS	0	0	0	0	0			0

Project: Pocomoke Elementary School - Roof Replacement

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Ongoing roof inspections by an independent roofing contractor have resulted in prioritization of the replacement of the Pocomoke Elementary School roof. The deteriorating condition of the roofs has also been documented by the State of Maryland Public School Construction Program (PSCP) inspectors.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the roof replacement project will provide current and future students and staff with a sound roof structure and will eliminate roof leaks encountered at the school.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Current working construction and project cost estimates were developed based upon bids received from roof contractors for the Snow Hill High and Pocomoke High renovation/addition projects and through discussion with roof manufacturer regarding current and projected roof replacement square foot costs. There are no concerns with the estimate.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The Pocomoke Elementary School roof replacement project request timing is consistent with previous Board of Education and County Capital Improvement Programs. Funding approval for this project will determine the start of the following major construction project, a renovation or replacement school at Buckingham Elementary.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

As stated above, the Pocomoke Elementary School roof continues to deteriorate over time. The project is the third in a series of three major roof replacement projects (PMS, SHMS/CCSS and PES).

Project: Wor-Wic Applied Technology Building

Dept Head, Title & Phone #:

Jennifer Sandt, Wor-Wic Community College, Vice President for Administrative Services, 410-334-2911

Project Summary:

New academic building

Purpose:

Wor-Wic is proposing to build a new 40,000 S.F. building, reconfigure internal circulatory roads and the campus' main entrance, expand the campus' existing utility services, and expand the existing Brunkhorst Hall parking lot.

The purpose of this building is to assist the college with meeting its strategic goals to strengthen the alignment of programs and courses with local employer needs and expand facilities to address student and institutional needs. The roadway and parking lot enhancements are necessary to improve the flow of traffic and improve pedestrian safety.

Location:

Wor-Wic Community College, 32000 Campus Drive, Salisbury, MD 21804

Impacts on General Fund Operating, Personnel or Maintenance:

NA

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	145,784							145,784
Land Acquisition								0
Site Work								0
Construction		2,196,188						2,196,188
Equipment/Furnishings			225,105					225,105
Other								0

EXPENDITURES

TOTAL	145,784	2,196,188	225,105	0	0	0	0	2,567,077
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SOURCES OF FUNDS

General Fund	145,784							145,784
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds		2,196,188	225,105					2,421,293
								0
								0

TOTAL	145,784	2,196,188	225,105	0	0	0	0	2,567,077
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Wor-Wic Applied Technology Building

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this mandated by Federal Law?

Wor-Wic is committed to continuing its role as an economic driver for the Lower Eastern Shore. In order to retain and attract new industries and keep the local workforce competitive, the college must provide its constituents with state-of-the-art technical training facilities. According to the Georgetown Center on Education and the Workforce, by 2020, the US is expected to face a shortage of 5 million workers equipped with technical certificates and credentials.

In order to respond to the workforce needs of the community, Wor-Wic is planning to add associate degrees in industrial technology, supply chain management and alternative energy with career or industry certificates in the areas of electrical, heating, ventilation and air conditioning (HVAC), welding, plumbing, logistics, wind and solar within the next 5 years. Over the past few years, the college has increased its nursing, radiologic technology and emergency services programs, and expanded its program offerings to include occupational therapist assistant and physical therapy assistant programs. Allied health programs are expected to expand again in FY 2020 with the approval of the computed tomography (CT) certificate. The college also plans to add magnetic resonance imaging (MRI) and medical coder certificates, and an associate degree in sleep technology by 2029.

The IT department moved into Shockley Hall in 2011. There were 11 employees housed within the IT department when they moved into the new building, and the suite was already too small to accommodate them. There are currently 16 employees housed within the suite. At present, the IT suite does not include a storage area to store or receive new equipment, and there is not any space to triage or troubleshoot computers and AV equipment, or stage new equipment.

The allied health department has outgrown its space on the third floor of Shockley Hall. There are faculty and staff doubling-up in offices and receptionist areas that have been converted into desk space for associates. In order to offer additional allied health programs and maintain the proper delivery of current academic offerings in allied health, we will need additional staffing and additional space for allied health offices.

The inadequacy of space will prevent the college from offering any new credit applied technology programs, and will prevent the current allied health programs from growing. The lack of facilities will also prohibit the college from expanding its non-credit courses in the skilled trades areas.

The growth of the campus has impacted/exaggerated our pedestrian and vehicular circulation issues. Prior to building Fulton-Owen Hall and Shockley Hall, the north-south campus drive between South Lots 1 and 2 extending north to the west side of the north lot was outside the academic core. At one point, the road was one-way to the north to allow vehicular traffic to exit under Brunkhorst Hall and Maner Technology Center to Walston Switch Road. However, the road was converted to two-way traffic to reduce the bottleneck of vehicles at peak times during the day by educating campus visitors to use the Shortbridge and Longridge Rd exits. While converting the road to two-way traffic resolved a vehicular circulation issue, it created a pedestrian safety concern for individuals that have to cross the street to get to Fulton-Owen Hall and Shockley Hall, and it did not improve the safety of pedestrians crossing the street between Brunkhorst Hall and the Maner Technology Center. After the entrance road improvements are complete, the north-south campus drive between South Lots 1 and 2 extending north to the west side of the north lot will be replaced by a fire lane/pedestrian way, improving pedestrian safety while allowing access to service and emergency vehicles. Similarly, the exit road between Brunkhorst Hall and Maner Technology Center will be eliminated, also improving pedestrian safety and allowing traffic to exit the campus more directly to Walston Switch Rd. These vehicular circulation improvements, which are included in the master plan, are the solutions for long-term improvement to campus pedestrian safety and traffic circulation.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact? Citizens attend courses at Wor-Wic Community College

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The estimate for the building was provided by a construction management company in April 2019. The State pays for 75% of approved capital projects for Wor-Wic. Wicomico and Worcester Counties share the remaining 25% of the cost.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project? NA

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded? The college will be in deficit of almost 97,734 square feet by 2027 per the MHEC 2018 NASF inventory report. In order to grow, we need more space. The lack of sufficient numbers of contemporary, flexible instructional and learning spaces has directly and indirectly curtailed the college's ability to fully develop the inherent potential of its credit and non-credit course offerings.

Project: Wor-Wic Learning Commons Building

Dept Head, Title & Phone #:

Jennifer Sandt, Wor-Wic Community College, Vice President for Administrative Services, 410-334-2911

Project Summary:

New building

Purpose:

Wor-Wic is proposing to build a new 40,000 S.F. building or add 40,000 S.F. to the existing Hazel Center. Additional parking will need to be considered, as well.

The purpose of this building is to assist the college with meeting its strategic goals to expand facilities to address student and institutional needs.

Location:

Wor-Wic Community College, 32000 Campus Drive, Salisbury, MD 21804

Impacts on General Fund Operating, Personnel or Maintenance:

NA

	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design				150,885				150,885
Land Acquisition								0
Site Work								0
Construction					2,471,640			2,471,640
Equipment/Furnishings							107,775	107,775
Other								0
EXPENDITURES								

TOTAL	0	0	0	150,885	2,471,640	0	107,775	2,730,300
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SOURCES OF FUNDS								
	FY 21	FY 22	FY 23	FY 24	FY 25	Prior Allocation	Balance to Complete	Total Project Cost
General Fund				150,885				150,885
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds					2,471,640		107,775	2,579,415
								0
								0

TOTAL	0	0	0	150,885	2,471,640	0	107,775	2,730,300
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Wor-Wic Learning Commons Building

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

A Learning Commons Building is being proposed for design in FY 2024 and completion in FY 2026. The building will serve as a true learning center, supplementing the classroom and laboratory learning experience. Examples of some of the support services that we are proposing to relocate to this building include a large resource center, tutoring services, TRIO student support services, Veterans services, the testing center, the mathematics laboratory, the reading and writing center, and office space for several student services employees. By centralizing these services into one building, we are encouraging group study and increased student collaboration across majors. In addition, moving these services from Brunkhorst Hall will allow the college to convert some of those spaces to classrooms, laboratories and office spaces.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Citizens attend Wor-Wic Community College

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The estimate for the building is based on the estimate provided by a construction management company in April 2019. The State pays for 75% of approved capital projects for Wor-Wic. Wicomico and Worcester Counties share the remaining 25% of the cost.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

NA

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

According to the state space allocation guidelines, which is based on enrollment and projected future enrollment, the college currently qualifies for approximately 120,000 gross square feet in new construction or building additions, which is equivalent to three buildings the size of our existing Guerrieri Hall.



Worcester County

Government Center
Department of Human Resources
One West Market Street, Room 1301
Snow Hill, Maryland 21863-1213
410-632-0090
Fax: 410-632-5614

19

STACEY E. NORTON
Human Resources Director
HOPE CARMEAN
Benefits Manager
EDDIE CARMAN
Risk Manager
KEVIN CANDY
Safety Coordinator

KELLY BRINKLEY
Volunteer Services Manager
ANN HANKINS
Human Resources Specialist
TARA ARMSTRONG
Office Assistant IV

To: Harold Higgins, Chief Administrative Officer
From: Stacey Norton, Human Resources Director
Date: October 7, 2019
Subject: LOSAP Changes for FY 20 Effective 7/1/19

Stacey Norton

Page
Proposed Strike and Replace Version - 22
Proposed Revised Resolution - 29

The Length of Service Award Program (LOSAP) for Volunteer Firefighters and Ambulance Company members of Worcester County is a defined contribution plan created effective July 1, 2000. The purpose is "to enhance recruitment of new members and retention of current members by providing a monetary award to qualified volunteers based on length of active service to a chartered Worcester County Volunteer Fire Company."

On September 5, 2006, the plan was amended "to streamline the annual certification process by accepting a copy of the Maryland Sate Fireman's Association Individual End of year Points Report as certification of active service for the previous calendar year and eligibility to participate in LOSAP." LOSAP certification forms are due March 1 of every year to the County Human Resources Director. The volunteer must have at least fifty (50) points to be considered active and attendance is determined by each fire company. See attached resolutions, documents, and forms.

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At the time the program was created, volunteers had to make a selection of either a monthly award plan or an annual contribution plan. Volunteers that were age 45 on or before December 21, 1999 could select a monthly award plan.

To be eligible the volunteer has to:

- 1) Reach the age of sixty (60)
- 2) Complete or have completed a minimum of twenty-five (25) years of certified active service, or be a Life member of Gold Badge member status (inactive)
- 3) Submit an award distribution application to the trustees for approval.

Benefits are fifty dollars (\$50) per month for a maximum of one hundred twenty (120) months for a total award of six thousand dollars (\$6,000). Award payments cease upon death.

Qualified members age 44 years and younger as of December 31, 1999 and all new members will receive an annual award in the amount of two hundred dollars (\$200) deposited into an investment account on the member's behalf. Participants in the annual contributions awards may remain in the plan and accrue benefits to the greater of age sixty (60) or thirty (30) years of certified active service.

The initial funding provided two hundred (\$200) per year for each volunteer qualified under the LOSAP annual contribution plan.

The LOSAP Administrators are Kathy Gordon and Tammy Simpson of Trilogy Financial Services located in Snow Hill.

During the FY 20 budget process, the Commissioners conceptually approved the following changes:

FY 20 Plan Changes effective 7/1/19:

To be eligible the volunteer has to:

- 1) No age requirement**
- 2) Complete or have completed a minimum of twenty-five (25) years of certified active service, or be a Life member of Gold Badge member status (inactive)**
- 3) Submit an award distribution application to the trustees for approval.**
- 4) Benefit awards increased from \$6,000 to \$10,000. The contribution amount remains the same at \$50 per month for those receiving a monthly award and a \$200 contribution per year for those receiving an annual contribution.**

New Addition effective 7/1/19:

- 1) Receive a one time flat rate of \$2500 retention bonus after completing five (5) years of active volunteer service in a Worcester County Fire Company. This will only be offered to new volunteers that start after January 1, 2020. Current volunteers that transfer to a different Worcester County Fire Company are excluded. The Fire Company President and Chief will verify the qualified volunteer and submit a request to the Human Resources Director by March 1 of each calendar year.**

Please let me know if you need additional information.

Attachments

With regard to the Committee Reviewed FY20 Emergency Services budget, a motion by Commissioner Bunting and seconded by Commissioner Elder to remove all 76 radios for the Board of Education (BOE) to be installed within the buses was later withdrawn. Following some discussion and upon a subsequent motion by Commissioner Bunting, the Commissioners unanimously approved 76 non-public safety radios, and one base station for the BOE office, and associated installation costs of \$260 each for the BOE for a total cost of \$141,171. Upon a motion by Commissioner Bunting, the Commissioners unanimously decreased the request for EMS portable radios from 50 to 25. Upon motions by Commissioner Bertino, the Commissioners unanimously approved the request for 40 non-public safety radios for Fire/EMS and 10 XG75PE radios for use within the Sheriff's Office. For a total FY20 budget of \$2,978,651 for Emergency Services.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Committee Reviewed FY20 County Jail budget of \$9,394,169.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Committee Reviewed FY20 Fire Marshal's Office budget of \$525,576.

With regard to the Committee Reviewed FY20 Volunteer Fire Departments budget, upon a motion by Commissioner Bertino, the Commissioners unanimously denied the staff recommended reduction of \$378,410 for supplemental funding within Account No. 7080.010 Fire and Ambulance County Grant to Fire Companies. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the staff recommended increase of \$410,000 within Account No. 7080.020 Fire and Ambulance County Grant to Ambulance Companies. Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to fund the supplemental funding for the fire companies contingent upon the availability of Local Impact Grant (LIG) funds from table games. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to increase the LOSAP award program as proposed. Upon a motion by Commissioner Bunting, the Commissioners unanimously approved the addition of \$8,000 within Account No. 7080.xxx EMT Paramedic Tuition Reimbursement Program to fund two scholarships as proposed by the Commissioners. The Commissioners approved the final budget of \$7,467,215 for Volunteer Fire Departments.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Committee Reviewed FY20 Public Works Maintenance Division budget of \$1,104,421.

With regard to the Committee Reviewed FY20 Public Works Roads Division budget, upon a motion by Commissioner Bertino, the Commissioners approved Account No. 9010.010 Capital Equipment New Vehicles, minus the cost of one dump truck. Upon a motion by Commissioner Bertino, the Commissioners unanimously approved the Committee Reviewed FY20 Public Works Roads Division budget of \$3,762,738.

The Commissioners answered questions from the press, after which they adjourned to meet again on May 21, 2019.

RESOLUTION NO. 00 - 26

RESOLUTION ADOPTING WORCESTER COUNTY
LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR VOLUNTEER FIREFIGHTERS AND
AMBULANCE COMPANY MEMBERS OF WORCESTER COUNTY

WHEREAS, Section-PS 1-109 of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland provides that the County Commissioners may, by resolution, establish a Length of Service Award Program (LOSAP) for qualified members of Chartered Volunteer Fire Companies and qualified volunteer ambulance companies of the county; and

WHEREAS, the County Commissioners of Worcester County have determined that it would be in the best interest of the County and the volunteer firefighters and ambulance company members of the County to establish a LOSAP for qualified volunteer firefighters and ambulance company members in the County; and

WHEREAS, such a LOSAP will provide for a monetary award to qualified volunteer firefighters and ambulance company members based upon the length of active volunteer service with the Fire or Ambulance Company and is intended to assist the Fire and Ambulance Companies in recruitment and retention of active members; and

WHEREAS, at their meeting of April 4, 2000, the County Commissioners reviewed and approved the proposed Aggregate IV Plan for the LOSAP, with revisions as recommended by the LOSAP representatives from each fire and ambulance company in Worcester County, which established the general provisions for the LOSAP Plan; and

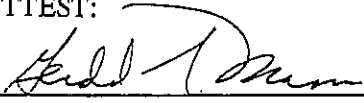
WHEREAS, the County Commissioners wish to formally approve the Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire and Ambulance Companies attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire and Ambulance Companies attached hereto is hereby adopted.

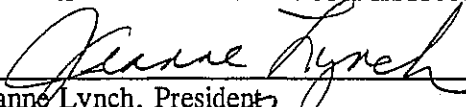
AND, BE IT FURTHER RESOLVED that this Resolution shall take effect nunc pro tunc July 1, 2000.

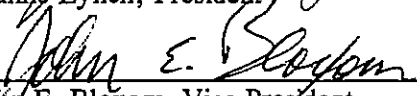
PASSED AND ADOPTED this 25th day of July, 2000.

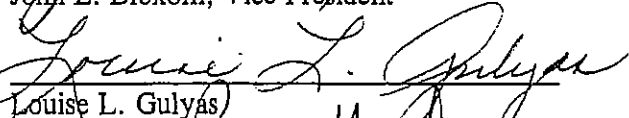
ATTEST:

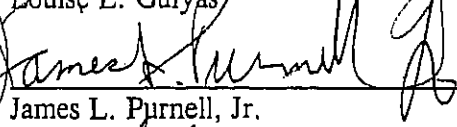

Gerald T. Mason
Chief Administrative Officer

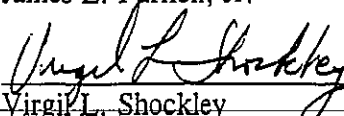
WORCESTER COUNTY COMMISSIONERS


Jeanne Lynch, President


John E. Bloxom, Vice President


Louise L. Gulyas


James L. Purnell, Jr.

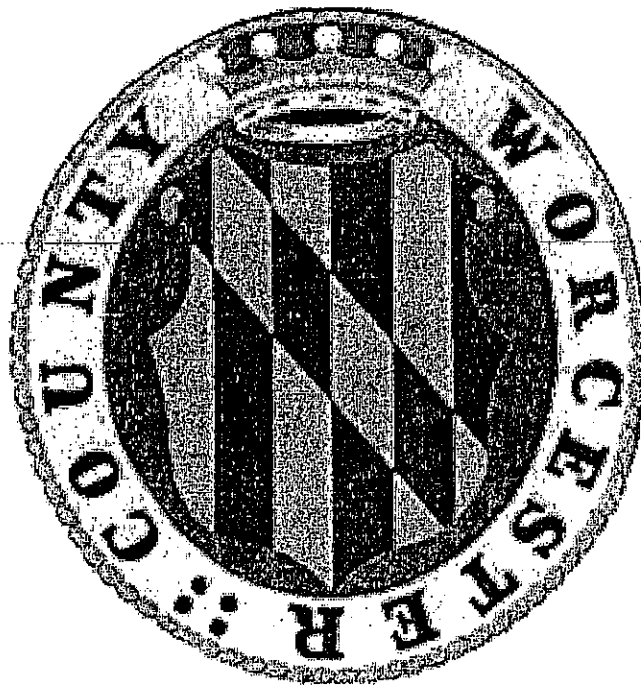

Virgil L. Shockley

WORCESTER COUNTY

LENGTH OF SERVICE AWARD PROGRAM

FOR VOLUNTEER MEMBERS OF

CHARTERED FIRE AND AMBULANCE COMPANIES



WORCESTER COUNTY
LENGTH OF SERVICE AWARD PROGRAM
FOR VOLUNTEER MEMBERS OF
CHARTERED FIRE AND AMBULANCE COMPANIES

I. Establishment of Program

There is hereby established, effective July 1, 2000, a Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire Companies and Ambulance Companies approved by the Trustees, eligible under the provisions of Subtitle I of Title I of the Public Safety Article of the Code of Public Local Laws of Worcester County, governed by this resolution herein sometimes referred to as "volunteer." This Program may be referred to as the LOSAP.

II. Trustees -- Appointment, Powers and Restrictions

A. Appointment - The Worcester County Commissioners will serve ex officio as the LOSAP Trustees.

B. Powers - The Trustees shall have the following powers in addition to any other powers provided by statutory law or common law:

1. To retain any and all stocks, bonds, notes, securities and other property comprising a part of any trust fund created hereunder without liability for any decrease in the value thereof;
2. To sell, at public or private sale, exchange for like or unlike property, convey, lease for longer or shorter terms than the trusts created hereunder, and otherwise dispose of any and all property, real and personal, held hereunder for such price and upon such terms and credit as the Trustees may deem proper;
3. To invest any money held hereunder and available for investment in any and all kinds of securities or property, whether or not of the kind authorized by the common law or by the laws of any state or country to which the Trustees would, in the absence of this provision, be subject;
4. To form or join in forming any corporation and subscribe for or acquire stock in any corporation in exchange for money or other property;
5. To retain cash included in any trust fund created hereunder without investment thereof for such period of time as they shall deem advisable, whenever the Trustees shall determine that it is inadvisable to invest such cash because of market conditions or for any other reasons;
6. To vote, directly or by proxy, at any election or stockholders' meeting any shares of stock held hereunder;
7. To exercise or dispose of or reject any purchase rights arising from or issued in connection with any stock, securities or other property held hereunder;
8. To bid for and become the purchasers of any real or personal property sold at any foreclosure or other sale in which the Trustees may have a mortgage or other interest hereunder and to hold or resell the same without liability for any loss resulting therefrom;
9. To repair, alter or demolish any existing building or structure and to erect any building or structure on any real estate held hereunder;
10. To effect fire, liability, casualty title or other insurance of such nature and in such form and amount as may be desirable upon any property held hereunder;

11. To participate in any plan or proceeding for protecting or enforcing any right, obligation or interest arising from any stock, bond, note, securities or property held hereunder or for reorganizing, consolidating, merging or adjusting the finances of any corporation issuing the same; to accept in lieu thereof any new property; to pay any assessment or expense incident thereto; to join in any voting trust agreement; and to do any other act or thing which the Trustees may deem necessary or advisable in connection therewith;
12. To employ, upon such terms and with such discretionary powers as the Trustees may approve, servants, agents and attorneys-at-law or in-fact, and to obtain the advice of any investment counsel or other institution or individual;
13. To collect, pay, abandon, contest, compromise or submit to arbitration any claim in favor of or against the trust property or any part thereof or the Trustees;
14. To determine, in accordance with generally accepted trust accounting principles, whether receipts and disbursements shall be credited to or charged against principal or income, or partly to or against principal and partly to or against income, which determination shall be conclusive and binding upon all interested parties;
15. To make any allotment or distribution herein provided for in cash or in kind, or partly in cash or partly in kind, in separate or undivided shares, and fairly and reasonable to value and apportion the property so allotted or distributed, which values and apportionments shall be conclusive and binding upon all interested parties;
16. To borrow money for such periods of time and upon such terms and conditions as the Trustees may deem advisable for any purpose whatsoever and to mortgage or pledge such part or the whole of the trust property as may be required to secure such loan or loans;
17. To lend money to any beneficiary then entitled to receive income from any trust fund created hereunder on the secured note of such beneficiary or on security;
18. To hold stocks and other assets and open bank accounts in the name of the Trustees with full disclosure of the fiduciary relationship, or in the name of such nominee as may be appointed exclusively by a bank or trust company acting as custodian for the trust;
19. To appoint from time to time, by instrument in writing, any one of the Trustees as the representative of all in the performance and execution of all acts and the exercise of all judgement and discretion in connection with the administration or performance of the trusts hereby created, and any trustee may from time to time delegate any or all of his powers and duties, whether of an administrative or fiduciary nature, to any other Trustee or Trustees hereunder;
20. For fair and adequate consideration, to purchase or sell any property, real or personal, from or to any Trustee, or from or to the estate of any Trustee, and such purchases or sales shall be as valid and binding as purchases or sales from or to any other person or estate;
21. To invest the whole or any part of any trust fund created hereunder in any single security or asset or any single type of security or other asset without liability for any loss resulting from such lack of diversification;
22. To construe the provisions and terms of this trust, whenever necessary, and to act upon the advice of counsel in relation thereto; and
23. From time to time, to change the situs of the trust or trust property or any part thereof to any city or place in the United States or any other country without permission or order of any court, it being the intention and purpose of the donor that the Trustees shall have sole and absolute discretion as to where the situs of the trust or trust property or an part thereof shall be located. Any such change in situs shall be effected in any manner deemed by the Trustees to be suitable to accomplish the desired change.

C. Restrictions - Notwithstanding any powers conferred upon the Trustees or any successor Trustees elsewhere in this resolution, no Trustee hereunder or any other person shall have at any time, or in any manner or capacity, either directly or indirectly, the power to do any of the following with respect to any of the trusts or trust funds created hereunder.

1. To revest title to any part of the principal in the donor;
2. To hold or accumulate any part of the income for future distribution to the donor;
3. To distribute any part of the income to the donor;
4. To enable any person to purchase, exchange, or otherwise deal with or dispose any part of or all of the principal or income for less than adequate and full consideration in money or money's worth;
5. To enable the donor, directly or indirectly, to borrow any part or all of the principal or income;
6. To exercise any power of administration over any trust created hereunder, without the approval or consent of any person in a fiduciary capacity, other than a fiduciary capacity for the benefit of the beneficiaries hereunder, which powers shall include specifically, but without limitation of the foregoing:
 - (a) a power to vote or direct the voting of stock or other securities held hereunder,
 - (b) a power to control investment of any trust fund by directing investments or reinvestments, or by vetoing proposed investments, or reinvestments, and a power to enable anyone to acquire trust corpus by substituting other property of any equivalent value;
7. To engage in any act of self-dealing as defined in Section 4941 (d) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4941 (a) of the Internal Revenue Code of 1986;
8. To retain any undistributed income as defined in Section 4942 of the Internal Revenue Code of 1986 which would give rise to any liability of the tax imposed by Section 4942 (a) of the Internal Revenue Code of 1986;
9. To retain any excess business holdings as defined in Section 4943 (c) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4943 (a) of the Internal Revenue Code of 1986;
10. To make any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of Section 4944 of the Internal Revenue Code of 1986 so as to give rise to any liability for the tax imposed by Section 4944 (a) of the Internal Revenue Code of 1986;
11. To make any taxable expenditures as defined in Section 4945 (d) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4945 (a) of the Internal Revenue Code of 1986.

III. Plan Administrator and Investment Manager

The plan administrator and investment manager shall be determined, from time to time, by the Trustees. The first plan administrator and investment manager shall be KSG Securities, Inc., whose address is 228 N. Division St., Salisbury, MD 21801.

IV. Plan Dates

The plan year shall coincide with the Worcester County fiscal year, beginning on July 1st and ending the following June 30th. The service year will begin on January 1st prior to the plan year, and end on the following December 31st.

V. Initial Application for Participation in the LOSAP

- A. Volunteer Responsibility - It shall be the responsibility of each volunteer to notify the Company Fire Chief or Fire President of the volunteer's initial eligibility for participation or re-entry into the LOSAP after a break in service, in writing, by completing a LOSAP Application and Notice of

Change Form, no later than March 1st prior to the plan year. Forms submitted for initial application after March 1st will not be accepted.

- B. Late Applications – Volunteers who are denied entry on account of a late application may reapply for plan entry the following year. Prior year(s) of service certified active by the Fire Company Chief and President may count toward years of service required for receipt of benefits, however, no retroactive contribution shall be made for such year(s).

VI. Annual Certification of Service, Maintenance of Records & Appeals

- A. Annual Certification of Service - Beginning January 1, 2000, and no later than January 10th of each year, the Trustees shall furnish each Fire and Ambulance company a list of volunteers whose service for the previous calendar year has been certified by the Company Fire Chief and President. This list shall be posted in a conspicuous place within each fire and ambulance company for a period of not less than thirty (30) days. It shall be the responsibility of each volunteer to notify the Fire Chief or Fire President, in writing by completing a LOSAP Application and Notice of Change Form, of missing or incorrect information provided on the list and when subsequent changes occur including, a participant's status, Company membership, name, address, beneficiary or any information previously provided but later discovered to be erroneous.
- B. Notice of Certification - Beginning March 1, 1999, and each March 1st thereafter, each Volunteer Fire and Ambulance Company shall furnish the Trustees a statement, certifying under oath by the Company Chief and Company President, all volunteers of the company whose service for the previous calendar year has been certified under the LOSAP. Each statement shall contain each qualifying member's date of birth, age and total years of active service including certified active service with other volunteer companies in Worcester County, and any other information as may be required by the Trustees.
- C. Approval – Upon receipt of this statement, the Trustees shall review and approve volunteers qualified under the LOSAP on the list and forward it to the Plan Administrator and Fire Companies.
- D. Records – It is the responsibility of each participating Volunteer Fire and Ambulance Company to maintain detailed and accurate records for each volunteer qualified under the LOSAP on forms prescribed by the Trustees.
- E. Appeal – A volunteer aggrieved by any decision of the Trustees with respect to credit qualification or benefit amounts, has the right to appeal to the Trustees within thirty (30) days following the transmittal of the list of approved volunteers to the Fire Companies. The appeal shall be in writing and addressed to the Trustees, who shall make a final and binding decision regarding the appeal. The appeal hearing shall be conducted by the Trustees within sixty (60) days of the request, but not less than (10) days after notifying the appellant of the scheduled hearing date. There shall be no appeal to any court.

VII. Eligible Service Requirement

In order for a year of service to be approved by the Trustees to count toward years of certified service required for LOSAP award, a volunteer must have service certified as active for the service year prior to the plan entry date by the Company Fire Chief and Company President, in accordance with the provisions of the Worcester County Volunteer Firemen's Association Point System for Determining Active Status, as adopted by Resolution of the Worcester County Commissioners on December 12, 1995 as from time to time amended.

VIII. Award Eligibility & Benefits

- A. Eligibility – Any volunteer who has served as a member of a Worcester County Volunteer Fire or approved Ambulance Company and has qualified under the LOSAP is eligible to receive the benefits as hereinafter set forth.
- B. Plan Election - Volunteers qualified for participation in the LOSAP may participate in either a Monthly Award Plan or Annual Contribution Award Plan as follows:
1. Monthly Award Plan
 - a. Volunteers qualified under the LOSAP, age 45 or older on or before December 31, 1999, are eligible to elect, before September 30, 2000, a monthly award plan.
 - b. In order to receive a monthly award, a volunteer must:
 - 1) reach the age of sixty (60), and
 - 2) complete or have completed a minimum of twenty-five (25) years of certified active service; and
 - 3) submit an Award Distribution Application to the Trustees for approval.
 - c. Benefits shall be in the amount of fifty dollars (\$50.00) per month, for a maximum of one hundred twenty (120) months for a total award of six-thousand dollars (\$6,000.00). Payments shall begin on the first day of the first month following thirty (30) days after application is made. Payments shall be made directly to the volunteer entitled to such benefits. Award payments shall cease upon death.
 - d. Once the election to participate in the Monthly Award Plan is made, the decision cannot be changed.
 2. Annual Contribution Plan
 - a. All volunteers qualified under the LOSAP, other than those enrolled in the Monthly Award Plan as specified in Section VIII.B.1. hereof, will be enrolled in the Annual Contribution Plan. An annual contribution in an amount determined by the Trustees will be made on behalf of each volunteer qualified under the LOSAP and enrolled in the Annual Contribution Plan for a period not to exceed thirty (30) years.
 - b. In order to receive an award a volunteer must:
 - 1) reach the age of sixty (60), and
 - 2) complete or have completed a minimum of twenty-five years of certified active service, and
 - 3) submit an Award Distribution Application to the Trustees for approval.
 - c. Benefits shall be in an amount equal to the total of annual contributions made on behalf of the volunteer plus the investment earnings thereon as determined by the Trustees. Payments shall be made in accordance with the payment plan selected by the member from options offered by the Trustees.
- C. Disability Benefit – In the event that any active volunteer qualified under the LOSAP becomes disabled while actively engaged in the line of duty, providing volunteer firefighting or ambulance service, and in the event that the disability prevents the member from pursuing his or her normal occupation and in the event that the disability is of a permanent nature as certified by the Maryland Workers' Compensation Commission or other competent medical authority as designated by the Trustees, then the volunteer is entitled to receive the balance of any award not yet received, to which he or she may be entitled, regardless of age or length of service. These benefits shall begin on the first day of the month following thirty (30) days after establishment of the permanent disability.

- D. Death Benefit – In the event of the death of a volunteer qualified under the LOSAP prior to receiving an award, the volunteer's beneficiary of record shall receive a death benefit of three-thousand dollars (\$3,000.00), and a lump sum distribution in an amount equal to the amount the member would have received had the member become eligible for a benefit payment as of the date of death based upon contributions and earnings as determined by the Trustees. In the event of the death of a volunteer qualified under the LOSAP who is receiving an award, the beneficiary of record shall receive the balance of any payments due the deceased volunteer.

IX. Special Provisions

- A. Break In Service - A volunteer whose service is interrupted by resignation or involuntary termination shall be deemed to have suffered a break in service. Service credit earned prior to the break in service will be lost unless the volunteer returns to certified active service within two (2) years of the termination date. Volunteers who leave service to join United States military forces shall not be deemed to have suffered a break in service if the volunteer member:
- (1) is released from military service under "honorable conditions," and
 - (2) returns to certified active service within two (2) years of discharge from the military.
- It shall be the responsibility of each volunteer to notify the Fire Chief or Fire President of the volunteer's initial eligibility for re-entry into the LOSAP after a break in service, in writing, by completing a LOSAP Application and Notice of Change Form, no later than March 1st prior to the plan year. Forms submitted for initial application after March 1st will not be accepted.
- B. Service Prior to January 1, 1999 - Volunteers may count years of service, certified active by the Fire Company Chief or President, prior to January 1, 1999 toward years of service required for receipt of benefits, but no retroactive award contributions shall be made for such years.
- C. Disqualification - Volunteers, Company Chiefs or Company Presidents who intentionally falsify information on any LOSAP document, in addition to criminal penalties, may be disqualified from participation in the LOSAP and forfeit all future benefits and prior award contributions.
- D. Singular Award - A volunteer is not eligible to receive more than one award under this plan.

X. Funding

- A. Appropriations - Funding may be appropriated annually by the County Commissioners and shall be subject to budget procedures and constraints.
- B. Initial Funding – The initial appropriation shall be equal to:
1. Two hundred dollars (\$200) for each volunteer qualified under the LOSAP Annual Contribution Plan; and
 2. Sufficient funds to fund the Monthly Award Plan contemplated to be one hundred, twenty-two thousand dollars (\$122,000) for the first plan year.
- C. Annual Contributions - Annual contributions shall be made each year from the annual appropriations.
- D. Lapsed Contributions - Lapsed Contributions made on account of volunteers who fail to become eligible for payment of benefits shall remain assets of the LOSAP trust and may be considered by the County Commissioners in annual funding and reduce the funding target per volunteer.

RESOLUTION NO. 06 - 21

RESOLUTION AMENDING THE WORCESTER COUNTY
LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR VOLUNTEER FIREFIGHTERS AND
AMBULANCE COMPANY MEMBERS OF WORCESTER COUNTY

WHEREAS, Section PS 1-109 of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland provides that the County Commissioners may, by resolution, establish a Length of Service Award Program (LOSAP) for qualified members of Chartered Volunteer Fire Companies and qualified volunteer ambulance companies of the county; and

WHEREAS, the County Commissioners adopted a LOSAP by Resolution No. 00-26 on July 25, 2000; and

WHEREAS, the County Commissioners have determined the need to streamline the annual certification process by accepting a copy of the Maryland State Fireman's Association Individual End of Year Points Report as certification of active service for the previous calendar year and eligibility to participate in LOSAP.


NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that Section VI.A. of the Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire and Ambulance Companies is hereby amended to read as follows:

- A. Annual Certification of Service - Beginning February 1, 2007, and no later than March 1st of each year thereafter, each Fire and Ambulance company shall furnish a copy of the Maryland State Fireman's Association Individual End of Year Points Report as certification of active service for the previous calendar year and eligibility to participate in LOSAP. Following submission of the reports, the Trustees shall furnish each Fire and Ambulance company with a list of active eligible members reported. Fire companies who do not submit the required reports by the deadline may not be funded for the LOSAP for the upcoming fiscal year.

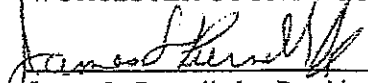
AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED AND ADOPTED this 5th day of September 2006.

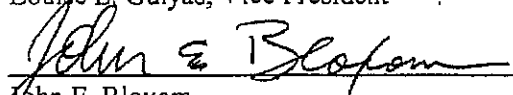
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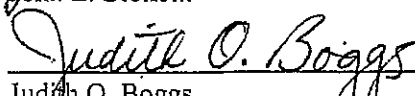

Gerald T. Mason
Chief Administrative Officer

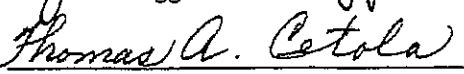
WORCESTER COUNTY COMMISSIONERS

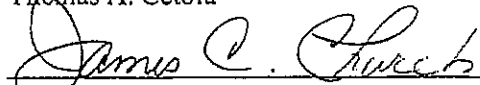

James L. Purnell, Jr., President

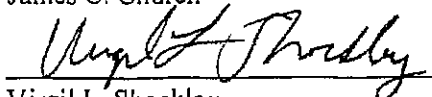
Louise L. Gulyas, Vice President


John E. Bloxom


Judith O. Boggs


Thomas A. Cetola


James C. Church


Virgil L. Shockley

Memo To: Volunteer Members of Chartered Fire and Ambulance Companies

Re: Background of the Length of Service Awards Program (LOSAP)

In July of 2000, the LOSAP Trust was formed as a benefit program for the volunteer members of the chartered fire and ambulance companies of Worcester County. It was determined that funds would be allocated each fiscal year to the Trust for the benefit of the volunteers.

