

Minutes of the County Commissioners of Worcester County, Maryland

November 16, 2021

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

Following a motion by Commissioner Church, 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' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Weston Young, Deputy Chief Administrative Officer Joe Parker, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, Warden Fulton Holland, and Assistant Warden Shytina Drummond. Topics discussed and actions taken included the following: hiring Vincent Crupi as a plant operator trainee within the Water and Wastewater Division of Public Works, and Grace Barnes as an emergency communications specialist trainee and Deanna Dashiell as an emergency communications specialist I within Emergency Services; promoting Corporals Aaron Johnson and Donyell Thornton to sergeants within the County Jail, and Deputy Fire Marshal Matt Owens to fire marshal; advertising to fill the position of data research manager; discussing a disciplinary matter; receiving legal advice from counsel; and performing administrative functions, including receiving an FY22 monthly financial update, and discussing potential board appointments.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Purnell, the commissioners unanimously voted to adjourn their closed session at 9:32 a.m.

After the closed session, the commissioners reconvened in open session. Commissioner Elder called the meeting to order, and following a morning prayer by Reverend Stephanie Clayville of St. Mary's Episcopal Church in Pocomoke and pledge of allegiance, announced the topics discussed during the morning closed session.

The commissioners reviewed and approved the open and closed session minutes of their November 2, 2021 meeting as presented.

The commissioners presented commendations recognizing Ocean Pines Clubhouse Bar and Grille Bartender Rob Ruszin and Manager Judie Scotti for saving the life of a male patron exhibiting symptoms of cardiac arrest on October 31, 2021 by utilizing an automated external defibrillator (AED) to shock the victim and providing lifesaving assistance until public safety professionals arrived.

The commissioners presented commendations recognizing public safety personnel from the Maryland State Police (MSP) Trooper 4 Paramedics, Pocomoke City Volunteer Fire Company (PCVFC), Pocomoke City Emergency Medical Services (PCEMS), Stockton Volunteer Fire Company (SVFC), Worcester County Emergency Services (WCES), and the medical staff at Tidal Health for their multi-agency response to rescue a one-year-old boy who sustained a severe head injury from an ATV accident in Pocomoke on Saturday, July 24, 2021.

Pursuant to the recommendation of Deputy Chief Administrative Officer Joe Parker and upon a motion by Commissioner Bertino, the commissioners unanimously approved their calendar year 2022 meeting schedule and FY23 budget schedule. Commissioners' meetings generally take place on the 1st and 3rd Tuesday of each month, except where such dates fall on a legal holiday or other conflicting event.

Upon a subsequent motion by Commissioner Bertino, the commissioners unanimously agreed to cancel their December 21, 2021 meeting.

Upon a motion by Commissioner Nordstrom, the commissioners unanimously nominated Commissioner Bertino to continue serving as the primary Worcester County representative on the Maryland Association of Counties (MACo) Legislative Committee for the calendar year 2022, with Commissioner Bunting to continue serving as the alternate representative.

Deputy Chief Administrative Officer Joe Parker announced that Item 4, new Occupational Safety and Health Administration emergency temporary standards for COVID-19 has been tabled, as the matter remains under review by the U.S. Court of Appeals.

The commissioners met with Environmental Programs Director Bob Mitchell to discuss a request to schedule a public hearing to consider an application from the Town of Pocomoke City to amend the Comprehensive Water and Sewerage Plan to expand the sewer planning area for the Town of Pocomoke City to include the Royal Farms store in New Church, Virginia, with an estimated flow of 2,250 gallons per day for nine equivalent dwelling units (EDUs) of sewer capacity from the Pocomoke City Wastewater Treatment Plant (WWTP). The current onsite septic system serving the property has failed, there is no area on the property to replace the system, and the option for repair is limited to connecting to public sewer. The Pocomoke City WWTP is currently processing the Royal Farms sewage through pump-and-haul services.

Commissioner Bunting opposed the request, noting that the company does not pay any property taxes to the town or County and it would not be right to give capacity, which the town will need in the future, to a business operating in an adjacent state.

Commissioner Nordstrom urged his fellow commissioners to schedule a public hearing to allow the Town of Pocomoke to discuss the purpose of their request for this amendment. He noted that the Pocomoke City WWTP has a great deal of capacity, that the WWTP is already processing the wastewater generated by the Royal Farms via pump and haul, and more importantly that the additional revenues that would be generated by the granting of this request would provide the funding needed to cover the cost of vital infrastructure upgrades. He further explained that an existing sewer line runs from the WWTP to the Virginia Welcome Center. Thus the Royal Farms Store would only need to hook into that line and purchase the necessary EDUs to receive service from the Pocomoke City Sanitary Service Area (SSA). In response to

questions by Commissioner Nordstrom, Mr. Mitchell confirmed that the Planning Commission found the amendment to be consistent with the Comprehensive Development Plan.

Commissioner Church stated that this request provides no benefit to Worcester County, and if approved, the commissioners would be making an unacceptable exception.

In response to a question by Commissioner Church, Mr. Mitchell advised that the Planning Commission was concerned that the Royal Farms does not pay taxes in Worcester County.

Commissioner Bertino noted that he is sensitive to the town's interest in this project; however, he noted that Royal Farms chose to build in Virginia, is not paying taxes in Maryland, and thus any environmental situation caused by the septic system failure should be handled by that state. He cautioned that approving such a precedent-setting request would not be in the best interest of the County.

Commissioner Elder concurred, noting that he would welcome any decision by Royal Farms to relocate to Worcester County and thus be eligible to tie into public water and sewer.

Following much discussion, a vote by Commissioner Nordstrom to schedule a public hearing on the requested amendment failed 2-4, with Commissioners Nordstrom and Purnell voting in favor and Commissioners Bertino, Bunting, Church, and Elder voting in opposition.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Bertino, the commissioners unanimously accepted proposals totaling \$12,030 from Gipe Associates, Inc. (\$2,800), Wilfre Co. Mechanical (\$4,884), CJ Weisman balancing, LLC (\$3,360), Condor Technologies (\$486.20), and Tri State Insulation (\$500) for the heating valve replacement project at the Ocean Pines Branch Library. Funding for phase I and II as well as this additional component of the heating and valve replacement project is available within the Assigned Fund Balance.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Nordstrom, the commissioners unanimously awarded the following bids: the best bid from Iron Source of Georgetown, Delaware at a cost of \$17,538 for the purchase of two snow plows for use in the Roads Division of Public Works; \$2,380 for eight Roads Division employees to complete a Snowplow Operator I course through Delaware Technical College; and the low bid from Mr. Meticulous of Salisbury, Maryland at a monthly cost of \$541.63 for cleaning services at the Roads Division facility.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Nordstrom, the commissioners voted 4-2, with Commissioners Bertino and Bunting voting in opposition, to award the low bid of \$97,056.57 from EA Engineering, Science and Technology for design and engineering services for the Lewis Road gravity sewer and pump station project. Commissioner Bertino reiterated that this is a needed project, and his vote of opposition is strictly related to the granting of a special exception to provide public funding to cover the homeowners' connection costs.

The commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Purnell, the commissioners unanimously agreed to reappoint Vaughn White to the Solid Waste Advisory Board; to reappoint Darlene Bowen,

Kimberly List, and Gwendolyn Lehman to the Commission for Women; and to appoint Wynter Roberson and Mary Ann Catherine Rutzler to the Youth Council, and Felicia Green to the Housing Review Board.

On behalf of Commissioner Elder and upon a nomination by Commissioner Bunting, the commissioners unanimously agreed to reappoint Thom Babcock to the Board of Zoning Appeals.

Upon a nomination by Commissioner Bunting, the commissioners unanimously agreed to reappoint Cathy Drew to the Agricultural Preservation Advisory Board, Mike Poole to the Building Code Appeals Board, Robert Fisher to the Economic Development Advisory Board, Steve Kolarik to the Board of Electrical Examiners, Harry Hammond to the Social Services Advisory Board, and Robert Purcell to the Board of Zoning Appeals.

State's Attorney Kris Heiser, Sheriff Mathew Crisafulli, and Chief Deputy Doug Dods briefed the commissioners on the State mandate that all law enforcement agencies in Maryland implement body-worn camera programs by 2025, when all law enforcement personnel will be required to wear body cameras. Ms. Heiser stated that this will place a substantial burden on her prosecutors who will be required to review all body camera evidence for each case they prosecute. For example, she noted that 20-30 officers responded to an H20i event last summer. If such a case occurs under the new mandate, her office would be required to review roughly 30, 15-minute body cam videos in preparation to prosecute that one case. By way of comparison, she noted that her office prosecuted nearly 25,000 cases in 2019. She advised that with up to 400 law enforcement officers employed throughout agencies in Worcester County, her office would need one additional prosecutor for every 50-75 police officers wearing body cameras.

Commissioner Nordstrom expressed concern that the cost burden to implement the new State legislation will ultimately fall on County taxpayers. Commissioner Bunting noted that it would be premature to begin implementing the camera program now, as the new requirement will not take effect until 2025. Ms. Heiser noted that, while she is urging all 12 area agencies to postpone implementing the program until 2025, several appear to be interested in implementing the program sooner rather than later.

Following much discussion, the commissioners thanked Ms. Heiser, Sheriff Crisafulli, and Chief Deputy Dods for meeting with them and asked to be kept informed as additional information becomes available.

County Attorney Roscoe Leslie provided a summary of the Police Accountability Act that will take effect July 2022, noting that the State has repealed the Law Enforcement Bill of Rights (LEOBR), Maryland's law for police discipline, and the new act replaces the mostly internal discipline system under LEOBR, with a multi-tiered system of external civilian boards. This will include a Police Accountability Board, Charging Committee, and Trial Board.

Commissioner Bertino questioned whether the rights of individual law enforcement officer will be protected throughout each step of this new process. Mr. Leslie stated that the goal is to provide them with the same level of protection that is currently available.

The commissioners recessed until noon.

The commissioners conducted a work session with Sheriff Crisafulli to discuss the \$32.6 million public safety building project, which is included in the County's Capital Improvement

Plan. Sheriff Crisafulli stated that the Sheriff's Office has grown from 50 to 100 officers since 2001 and, subsequently, has outgrown the existing space in the basement of the Worcester County Government Center. He then outlined plans to include space for Emergency Services, the Fire Marshal's Office, the Criminal Enforcement Bureau, and possibly the State's Attorney's Office, in the future building. This building is proposed to be constructed on County-owned property near the Health Department and County Jail that is centrally located and easily accessible to the public.

In response to questions by Commissioner Bertino, Sheriff Crisafulli outlined the project timeline, which includes \$100,000 for engineering and design services in FY23, with construction of the new facility to begin in FY26 and be completed in FY27. Commissioner Bertino expressed concern whether the County is prepared to fund such a project, as the Commissioners have already committed to several other big ticket items, including constructing a new Buckingham Elementary School and expanding Stephen Decatur Middle School. In response, Mr. Young advised that the County finance team has been looking into funding options for the public safety building project and recommends bonding this project. Sheriff Crisafulli stated that the Sheriff's Office could continue to operate within the confines of the existing space for a few more years, though it will continue to be a struggle to find space, as they are required to hire additional support staff to handle increased demands for public information.

Commissioner Bunting stated that he understands the reasons for this request, but expressed concern that the County will not be able to attract new residents if the commissioners continue to spend taxpayer funds to tackle high-dollar projects.

Commissioner Purnell suggested project designers look at options to construct a campus to house the different agencies in one location. Commissioner Elder stated that he is looking forward to seeing plans for this facility. However, the Commissioners will need to tighten their belts to keep taxes low and prioritize projects accordingly. For example, he stated that if they construct a public safety campus, they may need to cancel plans for a sports complex.

Following some discussion, Sheriff Crisafulli thanked the commissioners for their support.

In response to comments by Commissioner Nordstrom, the commissioners agreed to invite the Pocomoke High School Girls' Field Hockey Team, the Warriors, to their December 7, 2021 meeting, at which time the commissioners will present them with commendations for bringing their 20th state championship title back home to Worcester County.

Commissioners Bunting and Purnell touted the success of a ribbon cutting hosted at a coffee shop at the West Ocean City harbor on Sunday.

Commissioner Elder announced that Choptank Fiber would be hosting a ribbon cutting at Chesapeake Bay Dairy in Pocomoke at 3 p.m. today to celebrate the installation of fiber to the Holland Farm. He further advised that Talkie hosted a ribbon cutting on Monday at a private property on Dun Swamp Road in Pocomoke to celebrate the completion of a project to install the fiber optic backbone along that road and to highlight their current project to install fiber on Tulls Corner, New Bridge, and Colona Roads in Pocomoke, as well as their next deployment in Bishopville.

The commissioners answered questions from the press, after which they adjourned to meet again on December 7, 2021.

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CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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DIANA PURNELL

Worcester County

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

COMMENDATION

WHEREAS, we congratulate the Pocomoke High School Girls' Field Hockey Team, the Warriors, for bringing home the 2021 Maryland Class 1A Field Hockey Championship title, the team's twentieth state championship title; and

WHEREAS, Worcester County is extremely proud of the Warriors Girls' Field Hockey Team head coach Brandi Castaneda, assistant coaches Kasey Hickman and Gina Dean, manager Karlaya Dashiell, trainer Kim Baker, scorekeeper Jada Young, and team members Dakotah Trader, Abigail East, Kayla Boyles, Ava Skorobatsch, McKenna Selby, Samantha Lambertson, Lenl Wittmann, Marli McDorman, Madeline Cornwell, Aubrey Jackson-Bowen, Naomi Ayer, Morgan Toth, Katelyn Larose, Sydney Dingus, Hailey Cowger, Camille Williams, Madeline Esham, Vanessa Epitacio, Anahl Enriquez-Moreno, Donyae Washington, Aubrie Castaneda, Ella Esham.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby commend the **Pocomoke High School Girls' Field Hockey Team** for their hard work and dedication in attaining the Maryland Class 1A Championship Field Hockey Title and express to them our pride in their outstanding accomplishment.

Executed under the Seal of the County of Worcester, State of Maryland, this 7th day of December, in the Year of Our Lord Two Thousand Twenty-One.



Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

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COMMENDATION

WHEREAS, Karen A. Richardson has contributed 21 years of dedicated service to Worcester County Government where she began her career on May 24, 2000; and

WHEREAS, Ms. Richardson played an integral role as the Mosquito Control foreman within Public Works, where she supervised and trained contractual employees, operated and maintained records and maps, scheduled job assignments, interacted with the public, and conducted surveillance of mosquito populations.

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

Executed under the Seal of the County of Worcester, State of Maryland, this 7th day of December, in the Year of Our Lord Two Thousand and Twenty-One.



Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

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DIANA PURNELL

COMMENDATION

WHEREAS, Goolcher B. Grazier has contributed 20 years of dedicated service to the Worcester County Library where she began her career on February 27, 2001; and

WHEREAS, Ms. Grazier played a key role in the overall management of the Library as the assistant branch manager. Her innovative nature and problem-solving skills were integral to the planning, coordinating, and promotion of programs for children and adults and partnerships with government, community, school, regional organizations, and civic organizations.

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

Executed under the Seal of the County of Worcester, State of Maryland, this 7th day of December, in the Year of Our Lord Two Thousand and Twenty-One.



Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

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JAMES C. CHURCH
JOSHUA C. NORDSTROM
DIANA PURNELL

COMMENDATION

WHEREAS, Carol Joyce Ross has contributed 18 years of dedicated service to Worcester County Government where she began her career on January 27, 2003; and

WHEREAS, Ms. Ross played an integral role as the data research manager within Development, Review, and Permitting, where she was responsible for handling the reporting for each division within the department. Through her extensive knowledge, professionalism, kindness, and can-do attitude, she has earned the respect of her coworkers.

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

Executed under the Seal of the County of Worcester, State of Maryland, this 7th day of December, in the Year of Our Lord Two Thousand and Twenty-One.



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JAMES C. CHURCH
JOSHUA C. NORDSTROM
DIANA PURNELL

COMMENDATION

WHEREAS, John Sheldon Ross has contributed 19 years of dedicated service to Worcester County Government where he began his career on January 14, 2002; and

WHEREAS, Mr. Ross played an integral role in the overall management of the Water and Wastewater Division of Public Works as the deputy director, where he planned, directed, and administered day-to-day operational activities and played an integral role in water and wastewater treatment plant and pump station upgrades and expansions.

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

Executed under the Seal of the County of Worcester, State of Maryland, this 7th day of December, in the Year of Our Lord Two Thousand and Twenty-One.

Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

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Diana Purnell





To: Weston Young, Chief Administrative Officer
From: Jessica Sexauer, Director of the Local Behavioral Health Authority
Date: November 24, 2021
Subject: Request for Proposals-Teen Intervene

The Worcester County Local Behavioral Health Authority is requesting proposals from qualified organizations to implement a brief screening intervention known as Teen Intervene. This intervention is intended to serve youth between the ages of 12-19 with mild to moderate substance use disorder and/or problem gambling.

Please find enclosed a copy of the request for proposal, prospective vendor list, and budget forms needed. Our office is requesting this be reviewed and considered by the Worcester County Commissioner's during their December 7, 2021 meeting. Should you have any questions please contact me at 410-632-3366. Thank you for your time and support.

CC: Joseph Parker, Assistant Chief Administrative Officer
Enclosures

**Request for Proposals
Teen Intervene
Worcester County Health Department**

The Worcester County Local Behavioral Health Authority (WCLBHA), an agency of the Worcester County Health Department, is seeking proposals for the purpose of implementing an evidence base practice intervention strategy known as Teen Intervene. It is required for the service provider to be located in Worcester County, Maryland. Teen Intervene is a brief intervention strategy for adolescents between ages 12 – 19 experiencing mild to moderate problems associated with alcohol or other drug use and/or problem gambling. Teen Intervene integrates the States of Change Model, Motivational Interviewing, and Cognitive Behavioral Therapy to help teens reduce and eliminate substance use.

Teen Intervene services should be completed within 2-4 brief sessions with one session being offered with the adolescent and their caregiver. The following objectives of Teen Intervene include:

- To engage adolescents using Teen Intervene interviewing techniques;
- Identify three (3) reasons teens have chosen to use alcohol or other substances;
- To learn three (3) effective ways to help teens explore the impact that substance use has in their lives;
- To learn three (3) basic skills to intervene when substance use is suspected in the adolescent population between age 12-19.

Proposals will be accepted by the Office of the County Commissioners until **Monday, January 24, 2022 at 1:00 PM**. One (1) original, and five (5) copies should be in a sealed envelope marked "Teen Intervene" in the lower left corner of the envelope addressed and mailed or hand carried to:

**Office of the County Commissioners
ATTN: Mr. Weston Young, Chief Administrative Officer
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, MD 21863**

A pre-proposal conference will not be held for this solicitation. Questions can be sent to Ivonne Lomax at Ivonne.Lomax@maryland.gov. Questions should be received by 4:00pm on Wednesday, January 5, 2021.

All contact regarding this Request for Proposals (RFP) should be directed to Ivonne Lomax at 410-632-1100, Ext. 1146 or Ivonne.Lomax@maryland.gov. Thank you for your interest.

**Request for Proposals
Teen Intervene
Worcester County Health Department**

Issue Date: 12/7/2021

Requesting Agency: Worcester County Health Department
Local Behavioral Health Authority
P.O. Box 249
Snow Hill, MD 21863

The Worcester County Local Behavioral Health Authority (WCLBHA), an agency of the Worcester County Health Department (WCHD), is seeking proposals for the purpose of implementing Teen Intervene in Worcester County, Maryland.

The Worcester County Local Behavioral Health Authority, an Agency of the Worcester County Health Department, is accepting proposals for State Fiscal Year 2022 to develop and implement Teen Intervene in Worcester County for youth between the ages of 12-19 experiencing mild to moderate problems associated with alcohol or other substance use. A grant award of up to \$96,468.00 is available through the WCLBHA, Behavioral Health Administration, and Maryland Department of Health. The Teen Intervene providers must be located in Worcester County.

Proposals will be accepted by the Office of the County Commissioners until **Monday, January 24, 2022 at 1:00 PM**. One (1) original, and five (5) copies should be in a sealed envelope marked "Teen Intervene" in the lower left corner of the envelope addressed and mailed or hand carried to:

**Office of the County Commissioners
ATTN: Mr. Weston Young, Chief Administrative Officer
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, MD 21863**

LBHA Point of Contact: Ivonne Lomax
Service Coordinator
Ivonne.Lomax@maryland.gov

INTRODUCTION/GRANT PROGRAM EMPHASIS/BACKGROUND

The Worcester County Local Behavioral Health Authority (WCLBHA), an agency of the Worcester County Health Department is requesting proposals through this RFP to develop and implement Teen Intervene in Worcester County utilizing a grant award of up to \$96,468.00. This award amount is available in FY2022 and will be renewed on an annual basis at a rate of \$96,468 pending availability of funds.

The Teen Intervene provider must be located in Worcester County, and the provider is desired to incorporate services in person and virtual as appropriate. Teen Intervene is a brief intervention strategy for adolescents between ages 12 – 19 experiencing mild to moderate problems associated with alcohol or other drug use and/or problem gambling. Teen Intervene integrates the Stages of Change Model, Motivational Interviewing, and Cognitive Behavioral Therapy to help teens reduce and eliminate substance use.

Teen Intervene services should be completed within 2-4 brief sessions with one session being offered with the adolescent and their caregiver. The following objectives of Teen Intervene include:

- To engage adolescents using Teen Intervene interviewing techniques;
- Identify three (3) reasons teens have chosen to use alcohol or other substances;
- To learn three (3) effective ways to help teens explore the impact that substance use has in their lives;
- To learn three (3) basic skills to intervene when substance use is suspected in the adolescent population between age 12-19.

Teen Intervene shall employ a staff member who receives ongoing training to support implementation of the evidence based program model. The staff member should also be provided the opportunity to participate in training for motivational interviewing, training about Cognitive Behavioral Therapy, and training on the Stages of Change model.

There is an expectation that grant funds will be available for State Fiscal Year 2022 however, the grant award and subsequent payments are subject to the availability of WCLBHA, WCHD, and Maryland Department of Health (MDH) funds and the satisfactory achievement of program deliverables.

The funding can be used to support efforts such as, but not limited to:

- Staff development and training opportunities to support implementation of Teen Intervene
- Referral to appropriate peer support and/or treatment services based on American Society of Addiction Medicine (ASAM) criteria
- Referral to ongoing individual and/or family counseling services
- Referral to case management resources/services for families in need of, and interested in, these services
- Training staff in Adverse Childhood Experiences (ACES) and Teen Intervene
- Education on resiliency strategies to help support abstinence, and to promote recovery

- Development and start-up of Teen Intervene in Worcester County

GENERAL INFORMATION

The organization or service provider wishing to apply must:

- Meet the eligibility requirements listed in this document
- Submit an application (Attachment 1)
- Designate one person to be the liaison with the LBHA to provide information for grant reporting and evaluating the services provided
- Commit to meet with the WCHD LBHA at a minimum of once per month from the date of grant award to provide updates on project progress. Schedule may be modified based on performance
- Demonstrate sustainability of the Teen Intervene beyond the life of this grant
- Commit to meet monthly, by phone or in-person, with the Maryland Department of Health, Behavioral Health Administration Child, Adolescent, and Young Adult Services Unit to discuss the progress of implementing Teen Intervene.

ELIGIBILITY REQUIREMENTS

To apply for the Teen Intervene Grant, an organization must:

- Be a community-based provider that renders services to the population of focus of adolescent youth impacted by mild to moderate substance use disorders (SUD's) and/or co-occurring disorders (COD's), and their families
- Plan to complete training and begin serving youth in Teen Intervene within 3 months of being awarded funds
- Be in good standing with the Maryland Department of Taxation and Assessment, the Office of the Secretary of State's Charitable and Legal Services Division (if applicable), the Worcester County Health Department, Worcester County Department of Planning and Zoning, and all other applicable Federal, State and Local requirements

ADMINISTRATIVE REQUIREMENTS

The Awardee must adhere to all grant requirements and comply with the Maryland Department of Health (MDH) Conditions of Award, and relevant local, state, and federal laws and regulations. The Awardee will demonstrate cultural and linguistic competence in the delivery of services to a diverse adolescent population.

The Awardee will hire and maintain a paid staff to provide Teen Intervene. Positions needed to fulfill the grant goals may be full or part-time. The Awardee's staff will participate in technical assistance sessions and peer review workgroups as needed/scheduled to assist with the implementation of the program. Participate in project meetings with WCLBHA staff and MDH as requested.

The Awardee will ensure all staff are appropriately trained and have required certifications or licensures, as applicable. The Awardee will participate in trainings as deemed necessary by the WCLBHA and/or MDH. The Awardee will ensure background checks are conducted and reviewed to determine appropriateness to interact with the population of focus.

The Awardee will create clear Policies and Procedures for all. Policies and Procedures may be subject to review and approval by the WCLBHA.

The Awardee will utilize a software program to maintain records of Teen Intervene program sessions as well as to document movement on the Stages of Change model. Documentation of each session should, at minimum, include: start/end time of session, date of session, location of session, who is leading the session, who is participating in the session, summary of discussion and achievements during session.

PROGRAM AND SERVICES REQUIREMENTS

The Awardee will use the funds to support staffing, training, material, and operations of Teen Intervene. Funding can be used to purchase a laptop, for travel reimbursement of staff, and other material to carry out the project goals.

The Awardee will agree that no subcontractor(s) shall be hired to provide services related to Teen Intervene, unless and until prior approval has been given by the WCLBHA. The Awardee will submit in writing any request for services to be provided by a subcontractor to the WCLBHA. Work performed by a subcontractor that has not received prior approval from the WCLBHA will not be eligible for reimbursement.

The Teen Intervene implementation staff will be required to possess the following:

- A Bachelor's degree from an accredited college or university in nursing, social work, psychology, education, counseling or a related field
- The ability to pass a state and federal child background investigation
- Driver's license preferred
- The Teen Intervene staff job classification, description, and supervision will be decided by the Awardee
- Teen Intervene staff will be required to participate in Cultural Competence training

The Awardee will link program participants to age and developmentally appropriate self-help and support groups, recovery community support services, and treatment services as appropriate. Self-help groups may include, but not be limited to, Alcoholics Anonymous, Narcotics Anonymous, SMART Recovery, Al-Anon, etc.

The Awardee will utilize Trauma-Informed practices, with modifications made for recovery support. This approach will assist in developing a trauma-informed program that recognizes the presence of trauma symptoms and the role trauma plays in one's life while creating a safe and supportive environment.

DATA AND REPORTING

The Awardee will make any/all documents and records available for audit/evaluation to entitled Federal, State, and County officials upon request. WCLBHA will establish and conduct regular program monitoring site visits and record reviews that will include assessing compliance with all

Federal, State, and Local conditions of award, health and safety reviews, fiscal and data information, and quality management of service processes. Program and Fiscal Reviews will occur at least annually.

The Awardee will collect data and provide a quarterly report to be submitted by close of business on the 15th day of April, and July to the WCLBHA. Funding for this award is from Maryland's State General Substance Use Funds Grant. Recipients will be required to report a series of data elements that will determine the impact of the program on adolescents between ages 12 – 19 experiencing mild to moderate problems associated with alcohol or other drug use and/or problem gambling. Recipients will be required to report client-level data on elements including but not limited to: demographic characteristics, substance use, services received; length of stay in treatment; employment status, criminal justice involvement, and pre/post evaluation of adolescents on the Stages of Change Model. Additional data elements may also be required and will be provided upon award. Recipients are required to ensure all data reported to WCLBHA are accurate.