When the program was established a group of administrators, fireman, and county officials worked together to determine how the benefits would be paid. Because of the diversity in age of the volunteers, it was determined that a one-time election could be made to be part of the "monthly" award program or the "annual" award program. Each volunteer member on the roster as of December 31, 1999 made such an election. It was further determined that any volunteer added to the roster after December 31, 1999 would automatically be enrolled in the "annual" award program.

Each year end since December 31, 1999 a certification form for each volunteer has been submitted to the LOSAP administrator for each volunteer that qualified for the "tax credits" provided by the State of Maryland. This certification made them eligible for a contribution to the LOSAP Trust. **The Trust is owned by the Worcester County Commissioners and is operated and managed for the benefit of the volunteers. If the volunteers meet certain requirements, they are eligible to apply for benefit payments. No individual accounts are maintained.**

Qualified members are entitled to receive their award on the first day of the month following attainment of:

1. Age 60, and
2. 25 years of certified active service, and
3. Life Member or Gold Badge Member (inactive).

Participants in the "annual" program may remain in the plan and accrue benefits to the greater of age 60 or 30 years certified service. No partial vesting will be granted except in case of qualified disability or death. At the time of award, the calculated value (contributions for each year of certified service, plus earnings on the Trust) will be transferred to the member.

LOSAP HIGHLIGHTS

Purpose

The purpose of the Worcester County Volunteer Length of Service Award Program is the enhance recruitment of new members and retention of current members by providing a monetary award to qualified volunteers based on the length of active service to a chartered Worcester County Volunteer Fire Company.

Trustees

The Worcester County Commissioners will serve as Trustees of the Plan may make amendments to the Plan and/or terminate the Plan in whole or in part at its discretion.

Plan Administrator

The Plan Administrator is KSG Securities, Inc./The Medallion Group.

Plan Dates

The Plan year shall be the 12-month period beginning on July 1 and ending the following June 30. The date of plan entry for qualified participants will be July 1 of each year.

The deadline for submission of LOSAP Certification forms to the County Human Resources Director will be March 1 of each year. The deadline for submission of certification forms to the Plan Administrator will be April 1 of each year.

Eligibility For Plan Entry

Applicants who meet criteria defined by the Trustees based on the Worcester County Volunteer Firemen's Association Point System for Determining Active Status will be certified annually for plan entry. The Fire Chief and President of each Fire Company will certify each current and new member's eligibility by completing a LOSAP Certification Form and maintain a record of eligibility for each member. Certification forms submitted after the March 1 deadline will not be honored for that plan year.

Fire Companies must apply to the Trustees for approval of additions to LOSAP Eligibility Rosters no later than January 1 of each year.

Award Entitlement

Qualified members age 45 - 59 years as of December 31, 1999, may elect to participate in either the Monthly Benefit Award Plan or the Annual Contribution Award Plan. Only one plan may be elected. After election of a plan, no changes will be made.

Qualified members age 44 years and younger as of December 31, 1999 and all new members will receive an annual award in the amount of two-hundred dollars (\$200) deposited into an investment account on the member's behalf.

Qualified members are entitled to receive their award on the first day of the month following attainment of:

1. age sixty (60), and
2. twenty-five (25) years of certified active service, and
3. Life Member or Gold Badge Member status (inactive).

Participants in the Annual Contribution Awards may remain in the plan and accrue benefits to the greater of age 60 or 30 years certified active service. No partial vesting will be granted except in case of a qualified disability or death. At the time of award, the full value of the member's account will be transferred to the member at which time a payment method may be elected.

Break in Service

A member whose service is interrupted by resignation or involuntary termination shall be deemed to have suffered a break in service. Service credit prior to the break in service will be lost unless the member returns to active service within two (2) years of the termination date. Members who leave service to join United States military forces during a time of war or other national emergency shall not be deemed to have suffered a break in service if the member returns to active service within two (2) years of military discharge.

Disqualification

Members, fire chiefs and/or fire company presidents who intentionally falsify information on any required LOSAP document may be disqualified from participation in the LOSAP and all prior service credit will be forfeited.

Disability

A participant of the Annual Contribution Award Plan who becomes injured while in the line of duty and qualifies for Social Security Disability Benefits shall be eligible to receive the full value of the members award account as of the date of injury.

A participant of the Monthly Award Plan who becomes injured while in the line of duty and qualifies for Social Security Disability Benefits shall be eligible to receive a monthly awards for the number of years equal to certified active service prior to the date of injury.

Death

Upon the death of an Annual Contribution Award Plan participant, the member's beneficiary(s) will receive a three-thousand dollar (\$3,000) death benefit in addition to the full value of the member's award account as of the date of death.

Upon the death of a Monthly Benefit Award Plan participant, the member's beneficiary(s) will receive a three-thousand dollar (\$3,000) death benefit in addition to a lump-sum award equal to two-hundred dollars (\$200.00) per year for each year of certified service credit prior to death.

Funding

The Trustees will make the final decision on how the Plan will be funded.



Maryland State Firemen's Association
Maryland Income Tax Subtraction Modification
Point System Reporting Program
Individual End-Of-Year Points Report
 (Attach To Your Maryland Return)

NAME:

TAX YEAR: 2017

ADDRESS:

SOCIAL SECURITY NO.: - -

FIRE/RESCUE/EMS DEPT:

	POINTS CREDITED	DO NOT EXCEED MAXIMUM
1. FORMAL TRAINING	(25 POINTS MAXIMUM)	0.00
2. DRILLS	(20 POINTS MAXIMUM)	0.00
3. SLEEPIN/STANDBY	(20 POINTS MAXIMUM)	0.00
4. ELECTED/APPOINTED POSITION	(25 POINTS MAXIMUM)	0.00
5. MEETINGS	(25 POINTS MAXIMUM)	0.00
6. ALARMS	(40 POINTS MAXIMUM)	0.00
7. COLLATERAL DUTIES	(25 POINTS MAXIMUM)	0.00
	TOTAL POINTS CREDITED -----	0.00

DEPARTMENT POINT SYSTEM COORDINATOR

DATE

AUTHORIZED DEPARTMENT OFFICIAL
(PRESIDENT, SECRETARY, BOARD CHAIRMAN)

DATE

YEARS OF SERVICE: _____

POINTS CREDITED: 0.00

QUALIFIED: Yes No

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Report subtraction modification of \$4,500.00 on Maryland Form 502, Line "OTHER SUBTRACTIONS FROM INCOME."

TRILOGY FINANCIAL SERVICES COMPANY

Taxes, Estate, Asset Management

201 River Street

(410) 632-4562 * phone

Snow Hill, Maryland 21863

(410) 632-4563 * fax

www.triteam.net

Worcester County LOSAP Trust Direct Deposit Application Form

FROM: _____

FIRE CO: _____

RE: Automatic Check Deposit Program

Please deposit my Worcester County LOSAP Trust check into my bank account as indicated below. I understand this direct deposit will continue until such time as I am notified to the contrary by the Worcester County LOSAP Administrator. I understand this authorization agreement may be terminated by the Worcester County LOSAP trust Administrator with appropriate notification.

____ New Application

____ Change in Application (Bank information)

Please deposit into my **CHECKING** account:

Name of bank: _____

State: _____

Routing #: _____

ACCOUNT #: _____

Please deposit into my **SAVINGS** account:

Name of bank: _____

State: _____

Routing #: _____

ACCOUNT #: _____

In the event the Worcester County LOSAP Trust notifies the bank that funds to which I am not entitled have been deposited inadvertently, I hereby authorize and direct the bank to return said funds to the Worcester County LOSAP Trust.

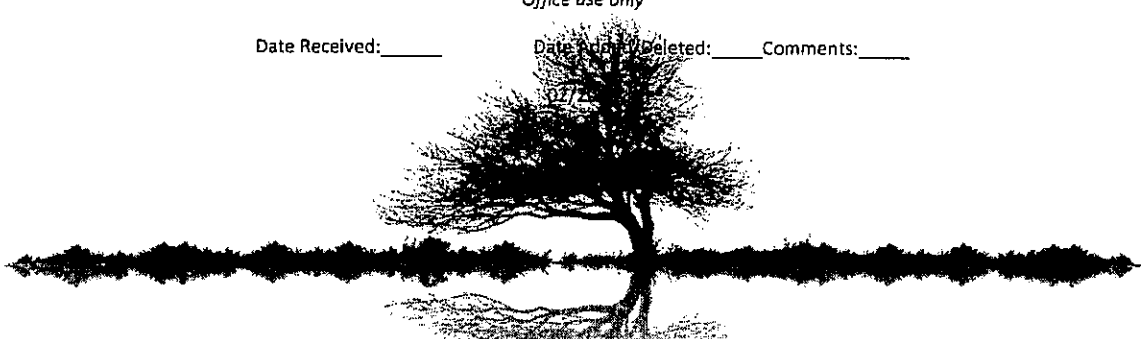
(Participant Signature)

(Date)

Office use only

Date Received: _____

Date Deleted: _____ Comments: _____



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COUNTY LOSAP BENEFIT SUMMARY (as of 9/1/2017)

(This chart summarizes the current benefit information by County based on their LOSAP programs.)

Length of Service Awards Program							
COUNTY	AGE	YEARS OF CERTIFIED SERVICE	BASIC PAYMENT PER MONTH	MAXIMUM BENEFITS	SURVIVING SPOUSE	BURIAL BENEFIT	COST OF LIVING
Allegheny	60	10	\$70 + \$7 ⁽ⁱ⁾	\$105	None	None	None
	(Does not start until 2019)						
Anne Arundel	50	25	\$300	\$300	50%	None	None
	50	35	\$350	\$350	50%	None	None
	50	45	\$400	\$400	50%	None	None
Baltimore	60	25	\$290	\$290	None	\$5,000	None
Calvert	50	25	\$400 + \$10 ^(a)	None	50%	\$6,000	None
Caroline	65	25 - 29	\$135 paid quarterly	None	50%	None	Periodic Review
	65	30 - 34	\$145 paid quarterly	None	50%	None	Periodic Review
	65	35 - 39	\$155 paid quarterly	None	50%	None	Periodic Review
	65	40 +	\$165 paid quarterly	None	50%	None	Periodic Review
Carroll	60	25	\$135 + \$8 ^(a)	None	None	\$5,000	None
Cecil	55	25	\$300 + \$6 ^(a)	\$450	50%	\$1,000	None
Charles	60	25	\$250 + \$10	None	75%	\$5,000	None
	55	25	\$187.50 + \$7.50	None	75%	\$5,000	None
Frederick	65	25	\$200 paid quarterly plus \$20 per month for each add'l 5 years	Add'l \$20 up to \$300	See ^(d)	\$15000 or prorated @ \$600 for qual yr of service	Periodic Review
Harford	55	25	\$300 + \$6 ^(a)	\$450	50%	\$5,000	None
Howard	50	25	\$480 + \$10 ^(a)	None	6 months	\$5,000	See (L)
Kent	65	25	^(g)	\$150	None	None	None
Montgomery	^(e)	25	\$233 + \$11.70 ^(a)	\$350	50%	\$5,000	None
	60	15	\$139.80 + \$9.32 ^(j)	\$350	50%	\$5,000	None
	65	10	\$93.20 + \$9.32 ^(j)	\$350	50%	\$5,000	None
Prince George's	55	25	\$400 + \$8 ^(a)	None	50%	\$10,000	None
Queen Anne's	55	>5/<40	\$6 x Yrs of Serv ^(h)	\$240	None	None	None
	Includes a \$25,000 life insurance policy that is valid during active membership and continues for life after a member entitles at age 55.						
Somerset	62	25	\$300 every 6 months	None	None	None	None
St. Mary's	60	20	\$200 + \$8 ^(f)	None	50%	Line of Duty Only	Equal to State
	55	20	\$150 + \$8 ^(f)	None	50%	Line of Duty Only	Equal to State
Talbot	62	25	\$200	None	None	\$5000 (with 25 years or more)	Periodic Review
Washington	62	25	\$200 + \$15 ^{(a)(m)}	\$350	100%	\$4,000	None
Wicomico	No benefits program. Only provides a \$10,000 life insurance policy.						
Worcester	60	25	\$200 per year ^(l)	N/A	N/A	\$3000 (life ins)	N/A
The Town of Ocean City and the City of Salisbury have programs.							

(a)	per month added for each full year of certified service over 25 years (m) \$8 at age 70
(b)	changes yearly based on the Consumer Price Index
(c)	cannot be increased or decreased by more than 4%
(d)	in the event of death before receiving \$15,000, the surviving beneficiary will receive a partial benefit equal to the difference between payments received and a minimum award of \$15,000
(e)	age 55 with 25 years of service before 1996 or any age with 25 years of service after December 31, 2003
(f)	per month added for each full year of certified service over 20 years
(g)	\$6 per month per year of past service (maximum 5 years). Must have 12 full months of qualifying service after effective date.
(h)	\$6 per month per year of past service (maximum 20 years). Must have 12 full months of qualifying service after effective date.
(i)	amount equal to the total annual contributions made on behalf of each volunteer plus investment earnings
(j)	per month added for each additional year of certified service (maximum 15 years). Must have 10 years of certified service after effective date - January 1, 2009.
(k)	per month added for each additional year of certified service
(L)	payment equal to 1% of career trainee pay

<https://www.msfa.org/content/incentives/LOSAPBenbyco17.pdf>

**Worcester County
Length of Service Award Program
AWARD DISTRIBUTION APPLICATION**

Date Eligible to Receive Award: _____ Today's Date: _____

By my signature below, I hereby certify that I am:

- **A current active member who has completed a minimum of twenty-five (25) years of active service,**

and am thereby qualified to make application for distribution of an award under the Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire and Ambulance Companies.

Please print all information requested below:

Full Name of Volunteer: _____

Volunteer Fire Company Served: _____

Mailing Address: _____

Home Telephone Number: _____

Date of Birth: _____ Social Security Number: _____

Name of Beneficiary*: _____

*Beneficiary must be an individual. Do NOT name "Estate."

Beneficiary's Social Security Number: _____

Mailing Address & Phone Number of Beneficiary: _____

Volunteer Signature: _____ Date: _____

By our signatures below, we certify that, to the best of our knowledge, the information provided above is true and correct and the above-signed volunteer is qualified to apply for award distribution.

Company Fire Chief: _____ Date: _____

Company Fire President: _____ Date: _____

This form must be completed and returned to the Human Resources Director, Worcester County Gov't Center, 1 W. Market St., Room 1301, Snow Hill, MD 21863 for approval prior to award distribution.

Proposed

Strike and
Replace
Version

WORCESTER COUNTY
LENGTH OF SERVICE AWARD PROGRAM
FOR VOLUNTEER MEMBERS OF
CHARTERED FIRE AND AMBULANCE COMPANIES
(As Amended ~~September-5, 2006~~ October 15, 2019)

I. Establishment of Program

There is hereby established, effective July 1, 2000, a Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire Companies and Ambulance Companies approved by the Trustees, eligible under the provisions of Subtitle I of Title I of the Public Safety Article of the Code of Public Local Laws of Worcester County, governed by this resolution herein sometimes referred to as "volunteer." This Program may be referred to as the LOSAP.

II. Trustees – Appointment, Powers and Restrictions

A. Appointment - The Worcester County Commissioners will serve ex officio as the LOSAP Trustees.

B. Powers - The Trustees shall have the following powers in addition to any other powers provided by statutory law or common law:

1. To retain any and all stocks, bonds, notes, securities and other property comprising a part of any trust fund created hereunder without liability for any decrease in the value thereof;
2. To sell, at public or private sale, exchange for like or unlike property, convey, lease for longer or shorter terms than the trusts created hereunder, and otherwise dispose of any and all property, real and personal, held hereunder for such price and upon such terms and credit as the Trustees may deem proper;
3. To invest any money held hereunder and available for investment in any and all kinds of securities or property, whether or not of the kind authorized by the common law or by the laws of any state or country to which the Trustees would, in the absence of this provision, be subject;
4. To form or join in forming any corporation and subscribe for or acquire stock in any corporation in exchange for money or other property;
5. To retain cash included in any trust fund created hereunder without investment thereof for such period of time as they shall deem advisable, whenever the Trustees shall determine that it is inadvisable to invest such cash because of market conditions or for any other reasons;
6. To vote, directly or by proxy, at any election or stockholders' meeting any shares of stock held hereunder;
7. To exercise or dispose of or reject any purchase rights arising from or issued in connection with any stock, securities or other property held hereunder;
8. To bid for and become the purchasers of any real or personal property sold at any foreclosure or other sale in which the Trustees may have a mortgage or other interest hereunder and to hold or resell the same without liability for any loss resulting therefrom;
9. To repair, alter or demolish any existing building or structure and to erect any building or structure on any real estate held hereunder;

10. To effect fire, liability, casualty title or other insurance of such nature and in such form and amount as may be desirable upon any property held hereunder;
11. To participate in any plan or proceeding for protecting or enforcing any right, obligation or interest arising from any stock, bond, note, securities or property held hereunder or for reorganizing, consolidating, merging or adjusting the finances of any corporation issuing the same; to accept in lieu thereof any new property; to pay any assessment or expense incident thereto; to join in any voting trust agreement; and to do any other act or thing which the Trustees may deem necessary or advisable in connection therewith;
12. To employ, upon such terms and with such discretionary powers as the Trustees may approve, servants, agents and attorneys-at-law or in-fact, and to obtain the advice of any investment counsel or other institution or individual;
13. To collect, pay, abandon, contest, compromise or submit to arbitration any claim in favor of or against the trust property or any part thereof or the Trustees;
14. To determine, in accordance with generally accepted trust accounting principles, whether receipts and disbursements shall be credited to or charged against principal or income, or partly to or against principal and partly to or against income, which determination shall be conclusive and binding upon all interested parties;
15. To make any allotment or distribution herein provided for in cash or in kind, or partly in cash or partly in kind, in separate or undivided shares, and fairly and reasonable to value and apportion the property so allotted or distributed, which values and apportionments shall be conclusive and binding upon all interested parties;
16. To borrow money for such periods of time and upon such terms and conditions as the Trustees may deem advisable for any purpose whatsoever and to mortgage or pledge such part or the whole of the trust property as may be required to secure such loan or loans;
17. To lend money to any beneficiary then entitled to receive income from any trust fund created hereunder on the secured note of such beneficiary or on security;
18. To hold stocks and other assets and open bank accounts in the name of the Trustees with full disclosure of the fiduciary relationship, or in the name of such nominee as may be appointed exclusively by a bank or trust company acting as custodian for the trust;
19. To appoint from time to time, by instrument in writing, any one of the Trustees as the representative of all in the performance and execution of all acts and the exercise of all judgement and discretion in connection with the administration or performance of the trusts hereby created, and any trustee may from time to time delegate any or all of his powers and duties, whether of an administrative or fiduciary nature, to any other Trustee or Trustees hereunder;
20. For fair and adequate consideration, to purchase or sell any property, real or personal, from or to any Trustee, or from or to the estate of any Trustee, and such purchases or sales shall be as valid and binding as purchases or sales from or to any other person or estate;
21. To invest the whole or any part of any trust fund created hereunder in any single security or asset or any single type of security or other asset without liability for any loss resulting from such lack of diversification;
22. To construe the provisions and terms of this trust, whenever necessary, and to act upon the advice of counsel in relation thereto; and
23. From time to time, to change the situs of the trust or trust property or any part thereof to any city or place in the United States or any other country without permission or order of any court, it being the intention and purpose of the donor that the Trustees shall have sole and absolute discretion as to where the situs of the trust or trust property or an part thereof shall be located. Any such change in situs shall be effected in any manner deemed by the Trustees to be suitable to accomplish the desired change.

C. Restrictions - Notwithstanding any powers conferred upon the Trustees or any successor Trustees elsewhere in this resolution, no Trustee hereunder or any other person shall have at any time, or in any manner or capacity, either directly or indirectly, the power to do any of the following with respect to any of the trusts or trust funds created hereunder.

1. To revest title to any part of the principal in the donor;
2. To hold or accumulate any part of the income for future distribution to the donor;
3. To distribute any part of the income to the donor;
4. To enable any person to purchase, exchange, or otherwise deal with or dispose any part of or all of the principal or income for less than adequate and full consideration in money or money's worth;
5. To enable the donor, directly or indirectly, to borrow any part or all of the principal or income;
6. To exercise any power of administration over any trust created hereunder, without the approval or consent of any person in a fiduciary capacity, other than a fiduciary capacity for the benefit of the beneficiaries hereunder, which powers shall include specifically, but without limitation of the foregoing:
 - (a) a power to vote or direct the voting of stock or other securities held hereunder,
 - (b) a power to control investment of any trust fund by directing investments or reinvestments, or by vetoing proposed investments, or reinvestments, and a power to enable anyone to acquire trust corpus by substituting other property of any equivalent value;
7. To engage in any act of self-dealing as defined in Section 4941 (d) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4941 (a) of the Internal Revenue Code of 1986;
8. To retain any undistributed income as defined in Section 4942 of the Internal Revenue Code of 1986 which would give rise to any liability of the tax imposed by Section 4942 (a) of the Internal Revenue Code of 1986;
9. To retain any excess business holdings as defined in Section 4943 (c) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4943 (a) of the Internal Revenue Code of 1986;
10. To make any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of Section 4944 of the Internal Revenue Code of 1986 so as to give rise to any liability for the tax imposed by Section 4944 (a) of the Internal Revenue Code of 1986;
11. To make any taxable expenditures as defined in Section 4945 (d) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4945 (a) of the Internal Revenue Code of 1986.

III. Plan Administrator and Investment Manager

The plan administrator and investment manager shall be determined, from time to time, by the Trustees. The first plan administrator and investment manager shall be KSG Securities, Inc., whose address is 228 N. Division St., Salisbury, MD 21801. The current plan administrator and investment manager is Trilogy Financial Services, whose address is 203 Willow Street, Snow Hill, MD 21863.

IV. Plan Dates

The plan year shall coincide with the Worcester County fiscal year, beginning on July 1st and ending the following June 30th. The service year will begin on January 1st prior to the plan year, and end on the following December 31st.

V. Initial Application for Participation in the LOSAP

- A. Volunteer Responsibility - It shall be the responsibility of each volunteer to notify the Company Fire Chief or Fire President of the volunteer's initial eligibility for participation or re-entry into the LOSAP after a break in service, in writing, by completing a LOSAP Application and Notice of Change Form, no later than March 1st prior to the plan year. Forms submitted for initial application after March 1st will not be accepted.
- B. Late Applications - Volunteers who are denied entry on account of a late application may reapply for plan entry the following year. Prior year(s) of service certified active by the Fire Company Chief and President may count toward years of service required for receipt of benefits, however, no retroactive contribution shall be made for such year(s).

VI. Annual Certification of Service, Maintenance of Records & Appeals

- A. Annual Certification of Service - Beginning February 1, 2007, and no later than March 1st of each year thereafter, each Fire and Ambulance company shall furnish a copy of the Maryland State Fireman's Association Individual End of Year Points Report as certification of active service for the previous calendar year and eligibility to participate in LOSAP. Following submission of the reports, the Trustees shall furnish each Fire and Ambulance company with a list of active eligible members reported. Fire companies who do not submit the required reports by the deadline may not be funded for the LOSAP for the upcoming fiscal year.
- B. Notice of Certification - Beginning March 1, 1999, and each March 1st thereafter, each Volunteer Fire and Ambulance Company shall furnish the Trustees a statement, certifying under oath by the Company Chief and Company President, all volunteers of the company whose service for the previous calendar year has been certified under the LOSAP. Each statement shall contain each qualifying member's date of birth, age and total years of active service including certified active service with other volunteer companies in Worcester County, and any other information as may be required by the Trustees.
- C. Approval - Upon receipt of this statement, the Trustees shall review and approve volunteers qualified under the LOSAP on the list and forward it to the Plan Administrator and Fire Companies.
- D. Records - It is the responsibility of each participating Volunteer Fire and Ambulance Company to maintain detailed and accurate records for each volunteer qualified under the LOSAP on forms prescribed by the Trustees.
- E. Appeal - A volunteer aggrieved by any decision of the Trustees with respect to credit qualification or benefit amounts, has the right to appeal to the Trustees within thirty (30) days following the transmittal of the list of approved volunteers to the Fire Companies. The appeal shall be in writing and addressed to the Trustees, who shall make a final and binding decision regarding the appeal. The appeal hearing shall be conducted by the Trustees within sixty (60) days of the request, but not less than (10) days after notifying the appellant of the scheduled hearing date. There shall be no appeal to any court.

VII. Eligible Service Requirement

In order for a year of service to be approved by the Trustees to count toward years of certified service required for LOSAP award, a volunteer must have service certified as active for the service year prior to the plan entry date by the Company Fire Chief and Company President, in accordance with the provisions of the Worcester County Volunteer Firemen's Association Point System for Determining Active Status, as adopted by Resolution of the Worcester County Commissioners on December 12, 1995 as from time to time amended.

VIII. Award Eligibility & Benefits

- A. Eligibility – Any volunteer who has served as a member of a Worcester County Volunteer Fire or approved Ambulance Company and has qualified under the LOSAP is eligible to receive the benefits as hereinafter set forth.
- B. Plan Election - Volunteers qualified for participation in the LOSAP may participate in either a Monthly Award Plan or Annual Contribution Award Plan as follows:
1. Monthly Award Plan
 - a. Volunteers qualified under the LOSAP, age 45 or older on or before December 31, 1999, are eligible to elect, before September 30, 2000, a monthly award plan.
 - b. In order to receive a monthly award, a volunteer must:
 - 1) reach the age of sixty (60), and
 - 2) complete or have completed a minimum of twenty-five (25) years of certified active service; and
 - 3) submit an Award Distribution Application to the Trustees.
 - c. Benefits shall be in the amount of fifty dollars (\$50.00) per month, for a maximum of ~~one~~two hundred ~~twenty~~(200) months for a total award of ~~six~~ten-thousand dollars (~~\$6~~10,000.00). Payments shall begin on the first day of the first month following thirty (30) days after application is made. Payments shall be made directly to the volunteer entitled to such benefits. Award payments shall cease upon death.
 - d. Once the election to participate in the Monthly Award Plan is made, the decision cannot be changed.
 2. Annual Contribution Plan
 - a. All volunteers qualified under the LOSAP, other than those enrolled in the Monthly Award Plan as specified in Section VIII.B.1. hereof, will be enrolled in the Annual Contribution Plan. An annual contribution in an amount determined by the Trustees will be made on behalf of each volunteer qualified under the LOSAP and enrolled in the Annual Contribution Plan for a period not to exceed ~~thirty~~(30)~~fifty~~(50) years.
 - b. In order to receive an award a volunteer must:
 - 1) ~~reach the~~no age of ~~sixty~~(60), ~~and~~requirement
 - 2) complete or have completed a minimum of twenty-five years of certified active service, and
 - 3) submit an Award Distribution Application to the Trustees.
 - c. Benefits shall be in an amount equal to the total of annual contributions made on behalf of the volunteer plus the investment earnings thereon as determined by the Trustees. Payments shall be made in accordance with the payment plan selected by the member from options offered by the Trustees.
- C. Disability Benefit – In the event that any active volunteer qualified under the LOSAP becomes disabled while actively engaged in the line of duty, providing volunteer firefighting or ambulance service, and in the event that the disability prevents the member from pursuing his or her normal occupation and in the event that the disability is of a permanent nature as certified by the Maryland Workers' Compensation Commission or other competent medical authority as designated by the Trustees, then the volunteer is entitled to receive the balance of any award not yet received, to which he or she may be entitled, regardless of age or length of service. These benefits shall begin on the first day of the month following thirty (30) days after establishment of the permanent disability.

- D. Death Benefit – In the event of the death of a volunteer qualified under the LOSAP prior to receiving an award, the volunteer's beneficiary of record shall receive a death benefit of three-thousand dollars (\$3,000.00), and a lump sum distribution in an amount equal to the amount the member would have received had the member become eligible for a benefit payment as of the date of death based upon contributions and earnings as determined by the Trustees. In the event of the death of a volunteer qualified under the LOSAP who is receiving an award, the beneficiary of record shall receive the balance of any payments due the deceased volunteer.

IX. Special Provisions

- A. Break In Service -A volunteer whose service is interrupted by resignation or involuntary termination shall be deemed to have suffered a break in service. Service credit earned prior to the break in service will be lost unless the volunteer returns to certified active service within two (2) years of the termination date. Volunteers who leave service to join United States military forces shall not be deemed to have suffered a break in service if the volunteer member:
(1) is released from military service under "honorable conditions," and
(2) returns to certified active service within two (2) years of discharge from the military. It shall be the responsibility of each volunteer to notify the Fire Chief or Fire President of the volunteer's initial eligibility for re-entry into the LOSAP after a break in service, in writing, by completing a LOSAP Application and Notice of Change Form, no later than March 1st prior to the plan year. Forms submitted for initial application after March 1st will not be accepted.
- B. Service Prior to January 1, 1999 - Volunteers may count years of service, certified active by the Fire Company Chief or President, prior to January 1, 1999 toward years of service required for receipt of benefits, but no retroactive award contributions shall be made for such years.
- C. Disqualification - Volunteers, Company Chiefs or Company Presidents who intentionally falsify information on any LOSAP document, in addition to criminal penalties, may be disqualified from participation in the LOSAP and forfeit all future benefits and prior award contributions.
- D. Singular Award - A volunteer is not eligible to receive more than one award under this plan.

X. Funding

- A. Appropriations - Funding may be appropriated annually by the County Commissioners and shall be subject to budget procedures and constraints.
- B. Initial Funding – The initial appropriation shall be equal to:
1. Two hundred dollars (\$200) for each volunteer qualified under the LOSAP Annual Contribution Plan; and
 2. Sufficient funds to fund the Monthly Award Plan contemplated to be one hundred, twenty-two thousand dollars (\$122,000) for the first plan year.
- C. Annual Contributions - Annual contributions shall be made each year from the annual appropriations.
- C. D. Lapsed Contributions - Lapsed Contributions made on account of volunteers who fail to become eligible for payment of benefits shall remain assets of the LOSAP trust and may be considered by the County Commissioners in annual funding and reduce the funding target per volunteer.

XI. Retention Bonus

- A. A volunteer firefighter will receive a one time flat rate of \$2500 retention bonus after completing five (5) years of active volunteer service in a Worcester County Fire Company. This will only be offered to new volunteers that start after January 1, 2020. Current volunteers that transfer to a different Worcester County Fire Company are excluded. The Fire Company President and Chief will verify the qualified volunteer and submit a request to the Human Resources Director by March 1 of each calendar year.

DRAFT

**RESOLUTION REVISING WORCESTER COUNTY
LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR VOLUNTEER FIREFIGHTERS AND
AMBULANCE COMPANY MEMBERS OF WORCESTER COUNTY**

WHEREAS, Section PS 1-109 of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland provides that the County Commissioners of Worcester County, Maryland (“County Commissioners”) may, by resolution, establish a Length of Service Award Program (LOSAP) for qualified members of Chartered Volunteer Fire Companies and qualified Volunteer Ambulance Companies of the County; and

WHEREAS, the County Commissioners adopted a LOSAP by Resolution No. 00-26 on July 25, 2000 and revised the program by Resolution No. 06-21 on September 5, 2006 to streamline the annual certification process by accepting a copy of the Maryland State Fireman’s Association Individual End of Year Points Report as certification of active service for the previous calendar year and eligibility to participate in LOSAP; and

WHEREAS, the County Commissioners have determined the need to further modify the LOSAP to better assist the Fire and Ambulance Companies in recruitment and retention of active members; and

WHEREAS, the County Commissioners wish to formally approve the revised Worcester County Length of Service Award Program (LOSAP) for Volunteer Members of Chartered Fire and Ambulance Companies attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire and Ambulance Companies attached hereto is hereby adopted and shall replace the previously adopted LOSAP.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect nunc pro tunc July 1, 2019.

PASSED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

Harold L. Higgins
Chief Administrative Officer

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

WORCESTER COUNTY
LENGTH OF SERVICE AWARD PROGRAM
FOR VOLUNTEER MEMBERS OF
CHARTERED FIRE AND AMBULANCE COMPANIES
(As Amended October 15, 2019)

I. Establishment of Program

There is hereby established, effective July 1, 2000, a Worcester County Length of Service Award Program for Volunteer Members of Chartered Fire Companies and Ambulance Companies approved by the Trustees, eligible under the provisions of Subtitle I of Title I of the Public Safety Article of the Code of Public Local Laws of Worcester County, governed by this resolution herein sometimes referred to as "volunteer." This Program may be referred to as the LOSAP.

II. Trustees – Appointment, Powers and Restrictions

A. Appointment - The Worcester County Commissioners will serve ex officio as the LOSAP Trustees.

B. Powers - The Trustees shall have the following powers in addition to any other powers provided by statutory law or common law:

1. To retain any and all stocks, bonds, notes, securities and other property comprising a part of any trust fund created hereunder without liability for any decrease in the value thereof;
2. To sell, at public or private sale, exchange for like or unlike property, convey, lease for longer or shorter terms than the trusts created hereunder, and otherwise dispose of any and all property, real and personal, held hereunder for such price and upon such terms and credit as the Trustees may deem proper;
3. To invest any money held hereunder and available for investment in any and all kinds of securities or property, whether or not of the kind authorized by the common law or by the laws of any state or country to which the Trustees would, in the absence of this provision, be subject;
4. To form or join in forming any corporation and subscribe for or acquire stock in any corporation in exchange for money or other property;
5. To retain cash included in any trust fund created hereunder without investment thereof for such period of time as they shall deem advisable, whenever the Trustees shall determine that it is inadvisable to invest such cash because of market conditions or for any other reasons;
6. To vote, directly or by proxy, at any election or stockholders' meeting any shares of stock held hereunder;
7. To exercise or dispose of or reject any purchase rights arising from or issued in connection with any stock, securities or other property held hereunder;
8. To bid for and become the purchasers of any real or personal property sold at any foreclosure or other sale in which the Trustees may have a mortgage or other interest hereunder and to hold or resell the same without liability for any loss resulting therefrom;
9. To repair, alter or demolish any existing building or structure and to erect any building or structure on any real estate held hereunder;

10. To effect fire, liability, casualty title or other insurance of such nature and in such form and amount as may be desirable upon any property held hereunder;
11. To participate in any plan or proceeding for protecting or enforcing any right, obligation or interest arising from any stock, bond, note, securities or property held hereunder or for reorganizing, consolidating, merging or adjusting the finances of any corporation issuing the same; to accept in lieu thereof any new property; to pay any assessment or expense incident thereto; to join in any voting trust agreement; and to do any other act or thing which the Trustees may deem necessary or advisable in connection therewith;
12. To employ, upon such terms and with such discretionary powers as the Trustees may approve, servants, agents and attorneys-at-law or in-fact, and to obtain the advice of any investment counsel or other institution or individual;
13. To collect, pay, abandon, contest, compromise or submit to arbitration any claim in favor of or against the trust property or any part thereof or the Trustees;
14. To determine, in accordance with generally accepted trust accounting principles, whether receipts and disbursements shall be credited to or charged against principal or income, or partly to or against principal and partly to or against income, which determination shall be conclusive and binding upon all interested parties;
15. To make any allotment or distribution herein provided for in cash or in kind, or partly in cash or partly in kind, in separate or undivided shares, and fairly and reasonable to value and apportion the property so allotted or distributed, which values and apportionments shall be conclusive and binding upon all interested parties;
16. To borrow money for such periods of time and upon such terms and conditions as the Trustees may deem advisable for any purpose whatsoever and to mortgage or pledge such part or the whole of the trust property as may be required to secure such loan or loans;
17. To lend money to any beneficiary then entitled to receive income from any trust fund created hereunder on the secured note of such beneficiary or on security;
18. To hold stocks and other assets and open bank accounts in the name of the Trustees with full disclosure of the fiduciary relationship, or in the name of such nominee as may be appointed exclusively by a bank or trust company acting as custodian for the trust;
19. To appoint from time to time, by instrument in writing, any one of the Trustees as the representative of all in the performance and execution of all acts and the exercise of all judgement and discretion in connection with the administration or performance of the trusts hereby created, and any trustee may from time to time delegate any or all of his powers and duties, whether of an administrative or fiduciary nature, to any other Trustee or Trustees hereunder;
20. For fair and adequate consideration, to purchase or sell any property, real or personal, from or to any Trustee, or from or to the estate of any Trustee, and such purchases or sales shall be as valid and binding as purchases or sales from or to any other person or estate;
21. To invest the whole or any part of any trust fund created hereunder in any single security or asset or any single type of security or other asset without liability for any loss resulting from such lack of diversification;
22. To construe the provisions and terms of this trust, whenever necessary, and to act upon the advice of counsel in relation thereto; and
23. From time to time, to change the situs of the trust or trust property or any part thereof to any city or place in the United States or any other country without permission or order of any court, it being the intention and purpose of the donor that the Trustees shall have sole and absolute discretion as to where the situs of the trust or trust property or an part thereof shall be located. Any such change in situs shall be effected in any manner deemed by the Trustees to be suitable to accomplish the desired change.

C. Restrictions - Notwithstanding any powers conferred upon the Trustees or any successor Trustees elsewhere in this resolution, no Trustee hereunder or any other person shall have at any time, or in any manner or capacity, either directly or indirectly, the power to do any of the following with respect to any of the trusts or trust funds created hereunder.

1. To revest title to any part of the principal in the donor;
2. To hold or accumulate any part of the income for future distribution to the donor;
3. To distribute any part of the income to the donor;
4. To enable any person to purchase, exchange, or otherwise deal with or dispose any part of or all of the principal or income for less than adequate and full consideration in money or money's worth;
5. To enable the donor, directly or indirectly, to borrow any part or all of the principal or income;
6. To exercise any power of administration over any trust created hereunder, without the approval or consent of any person in a fiduciary capacity, other than a fiduciary capacity for the benefit of the beneficiaries hereunder, which powers shall include specifically, but without limitation of the foregoing:
 - (a) a power to vote or direct the voting of stock or other securities held hereunder,
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9. To retain any excess business holdings as defined in Section 4943 (c) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4943 (a) of the Internal Revenue Code of 1986;
10. To make any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of Section 4944 of the Internal Revenue Code of 1986 so as to give rise to any liability for the tax imposed by Section 4944 (a) of the Internal Revenue Code of 1986;
11. To make any taxable expenditures as defined in Section 4945 (d) of the Internal Revenue Code of 1986, which would give rise to any liability for the tax imposed by Section 4945 (a) of the Internal Revenue Code of 1986.

III. Plan Administrator and Investment Manager

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- B. Notice of Certification - Beginning March 1, 1999, and each March 1st thereafter, each Volunteer Fire and Ambulance Company shall furnish the Trustees a statement, certifying under oath by the Company Chief and Company President, all volunteers of the company whose service for the previous calendar year has been certified under the LOSAP. Each statement shall contain each qualifying member's date of birth, age and total years of active service including certified active service with other volunteer companies in Worcester County, and any other information as may be required by the Trustees.
- C. Approval – Upon receipt of this statement, the Trustees shall review and approve volunteers qualified under the LOSAP on the list and forward it to the Plan Administrator and Fire Companies.
- D. Records – It is the responsibility of each participating Volunteer Fire and Ambulance Company to maintain detailed and accurate records for each volunteer qualified under the LOSAP on forms prescribed by the Trustees.
- E. Appeal – A volunteer aggrieved by any decision of the Trustees with respect to credit qualification or benefit amounts, has the right to appeal to the Trustees within thirty (30) days following the transmittal of the list of approved volunteers to the Fire Companies. The appeal shall be in writing and addressed to the Trustees, who shall make a final and binding decision regarding the appeal. The appeal hearing shall be conducted by the Trustees within sixty (60) days of the request, but not less than (10) days after notifying the appellant of the scheduled hearing date. There shall be no appeal to any court.

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 - b. In order to receive a monthly award, a volunteer must:
 - 1) reach the age of sixty (60), and
 - 2) complete or have completed a minimum of twenty-five (25) years of certified active service; and
 - 3) submit an Award Distribution Application to the Trustees.
 - c. Benefits shall be in the amount of fifty dollars (\$50.00) per month, for a maximum of two hundred (200) months for a total award of ten-thousand dollars (\$10,000.00). Payments shall begin on the first day of the first month following thirty (30) days after application is made. Payments shall be made directly to the volunteer entitled to such benefits. Award payments shall cease upon death.
 - d. Once the election to participate in the Monthly Award Plan is made, the decision cannot be changed.
 2. Annual Contribution Plan
 - a. All volunteers qualified under the LOSAP, other than those enrolled in the Monthly Award Plan as specified in Section VIII.B.1. hereof, will be enrolled in the Annual Contribution Plan. An annual contribution in an amount determined by the Trustees will be made on behalf of each volunteer qualified under the LOSAP and enrolled in the Annual Contribution Plan for a period not to exceed fifty (50) years.
 - b. In order to receive an award a volunteer must:
 - 1) no age requirement
 - 2) complete or have completed a minimum of twenty-five years of certified active service, and
 - 3) submit an Award Distribution Application to the Trustees.
 - c. Benefits shall be in an amount equal to the total of annual contributions made on behalf of the volunteer plus the investment earnings thereon as determined by the Trustees. Payments shall be made in accordance with the payment plan selected by the member from options offered by the Trustees.
- C. Disability Benefit – In the event that any active volunteer qualified under the LOSAP becomes disabled while actively engaged in the line of duty, providing volunteer firefighting or ambulance service, and in the event that the disability prevents the member from pursuing his or her normal occupation and in the event that the disability is of a permanent nature as certified by the Maryland Workers' Compensation Commission or other competent medical authority as designated by the Trustees, then the volunteer is entitled to receive the balance of any award not yet received, to which he or she may be entitled, regardless of age or length of service. These benefits shall begin on the first day of the month following thirty (30) days after establishment of the permanent disability.

- D. Death Benefit – In the event of the death of a volunteer qualified under the LOSAP prior to receiving an award, the volunteer's beneficiary of record shall receive a death benefit of three-thousand dollars (\$3,000.00), and a lump sum distribution in an amount equal to the amount the member would have received had the member become eligible for a benefit payment as of the date of death based upon contributions and earnings as determined by the Trustees. In the event of the death of a volunteer qualified under the LOSAP who is receiving an award, the beneficiary of record shall receive the balance of any payments due the deceased volunteer.

IX. Special Provisions

- A. Break In Service -A volunteer whose service is interrupted by resignation or involuntary termination shall be deemed to have suffered a break in service. Service credit earned prior to the break in service will be lost unless the volunteer returns to certified active service within two (2) years of the termination date. Volunteers who leave service to join United States military forces shall not be deemed to have suffered a break in service if the volunteer member:
(1) is released from military service under "honorable conditions," and
(2) returns to certified active service within two (2) years of discharge from the military. It shall be the responsibility of each volunteer to notify the Fire Chief or Fire President of the volunteer's initial eligibility for re-entry into the LOSAP after a break in service, in writing, by completing a LOSAP Application and Notice of Change Form, no later than March 1st prior to the plan year. Forms submitted for initial application after March 1st will not be accepted.
- B. Service Prior to January 1, 1999 - Volunteers may count years of service, certified active by the Fire Company Chief or President, prior to January 1, 1999 toward years of service required for receipt of benefits, but no retroactive award contributions shall be made for such years.
- C. Disqualification - Volunteers, Company Chiefs or Company Presidents who intentionally falsify information on any LOSAP document, in addition to criminal penalties, may be disqualified from participation in the LOSAP and forfeit all future benefits and prior award contributions.
- D. Singular Award - A volunteer is not eligible to receive more than one award under this plan.

X. Funding

- A. Appropriations - Funding may be appropriated annually by the County Commissioners and shall be subject to budget procedures and constraints.
- B. Initial Funding – The initial appropriation shall be equal to:
1. Two hundred dollars (\$200) for each volunteer qualified under the LOSAP Annual Contribution Plan; and
 2. Sufficient funds to fund the Monthly Award Plan contemplated to be one hundred, twenty-two thousand dollars (\$122,000) for the first plan year.
- C. Annual Contributions - Annual contributions shall be made each year from the annual appropriations.
- C. Lapsed Contributions - Lapsed Contributions made on account of volunteers who fail to become eligible for payment of benefits shall remain assets of the LOSAP trust and may be considered by the County Commissioners in annual funding and reduce the funding target per volunteer.

XI. Retention Bonus

- A. A volunteer firefighter will receive a one time flat rate of \$2500 retention bonus after completing five (5) years of active volunteer service in a Worcester County Fire Company. This will only be offered to new volunteers that start after January 1, 2020. Current volunteers that transfer to a different Worcester County Fire Company are excluded. The Fire Company President and Chief will verify the qualified volunteer and submit a request to the Human Resources Director by March 1 of each calendar year.

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



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HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
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COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

October 9, 2019

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *Kel.*
SUBJECT: Resolution to Establish Fire Company Pilot Paramedic Scholarship Program

As you are aware, at their Budget Work Session on May 14, 2019, the County Commissioners approved funding in the amount of \$8,000 in the FY20 County Operating Budget to fund tuition reimbursement to up to two students each year from among the ten Chartered Volunteer Fire Companies in Worcester County in order to obtain their paramedic certification at Wor Wic Community College. The attached draft resolution formally establishes the Worcester County Volunteer Fire Company Pilot Paramedic Scholarship Program effective retroactively to July 1, 2019 in case either of the proposed recipients have enrolled in classes for the Fall semester at Wor Wic Community College.

Please present this resolution to the County Commissioners for their review and approval. If you should have any questions or concerns with regard to this matter, please feel free to contact me.

With regard to the Committee Reviewed FY20 Emergency Services budget, a motion by Commissioner Bunting and seconded by Commissioner Elder to remove all 76 radios for the Board of Education (BOE) to be installed within the buses was later withdrawn. Following some discussion and upon a subsequent motion by Commissioner Bunting, the Commissioners unanimously approved 76 non-public safety radios, and one base station for the BOE office, and associated installation costs of \$260 each for the BOE for a total cost of \$141,171. Upon a motion by Commissioner Bunting, the Commissioners unanimously decreased the request for EMS portable radios from 50 to 25. Upon motions by Commissioner Bertino, the Commissioners unanimously approved the request for 40 non-public safety radios for Fire/EMS and 10 XG75PE radios for use within the Sheriff's Office. For a total FY20 budget of \$2,978,651 for Emergency Services.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Committee Reviewed FY20 County Jail budget of \$9,394,169.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Committee Reviewed FY20 Fire Marshal's Office budget of \$525,576.

With regard to the Committee Reviewed FY20 Volunteer Fire Departments budget, upon a motion by Commissioner Bertino, the Commissioners unanimously denied the staff recommended reduction of \$378,410 for supplemental funding within Account No. 7080.010 Fire and Ambulance County Grant to Fire Companies. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the staff recommended increase of \$410,000 within Account No. 7080.020 Fire and Ambulance County Grant to Ambulance Companies. Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to fund the supplemental funding for the fire companies contingent upon the availability of Local Impact Grant (LIG) funds from table games. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to increase the LOSAP award program as proposed. Upon a motion by Commissioner Bunting, the Commissioners unanimously approved the addition of \$8,000 within Account No. 7080.xxx EMT Paramedic Tuition Reimbursement Program to fund two scholarships as proposed by the Commissioners. The Commissioners approved the final budget of \$7,467,215 for Volunteer Fire Departments. *

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Committee Reviewed FY20 Public Works Maintenance Division budget of \$1,104,421.

With regard to the Committee Reviewed FY20 Public Works Roads Division budget, upon a motion by Commissioner Bertino, the Commissioners approved Account No. 9010.010 Capital Equipment New Vehicles, minus the cost of one dump truck. Upon a motion by Commissioner Bertino, the Commissioners unanimously approved the Committee Reviewed FY20 Public Works Roads Division budget of \$3,762,738.

The Commissioners answered questions from the press, after which they adjourned to meet again on May 21, 2019.

Worcester County Volunteer Fire Company – Paramedic Scholarship Program

Pilot a scholarship program in fiscal year 2020 to offer tuition reimbursement for 2 students from among the 10 chartered volunteer fire companies in Worcester County to obtain their paramedic certification at Wor-Wic Community College.

The President of the Worcester County Fire Chiefs' Association will send to the Worcester County Chief Administrative Officer a request letter on official letterhead, with the selection of 2 students to receive a scholarship for completing the Wor-Wic undergraduate certificate in Emergency Medical Services – Paramedic program.

If the pilot scholarship program is successful and the Paramedic Scholarship Program is approved and funded to continue, then the long term goal would be to select a student from each of the 10 chartered volunteer fire companies in Worcester County over five fiscal years 2020-2024 and that the graduating student remain employed by a chartered volunteer fire company in Worcester County for at least 24 months after graduating with their paramedic certification. If a Fire Company does not have a need, they can pass to another chartered volunteer fire company in the County that has a need.

Requirements:

- 1) Annual funding of this scholarship program by the County Commissioners shall be subject to the annual budget appropriation process and strictly conditioned thereon.
- 2) If approved, the Paramedic Scholarship Program will become effective for fiscal year 2020, covering the period of July 1, 2019 through June 30, 2020. The Paramedic Scholarship Program will be evaluated after the first year.
- 3) Eligible students must reside in Worcester County.
- 4) The student must successfully complete the Wor-Wic Community College undergraduate certificate in Emergency Medical Services-Paramedic program. The student cannot enroll or start classes before the Paramedic Scholarship Program has been approved and the student has been selected to receive a scholarship.
- 5) The scholarship will reimburse expenses covering in-state tuition, fees, books, and supplies for the program. The current costs include \$2,599 in-state tuition/fees and \$525 for books and supplies for a total of \$3,124. The scholarship will reimburse up to a maximum of \$4,000 in direct expenses for in-state tuition, fees, books, and supplies for the program as may be necessary to cover increased fees by Wor-Wic.
- 6) The student will submit all receipts, a transcript from Wor-Wic Community College verifying successful completion of the program, and a W9 form to the County Human Resources Director for reimbursement from the Paramedic Scholarship Fund.
- 7) This is a one-time scholarship and the recipient cannot receive more than 1 scholarship.
- 8) A chartered volunteer fire company in Worcester County shall require the student to commit to work for a chartered volunteer fire company in Worcester County for a minimum of twenty four (24) months post-graduation. If the student leaves the employment of a chartered volunteer fire company in Worcester County in less than twenty four (24) months, the student will be responsible for reimbursing the scholarship funds to Worcester County which may then become available to be used to fund another scholarship. Before award of a scholarship, the student shall sign a tuition reimbursement agreement with the Fire Company and the County.

**ESTABLISHING THE WORCESTER COUNTY VOLUNTEER FIRE COMPANY
PILOT PARAMEDIC SCHOLARSHIP PROGRAM**

WHEREAS, the County Commissioners of Worcester County, Maryland (“the Commissioners”) have determined the need for well-trained paramedics in each of the Chartered Volunteer Fire Companies serving the residents and visitors throughout Worcester County; and

WHEREAS, the Commissioners wish to establish a pilot scholarship program to offer tuition reimbursement in each fiscal year in which funding is available to be awarded to up to two students each year from among the ten Chartered Volunteer Fire Companies in Worcester County in order to obtain their paramedic certification at Wor Wic Community College; and

WHEREAS, the Commissioners will evaluate the pilot program each fiscal year to determine whether or not to continue the program in the next fiscal year; and

WHEREAS, if the pilot program is successful and subject to annual funding appropriations by the Commissioners, the long term goal is to select a student from each of the ten Chartered Volunteer Fire Companies in Worcester County over a period of five years so that one member from each Chartered Volunteer Fire Company has an opportunity to participate in this program.

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

1. A Pilot Paramedic Scholarship Program is hereby established to offer tuition reimbursement in each fiscal year in which funding is available to be awarded to up to two students each year from among the ten Chartered Volunteer Fire Companies in Worcester County in order to obtain their paramedic certification at Wor Wic Community College.
2. Subject to annual funding appropriations by the Commissioners, the long term goal is to select a student from each of the ten Chartered Volunteer Fire Companies in Worcester County over five fiscal years from Fiscal Year 2020 (FY20) to Fiscal Year 2024 (FY24) provided that the student remains employed by a Chartered Volunteer Fire Company in Worcester County after they complete certification. If a Chartered Volunteer Fire Company does not have a need, they can pass to another Chartered Volunteer Fire Company in the County that has a need.
3. Each year in which funding for the pilot program is approved in the annual fiscal year budget, the President of the Worcester County Fire Companies Chiefs' committee will send on letterhead to the Chief Administrative Officer of Worcester County the selection of two students to receive a scholarship for completing the Wor Wic undergraduate certificate in Emergency Medical Services - Paramedic program.
4. Requirements:
 - A. The student must reside in Worcester County, Maryland upon enrollment in the Program and completing certification.
 - B. The student shall successfully complete the Wor Wic Community College undergraduate certificate in Emergency Medical Services (“Certification Class”).

The student cannot enroll or start the Certification Class prior to the Pilot Paramedic Scholarship Program being approved and they have been selected for the Pilot Paramedic Scholarship Program.

- C. The scholarship shall reimburse expenses covering In-State tuition, fees, books, and supplies directly related to the Certification Class. The maximum scholarship award shall be \$4,000 per recipient.
- D. The student shall submit all receipts, a transcript from Wor Wic Community College verifying successful completion of their certification, and a W9 form to the Worcester County Human Resources Director to be processed for reimbursement through the Pilot Paramedic Scholarship Program.
- E. This is a one-time scholarship and the recipient cannot receive more than one scholarship award through the Pilot Paramedic Scholarship Program.
- F. The student shall sign a Tuition Reimbursement Agreement committing to work for a Chartered Volunteer Fire Company in Worcester County for at least twenty four (24) months post-graduation. If the student leaves the employment of a Worcester County Volunteer Fire Company in less than twenty four (24) months, the student shall be required to reimburse the County for the full amount of the scholarship awarded.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect nunc pro tunc July 1, 2019.

PASSED AND ADOPTED this _____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

DRAFT



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HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
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Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

September 19, 2019

TO: Worcester County Commissioners
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*
On Behalf Of Worcester County Sewer Committee
SUBJECT: Proposed Revised Resolution Establishing Standard Sewer Flow Calculations

Following your August 20, 2019 public hearing on the proposed resolution establishing standard sewer flow calculations for determining required capacity to serve residential and non-residential land uses to be served by public sewer systems in Worcester County, Maryland, the Sewer Committee met regarding a possible reconsideration process to be added to the policy as requested following your public hearing. Although the Sewer Committee cautions against the adoption of a reconsideration process for several reasons as more specifically outlined in this memo, we have included possible language in Section 1F and 1G of the attached draft resolution. P.3

Please note that Worcester County has been calculating projected sewage flow for the past 40-years based upon industry-standard design manuals, including: Metcalf & Eddy's Wastewater Engineering Textbook - latest edition published 2013; 10-States Standards - Recommended Standards for Wastewater Facilities - latest edition published 2014, and Design Guidelines for Wastewater Facilities - Maryland Department of the Environment (MDE) Engineering and Capital Projects Program, latest edition published 2016; with local modifications provided by the Maryland Department of Health and Mental Hygiene (DHMH), and actual observed flows recorded by the Worcester County Department of Public Works (formerly the Worcester County Sanitary Commission) and the Worcester County Environmental Programs Department. P.11

One of the primary goals of this resolution is to incorporate this extensive data into an easy-to-use format for both applicants and staff to reference in calculating projected sewer flow for new development in Worcester County. The Sewer Committee believes that a Reconsideration Process re-introduces uncertainty to the process for which we are attempting to establish standards upon which developers, residents, business-owners and staff can rely upon to ensure that adequate wastewater treatment capacity is available now and in the future to serve all customers in the service area. Therefore **the Sewer Committee unanimously recommends against the inclusion of a Reconsideration Process in the resolution.** *

While not an exhaustive list, the following outlines a few of the Committee's concerns with regard to a Reconsideration Process:

1. Annual budgets are established based upon the total EDUs to be served. Since the operating cost within the service area is generally fixed, if the total number of EDUs served is diminished, the total cost per EDU will increase.
2. It will necessitate an increase in service area reserves in order to set aside funds for potential rebates. If funds are not set aside, rebates of EDUs will be balanced on the back of the other service area customers.
3. Payment plan requests will further burden the financial viability of the service areas.
4. Potential for significant financial burden on business-owners if they are required to purchase additional EDUs as a result of the Reconsideration Process.
5. Concern that flow may be manipulated in the early stages of a new development.
6. Possibility of artificially low flow pending full occupancy and use of the new development.
7. How to handle increased flow by future users who may not practice the same sewer conservation techniques as previous tenants with the same use after a reconsideration has lowered the allocation.
8. What happens if the actual flow exceeds the projected estimates and we no longer have additional capacity available to sell?
9. Average flows can be skewed by days and hours of operations less than 24/7. For example, flow from medical complexes should not be based upon a weekly average given that they do not operate on at least 2 or more days each week.
10. How do we confirm the accuracy of data submitted by applicants?
11. Whose meter readings will be used? What type of meter readings will be accepted?
12. How do we ensure that subsequent owners are aware of and abide by any prior agreements developed as a result of the Reconsideration Process? If flow increases by a new owner, how will we detect that and will the new owner be aware of the potential that they may need to buy more EDUS?
13. Insufficient staff to process and investigate reconsideration applications.
14. In other jurisdictions across the country, capacity is assigned in the permitting phase and not reconsidered in the future. Worcester County should continue to do likewise.
15. Wastewater facilities are designed and EDUs are assigned based upon a flow in gallons per day. Using average flow data over multiple days, weeks or months does not account for daily peak flow which could overwhelm the sewer infrastructure (pipes, pump stations, treatment plant and effluent disposal sites) and create environmental hazards.

In conclusion, due to the concerns listed above and since the proposed resolution presented at your public hearing on August 20 simply formalizes the calculation of projected sewage flow which your staff has been implementing for the past 40-years based upon well-established and regularly updated industry-standard design manuals, the Sewer Committee encourages you to adopt the August 20 version of the resolution rather than the modified version attached hereto which includes the Reconsideration Process.

P. 3

We look forward to discussing this matter further at your meeting on September 17, 2019. Please feel free to contact me in the meantime if you should have any questions or concerns.

cc: Sewer Committee

Staff Recommended
Draft

RESOLUTION ESTABLISHING STANDARD SEWER FLOW CALCULATIONS FOR DETERMINING REQUIRED CAPACITY TO SERVE RESIDENTIAL AND NON-RESIDENTIAL LAND USES TO BE SERVED BY PUBLIC SEWER SYSTEMS IN WORCESTER COUNTY, MARYLAND

WHEREAS, the County Commissioners of Worcester County, Maryland (the "Commissioners") have determined that it is desirable to provide for adequate water and sewage capacity for the residents of the County and to allocate water and sewage capacity among current and future developments in a fair and equitable manner in its effort to maintain water and sewerage allocation availability to the community; and

WHEREAS, Title 9, Subtitle 5, of the Environment Article of the Annotated Code of Maryland, enables County comprehensive water and sewerage plans to provide for the orderly expansion of community and multi-use water supply and sewerage system in a manner consistent with applicable County and local comprehensive plans, and the statutory authority and regulatory requirements, as codified in the Code of Maryland Regulations (COMAR) 26.03.03, as from time to time amended, provides the basis for the establishment of allocation policies for water supply and sewerage services; and

WHEREAS, the Commissioners have determined the treatment capacity necessary to serve a single-family residential dwelling unit in each Sanitary Service Area on an Equivalent Dwelling Unit (EDU) basis as established by the Commissioners for each individual Sanitary Service Area; and

WHEREAS, standard sewer flow calculations for proposed residential and non-residential developments assist the County in determining the number of EDUs required to serve the proposed development and ensure that the sale and allocation of EDUs will not exceed the rated capacity of the wastewater treatment plant serving the proposed development; and

WHEREAS, the Commissioners, as the governing body of the Sanitary Service Areas of Worcester County, have determined that the flows for certain specific uses as reflected in Tables I-IV of the Design Guidelines for Wastewater Facilities document authored by the Maryland Department of the Environment (MDE), closely resemble the discharge produced by specific land uses in Worcester County, subject to local amendments; and

WHEREAS, the Commissioners have determined it necessary and appropriate to amend these flow tables to reflect local conditions including referencing established design flows for various land uses in other Maryland jurisdictions, and local experience of actual flows generated by similar existing land uses in Worcester County in order to establish the Standard Sewer Flow Calculations in Worcester County, Maryland;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following Policy which includes the attached Standard Sewer Flow Calculations in Worcester County, Maryland is hereby adopted by the Commissioners and shall guide the sale and allocation of EDUs so as not to exceed the rated capacity of the wastewater treatment plant serving the proposed development.

See also strike and
Replace version on p. 24

1. **CALCULATION OF REQUIRED EDUs**

- A. The water and sewer allocation for a single family residential unit shall require one EDU.
- B. For non-residential units, the number of EDU's required for a project shall be based on the specific use and scope as determined and approved by County staff, in accordance with the provisions of this Resolution.
- C. Unless otherwise provided in this Resolution, the calculation of the number of EDUs required for a project shall be based on the Standard Sewer Flow Calculations in Worcester County, Maryland (Flow Table) attached hereto as Attachment A.
- D. The calculation of the required EDU's shall result in a whole number. Calculations resulting in a fraction shall be rounded up to the next whole number.
- E. If a project or use is not adequately addressed in the Flow Table, County staff from the Departments of Environmental Programs, Public Works, and the Treasurer's Office shall collectively review the use and estimate the capacity required based on available data from MDE, neighboring jurisdictions, local experience, or other similar sources which staff determines to be reputable and acceptable. For any project that has a use that must follow this procedure, the property owner shall be required to enter into an allocation agreement with the County that will monitor the EDU usage for a period of twenty-four months following completion of the project, connection to County sanitary services, and commencement of operations. The allocation agreement shall have other terms and conditions deemed necessary by the County.

2. **PROCEDURE**

The initial determination of required EDUs will be made by the Department of Environmental Programs in their review of either a permit for construction of improvements or in conjunction with site plan review. Requirements will be determined utilizing the attached Flow Table and recorded by the department on a Flow Calculation Worksheet to be distributed to the Worcester County Sewer Committee and placed in the property/project file. No County building permit shall be issued for the project until the required EDUs have been purchased as confirmed by the County Treasurer's Office.

3. **RECORD-KEEPING AND DOCUMENTATION**

The Department of Environmental Programs shall maintain Flow Calculation Worksheet showing the calculations and project title which shall be maintained in the property/project file. These records shall also include any special determinations and decisions reached for flows not specifically listed in the attached Flow Table.

4. **AMENDMENTS TO THE FLOW TABLE**

The Commissioners reserve the right to periodically review the Flow Table to determine if additions or modifications are necessary. Such additions or modifications shall be adopted by resolution of the Commissioners following a public hearing and shall be in effect for future developments thereafter, but shall not apply to any allocations for existing development.

5. NATURE OF ALLOCATION

Nothing herein or action taken hereunder shall constitute a commitment for sewer service by the County which shall at all times be subject to the available capacity and conditions at the time of application for service.

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

PASSED AND ADOPTED this _____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

Table A	
Flow Projection Based Upon Gallons Per Day (gpd) Per Person	
Type of Establishment	Gallons Per Day (gpd) Per Person
	(Unless otherwise noted)
Airports (per passenger + 15 gpd per employee)	5
Auditorium or Assembly Hall (per seat)	3
Boarding houses (per room)	100
Camps: Campground with central comfort stations (per campsite)	70
Camps: Luxury camps with water/sewer hook-ups (per campsite)	100
Country clubs (based on rated capacity)	50
Church (per seat) + additional flow for accessory uses	3
Daycare (per student and teacher)	15
Factories (gallons per person, per shift, exclusive of industrial wastes)	25
Golf Course - 18 holes with limited service snack bar (per course)	3,500
Golf Course - 9 holes with limited service snack bar (per course)	1,500
Hospitals (per bed space)	350
Institutions other than hospitals (per bed space)	130
Marina pump out (per slip)	35
Mobile home parks (1 EDU per space)	1 EDU
Schools: Boarding	100
Schools: Day, without gyms, cafeterias or showers	15
Schools: Day, with gyms, cafeterias and showers	30
Schools: Day, with cafeterias, but without gyms or showers	20
Stable, Commercial Riding (per horse)	8
Tasting Room - for winery, brewery - no food service - (minimum)	400
Theaters: Indoor (per auditorium seat)	3
Footnote: Number of persons is calculated by the occupant load as determined by the County Building Code.	

Table B	
Flow Projections for Commercial Establishments	
Public Service Buildings or Other Uses	
Type of Establishment	Projected Flow by Area
Accupuncture/massage	Gross Sq. Ft. x 0.10 = gpd
Amusement Park	Gross Sq. Ft. of site x 0.008 = gpd
Arcades	Gross Sq. Ft. x 0.10 = gpd
Banks	Gross Sq. Ft. x 0.05 = gpd
Barber Shops	Gross Sq. Ft. x 0.20 = gpd
Beauty Salons	Gross Sq. Ft. x 0.35 = gpd
Conference Room/Meeting Room	Gross Sq. Ft. x 0.50 = gpd
Contractor's Shop	Gross Sq. Ft. x 0.04 = gpd
Convenience Store	Gross Sq. Ft. x 0.05 = gpd
Day Spa	Gross Sq. Ft. x 0.35 = gpd
Department Store with food service	Gross Sq. Ft. x 0.08 = gpd
Drug Stores (with pharmacy, no food service)	Gross Sq. Ft. x 0.13 = gpd
Funeral Homes	Gross Sq. Ft. x 0.45 = gpd
Gym - with Showers	Gross Sq. Ft. x 0.20 = gpd
Gym - no Showers	Gross Sq. Ft. x 0.10 = gpd
Hotels and Motels	Gross Sq. Ft. x 0.25 = gpd
Laundries & Cleaners	Gross Sq. Ft. x 0.31 = gpd
Medical Dialysis Centers	Gross Sq. Ft. x 1.00 = gpd
Medical Office Buildings - offices only	Gross Sq. Ft. x 0.10 = gpd
Medical Surgery Centers	Gross Sq. Ft. x 0.60 = gpd
Office Buildings	Gross Sq. Ft. x 0.09 = gpd
Swimming pools: 3 to 5-feet deep	Gross Sq. Ft. x 0.83 = gpd
Swimming pools: greater than 5-feet deep	Gross Sq. Ft. x 0.67 = gpd
Retail Stores	Gross Sq. Ft. x 0.05 = gpd
Restaurants, Bars and Lounges	Gross Sq. Ft. x 1.00 = gpd
- Restaurants - Carry-out only	Gross Sq. Ft. x 0.50 = gpd
Service Stations - full service garage	Gross Sq. Ft. x 0.18 = gpd
Supermarkets	Gross Sq. Ft. x 0.20 = gpd
Warehouses	Gross Sq. Ft. x 0.03 = gpd

Table C	
Flow Projection for Country Clubs	
Type of Fixture	Gallons Per Day
	Per Fixture
Baths	300
Showers	500
Sinks	50
Toilets	150
Urinals	100

Table D	
Flow Projection for Public Parks	
(During hours when park is open)	
Type of Fixture	Gallons Per Day (gpd) Per Fixture
Faucets	15
Flush toilets	35
Showers	100
Urinals	10

Adapted from flow tables provided in "MDE Guidance Document, Wastewater Capacity Management Plans, 2006" with local amendments, from "Design Guidelines for Wastewater Facilities," Maryland Department of the Environment – Engineering and Capital Projects Program, 2012 and "Design Guidelines for Sewerage Facilities; Technical Bulletin M-DHMH-EHA-S-001," Environmental Health Administration, Department of Health and Mental Hygiene, State of Maryland, 1978 Edition.

EDU Allocation Worksheet



Project:
Tax Map:
Parcel:
Lot:
Tax ID:

Use Description	Allocation Rate	Estimated Quantity (sf)	EDU Flow per Gal	EDU Total
<u>Common uses:</u>				
General Office	0.09	0.00	300	0
Retail	0.05	0.00	300	0
Contractors Shops	0.04	0.00	300	0
Medical and Dental Offices	0.10	0.00	300	0
Carry Out (non-public food prep area)	0.50	0.00	300	0
Restaurants	1.00	0.00	300	0
Additional use (not listed above)	0.00	0.00	300	0
Total EDU Projection				0

Notes:

1. Enter building size in quantity.

Date Approved: _____

Approved By: _____

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Modified Draft with
Reconsideration Process

**RESOLUTION ESTABLISHING STANDARD SEWER FLOW CALCULATIONS FOR
DETERMINING REQUIRED CAPACITY TO SERVE RESIDENTIAL AND NON-
RESIDENTIAL LAND USES TO BE SERVED BY PUBLIC SEWER SYSTEMS IN
WORCESTER COUNTY, MARYLAND**

WHEREAS, the County Commissioners of Worcester County, Maryland (the "Commissioners") have determined that it is desirable to provide for adequate water and sewage capacity for the residents of the County and to allocate water and sewage capacity among current and future developments in a fair and equitable manner in its effort to maintain water and sewerage allocation availability to the community; and

WHEREAS, Title 9, Subtitle 5, of the Environment Article of the Annotated Code of Maryland, enables County comprehensive water and sewerage plans to provide for the orderly expansion of community and multi-use water supply and sewerage system in a manner consistent with applicable County and local comprehensive plans, and the statutory authority and regulatory requirements, as codified in the Code of Maryland Regulations (COMAR) 26.03.03, as from time to time amended, provides the basis for the establishment of allocation policies for water supply and sewerage services; and

WHEREAS, the Commissioners have determined the treatment capacity necessary to serve a single-family residential dwelling unit in each Sanitary Service Area on an Equivalent Dwelling Unit (EDU) basis as established by the Commissioners for each individual Sanitary Service Area; and

WHEREAS, standard sewer flow calculations for proposed residential and non-residential developments assist the County in determining the number of EDUs required to serve the proposed development and ensure that the sale and allocation of EDUs will not exceed the rated capacity of the wastewater treatment plant serving the proposed development; and

WHEREAS, the Commissioners, as the governing body of the Sanitary Service Areas of Worcester County, have determined that the flows for certain specific uses as reflected in Tables I-IV of the Design Guidelines for Wastewater Facilities document authored by the Maryland Department of the Environment (MDE), closely resemble the discharge produced by specific land uses in Worcester County, subject to local amendments; and

WHEREAS, the Commissioners have determined it necessary and appropriate to amend these flow tables to reflect local conditions including referencing established design flows for various land uses in other Maryland jurisdictions, and local experience of actual flows generated by similar existing land uses in Worcester County in order to establish the Standard Sewer Flow Calculations in Worcester County, Maryland;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following Policy which includes the attached Standard Sewer Flow Calculations in Worcester County, Maryland is hereby adopted by the Commissioners and shall guide the sale and allocation of EDUs so as not to exceed the rated capacity of the wastewater treatment plant serving the proposed development.

1. **CALCULATION OF REQUIRED EDUs**

- A. The water and sewer allocation for a single family residential unit shall require one EDU.
- B. For non-residential units, the number of EDUs required for a project shall be based on the specific use and scope as determined and approved by County staff, in accordance with the provisions of this Resolution.
- C. Unless otherwise provided in this Resolution, the calculation of the number of EDUs required for a project shall be based on the Standard Sewer Flow Calculations in Worcester County, Maryland (Flow Table) attached hereto as Attachment A.
- D. The calculation of the required EDUs shall result in a whole number. Calculations resulting in a fraction shall be rounded up to the next whole number.
- E. If a project or use is not adequately addressed in the Flow Table, County staff from the Departments of Environmental Programs, Public Works, and the Treasurer's Office shall collectively review the use and estimate the capacity required based on available data from MDE, neighboring jurisdictions, local experience, or other similar sources which staff determines to be reputable and acceptable. For any project that has a use that must follow this procedure, the property owner shall be required to enter into an allocation agreement with the County that will monitor the EDU usage for a period of twenty-four months following completion of the project, connection to County sanitary services, and commencement of operations. The allocation agreement shall have other terms and conditions deemed necessary by the County.