GRANT AGREEMENT AND TERMINATION FOR NON-PERFORMANCE

The Awardee shall enter into a Grant Agreement with the WCLBHA. Any Grant Agreement resulting from this RFP may be terminated by either WCLBHA or the Awardee by giving sixty (60) days written notice to the other party.

If the Awardee shall fail to fulfill in a timely and proper manner its obligations under the Grant Agreement, or if the Awardee shall violate any terms of the Grant Agreement, within the sole discretion of the WCLBHA, the WCLBHA may immediately terminate the Grant Agreement by giving written notice to the Awardee.

ELIGIBLE EXPENDITURES

Grant funds will be awarded for the time period of February 1, 2022 to June 30, 2022. A grant for FY22 in the amount of up to \$96,468 will be awarded. Subject to availability of MDH and WCLBHA funds, an additional grant award may be available in subsequent Fiscal years to the Awardee based on performance in FY22 up to five years renewal at a rate of \$96,468.

Examples of eligible expenditures include, but are not limited to:

- Staff salaries
- Information technology equipment
- Program supplies (software, snacks, Teen Intervene material)
- Training Costs associated with implementation of Teen Intervene

Expenditures not considered eligible include, but are not limited to:

- Donations to other organizations
- Political activity
- Payment for fundraising activities
- Capital purchases
- Sales tax

Grant funds cannot be used to supplant money the organization is spending on services or activities not related to Teen Intervene.

INVOICING

Invoicing and payment schedules will be determined during the contracting process with the LBHA. Invoices for work, services and items not on the project timeline and/or not approved by the LBHA may result in denial of further funding. Awardee must provide receipts and/or other documentation of expenditures and attach to invoices. Receipts and proof of payment will be required for reimbursement. *Accommodations can be made for start-up costs*

Invoices are to be submitted to:

Worcester County Health Department
ATTN: Accounts Payable
P.O. Box 249
Snow Hill, MD 21863

TECHNICAL REVIEW PROCESS BY WCHD LBHA

A panel of reviewers will conduct the application review process using the attached rating scale (Attachment 2). The decision to award funds of any amount will be based on the merits of the application. The decision of the reviewers will be final. Applications will be examined for:

- | | |
|---|-------------|
| 1. Organizational Capacity | (10 points) |
| 2. Approach to Service Delivery | (15 points) |
| 3. Project Description & Outcomes | (20 points) |
| 4. Implementation & Operations Strategy | (30 points) |
| 5. Budgets & Sustainability | (15 points) |
| 6. Appendices/Documentation | (10 points) |

PROPOSAL DEADLINE

Proposals will be accepted by the Office of the County Commissioners until **Monday, January 24, 2022 at 1:00 PM**. One (1) original, and five (5) copies should be in a sealed envelope marked "Teen Intervene" in the lower left corner of the envelope addressed and **mailed or hand carried** to:

**Office of the County Commissioners
ATTN: Mr. Weston Young, Chief Administrative Officer
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, MD 21863**

WORCESTER COUNTY HEALTH DEPARTMENT TEEN INTERVENE PROGRAM

Fiscal Year 2022 Teen Intervene grant applications must be typed in Arial 12 point font, single-spaced on 8½" by 11" paper and include page numbers. Applications must not exceed 15 pages, excluding appendices, and should include six labeled sections as identified under Review Process of this document. One original and five copies should be submitted. Applications MUST follow the format below.

- 1) Organizational Capacity
 - a. Cover Page (See Attachment 3)
 - b. Abstract/Summary Page
 - i. The abstract provides a brief overview of the entire grant. It provides information, which enables the reader to quickly identify the overall goal. The abstract should not exceed one page in length and should include:
 1. Name of applicant organization
 2. Type of organization
 3. Project description/title
 4. Demographics of population of focus
 5. Location of facility
 - c. Agency Description
 - i. Summary of relevant experience
 - ii. Brief overview of the applicant organization and previous work or capabilities with the targeted population
 - iii. Organizational structure, including where the Teen Intervene would fit into existing structure
 - iv. Staffing
- 2) Narrative
 - a. Approach to service delivery
 - b. Applicants philosophy of adolescent substance use
 - c. Importance of active participant involvement in service delivery
 - d. Importance of family involvement in service delivery
- 3) Project Description and Outcomes
 - a. Description of Teen Intervene project for Worcester County
 - b. Specific goals and objectives for the project
 - c. Efforts to encourage participation and create awareness of project through various media, including social media
 - d. Grievance procedure for participants
 - e. Supervision of Teen Intervene staff
 - f. Description of each session that will be provided through Teen Intervene and a timeline in which participants should complete the intervention
 - g. Confidentiality and record security

- 4) Implementation and Operations Strategy
 - a. Commitment and plan to adhering to the February 28, 2022 deadline
 - i. Plan of action that describes project implementation and how participation data will be tracked and reported
 - ii. Timeline for implementation, including staff recruitment and utilization, training and turnover that details the order in which work and/or services will be completed
 - iii. Significant delays in the approved project timeline will require notification and/or meeting between the Awardee and the WCHD LBHA. The WCHD LBHA reserves the right to cease funding of the project due to repeated significant or unnecessary delays
 - iv. The majority of the project shall be implemented by February 28, 2022
- 5) Budget and Plan for Sustainability
 - a. A budget proposal for Teen Intervene grant expenditures must be submitted. A budget narrative page should be included explaining how funds will be used in accordance with the Grant Requirements identified above. A FY22 budget for the time period of February 1, 2022 to June 30, 2022 should be included. All available resources, such as in-kind contributions, other sources of support and volunteer labor hours, should be included.
- 6) Appendices
 - a. Program Budget (Attachment 4)
 - b. Proof of nonprofit status, if applicable
 - c. Resumes for key staff and consultants
 - d. Proof of liability insurance
 - e. Letter stating that background checks will be performed on all program staff
 - f. Proof of good standing with the Maryland Department of Assessments and Taxation
 - g. Proof of good standing with the Maryland Department of Charitable Organizations, if applicable
 - h. Letters of Support from key partners, if applicable
 - i. Copies of the organizations 2 most recent financial audits
 - j. Timeline for implementation

Do not enclose any photographs, exhibits or other materials that you want returned. All materials submitted under the grant application become the property of the Worcester County Local Behavioral Health Authority. All applications must follow the format described above.

TEEN INTERVENE GRANT RATING SHEET

- 1) Organizational Capacity Score _____
(0-10 TOTAL)
- a) Cover Letter
 - i) Cover letter signed by authorized official
 - b) Abstract/Summary Page
 - i) Organization name, type, location, project description/title, etc.
 - c) Agency Description
 - i) Summary of relevant experience
 - ii) Brief overview of applicant organization and previous work/capabilities with population of focus
 - iii) Description of organizational structure
 - iv) Table of organization/organizational relationships
 - v) Explanation of how the project will relate to the whole
 - vi) Description of staff assigned, names and resumes for Key staff and consultants
 - vii) Number and qualifications of staff indicates high probability of meeting project outcomes
- 2) Narrative Score _____
(0-15 TOTAL)
- a) Approach to service delivery
 - b) Knowledge of population of focus
 - c) Knowledge of Worcester County Resources
 - d) Importance of active participant involvement in service delivery and recovery support services
- 3) Project Descriptions and Outcomes Score _____ (0-20 TOTAL)
- a) Clearly stated project description, including hours/days of operation
 - b) Description of activities and services that will be provided for the Teen Intervene project
 - c) Description of population of focus and number served
 - d) Listed mission, goals, and objectives
 - e) Description of Policy & Procedure development, including grievance for participants
 - f) Description of supervision efforts for staff
 - g) Confidentiality and record security (if applicable)
 - h) Efforts or methods to identify and recruit population of focus, including use of social media
- 4) Implementation and Operations Strategy Score _____

ITEM 2

- i) Ability to meet February 28, 2022 deadline (0-30 TOTAL)
- ii) Clear and concise work plan and timelines
- iii) Plan reflects peer and participant involvement in development and operation of project
- iv) Ability to cover staff turnover and leave
- v) Data report requirements

5) Budget & Sustainability Score _____

- i) Copy of proposed budget for FY22 (0-15 TOTAL)
- ii) Justification (budget narrative) of funds requested
- iii) Budgets adequate to support project
- iv) Clear and concise timelines for spending of budget funds
- v) Organization has demonstrated ability to manage large amounts of funds, population of focus
- vi) Current and proposed sources for additional funding
- vii) Any additional plans to sustain Teen Intervene beyond startup funds

6) Appendices/Documentation Score _____

- a) Copy of 501C(3) status, if applicable (0-10 TOTAL)
- b) Copy of liability insurance
- c) Proof of good standing with Maryland Department of Assessments and Taxation
- d) Proof of good standing with Maryland Department of Charitable Organizations
- e) Copy of 2 most recent financial audits
- f) Additional documentation including:
 - i) Recommendations
 - ii) Reports of outcomes from other Grants
 - iii) Testimonials of accomplishment
 - iv) Any additional documentation that may provide support for the organization's ability to fulfill the requirements of the Grant
- g) Timeline for implementation

Total score _____

Note: Please highlight each item in each category that is provided and rate final points on line item.

FY 2022 WORCESTER COUNTY TEEN INTERVENE
GRANT APPLICATION COVER PAGE

PROJECT TITLE: _____

ORGANIZATION _____

AMOUNT OF GRANT FUNDS REQUESTED (Please indicate amount for each year of grant, if applicable) _____

CONTACT PERSON

(1) _____ TITLE _____

CONTACT PERSON

(2) _____ TITLE _____

ADDRESS _____

CITY, STATE, ZIP _____

PHONE NUMBER _____ FAX _____

E-MAIL ADDRESS _____

IS YOUR ORGANIZATION COMMUNITY-BASED? YES NO

DOES YOUR ORGANIZATION HAVE NONPROFIT STATUS? YES NO

DATE OF NONPROFIT STATUS _____

FEDERAL IDENTIFICATION NUMBER _____

I DO SOLEMNLY DECLARE AND AFFIRM THAT THE CONTENTS OF THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

PRINTED NAME _____

TITLE _____

SIGNATURE _____ DATE _____

PROGRAM BUDGET

PROGRAM ADMINISTRATION: _____

GRANT NUMBER: _____ DATE SUBMITTED: _____

CONTRACT PERIOD: _____ FISCAL YEAR: _____

ORGANIZATION: _____ PHONE #: _____

STREET ADDRESS: _____

CITY, STATE, COUNTY: _____ ZIP: _____

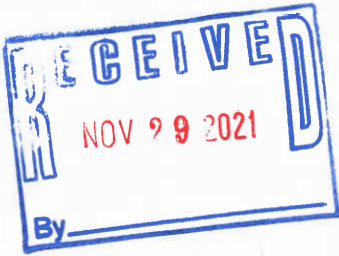
PROGRAM TITLE: _____

CHARGEABLE SERVICES (Y/N) _____ DEMH PROVIDES 50% OR MORE OF FUNDING (Y/N) _____

FOR DEMH USE ONLY _____

LINE ITEMS MAY NOT BE CHANGED	OTHER DIRECT FUNDING					PROGRAM BUDGET
	DEMh FUNDING REQUEST	SUPPLEMENTAL FUNDING REDUCTION	FED/STATE LOCAL & GOV'T	ALL OTHER AGENCY	TOTAL OTHER FUNDING	
SALARIES/SPECIAL PAYMENTS						
FRINGE						
CONSULTANTS						
EQUIPMENT						
PURCHASE OF SERVICE						
RENOVATION						
CONSTRUCTION						
REAL PROPERTY PURCHASE						
UTILITIES						
RENT						
FOOD						
MEDICINES & DRUGS						
MEDICAL SUPPLIES						
OFFICE SUPPLIES						
TRANSPORTATION/TRAVEL						
HOUSEKEEPING/ MAINTENANCE/REPAIRS						
POSTAGE						
PRINTING/DUPLICATION						
STAFF DEVELOPMENT/ TRAINING						
CLIENT ACTIVITIES						
ADVERTISING						
INSURANCE						
LEGAL/ACCOUNTING/AUDIT						
PROFESSIONAL DUES						
OTHER (ATTACH ITEMIZATION)						
TOTAL DIRECT COSTS						
INDIRECT COST						
TOTAL COSTS						
LESS: CLIENT FEES						
DEMh FUNDING						

DEMh 432B (Rev. Feb. 1997)



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
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

Memorandum

To: Worcester County Commissioners
CC: File
From: Davida T. Washington *DTW*
Date: 11/29/2021
Re: Housing Rehabilitation Program Bid Recommendation

A bid opening was held on Monday, September 27 and November 22, for a proposed bathroom renovation at a housing rehabilitation project located in Pocomoke City. A bid was received from one contractor each time:

Poseidon Plumbing & Home Services - \$15,383.83

This project is proposed to be funded through the current CDBG housing rehabilitation grant, MD-20-CD-22. Under the purchasing guidelines of this funding source, a minimum of three contractor bids is required. However, the County may request a waiver to the minimum bid requirement.

After reviewing the same proposal twice and in pursuit of an expeditious resolution to the necessary renovations existing at this property, I recommend we accept this bid, contingent upon the County's receipt of a waiver to the three bid minimum required by the State CDBG grant office. The bid is slightly higher than our estimation. However, in consideration of promptly serving the customer and the time for this grant life cycle, we need to utilize the funds as soon as possible. Another option which would take more time, would be to direct solicit. Copies of the Competitive Bid Worksheet and the contractor proposal are attached for your review.

Competitive Bid Worksheet

Item: Housing Rehabilitation Projects in Pocomoke

Bid Deadline/Opening Date: 1:00 P.M., Monday, November 22, 2021

Bids Received by Deadline:

Richard Belote
106 Cedar Street
Pocomoke City, MD 21851

Contractor's Submitting Bid

Total Quote

Poseidon Plumbing and Home Services
12637 Sunset Ave. # 1
Ocean City, MD 21842

\$ 15,383.83



**Property of Richard Belote
106 Cedar Street
Pocomoke City, MD 21851**

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

Total Quote: \$15,383.83
Date Available to start: 4 Weeks after acceptance

Date: September 15 2021

[Handwritten Signature]
Signature
Matt Steen
Type Name
Member, LLC
Title
Poseidon Plumbing and Home Services
Company Name
12637 sunset Ave, #1
Address
Ocean city, MD 21842
410-251-1096
Phone Number(s)
135020 *10-12-2023*
MHIC# Exp Date

Poseidon Plumbing & Home Services
12637 Sunset Ave. Suite 1
Ocean City, MD 21842
(410)251-1096

PROJECT: RICHARD & DEBORAH BELOTE

DATE: 06-14-2021

ADDRESS: 106 CEDAR STREET

POCOMOKE CITY, MD 21851

PHONE: 443-513-0738

SCOPE OF WORK

A: Contractor to obtain all necessary City, and or County permits to completely renovate existing hall bathroom to an ADA compliant bathroom. Contractor to complete all necessary demolition and is responsible for removing all construction related debris from the site.

Remove existing finish flooring, underlayment, and any water damaged subflooring. Remove existing toilet, vanity, and fiberglass tub/shower. Remove drywall as necessary for installation of a new ADA compliant, three piece fiberglass shower unit with ADA grab bars. Install additional 2" x 4" @ 16" O.C. wall framing as necessary for installation of new three piece 5'-0" fiberglass ADA compliant shower unit.

Install new moisture resistant drywall where old drywall was removed. Drywall is to be glued and screwed to the wall studs, taped and finished to a smooth paintable surface. Drywall repair as necessary due to renovations.

Provide and install one (1) five foot ADA compliant, white, three piece fiberglass shower unit with grab bars, adjustable and detachable shower head. Provide and install one (1) shower curtain rod.

Provide and install one (1) white, tall elongated ADA toilet with seat. Install new water shut off valves as necessary

Provide and install one (1) white ADA compliant wall hung lavatory with ADA compliant faucet. Install new water shut off valves.

Replace any water damaged subflooring. Install new 1/2" lauan underlayment. Install new contractor grade vinyl sheet finish flooring. Flooring color choice is to be made by the owner. Install new base and shoe moulding to match existing. Contractor is to supply and install two (2) chrome towel bars, and one (1) toilet paper dispenser.

Contractor is responsible for the painting of all new work, walls and trim, two coats, Sherwin-Williams or equal. Paint color choice to be made by the owner.

PRICE: \$ 15,383.83

TOTAL PRICE: 15,383.83

SIGNATURE: 

PRINTED NAME: Matt Steeh

TITLE: Member, LLC

COMPANY NAME: Poseidon Plumbing and Home Services

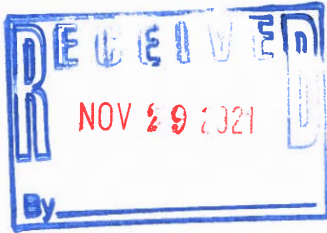
ADDRESS: 12637 sunset Ave #1
Ocean city, MD 21842

PHONE NUMBERS: OFFICE: 410-251-1096 CELL: 239-560-2214

MHIC#: 135020

EXPIRATION DATE: 10-12-2023

DATE OF PROPOSAL: 9/15/2021



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
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

Memorandum

To: Worcester County Commissioners
CC: File
From: Davida T. Washington *DTW*
Date: 11/29/2021
Re: Housing Rehabilitation Program Bid Recommendation

A bid opening was held on Monday, September 27 and November 22, for a proposed installation of a new HVAC system at a housing rehabilitation project located in Stockton. No bid has been received either time.

This project is proposed to be funded through the current CDBG housing rehabilitation grant, MD-20-CD-22. Under the purchasing guidelines of this funding source, a minimum of three contractor bids is required. However, the County may request a waiver to the minimum bid requirement.

In consideration of promptly serving the customer and the time for this grant life cycle, I recommend we direct solicit bids with two contractors that have expressed an interest in the project. This is contingent upon the County's receipt of a waiver to the three bid minimum required by the State CDBG grant office. Copies of the Competitive Bid Worksheet and the scope of work are attached for your review.

Competitive Bid Worksheet

Item: Housing Rehabilitation Projects in Stockton

Bid Deadline/Opening Date: 1:00 P.M., Monday, November 22, 2021

Bids Received by Deadline: \emptyset

John Jones
5316 Little Mill Road
Stockton, MD 21864

Contractor's Submitting Bid

Total Quote

ATTENTION: THIS BID FORM MUST BE REPRODUCED ON YOUR COMPANY LETTERHEAD AND BE SUBMITTED WITH YOUR BID PACKAGE. ALL PAGES OF WORK SCOPE WITH LINE ITEM PRICING DETAIL MUST BE INCLUDED. ANY MISSING INFO OR WORDING MAY DISQUALIFY YOUR BID. THE BID PACKAGE IS ALSO AVAILABLE ON-LINE AT www.co.worcester.md.us

BID FORM

***must be signed to be valid**

**Property of John Jones
5316 Little Mill Road
Stockton, MD 21864**

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

Total Quote : \$ _____

Date Available To Start: _____

Date: _____

Signature

Typed Name

Title

Company Name

Address

Phone Number(s)

HVAC license # Exp. Date

PROJECT: JOHN JONES

DATE: 06-28-2021

ADDRESS: 5316 LITTLE MILL ROAD

STOCTON, MD 21864

PHONE: 757-894-0928

SCOPE OF WORK

A: PROVIDE AND INSTALL COMPLETE NEW HVAC SYSTEM:

Remove existing exterior "pack" unit and all supply and return ductwork. Provide and install new contractor grade, properly sized heat pump system with air handler, condensing unit, programmable thermostat, and all necessary supply and return system ductwork and filters. System is to be Energy Star rated, minimum 16 SEER, and sized in accordance with the ACCA's manual J or other recognized methodology. Data for heat load/loss calculations shall be based on post rehabilitation conditions. System is to be capable of heating the interior to 78 F when the exterior temperature is 0 F, in all habitable and essential rooms.

Clean up and haul away all old equipment and ductwork as well as any construction debris remaining.

PRICE: _____

TOTAL PRICE: _____

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

COMPANY NAME: _____

ADDRESS: _____

PHONE NUMBERS: **OFFICE:** _____ **CELL:** _____

MHIC#: _____ **EXPIRATION DATE:** _____

DATE OF PROPOSAL: _____

I have reviewed the above specifications and hereby accept as written.

Owner

Date



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

NOV 30 2021

DALLAS BAKER JR., P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

MEMORANDUM

TO: Weston Young, Chief Administrative Officer
FROM: Dallas Baker, Jr., P.E., Director *Dallas Baker*
DATE: November 29, 2021
SUBJECT: Purchase Request – Three (3) Marathon RJ-325
Stationary Trash Compactors

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, Solid Waste Division is requesting authorization to purchase three (3) Marathon RJ- 325 Stationary Trash Compactors to replace 20 plus year old compactors at the Pocomoke, Snow Hill and Berlin Home Owner Convenience Centers. The Compactors would be purchased under the Source Well Contract 040621-MEC Marathon through Mid-Atlantic Waste Systems in the amount of \$98,842.00. Funds for this purchase were approved in the FY 21/22 budget from the Capital Equipment Account in the Amount of \$81,000. Due to a 22% rise in cost, additional funds would need to be paid from the Assigned Fund Balance Account, Recycling and Home Owner Convenience Center Repairs/Upgrades, in the amount of \$17,842.00

Attached for your review and approval are the three (3) proposals. Should you have any questions, please feel free to contact me.

Attachments

cc: Mike Mitchell
Mike McClung



Division of THC Enterprises, Inc.

Easton, MD * Baltimore, MD * Chesapeake, VA Chester, PA * Clinton, MD * Cheswick, PA * Salem, VA

Phone 800-338-7274 Fax 410-820-9916

Visit us on the web! www.mawaste.com



ITEM 5 PROPOSAL

Remittance Address for Deposits:

10641 Cordova Road
Easton, MD 21601

SOLD TO

Mike Mitchell

Worcester County Central Landfill Facility
Central Facility Landfill
7091 Central Site Lane
Newark, MD 21841

SHIP TO

Mike Mitchell

Worcester County Central Landfill Facility
Pocomoke Site
2733 Byrd Road
Pocomoke City, MD 21851

Quote #: RSSQ36154

Account:

Terms:

Date: 08/10/21

+1 410-632-3177

mmitchell@co.worcester.md.us

+1 410-632-3177

mmitchell@co.worcester.md.us

Sales Rep Jack Mason

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
-----	-------------	------------	-----------

FOR BERLIN SITE

CAN BE PURCHASE UNDER THE SOURCEWELL CONTRACT OF 040621-MEC MARATHON

OR VSA- VIRGINIA SHERIFFS ASSOCIATION CONTRACT OF 20-01-0802R

OR OUTRIGHT THRU MID-ATLANTIC WASTE

THE QUOTED PRICE WOULD BE THE SAME FOR ANY PURCHASE OF ABOVE

1.00	Marathon RJ-325 Stationary 3 Yard CompactorTotally UL Listed; RH Side-Mounted Power Pack (3/60 - 230/460 Volt); Push Button Control Station Mounted on 13' Sealtite; Ratchets with Grab Claws; External Reset Button In Panel Box Face; Paint of Standard Color	\$33,800.00	\$33,800.00
1.00	Oil Heater Thermostatically Controlled (All Voltages up to 30 HP Power Units)		
1.00	Side Feed Hopper - 3-Sided with left side built up to side dock feed, 24" from side, extend hopper to ledge of dock and add 24" around top of the hopper on 3 sides		
1.00	Controls on 20' Sealtite (in lieu of 13 ft.)		
1.00	10HP Single Phase, 208/230V, Remote Power Pack With Inverter		
1.00	Add for Pressure Gauges to be connected to 20' Hydraulic Hose in lieu of on Remote Power Pack		
1.00	Container Stops		
1.00	Container Guide - 15' Long		
1.00	Multi-Cycle Timer		
1.00	Delivery and Offload		
1.00	Stationary Compactor Installation, new compactor anchor, locate controls and pressure gauge up to top of rail, install guide tracks and stops, hook up electric, test and check unit for proper operation		
1.00	Removal of Old Compactor to be done by customer and pad clean!!! Will have equipment to off load and set new compactor!!		

ITEM 5

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
-----	-------------	------------	-----------

All installation practices will be in accordance with A.N.S.I. safety standards.

All prices based on regular-time worked. If overtime is required, overtime rates will apply.

Customer to provide fused electric disconnect within 6 feet of pad prior to installation.

If site is not ready on install/delivery date, a road call time charge will apply and Mid-Atlantic Waste Systems will invoice for the equipment separately from the installation. The installation will be billed upon completion.

Customer to provide concrete pad. Concrete pad to be a minimum 3000 PSI, steel reinforced, 6" thick.

All built per manufacturer's standard specifications.

Price includes one standard color paint. Additional charges will apply if not a standard color paint from paint brochure or a metallic paint.

Due to the volatility of the fuel and steel markets, prices are subject to change without notice.

Approximate Delivery: 60-90 Days After Receipt of Signed Sales Order and Deposit (if applicable).

Terms: Net 30 Days

Subtotal	\$33,800.00
Federal Excise Tax	\$0.00
Sales Tax	\$0.00
TOTAL *	\$33,800.00

*Total does not include optional items

F.E.T will be charged on all applicable items unless current F.E.T Exemption form is on file.

Any cancellation or modification of order will result in a 20% restocking charge to Buyer.



TERMS AND CONDITIONS

1. General

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2. Price and Payment

**Payments Accepted: Cash, Checks, ACH & Wires. Credit Card payments above \$5,000 will incur a 3% fee.

(a) Prices quoted herein are exclusive of all taxes. Any taxes levied or which may become due, and other charges or assessments made by any taxing authority in connection with this contract or the sale, except those measured by Seller's net income, shall be the expense of the Buyer and shall be payable to Seller at or before such tax or other amount is due. When Buyer is entitled to exemption from any tax, Buyer shall furnish Seller with a tax exemption certificate acceptable to the taxing authorities.

(b) Interest at the rate of one and one-half per cent (1.5%) per month (18% per annum), or the maximum lawful rate allowable, will be charged, whichever is less, on all past due invoices. The undersigned agrees to pay all expenses, charges, costs and fees, including, without limitation, attorney's fees and expenses, of any nature whatsoever paid or incurred by, or on behalf of MID-ATLANTIC WASTE SYSTEMS, DIVISION OF THC ENTERPRISES, INC., in connection with any collection action brought hereunder. The invalidity of all or any part of any provision of this Agreement shall not render invalid the remainder of such provision or any other part of this Agreement.

(c) MID-ATLANTIC WASTE SYSTEMS, DIVISION OF THC ENTERPRISES, INC., shall retain ownership of and title to the above machinery, equipment and parts covered by this order until fully paid for in cash and until any note given in evidence of indebtedness, and any renewals thereof, have been fully paid. If any such note is not paid in full at its maturity, all other notes and obligations given in evidence of indebtedness hereof shall at once become due, and the said MID-ATLANTIC WASTE SYSTEMS, DIVISION OF THC ENTERPRISES, INC., shall have the right to take possession of said machinery wheresoever it may be situated and sell the same pursuant to the conditional sales statutes of the State of Maryland.

3. Delivery

(a) Delivery dates are estimated and not guaranteed by Seller and, in any event are conditioned upon receipt of all specifications and

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ANY EXPRESS WRITTEN WARRANTY PROVIDED BY THE MANUFACTURER OF THE EQUIPMENT DESCRIBED IN THIS QUOTATION IS GIVEN IN LIEU OF ALL OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. SELLER SHALL NOT BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM DEFECTIVE GOODS, SELLER'S NEGLIGENCE, BREACH OF WARRANTY OR CONTRACT, OR CLAIMS BASED UPON STRICT LIABILITY. IN NO EVENT SHALL SELLER BE LIABLE FOR CONSEQUENTIAL DAMAGES COMMERCIAL IN NATURE.

5. Delays

Seller shall not be liable for the failure or delay in the performance of any term, condition, or obligation hereunder due to any cause beyond the Seller's control, including but not limited to Acts of God, acts of the Buyer, war, insurrections or riots, fires, floods, accidents, acts, orders or regulations of any government, inability to obtain necessary materials, services or facilities, strikes or other labor troubles.

6. Development Changes

Changes in design, specifications, construction or materials, may be made at Seller's discretion, and without Buyer's consent, where such changes do not materially affect price, delivery or guaranteed performance (if any) of the goods, or make unusable any other item of goods furnished hereunder.

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ALL PRICES SUBJECT TO ANY APPLICABLE FEDERAL OR STATE TAXES AND TITLING FEES. QUOTE SUBJECT TO REVISION AFTER 15 DAYS.

FINANCING AVAILABLE

NOTE: Please read carefully. This quote becomes a sales order if signed by customer. Your order will be processed as written! Notify of any changes needed within five (5) days of signing. Financing available, subject to credit approval. I have read and understand the terms and conditions on this Order.

X _____
Customer Approval to Process Order

EXEMPT NOT EXEMPT
Sales Tax Status - PLEASE INITIAL
MUST SELECT TO PROCESS ORDER

_____ Date

5 - 4

Thank you for the opportunity to earn your business!

Doc # RSSQ36154
Date 08/10/21
 3 of 3



Division of THC Enterprises, Inc.

Easton, MD * Baltimore, MD * Chesapeake, VA Chester, PA *
Clinton, MD * Cheswick, PA * Salem, VA

Phone 800-338-7274 Fax 410-820-9916

Visit us on the web! www.mawaste.com



ITEM 5 PROPOSAL

Remittance Address for Deposits:

10641 Cordova Road
Easton, MD 21601

SOLD TO

Mike Mitchell

Worcester County Central Landfill Facility
Central Facility Landfill
7091 Central Site Lane
Newark, MD 21841

SHIP TO

Mike Mitchell

Worcester County Central Landfill Facility
Pocomoke Site
2733 Byrd Road
Pocomoke City, MD 21851

Quote #: RSSQ33136-B

Account:

Terms:

Date: 08/10/21

+1 410-632-3177

mmitchell@co.worcester.md.us

+1 410-632-3177

mmitchell@co.worcester.md.us

Sales Rep Jack Mason

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
-----	-------------	------------	-----------

FOR POCOMOKE SITE

*CAN BE PURCHASE UNDER THE SOURCEWELL CONTRACT OF
040621-MEC MARATHON*

OR VSA- VIRGINIA SHERIFFS ASSOCIATION CONTRACT OF 20-01-0802R

OR OUTRIGHT THRU MID-ATLANTIC WASTE

*THE QUOTED PRICE WOULD BE THE SAME FOR ANY PURCHASE OF
ABOVE*

1.00	Marathon RJ-325 Stationary 3 Yard CompactorTotally UL Listed; RH Side-Mounted Power Pack (3/60 - 230/460 Volt); Push Button Control Station Mounted on 13' Sealtite; Ratchets with Grab Claws; External Reset Button In Panel Box Face; Paint of Standard Color	\$32,521.00	\$32,521.00
1.00	Oil Heater Thermostatically Controlled (All Voltages up to 30 HP Power Units)		
1.00	Side Feed Hopper - 3-Sided with left side built up to side dock feed, 24" from side		
1.00	Controls on 20' Sealtite (in lieu of 13 ft.)		
1.00	10HP Single Phase, 208/230V, Remote Power Pack With Inverter		
1.00	Add for Pressure Gauges to be connected to 20' Hydraulic Hose in lieu of on Remote Power Pack		
1.00	Container Stops		
1.00	Container Guide - 15' Long		
1.00	Multi-Cycle Timer		
1.00	Delivery and Offload		
1.00	Stationary Compactor Installation, new compactor anchor, locate controls and pressure gauge up to top of rail, install guide tracks and stops, hook up electric, test and check unit for proper operation		
1.00	Removal of Old Compactor to be done by customer and pad clean!!! Will have equipment to off load and set new compactor!!		

5 - 5

ITEM 5

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
-----	-------------	------------	-----------

All installation practices will be in accordance with A.N.S.I. safety standards.

All prices based on regular-time worked. If overtime is required, overtime rates will apply.

Customer to provide fused electric disconnect within 6 feet of pad prior to installation.

If site is not ready on install/delivery date, a road call time charge will apply and Mid-Atlantic Waste Systems will invoice for the equipment separately from the installation. The installation will be billed upon completion.

Customer to provide concrete pad. Concrete pad to be a minimum 3000 PSI, steel reinforced, 6" thick.

All built per manufacturer's standard specifications.

Price includes one standard color paint. Additional charges will apply if not a standard color paint from paint brochure or a metallic paint.

Due to the volatility of the fuel and steel markets, prices are subject to change without notice.

Approximate Delivery: 60-90 Days After Receipt of Signed Sales Order and Deposit (if applicable).

Terms: Net 30 Days

Subtotal	\$32,521.00
Federal Excise Tax	\$0.00
Sales Tax	\$0.00
TOTAL *	\$32,521.00

*Total does not include optional items

F.E.T will be charged on all applicable items unless current F.E.T Exemption form is on file.

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(b) Interest at the rate of one and one-half per cent (1.5%) per month (18% per annum), or the maximum lawful rate allowable, will be charged, whichever is less, on all past due invoices. The undersigned agrees to pay all expenses, charges, costs and fees, including, without limitation, attorney's fees and expenses, of any nature whatsoever paid or incurred by, or on behalf of MID-ATLANTIC WASTE SYSTEMS, DIVISION OF THC ENTERPRISES, INC., in connection with any collection action brought hereunder. The invalidity of all or any part of any provision of this Agreement shall not render invalid the remainder of such provision or any other part of this Agreement.

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5. Delays

Seller shall not be liable for the failure or delay in the performance of any term, condition, or obligation hereunder due to any cause beyond the Seller's control, including but not limited to Acts of God, acts of the Buyer, war, insurrections or riots, fires, floods, accidents, acts, orders or regulations of any government, inability to obtain necessary materials, services or facilities, strikes or other labor troubles.

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NOTE: Please read carefully. This quote becomes a sales order if signed by customer. Your order will be processed as written! Notify of any changes needed within five (5) days of signing. Financing available, subject to credit approval. I have read and understand the terms and conditions on this Order.

X _____
Customer Approval to Process Order

EXEMPT NOT EXEMPT
Sales Tax Status - PLEASE INITIAL
MUST SELECT TO PROCESS ORDER

Date **5 - 7**

Thank you for the opportunity to earn your business!



Division of THC Enterprises, Inc.

Easton, MD * Baltimore, MD * Chesapeake, VA Chester, PA * Clinton, MD * Cheswick, PA * Salem, VA

Phone 800-338-7274 Fax 410-820-9916

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SOLD TO

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Worcester County Central Landfill Facility
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SHIP TO

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Worcester County Central Landfill Facility
Pocomoke Site
2733 Byrd Road
Pocomoke City, MD 21851

Quote #: RSSQ36152

Account:

Terms:

Date: 08/10/21

+1 410-632-3177

mmitchell@co.worcester.md.us

+1 410-632-3177

mmitchell@co.worcester.md.us

Sales Rep Jack Mason

QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
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FOR SNOW HILL SITE

CAN BE PURCHASE UNDER THE SOURCEWELL CONTRACT OF 040621-MEC MARATHON

OR VSA- VIRGINIA SHERIFFS ASSOCIATION CONTRACT OF 20-01-0802R

OR OUTRIGHT THRU MID-ATLANTIC WASTE

THE QUOTED PRICE WOULD BE THE SAME FOR ANY PURCHASE OF ABOVE

1.00	Marathon RJ-325 Stationary 3 Yard Compactor Totally UL Listed; RH Side-Mounted Power Pack (3/60 - 230/460 Volt); Push Button Control Station Mounted on 13' Sealtite; Ratchets with Grab Claws; External Reset Button In Panel Box Face; Paint of Standard Color	\$32,521.00	\$32,521.00
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1.00	Controls on 20' Sealtite (in lieu of 13 ft.)		
1.00	10HP Single Phase, 208/230V, Remote Power Pack With Inverter		
1.00	Add for Pressure Gauges to be connected to 20' Hydraulic Hose in lieu of on Remote Power Pack		
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1.00	Container Guide - 15' Long		
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1.00	Delivery and Offload		
1.00	Stationary Compactor Installation, new compactor anchor, locate controls and pressure gauge up to top of rail, install guide tracks and stops, hook up electric, test and check unit for proper operation		
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5 - 8

ITEM 5

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All built per manufacturer's standard specifications.

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Subtotal	\$32,521.00
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X _____
Customer Approval to Process Order

EXEMPT NOT EXEMPT
Sales Tax Status - PLEASE INITIAL
MUST SELECT TO PROCESS ORDER

Date **5 - 10**

Thank you for the opportunity to earn your business!



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

NOV 30 2021

DALLAS BAKER JR., P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

MEMORANDUM

TO: Weston Young, Chief Administrative Officer
FROM: Dallas Baker, Jr., P.E., Director *Dallas Baker*
DATE: November 29, 2021
SUBJECT: FY22 Pipe Bid – Corrugated Metal / Plastic Pipe
Department of Public Works – Roads Division

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

Monday, September 27, 2021, bids were received and opened for the purchase of corrugated metal and plastic pipe to be utilized by the Department of Public Works, Roads Division. On Tuesday, October 19, 2021, the County Commissioners approved the low bid from Lane Enterprises, Inc. to include the deletion of all of the 18”-14’ metal pipe (\$5,114.20), the 15”-12’ metal pipe (\$3,418.56), 15”-10’ metal pipe (\$1,899.20), and six pieces of 18”-20’ plastic pipe (\$1,986) for a total bid price of \$36,460.92 to reflect available funding in the FY22 budget.

Since the approval on October 19, 2021, additional funding has been made available to cover the entire cost of the original pipe bid amount of \$48,878.88. It is requested that the Commissioners approve the original bid submitted by Lane Enterprises, Inc. to include the full order of pipe with no deletions.

Funding in the amount of \$36,544.00 is available in the current FY22 operating budget in account 100.1202.6140.040 and \$12,334.88 is available in Assigned Fund Balance. Should you have any questions, please don’t hesitate to call me.

Attachments

cc: Kevin Lynch

A1 - BID FORM

"FY22 - Pipe Bid"

I/We have reviewed the specifications and provisions for furnishing **Riveted Galvanized Steel Corrugated Metal Pipe and HDPE Double Wall Plastic Pipe** to the Worcester County Department of Public Works, Roads Division and understand said requirements. I/We hereby propose to furnish pipe and bands for:

TOTAL BID PRICE (including freight): \$ 48,878.88

Pipe and bands to be delivered within * calendar days from receipt of written order.

Worcester County reserves the right to adjust the amount of pipe depending on varying circumstances.

BID MUST BE SIGNED TO BE VALID.

Date: 9/20/21 Signature: Annette M Bliss, SVP

Typed Name: Annette M. Bliss

Title: Senior Vice President - East Region

Firm: Lane Enterprises, Inc.
P.O. Box 67

Address: 6369 Schoolhouse Road
Bealeton, VA 22712

Phone: (540) 439-3201

* Availability on Galvanized CMP Items is approx. 6-8 weeks +/-

* Availability on HDPE items may be out as far as April 2022.

(AD)

(AD)

Bid Specifications

The Worcester County Commissioners are accepting bids on the following **Riveted Galvanized Steel Corrugated Metal Pipe or Helically Corrugated Pipe with Two Annular Corrugations on each end of pipe and HDPE Double Wall without Bell End Plastic Pipe** delivered to Worcester County Department of Public Works, Roads Division, Snow Hill Shop, 5764 Worcester Highway, Snow Hill, MD 21863. **NO DIMPLE BANDS, NO INDIVIDUAL LUGS, ONLY BANDS WITH ANGLES ACROSS WIDTH OF BAND OR APPROVED EQUAL WILL BE ACCEPTED FOR PIPE SIZES LARGER THAN 18". ALL PIPES CUT TO MEET SIZE REQUIREMENTS MUST BE RE ROLLED.** All Federal and State Taxes are exempt.

<u>PIECES</u>	<u>GAUGE</u>	<u>DIAMETER</u>	<u>PIPE</u>	<u>LENGTH</u>	<u>PRICE/FT</u>	<u>TOTAL</u>
13	16	18"	GCCMP	14'	\$ 28.10/ft	\$ 5,114.20
15	16	15"	GCCMP	20'	\$ 23.74/ft	\$ 7,122.00
13	16	15"	GCCMP	16'	\$ 23.74/ft	\$ 4937.92
10	16	15"	GCCMP	14'	\$ 23.74/ft	\$ 3823.60
12	16	15"	GCCMP	12'	\$ 23.74/ft	\$ 3418.56
8	16	15"	GCCMP	10'	\$ 23.74/ft	\$ 1899.20
10		15"	BANDS		\$ 35.61 each	\$ 356.10
15	16	12"	GCCMP	20'	\$ 19.45/ft	\$ 5835.00
7	16	12"	GCCMP	16'	\$ 19.45/ft	\$ 2178.40
7	16	12"	GCCMP	14'	\$ 19.45/ft	\$ 1906.60
10		12"	BANDS		\$ 29.18 each	\$ 291.80
6	12"	HDPE Double Wall Plastic		20'	\$ 10.60/ft	\$ 1272.00
14	15"	HDPE Double Wall Plastic		20'	\$ 13.30/ft	\$ 3724.00
15	18"	HDPE Double Wall Plastic		20'	\$ 16.55/ft	\$ 4965.00
5	24"	HDPE Double Wall Plastic		20'	\$ 25.35/ft	\$ 2535.00



Worcester County
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NOV 30 2021

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 DIRECTOR

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

MEMORANDUM

TO: Weston Young P.E., Chief Administrative Officer
FROM: Dallas Baker Jr., P.E., Director *Dallas Baker Jr.*
DATE: November 30, 2021
SUBJECT: Ocean Pines Wastewater Treatment Plant
 Equalization Tank 1 Grating

DIVISIONS

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

ROADS
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 FAX: 410-632-0020

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As we approach the completion of the projects identified under the 2019 Bond Issue, we expect to have a significant amount of funds remaining. These available funds come from cost under runs in the Treatment Plant Operations Center and in the painting of the North Tower. Additionally, we reduced the scope of the Belt Filter Press Project as we determined it was significantly more expensive than budgeted.

In discussions with operations personnel, it was determined that we currently have problems with deteriorated grating over at Flow Equalization Tank Number 1. That unit is over 40 years old and over the years, there have been small portions of the grating repaired and replaced using operating funds; however, there is still a lot of grating in need of replacement. The attached pictures show the level of grating deterioration.

Also attached are proposals from Harrington Manufacturing, a manufacturer of FRP Grating. The costs are \$34,416.60 to cover the areas currently deteriorated and \$75,29846 to cover the entire tank. The operating staff believes replacing the badly deteriorated portions would serve the needs for a long time. The grating will be fabricated to size minimal assistance would be needed for the installation.

We are requesting approval to purchase the new grating for Flow Equalization Tank Number 1 using 2019 bond issue proceeds.

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

Attachments

cc: Barbara Hitch, Enterprise Fund Controller
 John S. Ross, P.E. Deputy Director





HARRINGTON

Process Solutions since 1959

264 Reynoldsdale Road, Bedford PA 15522 Ph. 814-623-8125 Fax 814-623-6032

Grant Long
Outside Sales

glong@hipco.com
6675-A Santa Barbara Rd., Elkridge, MD 21075
M:240.413.0343 | O:410.379.0829 | hipco.com



Invoice #: 19BRP9028

Date: 11/10/2021

Destination:
TBD

Fab Start:

Fab Complete:

GRS Date:

Carrier:

ics	Pigment	Length	QTY	Total Feet	Line #	Warehouse	Lbs/Ft	Tot. Lbs.	\$ / UoM	Total \$
(1) lot of Fire Retardant Vynylester FRP material per the Ocean Pine WWTP project										
Lot will include:										
	V15-DG-G50			900.0	SQ FT					
	CM-15 clips		200							
Approval, Shop, and Erection DWG										
Pre fab for field assembly and installation										
FRP VFR Molded/Square Mesh/Gritted Grating:										
Hardware for FRP to FRP connection										
VFR Molded Grating By Bedford Reinforced Plastics										
Lot will not include										
1 1/2" Sq. Mesh X 1 1/2" Thick, Premium Grade Vynylester										
Resin seal of cut ends or holes										
Resin And Thermally Cured, Non Skid										
Edge banding on grating										
Gritted Walking Surface, Color To Be Dark Gray. Meets										
Hardware for FRP to existing structure or substrate										
ASTM E-84, Class 1, Flame Spread Rating Less Than 25										
And Self Extinguishing Requirements Of ASTM D-635.										
Supports as needed by others										
FRP Standard Duty Handrail (Vynylester Side Mount):										
Two Rail Side Mount Handrail By Bedford Reinforced Plastics,										
Rails To Be Made With 2" X 1/8" Square Tube And Upper										
Post To Be Made With 1 3/4" X 1/4" Square Tube And										
Lower Post To Be Made With 2" X 3/8" Square Tube,										
Bedford Reinforced Plastics, Inc Standard Fabrication And Manufacturing Tolerances Apply										
Premium Grade Vynylester Resin With Fire Retardant,										
1.) Structural Shapes: +/- 1/8"; Cut Grating: +/- 1/4"										
Color To Be Yellow. Meets OSHA Specification										
2.) Products supplied may contain slight variances in color or pattern. All products are certified to meet Bedford's published design standards.										
Requirement 1910.23. Meets ASTM E-84, Class 1,										
3.) Cut Grating May Have Open Or Unequal Stub Bars										
Flame Spread Rating Less Than 25 And Self										
4.) No Design Calculations Are Included With Quotation										
Extinguishing Requirements Of ASTM D-635.										
5.) Design Calculations And P.E. Stamp Are Available For Projects Requiring Drawings For An Additional Charge										
6.) Grating And/Or Treads Will Be Attached To The Structure Using Provided Grating Clip Hold Down Assemblies										
7.) All Hardware To Be Stainless Steel										
Rev 2 updated to only the 1st section 12-4 (AS) Also updated 2020 pricing										
8.) California Proposition 65 - Contact Your Account Manager For More Information										
Rev 2-a updated all dates on the project 11-30 (AS)										
Purchase Orders Issued Against This Quotation Must Reference The Quote Number: 19BRP9028 Rev 2-B And Specify A Date The Material Is Requested										
Falling To Provide This Information Will Delay Acceptance Of The Purchase Order										
										Totals
										\$34,413.60

NOTES: Bedford Reinforced Plastics, Inc. Reserves The Right To A Final Review Of Its Quotation Prior To Accepting A Purchase Order.
 Submittal Revisions: Submittal Revisions Due To Customer Requested Changes Will Be Billed At A Rate Of \$60 Per Hour For Any Additional Drafting
 Exclusions: Anchor Bolts, Installation, Field Measurements And Any Other Items Not Specifically Included In The Above "Scope Of Work" Are To Be Provided By Others.
 Design Criteria And Products Used In The Quotation Are Per Bedford Reinforced Plastics, Inc. Design Standards.
 Bedford Reinforced Plastics, Inc. Terms And Conditions Govern This Quote

REV 2-B UPDATED CURRENT PRICING 11/10/2021
 REV 2-B UPDATED MANUFACTURING TIME

Freight Terms:	Not Included	After Receipt Of Order: Typical Timeline
	This Quote Was Prepared On 11/30/20	Approvals: 2 - 4 Weeks
	Prices And Lead Time Are Firm Until 12/14/20	Engineering (If needed): 2 - 4 Weeks
Terms of Sale:	NET30 With Credit Approval	Ship Date Confirmation: Up To 1 Week (After Approvals/Engineering)
FOB:	Bedford, PA 15522	Manufacturing: 18 - 22 Weeks (Subject To Shop Capacity/Material Availability)

Contact / Phone:
Name:
Address:
C/S/Z:
BY: AS, SP

HARRINGTON

Process Solutions since 1959

Grant Long
Outside Sales

glong@hipco.com
6675-A Santa Barbara Rd., Elkridge, MD 21075
M:240.413.0343 | O:410.379.0829 | hipco.com



Invoice #: 19BRP9028

Date: 11/10/2021

Destination:

TBD

Fab Start:

Fab Complete:

GRS Date:

Carrier:

ics	Pigment	Length	QTY	Total Feet	Line #	Warehouse	Lbs/Ft	Tot. Lbs.	\$ / UoM	Total \$
er FRP material per the Ocean Pine WWTP project										

Lot will include:

V15-DG-G50

1930.0

SQ FT

Bedford Standard Handrail

60.0

LF

CM-15 clips

541

Approval, Shop, and Erection DWG

Pre fab for field assembly and installation

FRP VFR Molded/Square Mesh/Gritted Grating:

Hardware for FRP to FRP connection

VFR Molded Grating By Bedford Reinforced Plastics

Lot will not include

1 1/2" Sq. Mesh X 1 1/2" Thick, Premium Grade Vinylster

Resin seal of cut ends or holes

Resin And Thermally Cured, Non Skid

Edge banding on grating

Gritted Walking Surface, Color To Be Dark Gray. Meets

Hardware for FRP to existing structure or substrate

ASTM E-84, Class 1, Flame Spread Rating Less Than 25

And Self Extinguishing Requirements Of ASTM D-635.

Supports as needed by others

FRP Standard Duty Handrail (Vinylester Side Mount):

Two Rail Side Mount Handrail By Bedford Reinforced Plastics,

Rails To Be Made With 2" X 1/8" Square Tube And Upper

Post To Be Made With 1 3/4" X 1/4" Square Tube And

Lower Post To Be Made With 2" X 3/8" Square Tube.

Bedford Reinforced Plastics, Inc Standard Fabrication And Manufacturing Tolerances Apply

1.) Structural Shapes: +/- 1/8"; Cut Grating: +/- 1/4"

Premium Grade Vinylster Resin With Fire Retardant,

2.) Products supplied may contain slight variances in color or pattern. All products are certified to meet Bedford's published design standards.

Color To Be Yellow. Meets OSHA Specification

3.) Cut Grating May Have Open Or Unequal Stub Bars

Requirement 1910.23. Meets ASTM E-84, Class 1,

4.) No Design Calculations Are Included With Quotation

Flame Spread Rating Less Than 25 And Self

5.) Design Calculations And P.E. Stamp Are Available For Projects Requiring Drawings For An Additional Charge

Extinguishing Requirements Of ASTM D-635.

6.) Grating And/Or Treads Will Be Attached To The Structure Using Provided Grating Clip Hold Down Assemblies

7.) All Hardware To Be Stainless Steel

REV 1 added an IFR option 8-28-19 (AS) Also did a 2020 price update

8.) California Proposition 65 - Contact Your Account Manager For More Information

REV 1-a updated all dates 11-30 (AS)

Purchase Orders Issued Against This Quotation Must Reference The Quote Number: 19BRP9028 Rev 1-B And Specify A Date The Material Is Requested

Falling To Provide This Information Will Delay Acceptance Of The Purchase Order

Totals \$ 752,984.60

NOTES: Bedford Reinforced Plastics, Inc. Reserves The Right To A Final Review Of It's Quotation Prior To Accepting A Purchase Order.

Fire Retardant Polyester Option

Submittal Revisions: Submittal Revisions Due To Customer Requested Changes Will Be Billed At A Rate Of \$60 Per Hour For Any Additional Drafting

REV 1-B UPDATED CURRENT PRICING 11/10/2021

Exclusions: Anchor Bolts, Installation, Field Measurements And Any Other Items Not Specifically Included In The Above "Scope Of Work" Are To Be Provided By Others.

REV 1-B UPDATED MANUFACTURING TIME

Design Criteria And Products Used In The Quotation Are Per Bedford Reinforced Plastics, Inc. Design Standards.

Bedford Reinforced Plastics, Inc. Terms And Conditions Govern This Quote

Freight Terms: Not Included

After Receipt Of Order: Typical Timeline

Contact / Phone:

This Quote Was Prepared On 11/10/21

Approvals: 2 - 4 Weeks

Name:

Prices And Lead Time Are Firm Until 11/24/21

Engineering (if needed): 2 - 4 Weeks

Address:

Terms of Sale: NET30 With Credit Approval

Ship Date Confirmation: Up To 1 Week (After Approvals/Engineering)

C/SIZ:

FOB: Bedford, PA 15522

Manufacturing: 18 - 22 Weeks (Subject To Shop Capacity/Material Availability)

BY: AS, SP

Page #

1



Worcester County Administration

One West Market St. Room 1103 | Snow Hill MD 21863 | (410) 632-1194 | www.co.worcester.md.us

To: Commissioners

From: Roscoe Leslie

Date: November 29, 2021

RE: White Horse Park Covenant Changes

Through its attorney Jim Almand, the White Horse Park HOA is requesting County Commissioner approval for a change to its declarations to make them consistent with the County's zoning code regarding seasonal occupation.

The changes mirror the language contained in the County code limiting the days in the offseason that a site can be occupied. The declarations contain language requiring County Commissioner consent to the changes.

EXHIBIT 1

**CONSENT OF THE COUNTY COMMISSIONERS
OF WORCESTER COUNTY, MARYLAND**

The County Commissioners of Worcester County, Maryland, hereby consent to the amendment below as required by said Section 3.1:

Section 3.1 of the Declarations of White Horse Park Recreational Vehicle Development recorded among the Land Records of Worcester County, Maryland in Liber 881, folio, 236 *et seq.*, Liber 1109, folio 262 *et seq.*, Liber 1437, folio 256 *et seq.* and Liber 1439, folio 105 *et seq.*, is hereby amended by deleting the first sentence of the second paragraph and replacing it with the following:

“BETWEEN SEPTEMBER 30 OF EACH YEAR AND APRIL 1 OF THE SUCCEEDING YEAR, CAMPSITES OR LOTS OR UNITS SHALL NOT BE OCCUPIED FOR MORE THAN 30 CONSECUTIVE DAYS OR AN AGGREGATE OF 60 DAYS.”

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Weston S. Young
Chief Administrative Officer

Joseph M. Mitrecic
President

TEL: 410-632-1194
FAX: 410-632-3131
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

WESTON S. YOUNG, P.E.
CHIEF ADMINISTRATIVE OFFICER
JOSEPH E. PARKER, III
DEPUTY CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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

November 18, 2021

To: Weston Young, Chief Administrative Officer
Worcester County Commissioners

From: Kim Reynolds, Senior Budget Accountant 

Subject: State Aid for Police Protection Fund – 2023 Grant Application

Attached is the FY2023 State Aid for Police Protection Fund Application for your review and approval. This grant is ongoing and is intended to be used exclusively to provide adequate Police Protection throughout the counties and subdivisions of Maryland. This application states that Worcester County would like to be considered for FY23 grant funding but does not guarantee how much funding will be allocated to Worcester County since it is based on formula derived from the Governor’s Office of Crime, Control and Prevention.