F. RECONSIDERATION PROCESS - AS OF THE DATE OF ADOPTION OF THIS RESOLUTION, ALL NEW NON-RESIDENTIAL WATER AND SEWER CUSTOMERS MAY REQUEST AN AUDIT OF THEIR EDU ALLOCATIONS WITHIN A PERIOD OF UP TO THREE YEARS AS MEASURED FROM THE DATE OF ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SUBJECT USE. APPLICATIONS FOR EDU ASSIGNMENT AUDITS WILL ONLY BE ACCEPTED FOR CLAIMS OF OVER-ASSIGNMENT BY AT LEAST 20% OF THE TOTAL INITIAL ALLOCATION AND NO LESS THAN TWO EDUS. ALL REQUESTS SHALL BE FOR WHOLE NUMBERS OF EDUS ONLY; NO PARTIAL EDU AUDIT REQUESTS WILL BE ACCEPTED. ALL EDUS ARE ASSIGNED ON THE BASIS OF GALLONS PER DAY AND ARE NOT TO REFLECT AN AVERAGE FLOW PER DAY OVER ANY GIVEN TIME PERIOD.

- (1) REQUESTS FOR AN AUDIT SHALL BE ON FORMS AS PROVIDED BY THE COUNTY AND MAY CONTAIN ALL INFORMATION THE APPLICANT WISHES TO SUBMIT IN FURTHERANCE OF THEIR REQUEST FOR A REDUCTION IN REQUIRED EDUS BUT MUST CONTAIN AT A MINIMUM THE FOLLOWING INFORMATION:
 - (a) THE ACCOUNT NUMBER FOR THE PROPERTY WHICH IS THE SUBJECT OF THE REQUEST.
 - (b) THE NAME, MAILING ADDRESS, PHONE NUMBER AND EMAIL ADDRESS OF THE APPLICANT AND OWNER, IF DIFFERENT, OF THE SUBJECT PROPERTY.

- (c) DOCUMENTATION THAT THE PROJECT FOR WHICH THE EDU ASSIGNMENT AUDIT IS BEING REQUESTED IS OPERATING AT NO LESS THAN 95% OF ITS PERMITTED OCCUPANCY LIMITATIONS.
 - (d) DAILY SEWERAGE FLOW INFORMATION FOR A PERIOD OF NOT LESS THAN ONE HUNDRED EIGHTY CONSECUTIVE DAYS WHICH MUST INCLUDE ALL OF THE TIME PERIOD BETWEEN MAY 15TH TO SEPTEMBER 15TH AND WHICH SHALL BE REFERRED TO AS THE "STUDY PERIOD".
 - (e) THE APPLICATION SHALL BE ACCOMPANIED BY A NON-REFUNDABLE FEE IN THE AMOUNT OF FIVE HUNDRED DOLLARS.
- (2) COUNTY STAFF FROM THE DEPARTMENTS OF ENVIRONMENTAL PROGRAMS, PUBLIC WORKS AND THE TREASURER'S OFFICE SHALL PERFORM AN INITIAL REVIEW OF THE APPLICATION AND THE MATERIAL SUPPLIED WITHIN THIRTY DAYS OF SUBMITTAL OF THE APPLICATION. IN ORDER TO RENDER A DECISION, COUNTY STAFF MAY REQUEST ADDITIONAL INFORMATION OR STUDIES, ALL OF WHICH SHALL BE AT THE EXPENSE OF THE APPLICANT.
- (3) IN ORDER FOR AN EDU ALLOCATION REDUCTION TO BE GRANTED COUNTY STAFF MUST FIND AFFIRMATIVELY THAT:
- (a) AT NO POINT IN THE STUDY PERIOD DID THE DAILY SEWER FLOW EXCEED THE REQUESTED REVISED SEWERAGE FLOW ON MORE THAN TEN DAYS, AND;
 - (b) AT NO POINT IN THE STUDY PERIOD DID THE DAILY SEWER FLOW OVER A PERIOD OF ANY THREE CONSECUTIVE DAYS EXCEED THE REQUESTED REVISED SEWERAGE FLOW.
- (4) AFTER A CAREFUL REVIEW OF ALL THE INFORMATION SUBMITTED BY THE APPLICANT AND COUNTY INFORMATION, SHOULD COUNTY STAFF DETERMINE THAT THE APPLICANT HAS UTILIZED LESS THAN THE ALLOCATED FLOWS MEASURED IN GALLONS PER DAY AS ROUNDED UP TO A WHOLE NUMBER OF EDUS, THE PROPERTY OWNER SHALL BE ENTITLED TO A REDUCTION OF ITS EDU ALLOCATION AND A REFUND OF THE INITIAL PURCHASE PRICE OF THE ADDITIONAL EDUS. ALL REFUND PAYMENTS SHALL BE MADE TO THE PROPERTY OWNER LISTED ON THE APPLICATION FOR AUDIT. THE COUNTY WILL NOT BE A PARTY TO ANY PRIVATE AGREEMENTS BETWEEN CURRENT AND PRIOR PROPERTY OWNERS, LESSEES, DEVELOPERS, BUILDERS OR ANY OTHER INDIVIDUAL OR BUSINESS ENTITY HAVING AN INTEREST IN THE EDU ALLOCATIONS. NO OTHER COSTS OR FEES ASSOCIATED WITH THE EDUS SHALL BE REFUNDED. ANY EDUS DETERMINED TO BE IN SURPLUS TO THE PROPERTY OWNER ARE NOT TRANSFERRABLE TO ANY PARTY OTHER THAN THE COUNTY. IF A REDUCTION IN EDU ALLOCATIONS IS APPROVED, THE PROPERTY OWNERS MAY ELECT TO RETAIN THEIR EDU ALLOCATIONS BY CONTINUING TO PAY ALL ASSOCIATED COSTS FOR THE EDUS. ANY FUTURE REQUESTS FOR

AN AUDIT SHALL ONLY BE FOR THE PERIOD SINCE THE CONCLUSION OF THE LAST AUDIT AND MUST REFLECT THE USES OVER THE MOST RECENT STUDY PERIOD.

- (5) SHOULD THE AUDIT SHOW THAT THE PROPERTY HAS USED GREATER THAN THE ALLOCATED FLOW IN GALLONS PER DAY ON MORE THAN TEN DAYS OR USED AN AVERAGE DAILY FLOW OVER ANY THREE CONSECUTIVE DAYS WHICH IS GREATER THAN THE ALLOCATED FLOW DURING THE STUDY PERIOD, THE APPLICANT/ OWNER SHALL BE REQUIRED TO IMMEDIATELY PURCHASE ANY ADDITIONAL EDUS (IF AVAILABLE) REQUIRED AS DETERMINED BY THE AUDIT AND PAY ANY USAGE CHARGES THEY MAY HAVE ESCAPED SINCE THE ACCOUNT WAS PLACED IN SERVICE. SHOULD ADDITIONAL EDUS NOT BE AVAILABLE, AS DETERMINED BY THE COUNTY, THE PROPERTY OWNER SHALL IMMEDIATELY TAKE ALL NECESSARY STEPS TO REDUCE THEIR FLOWS BELOW THE ALLOCATED LIMITS. SUCH MEASURES MAY INCLUDE BUT ARE NOT LIMITED TO WATER CONSERVATION MEASURES, A REDUCTION IN BUSINESS HOURS, A REDUCTION IN CUSTOMER SERVICE AND FLOOR AREAS OR A CURTAILING OF CERTAIN BUSINESS OPERATIONS. ALL FLOWS MUST BE REDUCED TO THE ALLOCATED FLOWS WITHIN NINETY DAYS OF NOTICE OF AUDIT RESULTS BY THE COUNTY.

- G. THE COUNTY RESERVES THE RIGHT TO MONITOR DAILY FLOW DATA AND AUDIT ANY NON-RESIDENTIAL WATER OR SEWER CUSTOMER AT ANY TIME OVER ANY STUDY PERIOD AS DESCRIBED IN THE RECONSIDERATION PROCESS IN SUBSECTION F ABOVE TO DETERMINE DAILY FLOW RATES. ANY CUSTOMER FOUND TO BE EXCEEDING THEIR DAILY EDU ALLOCATION ON MORE THAN TEN DAYS OR HAVING USED AN AVERAGE DAILY FLOW OVER ANY THREE CONSECUTIVE DAYS WHICH IS GREATER THAN THE ALLOCATED FLOW SHALL BE REQUIRED TO TAKE THE SAME MEASURES TO REDUCE FLOWS OR ACQUIRE ADDITIONAL CAPACITY, IF AVAILABLE, AS IF IT HAD BEEN DISCOVERED THROUGH AN AUDIT APPLICATION AS DESCRIBED IN SUBSECTION F(5) ABOVE.

2. **PROCEDURE**

The initial determination of required EDUs will be made by the Department of Environmental Programs in their review of either a permit for construction of improvements or in conjunction with site plan review. Requirements will be determined utilizing the attached Flow Table and recorded by the department on a Flow Calculation Worksheet to be distributed to the Worcester County Sewer Committee and placed in the property/project file. No County building permit shall be issued for the project until the required EDUs have been purchased as confirmed by the County Treasurer's Office.

3. **RECORD-KEEPING AND DOCUMENTATION**

The Department of Environmental Programs shall maintain Flow Calculation Worksheet showing the calculations and project title which shall be maintained in the property/project file. These records shall also include any special determinations and decisions reached for flows not specifically listed in the attached Flow Table.

4. **AMENDMENTS TO THE FLOW TABLE**

The Commissioners reserve the right to periodically review the Flow Table to determine if additions or modifications are necessary. Such additions or modifications shall be adopted by resolution of the Commissioners following a public hearing and shall be in effect for future developments thereafter, but shall not apply to any allocations for existing development.

5. **NATURE OF ALLOCATION**

Nothing herein or action taken hereunder shall constitute a commitment for sewer service by the County which shall at all times be subject to the available capacity and conditions at the time of application for service.

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

PASSED AND ADOPTED this _____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

Table A	
Flow Projection Based Upon Gallons Per Day (gpd) Per Person	
Type of Establishment	Gallons Per Day (gpd) Per Person
	(Unless otherwise noted)
Airports (per passenger + 15 gpd per employee)	5
Auditorium or Assembly Hall (per seat)	3
Boarding houses (per room)	100
Camps: Campground with central comfort stations (per campsite)	70
Camps: Luxury camps with water/sewer hook-ups (per campsite)	100
Country clubs (based on rated capacity)	50
Church (per seat) + additional flow for accessory uses	3
Daycare (per student and teacher)	15
Factories (gallons per person, per shift, exclusive of industrial wastes)	25
Golf Course - 18 holes with limited service snack bar (per course)	3,500
Golf Course - 9 holes with limited service snack bar (per course)	1,500
Hospitals (per bed space)	350
Institutions other than hospitals (per bed space)	130
Marina pump out (per slip)	35
Mobile home parks (1 EDU per space)	1 EDU
Schools: Boarding	100
Schools: Day, without gyms, cafeterias or showers	15
Schools: Day, with gyms, cafeterias and showers	30
Schools: Day, with cafeterias, but without gyms or showers	20
Stable, Commercial Riding (per horse)	8
Tasting Room - for winery, brewery - no food service - (minimum)	400
Theaters: Indoor (per auditorium seat)	3
Footnote: Number of persons is calculated by the occupant load as determined by the County Building Code.	

Table B	
Flow Projections for Commercial Establishments	
Public Service Buildings or Other Uses	
Type of Establishment	Projected Flow by Area
Accupuncture/massage	Gross Sq. Ft. x 0.10 = gpd
Amusement Park	Gross Sq. Ft. of site x 0.008 = gpd
Arcades	Gross Sq. Ft. x 0.10 = gpd
Banks	Gross Sq. Ft. x 0.05 = gpd
Barber Shops	Gross Sq. Ft. x 0.20 = gpd
Beauty Salons	Gross Sq. Ft. x 0.35 = gpd
Conference Room/Meeting Room	Gross Sq. Ft. x 0.50 = gpd
Contractor's Shop	Gross Sq. Ft. x 0.04 = gpd
Convenience Store	Gross Sq. Ft. x 0.05 = gpd
Day Spa	Gross Sq. Ft. x 0.35 = gpd
Department Store with food service	Gross Sq. Ft. x 0.08 = gpd
Drug Stores (with pharmacy, no food service)	Gross Sq. Ft. x 0.13 = gpd
Funeral Homes	Gross Sq. Ft. x 0.45 = gpd
Gym - with Showers	Gross Sq. Ft. x 0.20 = gpd
Gym - no Showers	Gross Sq. Ft. x 0.10 = gpd
Hotels and Motels	Gross Sq. Ft. x 0.25 = gpd
Laundries & Cleaners	Gross Sq. Ft. x 0.31 = gpd
Medical Dialysis Centers	Gross Sq. Ft. x 1.00 = gpd
Medical Office Buildings - offices only	Gross Sq. Ft. x 0.10 = gpd
Medical Surgery Centers	Gross Sq. Ft. x 0.60 = gpd
Office Buildings	Gross Sq. Ft. x 0.09 = gpd
Swimming pools: 3 to 5-feet deep	Gross Sq. Ft. x 0.83 = gpd
Swimming pools: greater than 5-feet deep	Gross Sq. Ft. x 0.67 = gpd
Retail Stores	Gross Sq. Ft. x 0.05 = gpd
Restaurants, Bars and Lounges	Gross Sq. Ft. x 1.00 = gpd
- Restaurants - Carry-out only	Gross Sq. Ft. x 0.50 = gpd
Service Stations - full service garage	Gross Sq. Ft. x 0.18 = gpd
Supermarkets	Gross Sq. Ft. x 0.20 = gpd
Warehouses	Gross Sq. Ft. x 0.03 = gpd

Table C		
Flow Projection for Country Clubs		
<u>Type of Fixture</u>	<u>Gallons Per Day</u>	<u>Per Fixture</u>
Baths		300
Showers		500
Sinks		50
Toilets		150
Urinals		100

Table D		
Flow Projection for Public Parks		
(During hours when park is open)		
<u>Type of Fixture</u>	<u>Gallons Per Day (gpd)</u>	<u>Per Fixture</u>
Faucets		15
Flush toilets		35
Showers		100
Urinals		10

Adapted from flow tables provided in "MDE Guidance Document, Wastewater Capacity Management Plans, 2006" with local amendments, from "Design Guidelines for Wastewater Facilities," Maryland Department of the Environment – Engineering and Capital Projects Program, 2012 and "Design Guidelines for Sewerage Facilities; Technical Bulletin M-DHMH-EHA-S-001," Environmental Health Administration, Department of Health and Mental Hygiene, State of Maryland, 1978 Edition.

EDU Allocation Worksheet



Project:
 Tax Map:
 Parcel:
 Lot:
 Tax ID:

Use Description	Allocation Rate	Estimated Quantity (sf)	EDU Flow per Gal	EDU Total
<u>Common uses:</u>				
General Office	0.09	0.00	300	0
Retail	0.05	0.00	300	0
Contractors Shops	0.04	0.00	300	0
Medical and Dental Offices	0.10	0.00	300	0
Carry Out (non-public food prep area)	0.50	0.00	300	0
Restaurants	1.00	0.00	300	0
Additional use (not listed above)	0.00	0.00	300	0
Total EDU Projection				0

Notes:

1. Enter building size in quantity.

Date Approved: _____

Approved By: _____

Commissioner Bunting, Mr. Tudor confirmed that the owner, not the renter of a site in a mobile or manufactured home park, would be required to pay the rental license fees for each unit that they own in the park.

Commissioner Purnell opened the floor to receive public comment.

There being no public comments, Commissioner Purnell closed the public hearing.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted Bill 19-6 as presented.

Commissioner Purnell closed the legislative session.

The Commissioners conducted a public hearing to receive public comment on a proposed resolution establishing standard flow calculations for determining required capacity to serve residential and non-residential land uses to be served by public sewer systems in the County to definitively determine the number of equivalent dwelling units (EDUs) required to serve proposed development and ensure that the sale and allocation of EDUs will not exceed the rated capacity of each wastewater treatment plant (WWTP). Assistant Chief Administrative Officer and Sewer Committee representative Kelly Shannahan recognized fellow Sewer Committee members, which include Chief Administrative Officer Harold Higgins, County Attorney Maureen Howarth, Public Works Director John Tustin, Public Works Deputy Director John Ross, Development Review and Permitting Director Ed Tudor, Environmental Programs Director Bob Mitchell, Environmental Programs Deputy Director David Bradford, Finance Officer Phil Thompson, and Enterprise Fund Controller Jessica Wilson. Mr. Mitchell reviewed the resolution establishing standard sewer flow calculations, as conceptually approved by the Commissioners on July 16, 2019 and which included revisions to the original recommended resolution reviewed at the Commissioners' work session on July 2, 2019 as follows: replacing the reference to one EDU equaling 300 gallons per day (gpd) with a reference that the rate shall be as determined by the County Commissioners for each Sanitary Service Area (SSA), since not all SSAs currently use 300 gpd/EDU; Section 1.E. was revised regarding uses not addressed in the tables which have flow determined by staff, to provide that the property owner shall enter into an allocation agreement during which actual usage will be monitored for 24 months in addition to other terms and conditions; Section 2 adds a provision that the Treasurer's Office must confirm the purchase of required EDUs before a building permit is issued; and Section 4 adds a required public hearing prior to any proposed amendments to the flow tables. He stated that revisions to Table A, flow projections based on occupancy, include deleting several redundant or uncommon uses, including bathhouses and swimming pools, swimming pool club house/bath house, motels, picnic parks, drive in theaters, and travel trailer parks; consolidating camps into two categories (campgrounds with central comfort stations and luxury camps with water or sewer hookups); revising the flow estimates on a per site basis rather than a per person basis; and revising flow projections based on actual flows observed over the 2019 4th of July week for luxury camps (150 gpd/site); and revisions to Table B, flow projections based on building size, which include removing car washes and laundromats from the list, as these uses would be reviewed on a case-by-case basis under the provisions of Section 1.E. of the resolution based upon the type of facilities proposed and use of re-circulated water; removing redundant or uncommon uses including: dry goods stores and shopping centers; clarifying other uses including: department store with food service, and Service Stations with full service garage; and consolidating the projected flow for churches

based on three gallons per seat plus additional flow for accessory uses. He then reviewed one additional correction included in the revised resolution to reflect the originally estimated flow of 100 gpd per luxury campsite (with water and sewer hookups) rather than the peak flow of 150 gpd per campsite, which was skewed based on flow from the water park at Frontier Town. He stated that this correction is based on findings from staff's continued monitoring of flow from the Frontier Town Campground.

Commissioner Purnell opened the public hearing to receive public comment.

Attorney Mark Cropper of Ocean City and representing various property owners and developers, thanked Mr. Shannahan for providing him with clarification about this resolution, noting that prior to their discussion he was not aware that the resolution bases the assignment of EDUs on peak flow numbers instead of averages. He stated that the resolution should be amended to base flows on average usage, as no Sanitary Service Area (SSA) operates at peak capacity every day, and to provide a provision that allows a property owner to have a voice in determining the number of EDUs to be assigned to his or her property and/or provides a procedure for an adjustment to the required EDUs. He noted, for example, that if someone owning a chain of chicken restaurants in other areas decides to open a new location in the County, he currently has no recourse if the County requires him to purchase 10 EDUs, even if the owner can provide evidence of standard sewerage usage rates at his other locations, which indicate only five EDUs are needed. He stated that, if a developer/restaurant owner is not allowed to provide evidence up front that the County's numbers are wrong, the restaurant owner is unfairly charged up front for unnecessary EDUs; and from the date of purchasing the EDUs, the owner must pay costs associated with maintenance, repair, and upgrading from that sewer system, based on a potentially incorrect allocation, meaning the restaurant owner will forever be charged more for these services than he should be charged based on a surplus of EDUs he does not need. Mr. Shannahan stated that there is a provision that allows the property owner to give unneeded EDUs back to the County to avoid future operation and maintenance costs for those excess EDUs.

Palmer Gillis, an area developer, stated that EDU usage in the medical offices he has developed is less than half of County estimates, and a better mechanism is needed to reconsider EDU allocations based on actual usage. Therefore, he urged the Commissioners to amend the resolution to include a process for the fair and equitableness of assessing EDUs and fees that include incentives to save on water usage.

Attorney Hugh Cropper thanked the Commissioners and staff for reducing the flow projection for luxury campsites from 150 gpd to 100 gpd. However, he urged the Commissioners to amend the requirement that no building permits may be issued until all EDUs assigned to said site have been paid up front, as this requirement does not make sense and places significant time and financial burdens upon developers.

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

In response to questions by Commissioner Bunting, Mr. Shannahan confirmed that the resolution had been amended to allow someone to apply to purchase only one EDU for a shell building permit based on standard rental flow and the size of the shell building. He further stated that the flow tables would be reviewed on a regular basis and adjusted to reflect actual flow data to avoid under-allocation or over-allocation of EDUs. Commissioner Bunting also expressed concern that restaurant flow would now be determined based on the size of the restaurant rather

than the number of seats. Mr. Mitchell explained that the data supports that the calculation per square foot is equivalent to the old method of gallons per seat.

Commissioner Bertino asked why the assignment of EDUs is based on peak flow rather than average flow data. Furthermore, he stated that the County should offer a rebate process to reimburse someone who is required to purchase more EDUs up front than necessary. Mr. Ross and Mr. Mitchell explained that the flow per EDU must be based on peak periods, so as not to overwhelm the treatment plant and sewer infrastructure. Enterprise Fund Controller Jessica Wilson expressed concern regarding a rebate program given that annual rates are established based on the assurance of revenues derived from each EDU and would create a shortfall if the SSA was required to buy back EDUs.

Following much discussion and upon a motion by Commissioner Bertino, the Commissioners voted unanimously to not approve the resolution until a reconsideration or appeal process is part of the policy, and they directed staff to propose such revised language for their future consideration.

The Commissioners answered questions from the press, after which they adjourned to meet again on September 3, 2019.

TEL: 410-632-1194
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WEB: www.co.worcester.md.us



OFFICE OF THE
COUNTY COMMISSIONERS

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

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

August 1, 2019



FAXED
8/1/19 @ 9:05am

TO: *The Daily Times Group and The Ocean City Today Group*
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*

Please print the attached Notice in *The Daily Times/ Worcester County Times/Ocean Pines Independent and Ocean City Digest/Ocean City Today* on August 8, 2019. Thanks.

NOTICE OF RESCHEDULED PUBLIC HEARING **STANDARD SEWER FLOW CALCULATIONS FOR PUBLIC SEWER SYSTEMS** WORCESTER COUNTY, MARYLAND

The Worcester County Commissioners propose to adopt a resolution establishing standard flow calculations for determining required capacity to serve residential and non-residential land uses to be served by public sewer systems in Worcester County, Maryland. Standard flow calculations for proposed developments will assist the County in definitively determining the number of Equivalent Dwelling Units (EDUs) required to serve proposed development and ensures that the sale and allocation of EDUs will not exceed the rated capacity of the wastewater treatment plant serving each community. The resolution includes a formal policy as well as a Table of Standard Sewer Flow Calculations in Worcester County, Maryland which are primarily based on State guidelines but also reflect local experience of actual flows generated by similar existing land uses in Worcester County and other nearby jurisdictions. A rescheduled public hearing on the proposed resolution will be held on

TUESDAY, AUGUST 20, 2019 at 11:30 A.M.
in the County Commissioners' Meeting Room
Room 1101 Government Center, One West Market Street
Snow Hill, Maryland 21863

Copies of the draft resolution and report of the Worcester County Sewer Committee are available on the County website at www.co.worcester.md.us and are also available for inspection in the Department of Environmental Programs, Worcester County Government Center, Suite 1306 (3rd floor), One West Market Street, Snow Hill, Maryland, 21863 during regular business hours of 8:00 am to 4:30 pm. Questions may be directed to Bob Mitchell, Director of Environmental Programs, by calling (410) 632-1220, extension 1601 or email at bmitchell@co.worcester.md.us

THE WORCESTER COUNTY COMMISSIONERS

Citizens and Government Working Together

22

TEL: 410-632-1194
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E-MAIL: admin@co.worcester.md.us
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OFFICE OF THE
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Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

July 10, 2019

Rescheduled Public Hearing
on August 20, 2019

TO: Worcester County Commissioners
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
On Behalf Of Worcester County Sewer Committee
SUBJECT: Proposed Revised Resolution Establishing Standard Sewer Flow Calculations

Following your Work Session on July 2, 2019, the Worcester County Sewer Committee met with Commissioners Bunting, Church and Mitrecic on July 9, 2019 to review and revise the draft resolution establishing standard flow calculations for determining required capacity to serve residential and non-residential land uses to be served by public sewer systems in Worcester County, Maryland. Attached please find a ~~Strike~~ and REPLACE version of the revised resolution and attachments for your consideration.

We look forward to reviewing this revised draft resolution at your meeting on July 16, 2019. With your approval, we will schedule a public hearing on the revised draft for your meeting of August 6, 2019. Please feel free to contact me if you should have any questions or concerns.

cc: Sewer Committee

Strike and
Replace Version

RESOLUTION ESTABLISHING STANDARD SEWER FLOW CALCULATIONS FOR DETERMINING REQUIRED CAPACITY TO SERVE RESIDENTIAL AND NON-RESIDENTIAL LAND USES TO BE SERVED BY PUBLIC SEWER SYSTEMS IN WORCESTER COUNTY, MARYLAND

WHEREAS, the County Commissioners of Worcester County, Maryland (the Commissioners) have determined that it is desirable to provide for adequate water and sewage capacity for the residents of the County and to allocate water and sewage capacity among current and future developments in a fair and equitable manner in its effort to maintain water and sewerage allocation availability to the community; and

WHEREAS, Title 9, Subtitle 5, of the Environment Article of the Annotated Code of Maryland, enables County comprehensive water and sewerage plans to provide for the orderly expansion of community and multi-use water supply and sewerage system in a manner consistent with applicable County and local comprehensive plans, and the statutory authority and regulatory requirements, as codified in the Code of Maryland Regulations (COMAR) 26.03.03, as from time to time amended, provides the basis for the establishment of allocation policies for water supply and sewerage services; and

WHEREAS, the Commissioners have determined the treatment capacity necessary to serve a single-family residential dwelling unit in each Sanitary Service Area on an Equivalent Dwelling Unit (EDU) basis AS ESTABLISHED BY THE COMMISSIONERS FOR EACH INDIVIDUAL SANITARY SERVICE AREA whereby each EDU is currently projected to generate a flow of 300 (three hundred) gallons per day (gpd) per EDU; and

WHEREAS, standard sewer flow calculations for proposed residential and non-residential developments assist the County in determining the number of EDUs required to serve the proposed development and ensure that the sale and allocation of EDUs will not exceed the rated capacity of the wastewater treatment plant serving the proposed development; and

WHEREAS, the Commissioners, as the governing body of the Sanitary Service Areas of Worcester County, have determined that the flows for certain specific uses as reflected in Tables I-IV of the Design Guidelines for Wastewater Facilities document authored by the Maryland Department of the Environment (MDE), closely resemble the discharge produced by specific land uses in Worcester County, subject to local amendments; and

WHEREAS, the Commissioners have determined it necessary and appropriate to amend these flow tables to reflect local conditions including referencing established design flows for various land uses in other Maryland jurisdictions, and local experience of actual flows generated by similar existing land uses in Worcester County in order to establish the Standard Sewer Flow Calculations in Worcester County, Maryland;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following Policy which includes the attached Standard Sewer Flow Calculations in Worcester County, Maryland is hereby adopted by the Commissioners and shall guide the sale and allocation of EDUs so as not to exceed the rated capacity of the wastewater treatment plant serving the proposed development.

1. **CALCULATION OF REQUIRED EDUs**

- A. The water and sewer allocation for a single family residential unit shall require one EDU.
- B. For non-residential units, the number of EDU's required for a project shall be based on the specific use and scope as determined and approved by County staff, in accordance with the provisions of this Resolution.
- C. Unless otherwise provided in this Resolution, the calculation of the number of EDUs required for a project shall be based on the Standard Sewer Flow Calculations in Worcester County, Maryland (Flow Table) attached hereto as Attachment A.
- D. The calculation of the required EDU's shall result in a whole number. Calculations resulting in a fraction shall be rounded up to the next whole number.
- E. If a project or use is not adequately addressed in the Flow Table, County staff from the Departments of Environmental Programs, Public Works, and the Treasurer's Office shall collectively review the use and estimate the capacity required based on available data from MDE, neighboring jurisdictions, local experience, or other similar sources which staff determines to be reputable and acceptable. FOR ANY PROJECT THAT HAS A USE THAT MUST FOLLOW THIS PROCEDURE, THE PROPERTY OWNER SHALL BE REQUIRED TO ENTER INTO AN ALLOCATION AGREEMENT WITH THE COUNTY THAT WILL MONITOR THE EDU USAGE FOR A PERIOD OF TWENTY-FOUR MONTHS FOLLOWING COMPLETION OF THE PROJECT, CONNECTION TO COUNTY SANITARY SERVICES, AND COMMENCEMENT OF OPERATIONS. THE ALLOCATION AGREEMENT SHALL HAVE OTHER TERMS AND CONDITIONS DEEMED NECESSARY BY THE COUNTY.

~~i. Following the EDU calculation by staff, the County shall monitor water consumption as an indication of actual sewer flow for a period of twenty-four months following completion of the project, connection to County sanitary services, and commencement of operations. If the observed peak flow exceeds the established EDUs allocated to the property, the property owner shall be required to purchase additional sanitary capacity to reflect the actual peak flow in excess of the previously allocated number of EDUs. There shall be no lowering of the initial EDU calculation.~~

2. **PROCEDURE**

The initial determination of required EDUs will be made by the Department of Environmental Programs in their review of either a permit for construction of improvements or in conjunction with site plan review. Requirements will be determined utilizing the attached Flow Table and recorded by the department on a Flow Calculation Worksheet to be distributed to the Worcester County Sewer Committee and placed in the property/project file. No County building permit shall be issued for the project until the required EDUs have been purchased AS CONFIRMED BY THE COUNTY TREASURER'S OFFICE.

3. **RECORD-KEEPING AND DOCUMENTATION**

The Department of Environmental Programs shall maintain Flow Calculation Worksheet showing the calculations and project title which shall be maintained in the property/project file. These records shall also include any special determinations and decisions reached for flows not specifically listed in the attached Flow Table.

4. **AMENDMENTS TO THE FLOW TABLE**

The Commissioners reserve the right to periodically review the Flow Table to determine if additions or modifications are necessary. Such additions or modifications shall be adopted by resolution of the Commissioners FOLLOWING A PUBLIC HEARING and shall be in effect for future developments thereafter, but shall not apply to any allocations for existing development.

5. **NATURE OF ALLOCATION**

Nothing herein or action taken hereunder shall constitute a commitment for sewer service by the County which shall at all times be subject to the available capacity and conditions at the time of application for service.

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

PASSED AND ADOPTED this _____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

**Standard Sewer Flow Calculations
in Worcester County, Maryland**

Attachment A

Table A	
Flow Projection Based Upon Gallons Per Day (gpd) Per Person	
Type of Establishment	Gallons Per Day (gpd) Per Person
	(Unless otherwise noted)
Airports (per passenger + 15 gpd per employee)	5
Auditorium or Assembly Hall (per seat)	3
Bathhouses and swimming pools	15
Boarding houses (per room)	100
Camps: Campground with central comfort stations (PER SITE)	35 70
Camps: With flush toilets, no showers	25
Camps: Day camps (no meals served)	15
Camps: Resort camps (night and day) with limited plumbing	50
Camps: Luxury camps WITH WATER/SEWER HOOK-UPS (PER CAMPSITE)	Final: 100 100 150
Country clubs (based on rated capacity)	50
Church (per seat) + ADDITIONAL FLOW FOR ACCESSORY USES	3
— Church with private kitchen (per seat)	5
— Church with commercial kitchen (per seat)	15
Daycare (per student and teacher)	15
Factories (gallons per person, per shift, exclusive of industrial wastes)	25
Golf Course - 18 holes with limited service snack bar (PER COURSE)	3,500
Golf Course - 9 holes with limited service snack bar (PER COURSE)	1,500
Hospitals (per bed space)	350
Institutions other than hospitals (per bed space)	130
Marina pump out (per slip)	35
Mobile home parks (1 EDU per space)	300 VARIES
Motels (per room)	125
Picnic Parks (toilet wastes only) (per picnicker)	5
Picnic Parks with bathhouses, showers and flush toilets (per picnicker)	10
Schools: Boarding	100
Schools: Day, without gyms, cafeterias or showers	15
Schools: Day, with gyms, cafeterias and showers	30
Schools: Day, with cafeterias, but without gyms or showers	20
Stable, Commercial Riding (per horse)	8
Swimming pool Club House/Bath House	20
Tasting Room - for winery, brewery - no food service - (minimum)	400
Theaters: Indoor (per auditorium seat)	3
Theaters: Drive-in (per car space)	5
Travel Trailer Parks (transient or seasonal) — no sewer hook-ups (per space)	85
Travel Trailer Parks (transient or seasonal) — with sewer hook-ups (per space)	100
Footnote: Number of persons is calculated by the occupant load as determined by the County Building Code.	

see p. 48

see p. 45

**Standard Sewer Flow Calculations
in Worcester County, Maryland**

Attachment A

Table B	
Flow Projections for Commercial Establishments	
Public Service Buildings or Other Uses	
Type of Establishment	Projected Flow by Area
Accupuncture/massage	Gross Sq. Ft. x 0.10 = gpd
Amusement Park	Gross Sq. Ft. of site x 0.008 = gpd
Arcades	Gross Sq. Ft. x 0.10 = gpd
Banks	Gross Sq. Ft. x 0.05 = gpd
Barber Shops	Gross Sq. Ft. x 0.20 = gpd
Beauty Salons	Gross Sq. Ft. x 0.35 = gpd
Car Wash with Wastewater Recirculation Equipment	Gross Sq. Ft. x 0.55 = gpd
Car Wash without Wastewater Recirculation Equipment	Gross Sq. Ft. x 4.90 = gpd
Conference Room/Meeting Room	Gross Sq. Ft. x 0.50 = gpd
Contractor's Shop	Gross Sq. Ft. x 0.04 = gpd
Convenience Store	Gross Sq. Ft. x 0.05 = gpd
Day Spa	Gross Sq. Ft. x 0.35 = gpd
Department Store with FOOD SERVICE Lunch Counter	Gross Sq. Ft. x 0.08 = gpd
Drug Stores (with pharmacy, no food served)	Gross Sq. Ft. x 0.13 = gpd
Dry Goods Stores	Gross Sq. Ft. x 0.05 = gpd
Funeral Homes	Gross Sq. Ft. x 0.45 = gpd
Gym - with Showers	Gross Sq. Ft. x 0.20 = gpd
Gym - no Showers	Gross Sq. Ft. x 0.10 = gpd
Hotels and Motels	Gross Sq. Ft. x 0.25 = gpd
Laundries & Cleaners	Gross Sq. Ft. x 0.31 = gpd
Laundromats	Gross Sq. Ft. x 3.68 = gpd
Medical Dialysis Centers	Gross Sq. Ft. x 1.00 = gpd
Medical Office Buildings - offices only	Gross Sq. Ft. x 0.10 = gpd
Medical Surgery Centers	Gross Sq. Ft. x 0.60 = gpd
Office Buildings	Gross Sq. Ft. x 0.09 = gpd
Swimming pools: 3 to 5-feet deep	Gross Sq. Ft. x 0.83 = gpd
Swimming pools: greater than 5-feet deep	Gross Sq. Ft. x 0.67 = gpd
Retail Stores	Gross Sq. Ft. x 0.05 = gpd
Restaurants, Bars and Lounges	Gross Sq. Ft. x 1.00 = gpd
- Restaurants - Carry-out only	Gross Sq. Ft. x 0.50 = gpd
Service Stations - FULL SERVICE GARAGE	Gross Sq. Ft. x 0.18 = gpd
Shopping Centers	Gross Sq. Ft. x 0.18 = gpd
Supermarkets	Gross Sq. Ft. x 0.20 = gpd
Warehouses	Gross Sq. Ft. x 0.03 = gpd

See p. 43

Table C	
Flow Projection for Country Clubs	
Type of Fixture	Gallons Per Day
	Per Fixture
Baths	300
Showers	500
Sinks	50
Toilets	150
Urinals	100
Table D	
Flow Projection for Public Parks	
(During hours when park is open)	
Type of Fixture	Gallons Per Day (gpd) Per Fixture
Faucets	15
Flush toilets	35
Showers	100
Urinals	10
<p>Adapted from flow tables provided in "MDE Guidance Document, Wastewater Capacity Management Plans, 2006" with local amendments, from "Design Guidelines for Wastewater Facilities," Maryland Department of the Environment – Engineering and Capital Projects Program, 2012 and "Design Guidelines for Sewerage Facilities; Technical Bulletin M-DHMH-EHA-S-001," Environmental Health Administration, Department of Health and Mental Hygiene, State of Maryland, 1978 Edition.</p>	

EDU Allocation Worksheet

Project:
 Tax Map:
 Parcel:
 Lot:
 Tax ID:



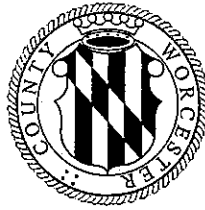
Use Description	Allocation Rate	Estimated Quantity (sf)	EDU Flow per Gal	EDU Total
<u>Common uses:</u>				
General Office	0.09	0.00	300	0
Retail	0.05	0.00	300	0
Contractors Shops	0.04	0.00	300	0
Medical and Dental Offices	0.10	0.00	300	0
Carry Out (non-public food prep area)	0.50	0.00	300	0
Restaurants	1.00	0.00	300	0
Additional use (not listed above)	0.00	0.00	300	0
Total EDU Projection				0

Notes:

1. Enter building size in quantity.

Date Approved: _____

Approved By: _____



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

June 6, 2019

TO: Worcester County Commissioners
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
On Behalf Of Worcester County Sewer Committee
SUBJECT: Proposed Resolution Establishing Standard Sewer Flow Calculations

At the Worcester County Sewer Committee meeting earlier today, the Committee reviewed and recommended adoption of the attached draft resolution establishing standard flow calculations for determining required capacity to serve residential and non-residential land uses to be served by public sewer systems in Worcester County, Maryland. As stated in the draft resolution, standard flow calculations for proposed developments will assist the County in definitively determining the number of Equivalent Dwelling Units (EDUs) required to serve proposed development and ensures that the sale and allocation of EDUs will not exceed the rated capacity of the wastewater treatment plant serving each community. As you will see, the resolution includes a formal policy as well as a Table of Standard Sewer Flow Calculations in Worcester County, Maryland. This resolution will provide staff with approved flow calculations which are primarily based on State guidelines but also reflect local experience of actual flows generated by similar existing land uses in Worcester County and other nearby jurisdictions. As new data is collected on actual flows, we anticipate that these Standard Sewer Flow Calculations in Worcester County, Maryland can be periodically updated by the County Commissioners to more accurately reflect the projected sewer capacity required to serve all types of development.

The Sewer Committee requests your review and approval of this resolution at your next meeting. In the meantime, if you should have any questions or concerns, please feel free to contact me.

cc: Sewer Committee

Postponed
APPROVED *Wok 2019*
Worcester County Commissioners
Date *6/15/19*

Background Information on Standard Sewer Flow Calculations

EDU Charges - An equivalent dwelling unit (EDU) charge is collected in the County service areas for the purpose of paying any debt related to the acquisition or construction of sanitary facilities. One EDU represents the equivalent flow of an average single family home, which is typically 300 gallons per day (gpd). So for example, if a wastewater treatment plant was expanded to treat an additional 100,000 gpd of sewage, that expansion could serve an additional 333 single family homes, or 333 EDU's, as follows: $100,000 \text{ gpd} \div 300 \text{ gpd/EDU} = 333 \text{ EDU's}$. If the cost of that expansion was \$2 million, we would need to collect a total of roughly \$6,000 per EDU to cover the cost of expansion ($\$6,000/\text{EDU} \times 333 \text{ EDUs} = \2 million). Further, we are counting on eventually selling all 333 EDUs in order to fully recoup the cost of the expansion by the new customers served by that expanded capacity rather than the existing customers.

Determining EDUs for New Development - Determining the number of EDUs required to serve a new single-family residential subdivision is quite simple and only requires multiplying the number of homes by 1 EDU per home. However, in order to determine the number of EDUs needed to serve commercial and other developments requires us to project the sewer flow based upon the proposed development. Guidance is provided by the Maryland Department of Environment (MDE) as well as local experience of actual flows generated by similar existing land uses. Our goal is to combine these guidance documents and experience in order to establish local standards which can be applied consistently to all new development in the County which will eliminate subjectivity (which often results in disagreements between staff and developers regarding projected flow), streamline the EDU calculation process, lessen the existing workload on staff, and ultimately be more business-friendly by defining a standard that all new development can rely upon when planning their projects.

The Problem with Subjective Flow Calculations - As an example, we recently received an application for two new 3,500 square foot (sf) shopping center buildings. One 3,500 sf building was to be used as a dental office and the second 3,500 sf building was to be used for a restaurant (1,500 sf) and a retail store (2,000 sf). The applicant calculated that he needed a total of 3 EDUs to serve his proposed development, as follows: 1 EDU for the 3,500 sf dental office and 2 EDUs for the restaurant (1 EDU) and retail building (1 EDU). Based upon current guidance documents, staff initially calculated the required EDUs as follows: 2 EDUs for the dental office ($3,500 \text{ sf} \times 0.1 \text{ gallons/sf/day} = 350 \text{ gpd} = 2 \text{ EDUs rounded up}$); and 1 EDU for the 3,500 "shell building" ($3,500 \text{ sf} \times 0.05 \text{ gallons/sf/day} = 175 \text{ gpd} = 1 \text{ EDU}$). However, knowing that the shell building was to be divided into a 1,500 sf restaurant and a 2,000 sf retail store, it was determined that the restaurant space must be calculated based upon the number of seats proposed as has been our past practice. When the applicant was advised of this requirement, they submitted plans showing only 6 seats in the restaurant. As a result, the estimate was recalculated based upon 6 seats (at 25 gallons per seat $\times 6 \text{ seats} = 150 \text{ gpd}$) and the bulk of the space as a carry-out restaurant (at $1,479 \text{ sf} \times 0.5 \text{ gallons/sf/day} = 740 \text{ gpd}$) for a total estimated flow of 890 gpd which would require 3 EDUs for the restaurant and 1 EDU for the retail store ($2,000 \text{ sf} \times 0.05 \text{ gallons/sf/day} = 100 \text{ gpd}$). So the applicant was required to purchase a total of 6 EDUs for their 7,000 sf shopping center (2 EDUs for the Dental Office and 4 EDUs for the restaurant and retail store).

But based upon our current subjective standards, that may not be the end of it. Given that the current calculation for the restaurant is based upon a total of 6 seats, if the eventual restaurant

operator decides that they prefer a sit-down operation over carry-out, that will require more seats which will generate significantly greater sewage flow. Based upon our records, we know that a typical 1,500 sf sit down restaurant has approximately 60 seats. At the rate of 25 gallons per seat that would generate flow of 1,500 gpd (at 25 gallons per seat x 60 seats = 1,500 gpd) and would require a total of 5 EDUs ($1,500 \text{ gpd} \div 300 \text{ gpd/EDU} = 5 \text{ EDUs}$). History has shown that catching these changes at a later date may be difficult. So in the end, the restaurant may be using 5 EDUs worth of flow only having paid for 3 EDUs leaving the remaining service area customers to absorb the cost of those additional 2 EDUs. Even worse, had we allowed the applicant's calculation of 1 EDU needed for the 3,500 sf "shell building" the remaining service area customers would have subsidized 4 additional EDUs needed to serve the restaurant.

Standard Sewer Flow Calculations - The above incident lead to discussions by the Worcester County Sewer Committee members regarding the need for standard sewer flow calculations based wherever possible on the square footage of the proposed development rather than subjective standards based on the number of people estimated to be served. For example, since we know that the a 1,500 sf sit down restaurant typically comprises 60 seats for which we calculate 25 gallons per seat or 1,500 gpd ($1,500 \text{ gpd} \div 300 \text{ gpd/EDU} = 5 \text{ EDUs}$), we reasoned that sit down restaurants typically requires 1.0 gallon/sf/day which could be applied to the square footage of the proposed building to determine the estimated flow and therefore the number of EDUs required. So in this case we could calculate the flow from a 1,500 sf restaurant as 1,500 sf x 1.0 gallons/sf/day = 1,500 gpd) which is the same as the prior method of calculation based on the number of seats for a 60-seat restaurant. Furthermore, the new method is completely objective based upon the size of the restaurant rather than a declared number of seats by the applicant. Using this same methodology, we were able to convert several other uses to a more objective square footage basis rather than a subjective basis of how many people are estimated by the applicant to be served.

MDE Calculations Converted to Local Calculations - I have attached copies of the original MDE Guidance Documents which include: Table I - Flow Projections Based Upon Gallons Per Person Per Day; Table II - Guiding Factors for Flow Projection Related with Commercial Establishments, Public Service Buildings, or Dwelling Units; Table III - Flow Projection for Country Clubs; and Table IV - Flow Projection for Public Parks. I have also attached flow calculation estimates used by County staff which have been developed over the years to determine flow for land uses not listed in the MDE Guidance Document. These calculations were incorporated into our local Standard Sewer Flow Calculations. Finally, I have attached our proposed Worcester County Standard Sewer Flow Calculations, which includes: Table A - Flow Projections Based Upon Gallons Per Day (gpd) Per Person; Table B - Flow Projections for Commercial Establishments, Public Service Buildings or Other Uses; Table C - Flow Projection for Country Clubs; and Table D - Flow Projection for Public Parks. The primary difference between our local standards and the MDE standards is that we have incorporated local flow calculations for land uses not listed in the MDE Guidance Document, and wherever possible, converted flow projections previously based upon gpd per person (Table A) to flow projections based upon the square footage of the facility being served and the type of establishment (Table B). We also added a footnote to Table A to provide that the number of persons to be served is calculated by the occupant load of the establishment as determined by the County Building Code which results in a definitive number rather than a declaration of the applicant which is often under-estimated to reduce the number of EDUs required for purchase which therefore deprives the service area of revenues we counted on to retire the debt service on improvements.

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Original MDE Guidance

①

Table I - Flow Projection Based Upon Gallons Per Person Per Day

Airports (per passenger)	5
Apartments-multiple family (per resident)	60
Bathhouses and swimming pools.....	10
Camps:	
Campground with central comfort stations.....	35
With flush toilets, no showers	25
Day camps (no meals served)	15
Resort camps (night and day) with limited plumbing	50
Luxury camps	100
Cottages and small dwellings with seasonal occupancy.....	50
Country clubs (per resident member).....	100
Country clubs (per non-resident member present).....	25
Dwellings:	
Boarding houses.....	50
additional for non-resident boarders.....	10
Luxury residences and estates	150
Multiple family dwellings (apartments).....	60
Rooming houses.....	40
Single family dwellings.....	75-100
Factories (gallons per person, per shift, exclusive of industrial wastes)	35
Hospitals (per bed space)	350
Hotels with private baths (2 persons per room).....	60
Hotels without private baths.....	50
Institutions other than hospitals (per bed space).....	125
Laundries, self-service (gallons per wash, i.e., per customer)	50
Mobile home parks (per space).....	250
Motels with bath, toilet and kitchen wastes (per bed space)	50
Motels (per bed space)	40
Picnic Parks (toilet wastes only) (per picnicker)	5
Picnic Parks with bathhouses, showers and flush toilets	10
Restaurants (per seat)	25
Restaurants (toilet and kitchen wastes per patron)	10
Restaurants (kitchen wastes per meal served)	3
Restaurants, additional for bars and cocktail lounges.....	2
Schools:	
Boarding	100
Day, without gyms, cafeterias or showers	15
Day, with gyms, cafeterias and showers.....	25
Day, with cafeterias, but without gyms or showers	20
Service Stations (per vehicle served).....	10

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Swimming pools and bathhouses	10
Theaters:	
Movie (per auditorium seat)	1
Drive-in (per car space)	5
Travel Trailer Parks without individual water and sewer hook-ups (per space)	50
Travel Trailer Parks with individual water and sewer hook-ups (per space)	100
Workers:	
Construction (at semi-permanent camps).....	50
Day, at schools and offices (per shift).....	15

An alternative method used to project average daily flows generated from commercial establishments, public service buildings, or dwelling units can be figured on the basis of total floor area, number of building units, or service seats multiplied by a statistical factor. Guiding factors are given in Table II.

Table II - Guiding Factors for Flow Projection Related with Commercial Establishments, Public Service Buildings, or Dwelling Units

Office Buildings	Gross Sq. Ft. x 0.09 = gpd
Medical Office Buildings.....	Gross Sq. Ft. x 0.62 = gpd
Warehouses.....	Gross Sq. Ft. x 0.03 = gpd
Retail Stores	Gross Sq. Ft. x 0.05 = gpd
Supermarkets.....	Gross Sq. Ft. x 0.20 = gpd
Drug Stores.....	Gross Sq. Ft. x 0.13 = gpd
Beauty Salons.....	Gross Sq. Ft. x 0.35 = gpd
Barber Shops.....	Gross Sq. Ft. x 0.20 = gpd
Department Store with Lunch Counter.....	Gross Sq. Ft. x 0.08 = gpd
Department Store without Lunch Counter.....	Gross Sq. Ft. x 0.04 = gpd
Banks.....	Gross Sq. Ft. x 0.04 = gpd
Service Stations	Gross Sq. Ft. x 0.18 = gpd
Laundries & Cleaners	Gross Sq. Ft. x 0.31 = gpd
Laundromats.....	Gross Sq. Ft. x 3.68 = gpd
Car Wash without Wastewater Recirculation Equipment.	Gross Sq. Ft. x 4.90 = gpd
Hotels.....	Gross Sq. Ft. x 0.25 = gpd
Motels	Gross Sq. Ft. x 0.23 = gpd
Dry Goods Stores	Gross Sq. Ft. x 0.05 = gpd
Shopping Centers	Gross Sq. Ft. x 0.18 = gpd

Flow projection for country clubs or public parks may be made on the basis of plumbing fixtures. The related statistical flow figures per unit of plumbing fixture are shown in Table III and Table IV.

Table III - Flow Projection for Country Clubs

	Gallons Per Day Per Fixture
Showers.....	500
Baths.....	300
Lavatories	100
Toilets	150
Urinals.....	100
Sinks	50

Table IV - Flow Projection for Public Parks
(During hours when park is open)

	Gallons Per Day Per Fixture
Flush toilets	35
Urinals	10
Showers	100
Faucets	15

Design Flow Estimation Table

Flow Projection Based Upon Gallons
Per Person, per Day

②
Environmental
Programs
Guidance

Type of Establishment	Gallons per Person per Day (Unless otherwise noted)
Airports (per passenger + 15 gpd per employee)	5
Animal Shelter /Kennels (per employee)	15
Animal Shelter /Kennels (per run)	25
Auditorium or Assembly Hall (per seat)	3
Auto Dealerships	0.078 gal/sf
Bathhouses and swimming pools	15
Bowling Alley	
per employee	15
per lane, no bar/food	75
per lane, bar only	125
per lane, bar and food	200
Camps:	
Campground with central comfort stations, per campsite	100
Conference/Meeting Room (gross sf/15 = occupants)	5
Cottages and Seasonal Dwellings with Seasonal Occupancy(limit 2 bedrooms)	0.25 gal/sf
Cottages and Seasonal Dwellings with Seasonal Occupancy(3 bedrooms)	1 EDU
Country clubs (based on rated capacity)	50
Daycare (students and teachers)	15
Dwellings:	
Boarding houses (per room)	120
Multiple family dwellings (per apartment)	1 EDU
Single family dwellings (per address)	1 EDU
Factories (gallons per person, per shift, exclusive of industrial wastes)	35
Fairgrounds (per person)	5
Fraternal Service Organizations	0.14 gal/sf
Funeral Homes w/embalment	0.31 gal/sf
Funeral Homes w/o embalment	0.05 gal/sf
Golf Course (w/snackbar, limited food service) 18 holes	3,500
Golf Course (w/snackbar, limited food service) 9 holes	1,500
Hospitals (per bed space)	350
Hotels	0.25 gal/sf
Institutions other than hospitals (per bed space)	120
Laundries, self-service (per washing machine)	125
Mobile home parks (per space)	1 EDU
Motels (rooms entered from outside)	0.23 gal/sf
Nursing Homes (per bed space)	130
Picnic Parks (toilet wastes only) (per picnicker)	5
Picnic Parks with bathhouses, showers and flush toilets	10

Restaurants, bars, lounges (per seat, food served)	25
Schools:	
Boarding	100
Day, without gyms, cafeterias or showers	15
Day, with gyms, cafeterias and showers	30
Day, with cafeterias, but without gyms or showers	20
Service Stations (per vehicle served)	25
Swimming pools and bathhouses, per employee	15
Per swimmer, over 6ft in depth- depth determines # of swimmers only	10
Per swimmer, under 6ft in depth – depth determines # of swimmers only	10
Tasting Room for Winery/Brewery w/Public Restrooms (no food served)	400 min.
Theaters:	
Indoor (per auditorium seat)	3
Drive-in (per car space)	5
Travel (transient or seasonal) Trailer Parks with individual water and Sewer hook-ups (per space)	100

Guiding Factors For Flow Projection Related With Commercial
Establishments, Public Service Buildings or Dwelling Units

Type of Establishment

Office Buildings	Gross Sq. Ft. x 0.09 = gpd
Medical Office Buildings	Gross Sq. Ft. x 0.10 = gpd
Warehouses	Gross Sq. Ft. x 0.03 = gpd
Retail Stores	Gross Sq. Ft. x 0.05 = gpd
Supermarkets (without food preparation)	Gross Sq. Ft. x 0.20 = gpd
Drug Stores(w/pharmacy, no food served)	Gross Sq. Ft. x 0.13 = gpd
Beauty Salons	Gross Sq. Ft. x 0.35 = gpd
Barber Shops	Gross Sq. Ft. x 0.20 = gpd
Department Store with Lunch Counter	Gross Sq. Ft. x 0.08 = gpd
Department Store without Lunch Counter	Gross Sq. Ft. x 0.05 = gpd
Banks	Gross Sq. Ft. x 0.05 = gpd
Service Stations	Gross Sq. Ft. x 0.18 = gpd
Laundries & Cleaners	Gross Sq. Ft. x 0.31 = gpd
Laundromats (w/o low flow fixtures/recirculation equip.)	Gross Sq. Ft. x 3.68 = gpd
Car Wash without Wastewater Recirculation Equipment	Gross Sq. Ft. x 4.90 = gpd
Dry Goods Stores	Gross Sq. Ft. x 0.05 = gpd
Shopping Centers	Gross Sq. Ft. x 0.18 = gpd
Dry Cleaners (retail only-clothing sent out for cleaning)	Gross Sq. Ft. x 0.05 = gpd

Flow Projection for Country Clubs and Public Parks

Type of Fixture	Gallons Per Day	Per Fixture
Showers		500
Baths		300
Toilets		150
Urinals		100
Sinks		50

Adapted from flow tables provided in "MDE Guidance Document, Wastewater Capacity Management Plans, 2006" with local amendments. Also utilized: "MDE Guidelines for Estimating Water and/or Wastewater Flow," Maryland Department of the Environment, July 2005, and "Design Guidelines for Sewerage Facilities; Technical Bulletin M-DHMH-EHA-S-001," Environmental Health Administration, Department of Health and Mental Hygiene, State of Maryland, 1978 Edition.

**Flow Calculation Estimates Used by County Staff to Determine Flow
for Land Uses Not Listed in the MDE Guidance Document**

Acupuncture/massage - use 0.10 g/SF/day

Amusement Park - SF of site x .008 g/SF/day

Arcades - sq. ft./50 = # of people x 5 gpp

Carwash w/recycling - is 70% of max flow or about 6000 gpd on septic
and 4,154 on sewer based on Jiffy Lube in WOC

Commercial Kitchen - use 0.2 gallons/SF/day

Commercial Riding Stables(Boarding/Lessons/Shows) - 7.5 gallons/horse

Conference Room /Meeting Room - use sq. ft/15 = # people x 5 gpd.

If standing room, use sq. ft./7 = #people x 5gpd

Contractor Shop - use .04 for gross sq. ft. or figure office space in it at .09
and the rest at .03g/sq ft/day

Convenience Store - use SF x .05 for retail, .03 for storage, and 25 gallons per seat

Day Care - (# of students + teachers) x 15 gpd

Day Spa - ranges from 0.065 g/SF/day to 0.17 g/SF/day on sewer, for septic use 0.35 g/SF/d

Dialysis - (based on Town of Berlin) -1 gallon/SF

Dog Grooming/Barber Shop - was 0.2 gallons/SF/day, Beauty Salon = 0.35 gallons/SF/day
or 200 gallons/chair

Funeral Homes - (sq. ft. of public area/7 per Fire Marshal x 3 gallons per person)
+ 15 gallons per employee

Gym - Sq. ft. /50 = # of people x 10 gpp with showers or 5 gpp w/o showers

Marina pump out - 35 gallons/slip/day

Medical facility - use 0.62 g/SF/day when has lab/imaging, use 0.1 g/SF/day without

Nail Salon only - use retail flow of 0.05 g/SF/day

Restaurants - sq. ft. of public area/15 = # of seats x 25 gpd

Restaurant - Carry-out only - use 0.50 gallons per gross SF

Swimming pools - (3'-5'deep) use SF/12 SF/person = # people x 10 gpd,

- (for deeper or diving area) use 300 SF/person or

- if no deep end use 15 SF/person (These figures came from DHMH)

Restaurant Study					
2005					
Sit Down Restaurants					
Name	Service area	Actual seats per count	Flow at 25 gpd per seat	Gross sq ft	Flow per Gross sq. ft.
The Wedge	WOC	108	2,700	2,400	1.13
Papa Vito's/Paolis	WOC	60	1,500	1,200	1.25
Harborside	WOC	239	5,975	5,573	1.07
Green Turtle	MYH	218	5,450	5,420	1.01
Bull on the Beach	WOC	208	5,200	6,455	0.81
Hoopers	WOC	532	13,300	11,725	1.13
Captain's Galley	WOC	517	12,925	11,874	1.09
Applebee's	WOC	224	5,600	8,032	0.70
Mione's	WOC	83	2,075	2,142	0.97
Salvatore's/Trader Lee's	WOC	276	6,900	7,680	0.90
Sunset Grill	MYH	227	5,675	7,060	0.80
TC Diner	WOC	80	2,000	2,158	0.93
Average Flow per Gross sq. ft.-					0.98

Local Amended Design Flow Estimation Table

Flow Projection Based Upon Gallons
Per Day

Type of Establishment	Flow Rate
Medical and Dental Office Buildings (note 1)	0.1 gal/sf

Note 1: Outpatient and investigative procedures only with no intensification of services permitted without acquisition of additional capacity.



DEPARTMENT OF ENVIRONMENTAL PROGRAMS

Additional Flow Information

Medical Offices

From Salisbury Public Works we have the following for more intensive uses:

Deer Pointe Surgical Center 6505 Deer Pointe Drive
4,800 gpd average, SDAT sf = 9,880, 0.48 gpd/sf

A multispecialty outpatient surgery center located in Salisbury, Maryland just 30 minutes from the beaches of Ocean City. Our center performs a wide variety of orthopaedic surgical procedures and pain management procedures.

Delmarva Surgical Center, 641 S. Salisbury Blvd
10,400 gpd average, SDAT sf = 15,305 , 0.68 gpd/sf

An intensive surgical center that performs ENT surgery, General surgery, Gynecologic surgery, Oral (OMS) surgery, Orthopedic surgery, pain management, Plastic surgery, and podiatric surgery.

Barretts Medical Center, Berlin
32,549 sf @0.1 gal/sf, that's 13 EDUs (That is what Berlin Allocated).

Various medical specialty doctor's offices as tenant leaseholders. Outpatient investigative procedures for gastrointestinal and ENT. No additional EDUs required by Berlin. They have stayed within this flow footprint per Berlin Water/Wastewater

Determine on a
case-by-case basis

Car Washes

Berlin has 2 carwashes - 1 is automated and the other is self-serve.

Berlin Auto Wash, Automated, 1 bay, allocated 12 EDUs
2 year average flow is 84,920 gallons/month or 2,831 gpd or 11.32 EDUs (12 allocated).

Book flow for car washes is 4.9 gal/sf without any consideration for self serve/automated or recycling systems.

This location is 6,482 sf and the multiplied allocation on book flow would be 134 EDUs.

Union Station, Self Serve - 4 Bays, allocated 1 EDU
2 year average flow is 6,800 gallons/month or 227 gal/day

Book flow for car washes is 4.9 gal/sf without any consideration for self serve/automated or recycling systems.

This location is 2,432 sf and the multiplied allocation on book flow would be 48 EDUs.

Kelly Shannahan

From: Robert Mitchell
Sent: Wednesday, July 10, 2019 4:39 PM
To: Kelly Shannahan; John Ross
Cc: Commissioner Madison J. Bunting; David M. Bradford; Ed Tudor; Harold Higgins; Jennifer Swanton; Jessica Wilson; John Tustin; Maureen L. Howarth
Subject: RE: Flow Projections for Campgrounds and Churches

Kelly-

Looking at prior guidance documents and other counties:

State:

1987 DHMH (MDE) - Not in there
MDE Capacity Management Documents (2006) – Not in there
MDE 1990 Flow Guidance with Large Septic Flow Design – 3 gal/seat, add for food service
MDE 2011 Flow Guidance for Large Septic Flow Design (Current) – 3 gal seat/5 gal seat with private kitchen

Counties:

St Mary 1 EDU w/additional for accessory uses
(County had flow study averaging 269 GPD but did not include # of seats for the churches included)
Calvert 1 EDU (250 gal) for worship hall, add for additional uses
Howard 3 gal/seat, add for food service
AA Co. 4 gal/seat
Garrett 3 gal/seat
WSSC 4 gal/seat

Other:

International Private Sewage Disposal Code 3 gal per person no kitchen
7.5 gal/per person, kitchen

We have been using what was in the proposed table with the draft resolution:

Per sanctuary seat: 3 gallons
With private kitchen (members only): 5 gal/seat (have not really encountered this – could be a kitchen for a rectory for the priests/pastors or just for staff or a very small congregation)
With comm. Kitchen (open to general public): 15 gal/seat (this is in conjunction with food service permit from health dept)

For our table in Worcester:

Churches 3 gal/seat w/additional flow for accessory uses

The above simplifies the discussion. Restaurant (Kitchen), catering halls, daycare, schools, all would be assessed separately and given additional flow. We would not need to include a commercial or private kitchen flow on the table. Flow for accessory uses can be assigned by the use and we have food, school, staff, office and daycare flow numbers on the draft chart.

An alternate could be:

Churches 1 EDU minimum w/additional for accessory uses and size of worship hall

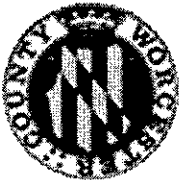
This gets too messy and confusing with respect to the minimum hall size as we don't have data to support that. St. Johns was 300 seats as they didn't build their larger addition and they have offices that may or may not be used during

week. They are within the 3 edu flow. Community church is within their assigned flow, but were assessed and required to buy more edus due to daycare. That plays into the requirement for additional flow for accessory uses.

I would submit that we have a cleaner path with the 3 gal/seat (Fire occupancy I believe is 18 inches per "seat" in pews) and to allocate additional flow for additional uses. They are required to submit this information with permit, TRC site plan, ect. They would also be required to identify information if they were adding accessory uses as well.

Bob

Robert J. Mitchell, LEHS, REHS
Director
Worcester County
Department of Environmental Programs
1 West Market Street, Room 1306
Snow Hill, MD 21863
Phone (410) 632-1220 x 1601
Fax (410) 632-2012



From: Kelly Shannahan <kellys@co.worcester.md.us>
Sent: Wednesday, July 10, 2019 9:50 AM
To: John Ross <jross@co.worcester.md.us>; Robert Mitchell <bmittchell@co.worcester.md.us>
Cc: Commissioner Madison J. Bunting <j.bunting12345@gmail.com>; David M. Bradford <dbradford@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>; Harold Higgins <hhiggins@co.worcester.md.us>; Jennifer Swanton <jswanton@co.worcester.md.us>; Jessica Wilson <jwilson@co.worcester.md.us>; John Tustin <jtustin@co.worcester.md.us>; Kelly Shannahan <kellys@co.worcester.md.us>; Maureen L. Howarth <mhowarth@co.worcester.md.us>
Subject: Flow Projections for Campgrounds and Churches
Importance: High

John and Bob:

Following up from our Sewer Committee meeting yesterday, I am revising the flow tables as we discussed. I am currently awaiting information from each of you as follows:

John – Please provide the flow per site for Luxury Campgrounds with water/sewer hook-ups based on actual peak flows over the past 4th of July weekend. We discussed 150 gallons per site, but you agreed to verify that number. It would also be helpful to show the Commissioners the actual flows as an attachment in their meeting package if you have time to put that together.

Bob – Please provide a revised flow calculation for churches to reflect the limited usage once a week. My notes indicated to provide 1 EDU + add for accessory uses. But we should be more specific based upon your research and

hopefully come up with a more specific flow figure either based on the number of seats or square footage. As you are aware, our previous proposal was:

Church (per seat) - 3

- Church with private kitchen (per seat) - 5

- Church with commercial kitchen (per seat) - 15

I am hoping to get this revised draft completed today.

Thanks for your help.

Kelly Shannahan

Assistant Chief Administrative Officer

Worcester County Administration

Room 1103 Government Center

One West Market Street

Snow Hill, MD 21863-1195

410-632-1194

410-632-3131 (fax)

Luxury Campground Usage

	= Peak Usage	

Frontier Town

Campsites- 585

Capacity Purchased- 49,800 gpd - (166 EDUs based on 585 sites @ 85 gpd/site)

Day	Date	gpd	Commercial	Campsites	EDU Equiv	gpd/Site
1	7/3/2019	57,900	6,677	51,223	171	88
2	7/4/2019	89,300	6,677	82,623	275	141
3	7/5/2019	94,700	6,677	88,023	293	150
4	7/6/2019	74,100	6,677	67,423	225	115
5	7/7/2019	59,800	6,677	53,123	177	91
6	7/8/2019	50,700	6,677	44,023	147	75
7	7/9/2019	54,500	6,677	47,823	159	82
8	7/10/2019	61,300	6,677	54,623	182	93
8 Day Avg		67,788	6,677	61,111	204	104

*

Castaways

Campsites- 394

Capacity Purchased- 26,400 gpd - (88 EDUs based on 394 sites @ 65 gpd/site)

# of Days	Date	Total Flow	gpd	EDU Equiv	gpd/Site
3 Day Avg	7/5-7/8, 2019	107,071	35,690	119	91
10 Day Avg	6/28-7/8, 2019	338,840	33,884	113	86

* Peak Flow = 150 gpd/site

Public Comments

Submitted by
Palmer Gillis

July 2, 2019

Water and sewer usage:

1. City of Salisbury. Considers lower flow usage on medical offices. We are experiencing a .03 to .05 G/SF/D on average at over 105,000 gsf of various medical offices. Salisbury allows a recapture of fee after 24 months of experience in the event is determined an overcharge. The City has 60 months to recalculate the fee in the event the usage exceeds the calculated amount. No assessment for shell until usage/fit-out is finalized. We typically experience a flow rate of .03 to .05 gallons per square foot per day
2. Georgetown. After providing evidence that 18,000 GSF medical offices (2- 9,000 gross square footage of medical offices) only consumed about 3 EDU's in grand total the town waived fees on the final fit out.
We are experiencing a flow rate of approximately .02 to .015 G/SF/D.
3. Berlin. The Town reduced their EDU calculation on the latest 2 buildings after the usage at Berlin Main Place showed a significant lesser flow than .1 G/SF/D . They only access 1 (or a token 1-EDU) upon building shell permit until such time as the interior fit out is applied for. We are experiencing a flow usage rate of approximately .03 to .05 G/SF/D. Of the 3 buildings on site (excluding dialysis facility) we are experiencing a .01 to a .02 gallons per square foot per day usage.
4. Millsboro. Reduced their initial EDU calculation by half upon our presentation to them of flows for comparable medical offices. They monitored to confirm. On a 50,000-sf medical office facility the flow rate is validated at .028 G/SF/D with over 3 years' experience.
5. Easton. Our experience over 36 months on 2 existing medical offices are showing a consistent .026 G/SF/D usage. The Town is allowing on a new project for the purposes of a shell permit the lower usage classification to accommodate the unknown user application.
6. Worcester County, Ocean Pines building #1, 20,000 sf averages 3 EDUs over 14 quarters. The County calculation would be 8 EDUS. We have not deducted irrigation from this calculation.
7. Core factor, which on a larger building can be as much as 15% to 20% of the total square footage is not allowed as a deduct in the determination of square footage in Worcester County. Core factor consists of, stair towers, elevators, elevator equipment rooms, mechanical rooms (meter rooms), etc. These areas do not consume water usage and should be an allowable deduction of square footage calculation. Square footage calculations also include the exterior walls which can add about 10 % to the overall square footage calculation.

NOTE:

1. In all cases, landscaping irrigation has been included in the EDU representation. When reduction is considered, these EDU calculations would result in a lower conclusion
2. G/SF/D = gallons per square foot per day.

Palmer Gillis, pgillis@ggibuilds.com 410-749-4821

GEORGETOWN MEDICAL FACILITY

June 5, 2019

I. 501 & 503 West Market Street (501 does not exist during this period)

<u>Period</u>	<u>Usage per Day</u>	<u>Approx. # Days</u>	<u>Daily Usage</u>
12/08/16 - 03/17/17	15,552	101	153/GPD
03/17/17 - 06/15/17	14,621	88	166/GPD
06/15/17 - 09/19/19	15,659	94	167/GPD

II. 503 West Market Street

<u>Period</u>	<u>Usage per Day</u>	<u>Approx. # Days</u>	<u>Daily Usage</u>
09/19/17 - 12/12/17	13,597	83	164/GPD
12/12/17 - 03/13/18	14,072	91	155/GPD
03/13/18 - 06/22/18	19,646	99	198/GPD
06/22/18 - 09/13/18	12,987	81	160/GPD
09/13/18 - 12/12/18	17,398	89	195/GPD
12/12/18 - 03/26/19	18,994	103	185/GPD

III. 501 West Market Street

<u>Period</u>	<u>Usage per Day</u>	<u>Approx. # Days</u>	<u>Daily Usage</u>
02/19/18 - 03/07/18	100	18	6/GPD
03/07/18 - 06/12/18	3,600	95	38/GPD
06/12/18 - 09/10/18	1,800	88	20/GPD
09/10/18 - 12/06/18	6,000	86	70/GPD
12/06/18 - 03/07/19	7,900	91	87/GPD

NOTES:

503 West Market St.

Fully occupied 9,800 GSF medical office

Average 172 gallons per day

0.018 gallons per square foot per day

501 West Market St.

Partially occupied (assume 50%) 9,700 GSF medical office

Average 54 gallons per day

Assume 4,700 occupied space

0.011 gallons per square foot per day

From: LuAnne Timmons <ltimmons@GGIBuilds.com>
Sent: Monday, July 1, 2019 2:12 PM
To: Melissa Coffey <mcoffey@berlinmd.gov>
Cc: Palmer Gillis <pgillis@GGIBuilds.com>
Subject: water usage

BERLIN MAIN PLACE

Melissa, Palmer Gillis is only needing the WATER USAGE for the following three buildings.

Building 1	9956 N. Main St	Uses an average of 2000 -4000 gallons per month but is charged 5 minimum bills (5 active units leased) each tenant = \$ 82.34	10,000 SF. 4000 GALLONS ÷ 30 = 133 GPD ÷ 10,000 SF = .013 G/SF/DAY
Building 2	9954 N. Main St	Uses an average of 2000 gallons per month but is charged 3 minimum bills (3 active units leased) each tenant = \$ 79.94	7700 SF, 2000 GALLONS ÷ 30 = 66 GPD ÷ 7700 SF = .0086 G/SF/DAY
Building 6	9948 N. Main St	Uses an average of 2000 gallons per month. (Anne Arundel Dermatology) = \$77.85 per month.	6060 SF = 67 GALLONS PER DAY ÷ 6060 = .011 G/SF/DAY

Difference in minimum bills is due to the stormwater charges. I included average of what each tenant should be paying. Usage looks to be very minimal.

This should be only one number for each building, a large detail report is not necessary. He has a meeting early Tuesday morning and needs this information.

Sorry to be such a problem, your help is appreciated.

Thank you,
LuAnne S. Timmons
Bookkeeper

P.O. Box 4322
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www.gilliskirkerson.com

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 Please consider the environment before printing this email or any attachments.