State Aid For Police Protection Fund - 2023 (SAPP)

Applicant: Worcester County Board of County Commissioners

Grant Application Form



Governor's Office of Crime Control and Prevention


Submitted: 11/18/2021

Governor's Office of Crime Control and Prevention
 100 Community Place, 1st Floor Crownsville, MD
 21032-2042 (410) 697-9338
 Email: dlinfo_goccp@maryland.gov

www.goccp.maryland.gov
 Larry Hogan, Governor
 Boyd K. Rutherford, Lt. Governor

Application Contents

- | | |
|---|---|
| <input checked="" type="checkbox"/> Cover Sheet | <input checked="" type="checkbox"/> Civil Rights |
| <input checked="" type="checkbox"/> Face Sheet | <input checked="" type="checkbox"/> Service Sites |
| <input checked="" type="checkbox"/> Summary / Narrative | <input checked="" type="checkbox"/> Assurances |
| <input checked="" type="checkbox"/> Budget Summary | <input checked="" type="checkbox"/> Anti-Lobbying |
| <input type="checkbox"/> Personnel | <input type="checkbox"/> Services |
| <input type="checkbox"/> Operating | <input type="checkbox"/> Equipment |
| <input type="checkbox"/> Travel | <input type="checkbox"/> Other |

Date Stamp:	OFFICE USE ONLY	
	Control Number: 	Application Number: 2021-SP-0051
	Received By:	Date:



Governor's Office of Crime Control & Prevention - Grant Application Form

State Aid For Police Protection Fund - 2023 (SAPP)

Applicant: Worcester County Board of County Commissioners

Project Title: Worcester County State Aid for Police Protection - 2023

Worcester **Local Government**

Start Date: 07/01/2022 **Submitted:** 11/18/2021 11:31:58 AM **DUNS Number:** 101119399
End Date: 06/30/2023 **Funding Year:** **SAM Expiration:** 12/14/2021

Applicant:	Implementing Agency:
Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194 FAX: (410) 632-3131	Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194 FAX: (410) 632-3131

Authorized Official:	Mitreic, Joseph M. jmitrecic@co.worcester.md.us Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194	President FAX: (410) 632-3131
-----------------------------	--	--

Project Director:	Reynolds, Kimberly kreynolds@co.worcester.md.us Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194	Budget Accountant FAX: (410) 632-3131
--------------------------	--	--

Fiscal Officer:	Dods, Douglas A ddods@co.worcester.md.us Worcester County Sheriff's Office 1 West Market Street, Room 1001 Snow Hill, MD 21863-1069 (410) 632-1111	Operations Officer FAX: (410) 632-3070
------------------------	---	---

Funding Summary	0.0 %	Grant Funds	\$0.00	_____	_____
	0.0 %	Cash Match	\$0.00	_____	_____
	0.0 %	In-Kind Match	\$0.00	_____	_____
		Total Project Funds			

Project Summary

"the Governor's Office of Crime Prevention, Youth and Victim Services to Update". The Worcester County Commissioners Sheriff Office's State Aid for Police Protection Program helps to bridge the funding gap in efforts to reduce crime and offer services to the citizens of Worcester County. The program supplements salaries and operating expenses enable to keep the county's citizens safe and provide superior service. Program funds provide personnel, equipment and training.

SAPP Narrative - See NOFA Section III -A

"the Governor's Office of Crime Prevention, Youth and Victim Services to Update".

The Sheriff's Office is responsible for law enforcement in a rural county that is approximately 475 square miles. The county population is approximately 52,000 with a seasonal influx of visitors to 250,000 any given week from May through October. The remainder of the year, visitors will be about 85,000 at any given time. Requests for staffing levels to meet the population numbers has not kept up with the influx of visitors. Overtime funding from county operational funds is limited. Also, mandated training removes personnel from assigned duties and overtime is used to cover the duty vacancies.

The goal of the Sheriff's Office is to meet its constitutional duties and provide crime prevention oriented law enforcement to the residents and visitors of the county. This is a continuation of the operational goals set many years ago and historically were receiving police protection aid from the State of Maryland.

The program will provide for the continuation of staffing of crime prevention, criminal investigations and the training of personnel while allowing for the minimum sworn staffing (when a deputy is at training, another deputy has to be assigned to cover those duties).

The program will provide for the continuation of staffing of crime prevention, criminal investigations and the training of personnel while allowing for the minimum sworn staffing (when a deputy is at training, another deputy has to be assigned to cover those duties).

Person Completing the Project Narrative

Kim Reynolds

Senior Budget Accountant

Worcester County Board of County Commissioners

410-632-1194

410-632-3131

kreynolds@co.worcester.md.us



Project Budget

A. Budget Summary

	Grant Funds	Cash Match	In-Kind Match	Total Award
Personnel	\$0.00	\$0.00	\$0.00	\$0.00
Operating Expenses	\$0.00	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00	\$0.00
Contractual Services	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00
Grand Total	\$0.00	\$0.00	\$0.00	\$0.00



V. Civil Rights Requirements

1. Civil rights contact person: Norton, Stacey - Director of Human Resources
2. Organization: Worcester County Board of County Commissioners
3. Address: County Government Center
Room 1103
One West Market Street
Snow Hill, MD 21863
4. Telephone Number: (410) 632-0090
5. Number of persons employed by the organization unit responsible for implementation of this grant: 14

Project Service Sites

Site 1

Service Site Worcester County
Apt. Suite, No. Street
City
State & Zip MD 21863



Certified Assurances

THE APPLICANT HEREBY ASSURES AND CERTIFIES THE FOLLOWING:

1. That Federal funds made available under this formula grant will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal Funds, be made available for program activities.

2. That matching funds required to pay the non-Federal portion of the cost of each project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for program activities by the recipient of the grant funds and shall be provided as required in the Grant Award document.

3. That following the first year covered by a Grant Award and each year thereafter, a performance evaluation and assessment report will be submitted to the Governor's Office of Crime Control & Prevention.

4. That fund accounting, auditing, monitoring, evaluation procedures and such records as the Governor's Office of Crime Control & Prevention shall prescribe to and shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.

5. That the Grantee shall maintain such data and information and submit such reports in such form, at such times, and containing such information as the Governor's Office of Crime Control & Prevention may reasonably require to administer the program.

6. Sub-recipients will comply (and will require any sub-grantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604 (e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. § 704); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. § 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07); and the

Department of Justice (DOJ's) Equal Treatment Regulations (28 C.F.R. pt. 38).

7. That in the event a Federal or state court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against the Grantee, a copy of the finding will be forwarded to the Governor's Office of Crime Control & Prevention.

8. Sub-recipients that are governmental or for-profit entities, that have fifty or more employees and that receive a single award of \$500,000 or more under the Safe Streets Act or other Department of Justice (DOJ) program statutes are required to submit their Equal Employment Opportunity Plan (EEOP) to the federal Office of Civil Rights (OCR). The sub-recipients are not required to submit a copy to the Governor's Office of Crime Control & Prevention (GOCCP), but must have a copy available on site for monitoring purposes. Those sub-recipients that are subject to the OCR's EEOP Certification Form may access this form at: <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>.

9. That the Grantee will comply with all provisions set forth in the Governor's Office of Crime Control & Prevention's General <http://www.goccp.maryland.gov/grants/general-conditions.php> and Special Conditions.

10. That the Grantee will comply with the provisions of 28 CFR applicable to grants and cooperative agreement.

11. Sub-recipients are obligated to provide services to Limited English Proficient (LEP) individuals. Refer to the DOJ's Guidance Document. To access this document see U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (67 Federal Regulation 41455 (2002)). This regulation may be accessed at: <http://www.archives.gov/eo/laws/title-vi.html>

CERTIFICATION: I certify that this program will comply with the provisions set forth by the State of Maryland and the Governor's Office of Crime Control and Prevention.

Signature of Authorized Official

Date

Mitreccic, Joseph M. - President

Name and Title



Certification Regarding Lobbying



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 –

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with

obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted or otherwise criminally or civilly charged by a Government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph, (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminate for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 –

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about –

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;



(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after having received notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 312A, GSA Regional Office Building No. 3), Washington DC 20202-4571. Notice shall include the identification number(s) of each affected grant.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant.

Place of Performance (street address, city, county, state, zip code)

Check ___ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ___ if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 –

As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Applicant: Worcester County Board of County Commissioners
Address: County Government Center
Room 1103
One West Market Street
Snow Hill, MD 21863

Project Title: Worcester County State Aid for Police Protection - 2023
Federal ID Number: 52-6001064

Authorized Representative: Mitrecic, Joseph M. - President

Signature: _____
Signature of Authorized Official Date

FORM 2 - Due Date: Tuesday, November 22, 2021

Subdivision WORCESTER Municipality _____
 (County) (Incorporated City/Town)

ESTIMATED EXPENDITURES FOR POLICE PROTECTION
 (Fiscal Year Ending June 30, 2022)

<u>PART I</u>	<u>(a)</u>	<u>(b)</u>	
<u>SUMMARIZE (Omit Cents)</u>	<u>Police</u>	<u>Sheriff's</u>	
	<u>Department</u>	<u>Department</u>	
Salaries and Wages		\$ 6,612,195	A
Capital Outlay		\$ 1,465,413	B
Debt Service			C
Other Operating Expenses:			
Communications		\$ 48,920	D1
Travel		\$ 51,859	D2
Fuel & Utilities		\$ 23,072	D3
Contractual Services			D4
Supplies & Materials		\$ 372,405	D5
Fixed Charges			
(Rent, Insurance, etc.)		\$ 340,854	D6
Motor Vehicle Operation			
And Maintenance		\$ 411,900	D7
Contributions			
(Retirement and Social			
Security - Salaries only)		\$ 3,980,541	D8
Miscellaneous		\$ 93,950	E
TOTAL COLUMN (a)	-	13,401,110	75% % = \$ 10,050,832
			TOTAL COLUMN*
		SUB-TOTAL PART I \$ 13,401,110	
		(Total Column (a) and (b))	

The percentage is only applicable to agencies requesting funds for both the Police Department and Sheriff's Office.

<u>PART II</u>		<u>PART III</u>	
Traffic Control	\$ 55,000	Sub-Total PART I	\$ 13,401,110
Central Alarm System	\$ 1,566,357	Sub-Total PART II	\$ 1,621,357
SUB-TOTAL PART II	\$ 1,621,357	TOTAL (PARTS I & II)	\$ 15,022,467

Do you receive reimbursement of police costs from other jurisdictions? NO
 IF YES, deduct these expenses to eliminate duplication of costs.

I/we certify that the information contained herein is true, correct, and complete to the best of my/our knowledge.

Kim Reynolds
 Prepared by

 Chief of Police/Sheriff-Signature

Senior Budget Accountant
 Title

410-632-1194
 Telephone Number

 Chief Executive Officer of County or Municipality
 Signature

kreynolds@co.worcester.md.us
 E-mail address

FORM 3 - Due Date: Tuesday, November 22, 2021

County Worcester Municipality _____

SWORN OFFICER ALLOCATION
As of June 30, 2021

PART I

Number of authorized strength on a full-time basis as of June 30, 2021	<u>54</u>
Number of sworn police officers actually employed on a full-time basis as of June 30, 2021	<u>52</u>
Number of authorized strength on a part-time basis as of June 30, 2021	<u>38</u>
Number of sworn police officers actually employed on a part-time basis as of June 30, 2021	<u>28</u>
Are these officers contracted through another municipality or Sheriff's Office?	<u>No</u>
Name of agency:	<u>Worcester County Sheriff's Office</u>

PART II

Include a copy of the roster of police personnel from the Maryland Police Training Commission. The roster must include each individual's name (last, first, and middle initial), rank, and position. The number of officers reported will be verified with the Police Training Commission and must match what they have on record. County law enforcement agencies are also required to provide the number of staff sworn personnel that includes the above information.

If you contract with another department, please provide a copy of the contractual agreement and any contract payroll records that will support the number of officers.

I/we certify that the information contained herein is true, correct, and complete to the best of my/our knowledge.



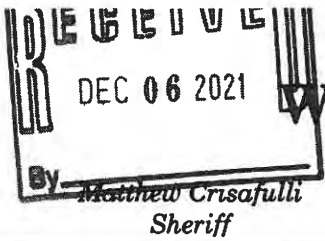
Chief of Police/Sheriff Signature 10/28/2021
Date

Chief Executive Officer of Municipality Signature Date

NOTE: If you are a municipality that contracts with the State Police or Sheriff's Office for services, the number of officers is determined by the number of hours of service is provided per week. OR, if you are a part of the Residential Trooper Program then you will already have a number of officers for your municipality.

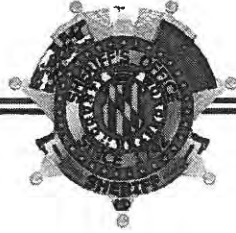
In a 168 hour week, how many hours of patrol are contracted?
divided by 40
equals the number of sworn police officers employed 0

Number of officers for the SAPP allocation
(To be completed by GOCCP)



ITEM 10

Worcester County Sheriff's Office



*Douglas Dods
Chief Deputy*

December 6, 2021

Weston Young
Worcester County
Chief Administrative Officer

Sir,

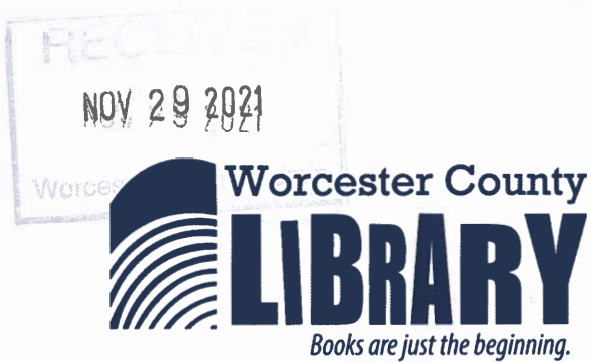
As we navigate through this tedious process of implementing various legislative mandates as it relates to law enforcement, recruitment and retention has certainly become challenging. We have been working tirelessly towards various solutions that will help with this specific matter. On behalf of Sheriff M. Crisafulli, we are respectfully requesting to be placed on the agenda for the Worcester County Commissioners Meeting on December 7, 2021, to discuss the below listed items.

- With the significant decrease in part time applicants along with the projected departure of current part time Deputy Sheriff's, we will be requesting approval from the Commissioners for conversions of five part-time positions to full-time. Currently we have ten vacant part-time positions; however, we have been receiving full-time applicants. The cost associated with these five conversions, with a projection hire date of April 4, 2021, would be approximately \$12,000.00 for the added costs of benefits. The actual costs for salary would be neutral as a result of reallocating hours from current part-time vacancies for the remainder of FY22.
- In order to assist in our recruitment efforts, we are also requesting to change the pay grade for Deputy Sheriff's in training from Grade 17, step 1 to Grade 19, step 1. It should be noted, that open full-time vacancies are currently budgeted at Grade 19, step 5.

Sheriff M. Crisafulli along with the administrative staff of the Worcester County Sheriff's Office takes pride in the committed working relationship with the Commissioners and your staff.

Respectfully,


Captain Nate Passwaters
Operations Officer



To: Weston Young, Chief Administrative Officer
From: Jennifer Ranck, Library Director *JR*
Date: November 29, 2021
Re: Mobile Library Unit

Library staff have spent several months researching types of mobile vehicles that would allow us to bring services to community members who cannot easily visit a branch. The Library was awarded a \$100,000 ARPA grant by the Institute of Museum and Library Services through the Maryland State Library and an FY 21 budget encumbrance of \$75,000 was approved to help fund the vehicle. Enclosed is a quote from TechOps Specialty Vehicles for \$157,907.41. TechOps Specialty Vehicles is a Maryland company based on the Eastern Shore in Stevensville.

The Library is respectfully requesting your approval to waive the formal bid process and accept this quote. TechOps completed Worcester County Health Department's mobile unit and came highly recommended. They have extensive industry knowledge and have delivered vehicles to many agencies in Maryland, including Queen Anne's County Department of Health, Anne Arundel County Police, Carroll County Sheriff's Office, and the City of Annapolis. Due to the shortage of vehicles, we are hoping to move forward on this project to secure the best product at the best price.

Thank you for your consideration.

218-A Log Canoe Circle
 Stevensville, MD 21666
 (410) 604-6004



DATE: 11/2/2021
 QUOTE: 11022021.685
 Revision: -

Customer Info:

Name:	Jennifer Ranck - Worcester County Library
Address:	307 N Washington Street, Snow Hill MD 21863
Email:	iranck@worcesterlibrary.org
Number:	o: 410-632-3495

TechOps Info:

Sales Person:	William Krampf
Email:	Wkrampf@techopssv.com
Number:	443-848-2906
Terms:	50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

Qty	Item	Description	Price Each	Extended
1	TOSV Pop-Up	TechOps Pop-Up Bookmobile includes chassis, body and conversion.	\$ 157,901.45	\$ 157,901.45

LINE ITEM PRICING

Qty	Item	Description	Price Each	Extended
CHASSIS AND BODY:				
1	CHASSIS	Provide 2022 Ford or Newer F-350 XLT Cab Chassis (F3G) 145" WB. White	\$ 53,012.93	\$ 53,012.93
1	BODY	Provide 9-1/2'L x 96"W Custom Aluminum Box with two open sides, one rear swing up door, rear storage compartment, slide out tray at rear, one rear step into rear compartment.	\$ 35,369.41	\$ 35,369.41
CONVERSION ITEMS:				
INTERIOR GENERAL				
6	Interior General	Provide and install 3/8" plywood liner on walls.	\$ 450.80	\$ 2,704.80
1	Interior General	Provide and install commercial grade carpet where applicable, front and rear side panels, ahead of wall panels.	\$ 1,760.00	\$ 1,760.00
INTERIOR COMPONENTS (identical on both passenger and drivers side)				
8	Interior Shelving	Provide and install Acore Uprights- 4 total per side for 3 sections, 36" 36" and 36" .	\$ 397.50	\$ 3,180.00
16	Interior Shelving	Provide and install Acore Shelving - ABR 9 9" deep by 36" long shelves.	\$ 304.50	\$ 4,872.00
1	Interior Shelving	Shipping.	\$ 937.50	\$ 937.50
1	Interior Shelving	Provide a Color Touch up pen	\$0.00	\$0.00
1	Interior Shelving	Provide Color strips-50	\$0.00	\$0.00
2	Displays	Provide and install a 24" display.	\$ 751.25	\$ 1,502.50
2	Displays	Provide and install swivel mount.	\$ 123.75	\$ 247.50
1	Displays	Provide and install HDMI cabling, distribution amplifier, and a HDMI port at the curb side control panel.	\$ 1,161.25	\$ 1,161.25
2	Displays	Provide and install holdback for display swivel while in transit.	\$ 241.25	\$ 482.50
1	Interior Slide out	Provide 1" straps pack of 4.	\$ 62.50	\$ 62.50
2	Speaker Bracket	Fabricate and install speaker bracket for interior speaker above bookshelves.	\$ 247.50	\$ 495.00
INTERIOR ELECTRICAL CABINET (behind sliding tray on interior of pop-up)				
1	Interior Electrical Cabinet	Provide and install 3/4" plywood or 1/8" aluminum for controls/electrical area	\$ 947.58	\$ 947.58
1	Interior Electrical Cabinet	Provide and install smooth white FRP or laminate as controls/electrical area finish.	\$ 513.75	\$ 513.75
2	Interior Electrical Cabinet	Provide and install access door for controls/electrical area to include latches, hinges, laminate finish, and PVC bumper trim.	\$ 482.50	\$ 965.00
INTERIOR LIGHTING				

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218-A Log Canoe Circle
 Stevensville, MD 21666
 (410) 604-6004



DATE: 11/2/2021
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Address:	307 N Washington Street, Snow Hill MD 21863
Email:	iranck@worcesterlibrary.org
Number:	o: 410-632-3495

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Sales Person:	William Krampf
Email:	Wkrampf@techopssv.com
Number:	443-848-2906
Terms:	50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

5	Interior Lighting	Provide and install Tecniq E20-WC00-1 LED Light. Color: White, in the storage compartment on ceiling and underside of rear door.	\$ 252.50	\$ 1,262.50
1	Interior Lighting	Provide and install door switch.	\$ 241.25	\$ 241.25
EXTERIOR				
4	Exterior Lighting	Provide and install 40" Amdor LumaBar angled white LED strip on underside of side door.	\$ 460.00	\$ 1,840.00
4	Exterior Lighting	Provide and install 12" Amdor LumaBar angled white LED strip on outside of door for sign illumination.	\$ 291.25	\$ 1,165.00
1	Battery Slide out Tray	Fabricate and install slide out tray for auxiliary batteries.	\$ 1,300.00	\$ 1,300.00
GRAPHICS				
1	Graphics	Provide and install graphics package for finished vehicle. Allowance, final price TBD based on approved design.	\$ 3,375.00	\$ 3,375.00
TECHNOLOGY				
1	Cellular Gateway	Provide and install Cradle point IBR900 mobile gateway.	\$ 1,632.50	\$ 1,632.50
1	Cellular Gateway	Provide and install Panorama 5-1 roof antenna.	\$ 857.50	\$ 857.50
AUDIO				
1	Radio	Provide and install Kenwood radio.	\$ 792.50	\$ 792.50
1	Antenna	Provide and install AM/FM antenna for radio.	\$ 228.75	\$ 228.75
1	Aux cable	Provide and install cable to PA from radio	\$ 31.25	\$ 31.25
1	PA system	Provide and install an Pyle PA System with 2 wireless microphones.	\$ 668.75	\$ 668.75
2	Interior speakers	Provide and install Kenwood speaker.	\$ 481.25	\$ 962.50
4	Exterior Speakers	Provide and install Kenwood speaker.	\$ 570.00	\$ 2,280.00
12V DC POWER - Note: All DC systems and components shall be wired to the auxiliary battery system unless noted.				
1	12V DC Battery Isolator	Provide and install contactor style isolator, for auxiliary and chassis batteries.	\$ 2,067.50	\$ 2,067.50
2	12VDC Auxiliary Battery	Provide and install flooded battery for auxiliary system.	\$ 695.00	\$ 1,390.00
2	12V DC Power Points	Provide and install cigarette lighter style power point at street side or curb side front wall.	\$ 220.00	\$ 440.00
1	12V DC Breaker Panel	Provide and install Blue Sea multi-position panel located in controls area.	\$ 1,560.00	\$ 1,560.00
1	12V DC Power	Provide and install DC master circuit protection and power distribution system	\$ 2,040.00	\$ 2,040.00
1	12V DC Power	Provide and install battery switch for auxiliary system.	\$ 253.75	\$ 253.75
1	Solar panels	Provide and install an Overlander 160 watt solar panel kit	\$ 1,683.75	\$ 1,683.75
1	Solar panels	Provide and install 160 watt Extension panel	\$ 1,107.50	\$ 1,107.50
120 VOLT AC POWER				
1	120 Volt Shore Power	Provide and install 30-AMP 125VAC Shoreline inlet. Location: Street side, rear.	\$ 830.00	\$ 830.00
1	Shore Cord	Provide 35' shore cord, 30 amps.	\$ 202.50	\$ 202.50

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Number:	443-848-2906
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PROJECT NAME: 685 Worcester Bookmobile Pop-up

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	Pigtail cord	Provide 30A to 15A 110v adapter.	\$ 138.75 \$ 138.75
1	120 Volt Battery Charger	Provide and install Xantrex TrueCharge 40. Wired: To charge both battery systems.	\$ 1,048.75 \$ 1,048.75
4	120 Volt Outlets	Provide and install Duplex with Dual USB: Locations: Two (2) at street side front and two (2) at curb side front.	\$ 253.75 \$ 1,015.00
2	120 Volt Outlets	Provide and install Duplex accessory outlet for display.	\$ 232.50 \$ 465.00
1	120 Volt Circuits	Provide and install Blue Sea multi-position breaker panel in controls area.	\$ 1,535.00 \$ 1,535.00
1	120 Volt Circuits	Provide and install AC power distribution system.	\$ 1,385.00 \$ 1,385.00
1	120 Volt Outlets	Provide and install Duplex GFCI exterior outlet with cover. Location: curb side.	\$ 463.75 \$ 463.75
1	Inverter	Provide and install Xantrex Freedom X 2000 watt Inverter.	\$ 2,640.00 \$ 2,640.00
1	Inverter	Provide and install Xantrex inverter remote panel at controls area.	\$ 342.50 \$ 342.50
Misc. Electrical			
SAFETY			
1	Safety Accessory	Provide and install Fire Extinguisher: 5lb ABC w/vehicle bracket. Location: TBD.	\$ 186.25 \$ 186.25
1	Safety Accessory	Provide and install First aid kit	\$ 148.75 \$ 148.75
OTHER			
1		Engineering design time - conversion.	\$ 8,400.00 \$ 8,400.00
1		Clean & Detail	\$ 420.00 \$ 420.00
1		Training @ TOSV facility	\$ 840.00 \$ 840.00

Notes: 1. 50% of purchase price due upon acceptance of quotation.

- If advanced payments are made by TechOps to dealer on behalf of customer, customer shall pay the full amount due on the Chassis and Body within 10 days of arrival at TOSV or body company (as identified by TOSV).
- Balance due upon delivery - FOB Stevensville, MD.
- When applicable, customer to drop off/pick up vehicles or chassis and CFE.
- Transportation and delivery is estimated until delivery has been contracted. This could result in a price change.
- Body pricing from OEM manufacturer is valid for 30 days. Any increases above \$1,000 will be passed through to the customer on the final invoice. (Any changes will be discussed upon receipt of the body from the manufacturer.)

3% fee added to credit card payments.

Subtotal	\$ 155,455.47
Consumables /IBF	\$ 2,445.98
HGAC/IFF	\$0.00
Delivery	\$0.00
Unit Price	\$ 157,901.45

218-A Log Canoe Circle
Stevensville, MD 21666
(410) 604-6004



DATE: 11/2/2021
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Number:	443-848-2906
Terms:	50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

By signing below, I, the customer, agree to be bound by the following Terms and Conditions.

Accepted this _____ Day of _____, _____

Name _____

Signature _____ Date _____

TERMS

HGAC Contract Procurement: This procurement can be facilitated under our HGAC contract #AM10-18. When an order is placed, an HGAC worksheet shall be completed for your procurement personnel to submit to HGAC for their conformation. Their fee is not included in this proposal and will be added to the worksheet. For vehicles, the fee is \$ 1,000 per order whether it is for one or multiple vehicles on the same order. This purchase shall be based on TechOps' contract package plus published and non-published options.

GSA Contract Procurement: This procurement can be facilitated under TechOps GSA 23V Schedule Contract Number: 47QMCA19D0014 with end user FAR compliance. For vehicles, the GSA Industrial Funding Fee is .75% of the total sale price. This purchase shall be based on TechOps' contract package plus any applicable published and non-published options.

Purchase Orders: Customer (as indicated on the final, accepted quotation) shall submit a purchase order containing the requested conversion and related specifications ("Purchase Order"). Once a Purchase Order is received, TechOps will create a quote for the conversion.

Pricing: Pricing is subject to change. Except as set forth herein, all quotes will be valid for sixty (60) days. Vehicle, chassis, and/or body quotations are subject to availability and are only valid as of the date of the quote. All quotations exclude any applicable sales or use taxes unless specified and included with the price FOB-MD. Pricing to complete the Work (as hereinafter defined) is based on equipment, material, and time/labor applicable on the date the quote is prepared and/or provided to customer. TechOps reserves the right to revise and update the quote to meet any variations, whether due to increase in wages, materials, equipment, or increased cost outside TechOps's reasonable control or in relation to conditions discovered during the Work being performed.

Services: Once a Purchase Order is submitted, TechOps will provide conversion services in accordance with the specifications set forth on the final accepted quotation, and any amendments thereto (the "Work"). The Work shall be performed in Stevensville, MD unless otherwise specified by TechOps in TechOps sole discretion. TechOps will perform all Work in a good and workmanlike manner. TechOps will work with the customer to determine appropriate specifications, materials, and equipment when appropriate. Customer acknowledges that TechOps is not responsible for the accuracy or appropriateness of any specifications provided by the customer.