April 25, 2019

30265 COMMERCE DRIVE, DELMARVA HEALTH PAVILION, MILLSBORO, DE

50,000 Gross Square Foot Medical Office Building 90% Occupied

Water Meter Usage

<u>Bill Date</u>	<u># Gallons</u>	<u># Days</u>	<u>Peak Usage</u>
4/1/2016	23,000 gallons	69	333/day
7/1/2016	43,000 gallons	92	467/day
10/1/2016	36,000 gallons	93	387/day
1/1/2017	85,000 gallons	102	833/day
4/1/2017	33,000 gallons	85	388/day
7/1/2017	88,000 gallons	91	967/day
10/1/2017	54,000 gallons	90	600/day
1/1/2018	124,000 gallons	88	1,410/day
4/1/2018	56,000 gallons	94	595/day
7/1/2018	77,000 gallons	87	885/day
10/1/2019	80,000 gallons	89	898/day
1/1/2019	40,000 gallons	101	396/day
4/1/2019	39,000 gallons	84	464/day

778,000 gallons

1,165 days

Average: 680 gallons per day or 2.61 EDU's

Average: 680 gallons ÷ 50,000 gross square feet = .0136 gallons per foot per day

Peak: 1,400 gallons ÷ 50,000 SF = .028 gallons per square foot per day

April 24, 2019

Purdy Street Medical Center

I. Building One: 10,667 Net Square Footage

<u>Bill Date</u>	<u># Gallons</u>	<u># Days</u>	<u>Usage per Day</u>
1/9/2018	10,400	30	347/day
2/12/2018	11,300	30	377/day
3/12/2018	10,100	30	367/day
4/9/2019	11,300	30	377/day
5/9/2018	12,000	30	400/day
6/11/2018	12,100	30	403/day
7/10/2018	11,800	30	393/day
8/9/2018	11,900	30	397/day
9/11/2018	12,900	30	430/day
10/9/2018	10,800	30	360/day
11/3/2018	14,000	30	467/day
12/10/2018	21,500	30	717/day
1/10/2019	9,800	30	327/day
2/11/2019	13,600	30	453/day
3/11/2019	11,200	30	373/day
4/9/2019	11,400	30	380/day

Average Usage: 411 Gallons per Day

Average PSF: 411 Gallons ÷ 10,667 NSF = .0385 Gallons per Square Foot per Day

II. Building Two: 10,590 Net Square Footage

<u>Bill Date</u>	<u># Gallons</u>	<u># Days</u>	<u>Usage per Day</u>
1/9/2018	4,300	30	143/day
2/12/2018	4,300	30	143/day
3/12/2018	4,100	30	137/day
4/9/2019	4,800	30	160/day
5/9/2018	4,500	30	150/day
6/11/2018	4,400	30	147/day
7/10/2018	4,100	30	137/day
8/9/2018	4,600	30	153/day
9/11/2018	5,600	30	187/day
10/9/2018	4,100	30	137/day
11/3/2018	5,000	30	167/day
12/10/2018	4,200	30	140/day
1/10/2019	3,900	30	130/day
2/11/2019	5,100	30	170/day
3/11/2019	4,200	30	140/day
4/9/2019	4,900	30	163/day

Average Usage: 150 Gallons per Day

Average PSF: 150 Gallons ÷ 10,590 NSF = .0142 Gallons per Square Foot per Day

Water Usage Summary April 4, 2019

11105 Cathage Road, Ocean Pines, 20,000 S.F. Medical Office Building

<u>Period</u>	<u>Total Usage</u>	<u># of Days</u>	<u>Per Day</u>	<u>EDU</u>
10/01/17 - 12/31/17	207,900	15	13,860/day	55 EDU's
01/01/18 - 03/31/18	124,700	57	2,188/day	8.75 EDU's
04/01/18 - 06/30/18	29,300	120	244/day	1 EDU
07/01/18 - 09/30/18	148,300	60	2,472/day	9.89 EDU's
10/01/18 - 12/31/18	56,800	101	562/day	2.24 EDU's
01/01/19 - 03/31/19	77,800	82	948/day	3.8 EDU's

NOTE: Irrigation system usage has not been deducted.

Water Usage Summary April 4, 2019

11101 Cathage Road, Ocean Pines, 20,000 S.F. Medical Office Building

Period	Total Usage	# of Days	Per Day	EDU
10/01/15 - 12/31/15	90,108		1,001/day	4 EDU's
01/01/16 - 03/31/16	33,700		374/day	1.6 EDU's
04/01/16 - 06/30/16	33,900		376/day	1.6 EDU's
07/01/16 - 09/30/16	61,500		683/day	2.7 EDU's
10/01/16 - 12/31/16	61,400		682/day	2.7 EDU's
01/01/17 - 03/31/17	34,900		387/day	1.6 EDU's
* 04/01/17 - 06/30/17	213,000		2,367/day	9.4 EDU's
07/01/17 - 09/30/17	51,300		520/day	2.28 EDU's
10/01/17 - 12/31/17	43,400	93 days	467/day	1.9 EDU's
01/01/18 - 03/31/18	32,500	91 days	357/day	1.43 EDU's
04/01/18 - 06/30/18	40,000	120 days	334/day	1.34 EDU's
7/1/2018 - 09/30/18	63,600	60 days	1,060/day	4.24 EDU's
10/01/18 - 12/31/18	123,400	98 days	1,260/day	5.04 EDU's
01/01/19 - 03/31/19	37,600	85 days	422/day	1.8 EDU's

* NOTE #1: Service was used for linear accelerator start up and testing during this period.

NOTE #2: Irrigation system usage has not been deducted.

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22

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

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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

October 9, 2019

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
SUBJECT: Lease of West Ocean City Harbor Joint Venture Area - Alyosha

As you are aware, at their meeting of October 1, 2019 the County Commissioners held a public hearing to consider leasing the County Joint Venture Area of the West Ocean City Harbor to Thrive Engineering, LLC for the use and occupancy of the area for docking of the vessel known as Alyosha. The proposal included leasing the space for a period of five years beginning on October 1, 2019 and ending on September 30, 2024 for an annual fee of \$8,500.00, plus one-half of the revenues derived from advertising and corporate sponsorships displayed on the various sails and flags on the Alyosha which operates sailing cruises in the Atlantic Ocean along the coast of Ocean City, Maryland from the Ocean City Inlet north to approximately 120th Street during summer months from Memorial Day weekend through Labor Day weekend. Following the public hearing, a motion by Commissioner Nordstrom, seconded by Commissioner Elder to lease the space for one-year failed by a vote of 3-2-1 with Commissioners Nordstrom, Elder and Purnell voting in favor, Commissioners Bunting and Bertino voting in opposition, and Commissioner Church abstaining from the vote, with Commissioner Mitrecic absent. While a majority of the Commissioners present at the meeting voted in favor, the motion failed since all votes require a majority of the total number of Commissioners (4 votes) in order to pass. Since the October 1st meeting, I have spoken to Commissioner Mitrecic who has requested that this matter be included in the October 15 meeting package for final action..

In their consideration of this matter, we would encourage the Commissioners to approve the full five-year lease for at least two significant reasons. First and foremost, given the cost to produce the sails, the sale of advertising will require a long-term commitment by sponsors who will not likely be willing to invest in a custom sail with a guarantee of only one year. A five-year commitment will be more favorable for the sponsors and more beneficial to the County from a revenue standpoint. Second, the License Agreement as written provides that the County may terminate the agreement at any time during the 5-year term upon ninety days notice. So in effect, the County Commissioners will retain the right to cancel the agreement after one year if they determine that the arrangements unduly burden the operations of the West Ocean City Boat

Ramp. Given that the Alyosha will be out on tours most days during times of peak use at the West Ocean City Boat Ramp by the boating public, the Boat Ramp Pier next to the restrooms within the Joint Venture Area will typically be available for vessels to temporarily tie up. Furthermore, the adjacent Governors Dock will also likely be available for temporary use by the boating public if the Alyosha is docked in the Joint Venture Area. Therefore staff believes that the Alyosha will not present a significant impediment to the boating public. But if it does, and in the unlikely event that Captain Butz is unable to make acceptable accommodations, the Commissioners can exercise their right to terminate the License agreement. Therefore we encourage the Commissioners to approve the License Agreement as proposed.

Please present this matter to the County Commissioners for their consideration on October 15, 2019. If you should have any questions or concerns, please feel free to contact me.

NOTICE

Lease of West Ocean City Harbor Joint Venture Area in Worcester County, Maryland

In accordance with the provisions of Section 10-312 of the Local Government Article of the Annotated Code of Maryland, the County Commissioners of Worcester County, Maryland propose to lease the following described County property to Thrive Engineering, LLC for the use and occupancy of the designated dock space at the West Ocean City Harbor for the vessel known as Alyosha through a Joint Venture with the County Commissioners of Worcester County, Maryland.

WEST OCEAN CITY HARBOR COUNTY JOINT VENTURE AREA - includes the space which is approximately 64 feet in length and running along the bulkhead from the Worcester County Boat Ramp to the Worcester County Governor's Dock on the north side of the Harbor as established by Resolution No. 19-28 on September 3, 2019 and which is reserved for use by the County or County joint ventures as may be from time to time determined by the County Commissioners.

PROPOSED LEASE OF WEST OCEAN CITY HARBOR COUNTY JOINT VENTURE AREA - The County Commissioners propose to lease the County Joint Venture Area of the West Ocean City Harbor to Thrive Engineering, LLC for the use and occupancy of the area for docking of the vessel known as Alyosha.

TERMS OF LEASE - The County Commissioners propose to lease the above referenced space for a period of five years beginning on October 1, 2019 and ending on September 30, 2024 for an annual fee of \$8,500.00 (eight thousand five hundred and 00/100 dollars), plus one-half of the revenues derived from advertising and corporate sponsorships displayed on the various sails and flags on the Alyosha which operates sailing cruises in the Atlantic Ocean along the coast of Ocean City, Maryland from the Ocean City Inlet north to approximately 120th Street during summer months from Memorial Day weekend through Labor Day weekend.

OPPORTUNITY FOR OBJECTIONS - Anyone objecting to the proposed lease of the above County property shall do so in writing submitted to the address below prior to 4:30 p.m. on Wednesday, September 25, 2019, or in person at the regularly scheduled meeting of the County Commissioners at 10:10 a.m. on October 1, 2019 in the County Commissioners Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland 21863.

WORCESTER COUNTY COMMISSIONERS

* See public comments beginning on page 12



Worcester County
Department of Recreation & Parks

Tom Perlozzo, Director

6030 Public Landing Road, Snow Hill, Maryland 21863
410.632.2144 • Fax: 410.632.1585



TO: Harold L. Higgins, Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: August 27, 2019
SUBJECT: Lease Agreement- Alyosha

opportunity for objection on October 1, 2019

The Recreation and Parks Department is requesting permission for Thrive Engineering, LLC. (wholly owned by Mr. Stephen Butz) to enter into a License Agreement to lease space to dock the catamaran "Alyosha" at the West Ocean City Harbor. We do have space at the Harbor to the west of the Governor's Dock, between said Dock and the recreational boat ramp. This space is directly in front of the public restrooms. (See attached picture.) Also, please find attached the proposed License Agreement for the Alyosha Catamaran at the West Ocean City Commercial Harbor. The proposed Agreement was reviewed and prepared by County Attorney, Maureen Howarth. Some elements of the Agreement I would like to highlight are as follows:

1. Five (5) year term cancellable upon ninety days' (90) notice by the County. Lease begins October 1, 2019 thru September 30, 2024.
2. Minimum annual rental fee of \$8,500.00, plus advertising fees to be determined.
3. Includes provisions for area use and clean up.
4. Only the vessel indicated within the document may be docked at the slip.
5. All insurance must be up to date with provided provisions specified by the County.
6. Exclusive rights for the County to sell advertising on the indicated sails.
7. Non-Compete clause for any termination or early termination as it relates to sponsor revenues.

Recall this is a new business in our area and the owner would like to expand their business. This Agreement needs to be advertise for 3 successive weeks in at least one newspaper of general circulation in the County and include the terms and the compensation to be received and give opportunity for objection. Per Mr. Shannahan, the hearing could be scheduled for October 1, 2019. At this time I am asking that the Agreement by advertised and scheduled for a hearing on October 1st.

Please let me know if you have any questions. Thank you.

Attachments

APPROVED
Worcester County Commissioners
Date 44 9/3/19

l'd

cess its Board of Appeals was an exercise of its Home Rule; a group that was not a party to the original proceeding was not improperly denied standing before the Board. *Chesapeake Bay Found., Inc. v. DCW Dutchship Island, LLC*, 439 Md. 588, 97 A.3d 135 (2014).

§ 10-312. County property; housing projects; franchise; required notice.

(a) *County property — Protection.* — A county may provide for the protection of county property.

(b) *County property — Acquisition and disposal.* — A county may provide for:

(1) the acquisition by purchase, lease, condemnation, or otherwise of property required for public purposes in the county; and

(2) the disposal of any real or leasehold county property, if the county property is no longer needed for public use.

(c) *County property — Leasing.* — A county may lease as lessor any county property to further the public purposes of the county, on any terms and compensation that the county considers proper.

(d) *Housing projects.* — A county may provide for the financing of any housing or housing project wholly or partly, including the placement of a deed of trust, mortgage, or other debt instrument on the property to ensure repayment of funds used to purchase, construct, rehabilitate, or otherwise develop the housing project.

(e) *Franchises.* — (1) A county may grant any franchise or right to use a franchise, including any right or franchise in relation to any highway, street, road, lane, alley, or bridge.

(2) A county may grant a franchise for a cable television system as provided in § 1-708 of this article.

(3) For any franchise granted under this subsection, a county may:

(i) impose franchise fees; and

(ii) establish rates, rules, and regulations.

(f) *Required notice.* — (1) Except as provided in paragraph (2) of this subsection, before the county makes any disposition, grant, or lease of county property, the county shall publish notice of the disposition, grant, or lease once a week for 3 successive weeks in at least one newspaper of general circulation in the county and shall include the terms and the compensation to be received and give opportunity for objections.

(2) A county may grant an easement for a public utility without giving notice under this subsection. (An. Code 1957, art. 25A, § 5(B); 2013, ch. 119, § 2; 2015, ch. 22.)

Effect of amendments. — Chapter 22, Acts from date of enactment, substituted “§ 1-708” 2015, approved April 14, 2015, and effective for “§ 1-707” in (e)(2).

§ 10-317. Road, waste disposal, soil erosion, and building

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LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made this ____ day of October, in the year two thousand and nineteen by and between COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, hereinafter referred to as the "County" and Thrive Engineering, LLC, respectfully hereinafter referred to as "Licensee", witnesseth:

IN CONSIDERATION of the mutual covenants contained herein and the license fee reserved hereunder, the parties hereto do hereby covenant and agree as follows:

1. The County does hereby grant a License unto Licensee for the use and occupancy of the dock space shown in the attached Exhibit A, said space being approximately 64 feet in length and running along the bulkhead from the Worcester County Boat Ramp to the Worcester County Governor's Dock for five (5) years beginning on October 1, 2019, and ending on September 30, 2024, upon terms and conditions more particularly described. The License Agreement (hereinafter "Agreement") may be renewed for one year with mutual consent of Licensee and the County.
2. The license fee reserved hereunder and payable by Licensee shall be \$8,500 a year and due on the first day of the license period for each year, unless covered by the advertisement revenue in Section 19.
3. This Agreement shall be cancelable for any reason upon ninety (90) days' notice by County to Licensee and upon ninety (90) days' notice by Licensee to the County. In the event of cancellation by the County, the license fee paid hereunder shall be rebated to Licensee on a per diem basis for the unused term of said License Agreement. If the event of cancellation by Licensee, Licensee shall pay the license fee for two additional years.
4. The County shall have the right to cancel this Agreement at any time during the term hereof because of illegality of performance, orders of court, injunctions or other litigation or related reasons including settlement of pending or threatened litigation. In such cases a rebate, pursuant to Paragraph 3, shall be applicable.
5. Licensee shall not be permitted to tie boats abreast within this dock space, this will be strictly enforced and may include immediate termination of this Agreement.
6. Licensee shall maintain his dock space and bulkhead adjacent thereto in a clean, neat, and orderly manner.
7. Licensee shall not be permitted to store any materials, supplies, gasoline, paraphernalia, equipment or any other items on the bulkhead, catwalks or parking lot nor shall permit any such storage by any persons claiming under him/her. The dock space shall be used for the docking of the catamaran Alyosha and for no other purpose. Licensee will in no way interfere with the use of any other dock or with the lawful use of the County boat ramp. Licensee shall not pick up or drop off customers at this dock space

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8. Vessel name and USCG DOC# to be docked at this space is as follows: **Alyosha**, #USCG Documentation # 1294434, State of Maryland Registration/Title # MD 9020 CR.

9. Licensee shall comply with all County, State and Federal laws and regulations in the use of the dock space.

10. Licensee shall not, nor allow third parties or persons under his/her control, to throw, discharge, dump or place any material, lubricants, sewage, trash, garbage, waste water, solid waste or any other objects or substances into the West Ocean City Harbor or the County public use small dumpster in the parking lot. **This small dumpster is for the use of the recreational boaters only.**

11. Licensee shall comply with all rules of use of the West Ocean City Harbor as are currently promulgated by the County and as may be promulgated in the future by the County .

12. Licensee hereby indemnifies and holds harmless the County against any and all liabilities, claims, suits, damages and other expenses including reasonable attorney's fees and court costs which may be imposed upon, incurred by or asserted against the County in connection herewith during the term of this Agreement by reason of any of the following:

- (a) Any use or condition of the dock space or any activities carried thereon or adjacent thereof or along the bulkhead.
- (b) Any negligence on the part of the Licensee, his/her agents, contractors, licensees, employees or invitees.
- (c) Any personal injury, death or property damage occurring on or about the dock space or the adjacent bulkhead, as well as any personal injury, death or property damage occurring while onboard the Alyosha.
- (d) Any failure on the part of the Licensee to perform or comply with any covenant required hereunder.
- (e) This indemnification includes injuries, death and damage to the Licensee, his/her property, agents, contractors, licensees, employees and invitees.

13. Nothing herein or any related agreement or any amendment hereto shall under any circumstances constitute or be construed as a waiver of immunities or limitations of liability that the County Commissioners, their officers, employees, agents, or servants, may have in by virtue of and in accordance with any law, including sovereign, statutory, qualified, official, common law, public general law or public local law immunity. County Commissioners, as a body politic, has become a party hereto only in the capacity stated herein. No individual elected County Commissioner, contractor, employee, agent, or servant of County shall have any personal liability hereunder. Any indemnity herein or arising out of this Agreement, on the part of the County Commissioners, shall be only to the extent permitted by law and shall be subject to the non-waiver of immunity, limitations of liability and all other provisions of this Agreement. County's liability under or arising out of this Agreement shall be subject to annual budget appropriation and strictly conditioned thereon. The non-waiver and the limitation of liability to County Commissioners hereunder shall be contractual and it is agreed that such limitation is fair and equitable under the totality of the circumstances hereof. It is further agreed and understood that this provision is of the essence.

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14. It shall be the responsibility of Licensee to maintain his exclusive use of the dock space and the County incur no affirmative duty to see to the exclusive nature of this License to the extent that the County will only be responsible for the policing of the West Ocean City Harbor area in a governmental capacity as they are responsible in any other area of the County and will make no special efforts with regard to the enforcement of the exclusiveness of this Licensee and it shall be the responsibility of the Licensee to seek whatever legal redress may be necessary to enforce his/her rights hereunder as against third parties.

15. If the space becomes unusable by Act of God for more than ninety (90) consecutive days, a per diem rebate shall be applicable for all days the space is unusable due to the Act of God.

16. Any notice under this Agreement must be in writing and must be served as follows:

- (a) Notice to the County shall be delivered to the Office of the County Commissioners, Government Center-Room 1103, One West Market Street, Snow Hill, MD 21863.
- (b) Notices to Licensee shall be either: (1) Mailed to the Licensee at the following address: 6222 Mossway Baltimore, Maryland 21212 or 9101 Rusty Anchor Way, Unit #5 Ocean City, Maryland 21842, or (2) By the posting of such notice upon the bulkhead adjacent to the dock space.
- (c) Licensee shall provide to the County an emergency telephone number and email address so that he/she can be contacted immediately in case of an emergency. Licensee shall promptly notify the County of any change in the telephone number or email address.
- (d) When Licensee is contacted by the County, he/she shall respond within 24 hours, otherwise, the County will take whatever action they deem necessary to correct any delinquencies or emergencies that have arisen.

17. This License is for dock space and access thereto only and not for any portion of the land adjacent to the dock space. Any property of any type other than a licensed motor vehicle or such other property as may be permitted by the County may be removed by the County without notice to Licensee and Licensee hereby consents to hold harmless the County on account of such removal and shall pay to the County the reasonable costs incurred to remove and store or dispose of such property.

18. The Licensee shall maintain comprehensive liability insurance in the minimum amount of One Million Dollars (\$1,000,000.00) and with such companies as County may approve and including pollution abatement insurance in the minimum amount of Eight Hundred Thousand Dollars (\$800,000.00), covering petroleum spills, pollution and cleanup for the period of the License Agreement and provide proof of such insurance to the County. The County shall be named as an additional insured.

19. The County have the exclusive right to sell advertising and corporate sponsorships on the Alyosha. Licensee agrees the County can sell advertising on the following components of the Alyosha:

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- (a) Sail Cover
- (b) Gennaker
- (c) Jib
- (d) Spinnaker
- (e) Storm Jib
- (f) Flags- up to 10 feet by 15 feet. 3 maximum.
- (g) Main Sail

Licensee has approval authority over the designs and placement of these advertisements. Such approval shall not be unreasonably withheld. Any revenue generated from said advertisements or sponsorships shall be first applied to pay the County the \$8,500 annual license fee, then any remaining revenue shall be shared equally between County and Licensee. This revenue sharing shall continue for the full five year term of this Agreement regardless of whether the Agreement is cancelled under Section 3 or terminated under Section 22.

Licensee has the authority to fly flags advertising his business and the location of where the Alyosha customers are picked up.

The County has the right to sell to potential advertisers and sponsors souvenirs for the sailing charters. The design of said souvenirs shall be approved by Licensee.

The County has the exclusive right to sell to potential advertisers and sponsors a space on the electronic sailing charter booking confirmation page. Licensee shall allow said space to the advertiser or sponsor.

20. Licensee shall operate the Alyosha for sailing cruises from the Friday before Memorial Day weekend to the Monday of Labor Day weekend and on Saturday and Sunday in September (hereinafter the "Season"). Weather permitting, Licensee shall operate a minimum of one 3 hour charter and one two hour charter a day, six days a week. The components sold for advertising and sponsorship, are required to be used on said cruises. If Licensee operates other charters on a given day (Sunset Cruises, Moonlight Cruises, Weddings, Ice Cream Sails), then the components sold for advertising and sponsorship, are required to be used on these additional cruises as appropriate for the trip taking place. Licensee guarantees 160 cruises per Season as a minimum.

21. Licensee agrees that upon cancellation under Section 3 or termination under Section 22 of the Agreement, Licensee shall not enter into a similar partnership with another governmental entity or corporate entity on the Alyosha for two years from the date of cancellation or termination. Licensee agrees that upon cancellation under Section 3 or termination under Section 22 of the Agreement and for two years thereafter, Licensee shall not enter into an advertising or sponsorship agreement with an entity that Licensee and/or the County was receiving revenue from during the terms of this Agreement.

22. This Agreement may be terminated in writing by the County, upon 15 days' notice to Licensee, for breach hereof by Licensee. Licensee has the 15 days' to cure the breach. If the breach is not cured to the satisfaction of the County in the 15 days' the termination is in effect. In the event of termination by the County, any unpaid licensee fee for the term of the Agreement

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is due and payable immediately by Licensee. Licensee will not be reimbursed for any anticipatory revenue.

23. Licensee shall comply with the political contribution reporting requirements under Title 14 of the Election Law Article, Maryland Annotated Code, to which the Licensee may be subject.

24. This Agreement must be construed in accordance with the laws and regulations of Maryland and Worcester County. For purposes of litigation involving this Agreement, exclusive venue and jurisdiction must be in the Circuit Court for Worcester County, Maryland or in the District Court of Maryland for Worcester County.

25. During the performance of this Agreement, Licensee shall not discriminate in violation of any applicable federal, state and/or local law or regulation on the basis of race, color, sex, religion, national origin, creed, age, marital status, disability, honorably discharged veteran or military status, pregnancy, sexual orientation, political affiliation, or the presence of any sensory, mental or physical handicap, and any other classification protected under federal, state, or local law.

26. Neither party shall assign or otherwise transfer any of its rights, liabilities, obligations nor entitlements under this Agreement without obtaining the prior written consent of the other which consent may be withheld by the County in its sole and absolute discretion. Any attempted assignment made in violation of this section shall be void and of no force or effect.

27. No exercise or waiver of any right or remedy provided for herein shall operate as a waiver of any right or remedy, except as otherwise provided in this Agreement. No delay, forbearance, or neglect on the part of a party in the exercise of a right or remedy shall operate as a waiver thereof.

28. If any provision of this Agreement shall be held invalid or unenforceable by any court, governmental agency or arbitrator of competent jurisdiction, such invalidity or unenforceability shall not affect any other provision, and this Agreement shall be construed as if such invalid or unenforceable provision were never contained herein.

29. This Agreement constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements, and understandings.

30. This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this Agreement.

AS WITNESS the hands and seals and/or corporate name of the parties hereto, the day and year first above written.

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WITNESS:

THRIVE ENGINEERING, LLC

Licensee

ATTEST:

COUNTY COMMISSIONERS OF WORCESTER
COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

By: _____
Diana Purnell
President

RESOLUTION NO. 19 - 28

**RESOLUTION DESIGNATING A PORTION OF THE WEST OCEAN CITY HARBOR
FOR COUNTY USE OR COUNTY JOINT VENTURES**

WHEREAS, the West Ocean City Harbor (hereinafter "Harbor") is governed by the Code of Public Local Laws of Worcester County, Maryland, County Government Article, § 4-405; and

WHEREAS, CG §4-405 designates commercial and recreational sections of the Harbor;
and

WHEREAS, the County has identified a space at the Harbor, said space being approximately 64 feet in length and running along the bulkhead from the Worcester County Boat Ramp to the Worcester County Governor's Dock that has never been identified for a specific use (See Attached Exhibit A incorporated hereto); and

WHEREAS, said space also does not fit the definitions in CG § 4-405 for "recreational section" or "commercial section"; and

WHEREAS, CG § 4-405 allows the County Commissioners by resolution, to provide for other recreational, educational and public service type uses, including the leasing of space, in the recreational section and may reserve portions thereof of the commercial section for other public purposes as may be from time to time determined by the Commissioners; and

WHEREAS, said space is neither commercial nor recreational but if said space was either, the County Commissioners have the authority to designate said space for other purposes;
and

WHEREAS, the County Commissioners of Worcester County, Maryland, desire to designate said space for County use or County joint ventures and believe this will maximize the use of said space;

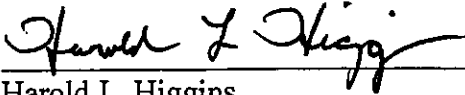
NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that:

1. In accordance with the Code of Public Local Laws of Worcester County, Maryland, County Government Article, § 4-405, the space which is approximately 64 feet in length and running along the bulkhead from the Worcester County Boat Ramp to the Worcester County Governor's Dock on the north side of the Harbor as shown on the attached Exhibit A shall be reserved for use by the County or County joint ventures as may be from time to time determined by the County Commissioners.

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


PASSED AND ADOPTED this 3rd day of September, 2019.

ATTEST:

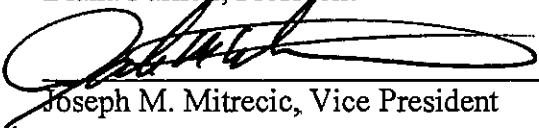


Harold L. Higgins
Chief Administrative Officer

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND



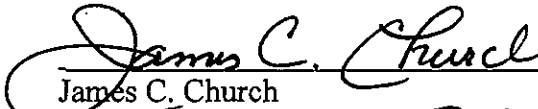
Diana Purnell, President



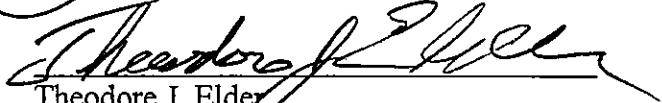
Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.



James C. Church

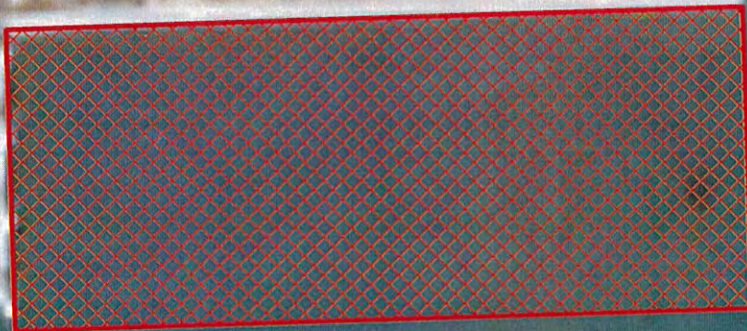


Theodore J. Elder



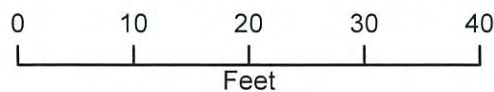
Joshua C. Nordstrom

West Ocean City Harbor - 12826 Sunset Avenue
Area for County Use or County Joint Venture



County Use / County Joint Venture: 26 feet x 64 feet

DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING
Technical Services Division - August 2019



Source: 2016 Aerial Imagery

Exhibit A

11

Kelly Shannahan

From: Stephen Pulley <docpulley@verizon.net>
Sent: Monday, September 9, 2019 2:51 PM
To: commissioners
Subject: Proposed lease West Ocean City Harbor

Public Comments

Dear Commissioners,

This letter is to voice my opposition to the proposed lease of dock space in the Commercial Harbor of West Ocean City. A newspaper article discussed the proposal and initial approval of a request to lease the space between Governor's Dock and the boat ramps. My key concern has to do with access to the outside of the eastern most boat ramp pier. This is in the space involved in the proposed lease. This location is a key temporary tie up for someone who single-handedly has to move their towing rig to the ramp to retrieve their boat. When the ramps are slow, it is not an issue tying up in the ramp while walking to get the trailer and then moving it to the ramp. However, when busy, it is inconsiderate to block a ramp. Google Satellite view shows the area in question with a boat in the space mentioned.

<https://www.google.com/maps/place/Ocean+City,+MD/@38.3274963,-75.1070138,50m/data=!3m1!1e3!4m5!3m4!1s0x89b8d671ac93de8b:0xb4bc715a3af31672!8m2!3d38.3365032!4d-75.0849058>

The large slips west of the Department of Natural Resources station would appear ideal for the Alyosha.

<https://www.google.com/maps/place/Ocean+City,+MD/@38.3268591,-75.1039212,99m/data=!3m1!1e3!4m5!3m4!1s0x89b8d671ac93de8b:0xb4bc715a3af31672!8m2!3d38.3365032!4d-75.0849058>

Or, the plenty of open pier space east of Martin's Fish Company appears to be more appropriate.

Thank you for taking the time to consider my input.

Sincerely yours,

Dr. Stephen Pulley
1907 Marlin Drive
Ocean City

Google Maps Ocean City



Imagery ©2019 Google, Map data ©2019, Map data ©2019 20 ft



Ocean City

Maryland

Google Maps Ocean City



Imagery ©2019 Google, Imagery ©2019 U.S. Geological Survey, Map data ©2019 20 ft



Ocean City

Maryland



County Commissioners
Worcester County

Tom Perlozzo
Director of Parks and Recreation
Worcester County

Dear Sirs,

Enclosed with this correspondence is a check for \$1,239 to fulfill my obligation for the lease agreement signed on August 6th.

I would like to personally thank you for the opportunity to continue to do business in West Ocean City Harbor on my sailing catamaran, Alyosha, this past summer. I believe that Alyosha was an important new amenity in the harbor, and because we were able to creatively find space for me to operate the vessel, some important benefits were realized. 184 people came to the harbor and boarded Alyosha. A vast majority of these people were exposed to the harbor for the first time, and interest was generated in returning to try the bars and restaurants that are a part of the harbor.



Additionally, 3 weddings took place on Alyosha since our lease was signed, with a particular favorite being a family from Salisbury who came to celebrate their special day specifically to take advantage of the platform Alyosha provides for taking in the magnificent sights and natural beauty of Worcester County! I am attaching a few of my favorite pictures from this event which simply would not have happened if you all had not given your go ahead!



Finally, I wanted to share some of the feedback I received from customers, and I am restricting this view only to those served since our relationship began. I think you will find that I have tried to be a good business partner and have worked hard to build West OC Harbor into a bigger tourist destination.

(And at the bottom, after the reviews, I could not resist sharing yet another special moment that happened in August, when a marriage proposal was made, and accepted!, onboard Alyosha and this newly engaged couple was cheered on loudly from all of the harborside restaurants...)

Again, thank you so much for the opportunity,

Stephen Butz, President of Thrive Engineering

Customer Feedback:

"The whole experience was great, it was our first time on a sail boat. We loved the experience, cant wait to come back and hope to sail again. Thanks for making my birthday weekend great!!"

"Steve and Ryan were extremely helpful and made the experience a great one. Steve had so much to share in terms of his sailing experiences and it was wonderful to listen to his many stories. They both were continually checking on all passengers aboard to ensure they were having the best possible experience. Every step of the way, Steve explained what to expect in terms of the water conditions. It made for a very smooth sail."

"Great sailing, and nice to get some speed up away from shore. We especially loved seeing all the dolphins...probably more likely to follow a motor-less boat! And thanks for the Bayhopper and restaurant tip, the water taxi was fun, too."

"It'll exceed any of your expectations of what catamaran sailing could be like. Steve explains the experience through the entire trip, and makes you feel like you personally "matter". It's really something you CAN'T miss."





“Great captain & crew, good conversation, gorgeous vessel, incredible sunset, fun sailing, relaxed atmosphere and yummy ice cream. Ready to go again!”

“Thank you Captain Steve for taking good care of moi. You and your deck hand Kevin made our trip personable. You handled everything that I was feeling with care. I have not stopped talking about our experience on Alyosha. It's all positive even though I was nauseous and seasick”.

“Steve bent over backwards to make our trip happen and to make it the best one possible. He's a great captain, an extremely pleasant tour guide, and all round great guy. We can't wait to sail with him again. Our only complaint is the steep cost, but that's not based on a knowledgeable understanding of what a reasonable price should be, so take it with a grain of salt.”

“We had so much fun!! Thank you Steve for taking such good care of us!”

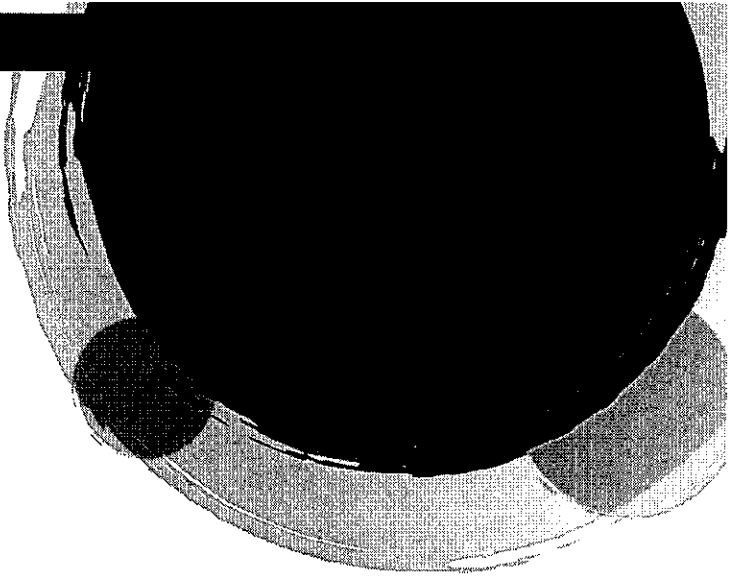
“Steve (Capt) and Sarah (first mate) were so inviting and friendly. This is the best excursion of OC! We will definitely be looking forward to seeing them for next summer.”

“Sailing on the Alyosha is a great addition to Ocean Cit's myriad of fun things to do while on vacation. In fact, its a do not miss! I took a group out and it by far exceeded their expectations and mine as well. I would highly recommend this experience to anyone who wants to convene with nature, feel the wind, sun and salt air on your back and come back refreshed and relaxed and ready to take on the world!”