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PROJECT NAME: 685 Worcester Bookmobile Pop-up

Vehicle/Chassis Purchase & Arrival: TechOps is not a dealer. However, TechOps may assist the customer with selecting a vehicle, chassis, and/or body from a dealer that is suitable for the conversion based on the specifications provided by the customer and TechOps knowledge and experience. TechOps will endeavor to help the customer purchase a safe and reliable vehicle, chassis, and/or body. TechOps may, in its sole discretion, advance payments for the vehicle, chassis, and/or body to such dealers on behalf of customer. Customer acknowledges that the vehicle, chassis, and/or body will be purchased directly from the dealer and that TechOps does not, and will not, take title to the vehicle prior to its sale to the customer.

If TechOps assists the customer with the purchase of the vehicle, chassis, and/or body, TechOps will arrange for delivery of the vehicle by the dealer. If the customer purchases a vehicle, chassis, and/or body without the assistance of TechOps, customer shall arrange for the vehicle, chassis, and/or body to be delivered to TechOps. Customer shall be responsible for all delivery, transportation, or any related costs or expenses.

Production Time; Commencement; and Completion Date: Production time shall be estimated by the Project Manager when the order is placed taking into consideration the estimated arrival of the vehicle, chassis, and/or body at TechOps, equipment. The production time estimate will be confirmed when all plans are approved by TechOps and accepted by the customer. The necessity of special parts or changes in the type of equipment, materials, vehicle, chassis, or body, or a delay in delivery of the vehicle, chassis, or body may cause a delay to the estimated production time. The Work will commence upon delivery of the vehicle, chassis, body, equipment, or materials, whichever is delivered to TechOps later. All delays will be communicated to the Customer by TechOps. Any completion date or delivery date indicated by TechOps is subject to change by TechOps its sole discretion. The time for completion of the Work or delivery is not "of the essence." ☐

Cancellation; No Refunds: Upon acceptance by the customer of the final quotation, the Work may not be cancelled and , unless otherwise agreed upon in writing by TechOps. In the event the customer cancels an order, the customer shall not be entitled to a refund of any amount paid to TechOps by customer. Customer shall remain responsible for all amounts advanced on customer's behalf pursuant to the approved Work, including, but not limited to, amounts paid to dealers, vendors, or suppliers for equipment, materials, vehicles, chassis, or bodies. TechOps may cancel the Work at any time. If TechOps cancels the Work, TechOps shall refund all payments made to TechOps; provided however, that TechOps shall not be required to refund any amount of advanced payments made on behalf of the customer by TechOps to dealers for the vehicle, chassis, and/or body. TechOps shall cooperate with the customer to assist customer with obtaining possession and title of the vehicle, chassis, and/or body.

Payments and Deposits: Upon submission of a Purchase Order, Customer shall pay to TechOps a deposit in the amount equal to 50% of the Total Contract Price (as set forth in the final, accepted quotation). If TechOps assists the customer with purchasing a vehicle, chassis, and/or body by advancing payment on behalf of the customer to the dealer, the customer shall pay to TechOps 100% of the price of the vehicle, chassis, and/or body (as set forth in the final, accepted quotation, the "Vehicle Price") within ten (10) days of the vehicle, chassis, and/or body arriving at TechOps or the body company (as identified by TechOps). Failure to pay any amount when due shall result in TechOps charging a storage fee of \$ 10.00 per day until past due amounts and the storage fees are paid in full. The remaining balance due and owing on the Total Contract Price shall be paid upon completion of the Work.

All payments shall be made to TechOps Specialty Vehicles, 218-A Log Canoe Circle, Stevensville, MD 21666. Payments shall be made by wire transfer or credit card, unless otherwise agreed by TechOps in writing. A fee of 3% will be charged to the customer and added to each payment amount for all credit card payments. The wiring information is as follows: Eagle Bank, 7815 Woodmont Ave, Bethesda, MD 20814. ABA: 055003289, Account: 200264489.

Rights of TechOps Upon Nonpayment by Customer: In the event the customer fails to pay the remaining balance of the Total Contract Price when due, TechOps reserves the right to suspend the Work, withhold delivery of the converted vehicle to the customer, and/or may pursue all legal rights and remedies in both law and equity inclusive of both Maryland's Contract Lien Act and §16-200, et seq. of the Maryland Commercial Law Article. By accepting the quotation, customer acknowledges TechOps' security interest and right to lien customer's vehicle, chassis, and/or body for installed, yet unpaid equipment, materials, labor, parts, and supplies.

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 Stevensville, MD 21666
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DATE: 11/2/2021
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Customer Info:

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 Email: Wkrampf@techopssv.com
 Number: 443-848-2906
 Terms: 50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

Force Majeure: In the event that either TechOps or customer is unable to perform any of its obligations under these Terms and Conditions or to enjoy any of its benefits because of any Act of God, strike, fire, flood, governmental acts, orders or restrictions, internet system unavailability, system malfunctions, epidemic, pandemic, or any other reason where failure to perform is beyond the reasonable control and not caused by the gross negligence of the non-performing party (a "Force Majeure Event"), the party who has been so affected shall give notice immediately to the other party and shall use its reasonable and its best efforts to resume performance as soon as practicable. Failure to meet projected "due dates" resulting from a Force Majeure Event shall extend such due dates for a reasonable period of time.

Limited Warranty; Manufacturer Warranties: TechOps offers a one (1) year warranty for its wiring and cabinetry workmanship beginning on the date the vehicle is delivered to the customer. In the event any repairs or replacement of warranted items covered by TechOps' one (1) year warranty, customer is required to contact TechOps Service Department to obtain approval for any and all repairs or replacements covered under the one (1) year warranty. Once approved, customer or its authorized representative shall submit an invoice to TechOps' Accounting Department for payment. Approval must be obtained in writing prior to commencing and completing any repairs or replacement.

The chassis, vehicle body, and all equipment, components, materials are warranted by their respective manufacturers. TechOps offers optional extended warranties. EXCEPT AS OTHERWISE SET FORTH HEREIN OR AGREED UPON IN WRITING SIGNED BY THE PARTIES, TECHOPS DOES NOT WARRANT (WHETHER EXPRESS, IMPLIED, OR OTHERWISE, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE) THE CHASSIS, VEHICLE BODY, OR ANY OF THE EQUIPMENT, COMPONENTS, OR MATERIALS USED IN PERFORMING THE WORK.

Limitation of Liability: IN NO EVENT WILL TECHOPS HAVE ANY LIABILITY OR RESPONSIBILITY FOR ANY INDIRECT, INCIDENTAL, EXEMPLARY, SPECIAL, OR CONSEQUENTIAL DAMAGES (INCLUDING, LOST INCOME AND PROFITS), EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, RELATED TO THE WORK OR THESE TERMS AND CONDITIONS. TECHOPS SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY VEHICLE, CHASSIS, BODY, MATERIALS, EQUIPMENT, OR COMPONENTS USED IN PERFORMANCE OF THE SERVICES AND THE CUSTOMER AGREES NOT TO BRING ANY CLAIM, SUIT, OR CAUSE OF ACTION AGAINST TECHOPS RELATED TO THE SAME.

TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, TECHOPS' LIABILITY FOR DAMAGES FOR ANY CAUSE OF ACTION WHATSOEVER REGARDING, RELATED TO, OR ARISING OUT OF THESE TERMS AND CONDITIONS OR THE WORK WILL NOT EXCEED THE TOTAL CONTRACT PRICE. NO CLAIM, ACTION, DISPUTE OR CAUSE OF ACTION, OF ANY KIND OR NATURE WHATSOEVER, ARISING FROM OR IN CONNECTION WITH THESE TERMS AND CONDITIONS OR THE WORK MAY BE BROUGHT BY THE CUSTOMER MORE THAN ONE YEAR AFTER THE OCCURRENCE GIVING RISE TO THE CAUSE OF ACTION OR BE BARRED FOREVER, EXCEPT THAT ANY CLAIM, ACTION OR CAUSE OF ACTION FOR NON-PAYMENT MAY BE BROUGHT WITHIN TWO YEARS AFTER THE DATE ON WHICH PAYMENT WAS DUE.

Customer Supplied Equipment: Any customer supplied equipment must arrive complete and correct for the installation, and in good working condition. TechOps SV shall not be responsible for any customer supplied equipment not 100% functional upon arrival. Any pricing quoted does not include any parts, components, repair, or modifications to existing equipment. The Work cannot commence until all parts are delivered to TechOps. Used equipment may be subject to additional charges and will carry no warranty except for workmanship. If there are any failures during or after the customer supplied equipment, the customer shall be responsible for the cost of all repairs and related expenses. TechOps reserves the right to reject the use of customer supplied equipment in its sole discretion.

All customer supplied communications equipment must be complete, fully operational, and programmed upon arrival at TechOps. Equipment that does not meet the foregoing requirements will be installed in the designated locations with all wiring in place but not attached to the equipment. TechOps will have no further responsibility and it will be necessary for customer's communications vendor to complete the installation. At the request of the customer, TechOps may make arrangements at a qualified local vendor to complete the installation, and the customer shall be responsible for any and all expenses and costs incurred by TechOps. Customer acknowledges that the Work will be delayed until the equipment is returned in good, working order.

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218-A Log Canoe Circle
Stevensville, MD 21666
(410) 604-6004



DATE: 11/2/2021
QUOTE: 11022021.685
Revision: -

Customer Info:

Name:	Jennifer Ranck - Worcester County Library
Address:	307 N Washington Street, Snow Hill MD 21863
Email:	janck@worcesterlibrary.org
Number:	o: 410-632-3495

TechOps Info:

Sales Person:	William Krampf
Email:	Wkrampf@techopssv.com
Number:	443-848-2906
Terms:	50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

Binding Effect: The individual accepting the quote represents that he/she/it/they has the legal authority to bind the customer to the terms and conditions of these Terms and Conditions and any amendments thereto.

Governing Law, Jurisdiction, & Limitations: These Terms and Conditions and the parties' actions, rights and liabilities under these Terms and Conditions shall be governed by and construed under the laws of the State of Maryland, without reference to conflict of law principles. The parties hereby expressly consent to the jurisdiction and venue of the federal and state courts within the State of Maryland. Venue shall be in the Queen Anne's County Circuit Court located in Centreville, Maryland or the United States Federal District in Baltimore, as the case may be.

Entire Agreement: These Terms and Conditions and the final, accepted quotation referenced herein, constitute the entire agreement between the Parties concerning all Work, parts equipment, materials, labor, vehicles, chassis, and bodies provided by TechOps and supersedes all previous communications, representations, understandings, and agreements, whether verbal or written between the parties or their authorized representatives to these Terms and Conditions. No representation or statement of any kind made by either party, which is not expressly stated in this Agreement, shall be binding on the Parties hereto.

Amendments: No waiver, amendment or modification of any provisions of these Terms and Conditions shall be effective unless in writing and with the express approval of TechOps. This is exclusive of TechOps' right to modify, alter or amend any terms and conditions with or without notice to the customer.

Notices: Any notices under these Terms and Conditions or the final, accepted quotation, shall be considered to have been given when hand-delivered or sent by email or telefax, or three (3) days after being sent by first-class or certified mail, return receipt requested, to the other Party hereto.

Waiver: No failure or delay by either party in exercising any claim right, power or remedy under these Terms and Conditions, shall operate as a waiver of any such claim, right, power or remedy.

Attorneys' Fees, Costs, and Expenses: In the event of any lawsuit, collection, or any legal proceeding by TechOps involving these Terms and Conditions, the customer shall be responsible for the payment of any and all court costs, TechOps' attorneys' fees incurred, collection costs, professional costs, expert fees, investigator costs, and any other miscellaneous expenses incurred by TechOps.

Assignability & Binding Effect: Except as expressly set forth within Terms and Conditions, the customer may not transfer or assign, directly or indirectly, these Terms and Conditions or its rights and obligations hereunder without the express written permission of the TechOps. TechOps shall have the right to assign or otherwise transfer these Terms and Conditions to any parent, subsidiary, affiliated entity or pursuant to any merger, consolidation or reorganization, provided that all such assignees and transferees agree to be bound by these Terms and Conditions prior to such assignment or transfer. These Terms and Conditions shall be binding upon and inure to the benefit of the parties hereto, their successors, and assigns.

Certain Sections Invalid: If any provisions or portions thereof of Terms and Conditions are held by a court of competent jurisdiction to be invalid under any applicable statute or rule of law, they are to that extent deemed omitted and the remaining provisions of these Terms and Conditions shall remain in full force and effect.

Paragraph Headings: The titles and headings of the various sections and sections in these Terms and Conditions are intended solely for convenience of reference and are not intended for any other purpose whatsoever, or to explain, modify or place any construction upon or on any of the provisions of these Terms and Conditions.

Applicable Law: The terms and provisions of this Contract and any dispute arising hereunder shall be governed and principles of law applied by the laws of the State of Maryland. The courts of Maryland shall have the sole and exclusive jurisdiction in any case or controversy arising under this Contract. Each party to this Contract, inclusive of its successors or assigns hereby submits and consents to the jurisdiction of the courts of the State of Maryland and within which all such actions, unless otherwise provided for the arbitration of said disputes, shall be the proper venue for any such action.

END – TERMS AND CONDITIONS

WARRANTY

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218-A Log Canoe Circle
 Stevensville, MD 21666
 (410) 604-6004



DATE: 11/2/2021
 QUOTE: 11022021.685
 Revision: -

Customer Info:

Name: Jennifer Ranck - Worcester County Library
 Address: 307 N Washington Street, Snow Hill MD 21863
 Email: iranck@worcesterlibrary.org
 Number: o: 410-632-3495

TechOps Info:

Sales Person: William Krampf
 Email: Wkrampf@techopssv.com
 Number: 443-848-2906
 Terms: 50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

Chassis warranty: The chassis is warranted by the manufacturer of the chassis. Extended warranties are available for an additional fee.

Conversion warranty: TechOps SV warranties for wiring and cabinetry workmanship are covered for 1 year beginning on the date the vehicle is delivered to the original purchaser.

Component warranty: The Manufacturers of specific components offer warranty for their respective components. In all cases the component manufacturer's warranties are separate from the TechOps SV Warranty. Component Manufacturer's Warranties may be from 12 to 60 months or longer depending on the component.

Communications equipment: All customer supplied communications equipment must be complete, fully operational, and programmed upon arrival at TechOps SV. Equipment not complete will be installed in the designated locations with all wiring in place but not attached to the equipment. TechOps SV's responsibility will end at that point and it will be necessary for your communications vendor to complete the installation. TechOps SV shall not be responsible for any customer supplied equipment not 100% functional upon arrival. If you request the supplied equipment be serviced TechOps SV will make the arrangements at a qualified local vendor. The department shall be responsible for any and all charges incurred. This service will postpone the start of production time quotations until the equipment is returned in working order. There are no warranties implied by offering this service.

Customer supplied equipment: Any customer supplied equipment must arrive complete and correct for the installation, and in good working condition. Any pricing quoted does not include any parts, components, repair, or modifications to existing equipment. Production cannot commence until all parts are here and complete. Used equipment may be subject to additional charges and will carry no warranty except for workmanship. If there are any product failures during or after the installation the repair and all related expenses are to be the responsibility of the customer.

Production time: Is determined by the Project Manager when the order is placed, estimated arrival of the chassis at TechOps SV and all plans are approved. Special parts and equipment plus the change of a vehicle in a new model year may cause a delay to the quoted production time. At any time during construction, consider yourselves our guests to stop by and view or discuss your conversion. For multiple vehicle projects the production time will be quoted by the number of vehicles and the timeframe including delivery time that the customer requires.

Detail: Upon completion all conversions go through our Quality Assurance Process including a road test and detail.

TECHOPS SPECIALTY VEHICLES COMPANY INFORMATION AND PROCESS CONTROL

Experience: TechOps SV manufactures communications and specialty vehicles for the emergency services and specialty industries based on SUV's, vans, utility vehicles, custom rescue bodies, box trucks, step vans, bus chassis, trailers and more. Our customer base spans all sectors from local, county, state, federal, military agencies, and overseas accounts. Our proven process assures TechOps SV vehicles can be provided to distant areas while experiencing virtually no problems.

Location: The factory is located at 218-A Log Canoe Circle in Stevensville, Maryland approximately 5 miles East of Annapolis over the "Bay Bridge" with ample parking and easy highway access.

Factory visits: Many clients enjoy a visit to the factory before, during and after construction to view the progress, discuss fine adjustments and details if necessary and see a variety of conversions currently in production. If this is inconvenient a link can be established where you can view the progress of your conversion.

Facility: TechOps SV currently occupies approximately 18,000 square feet to meet the needs of our customers and our expansion into new markets. On staff are sales and support personnel along with accredited engineers holding numerous certifications to address all technical issues. TechOps SV personnel manage every segment of the conversion all under one roof enabling TechOps SV to produce quality products while maintaining control over all of the processes and procedures.

Service Centers: If you are close to the factory, TechOps SV will be your service facility. If our location is inconvenient, your local service center may be your choice of local vendors currently servicing your vehicles. Free pickup and delivery for service is available depending on proximity to our service location and on-site warranty service can be arranged.

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 Stevensville, MD 21666
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DATE: 11/2/2021
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 Revision: -

Customer Info:

Name: Jennifer Ranck - Worcester County Library
 Address: 307 N Washington Street, Snow Hill MD 21863
 Email: jranck@worcesterlibrary.org
 Number: o: 410-632-3495

TechOps Info:

Sales Person: William Krampf
 Email: Wkrampf@techopssv.com
 Number: 443-848-2906
 Terms: 50% Down / Chassis Balance on Arrival / Conversion Balance on Completion

PROJECT NAME: 685 Worcester Bookmobile Pop-up

Insurance: TechOps SV maintains \$ 2,000,000 product liability and will supply a certificate of insurance if requested.

Wiring: TechOps SV offers the highest quality wiring processes in the industry while meeting or exceeding industry, national, or local codes. Every vehicle is designed and built with ease of service in mind. Special GXL wire is covered by high temperature loom and wiring passing through metal is insulated with a grommet and sealed watertight where necessary. Where possible factory connectors are used eliminating unnecessary splicing into factory wires which could cause direct or indirect electrical problems.

Manuals: Upon completion, TechOps SV supplies all manufacturer's information from conversion products or component manufacturer.

Delivery: If requested, TechOps can arrange for customers vehicle to be delivered to TechOps and returned to the customer. We are very confident that TechOps SV can meet or exceed your expectations and specifications. New and returning customers can attest that the sales, manufacturing and delivery process at TechOps SV is an easy and enjoyable experience and we look forward to working with you on this and future projects. References are available upon request.

Production Process: The approved contract or proposal is assigned to the Project Manager who supervises the conversion into detailed production plans and applicable drawings. These drawings are sent to the customer's authorized Point of Contact (POC) for approval. Once the plans meet the customer's satisfaction and are approved they are forwarded to our technical engineering department who reviews them and creates a detailed bill of materials to identify and acquire the parts required to perform the conversion. When the base vehicle arrives at TechOps SV, it goes through a full inspection ensuring there is no damage or missing parts and matches the specifications supplied or approved. A vehicle check in list is completed and placed in the work order folder. The vehicle is brought onto the production floor and includes a carefully monitored parts storage area to ensure all parts remain with the vehicle throughout its conversion. All parts are properly identified for every job. The Project Manager inspects vehicles during construction and will alert the customer's POC to the progress of the project and any deviations that may be required. The vehicle conversion is completed and a thorough test drive is completed to ensure all components are installed and operating correctly. If any issues are discovered they are immediately corrected. This step has uncovered OEM warranty issues which required a visit to a local car dealership prior to the vehicles final delivery to the customer. The detailed inspection and delivery documents are kept with the job folder for future reference.

All drawings, product catalogs, manuals, and warranty information along with any invoicing are completed and ready for delivery.

TechOps SV is very proud of the well-deserved reputation that we have earned so if you have any questions please contact your sales representative.

Talkie Communications, inc
99 Talbot Blvd Chestertown MD 21620
844-5-Talkie
Sales@TalkieFiber.com
TalkieFiber.com

ITEM 12

Dear Mr. Young,

Talkie Communications is requesting to meet with the Worcester County commissioners on December 7th in open session.

Talkie would like to give the county an update about the broadband buildout and would like to talk about the upcoming grants.

Thank you,

A handwritten signature in black ink that reads 'Andre Demattia'.

Andre Demattia
CEO Talkie Communications, inc



DEPARTMENT OF
INFORMATION TECHNOLOGY

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1003
SNOW HILL, MARYLAND 21863
TEL: 410.632.5610
www.co.worcester.md.us/departments/it

To: Weston Young, Chief Administrative Officer

From: Brian Jones, Director of Information Technology

Re: Neighborhood Connect Broadband Grant

Date: November 23, 2021

In the FY22 budget we allocated funding (out of the advice from the Governors Office) to be used for upcoming broadband grants issued from the state. In many cases, monetary matches increase our chances to receive funding in the application review process. The Maryland Department of Housing and Community Development has recently opened the 'Neighborhood Connect' grant. This grant is for 4 individual grants, each at \$500,000. All four grants do require a monetary match that will fall largely on Talkie. The potential of receiving this grant is based on a point scale, the more we contribute the greater chance we have of winning the grant. All four grants combined will equal to over 2 million in funding. This grant was available last year; however, we were unable to apply due to lack of funding at the time it was announced. Contributing a match give us 24 out of 25 points and gives us an excellent chance of being approved. We are under no obligation to pay unless we win the grant(s).

I recommend that we contribute \$24,000 per grant which has been budgeted to increase our chances of winning the grant offered by the Department of Housing and Community Development. A significant portion will be provided by Talkie. Here is the breakdown by area of the grant and match portion:

- Johnson Road: Total Project \$555,945 Match by ISP **\$31,945** Match by County **\$24,000**
- Pocomoke A: Total Project \$625,392 Match by ISP **\$101,392** Match by County **\$24,000**
- Pocomoke B: Total Project \$551,304 Match by ISP **\$27,304** Match by County **\$24,000**
- Pocomoke C: Total Project \$560,991 Match by ISP **\$36,991** Match by County **\$24,000**

If we are successful at winning the grants, Talkie will be able to complete the Southern portion of the fiber in the Pocomoke area and will cross Route 13. This will also get us connectivity to the Visitor Center, south of Pocomoke. We hope to win additional grants that will take us further into the county and further North. The grant areas are covered in the attached packet along with their specific road locations.



Sales@TalkieFiber.com

844-5-Talkie

99 Talbot Blvd.

Chestertown MD, 21620

To Brian Jones:

Talkie would like to apply for the 2022 Neighborhood Connect Broadband Grant Program from the Office of Statewide Broadband.

For each application the state will grant up to \$500,000 with as little as a 10% match. For these grants the county is the applicant and the ISP is the partner.

Talkie has successfully won 10 of these grants in year 2021 with Kent County in Queen Anne's County and would like to apply with Worcester County for 2022.

Talkie would like to apply for 4 applications this year in Worcester for the areas of Pocomoke City Maryland.

Proposed funding area

- **Johnson Road:** Total Project \$555,945, Match by ISP \$31,945, Match by County \$24,000
- **Pocomoke A:** Total Project \$625,392, Match by ISP \$101,392, Match by County \$24,000
- **Pocomoke B:** Total Project \$551,304, Match by ISP \$27,304, Match by County \$ 24,000
- **Pocomoke C:** Total Project \$560,991, Match by ISP \$36,991, Match by County \$24,000





Sales@TalkieFiber.com

844-5-Talkie

99 Talbot Blvd.

Chestertown MD, 21620

Total investment for the county would be \$96,000
Total additional investment by Talkie \$197,631
Total Grants by the office of statewide broadband: \$2 million

Matching funds would only be required if the grants have been awarded. Construction will start immediately and we believe the grants will be released between March and May of 2022.

Talkie request to apply for 2 applications for the Connect Maryland – FY22 Network Infrastructure Grant Program. This program will grant up to \$10 million per application with as little as a 10% match.

Talkie has applied for the NTIA grant for the areas in pink. They have received over 240 applications requesting more than \$2.7 billion dollars, resulting in an oversubscription of approximately 10 times the available amount of \$288 million dollars. NTIA does not anticipate making awards until early in 2022 and there is no guarantee that Talkie will be awarded this grant.

The areas that are shaded have no funding available. Talkie would target these 453 addresses with the Connect Maryland – FY22 Network Infrastructure Grant.

The Connect Maryland – FY22 Network Infrastructure Grant requires a partnership with the county and matching funds up to 10% up to 1 million dollars per application.

Talkie would like to use the approved 1-million-dollar loan for 50% of required match of \$500,000 per application and request the county match the remainder 50% of \$500,000 per application for a total county match of 1 million dollars. The match is only needed if the grant is awarded.

If the grant is awarded the requirements is to have the grant areas completed in 3 years.

USDA will have the Rural Development Broadband ReConnect Program open as of 11/24/21 and will close on Feb 22.

The Reconnect grant is up to \$25 million with a 25% match. Talkie is still evaluating this grant and could apply for that grant if the NTIA isn't awarded.

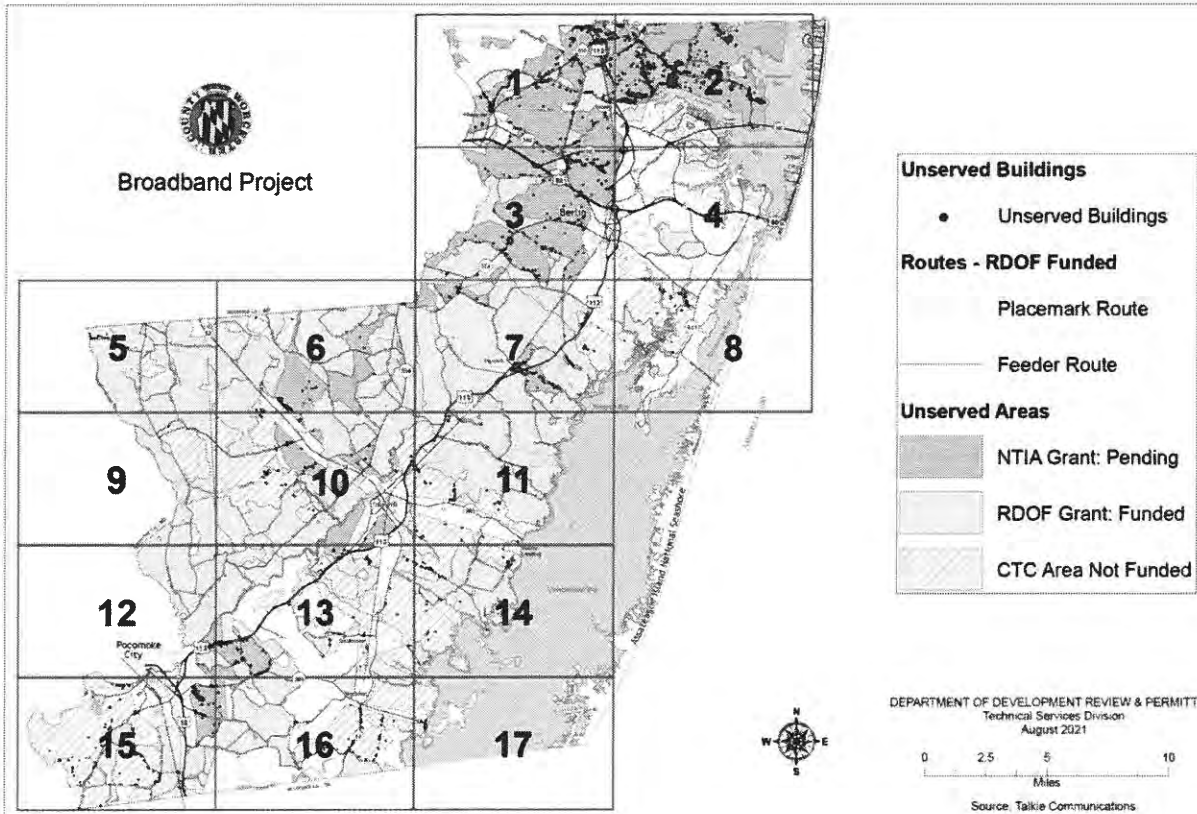


Sales@TalkieFiber.com

844-5-Talkie

99 Talbot Blvd.

Chestertown MD, 21620



New proposed funding area.





Sales@TalkieFiber.com

844-5-Talkie

99 Talbot Blvd.

Chestertown MD, 21620

Summary of the grants Talkie has applied for.

Won or applied for

RDOF: \$3,000,000 (waiting to be released)

DHCD: \$3,600,000 (waiting to be released)

NTIA: \$18,000,000 – Pending

New Areas to be applied for

4 Applications Neighborhood Connect Broadband Grant Program (\$2,000,000)

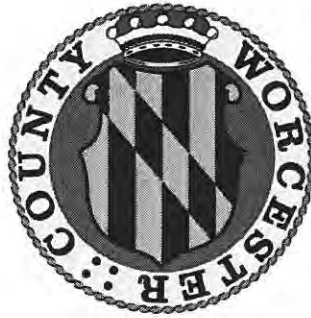
2 Applications infrastructure grant \$20 million

Total grants if awarded: 46.6 million

Total cost \$52 million

Gap 5.4 million

Thank you,
Andre Demattia



WORCESTER COUNTY, MARYLAND
Worcester County Government Center
1 W. Market St. Room 1003, Snow Hill, Maryland 21863

December 22, 2021

Mr. Rick Gordon, P.E., Director
Office of Statewide Broadband
7800 Harkins Road
Lanham, MD 20706
via e-mail osb.md@maryland.gov

RE: Response to Request for Applications (Neighborhood Connect Broadband Funding Program)
Johnson Road, Pocomoke.

Dear Mr. Gordon:

Attached please find the **first** of Worcester County Government's responses to the Office of Rural Broadband's October 8, 2021 requests for applications. Other responses shall be submitted prior to the December 23, 2021 response deadline.

As Worcester County project director for the proposed project, please feel free to contact me using the e-mail address, phone number, and/or mailing address listed below. Weston Young will be the authorized representative on behalf of the County Commissioners of Worcester County.

A certification of grant application review from Talkie Communications, Inc., Worcester County Government's internet service provider (ISP) partner for the proposed project, is included as part of this application (Appendix E).

To summarize our response to the RFI, Worcester County Government and its partner Talkie Communications, Inc., respectfully request:

\$500,000 in matching funds to extend fiber based broadband service to 48 addresses located in the Johnson Road, Pocomoke vicinity in Worcester County, Maryland.

Sincerely,

Brian Jones

EXECUTIVE SUMMARY

Since 2018, Worcester County Government has strived to propose broadband solutions to the that exists in numerous rural portions of Worcester County, Maryland. County efforts have identified over 80 of these unserved areas. Recognizing that each unserved area requires a unique solution to extend service, Worcester County Government issued a "Request for Proposal in January 2020. Worcester sought after a partnership with internet service providers interested in proposing solutions to serve these rural areas.

Talkie Communications, was approved as Worcester County's ISP of choice to become our provider and partner to provide broadband services to those areas considered unserved.

Using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport, Talkie will be tying in to existing MDBC plant located at the Water Tower in Pocomoke City which is located at the min-Beltway.

Maps contained in Appendix B depict details regarding the location of the proposed infrastructure. Additionally, GIS shapefile sets and Google Earth KMZ files that accompany this application provide the ability for reviewers to interact with the proposed infrastructure in a way that static maps do not.

In total, the PFSA contains 48 addresses (over 100 residents) and the applicants propose the installation of 8.13 miles of fiber. The total number of homes per mile is 4, which falls within the "fewer than 8 households per mile "category outlined in the request for applications.

The proposed new broadband infrastructure shall utilize underground construction methodologies. All construction and installation work shall be performed by Talkie Communications' own crews.

As noted previously, Appendix B contains maps of the proposed funded service area ("PFSA") and proposed broadband infrastructure.

Talkie Communications has provided a total project cost of \$555,945 to expand service to this area. Provided the County's grant application is successful. In other words, the \$555,945 would be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$31,945 Talkie Communications

PROPOSED FUNDED SERVICE AREA ("PFSA")

Location and Addresses

Worcester County is the easternmost county within the state of Maryland. Our county seat is the town of Snow Hill. The county was named for Mary Arundel, the wife of Sir John Somerset, a son of Henry Somerset, 1st Marquess of Worcester. She was the sister of Anne Arundel (for whom Anne Arundel County was named), wife of Cecil Calvert, the first proprietor Governor of the Providence of Maryland.

Worcester County is included in the Salisbury, MD-DE Metropolitan Statistical Area. The county includes the entire length of the state's ocean coast and borders the Sinepuxent Bay, Assawoman Bay and

ITEM 13

Assateague Channel and Bay between the sand barrier islands of the Assateague Island and the Chincoteague Island. Is it home to the popular vacation resort area of Ocean City, founded 1875, as well as wild habitats on the wilderness areas on Assateague Island and in the Pocomoke River and Swamp.

The proposed funded service area consists of two separate portions. Both portions are located within the Pocomoke City, MD (21851) zip code.

Nestled on the banks of the Pocomoke River, touted as the deepest river in the world for its width and lined with lovely Cypress trees, our city offers exciting adventures for boating, fishing, jet skiing, canoeing, and kayaking. A ride down the river will be most memorable as you see American Bald Eagles, birds and wildlife of many species. While near the river, explore our 1.5-mile downtown Nature Trail viewing a unique diversity of trees and birds that make this portion of the Pocomoke River so special. This location on the wonderful Delmarva Peninsula is a paradise for beach lovers, surfers, hunters, fishermen, bird watchers, and those who love a simple, coastal and laid-back way of life.

Founded in the early 1700's, the city was incorporated in 1865 as New Town or Newtown but was re-incorporated in 1878, as Pocomoke City, after the American Indian name of the Pocomoke River, meaning "black water." Its rich history proves the resilience of past generations, as the city experienced several devastating fires destroying the town. The first fire in 1888 destroyed seventy-nine buildings. Again, in the early morning of July 6, 1892, another devastating fire consumed almost the same buildings that were destroyed in 1888 and on April 23, 1922 "the most disastrous conflagration in Pocomoke's history occurred, sweeping away the town's central business district along with residences from Second Street to the river." Each of these tragedies brought our citizens and businesses together, and with great determination, the people of Pocomoke City rebuilt again. The tenacity, perseverance, and steadfastness displayed throughout the years is what makes this town unique to other towns in our area.

The 48 specific addresses to receive service in this portion of the PFSA include:

- Johnson Road
- Critcher Road
- Garland Taylor Road
- Payne Road
- Harlequin Lane

All 48 addresses within the PFSA currently lack broadband service. As such, Worcester County Government and Talkie Communications propose the installation of 8.13 miles of fiber to service the PFSA.

Demographics

In terms of demographics, the service area is 1,563 acres in size. 48 parcels are located within the PFSA. All of the parcels are improved with single family dwellings. No dwellings are vacant at this time. Total acreage included in the PFSA area total at 3,272.57 acres.

Forty Eight residences (70%) in the PFSA have assessed improvement values less than \$300,000. The remainder have assessed improvement values exceeding \$300,000.

Census Tract 302 (<https://data.census.gov/>) has the following demographic data, according to the 2020 U.S. Census and 2019 American Community Survey:

- The 2020 Census data for various reasons at the Federal Level, did not push out Economic data. The current 2020 Census data only has the population information for analysis.
- Population: 135
- Race:
 - White: 104 persons
 - Black: 19 persons
 - Native American: 0 persons
 - Asian: 3 persons
 - Other: 6 persons
 - Hispanic Origin: 3 persons
- Median household income: unknown
- Total number of households: 48
- Households below poverty level: unknown
- Households above poverty level: unknown
- Persons per household: 2.48

These are the Census block numbers that are within this area.

Block
240479514003092
240479514003096
240479514003093
240479514003065
240479514003095
240479514003094
240479514003080
240479514003079
240479514003084
240479514003083
240479514003091
240479514003064

Projected Take Rate

While the project take rate is budgeted at 100%, the project partners expect an initial take rate between 50-75%.

Projected Pricing

Talkie Communications tiered pricing ranges between \$69.99 and \$89.99 (with no data limits) per month.

Low-cost equity program

Talkie Communications offers a low-cost equity program. Talkie participates in the emergency broadband benefit program with the federal government that will subsidize \$50 per month to the subscriber as well as \$15 for the state for a total of \$65 off per month leaving the customer with \$4.99 per month out of pocket. Talkie will also waive the install fee of \$99 as well and offers a discount internet package if the subscriber doesn't qualify for the EBB.

Types of Service offered

Talkie Communications offers four tiers of monthly service:

- Low tier (100 Mbps); \$69.99 /m
- Medium tier (400 Mbps); \$79.99 /m
- High tier (1Gbps); \$89.99 /m
- Packages above 1Gbps are available, up to 2.5Gbps.

Current internet options within PFSA

There are currently no options meeting the FCC and state broadband definition of 25 Mbps down and 3 Mbps up within the PFSA. Overall, 62 unserved addresses shall be offered reliable, fiber broadband service exceeding 100 Mbps asynchronous speed via this proposed project.

NETWORK DESIGN AND CONSTRUCTION

Talkie will be installing Fiber to the Premises (FTTP) by underground construction. Talkie will use in-house construction teams. Talkie will own and manage the fiber network. Talkie will be connecting to the Chestertown POP and using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport. Talkie will be using GPON, XGSPON and software upgradable to NGPON-2. Talkie will be offering speeds up to 10GB per sub.

Talkie will use the ADTRAN 5000 platform. Talkie has the ability to set the QOS. Talkie notes that latency in uncongested terrestrial fiber networks is on the order of a few milliseconds and therefore is not a significant contributor to end-to-end latency of Internet services. All PON technology provides class of service queues that will ensure that voice traffic does not suffer queueing delays when traffic is properly provisioned to ensure this.

ITEM 13

Passive optical networking (PON) will be used as the fiber broadband access topology. It is the predominant topology for delivering and scaling cost-effective fiber to the home (FTTH) services mainly due to its efficient use of the optical distribution network investment, as it shares the feeder fiber across 32 and 64, typically, and as many as 128 users' homes and businesses.

Gigabit Passive Optical Network (GPON) and 10 Gigabit Symmetric PON (XGS-PON) are the leading fiber access technologies for delivering gigabit Internet services to residential and business subscribers. The key industry standards and protocols that will be employed to deliver the PON solution will be:

- ITU-T G.984.x (GPON)
- ITU-T G.9807.x (XGS-PON).
- Broadband Forum (BBF) TR156 (GPON/XGS-PON).
- ITU-T G.988 ONU management and control interface (OMCI)

To summarize, the proposed network shall have the following specifications:

Network speed: Minimum 100 Mbps download and upload speeds

Latency capabilities: Maximum 50ms

Backhaul methods: Fiber

Pole attached or underground? Underground

Construction by: Talkie Communications staff

Intended final ownership: Talkie Communications will own the broadband equipment and the fiber drop to locations. Talkie Communications will continue to own backbone and distribution fiber.

Schedule: If the grant is awarded April 2022, Talkie Communications anticipates beginning the project by May of 2022, with phased construction and phased subscriber connections. Final connection will occur no later than December 31, 2023.

FUNDING AND SOURCE OF MATCH

On November 15, 2021, Talkie Communications prepared a cost estimate to extend service to the project area. The total project cost is \$555,945, which is proposed to be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$31,945 Talkie Communications

Worcester County Government's \$24,000 contribution will come in the form of cash-on-hand from either the current fiscal year budget (FY 2022) or funds from the proposed budget for the new fiscal year commencing on July 1, 2022 (FY 2023).

ITEM 13

Similarly, Talkie Communications is committed to contributing \$31,945 of the total project cost. This match, which exceeds the minimum match requirements and is comprised of contributions from both the applicant and the ISP partner, will hopefully receive greater consideration than proposed projects lacking both parties' participation.

Worcester County Government and Talkie Communications both recognize that, should the Office of Statewide Broadband issue an award letter, then the two parties must enter into a formalized project agreement via a memorandum of understanding (MOU). The exact wording and contents of the MOU shall be determined by legal counsel at the appropriate time.

In order to facilitate the commencement and completion of this project, Worcester County Government humbly requests \$500,000 in funding from the Office of Statewide Broadband.

EXPERIENCE

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Worcester County has a large fiber network that ties many locations into one primary network. Worcester also has a knowledgeable staff that maintains their 911 call dispatch system, P25 Radio system, E911 phone system along with many applications that ties Emergency Services to Public Safety. Worcester County services much of their own network hardware and has an extensive knowledge of fiber and networking.

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Talkie has extensive talent and experience to make super-fast high-speed fiber network a reality in Worcester County. For instance, we are owned by two ex-Verizon employees, both with 16 years of experience at Verizon and all of our technicians are ex-Verizon FiOS employees or copper technicians. While

ITEM 13

Talkie has its own inhouse construction crew and installers, we plan to hire local talent and subcontractors to meet the demands of the new construction team. Talkie employs 45 employees.

Staff from both Talkie Communications and Worcester County Government look forward to working together, and working with the Governor's Office of Rural Broadband, to successfully complete the proposed broadband expansion project.

Appendix A

Proposed Capital Budget

Worcester County Government – Talkie Communications, Inc
Johnson road, POCOMOKE
 Talkie Communications, inc Johnson

Project Budget

BUDGET	Unit	No. of Units	Unit cost	Total	Grant	Other Funding	Description
Outside plant (fiber, coaxial, copper, etc.)							
Fiber interconnect - 72 count fiber including slack loops.	LF	48,875	\$ 0.75	\$ 36,656.25	\$ 36,656.25		Fiber, tracer, mule tape
Conduit	LF	48,875	\$ 0.75	\$ 36,656.25	\$ 36,656.25		1/4 to 2 inch Orange Conduit
Vaults	EA	98	\$ 450.00	\$ 43,988	\$ 43,988		T15-122 vaults
Terminals	EA	24	\$ 150.00	\$ 3,600.00	\$ 3,600.00		4 port Optitape terminals
Boring	LF	48,875	\$ 7.00	\$ 342,125.00	\$ 342,125.00		Drilling, fiber pulling, Box placement, stone, tracer
Fiber Pulling	LF	48,875	\$ 1.00	\$ 48,875.00	\$ 36,975.00	\$ 11,900.00	
Splicing	EA	110	\$ 12.00	\$ 1,324.80		\$ 1,324.80	Fiber Splicing
Electronic Equipment (cabinets, switches, routers, wireless radios, etc.)							
Distribution Cabinet including Splitters	EA	1	\$ 12,000.00	\$ 12,000.00		\$ 12,000.00	LCP GEN III Series OptiTECT LCP 432 Fiber
CPE	Each	38.4	\$ 800.00	\$ 30,720.00		\$ 30,720.00	CPE - Router, ONT, Fiber Drop, Box 80% Take Rate
Total Broadband System				\$ 555,945	\$ 500,000	\$ 55,945	

Appendix B

Maps of Proposed Funded Service Area (“PFSA”)

Worcester County Government – Talkie Communications, Inc

Johnson Road, POCOMOKE



Appendix C

**Grant Application Form for Neighborhood Connect
Broadband Funding Program**

and

**Local Jurisdictional Applicant – Certification of Grant
Application Review**

Worcester County Government – Talkie Communications, Inc

Johnson

Neighborhood Connect Broadband Funding Program

FY22 Grant Application Form

(additional information required – see RFA for all application requirements)



**Neighborhood Connect Broadband Funding Program
FY22 Grant Application Form**

(additional information required – see RFA for all application requirements)

Project Name: Johnson Road, Pocomoke

Applicant Information

Jurisdictional Legal Name (must match W9):

County Commissioners of Worcester County

Federal EIN Number: 52-6001064

Attach a copy of your most current IRS W-9 Form

Address:

Street: 1 West Market Street Room 1103

City: Snow Hill

County: Worcester

State: MD Zip: 21863

Project Information

Estimated Funding:

Applicant: \$24,000

ISP: \$31,945

State: \$500,000

Other: _____

Project Total: \$555,945



Proposed Funded Service Area (PFSA):

PFSA must be unserved with no locations receiving broadband service at 25 Mbps download by 3 Mbps upload speeds with a latency at or below 50ms. The PFSA should be shown on an attached graphical map.

Grant Speed:

Minimum service speeds of 100 Mbps download by 100 Mbps upload speeds (with exceptions) with a maximum of 50ms latency must be available to all end users within the PFSA.

Technology used to serve the subscriber:

Check all that apply

- Fiber Optics to the Premise
- Coax to the Premise
- Unlicensed Fixed Wireless Frequency Band: _____
- Licensed Fixed Wireless Frequency Band: _____
- Other: _____

Unserved Households and Businesses passed:

Households: 48

Businesses: _____

Other: _____

Describe the methodology used to determine the unserved locations (e.g. field review, survey results, etc.) Talkie and Worcester County have completed field reviews and spoke with residents.

Average Number of homes and businesses per mile or per tower: 5



LOCAL JURISDICTIONAL APPLICANT

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that to the best of my knowledge and belief, the information provided in this Application is true and correct. I further certify that I have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our ISP partner.

Signed _____

Date _____

Weston Young

Typed Name

Chief Administrative Officer

Title

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the Applicant. This is the person the Office will contact with any questions regarding the application.

Name: **Brian Jones**

Title: **Director of Information Technology**

Email: **bjones@co.worcester.md.us**

Phone: **410-632-9301**



LOCAL JURISDICTIONAL ISP PARTNER

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that I am partnering with the Local Jurisdictional Applicant to provide the service outlined in the Application and have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Networks Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our Local Jurisdictional Partner. I further certify that I have reviewed the project capital budget, proposed project area, network design and construction and project schedule proposed in the Application and am in agreement with them.

Andre DeMattia

11/23/2021

Signed

Date

Andre DeMattia

Typed Name

CEO

Title

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the ISP Partner. This is the person the Office will contact with any questions regarding the application.

Name: **Andre DeMattia**

Title: **CEO**

Email: **andre.demattia@talkiefiber.com**

Phone: **240-538-1609**

Appendix D

Worcester County Government's current IRS W-9 Form

Worcester County Government – Talkie Communications, Inc

Johnson

Appendix C

**Talkie Communications
Certification of Grant Application Review**

Worcester County Government – Talkie Communications, Inc

Johnson

Appendix F

Applicant Self Scoring

Worcester County Government – Talkie Communications

Scoring Criteria

1. **Need for Service and Project Benefits (up to 5 points)** Score: 5 points

The description of the PFSA community needs and the benefits to be provided to the community by the Project as presented in the Executive Summary will be scored.

2. **Match Contribution Source (up to 6 points)** Score: 5 points

Some or the entire match provided by the local jurisdiction – 2 points
 Some or the entire match provided by the ISP – 2 point
 Some or the entire match provided by another source – 1 point
 Total match exceeding required amount – 1 point

5.53 homes per mile falls within the 90% state / 10% County & ISP funding match category

3. **Network Delivery Speed (up to 10 points)** Score: 10 points

At least 100 Mbps downstream by 20 Mbps upstream speed (required) – 0 points
 At least 100 Mbps downstream and at least 100 Mbps upstream speed – 3 points
 At least 1 Gbps downstream and greater than 100 Mbps upstream speed – 5 points
 Greater than 1 Gbps downstream and at least 1 Gbps upstream speed – 10 points

4. **Subscriber Options (up to 4 points)** Score: 4 points

Low cost equity program(s) – 2 points
 No data or usage penalty based on service consumption – 2 points

5. **Total Score** Score: 24 points



WORCESTER COUNTY, MARYLAND

Worcester County Government Center
1 W. Market St. Room 1003, Snow Hill, Maryland 21863

December 22, 2021

Mr. Rick Gordon, P.E., Director
Office of Statewide Broadband
7800 Harkins Road
Lanham, MD 20706
via e-mail osb.md@maryland.gov

RE: Response to Request for Applications (Neighborhood Connect Broadband Funding Program)
Pocomoke A, Pocomoke.

Dear Mr. Gordon:

Attached please find the **second** of Worcester County Government's responses to the Office of Rural Broadband's October 8, 2021 requests for applications. Other responses shall be submitted prior to the December 23, 2021 response deadline.

As Worcester County's project director for the proposed project, please feel free to contact me using the e-mail address, phone number, and/or mailing address listed below. Weston Young will be the authorized representative on behalf of the County Commissioners of Worcester County.

A certification of grant application review from Talkie Communications, Inc., Worcester County Government's internet service provider (ISP) partner for the proposed project, is included as part of this application (Appendix E).

To summarize our response to the RFI, Worcester County Government and its partner Talkie Communications, Inc., respectfully request:

- **\$500,000** in matching funds to extend fiber based broadband service to 40 addresses located in the Pocomoke A area, Pocomoke vicinity in Worcester County, Maryland.

Sincerely,

Brian Jones

EXECUTIVE SUMMARY

ITEM 13

Since 2018, Worcester County Government has strived to propose broadband solutions to the that exists in numerous rural portions of Worcester County, Maryland. County efforts have identified over 80 of these unserved areas. Recognizing that each unserved area requires a unique solution to extend service, Worcester County Government issued a "Request for Proposal in January 2020. Worcester sought after a partnership with internet service providers interested in proposing solutions to serve these rural areas.

Talkie Communications, was approved as Worcester County's ISP of choice to become our provider and partner to provide broadband services to those areas considered unserved.

Using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport, Talkie will be tying in to existing MDBC plant located at the Water Tower in Pocomoke City which is located at the min-Beltway.

Maps contained in Appendix B depict details regarding the location of the proposed infrastructure. Additionally, GIS shapefile sets and Google Earth KMZ files that accompany this application provide the ability for reviewers to interact with the proposed infrastructure in a way that static maps do not.

In total, the PFSA contains 40 addresses (over 100 residents) and the applicants propose the installation of 10.39 miles of fiber. The total number of homes per mile is **3.84**, which falls within the "fewer than 8 households per mile" category outlined in the request for applications.

The proposed new broadband infrastructure shall utilize underground construction methodologies. All construction and installation work shall be performed by Talkie Communications' own crews. As noted previously, Appendix B contains maps of the proposed funded service area ("PFSA") and proposed broadband infrastructure.

Talkie Communications has provided a total project cost of \$625,392 to expand service to this area. Provided the County's grant application is successful.

In other words, the \$625,392 would be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$101,392 Talkie Communications

PROPOSED FUNDED SERVICE AREA ("PFSA")

Location and Addresses

Worcester County is the easternmost county within the state of Maryland. Our county seat is the town of Snow Hill. The county was named for Mary Arundel, the wife of Sir John Somerset, a son of Henry Somerset, 1st Marquess of Worcester. She was the sister of Anne Arundel (for whom Anne Arundel County was named), wife of Cecil Calvert, the first proprietor Governor of the Providence of Maryland.

Worcester County is included in the Salisbury, MD-DE Metropolitan Statistical Area. The county includes the entire length of the state's ocean coast and borders the Sinepuxent Bay, Assawoman Bay and Assateague Channel and Bay between the sand barrier islands of the Assateague Island and the Chincoteague Island. Is it home to the popular vacation resort area of Ocean City, founded 1875, as well as wild habitats on the wilderness areas on Assateague Island and in the Pocomoke River and Swamp.

The proposed funded service area consists of two separate portions. Both portions are located within the Pocomoke City, MD (21851) zip code.

Nestled on the banks of the Pocomoke River, touted as the deepest river in the world for its width and lined with lovely Cypress trees, our city offers exciting adventures for boating, fishing, jet skiing, canoeing, and kayaking. A ride down the river will be most memorable as you see American Bald Eagles, birds and wildlife of many species. While near the river, explore our 1.5-mile downtown Nature Trail viewing a unique diversity of trees and birds that make this portion of the Pocomoke River so special. This location on the wonderful Delmarva Peninsula is a paradise for beach lovers, surfers, hunters, fishermen, bird watchers, and those who love a simple, coastal and laid-back way of life.

Founded in the early 1700's, the city was incorporated in 1865 as New Town or Newtown but was re-incorporated in 1878, as Pocomoke City, after the American Indian name of the Pocomoke River, meaning "black water." Its rich history proves the resilience of past generations, as the city experienced several devastating fires destroying the town. The first fire in 1888 destroyed seventy-nine buildings. Again, in the early morning of July 6, 1892, another devastating fire consumed almost the same buildings that were destroyed in 1888 and on April 23, 1922 "the most disastrous conflagration in Pocomoke's history occurred, sweeping away the town's central business district along with residences from Second Street to the river." Each of these tragedies brought our citizens and businesses together, and with great determination, the people of Pocomoke City rebuilt again. The tenacity, perseverance, and steadfastness displayed throughout the years is what makes this town unique to other towns in our area.

The 40 specific addresses to receive service in this portion of the PFSA include:

- Hickory Point Road
- Cedar Hall Wharf Road
- Shore Line Lane
- Bishop Road

All 40 addresses within the PFSA currently lack broadband service. As such, Worcester County Government and Talkie Communications propose the installation of 10.39 miles of fiber to service the PFSA.

SUBSCRIBER PROFILE

Demographics

In terms of demographics, the service area is 4,988.71 acres in size. 125 parcels are located within the PFSA. All of the parcels are improved with single family dwellings. No vacant dwelling is included in this data.

Total acreage included in the PFSA area total at 4,988.71 acres.

Census Tract 302 (<https://data.census.gov/>) has the following demographic data, according to the 2020 U.S. Census and 2019 American Community Survey:

- The 2020 Census data for various reasons at the Federal Level, did not push out Economic data. The current 2020 Census data only has the population information for analysis.
- Total Population: 96
- Total Population over 18 years old: 84
- Race:
 - White: 60 persons
 - Black: 30 persons
 - Native American: 1 person
 - Asian: 2 persons
 - Other: 3 persons
 - Hispanic Origin: 0 persons
- Median household income: unknown
- Total number of households: 40
- Households below poverty level: unknown
- Households above poverty level: unknown
- Persons per household: 2.48

These are the Census block numbers that are within this area.

Caveat: Note the Population numbers **will be slightly off due to areas of the Census Blocks only partially within the designated Area A**. There is no way to determine the population information for each address shown in the area, therefore population info for the “area” that is not contained within the block cannot be accurately reported.

I am assuming the explanations below can be helpful and used to add a guess/estimation to determine a number that would be a bit more accurate for the excluded block info. However, that can only apply to total numbers of population as there is no way to determine the race etc. for this.

Block for Area A **excluded** from the totals reported, as explained above.

Block 240479515001015: has a total population of **78**, There are **4** residential houses **within** Area A, and **47** residential houses **outside** of Area A. (I exclude abandon homes from these numbers)

These are the Census block numbers used for calculations that are within area A.

Block
240479515001020
240479515001024
240479515001022
240479515001019
240479515001050
240479515001043
240479515001049

Projected Take Rate

While the project take rate is budgeted at 100%, the project partners expect an initial take rate between 50- 75%.

Projected Pricing

Talkie Communications tiered pricing ranges between \$69.99 and \$89.99 (with no data limits) per month.