“We had a wonderful time! Captain Steve, and his daughter, Sarah, were gracious, friendly hosts. We learned a lot, and just really enjoyed their company. I can not rate them highly enough! My husband and I loved everything about our sail! Thank you for a wonderful afternoon. :)”

“Boat Captain Steve Butz and First Mate Lisa made me , my wife, daughter and Sam feel like Family. We found the past history of the Alyosha as to where it was built and the world tour the Boat and Crew had made very interesting. Alyosha and Crew are truly a "Class Act" and I strongly recommend the sailing experience. “





Barefoot Beach Bride
11805 Coastal Highway, Suite O
Ocean City, MD 21842
443-614-8542
barefootbridejodie@gmail.com
BarefootBridesOC.com

Dear Tom,

I am writing in support of Steve Butz and his Catamaran. Alyosha has been the best addition to Ocean City this season. Ocean City is a great location for destination weddings, whether it's a couple's favorite getaway place or has a special spot in their heart from childhood memories here. Adding Alyosha to our package list changed the game. Instead of people only coming down to get married with their feet in the sand, now they get the experience of a lifetime saying their I-Do's on the front of a beautiful catamaran. It has been the top conversation topic; we're constantly hearing about how amazing and fun the ceremonies look. Alyosha would not be what it is without Steve. Steve's welcoming personality is what makes everyone's experience on Alyosha so unforgettable. He's very passionate about his job, always going above and beyond to make sure everyone's happy. Whether they've seen the boat from the beach with its notorious sail up or on our social media, the buzz about Alyosha is never ending. It's giving couples as well as families another reason to tour and enjoy the island. This is resulting in more hotel rooms booked and added business for our restaurants and shops. This past season Steve was only able to take up to 6 guests because of his license and starting in January he'll be able to take double, giving an opportunity for even more people to hop aboard Alyosha. Steve would also be another source for advertising on the ocean for other businesses using his sail. Overall, we could not be more thankful for Steve and Alyosha coming to Ocean City this year.

Warm regards,

Barefoot Beach Bride



Kelly Shannahan

Subject: FW: Alyosha

From: Cole Taustin <cole@embers.com>
Sent: Tuesday, September 17, 2019 1:38 PM
To: Tom Perlozzo <tperlozzo@co.worcester.md.us>
Cc: Steve Butz <steve@bluebimini.com>
Subject: Alyosha

Tom,

As you know, I have been an advocate for Alyosha since it's arrival in Ocean City. It has been a great partner for Mad Fish and I hope for it to continue to be once we've rebuilt. So many guests came in after their trip with Steve and raved about how unique of an experience it was. It is truly something special for Ocean City and West Ocean City. It brings something new and exciting to the Harbor that it hasn't had before! In addition to its appeal for the Harbor, it creates great visuals from the beach in Ocean City. I fully encourage the county to allow for the lease in the harbor! I hope that Steve will continue to use Mad Fish for his pick ups and drop offs, it has truly been a win-win relationship so far!

Thank you!

--

Cole Taustin

The Embers Restaurant Inc.
Blu Crabhouse and Raw Bar
Mad Fish Bar and Grill
Embers Island LLC
2305 Philadelphia Avenue
Ocean City, Maryland 21842

www.embers.com
Office: 410-289-3322
Fax: 410-289-0609

Kelly Shannahan

Subject: FW: Aloysha Sail Boat

From: Sisters Sundries <sisterssundrieswestoc@gmail.com>

Sent: Tuesday, September 17, 2019 12:35 PM

To: Tom Perlozzo <tperlozzo@co.worcester.md.us>

Subject: Aloysha Sail Boat

Hi there Tom,

I am a proprietor in West OC across the marina from this lovely Sailboat.

I have to say it is such a privilege to see this beautiful boat go in and out of the marina, taking tourists out to see our special seashore.

It is refreshing to see the happiness this brings to the tourism community! It is normal to see the boardwalk, the bars and restaurants do good business, but even better to have something so different and exciting for people that don't have boats to be able to go out on this magnificent vessel.

My neighbors who live in Annapolis said they had such an amazing time with their family and couldn't believe it's right there for the whole family to enjoy!

I hope this will be a permanent fixture in the West OC community as it adds a little bit more to our lives. We need to have Sailboats in Ocean City as it seems overstocked with power boats and jet skis/watercraft and it would be a good balance to have the sailboat community to be able to come and enjoy this amazing area as well.

I appreciate you considering my opinion on keeping this boat and service alive for the community and tourism.

Best,

Thank you
Kim Dixson, Proprietor
SISTERS SUNDRIES, Harbor Market
12814 HARBOR ROAD, WOCMD 21842
443.373.1328
www.sisterssundries.com

--

Thank you for shopping with Sisters Sundries!
12814 Harbor Road, West OCMD 21842

Kelly Shannahan

Subject: FW: Alyosha

From: Ruth Waters <rwatershg@gmail.com>
Sent: Tuesday, September 17, 2019 11:33 AM
To: Tom Perlozzo <tperlozzo@co.worcester.md.us>
Subject: Alyosha

Hello Tom,

I am writing to vouch for the Alyosha and its positive impact on the tourism community. Many of our hotel guests enjoyed their time aboard this summer and raved about the courtesy and professionalism of the captain. As a new, one of a kind, boat in Ocean City it is a welcomed addition to the amenities our resort can provide. I personally sailed on it twice and found it to be enjoyable, safe and a great family activity. I would certainly like to see the Alyosha have a permanent home on the docks in West Ocean City. Please don't hesitate to reach out if you have any questions or need more information.

Sincerely,
Ruth Waters

--

Ruth Waters, CHSP

Director of Sales
Harrison Group Resort Hotels & Restaurants

Ocean City, Md 21842
800-399-6820

www.HarrisonGroupSales.com



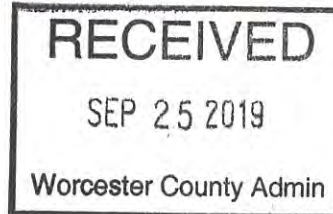
WAYNE HARTMAN
Legislative District 38C
Worcester and Wicomico Counties

Judiciary Committee



The Maryland House of Delegates
6 Bladen Street, Room 308
Annapolis, Maryland 21401
410-841-3356 · 301-858-3356
800-492-7122 Ext. 3356
Fax 410-841-3098 · 301-858-3098
Wayne.Hartman@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401



Worcester County Commissioners
1 W. Market Street, Room 1103
Snow Hill, MD 21863

September 16, 2019

RE: Support for a lease agreement with Captain Steve Butz and The Sail Alyosha for a portion of West Ocean City Harbor.

Dear Commissioners,

Please accept this letter of support for a five year lease to provide a portion of West Ocean City Harbor for the Sail Alyosha catamaran.

Sail Alyosha will provide Worcester County a new recreational amenity for residents and visitors and has already demonstrated, in partnership with Mad Fish Bar and Restaurant the ability to draw new people to West Ocean City Harbor. The Sail Alyosha is also an excellent ambassador for our region as this beautiful catamaran glides along Ocean City's coastline displaying its signature Maryland Flag spinnaker.

I personally sailed with my family this summer and it was a wonderful time for everyone who was sailing with us. I saw firsthand the benefits of keeping The Sail Alyosha in our area continuing to promote Worcester County, our businesses, and our state. I strongly believe we should do all we can to find a home for The Alyosha. The West Ocean Harbor would be the perfect fit for Capt. Butz, the Sail Alyosha, and Worcester County.

I appreciate your time and attention to this recommendation.

Sincerely,

A handwritten signature in cursive script that reads "Wayne A. Hartman".

Delegate Wayne Hartman
Proudly representing
Worcester and Wicomico Counties

Photograph Attached

BCC:



Kelly Shannahan

From: Tom Perlozzo
Sent: Sunday, September 29, 2019 12:21 PM
To: Kelly Shannahan; Harold Higgins; Maureen L. Howarth
Subject: Fwd: Alyosha dockage

Tom Perlozzo
Director of Recreation & Parks
Worcester County
443.944.4022

Begin forwarded message:

From: info <info@ocfoodietour.com>
Date: September 29, 2019 at 11:55:59 AM EDT
To: <tperlozzo@co.worcester.md.us>
Subject: Alyosha dockage
Reply-To: <info@ocfoodietour.com>

Tom...

Worcester County will soon be voting on whether or not the Alyosha sailboat will be able to lease space from the county for boat dockage for the 2020 season. We believe that the sailboat trips offered to guests of Ocean City are a wonderful and valuable addition to our community and will help generate tax revenue for Ocean City. The sailing trips offered by this company are the only sailing trips like it currently offered in OC.

I would request they can lease space to dock Alyosha and continue serving our guests with this wonderful experience.

Thank you for your consideration.

Sandy Gillis

Palmer Gillis

Sandy Gillis



OCFoodieTour.com
443-497-0458

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



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

October 9, 2019

TO: Worcester County Commissioners
FROM: Harold L. Higgins, Chief Administrative Officer *HH*
SUBJECT: National Prescription Opiate Litigation

As you are aware, the Judge assigned to a nationwide opioid lawsuit based in Ohio (known as the "MDL") recently approved the class action lawsuit and certified the Negotiation Class which includes all counties and municipalities (33,000) in the United States. The 13 Defendants (including their affiliates) are: (1) Purdue, (2) Cephalon, (3) Endo, (4) Mallinckrodt, (5) Actavis, (6) Janssen, (7) McKesson, (8) Cardinal, (9) AmerisourceBergen, (10) CVS Rx Services, Inc., (11) Rite-Aid Corporation, (12) Walgreens, and (13) Wal-Mart. Based on a hypothetical \$1 Billion gross settlement for counties and cities, Worcester County would receive \$177,349 to be distributed among the County and its four municipalities. Worcester County is automatically a member of the Negotiation Class unless an Exclusion Request Form is submitted on or before November 22, 2019. Based upon a concern that the Worcester County municipalities may be excluded from the Negotiation Class if the County opted out, I understand that you have decided to take no action on this matter.

If you should have any further questions or concerns, please feel free to contact me.



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

COMMISSIONERS
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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

September 18, 2019

See public Comments
on page 16-18



FAXED

9/18/19 @ 10:42 am

TO: *The Daily Times* Group and *Ocean City Today* Group
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*

Please print the attached Notice of Amendments to Bill 19-3 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on September 26, 2019 and October 10, 2019. Thank you.

**NOTICE OF AMENDMENTS TO BILL 19-3
WORCESTER COUNTY COMMISSIONERS**

Take Notice that Amendments to Bill 19-3 (Zoning - Boarding and Lodging Rentals) were introduced by Commissioners Bertino, Bunting, Church, Elder, Nordstrom and Purnell on September 17, 2019.

A fair summary of the amendments to the bill are as follows:

§ ZS 1-103(b). (Adds a new definition of "Bedroom" in the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.)

§ ZS 1-351. (Amends this new section to the Zoning and Subdivision Control Article to regulate "short term rentals (STR)" to specify that the definition of a "family or housekeeping unit" in the County Zoning Ordinance shall not apply in determining the occupancy limitations for licensed short term rentals, but rather that occupancy limitations shall be determined based upon the maximum occupancy of bedrooms at a ratio of one occupant per fifty square feet of unobstructed floor area; and amends the requirement to provide one additional off-street parking space for short-term rentals to apply only to structures for which a building permit application is received after the effective date of this section.)

A Public Hearing

will be held on the amendments to Bill 19-3 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on **Tuesday, October 15, 2019 at 11:00 a.m.**

This is only a fair summary of the amendments to the bill. A full copy of the amended 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 and is available on the County Website at www.co.worcester.md.us.

THE WORCESTER COUNTY COMMISSIONERS

Citizens and Government Working Together

la



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director of Development Review and Permitting *EAT*
DATE: September 10, 2019
RE: Bill 19-3 - Boarding and Lodging Rentals

This memorandum is in follow-up to the County Commissioners' public hearing for the above referenced Bill held on August 20, 2019. As you know, the County Commissioners voted 6-1 to massage the language in Bill 19-3 to address their concerns regarding the additional parking space required for rental properties, the limitation of two persons per bedroom rather than by size of the bedroom, and the restriction on the number of unrelated persons occupying a rental home and to bring a revised Bill back to the County Commissioners for their consideration and the scheduling of an additional public hearing if the changes are significant. Since the public hearing I have worked to develop revised language to address these specific issues. I am happy to provide a draft revised bill in strike and replace format for the County Commissioners' consideration. Although I believe these changes are rather simple, they did require a number of changes to the section numbers of the original bill as well as the various sections of what will be the new zoning regulations. I have tried to differentiate between the Bill section numbers and the new Zoning section numbers in my description below.

First, in order to address the parking issue I propose a revision to the new § ZS 1-351(b)(5) to require that one additional parking space be required beyond that currently required for a dwelling unit only for all short term rental structures for which a building permit application is received after the effective date of the section. My reasoning is that the short term rentals are occurring all over today without any regulation or additional parking and in many cases may not be able to provide additional parking. The proposed revision would allow them to be licensed but would also require any new structure to comply with the additional parking requirement.

See page 7

Second, to address the concerns over the limit of two persons per bedroom I have revised several different parts of the Bill. First, I created a definition of the term "bedroom." This is found on the very first page of the Bill. This definition was put together from research of other jurisdictions and my own experience in dealing with building and zoning regulations. In order to properly place this new definition in the Bill, I had to create a new Section 1 of the Bill and then renumber all of the subsequent sections of the Bill. Next, I went to the now renumbered Section 17 of the Bill that creates the new § ZS 1-351. I then revised the new §§ ZS 1-351(b)(3)A through C so that occupancy of a bedroom is based on the ratio of one occupant per 50 square feet of floor area unobstructed by other than furniture. The sum total of all occupants permitted in a short term rental is then the sum of the total of all occupants permitted in each bedroom of the structure.

See page 3

See pages 6-7

Third, in order to address the concerns over the number of unrelated persons occupying a short term rental, I revised the new § ZS 1-351(b)(3)A to say that the definition of "family or housekeeping unit" shall not apply in determining the occupancy limitations of short term rentals holding a valid rental license but rather the square footage limitations with regard to bedroom size and the total number of bedrooms.

See page 6

I believe these proposed changes adequately address the concerns I heard from the County Commissioners on August 20, 2019 and are not significant in nature. Should the County Commissioners concur, they could adopt Bill 19-3 with amendments at their meeting on September 17, 2019 or I will be glad to take additional direction for revised language to be presented at another time or participate in another public hearing if they feel the proposed amendments are substantial.

*

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

cc: Phyllis Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator
Phil Thompson, Finance Officer

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 19-3

BY: Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell
INTRODUCED: July 16, 2019
AMENDED: SEPTEMBER 17, 2019

A BILL ENTITLED

AN ACT Concerning

Zoning - Boarding and Lodging Rentals

For the purpose of amending the Zoning and Subdivision Control Article to eliminate inconsistencies in existing codes, revise definitions and to establish new regulations for short term rentals of one-and two-family dwellings.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that SUBSECTION § ZS 1-103(B) OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND BE AMENDED BY THE ADDITION OF A DEFINITION OF THE TERM "BEDROOM" TO READ AS FOLLOWS:

BEDROOM - A ROOM THAT CAN BE USED FOR SLEEPING THAT MEETS ALL OF THE FOLLOWING CRITERIA:

- (1) CONTAINS A MINIMUM OF SEVENTY SQUARE FEET OF CONDITIONED SPACE UNOBSTRUCTED OTHER THAN BY FURNITURE AND NOT INCLUDING CLOSETS;
- (2) IS LOCATED ALONG AN EXTERIOR WALL OF THE STRUCTURE IN WHICH IT IS CONTAINED;
- (3) HAS AN ENTRY DOOR AND A CLOSET;
- (4) DOES NOT PROVIDE ACCESS TO ANOTHER ROOM OTHER THAN A BATHROOM OR A CLOSET;
- (5) HAS AN EMERGENCY MEANS OF ESCAPE AND RESCUE MEETING THE REQUIREMENTS OF THE COUNTY BUILDING CODE ADOPTED PURSUANT TO § BR 1-201 OF THE BUILDING REGULATIONS ARTICLE WHEN CONTAINED IN A BUILDING FOR WHICH A BUILDING PERMIT WAS ISSUED ON OR AFTER JULY 1, 1992; AND
- (6) IS NOT ALL OR ANY PART OF A HALLWAY, BATHROOM, KITCHEN, LIVING ROOM, FAMILY ROOM, DINING ROOM, DEN, HOME THEATER/MEDIA ROOM, BREAKFAST ROOM OR NOOK, PANTRY, LAUNDRY ROOM, SUNROOM, RECREATION ROOM, EXERCISE ROOM OR ANY OTHER SIMILAR USE.

Section-12. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the existing definitions of "boarding or lodging house" and "country inn" as contained in Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed.

Section 23. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the existing definition of "transient" as contained in Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

TRANSIENT — When referring to a person, a person occupying or intending to occupy all or any portion of a structure for lodging on a temporary basis not to exceed twenty-eight consecutive days.

Section 34. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the existing definition of "boarder or lodger" as contained in Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and replaced by the new terms "lodger" and "roomer or boarder" to read as follows:

LODGER -- A person who receives sleeping accommodations, which may also include meals, for compensation in all or any portion of any dwelling unit for twenty-eight consecutive days or less.

ROOMER or BOARDER — A person who receives sleeping accommodations, which may also include meals, for compensation in all or any portion of any dwelling unit for more than twenty-eight consecutive days and who is not part of the resident family.

Section 45. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a definition of the term "short term rental" to read as follows:

SHORT TERM RENTAL (STR) — All or a portion of any dwelling unit or all of an accessory apartment that is rented to a lodger for sleeping accommodations on a basis not to exceed twenty-eight consecutive days. Short term rentals do not include bed-and-breakfast establishments. See § ZS 1-351 hereof.

Section 56. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-105(c) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new subsection § ZS 1-105(c)(7) to read as follows:

(7) Short term rentals, subject to the provisions of § ZS 1-351 hereof.

Section 67. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-202(c)(26) and ZS 1-202(c)(27) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-202(c)(28) through ZS 1-202(c)(46) be renumbered as Subsections §§ ZS 1-202(c)(26) through ZS 1-202(c)(44) respectively.

Section 78. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-203(c)(4) and ZS 1-203(c)(5) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-203(c)(6) through ZS 1-203(c)(22) be renumbered as Subsections §§ ZS 1-203(c)(4) through ZS 1-203(c)(20) respectively.

Section 89. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-203(d) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-203(d)(11) to read as follows:

- (11) The keeping of not more than two roomers or boarders.

Section 910. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-204(c)(11) and ZS 1-204(c)(12) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-204(c)(13) through ZS 1-204(c)(22) be renumbered as Subsections §§ ZS 1-204(c)(11) through ZS 1-204(c)(20) respectively.

Section 1011. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-204(e) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-204(e)(12) to read as follows:

- (12) The keeping of not more than two roomers or boarders.

Section 1112. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-208(c)(1) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-208(c)(2) through ZS 1-208(c)(18) be renumbered as Subsections §§ ZS 1-208(c)(1) through ZS 1-208(c)(17) respectively.

Section 1213. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-215(d) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-215(d)(8) to read as follows:

- (8) The keeping of not more than two roomers or boarders.

Section 1314. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-340(b)(1) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (1) No bed-and-breakfast facility shall contain more than twenty guest sleeping rooms. Only designated rooms shall be used for sleeping.

Section 1515. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-340(b)(7) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (7) No guest shall be permitted in a bed in a bed-and-breakfast facility for more than twenty-eight consecutive nights.

Section 1516. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-340(b)(9) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-340(b)(10) and ZS 1-340(b)(11) be renumbered as Subsections §§ ZS 1-340(b)(9) and ZS 1-340(b)(10) respectively.

Section 1617. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Section § ZS 1-351 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

§ ZS 1-351. Short term rentals.

- (a) Generally. It is the intent of these regulations to maintain the neighborhood character where short term rentals take place and protect the health, safety and general welfare of the permanent residents and the lodgers while allowing this form of renting to exist.
- (b) Requirements.
 - (1) Any dwelling unit or portion thereof that is offered as short term rentals must conform to the provisions of this Title.
 - (2) Any property used or planned to be used for short term rentals shall be limited to a single rental contract for any overnight period regardless of the number of available sleeping rooms in the principal dwelling unit or accessory apartment.

(3) Occupancy.

A. ~~Where the entire dwelling unit or accessory apartment is being offered for rent, occupancy shall be limited to a maximum of one family or housekeeping unit as defined in § ZS 1-103(b) hereof.~~ THE DEFINITION OF "FAMILY OR HOUSEKEEPING UNIT" AS CONTAINED IN § ZS 1-103 HEREOF SHALL NOT APPLY IN DETERMINING THE OCCUPANCY LIMITATIONS FOR SHORT TERM RENTALS HOLDING A VALID RENTAL LICENSE PURSUANT TO § TR 2-105 OF THE TAXATION AND REVENUE ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND BUT RATHER SHALL BE DETERMINED AS FOLLOWS:

1. EVERY BEDROOM, AS DEFINED IN § ZS 1-103 HEREOF, OCCUPIED BY MORE THAN ONE PERSON SHALL CONTAIN NOT LESS THAN FIFTY SQUARE FEET OF FLOOR AREA UNOBSTRUCTED OTHER THAN BY FURNITURE FOR EACH OCCUPANT.

2. THE TOTAL NUMBER OF OCCUPANTS PERMITTED IN ANY SHORT TERM RENTAL UNIT SHALL NOT EXCEED THE SUM TOTAL OF ALL OCCUPANTS PERMITTED IN EACH BEDROOM OF THE STRUCTURE.

~~B. Where a portion of the principal dwelling is being offered for rent, occupancy shall consist of a maximum of two sleeping rooms that may accommodate up to two lodgers per room not including children under the age of twelve but in no case a greater number of lodgers than may be permitted by the zoning district regulations.~~

€ B. Accessory apartments shall only be rented in their entirety and shall be SUBJECT TO THE OCCUPANCY LIMITATIONS AS CONTAINED IN SUBSECTION (B)(3)A. ABOVE. limited to a maximum of one family or housekeeping unit as defined in § ZS 1-103(b) herein. Accessory apartments shall also be subject to the provisions of § ZS 1-338 hereof.

(4) No modifications shall be made to the dwelling unit which shall change the functionality, appearance or principal design of the structure as an individual dwelling unit.

(5) One additional off-street parking space beyond that required by the provisions of § ZS 1-320(a) ~~for the existing permitted structure(s)~~ shall be provided for all short term rental ~~properties~~ STRUCTURES FOR WHICH A BUILDING PERMIT APPLICATION IS RECEIVED AFTER THE EFFECTIVE DATE OF THIS SECTION.

(6) The property owner shall maintain a record of the names of all lodgers, including their address, phone number and email address as applicable, as well as the dates of lodging. Such record shall be provided to the County upon request.

(7) The property owner or their authorized agent shall make the dwelling unit available for inspection during reasonable hours upon request by the County in order to verify compliance with the provisions of this Title.

(8) On-premises signage shall be permitted in accordance with the provisions of § ZS 1-324.

(9) The hosting of functions and events, including but not limited to wedding ceremonies, wedding receptions, family reunions, birthday and anniversary celebrations, corporate and employee appreciation parties and other similar gatherings of persons other than the authorized lodgers, shall be prohibited in association with any short term rentals, regardless of whether or not any form of compensation or barter has been paid or received by any individual or firm for the event.

(10) The County Commissioners by Resolution may establish additional standards or require additional information as deemed necessary to enforce the provisions of this Title.

Section 1718. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect January 1, 2020.

PASSED this _____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

The Commissioners met in legislative session.

The Commissioners conducted public hearings on four separate bills related to the proposed Countywide Rental Licensing Program as follows: Bill 19-3 (Zoning - Boarding and Lodging Rentals), Bill 19-4 (Taxation and Revenue - Rental Licenses), Bill 19-5 (Taxation and Revenue - Hotel Rental Tax), and Bill 19-6 (Taxation and Revenue - Mobile and Manufactured Home Park Licenses). Mr. Tudor reviewed the history behind and general overview of each bill. Mr. Tudor stated that Bill 19-3 is the only bill that involves zoning and thus was reviewed by the Planning Commission, which gave the bill a favorable recommendation.

The Commissioners conducted a public hearing to receive public comment on Bill 19-3 (Zoning - Boarding and Lodging Rentals), which was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell on July 16, 2019. Mr. Tudor stated that this bill eliminates inconsistencies in existing codes, revises definitions, and creates a new Section ZS 1-351 to regulate short-term rentals of residential dwellings. Furthermore, it aligns all inconsistencies in the zoning ordinance, definitions, and, specifically as requested by the Commissioners at their work session, the language was revised to require one additional parking space beyond that currently required for a residential structure when it is used for short-term rental. He then provided a general overview of the bill. A brief synopsis of the specific changes is as follows:

Section 1 repeals the definitions of "Boarding and Lodging House" and "Country Inn." Section 2 changes the definition of "Transient" in the Zoning and Subdivision Control Article from one who occupies a structure for 30 days to one who does so for 28 days. Section 3 repeals the definition of "Boarder or Lodger" and replaces it with a new definition for the term "Lodger" to be a person who receives sleeping accommodations for 28 consecutive days or less and a new definition of the term "Roomer or Boarder" to be a person who receives sleeping accommodations for more than 28 consecutive days. Section 4 creates a new definition for the term "Short Term Rental (STR)" to describe all or a portion of a dwelling unit or accessory apartment rented to a lodger on a basis of not more than 28 consecutive days. Section 5 adds "short term rentals (STR)" to the list of uses permitted in all zoning districts and would only apply to those properties having a dwelling unit. Section 6 eliminates "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the A-2 Agricultural District by special exception but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. Section 7 eliminates "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the E-1 Estate District by special exception but leaves "bed and breakfast establishments." Section 8 adds the keeping of not more than two roomers or boarders as an accessory use in the E-1 Estate District, just as it is in other zoning districts that allow dwelling units. Section 9 removes "boarding house" and "country inns" from the allowable uses in the V-1 Village District but leaves "bed and breakfast establishments." Section 10 adds the keeping of not more than two roomers or boarders as an accessory use in the V-1 Village District just as it is in other zoning districts that allow dwelling units. Section 11 removes "boarding and lodging houses" as a permitted use in the R-4 General Residential District since the keeping of four roomers or boarders is already allowed as an accessory use. Section 12 adds the keeping of not

more than two roomers or boarders as an accessory use in the RP Resource Protection District just as it is in other zoning districts that allow dwelling units. Section 13 raises the number of allowable rooms in a "bed and breakfast establishment" from six to 20 rooms since the current use of "conversion of historic or architecturally significant dwelling to an inn" has no limitation on the number of rooms and "country inns" have a limitation of 20 rooms, all of which are currently allowed in many cases in the same zoning district as "bed and breakfast establishments". Section 14 increases the number of permissible nights' stay in a "bed and breakfast establishment" from 14 to 28 nights to be consistent with the new definitions of "transient," "lodger," and "short term rental." Section 15 deletes the current prohibition on having more than two nonresident employees in or about the "bed and breakfast establishment," as the current limitation is an unenforceable, arbitrary limitation.

Section 16 is an entirely new section to be added to the Zoning and Subdivision Control Article to regulate "short term rentals (STR)" which are currently not regulated, and among its many provisions include the following: a limitation on the number of rental contracts to one for any overnight period of any property regardless of the number of sleeping rooms; a limitation on the number of families or housekeeping units (a group of not more than five persons not related by blood or marriage) to one where an entire dwelling or accessory apartment is available for rent; a limitation on the number of sleeping rooms available to rent to two where a portion of a dwelling unit or accessory apartment is available for rent and a limitation on the number of persons per room to two, not including children under the age of 12; a requirement that accessory apartments only be rented in their entirety and limited to one family or housekeeping unit; restrictions on modifications to the dwelling unit that change its functionality, appearance or principle design as an individual dwelling unit; a requirement to maintain a record of all lodgers; a requirement to make the dwelling unit available for inspection during reasonable hours; a prohibition on the use of the property to host functions and events, including but not limited to weddings and their receptions, family reunions, birthday and anniversary celebrations or other similar gatherings for persons other than the authorized lodgers; permits the County Commissioners to establish by resolution additional standards or require any additional information deemed necessary to enforce the provisions of the title; a requirement for all short-term rental properties to provide one additional off-street parking space beyond that required for a single-family dwelling; and permits on premises signage in accordance with the provisions of the Zoning and Subdivision Control Article.

Mr. Tudor responded to questions and concerns raised by Commissioner Bertino. With regard to limiting the number of sleeping rooms available to two adults instead of basing limitations on square footage, Mr. Tudor stated that those provisions only apply to the renting of a room not the entire house, as it is based on the assumption that the property owner is occupying the residence. Thus the proposed occupancy limits are aimed at maintaining the character of the neighborhood. With regard to requiring that accessory apartments only be rented in their entirety to one family or housekeeping unit, Mr. Tudor confirmed that this reflects the current law; however, County inspections would be strictly complaint driven. With regard to a prohibition on the use of the property to host functions and events, Mr. Tudor stated that, while renters could certainly host a party or special event during the short-term rental, the party or special event could not be the primary purpose for said rental, such as a wedding or reunion venue.

Commissioner Nordstrom applauded Mr. Tudor for his efforts to prepare the draft bill. In response to a question by Commissioner Nordstrom, Mr. Tudor stated that this bill would not affect students or those who rent summer housing while working in the resort, as the bill only applies to short-term rentals for 28 days or less, while most student workers rent for the entire summer.

Commissioner Purnell opened the floor to receive public comment.

Joe Wilson, President of the Coastal Association of Realtors (CAR), stated that licensing boarding and lodging rentals in itself is a good thing. However, the CAR opposes this legislation as drafted and directed the Commissioners to a letter from CAR recommending changes to the bill to address the concerns related to the following: 28 days being considered a short-term rental; occupancy limitations, inspections, the prohibition on functions and events, non-transferable rental licenses, unclear enforcement, and unfair off-street parking standards, as such requirements would limit the rental income of such properties and scare away potential buyers. He stated that limiting the number of renters to two related adults impacts fair housing by denying unrelated families and friends the opportunity to share vacation expenses by renting lodging together. He requested the Commissioners postpone adopting the legislation before them today and to instead make significant revisions to Bill 19-3 prior to adopting it. In conclusion, he stated that each person has the choice on where to vacation, and CAR wants the County to adopt legislation that will help vacationers choose Worcester County.

Rico DeMattia, real estate agent in Pocumoke, urged the Commissioners to adopt legislation that allows for proper oversight but is not so heavily regulated that it deters investment in the real estate market in the County.

Louis Lazzaro of Ocean Pines advised that he purchased a 2,148-square-foot home in Ocean Pines and made improvements to create a five-bedroom home that sleeps 15. He stated that occupancy restrictions would greatly diminish the earning potential of his rental home. Therefore, he urged the Commissioners to remove the occupancy limits before adopting Bill 19-3.

Alexander Pilla of Bishopville, with Shamrock Realty Group, stated that the legislation as proposed is not user friendly for property owners, particularly out-of-state property owners, which may lead to a perception that it is difficult to rent in Worcester County, thereby deterring homebuyers who rely on rental income to afford the mortgage. He urged the Commissioners to take a step back from adopting this legislation.

There being no further public comments, Commissioner Purnell closed the public hearing.

Commissioner Nordstrom stated that there is a lot to like in Bill 19-3, but that the Commissioners should not take action on this bill until they can address the concerns raised by the public. Commissioner Church concurred, noting that there is too much ambiguity in the bill, and the Commissioners should postpone adopting this legislation and allow outside input from agencies, such as the Chambers of Commerce, to revise the bill.

A motion by Commissioner Nordstrom to table Bill 19-3 for further consideration failed 2-5, with Commissioners Church and Nordstrom voting in favor and Commissioners Bertino, Bunting, Elder, Mitrecic, and Purnell voting in opposition.

Commissioners Bertino and Elder both expressed opposition to the current occupancy limits. Commissioner Elder expressed further concerns about the parking limitations and

occupancy limits, noting that it is not the County's job to regulate who's who in the bedroom. Commissioner Bunting disagreed, noting that occupancy limits protect the character of a neighborhood, and removing those limitations would place a burden on public infrastructure, specifically parking and existing water and sewer flow calculations. Commissioner Mitrecic stated that similar rental requirements already exist in the Town of Ocean City, and the County needs to do the same to level the playing field for all.

Following further discussion, a motion by Commissioner Mitrecic to adopt Bill 19-3 as presented failed 3-4, with Commissioners Bunting, Mitrecic, and Purnell voting in favor and Commissioners Bertino, Church, Elder, and Nordstrom voting in opposition.

Following additional discussion and upon a motion by Commissioner Bertino, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition to massage the language in Bill 19-3 to address their concerns regarding the additional parking space required for rental properties, the limitation of two persons per bedroom rather than by size of the bedroom, and the restriction on the number of unrelated persons occupying a rental home, bring a revised bill back to the Commissioners for their future consideration, and schedule an additional public hearing if changes are significant.



OFFICE OF THE
COUNTY COMMISSIONERS

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

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

July 16, 2019



FAXED
7/16/19 @ 3:54pm

TO: *The Daily Times Group and Ocean City Today Group*
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *kl.*

Please print the attached Notice of Introduction of Bill 19-3 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on August 1, 2019 and August 15, 2019. Thank you.

NOTICE OF INTRODUCTION OF BILL 19-3 WORCESTER COUNTY COMMISSIONERS

Take Notice that **Bill 19-3 (Zoning - Boarding and Lodging Rentals)** was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell on July 16, 2019.

A fair summary of the bill is as follows:

§ ZS 1-103(b). (Repeals the definitions of "Boarding and Lodging House" and "Country Inn" to prepare for other changes in definitions in subsequent sections of the Bill and to condense the numerous other definitions in the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland for types of lodging facilities into a more succinct format.)

§ ZS 1-103(b). (Repeals and reenacts the definition of "Transient" in the Zoning and Subdivision Control Article from one who occupies a structure for 30 days to one who does so for 28 days since short-term rentals are typically for weekly stays and not on a monthly basis.)

§ ZS 1-103(b). (Repeals and reenacts the definition of "Boarder or Lodger" and replaces it with a new definition for the term "Lodger" to be a person who receives sleeping accommodations for 28 consecutive days or less and a new definition of the term "Roomer or Boarder" to be a person who receives sleeping accommodations for more than 28 consecutive days.)

§ ZS 1-103(b). (Creates a new definition for the term "Short Term Rental (STR)" to describe all or a portion of a dwelling unit or accessory apartment rented to a lodger on a basis of not more than 28 consecutive days. It excludes from this definition "bed and breakfast establishments" which are already regulated by Section § ZS 1-340 of the Zoning and Subdivision Control Article.)

§ ZS 1-105(c)(7). (Adds "short term rentals (STR)" to the list of uses permitted in all zoning districts. This would only apply to those properties having a dwelling unit.)

§ ZS 1-202(c)(26) and (27). (Repeals "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the A-2 Agricultural District by special exception but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. This streamlines the Zoning and Subdivision Control Article to use a single term, "bed and breakfast establishments," instead of multiple descriptions of very similar uses.)

§ ZS 1-203(c)(4) and (5). (Repeals "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the E-1 Estate District by special exception but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. This streamlines the Zoning and Subdivision Control Article to use a single term, "bed and breakfast establishments," instead of multiple descriptions of very similar uses.)

§ ZS 1-203(d)(11). (Adds the keeping of not more than two roomers or boarders as an accessory use in the E-1 Estate District, just as it is in other zoning districts that allow dwelling units.)

§ ZS 1-204(c)(11) and (12). (Repeals "boarding house" and "country inns" from the allowable uses in the V-1 Village District but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. This streamlines the Zoning and Subdivision Control Article to use a single term, "bed and breakfast establishments," instead of multiple descriptions of very similar uses.)

§ ZS 1-204(e)(12). (Adds the keeping of not more than two roomers or boarders as an accessory use in the V-1 Village District just as it is in other zoning districts that allow dwelling units.)

§ ZS 1-208(c)(1). (Repeals "boarding and lodging houses" as a permitted use in the R-4 General Residential District since the keeping of four roomers or boarders is already allowed as an accessory use.)

§ ZS 1-215(d)(8). (Adds the keeping of not more than two roomers or boarders as an accessory use in the RP Resource Protection District just as it is in other zoning districts that allow dwelling units.)

§ ZS 1-340(b)(1). (Repeals and reenacts this section regarding bed and breakfast establishments to raise the number of allowable rooms in a "bed and breakfast establishment" from six to 20 rooms. The current use of "conversion of historic or architecturally significant dwelling to an inn" has no limitation on the number of rooms and "country inns" have a limitation of 20 rooms, all of which are currently allowed in many cases in the same zoning district as "bed and breakfast establishments." Differing room numbers for essentially the same use causes confusion in the interpretation and application of the Zoning and Subdivision Control Article.)

§ ZS 1-340(b)(7). (Repeals and reenacts this section to increase the number of permissible nights' stay in a "bed and breakfast establishment" from 14 to 28 nights to be consistent with the new definition of "transient," "lodger," and "short term rental.")

§ ZS 1-340(b)(9). (Repeals the current prohibition on having more than two non-resident employees in or about the "bed and breakfast establishment." The current limitation is an unenforceable, arbitrary limitation.)