Low-cost equity program

Talkie Communications offers a low-cost equity program. Talkie participates in the emergency broadband benefit program with the federal government that will subsidize \$50 per month to the subscriber as well as \$15 for the state for a total of \$65 off per month leaving the customer with \$4.99 per month out of pocket. Talkie will also waive the install fee of \$99 as well and offers a discount internet package if the subscriber doesn't qualify for the EBB.

Types of Service offered

Talkie Communications offers four tiers of monthly service:

- Low tier (100 Mbps); \$69.99 /m
- Medium tier (400 Mbps); \$79.99 /m
- High tier (1Gbps); \$89.99 /m
- Packages above 1Gbps are available, up to 2.5Gbps.

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Appendix A

Proposed Capital Budget

Worcester County Government – Talkie Communications, Inc POCOMOKE A

Talkie Communications, inc Pocomoke A

Project Budget

BUDGET	Unit	No. of Units	Unit cost	Total	Grant	Other Funding	Description
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Conduit	LF	54,910	\$ 0.75	\$ 41,182.50	\$ 41,182.50		1/14 to 2 inch Orange Conduit
Vaults	EA	110	\$ 450.00	\$ 49,419	\$ 49,419		T15-c22 vaults
Terminals	EA	28.5	\$ 150.00	\$ 4,275.00	\$ 4,275.00		4 port Optitape terminals
Boring	LF	54,910	\$ 7.00	\$ 384,370.00	\$ 384,370.00		Drilling, fiber pulling, Box placement, stone, tracer
Fiber Pulling	LF	54,910	\$ 1.00	\$ 54,910.00	\$ 36,975.00	\$ 17,935.00	
Splicing	EA	131	\$ 12.00	\$ 1,573.20		\$ 1,573.20	Fiber Splicing
Electronic Equipment (cabinets, switches, routers, wireless radios, etc.)							
Distribution Cabinet including Splitters	EA	1	\$ 12,000.00	\$ 12,000.00		\$ 12,000.00	LCP GEN III Series OptuTect LCP 432 Fiber
CPE	Each	45.6	\$ 800.00	\$ 36,480.00		\$ 36,480.00	CPE - Router, ONT, Fiber Drop, Box 80% Take Rate
Total Broadband System				\$ 628,392	\$ 557,404	\$ 67,988	

Appendix B

Maps of Proposed Funded Service Area (“PFSA”)

Worcester County Government – Talkie Communications, Inc

Hickory Point, POCOMOKE



Appendix C

**Grant Application Form for Neighborhood Connect
Broadband Funding Program**

and

**Local Jurisdictional Applicant – Certification of Grant
Application Review**

Worcester County Government – Talkie Communications, Inc

Pocomoke A

Neighborhood Connect Broadband Funding Program

FY22 Grant Application Form

(additional information required – see RFA for all application requirements)



Neighborhood Connect Broadband Funding Program FY22 Grant Application Form

(additional information required – see RFA for all application requirements)

Project Name: Pocomoke A

Applicant Information

Jurisdictional Legal Name (must match W9):

Worcester County Commissioners

Federal EIN Number: 30001318

Attach a copy of your most current IRS W-9 Form

Address:

Street: 1 West Market Street, Room 1105

City: Snow Hill

County: Worcester

State: MD Zip: 21863

Project Information

Estimated Funding:

Applicant: \$24,000

ISP: \$101,392

State: \$500,000

Other: _____

Project Total: \$625,392



Proposed Funded Service Area (PFSA):

PFSA must be unserved with no locations receiving broadband service at 25 Mbps download by 3 Mbps upload speeds with a latency at or below 50ms. The PFSA should be shown on an attached graphical map.

Grant Speed:

Minimum service speeds of 100 Mbps download by 100 Mbps upload speeds (with exceptions) with a maximum of 50ms latency must be available to all end users within the PFSA.

Technology used to serve the subscriber:

Check all that apply

- Fiber Optics to the Premise
- Coax to the Premise
- Unlicensed Fixed Wireless Frequency Band: _____
- Licensed Fixed Wireless Frequency Band: _____
- Other: _____

Unserved Households and Businesses passed:

Households: 40

Businesses: _____

Other: _____

Describe the methodology used to determine the unserved locations (e.g. field review, survey results, etc.) Talkie and Worcester County have completed field reviews and spoke with residents.

Average Number of homes and businesses per mile or per tower: 3.84



LOCAL JURISDICTIONAL APPLICANT

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that to the best of my knowledge and belief, the information provided in this Application is true and correct. I further certify that I have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our ISP partner.

Signed _____

Weston Young

Typed Name _____

Chief Administrative Officer

Title _____

_____ Date

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the Applicant. This is the person the Office will contact with any questions regarding the application.

Name: **Brian Jones** Title: **Director of Information Technology**

Email: **bjones@co.worcester.md.us** Phone: **410-632-9301**



LOCAL JURISDICTIONAL ISP PARTNER

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that I am partnering with the Local Jurisdictional Applicant to provide the service outlined in the Application and have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Networks Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our Local Jurisdictional Partner. I further certify that I have reviewed the project capital budget, proposed project area, network design and construction and project schedule proposed in the Application and am in agreement with them.

Signed

Andre DeMattia

Typed Name

ceo

Title

Date

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the ISP Partner. This is the person the Office will contact with any questions regarding the application.

Name: **Andre DeMattia**

Title: **CEO**

Email: **andre.demattia@talkiefiber.com**

Phone: **240-538-1609**

Appendix D

Worcester County Government's current IRS W-9 Form

Worcester County Government – Talkie Communications, Inc

Pocomoke A

Appendix C

**Talkie Communications
Certification of Grant Application Review**

Worcester County Government – Talkie Communications, Inc

Pocomoke A

Appendix F

Applicant Self Scoring

Worcester County Government – Talkie Communications

Scoring Criteria

1. Need for Service and Project Benefits (up to 5 points)Score: 5 points

The description of the PFSA community needs and the benefits to be provided to the community by the Project as presented in the Executive Summary will be scored.

2. Match Contribution Source (up to 6 points)Score: 5 points

Some or the entire match provided by the local jurisdiction – 2 points

Some or the entire match provided by the ISP – 2 point

Some or the entire match provided by another source – 1 point

Total match exceeding required amount – 1 point

3.84 homes per mile falls within the 90% state / 10% County & ISP funding match category

3. Network Delivery Speed (up to 10 points)Score: 10 points

At least 100 Mbps downstream by 20 Mbps upstream speed (required) – 0 points

At least 100 Mbps downstream and at least 100 Mbps upstream speed – 3 points

At least 1 Gbps downstream and greater than 100 Mbps upstream speed – 5 points

Greater than 1 Gbps downstream and at least 1 Gbps upstream speed – 10 points

4. Subscriber Options (up to 4 points)Score: 4 points

Low cost equity program(s) – 2 points

No data or usage penalty based on service consumption – 2 points

5. Total ScoreScore: 24 points



WORCESTER COUNTY, MARYLAND

Worcester County Government Center
1 W. Market St. Room 1003, Snow Hill, Maryland 21863

December 22, 2021

Mr. Rick Gordon, P.E., Director
Office of Statewide Broadband
7800 Harkins Road
Lanham, MD 20706
via e-mail osb.md@maryland.gov

RE: Response to Request for Applications (Neighborhood Connect Broadband Funding Program)
Pocomoke B, Pocomoke.

Dear Mr. Gordon:

Attached please find the third of Worcester County Government's responses to the Office of Rural Broadband's October 8, 2021 requests for applications. Other responses shall be submitted prior to the December 23, 2021 response deadline.

As Worcester County's project director for the proposed project, please feel free to contact me using the e-mail address, phone number, and/or mailing address listed below. Weston Young will be the authorized representative on behalf of the County Commissioners of Worcester County.

A certification of grant application review from Talkie Communications, Inc., Worcester County Government's internet service provider (ISP) partner for the proposed project, is included as part of this application (Appendix E).

To summarize our response to the RFI, Worcester County Government and its partner Talkie Communications, Inc., respectfully request:

- **\$500,000** in matching funds to extend fiber based broadband service to 29 addresses located in the Pocomoke B area, Pocomoke vicinity in Worcester County, Maryland.

Sincerely,

Brian Jones

EXECUTIVE SUMMARY

Since 2018, Worcester County Government has strived to propose broadband solutions to the that exists in numerous rural portions of Worcester County, Maryland. County efforts have identified over 80 of these unserved areas. Recognizing that each unserved area requires a unique solution to extend service, Worcester County Government issued a "Request for Proposal in January 2020. Worcester sought after a partnership with internet service providers interested in proposing solutions to serve these rural areas.

Talkie Communications, was approved as Worcester County's ISP of choice to become our provider and partner to provide broadband services to those areas considered unserved.

Using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport, Talkie will be tying in to existing MDBC plant located at the Water Tower in Pocomoke City which is located at the min-Beltway.

Maps contained in Appendix B depict details regarding the location of the proposed infrastructure. Additionally, GIS shapefile sets and Google Earth KMZ files that accompany this application provide the ability for reviewers to interact with the proposed infrastructure in a way that static maps do not.

In total, the PFSA contains 29 addresses (over 100 residents) and the applicants propose the installation of 9.28 miles of fiber. The total number of homes per mile is **3.12**, which falls within the "fewer than 8 households per mile" category outlined in the request for applications.

The proposed new broadband infrastructure shall utilize underground construction methodologies. All construction and installation work shall be performed by Talkie Communications' own crews.

As noted previously, Appendix B contains maps of the proposed funded service area ("PFSA") and proposed broadband infrastructure.

Talkie Communications has provided a total project cost of \$551,304 to expand service to this area. Provided the County's grant application is successful.

In other words, the \$551,304 would be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$27,304 Talkie Communications

PROPOSED FUNDED SERVICE AREA ("PFSA")

Location and Addresses

Worcester County is the easternmost county within the state of Maryland. Our county seat is the town of Snow Hill. The county was named for Mary Arundel, the wife of Sir John Somerset, a son of Henry Somerset, 1st Marquess of Worcester. She was the sister of Anne Arundel (for whom Anne Arundel County was named), wife of Cecil Calvert, the first proprietor Governor of the Providence of Maryland.

Worcester County is included in the Salisbury, MD-DE Metropolitan Statistical Area. The county

ITEM 13

includes the entire length of the state's ocean coast and borders the Sinepuxent Bay, Assawoman Bay and Assateague Channel and Bay between the sand barrier islands of the Assateague Island and the Chincoteague Island. Is it home to the popular vacation resort area of Ocean City, founded 1875, as well as wild habitats on the wilderness areas on Assateague Island and in the Pocomoke River and Swamp.

The proposed funded service area consists of two separate portions. Both portions are located within the Pocomoke City, MD (21851) zip code.

Nestled on the banks of the Pocomoke River, touted as the deepest river in the world for its width and lined with lovely Cypress trees, our city offers exciting adventures for boating, fishing, jet skiing, canoeing, and kayaking. A ride down the river will be most memorable as you see American Bald Eagles, birds and wildlife of many species. While near the river, explore our 1.5-mile downtown Nature Trail viewing a unique diversity of trees and birds that make this portion of the Pocomoke River so special. This location on the wonderful Delmarva Peninsula is a paradise for beach lovers, surfers, hunters, fishermen, bird watchers, and those who love a simple, coastal and laid-back way of life.

Founded in the early 1700's, the city was incorporated in 1865 as New Town or Newtown but was re-incorporated in 1878, as Pocomoke City, after the American Indian name of the Pocomoke River, meaning "black water." Its rich history proves the resilience of past generations, as the city experienced several devastating fires destroying the town. The first fire in 1888 destroyed seventy-nine buildings. Again, in the early morning of July 6, 1892, another devastating fire consumed almost the same buildings that were destroyed in 1888 and on April 23, 1922 "the most disastrous conflagration in Pocomoke's history occurred, sweeping away the town's central business district along with residences from Second Street to the river." Each of these tragedies brought our citizens and businesses together, and with great determination, the people of Pocomoke City rebuilt again. The tenacity, perseverance, and steadfastness displayed throughout the years is what makes this town unique to other towns in our area.

The 29 specific addresses to receive service in this portion of the PFSA include:

- Beverly Ln
- Cedar Hall RD
- Colona RD

All 29 addresses within the PFSA currently lack broadband service. As such, Worcester County Government and Talkie Communications propose the installation of 9.28 miles of fiber to service the PFSA.

SUBSCRIBER PROFILE

Demographics

In terms of demographics, the service area is 1,588.57 acres in size. 29 parcels are located within the PFSA. All of the parcels are improved with single family dwellings. No empty dwellings are included in this data.

Total acreage included in the PFSA area total at 1588.57 acres.

Census Tract 302 (<https://data.census.gov/>) has the following demographic data, according to the 2020 U.S. Census and 2019 American Community Survey:

- The 2020 Census data for various reasons at the Federal Level, did not push out Economic data. The current 2020 Census data only has the population information for analysis.
- Total Population: 30 Total Population over 18 years old: 20
- Race:
 - White: 21 persons
 - Black: 5 persons
 - Native American: 0 persons
 - Asian: 0 persons
 - Other: 3 persons
 - Hispanic Origin: 1 person
- Median household income: unknown
- Total number of households: 29
- Households below poverty level: unknow
- Households above poverty level: unknown
- Persons per household: 1.793

Caveat: Note the Population numbers **will be slightly off due to areas of the Census Blocks only partially within the designated Area B**. There is no way to determine the population information for each address shown in the area, therefore population info for the “area” that is not contained within the block cannot be accurately reported.

I am assuming the explanations below can be helpful and used to add a guess/estimation to determine a number that would be a bit more accurate for the excluded block information. However, that can only apply to total numbers of population as there is no way to determine the race etc. for this.

Blocks for Area B **excluded** from the totals reported, as explained above.

Block 240479515001034: has a total population of 18, There are 5 residential houses **within** Area B, and 5 residential houses **outside** of Area B. (I exclude abandon homes from these numbers)

Block 240479515001035: has a total population of 78, There are 11 residential houses **within** Area B, and 31 residential houses **outside** of Area B. (the 31 households are within Area C and this block is going to be counted in the Area C totals)

These are the Census block numbers used for calculations that are within area B.

Block
240479515001023
240479515001044
240479515001041
240479515001040
240479515001047

Projected Take Rate

While the project take rate is budgeted at 100%, the project partners expect an initial take rate between 50-75%.

Projected Pricing

Talkie Communications tiered pricing ranges between \$69.99 and \$89.99 (with no data limits) per month.

Low-cost equity program

Talkie Communications offers a low-cost equity program. Talkie participates in the emergency broadband benefit program with the federal government that will subsidize \$50 per month to the subscriber as well as \$15 for the state for a total of \$65 off per month leaving the customer with \$4.99 per month out of pocket. Talkie will also waive the install fee of \$99 as well and offers a discount internet package if the subscriber doesn't qualify for the EBB.

Types of Service offered

Talkie Communications offers four tiers of monthly service:

- Low tier (100 Mbps); \$69.99 /m
- Medium tier (400 Mbps); \$79.99 /m
- High tier (1Gbps); \$89.99 /m
- Packages above 1Gbps are available, up to 2.5Gbps.

Current internet options within PFSA

There are currently no options meeting the FCC and state broadband definition of 25 Mbps down and 3 Mbps up within the PFSA. Overall, 62 unserved addresses shall be offered reliable, fiber broadband service exceeding 100 Mbps asynchronous speed via this proposed project.

NETWORK DESIGN AND CONSTRUCTION

Talkie will be installing Fiber to the Premises (FTTP) by underground construction. Talkie will use in-house construction teams. Talkie will own and manage the fiber network. Talkie will be connecting to the Chestertown POP and using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport. Talkie will be using GPON, XGSPON and software upgradable to NGPON-2. Talkie will be offering speeds up to 10GB per sub.

Talkie will use the ADTRAN 5000 platform. Talkie has the ability to set the QOS. Talkie notes that latency in uncongested terrestrial fiber networks is on the order of a few milliseconds and therefore is not a significant contributor to end-to-end latency of Internet services. All PON technology provides class of service queues that will ensure that voice traffic does not suffer queueing delays when traffic is properly provisioned to ensure this.

Passive optical networking (PON) will be used as the fiber broadband access topology. It is the predominant topology for delivering and scaling cost-effective fiber to the home (FTTH) services mainly due to its efficient use of the optical distribution network investment, as it shares the feeder fiber across 32 and 64, typically, and as many as 128 users' homes and businesses.

Gigabit Passive Optical Network (GPON) and 10 Gigabit Symmetric PON (XGS-PON) are the leading fiber access technologies for delivering gigabit Internet services to residential and business subscribers.

The key industry standards and protocols that will be employed to deliver the PON solution will be:

- ITU-T G.984.x (GPON)
- ITU-T G.9807.x (XGS-PON).
- Broadband Forum (BBF) TR156 (GPON/XGS-PON).
- ITU-T G.988 ONU management and control interface (OMCI)

To summarize, the proposed network shall have the following specifications:

Network speed: Minimum 100 Mbps download and upload speeds

Latency capabilities: Maximum 50ms

Backhaul methods: Fiber

Pole attached or underground? Underground

Construction by: Talkie Communications staff

Intended final ownership: Talkie Communications will own the broadband equipment and the fiber drop to locations. Talkie Communications will continue to own backbone and distribution fiber.

Schedule: If the grant is awarded April 2022, Talkie Communications anticipates beginning the project by May of 2022, with phased construction and phased subscriber connections. Final connection will occur no later than December 31, 2023.

FUNDING AND SOURCE OF MATCH

On November 15, 2021, Talkie Communications prepared a cost estimate to extend service to the project area. The total project cost is \$551,304, which is proposed to be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$27,304 Talkie Communications

Worcester County Government's \$24,000 contribution will come in the form of cash-on-hand from either the current fiscal year budget (FY 2022) or funds from the proposed budget for the new fiscal year commencing on July 1, 2022 (FY 2023).

Similarly, Talkie Communications is committed to contributing \$27,304 of the total project cost. This match, which exceeds the minimum match requirements and is comprised of contributions from both the applicant and the ISP partner, will hopefully receive greater consideration than proposed projects lacking both parties' participation.

Worcester County Government and Talkie Communications both recognize that, should the Office of Statewide Broadband issue an award letter, then the two parties must enter into a formalized project agreement via a memorandum of understanding (MOU). The exact wording and contents of the MOU shall be determined by legal counsel at the appropriate time.

In order to facilitate the commencement and completion of this project, Worcester County Government humbly requests \$500,000 in funding from the Office of Statewide Broadband.

EXPERIENCE

Worcester County Government

Worcester County has a large fiber network that ties many locations into one primary network. Worcester also has a knowledgeable staff that maintains their 911 call dispatch system, P25 Radio system, E911 phone system along with many applications that ties Emergency Services to Public Safety. Worcester County services much of their own network hardware and has an extensive knowledge of fiber and networking.

Worcester has previous knowledge of the past wireless system housed in the county that was known as the Lower Shore Broadband Coop (LSBC) which eventually gave birth to Bloosurf Wireless. Bloosurf purchased the assets that made the LSBC which is no longer a viable solution in the County.

Worcester has the desire and knowledge to assist with assisting in the design to provide Broadband to every resident in the county.

Talkie Communications, Inc.

Talkie has been in business since 2012. Talkie is a Competitive Local Exchange Carrier (CLEC) in 11 states with a gross revenue of 9 million dollars in 2020 with an excellent reputation. Talkie has established its FTTP footprint in Kent County and Queen Anne's County. Talkie is also the official partner of Worcester County, Maryland and has started the current build in Pocomoke MD.

Talkie has over 1,000 miles of fiber including last mile and middle mile in 3 counties in Maryland. Talkie now has over 2,000 customers online in Maryland and expects to have over 2,300 customers by the end of 2021.

Talkie has extensive talent and experience to make super-fast high-speed fiber network a reality in Worcester County. For instance, we are owned by two ex-Verizon employees, both with 16 years of experience at Verizon and all of our technicians are ex-Verizon FiOS employees or copper technicians. While Talkie has its own inhouse construction crew and installers, we plan to hire local talent and subcontractors to meet the demands of the new construction team. Talkie employs 45 employees.

Staff from both Talkie Communications and Worcester County Government look forward to working together, and working with the Governor's Office of Rural Broadband, to successfully complete the proposed broadband expansion project.

Appendix A

Proposed Capital Budget

Worcester County Government – Talkie Communications, Inc POCOMOKE B

Talkie Communications, inc Pokomoke B

Project Budget

BUDGET	Unit	No. of Units	Unit cost	Total	Grant	Other Funding	Description
Outside plant (fiber, coaxial, copper, etc.)							
Fiber interconnect - 72 count fiber including slack loops.	LF	49,000	\$ 0.75	\$ 36,750.00	\$ 36,750.00		Fiber, tracer, mule tape
Conduit	LF	49,000	\$ 0.75	\$ 36,750.00	\$ 36,750.00		1/4 to 2 inch Orange Conduit
Vaults	EA	98	\$ 450.00	\$ 44,100	\$ 44,100		T15-t22 vaults
Terminals	EA	20	\$ 150.00	\$ 3,000.00	\$ 3,000.00		4 port Optitape terminals
Boring	LF	49,000	\$ 7.00	\$ 343,000.00	\$ 343,000.00		Drilling, fiber pulling, Box placement, stone, tracer
Fiber Pulling	LF	49,000	\$ 1.00	\$ 49,000.00	\$ 36,400.00	\$ 12,600.00	
Splicing	EA	92	\$ 12.00	\$ 1,104.00		\$ 1,104.00	Fiber Splicing
Electronic Equipment (cabinets, switches, routers, wireless radios, etc.)							
Distribution Cabinet including Splitters	EA	1	\$ 12,000.00	\$ 12,000.00		\$ 12,000.00	LCP GEN III Series OptiTeet LCP 432 Fiber
CPE	Each	32	\$ 800.00	\$ 25,600.00		\$ 25,600.00	CPE - Router, ONT, Fiber Drop, Box 80% Take Rate
Total Broadband System				\$ 551,304	\$ 500,000	\$ 51,304	

Appendix B

Maps of Proposed Funded Service Area (“PFSA”)

Worcester County Government – Talkie Communications, Inc

Cedar Hall, POCOMOKE



Appendix C

**Grant Application Form for Neighborhood Connect
Broadband Funding Program**

and

**Local Jurisdictional Applicant – Certification of Grant
Application Review**

Worcester County Government – Talkie Communications, Inc

Pocomoke B

Neighborhood Connect Broadband Funding Program
FY22 Grant Application Form

(additional information required – see RFA for all application requirements)



**Neighborhood Connect Broadband Funding Program
FY22 Grant Application Form**

(additional information required – see RFA for all application requirements)

Project Name: Pocomoke B

Applicant Information

Jurisdictional Legal Name (must match W9):

County Commissioners of Worcester County

Federal EIN Number: 52-6001064

Attach a copy of your most current IRS W-9 Form

Address:

Street: 1 West Market Street, Room 1103

City: Snow Hill

County: Worcester

State: MD Zip: 21863

Project Information

Estimated Funding:

Applicant: \$24,000

ISP: \$27,304

State: \$500,000

Other: _____

Project Total: \$551,304



Proposed Funded Service Area (PFSA):

PFSA must be unserved with no locations receiving broadband service at 25 Mbps download by 3 Mbps upload speeds with a latency at or below 50ms. The PFSA should be shown on an attached graphical map.

Grant Speed:

Minimum service speeds of 100 Mbps download by 100 Mbps upload speeds (with exceptions) with a maximum of 50ms latency must be available to all end users within the PFSA.

Technology used to serve the subscriber:

Check all that apply

- Fiber Optics to the Premise
- Coax to the Premise
- Unlicensed Fixed Wireless Frequency Band: _____
- Licensed Fixed Wireless Frequency Band: _____
- Other: _____

Unserved Households and Businesses passed:

Households: 29

Businesses: _____

Other: _____

Describe the methodology used to determine the unserved locations (e.g. field review, survey results, etc.) Talkie and Worcester County have completed field reviews and spoke with residents.

Average Number of homes and businesses per mile or per tower: 3.12



LOCAL JURISDICTIONAL APPLICANT

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that to the best of my knowledge and belief, the information provided in this Application is true and correct. I further certify that I have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our ISP partner.

Signed

Weston Young

Typed Name

Chief Administrative Officer

Title

Date

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the Applicant. This is the person the Office will contact with any questions regarding the application.

Name: **Brian Jones**

Title: **Director of Information Technology**

Email: **bjones@co.worcester.md.us**

Phone: **410-632-9301**



LOCAL JURISDICTIONAL ISP PARTNER

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I hereby certify that I am partnering with the Local Jurisdictional Applicant to provide the service outlined in the Application and have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Networks Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our Local Jurisdictional Partner. I further certify that I have reviewed the project capital budget, proposed project area, network design and construction and project schedule proposed in the Application and am in agreement with them.

Signed

Andre DeMattia

Date

Typed Name

ceo

Title

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the ISP Partner. This is the person the Office will contact with any questions regarding the application.

Name: **Andre DeMattia**

Title: **CEO**

Email: **andre.demattia@talkiefiber.com**

Phone: **240-538-1609**

Appendix D

Worcester County Government's current IRS W-9 Form

Worcester County Government – Talkie Communications, Inc

Pocomoke B

Appendix C

**Talkie Communications
Certification of Grant Application Review**

Worcester County Government – Talkie Communications, Inc

Pocomoke B

Appendix F

Applicant Self Scoring

Worcester County Government – Talkie Communications

Scoring Criteria

1. **Need for Service and Project Benefits (up to 5 points)**Score: 5 points

The description of the PFSA community needs and the benefits to be provided to the community by the Project as presented in the Executive Summary will be scored.

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Low cost equity program(s) – 2 points

No data or usage penalty based on service consumption – 2 points

5. **Total Score**Score: 24 points



WORCESTER COUNTY, MARYLAND

Worcester County Government Center
1 W. Market St. Room 1003, Snow Hill, Maryland 21863

December 22, 2021

Mr. Rick Gordon, P.E., Director
Office of Statewide Broadband
7800 Harkins Road
Lanham, MD 20706
via e-mail osb.md@maryland.gov

RE: Response to Request for Applications (Neighborhood Connect Broadband Funding Program)
Pocomoke C, Pocomoke.

Dear Mr. Gordon:

Attached please find the **fourth** of Worcester County Government's responses to the Office of Rural Broadband's October 8, 2021 requests for applications. Other responses shall be submitted prior to the December 23, 2021 response deadline.

As Worcester County project director for the proposed project, please feel free to contact me using the e-mail address, phone number, and/or mailing address listed below. Weston Young will be the authorized representative on behalf of the County Commissioners of Worcester County.

A certification of grant application review from Talkie Communications, Inc., Worcester County Government's internet service provider (ISP) partner for the proposed project, is included as part of this application (Appendix E).

To summarize our response to the RFI, Worcester County Government and its partner Talkie Communications, Inc., respectfully request:

- **\$500,000** in matching funds to extend fiber based broadband service to 29 addresses located in the Pocomoke C area, Pocomoke vicinity in Worcester County, Maryland.

Sincerely,

Brian Jones

EXECUTIVE SUMMARY

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Talkie Communications, was approved as Worcester County's ISP of choice to become our provider and partner to provide broadband services to those areas considered unserved.

Using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport, Talkie will be tying in to existing MDBC plant located at the Water Tower in Pocomoke City which is located at the min-Beltway.

Maps contained in Appendix B depict details regarding the location of the proposed infrastructure. Additionally, GIS shapefile sets and Google Earth KMZ files that accompany this application provide the ability for reviewers to interact with the proposed infrastructure in a way that static maps do not.