§ ZS 1-351. (Adds this entirely new section to the Zoning and Subdivision Control Article to regulate "short term rentals (STR)" with the intent of maintaining the neighborhood character where short term rentals take place and protect the health, safety and general welfare of the permanent residents and the lodgers while allowing this form of renting to exist; establishes requirements for short-term rentals, including: a limitation on the number of rental contracts to one for any overnight period of any property regardless of the number of sleeping rooms; a limitation on the number of families or housekeeping units to one where an entire dwelling or accessory apartment is available for rent; a limitation on the number of sleeping rooms available to rent to two where a portion of a dwelling unit or accessory apartment is available for rent and a limitation on the number of persons per room to two, not including children under the age of 12; a requirement that accessory apartments only be rented in their entirety and limited to one family or housekeeping unit; restrictions on modifications to the dwelling unit that change its functionality, appearance or principle design as an individual dwelling unit; a requirement to provide one additional off-street parking space for short-term rentals; a requirement to maintain a record of all lodgers; a requirement to make the dwelling unit available for inspection during reasonable hours; on-premises signs shall be permitted in accordance with the provisions of section ZS 1-324; a prohibition on the use of the property to host functions and events, including but not limited to weddings and their receptions, family reunions, birthday and anniversary celebrations or other similar gatherings for persons other than the authorized lodgers; and permits the County Commissioners to establish by Resolution additional standards or require any additional information deemed necessary to enforce the provisions of the Title.)

A Public Hearing

will be held on Bill 19-3 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on **Tuesday, August 20, 2019 at 11:00 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 and is available on the County Website at www.co.worcester.md.us .

THE WORCESTER COUNTY COMMISSIONERS

Public Comments

September 21, 2019

Mr. Anthony W. Bertino Jr.
1 W Market St.
Snow Hill, Md. 21863

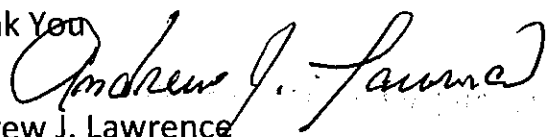
Copy! Ed Tudor ✓

Dear Chip; My wife and I have been a fulltime resident of Ocean Pines for the last 28 years and intend to continue living here for many more. Yes; I like living in Ocean Pines.

I am writing to you because I have a big concern with the lack of any regulations on rental property in a residential area such as Ocean Pines. We have a rental property two houses from us (#10 Beach Ct.) which advertise week and weekend rentals for their rental property capable of sleeping 16 people. We, their neighbors have to put up with the noise, speeding vehicles and partying in our neighborhood which had been always peaceful and quiet in the past. My next-door neighbor, who is trying to sell his house has told me that he had lost two potential sales because of the rental property.

Chip; Are there any legislative actions in the works which would limit the amount of occupants in a residential Rental property which would help keep our community a peaceful place to live? If not; Can You, at lease consider our problem? I would appreciate any information you can share on this topic.

Thank You



Andrew J. Lawrence
#6 Beach Ct.
Berlin, Md.21811
Tel 410-641-6128

RECEIVED
OCT 10 2019
Worcester County Admin

Kelly Shannahan

From: Mark Spangler <mark.spangler@icloud.com>
Sent: Saturday, September 28, 2019 4:49 PM
To: commissioners
Subject: Short Term Rentals

Below is a message that I sent to Chip Bertino, but then found the email address for all of the Worcester County Commissioners.

I hope that each of you will take my letter into consideration when you make a decision on the short term rental policy.

Thank you.

*Mark Spangler
17 Battersea Road
Ocean Pines, MD 21811
610.223.4922
mspangler@mchsi.com*

Mr Bertino,

It is my understanding that you and the County Commissioners will be holding a hearing on short term rentals in the County on October, 15, 2019. Unfortunately, I will be out of town and not be able to attend to attempt to voice my opinion. I'm hoping that this email message will convey my opinion and that you will take it into consideration when the decisions are made.

My wife and I live at 17 Battersea Road in Ocean Pines. We have been full time residents since 2002. The owners of the home directly next door to us (19 Battersea Road) decided this year to start renting their vacation home using the various websites that advertise on-line. Since they started this rental activity in June of this year, we have experienced many unpleasant experiences. The home is listed in the ads on-line as a four bedroom home that will sleep up to 10 people with a minimum of only a two night stay.

On the weekend of 9/13-9/15, we had to put up with a bachelorette party weekend with many more than 10 people in the home. The drinking, noise and the language being used was very offensive to both my wife and I.

On the weekend of 9/20 -9/22, there were **15** cars parked in the around the house (both the driveway and in front of many neighboring homes). When we saw all the cars on Friday, we decided to leave town for the weekend, so I can't comment of the noise level.

This current weekend, 9/26-9/28, there are at least 20 people staying in the residence, and there were at least 14 very loud cars that were coming and going all weekend. Again, cars were parked all

over the street. Each night we were awakened by the sounds of these cars as they returned to their rental property.

In addition to the above, we had various instances during the summer where we had to ask the renters to please keep the noise down, including one day when a girl removed her bikini top on the outside deck during a drinking party.

I hope you and the Commissioners will take this into consideration when you decide what action you will be taking. I'm sure if you or any of the other Commissioners lived next door to a property like this you would attempt to take steps to prevent these short-term rentals.

Thank you.

Mark Spangler
17 Battersea Road
Ocean Pines, MD 21811
mspanglers@mchsi.com
610-223-4922



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

25

REC
OCT 08 2019
Worcester

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: October 7, 2019
RE: Planning Commission Recommendation - Text Amendment Application - § ZS 1-212(c) - Churches, Temples and Mosques in the I-1 Light Industrial District

The Department is in receipt of a text amendment application submitted by Gary A McCabe, Jr. which seeks to amend the Zoning and Subdivision Control Article to allow churches, temples and mosques in the I-1 Light Industrial District by special exception. The Planning Commission reviewed the proposed text amendment at its meeting on October 3, 2019 and gave it a favorable recommendation.

Attached herewith is a memorandum from Phyllis H. Wimbrow, Deputy Director, which outlines the Planning Commission's comments and recommendations regarding the text amendment. The text amendment application and staff comments are attached to her memo as well. Should one of the County Commissioners wish to introduce the proposed amendment at the upcoming legislative session an electronic copy of the text amendment language in bill form has been forwarded to your office for your convenience and a copy of the draft bill is attached as well.

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

Attachments

cc: Phyllis H. Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 19-

BY:
INTRODUCED:

A BILL ENTITLED

DRAFT

AN ACT Concerning

Zoning - Churches, Temples and Mosques in the I-1 Light Industrial District

For the purpose of amending the Zoning and Subdivision Control Article to allow churches, temples and mosques by special exception in the I-1 Light Industrial District.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subtitle § ZS 1-212(c)(13) be renumbered as § ZS 1-212(c)(14) and a new § ZS 1-212(c)(13) be enacted to read as follows:

- (13) Churches, temples and mosques. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.

Section 2. 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 _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

- (c) Special exceptions. The following principal uses and structures may be permitted by special exception in the I-1 District in accordance with the provisions of § ZS 1-116(c) hereof:
- (1) Bulk storage or wholesaling of fuels and other flammable liquids. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet; and subject to the provisions of § ZS 1-325 hereof. The Board shall require construction and/or additional setbacks to adequately protect the public from hazard.
 - (2) Biodiesel facilities, including refining and processing of by-products or ingredients of biodiesel fuels. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet; and subject to the provisions of § ZS 1-325 hereof. The Board of Zoning Appeals may require additional buffers or setbacks to adequately protect the public from hazard.
 - (3) Concrete- and asphalt-mixing plants, including the compounding of building materials from cement. Minimum lot requirements shall be: lot area, five acres; lot width, five hundred feet; and all front, side and rear yard setbacks, one hundred feet; and subject to the provisions of § ZS 1-325 hereof.
 - (4) Solid waste transfer facilities, including compactors and necessary leachate collection and treatment facilities (not including an aboveground disposal site for leachate) and resource recovery and recycling facilities, subject to the provisions of Subsection (f) of this section. All facilities and storage areas shall be located at least two hundred feet from all perimeter property lines and public road rights-of-way. Setbacks shall be fully vegetated or landscaped pursuant to an approved site plan in accordance with § ZS 1-325 hereof. All facilities, buildings and storage areas shall be surrounded by a perimeter security and containment fence no less than six feet in height above the ground surface which shall be designed to prevent airborne movement of solid waste from the site. No solid waste shall remain on the site for more than twenty-four hours. All vehicles utilizing the facility must be of the compactor type or otherwise fully enclosed or covered when en route to or from the facility. Minimum lot requirements shall be: lot area, five acres; lot width, five hundred feet; front yard setback, two hundred feet [see § ZS 1-305(b) hereof]; each side yard, two hundred feet; and rear yard setback, two hundred feet; and subject to the provisions of § ZS 1-325 hereof.
 - (5) Outside principal uses other than accessory outside uses, subject to the provisions of § ZS 1-325 hereof.
 - (6) Wastewater and water treatment facilities, with the exception of sewage sludge disposal areas, in accordance with the provisions of § ZS 1-328 hereof.
 - (7) Dredge spoil disposal sites. Lot requirements for dredge spoil disposal sites, special conditions of operation and conditions regarding reclamation of sites shall be as specified by the Board of Zoning Appeals.

- (8) The addition to existing structures of telecommunications facilities that have the effect of increasing the overall height of the existing structure, subject to the provisions of § ZS 1-343 hereof.
- (9) Freestanding towers, guyed towers and monopoles over one hundred ninety-nine feet in height, subject to the provisions of § ZS 1-343 hereof.
- (10) Small and medium wind energy conversion systems over one hundred fifty feet in height, subject to the provisions of § ZS 1-344 hereof.
- (11) Heliports and airfields, subject to the provisions of §§ ZS 1-325 and ZS 1-345 hereof.
- (12) Personal service establishments, limited to health clubs and exercise facilities, located within structures where not less than sixty percent of the gross floor area of the structure is occupied by principal uses permitted in the district. [Added 4-15-2014 by Bill No. 14-4²⁰]
- (13) Any use or structure which is determined by the Board of Zoning Appeals to be of the same general character as an above-permitted use, not specifically mentioned in another district and compatible with the general character and intent of the I-1 District, subject to the provisions of § ZS 1-325 hereof.



proposed to insert new subsection here

20. Editor's Note: This bill also renumbered former Subsection (c)(12) as Subsection (c)(13).



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
FROM: Phyllis H. Wimbrow, Deputy Director *PAW*
DATE: October 4, 2019
RE: Planning Commission Recommendation - Text Amendment Application - § ZS 1-212(c) - Churches, Temples and Mosques in the I-1 Light Industrial District

The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding a text amendment application submitted by Gary A McCabe, Jr. which seeks to amend the Zoning and Subdivision Control Article to allow churches, temples and mosques in the I-1 Light Industrial District by special exception. Specifically, the text amendment as submitted by Mr. McCabe seeks to renumber existing § ZS 1-212(c)(13) as § ZS 1-212(c)(14) and to enact a new § ZS 1-212(c)(13) to read as follows:

- (13) Churches, temples and mosques. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.

The Planning Commission reviewed the proposed text amendment at its meeting on October 3, 2019. The staff report indicated that churches, temples and mosques are allowed either as a permitted principal use or special exception use in every zoning district except the I-1 Light Industrial District, I-2 Heavy Industrial District, CM Commercial Marine District, and the RP Resource Protection District. The staff was concerned that the proposed use does not conform to the purpose and intent of the I-1 Light Industrial District and that it will open up the limited amount of lands that are so zoned to more non-industrial uses, when there is an abundance of properties that are already appropriately zoned for churches, temples and mosques. The staff acknowledged that since churches, temples and mosques typically are open weekends and evenings, these times would generally be "off hours" for nearby industrial activities and thus would lessen the potential for nuisance-related conflicts of use. Additionally, as a special

exception, the applicant for such use would have to demonstrate to the satisfaction of the Board of Zoning Appeals how it would be in harmony with the general character of the neighborhood, potentially an industrial one. The staff concluded that given that the proposed use would only be allowed by special exception and is probably an isolated case, there may not be much of an issue in the future. However, the staff is always concerned that the slow creep of changes to the Zoning Code over time have the ability to erode the basic tenants of Euclidean zoning and therefore urged caution about these types of proposed text amendments that are very site specific and have a limited basis. The Planning Commission shared the concerns of the staff, particularly with regard to the potential for conflicting land uses, but concluded that the special exception process would provide the necessary degree of review and testing for incompatibility and also allow for imposition of appropriate conditions such as buffering. This process would provide the opportunity for industrial users to express their concerns or even support for the proposed uses. Following the discussion the Planning Commission gave a favorable recommendation to the text amendment application as submitted by the applicant.

A copy of a draft bill is attached, as is a copy of the staff report which includes the application. Should you have any questions or require additional information, please do not hesitate to contact me.

A BILL ENTITLED

AN ACT Concerning

Zoning - Churches, Temples and Mosques in the I-1 Light Industrial District

For the purpose of amending the Zoning and Subdivision Control Article to allow churches, temples and mosques by special exception in the I-1 Light Industrial District.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Subtitle § ZS 1-212(c)(13) be renumbered as § ZS 1-212(c)(14) and a new § ZS 1-212(c)(13) be enacted to read as follows:

- (13) Churches, temples and mosques. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.

Section 2. 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.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
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DATA RESEARCH DIVISION

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CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Worcester County Planning Commission
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: September 18, 2019
RE: Text Amendment Application - § ZS 1-212(c) - Churches,
Temples and Mosques in the I-1 Light Industrial District

The attached text amendment application was submitted by Gary A McCabe, Jr. and seeks to amend the Zoning and Subdivision Control Article to allow churches, temples and mosques in the I-1 Light Industrial District by special exception. Specifically, the text amendment as submitted by Mr. McCabe seeks to renumber existing § ZS 1-212(c)(13) as § ZS 1-212(c)(14) and to enact a new § ZS 1-212(c)(13) to read as follows:

- (13) Churches, temples and mosques. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.

Following our customary practice, once I received the text amendment application I forwarded it to Ed Tudor, Director, Jennifer Keener, Zoning Administrator, and Maureen Howarth, County Attorney and Planning Commission Attorney, for their review and comment. Mrs. Keener states in her written comments (attached) that churches, temples and mosques are allowed either as a permitted principal use or special exception use in every zoning district except the I-1 Light Industrial District, I-2 Heavy Industrial District, CM Commercial Marine District, and the RP Resource Protection District. She expresses concern that the proposed use does not conform to the purpose and intent of the I-1 Light Industrial District and that it will open up the limited amount of lands that are so zoned to more non-industrial uses, when there is an abundance of properties that are already appropriately zoned for churches, temples and mosques. Mrs. Keener notes that since churches, temples and mosques typically are open weekends and evenings,

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these times would generally be “off hours” for nearby industrial activities and thus would lessen the potential for nuisance-related conflicts of use. She also points out that, as a special exception, the applicant for such use would have to demonstrate how it would be in harmony with the general character of the neighborhood, potentially an industrial one. This of course would have to be demonstrated to the satisfaction of the Board of Zoning Appeals. Mr. Tudor shares Mrs. Keener’s concerns about the inconsistency of the proposed use, that being churches, temples and mosques, with the purpose and intent of the I-1 Light Industrial District. He questions the compatibility of the proposed use with several of the uses permitted by the zoning district. Mr. Tudor states that given that the proposed use would only be allowed by special exception and is probably an isolated case, his comments may be not much of an issue but he is always concerned that the slow creep of changes to the Zoning Code over time have the ability to erode the basic tenants of Euclidean zoning. He therefore urges caution about these types of proposed text amendments that are very site specific and have a limited basis. Mrs. Howarth responded by e-mail (copy attached) that she had no comments. I share the concerns expressed by Mrs. Keener and Mr. Tudor, particularly regarding the slow erosion of the Zoning Code. I do feel the special exception process would provide some necessary degree of review and testing for incompatibility and also allow for imposition of appropriate conditions such as buffering.

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

cc: Edward A. Tudor
Maureen Howarth
Jennifer Keener



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
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www.co.worcester.md.us/drr/index.htm

ZONING DIVISION
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ADMINISTRATIVE DIVISION
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TECHNICAL SERVICE DIVISION

MEMORANDUM

To: Phyllis Wimbrow, Deputy Director, DDRP
From: Jennifer Keener, AICP, Zoning Administrator *JKK*
Date: September 10, 2019
Re: Text Amendment request – Churches, temples and mosques in the I-1 District

.....

The current request is to add churches, temples and mosques as a special exception use in the I-1 Light Industrial District. Currently, churches, temples and mosques are permitted or special exception uses in nearly every zoning district except for the two industrial districts, as well as the CM Commercial Marine and RP Resource Protection Districts.

At first blush, I have some reservations of including this use in the industrial district. The purpose and intent statement of the I-1 District states that it is to provide for business and industry that is “characterized by light manufacturing, fabricating, warehousing and wholesale distribution”. Based on the intent, a church, temple and mosque use does not fit within that description. I would also be concerned that the county would be opening up already limited I-1 lands to more non-industrial activities, when there is an abundance of zoned properties where this use is already considered permitted by right or special exception.

Mr. McCabe does have a point in that the land use activity generally associated with a church, temple or mosque will typically occur during the “off hours” – on weekends and evenings – when the industrial activities that are typically conducted within or adjoining those properties would be less likely to operate. That has the ability to reduce the potential for nuisance-related conflicts of use. In addition, as a proposed special exception, the applicant will have to consider their use and how it will be in harmony with the general character of the neighborhood – which is a potentially industrial one.

I would remind the Planning Commission that while the applicant has listed a specific property in his application, a text amendment cannot be reviewed as a property specific request. They must consider all applicable I-1 Light Industrial zoned lands as a potential for this use.

Phyllis Wimbrow

From: Maureen L. Howarth
Sent: Wednesday, August 28, 2019 12:11 PM
To: Phyllis Wimbrow
Subject: RE: Text Amendment Application - Churches, Temples and Mosques in the I-1 Light Industrial District

No comments.

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

From: Phyllis Wimbrow
Sent: Wednesday, August 28, 2019 10:15 AM
To: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>; Jennifer Keener <jkkeener@co.worcester.md.us>
Subject: Text Amendment Application - Churches, Temples and Mosques in the I-1 Light Industrial District

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting
1 West Market Street, Room 1201
Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

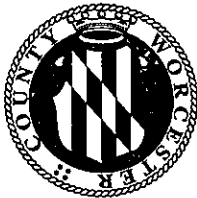
-----Original Message-----

From: wcg-xerox@co.worcester.md.us [mailto:wcg-xerox@co.worcester.md.us]
Sent: Wednesday, August 28, 2019 10:21 AM
To: Phyllis Wimbrow <pwimbrow@co.worcester.md.us>
Subject: Scanned from DRP-XeroxB8065

Please open the attached document. It was sent to you using a Xerox multifunction printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: Wor Co Development Review and Permitting
Device Name: DRP-XeroxB8065



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
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ZONING DIVISION
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TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Edward A. Tudor, Director *EAT*
DATE: September 17, 2019
RE: Text Amendment Application - Churches, Temples and Mosques in the I-1 Light Industrial District

This memorandum is in follow-up to your request for comments concerning the test amendment submitted by Mr. Gary McCabe, Jr. seeking to amend the Zoning and Subdivision Control Article to allow churches, temples and mosques in the I-1 Light Industrial District by special exception.

In preparation of these comments, I have read Mr. McCabe's application and, as you know, I had spoken to him prior to his submission of this application. As a result, I find it somewhat difficult to comment on the proposed text amendment. The difficulty arises from the fact that the proposed amendment results from Mr. McCabe's finding a potential site for his church that currently is not zoned appropriately but the proposed text amendment he has submitted, like any similar text amendment, applies to all lands zoned I-1 and not just to the potential site. I realize that most text amendments follow a similar pattern but I feel there is a greater degree of incompatibility of uses in this case. I note that Mr. McCabe feels that this is not an issue since most church activities are on Sundays and evenings on other days. This may very well be true but certainly there are churches where the level of usage has grown to much more than those limited times.

When removing myself from the site-specific aspects of this application I do question the compatibility of the proposed use with things such as biodiesel refining and processing facilities, concrete and asphalt plants, solid waste transfer facilities, and bulk fuel and flammable liquid storage and distribution facilities. I also look at the last sentence of the purpose and intent section of the I-1 district which states "[I]ndustrial parks are encouraged in

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this district to provide for industrial uses with common access and infrastructure, as well as the provision of open space and ***adequate buffering to adjacent noncompatible uses.***" (emphasis added) This text amendment would allow the noncompatible use right smack dab in the middle of the light industrial district.

Since this may be an isolated case and since the new use would only be allowed by special exception, the above comments may not be much of an issue. However, I am always concerned over the slow creep of such changes that over time have the ability to erode the basic tenants of Euclidean zoning. I simply caution against looking at these types of proposed text amendments on a very site specific and limited basis.

As always, I will be available to discuss the matter in greater depth if need be when it is reviewed by the Planning Commission.



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ADMINISTRATIVE DIVISION
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BUILDING DIVISION
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MEMORANDUM

TO: Edward A. Tudor, Director
Jennifer K. Keener, Zoning Administrator
Maureen Howarth, County Attorney
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: August 28, 2019
RE: Text Amendment Application - Churches, Temples
and Mosques in the I-1 Light Industrial District

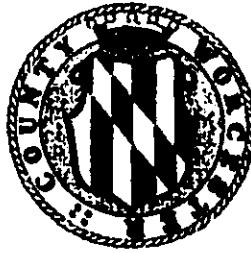
The attached text amendment application has been submitted by Gary A McCabe, Jr. and seeks to amend the Zoning and Subdivision Control Article to allow churches, temples and mosques in the I-1 Light Industrial District by special exception. Specifically, the text amendment as submitted by Mr. McCabe seeks to renumber existing § ZS 1-212(c)(13) as § ZS 1-212(c)(14) and to enact a new § ZS 1-212(c)(13) to read as follows:

- (13) Churches, temples and mosques. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.

I anticipate scheduling this text amendment for consideration by the Planning Commission at its October 3, 2019 meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than September 13, 2019.

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: 8/21/19

Date Received by Planning Commission: 8/22/19

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: ZS1-212(c)(13)

B. Page Number: _____

Renumber existing
(13) and enact new
(13)

C. Proposed revised text, addition or deletion:

Churches, temples, and mosques. Minimum lot requirements shall be: lot area, twenty thousand square feet, lot width (200) two hundred feet; front yard setback, thirty-five feet [see § 25 2-305(b) thereof]; each side yard setback, twenty feet, and rear yard setback, twenty feet.


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:

As a lifelong resident of Worcester County, I have been searching for locations to help our church, Salisbury based Oak Ridge Baptist, establish a new location in Worcester County. Finding the right site that allows good visibility, safe access, neighborhood compatibility and appropriate facilities has been a challenge.

We are particularly interested in a portion of the concrete plant along Rt 113 (just off of Peckles Road near Bishopville). As an industrially zoned parcel, churches and other religious institutions are prohibited. We hope that the County will consider including this use as permitted by special exception. Churches typically meet on non-business hours (Sundays and evenings).

IV. Signature of Applicant

<u>Signature</u>	<u>Address</u>	<u>Phone</u>	<u>Date</u>
	10872 Saint Martin North Rd Bishopville MD 21013	443-235-3016	8/19/2016

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.**



Administrative Offices
347 Tilghman Road
Salisbury, Maryland 21804

ORBC.net
410.742.4424
410.742.9562~Fax

August 19, 2019

Ed Tudor & Phyllis Wimbrow
1 W. Market St Room 1201
Show Hill, MD 21863

Greetings,

I first want to take a moment to thank you both for the help you have been. I haven't tried to do anything like this before and your quick and clear responses to my questions have been very encouraging to me.

As I may have mentioned previously- I have served as a pastor at Oak Ridge Baptist Church in Salisbury for nearly ten years. During that time, I have seen all the good that a healthy church can do for a community. I am so excited to be given the opportunity to bring a new church with the same strategy and purpose to Worcester County. While Salisbury may not seem so far away- as a lifelong resident of Bishopville- it feels like for the first time I will be able to bring all this goodness home!

I have been looking for a suitable location for a new site, and quite honestly have been coming up dry. Until we found this building that was formerly an office building for the Chaney Concrete Factory. Amazingly, the layout of the building and location are almost exactly what we are looking for. Unfortunately, the area where the building sits is zoned industrial, and, as you know, that precludes churches as an approved use. I am told that both the city of Salisbury and Wicomico County have already changed their zoning rules to allow churches and other religious organizations to use facilities in areas zoned light industrial. This made me hopeful that we might gain the use of this facility.

Please find included here the requested form and check to begin this process as you suggested.

Thanks again for all your help

Gary A McCabe Jr.

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



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

COMMISSIONERS
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MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

October 9, 2019

TO: County Commissioners
FROM: Harold L. Higgins, Chief Administrative Officer *HH*
SUBJECT: Proposed Text Amendment to Modify Fire Marshal Appointment Process

It has recently come to my attention that County law provides that the Worcester County Fire Prevention Committee, which is comprised of the Chief of each fire company chartered by the County Commissioners, shall submit a list of names for the Commissioners' consideration in appointing a new Worcester County Fire Marshal. This procedure pre-dates the establishment of the Worcester County Human Resources Office which now coordinates the application and selection process for all County employees as reviewed and approved by the County Commissioners. Therefore, selection of the Fire Marshal should follow the same procedure as any other department director level position which reports directly to the Chief Administrative Officer. As a result, County Administration has drafted the attached text amendment which removes the Fire Prevention Committee from the selection process.

Please review the attached legislative bill for introduction at your next legislative session on October 15, 2019. Upon introduction, a public hearing will be scheduled for November 19, 2019.

Thank you for your consideration. If you should have any questions or concerns with regard to this matter, please feel free to contact me.

STRIKE and REPLACE

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 19-

BY:
INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

Public Safety - Fire Marshal

For the purpose of modifying the appointment process for the Worcester County Fire Marshal by the County Commissioners.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Section § PS 1-301(a) of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

§ PS 1-301. Establishment of office; powers and duties.

- (a) Fire Marshal. The County Commissioners of Worcester County are hereby authorized to create and establish the office of Fire Marshal of Worcester County and to appoint as such A Fire Marshal. ~~a person from a list of names submitted by the Worcester County Fire Prevention Committee.~~ The Fire Marshal shall be an employee of Worcester County and shall enjoy all benefits and privileges of a regular employee of the county; provided, however, that the Fire Marshal may be removed by the County Commissioners for cause, upon written and sworn charges, after a hearing at which the Fire Marshal shall have an opportunity to be heard. The Fire Marshal shall receive such compensation as the County Commissioners shall determine. The salary and expenses of the office of the Worcester County Fire Marshal shall be paid by the County Commissioners and shall be in such amounts as the County Commissioners may from time to time determine necessary and appropriate.

Section 2. 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.

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 19-

BY:

INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

DRAFT

Public Safety - Fire Marshal

For the purpose of amending the Public Safety Article to modify the appointment process for the Worcester County Fire Marshal by the County Commissioners.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Section § PS 1-301(a) of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

§ PS 1-301. Establishment of office; powers and duties.

- (a) Fire Marshal. The County Commissioners of Worcester County are hereby authorized to create and establish the office of Fire Marshal of Worcester County and to appoint a Fire Marshal. The Fire Marshal shall be an employee of Worcester County and shall enjoy all benefits and privileges of a regular employee of the county; provided, however, that the Fire Marshal may be removed by the County Commissioners for cause, upon written and sworn charges, after a hearing at which the Fire Marshal shall have an opportunity to be heard. The Fire Marshal shall receive such compensation as the County Commissioners shall determine. The salary and expenses of the office of the Worcester County Fire Marshal shall be paid by the County Commissioners and shall be in such amounts as the County Commissioners may from time to time determine necessary and appropriate.

Section 2. 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 _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

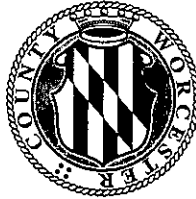
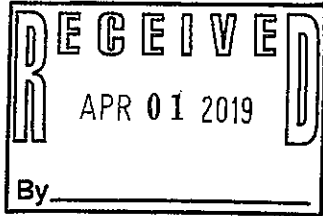
Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom




OFFICE OF THE FIRE MARSHAL
Worcester County

Jeffrey A. McMahon
Fire Marshal
Matthew W. Owens
Chief Deputy Fire Marshal

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MEMORANDUM

Date: March 22, 2019
To: Harold Higgins, Chief Administrative Officer
From: Jeff McMahon, Fire Marshal 
RE: Code for Public Local Laws for Worcester County, Section § PS 1-301

Upon reviewing the local fire codes for updates, corrections and with my pending retirement within the next two years I thought I would make sure you were aware of the process for my replacement as Fire Marshal according to the Code of Public Local Laws for Worcester County. Per the Code of Public Local Laws for Worcester County § PS 1-301, *Establishment of office; powers and duties, subsection (a)*:

"Fire Marshal. The County Commissioners of Worcester County are hereby authorized to create and establish the office of Fire Marshal of Worcester County and to appoint as such Fire Marshal a person from a list of names submitted by the Worcester County Fire Prevention Committee."

The Fire Prevention Committee Code is found in Section § PS 1-402 (h)(1):

"The Fire Prevention Committee shall be appointed by the County Commissioners and shall consist of the Chief of each fire company chartered by the County Commissioners pursuant to this Title of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland."

As written, the Commissioners would have to rely on a list of Fire Marshal candidates from the County's Fire Prevention Committee. During a discussion a year or so ago you indicated the possibility of reviewing the section of the Code so the Commissioners would have the pleasure of choosing interviewees and ultimately the next County Fire Marshal.

Could I be of assistance with this topic, as always, I'd welcome the opportunity to discuss this further with you.

§ PS 1-301. Establishment of office; powers and duties.

- (a) Fire Marshal. The County Commissioners of Worcester County are hereby authorized to create and establish the office of Fire Marshal of Worcester County and to appoint as such Fire Marshal a person from a list of names submitted by the Worcester County Fire Prevention Committee. The Fire Marshal shall be an employee of Worcester County and shall enjoy all benefits and privileges of a regular employee of the county; provided, however, that the Fire Marshal may be removed by the County Commissioners for cause, upon written and sworn charges, after a hearing at which the Fire Marshal shall have an opportunity to be heard. The Fire Marshal shall receive such compensation as the County Commissioners shall determine. The salary and expenses of the office of the Worcester County Fire Marshal shall be paid by the County Commissioners and shall be in such amounts as the County Commissioners may from time to time determine necessary and appropriate.
- (b) Appointment of incumbent. The County Commissioners, upon the effective date hereof, may appoint the then-serving Fire Marshal as Fire Marshal of Worcester County hereunder.
- (c) Powers and duties. The Worcester County Fire Marshal shall be the official charged with the administration and enforcement of the Fire Prevention Code of Worcester County and shall have such other powers and duties as the County Commissioners may from time to time determine.
- (d) Fire investigation authority. The Worcester County Fire Marshal shall be the official charged with investigating and determining origin and cause of fires. The Fire Marshal, Deputy Fire Marshals and Fire Investigators shall have the powers and authority of a police officer so far as relates to violations of law pertaining to fire-related matters. The powers of fire investigators also include, but are not limited to, those referenced in the Annotated Code of Maryland, as from time to time amended. **[Added 10-20-1998 by Bill No. 98-23]**

§ PS 1-402. Powers of the Fire Marshal.

- (a) General. Whenever the maintenance, operation or use of any land, building, structure, material or other object or any part thereof constitutes a fire hazard which is dangerous or unsafe or a menace to either the public health, safety or security and the action to be taken to eliminate such dangerous or unsafe condition or conditions which creates or tends to create the same is not specifically provided for in this Fire Prevention Code, the Fire Marshal is hereby authorized and empowered to take such action as may be necessary to eliminate such dangerous or unsafe condition or conditions in accordance with the provisions of this Fire Prevention Code.
- (b) Enforcement by Fire Marshal.
- (1) The Fire Marshal is hereby authorized, empowered and charged with the duty of enforcing the provisions of this Fire Prevention Code in the form and manner herein prescribed.
 - (2) The Fire Marshal is hereby authorized and empowered to institute or cause to be instituted any and all legal or equitable actions or proceedings of every kind and character which may be necessary and proper to enforce any and all provisions of the Fire Prevention Code.
 - (3) In any case where an emergency, as contemplated by this Fire Prevention Code, does not exist and any person fails in any respect to fully comply with any and all provisions of any notice, decision or order issued or made by the Fire Marshal, the Fire Marshal is hereby authorized and empowered to do or perform or have done or performed any and all work or operations and to take any other action which may be necessary to eliminate or make safe and secure any and all conditions of every kind and character which are in violation of the terms and provisions of this Fire Prevention Code.
 - (4) Nothing contained in this Fire Prevention Code shall be taken or construed to stop or prevent the Fire Marshal from instituting or causing to be instituted or fully prosecuting any and all legal or equitable actions or proceedings of every kind or character which may be necessary or proper to compel full compliance with any and all of the provisions of this Fire Prevention Code even though criminal proceedings of any kind or character may be pending or may have been completed.

- (c) Right of entry. The Fire Marshal or his authorized representatives, when in uniform or upon exhibiting the proper credentials, shall have the right to enter any building, structure or premises, except private residences, at any time during business or operating hours, or at such other times as may be necessary in an emergency resulting from or arising out of any causes that endanger or tend to endanger the public health or safety, for the purpose of performing his duties under this Fire Prevention Code or enforcing the provisions of this Fire Prevention Code.
- (d) Duty to make inspections and tests. The Fire Marshal shall make any and all inspections and tests or cause any and all inspections and tests to be made as required by the provisions of this Fire Prevention Code.
- (e) Authority to issue orders and notices. The Fire Marshal is hereby authorized and empowered to issue such orders and notices as may be necessary and proper to carry out the intent and purpose of this Fire Prevention Code.
- (f) Duty to keep records and make reports. The Fire Marshal shall keep any and all and make any and all reports that may be necessary for the proper administration of this Fire Prevention Code.
- (g) Deputies. The County Commissioners of Worcester County are hereby authorized and empowered to appoint such deputies as, in their judgment, may be necessary to make any and all of the examinations and inspections which are required to be made or which may be made in accordance with the provisions of this Fire Prevention Code, which deputies shall report, in writing, the results of their examinations or inspections so made to said Fire Marshal. For the purpose of making such examinations or inspections, such deputies as may be so appointed are hereby fully authorized and clothed with the same power and authority to enter upon or into and examine or inspect any premises, buildings or structures within the limits of Worcester County as is given to said Fire Marshal and his authorized representatives by this Fire Prevention Code.
- (h) Fire Prevention Committee of Worcester County.
 - (1) The Fire Prevention Committee shall be appointed by the County Commissioners and shall consist of the Chief of each fire company chartered by the County Commissioners

pursuant to this Title of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland.

- (2) The Fire Prevention Committee shall meet with the Fire Marshal at least quarterly. The Committee shall advise the Fire Marshal. The Committee shall make recommendations to the Board of County Commissioners for Worcester County for amendments, revisions and additions to the Fire Prevention Code of the county.

Kelly Shannahan

From: George Nicoletos <gnicoletos@yahoo.com>
Sent: Friday, October 11, 2019 2:58 PM
To: commissioners
Subject: Short term rental bill

Add to
24

We have lived in Ocean Pines for over 15 years. Last year we moved to a larger house in one of the newer sections in OP. The house next to ours has a pool and unbeknown to us, was a rental house. If we had known we would not have purchased it.

Last year while most of the weekly rentals were family's and little problems the short term rentals were always a problem. We had to call the police at least 4 times. We could have called more. There were several bachelor parties. One group arrived on a party bus drunk when they got here. Other groups coming for car events were also problems with loud cars coming and going all night. On one of the car related weekends there were so many cars in the driveway and on the street two cars got side swiped. Another car related group had a motorcycle hidden in the woods.

This year the owners changed to a local broker and while it has been much better the short term rentals are still the biggest problem.

We had a group for the recent H2Oi event that had over 10 cars in the driveway and all over the street. Noise was an issue. We also had a large group of golf guys that payed beer pong and corn hole drunk and loud cursing during the night. We are not retired and have a work schedule, as many of our neighbors and it's not acceptable to have to put up with this all hours of the night for 6 months a year.

Allowing 16 or more people in a rental is not acceptable in a residential community. Suggest that you limit occupancy to two per bedroom not including minors. We rented a home in wine country and while the house could have held 25 people we were restricted to 12 people based on the bedrooms.

Your help in addressing this is needed and appreciated.

George Nicoletos