In total, the PFSA contains 36 addresses (over 100 residents) and the applicants propose the installation of 9.28 miles of fiber. The total number of homes per mile is **3.87**, which falls within the "fewer than 8 households per mile" category outlined in the request for applications.

The proposed new broadband infrastructure shall utilize underground construction methodologies. All construction and installation work shall be performed by Talkie Communications' own crews.

As noted previously, Appendix B contains maps of the proposed funded service area ("PFSA") and proposed broadband infrastructure.

Talkie Communications has provided a total project cost of \$560,991 to expand service to this area, provided the County's grant application is successful.

In other words, the \$560,991 would be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$36,991 Talkie Communications

Location and Addresses

Worcester County is the easternmost county within the state of Maryland. Our county seat is the town of Snow Hill. The county was named for Mary Arundel, the wife of Sir John Somerset, a son of Henry Somerset, 1st Marquess of Worcester. She was the sister of Anne Arundel (for whom Anne Arundel County was named), wife of Cecil Calvert, the first proprietor Governor of the Providence of Maryland.

Worcester County is included in the Salisbury, MD-DE Metropolitan Statistical Area. The county includes the entire length of the state’s ocean coast and borders the Sinepuxent Bay, Assawoman Bay and Assateague Channel and Bay between the sand barrier islands of the Assateague Island and the Chincoteague Island. Is it home to the popular vacation resort area of Ocean City, founded 1875, as well as wild habitats on the wilderness areas on Assateague Island and in the Pocomoke River and Swamp.

The proposed funded service area consists of two separate portions. Both portions are located within the Pocomoke City, MD (21851) zip code.

Nestled on the banks of the Pocomoke River, touted as the deepest river in the world for its width and lined with lovely Cypress trees, our city offers exciting adventures for boating, fishing, jet skiing, canoeing, and kayaking. A ride down the river will be most memorable as you see American Bald Eagles, birds and wildlife of many species. While near the river, explore our 1.5-mile downtown Nature Trail viewing a unique diversity of trees and birds that make this portion of the Pocomoke River so special. This location on the wonderful Delmarva Peninsula is a paradise for beach lovers, surfers, hunters, fishermen, bird watchers, and those who love a simple, coastal and laid-back way of life.

Founded in the early 1700’s, the city was incorporated in 1865 as New Town or Newtown but was re-incorporated in 1878, as Pocomoke City, after the American Indian name of the Pocomoke River, meaning “black water.” Its rich history proves the resilience of past generations, as the city experienced several devastating fires destroying the town. The first fire in 1888 destroyed seventy-nine buildings. Again, in the early morning of July 6, 1892, another devastating fire consumed almost the same buildings that were destroyed in 1888 and on April 23, 1922 “the most disastrous conflagration in Pocomoke’s history occurred, sweeping away the town’s central business district along with residences from Second Street to the river.” Each of these tragedies brought our citizens and businesses together, and with great determination, the people of Pocomoke City rebuilt again. The tenacity, perseverance, and steadfastness displayed throughout the years is what makes this town unique to other towns in our area.

The 36 specific addresses to receive service in this portion of the PFSA include:

- Hillman Road
- New Bridge Road
- Colona Road

All 36 addresses within the PFSA currently lack broadband service. As such, Worcester County Government and Talkie Communications propose the installation of 9.28 miles of fiber to service the PFSA.

Demographics

In terms of demographics, the service area is 2273.18 acres in size. 29 parcels are located within the PFSA. All of the parcels are improved with single family dwellings. No dwellings are vacant at this time.

The 2020 Census data for various reasons at the Federal Level, did not push out Economic data. The current 2020 Census data only has the population information for analysis.

Total acreage included in the PFSA area total at 2273.18 acres.

29 residences (70%) in the PFSA have assessed improvement values less than \$300,000. The remainder have assessed improvement values exceeding \$300,000.

Census Tract 302 (<https://data.census.gov/>) has the following demographic data, according to the 2020 U.S. Census and 2019 American Community Survey:

- The 2020 Census data for various reasons at the Federal Level, did not push out Economic data. The current 2020 Census data only has the population information for analysis.
- Total Population: 100
- Total Population over 18 years old: 81
- Race:
 - White: 59 persons
 - Black: 39 persons
 - Native American: 0 persons
 - Asian: 0 persons
 - Other: 1 person
 - Hispanic Origin: 1 person
- Median household income: unknown
- Total number of households: 29
- Households below poverty level: unknown
- Households above poverty level: unknown
- Persons per household: 2.77

These are the Census block numbers that are within this area.

Caveat: Note the Population numbers **will be slightly off due to areas of the Census Blocks only partially within the designated Area C**. There is no way to determine the population information for each address shown in the area, therefore population info for the “area” that is not contained within the block cannot be accurately reported.

I am assuming the explanations below can be helpful and used to add an estimation to determine a number that would be a bit more accurate for the excluded block info. However, that can only apply to total numbers of population as there is no way to determine the race etc. for this.

Blocks for Area C **excluded** from the totals reported, as explained above.

Block 240479515001015: has a total population of **78**, There are **5** residential houses **within** Area C, and **46** residential houses **outside** of Area C. (I exclude abandon homes from these numbers)

These are the Census block numbers used for calculations that are within area C.

Block
240479515001035
240479515001038
240479515001013

Projected Take Rate

While the project take rate is budgeted at 100%, the project partners expect an initial take rate between 50- 75%.

Projected Pricing

Talkie Communications tiered pricing ranges between \$69.99 and \$89.99 (with no data limits) per month.

Low-cost equity program

Talkie Communications offers a low-cost equity program. Talkie participates in the emergency broadband benefit program with the federal government that will subsidize \$50 per month to the subscriber as well as \$15 for the state for a total of \$65 off per month leaving the customer with \$4.99 per month out of pocket. Talkie will also waive the install fee of \$99 as well and offers a discount internet package if the subscriber doesn't qualify for the EBB.

Types of Service offered

Talkie Communications offers four tiers of monthly service:

- Low tier (100 Mbps); \$69.99 /m
- Medium tier (400 Mbps); \$79.99 /m
- High tier (1Gbps); \$89.99 /m
- Packages above 1Gbps are available, up to 2.5Gbps.

Current internet options within PFSA

There are currently no options meeting the FCC and state broadband definition of 25 Mbps down and 3 Mbps up within the PFSA. Overall, 62 unserved addresses shall be offered reliable, fiber broadband service exceeding 100 Mbps asynchronous speed via this proposed project.

Talkie will be installing Fiber to the Premises (FTTP) by underground construction. Talkie will use in-house construction teams. Talkie will own and manage the fiber network. Talkie will be connecting to the Chestertown POP and using the Maryland Broadband Cooperative (MDBC) as the backhaul provider and transport. Talkie will be using GPON, XGSPON and software upgradable to NGPON-2. Talkie will be offering speeds up to 10GB per sub.

Talkie will use the ADTRAN 5000 platform. Talkie has the ability to set the QOS. Talkie notes that latency in uncongested terrestrial fiber networks is on the order of a few milliseconds and therefore is not a significant contributor to end-to-end latency of Internet services. All PON technology provides class of service queues that will ensure that voice traffic does not suffer queueing delays when traffic is properly provisioned to ensure this.

Passive optical networking (PON) will be used as the fiber broadband access topology. It is the predominant topology for delivering and scaling cost-effective fiber to the home (FTTH) services mainly due to its efficient use of the optical distribution network investment, as it shares the feeder fiber across 32 and 64, typically, and as many as 128 users’ homes and businesses.

Gigabit Passive Optical Network (GPON) and 10 Gigabit Symmetric PON (XGS-PON) are the leading fiber access technologies for delivering gigabit Internet services to residential and business subscribers. The key industry standards and protocols that will be employed to deliver the PON solution will be:

- ITU-T G.984.x (GPON)
- ITU-T G.9807.x (XGS-PON).
- Broadband Forum (BBF) TR156 (GPON/XGS-PON).
- ITU-T G.988 ONU management and control interface (OMCI)

To summarize, the proposed network shall have the following specifications:

Network speed: Minimum 100 Mbps download and upload speeds

Latency capabilities: Maximum 50ms

Backhaul methods: Fiber

Pole attached or underground? Underground

Construction by: Talkie Communications staff

Intended final ownership: Talkie Communications will own the broadband equipment and the fiber drop to locations. Talkie Communications will continue to own backbone and distribution fiber.

Schedule: If the grant is awarded April 2022, Talkie Communications anticipates beginning the project by May of 2022, with phased construction and phased subscriber connections. Final connection will occur no later than December 31, 2023.

On November 15, 2021, Talkie Communications prepared a cost estimate to extend service to the project area. The total project cost is \$560,991, which is proposed to be split as follows:

- \$500,000 state grant,
- \$24,000 Worcester County Government, and
- \$36,991 Talkie Communications

Worcester County Government's \$24,000 contribution will come in the form of cash-on-hand from either the current fiscal year budget (FY 2022) or funds from the proposed budget for the new fiscal year commencing on July 1, 2022 (FY 2023).

Similarly, Talkie Communications is committed to contributing \$36,991 of the total project cost. This match, which exceeds the minimum match requirements and is comprised of contributions from both the applicant and the ISP partner, will hopefully receive greater consideration than proposed projects lacking both parties' participation.

Worcester County Government and Talkie Communications both recognize that, should the Office of Statewide Broadband issue an award letter, then the two parties must enter into a formalized project agreement via a memorandum of understanding (MOU). The exact wording and contents of the MOU shall be determined by legal counsel at the appropriate time.

In order to facilitate the commencement and completion of this project, Worcester County Government humbly requests \$500,000 in funding from the Office of Statewide Broadband.

EXPERIENCE

Worcester County Government

Worcester County has a large fiber network that ties many locations into one primary network. Worcester also has a knowledgeable staff that maintains their 911 call dispatch system, P25 Radio system, E911 phone system along with many applications that ties Emergency Services to Public Safety. Worcester County services much of their own network hardware and has an extensive knowledge of fiber and networking.

Worcester has previous knowledge of the past wireless system housed in the county that was known as the Lower Shore Broadband Coop (LSBC) which eventually gave birth to Bloosurf Wireless. Bloosurf purchased the assets that made the LSBC which is no longer a viable solution in the County.

Worcester has the desire and knowledge to assist with assisting in the design to provide Broadband to every resident in the county.

ITEM 13

Talkie Communications, Inc.

Talkie has been in business since 2012. Talkie is a Competitive Local Exchange Carrier (CLEC) in 11 states with a gross revenue of 9 million dollars in 2020 with an excellent reputation. Talkie has established its FTTP footprint in Kent County and Queen Anne's County. Talkie is also the official partner of Worcester County, Maryland and has started the current build in Pocomoke MD.

Talkie has over 1,000 miles of fiber including last mile and middle mile in 3 counties in Maryland. Talkie now has over 2,000 customers online in Maryland and expects to have over 2,300 customers by the end of 2021.

Talkie has extensive talent and experience to make super-fast high-speed fiber network a reality in Worcester County. For instance, we are owned by two ex-Verizon employees, both with 16 years of experience at Verizon and all of our technicians are ex-Verizon FiOS employees or copper technicians. While Talkie has its own inhouse construction crew and installers, we plan to hire local talent and subcontractors to meet the demands of the new construction team. Talkie employs 45 employees.

Staff from both Talkie Communications and Worcester County Government look forward to working together, and working with the Governor's Office of Rural Broadband, to successfully complete the proposed broadband expansion project.

Appendix A

Proposed Capital Budget

Worcester County Government – Talkie Communications, Inc POCOMOKE C

Talkie Communications, inc Pocomoke C

Project Budget

BUDGET	Unit	No. of Units	Unit cost	Total	Grant	Other Funding	Description
Outside plant (fiber, coaxial, copper, etc.)							
Fiber interconnect - 72 count fiber including slack loops.	LF	49,040	\$ 0.75	\$ 36,780.00	\$ 36,780.00		Fiber, tracer, nule tape
Conduit	LF	49,040	\$ 0.75	\$ 36,780.00	\$ 36,780.00		1/14 to 2 inch Orange Conduit
Vaults	EA	98	\$ 450.00	\$ 44,136	\$ 44,136		T15-422 vaults
Terminals	EA	14.5	\$ 150.00	\$ 2,175.00	\$ 2,175.00		4 port Optitape terminals
Boring	LF	49,040	\$ 7.00	\$ 343,280.00	\$ 343,280.00		Drilling, fiber pulling, Box placement, stone, tracer
Fiber Pulling	LF	49,040	\$ 1.00	\$ 49,040.00	\$ 36,849.00	\$ 12,191.00	
Splicing	EA	67	\$ 12.00	\$ 800.40		\$ 800.40	Fiber Splicing
Electronic Equipment (cabinets, switches, routers, wireless radios, etc.)							
Distribution Cabinet including Splitters	EA	2	\$ 12,000.00	\$ 24,000.00		\$ 24,000.00	LCP GEN III Series OptiTect LCP 432 Fiber
CPE	Each	30	\$ 800.00	\$ 24,000.00		\$ 24,000.00	CPE - Router, ONT, Fiber Drop, Box 80% Take Rate
Total Broadband System				\$ 560,991	\$ 500,000	\$ 60,991	

Appendix B

Maps of Proposed Funded Service Area ("PFSA")

Worcester County Government – Talkie Communications, Inc

Hillman Road, POCOMOKE



Appendix C

**Grant Application Form for Neighborhood Connect
Broadband Funding Program**

and

**Local Jurisdictional Applicant – Certification of Grant
Application Review**

Worcester County Government – Talkie Communications, Inc

Pocomoke C

Neighborhood Connect Broadband Funding Program
FY22 Grant Application Form

(additional information required – see RFA for all application requirements)



**Neighborhood Connect Broadband Funding Program
FY22 Grant Application Form**

(additional information required – see RFA for all application requirements)

Project Name: Pocomoke C

Applicant Information

Jurisdictional Legal Name (must match W9):

County Commissioners of Worcester County

Federal EIN Number: 52-6001064

Attach a copy of your most current IRS W-9 Form

Address:

Street: 1 West Market Street, Room 1103

City: Snow Hill

County: Worcester

State: MD Zip: 21863

Project Information

Estimated Funding:

Applicant: \$24,000

ISP: \$36,991

State: \$500,000

Other: _____

Project Total: \$560,991



Proposed Funded Service Area (PFSA):

PFSA must be unserved with no locations receiving broadband service at 25 Mbps download by 3 Mbps upload speeds with a latency at or below 50ms. The PFSA should be shown on an attached graphical map.

Grant Speed:

Minimum service speeds of 100 Mbps download by 100 Mbps upload speeds (with exceptions) with a maximum of 50ms latency must be available to all end users within the PFSA.

Technology used to serve the subscriber:

Check all that apply

- Fiber Optics to the Premise
- Coax to the Premise
- Unlicensed Fixed Wireless Frequency Band: _____
- Licensed Fixed Wireless Frequency Band: _____
- Other: _____

Unserved Households and Businesses passed:

Households: 36

Businesses: _____

Other: _____

Describe the methodology used to determine the unserved locations (e.g. field review, survey results, etc.) Talkie and Worcester County have completed field reviews and spoke with residents.

Average Number of homes and businesses per mile or per tower: 3.87



LOCAL JURISDICTIONAL APPLICANT

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that to the best of my knowledge and belief, the information provided in this Application is true and correct. I further certify that I have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our ISP partner.

Signed _____

Weston Young

Typed Name _____

Chief Administrative Officer

Title _____

_____ Date

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the Applicant. This is the person the Office will contact with any questions regarding the application.

Name: **Brian Jones** Title: **Director of Information Technology**
 Email: **bjones@co.worcester.md.us** Phone: **410-632-9301**



LOCAL JURISDICTIONAL ISP PARTNER

CERTIFICATION OF GRANT APPLICATION REVIEW

I hereby certify that I am partnering with the Local Jurisdictional Applicant to provide the service outlined in the Application and have reviewed the Request for Applications, Neighborhood Connect FY22 Broadband Networks Funding Program documentation including eligibility of costs and expansion areas and have discussed these requirements with our Local Jurisdictional Partner. I further certify that I have reviewed the project capital budget, proposed project area, network design and construction and project schedule proposed in the Application and am in agreement with them.

Signed _____

Andre DeMattia

Typed Name _____

ceo

Title _____

_____ Date

Contact Information

This should be the primary contact for the person coordinating all elements of this application for the ISP Partner. This is the person the Office will contact with any questions regarding the application.

Name: Andre DeMattia Title: CEO
 Email: andre.demattia@talkiefiber.com Phone: 240-538-1609

Appendix D

Worcester County Government's current IRS W-9 Form

Worcester County Government – Talkie Communications, Inc

Pocomoke C

Appendix C

**Talkie Communications
Certification of Grant Application Review**

Worcester County Government – Talkie Communications, Inc

Pocomoke C

Appendix F

Applicant Self Scoring

Worcester County Government – Talkie Communications

Scoring Criteria

1. Need for Service and Project Benefits (up to 5 points)Score: 5 points

The description of the PFSA community needs and the benefits to be provided to the community by the Project as presented in the Executive Summary will be scored.

2. Match Contribution Source (up to 6 points)Score: 5 points

Some or the entire match provided by the local jurisdiction – 2 points

Some or the entire match provided by the ISP – 2 point

Some or the entire match provided by another source – 1 point

Total match exceeding required amount – 1 point

3.84 homes per mile falls within the 90% state / 10% County & ISP funding match category

3. Network Delivery Speed (up to 10 points)Score: 10 points

At least 100 Mbps downstream by 20 Mbps upstream speed (required) – 0 points

At least 100 Mbps downstream and at least 100 Mbps upstream speed – 3 points

At least 1 Gbps downstream and greater than 100 Mbps upstream speed – 5 points

Greater than 1 Gbps downstream and at least 1 Gbps upstream speed – 10 points

4. Subscriber Options (up to 4 points)Score: 4 points

Low cost equity program(s) – 2 points

No data or usage penalty based on service consumption – 2 points

5. Total ScoreScore: 24 points



Worcester County Recreation & Parks
6030 Public Landing Road | Snow Hill MD 21863 | (410) 632-2144 | www.PlayMarylandsCoast.org

MEMORANDUM

TO: Weston S. Young, Chief Administrative Officer
Joseph E. Parker III, Deputy Chief Administrative Officer
FROM: Kelly Rados, Director of Recreation & Parks (KR)
DATE: November 23, 2021
SUBJECT: Local Parks and Playground Infrastructure Funding

The Recreation & Parks Department was awarded \$1,000,000 in Local Parks and Playground Infrastructure (LPPI) funding for FY 2022 through the Maryland Department of Natural Resources.

Eligible projects for this funding must be located on land owned or controlled by the county, be 100% accessible to the general public and be used for development (not acquisition) including design, construction, and/or capital equipment for indoor/outdoor park infrastructure.

These funds should be used within the Fiscal Year 2022 and follow all Program Open Space guidelines with the exception that the matching requirement is waived. These projects will be 100% reimbursed.

The projects proposed for FY22 funding through the Local Parks and Playgrounds Infrastructure Program include:

- Northern Worcester Athletic Complex Lighting Project - \$860,000
- John Walter Smith Batting Cage - \$35,000
- Showell Park Fencing Extension and Batting Cage - \$55,000
- Stockton Park Fencing Project - \$25,000
- Northern Worcester Athletic Complex Bullpens - \$25,000

Upon your approval of these projects, the attached letter will be sent to Land Acquisition and Planning Unit, Maryland Department of Natural Resources, which outlines each proposed project, for their approval.

Please do not hesitate to contact me at 410-632-2144 x2502 if you have any questions or need additional information.

Attachment

cc: Jacob Stephens, Parks Superintendent



Worcester County Recreation & Parks

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

Ms. Carrie Lhotsky
Program Administrator, Land Acquisition and Planning
Maryland Department of Natural Resources
Tawes State Office Building
580 Taylor Avenue
Annapolis, MD 21401

Ms. Lhotsky,

Below is a list of Worcester County projects proposed for FY22 funding through the Local Parks and Playgrounds Infrastructure Program.

1. Northern Worcester Athletic Complex Lighting Project:

Northern Worcester Athletic Complex is located in the northern end of Worcester County and serves as the primary location for recreation activities. In order for our department to accommodate a large increase in activity, we feel the need to install new lighting and retrofit currently lighting. The plan includes new LED lighting on two multipurpose fields that are 180' by 330' as well as retrofitting existing light poles on one multipurpose field and one senior league baseball field with LED lights. The current lights on these two fields are 25 or more years old and inconsistently work.

- a. Location: 9906 Buckingham Lane, Berlin, MD 21811
- b. Title: Northern Worcester Athletic Complex Lighting Project
- c. Phase: Design, Construction
- d. LPPI Funds Requested: \$860,000
- e. Anticipation Application Submission Date: 12/10/21
- f. Schedule: If funding is approved, bid documents would be compiled in the winter; construction to begin winter/spring 2022.

2. John Walter Smith Park Batting Cage:

John Walter Smith, being a main facility for Worcester County Recreation Programs is in need of a baseball/softball batting cage. This batting cage would extend opportunities for programming, be open to the public, and be a major asset for little league. The batting cage would be composed of black vinyl heavy duty fencing which provides for a long lifespan. The approximate dimensions of the cage would be 14' wide by 80' long.

- a. Location: 6022 Public Landing Road, Snow Hill, MD 21863
- b. Title: John Walter Smith Park Batting Cage
- c. Phase: Design, Construction
- d. LPPI Funds Requested: \$35,000
- e. Anticipation Application Submission Date: 12/10/21
- f. Schedule: If funding is approved, bid documents would be compiled in the winter; construction to begin winter/spring 2022.



Worcester County Recreation & Parks

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

3. Showell Park Fencing Extension and Batting Cage:

Showell Park is a hotspot for baseball/softball tournaments at the Northern End of the county. The proposed project includes extending a "wing" on the current fencing to 30' to protect customers at the concession stand from foul balls. The second part of this project is installing a permanent batting cage in the dimensions of 14' wide by 80' long. This batting cage would also be constructed of black vinyl heavy duty fencing, allowing for a long lifespan. This facility currently does not have a batting cage.

- a. Location: 11281 Racetrack Road, Showell, MD 21862
- b. Title: Showell Park Fencing Extension and Batting Cage
- c. Phase: Design, Construction
- d. LPPI Funds Requested: \$55,000
- e. Anticipation Application Submission Date: 12/10/21
- f. Schedule: If funding is approved, bid documents would be compiled in the winter; construction to begin winter/spring 2022.

4. Stockton Park Fencing Project:

This proposed project is to remove an old rusted safety fence at our community park located in Stockton, Maryland. The current fencing fabric would be removed. Then the poles would be sleeved over with black vinyl coated poles and new black fabric would be installed. The total length of fencing to be done is 615'. This fence is crucial to providing safety of occupants as it runs along the road at this community park.

- a. Location: 5520 Hursley Road, Stockton, MD 21864
- b. Title: Stockton Park Fencing Project
- c. Phase: Design, Construction
- d. LPPI Funds Requested: \$25,000
- e. Anticipation Application Submission Date: 12/10/21
- f. Schedule: If funding is approved, bid documents would be compiled in the winter; construction to begin winter/spring 2022.

5. Northern Worcester Athletic Complex Bullpens:

The proposed project is to install bullpens on the Senior League dimensioned baseball field at Northern Worcester Athletic Complex in Northern Worcester County. This project consists of a bullpen on each side of the field with the dimensions of 12' wide by 80' long. Installation of batting cages will make the field safer for players and spectators while providing a more enjoyable recreational experience.

- a. Location: 9906 Buckingham Lane, Berlin, MD 21811
- b. Title: Northern Worcester Athletic Complex Bullpens
- c. Phase: Design, Construction, Equipment
- d. LPPI Funds Requested: \$25,000
- e. Anticipation Application Submission Date: 12/10/21
- f. Schedule: If funding is approved, bid documents would be compiled in the winter; construction to begin winter/spring 2022.



Worcester County Recreation & Parks

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

We appreciate the opportunity to submit for these projects. Grant awards are subject to approval by the Worcester County Commissioners.

Please don't hesitate to reach out with any additional questions or needed information.

Sincerely,

Kelly Rados
Director of Recreation & Parks

CC: Jacob Stephens



Worcester County Office of Tourism
104 West Market Street | Snow Hill MD 21863 | (410) 632-3110 | www.VisitMarylandsCoast.org

MEMORANDUM

Date: November 16, 2021

To: Weston Young, Chief Administrative Officer
Joe Parker, Deputy Chief Administrative Officer

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

Re: FY22 Rural Maryland Prosperity Investment Fund (RIMPF) Grant Agreement (via Tri County Council)

Attached is the FY 22 RIMPF Grant agreement, which has been awarded to Worcester County Economic Development for the Skilled Trades, Agriculture, Tourism and Technology (STATT) Program through the Tri County Council for the Lower Eastern Shore.

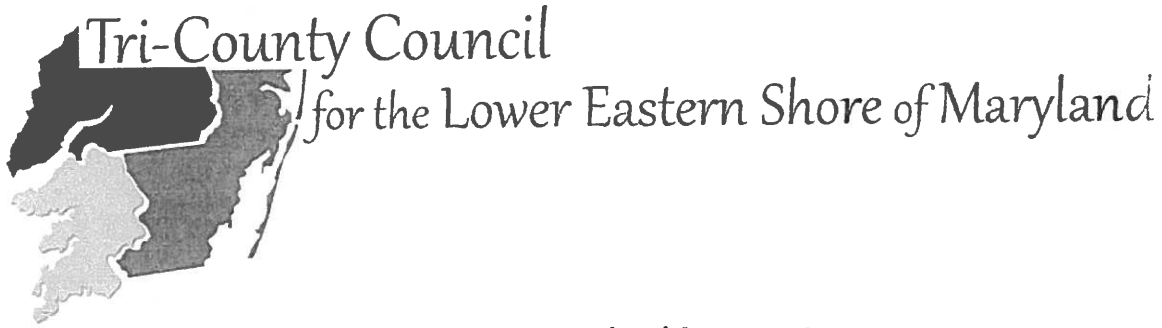
The grant amount varies each year as it is a competitive process. For example, the FY21 award was only \$30,000. To our excitement Tri County Council has awarded the full \$100,000 requested for the Worcester County STATT Program in FY22. This grant requires a match from the county and the opportunity to accept this increased award will result in a net unbudgeted match expense of \$20,000. With the increased grant award and matching funds, we are able to execute the full program that is attached in coordination with Worcester County Public Schools and Career and Technology Education (CTE) as well as offer internships that will be made available in businesses relative to Skilled Trades, Agriculture, Tourism and Technology throughout the county.

In order to access the grant funds, we are requesting signatures on the attached grant agreement. This annual agreement is typically signed by the President of the Commissioners or any designated authority such as the Chief Administrative Officer.

Kindly let me know if you have any questions.

CC: Worcester County Commissioners
Kimberly Reynolds, Senior Budget Accountant
Candace Savage, Budget Officer

Attachments



Notice of Grant Award and Agreement

Purpose: These funds are awarded to the sub-grantee for the purpose of programmatic support to achieve the goals and measurable objectives outlined in the scope of work.

Date Range: Fiscal Year 2022

Grantee Information	
Program/Project Name: Worcester County STATT	Grant Amount: \$ 100,000.00
Organization Name: Worcester Co. Office of Tourism and Economic Development	
Organization Address: 100 Pearl Street, Snow Hill, MD 21863	
Contact Person: Melanie Pursel	Title: Director
Phone: (410) 632-3112	Email: mpursel@marylandscoast.org

Grantor Information	
Primary Contact Name: Gregory Padgham	Title: Executive Director
Phone: (410) 341-8989	Email: gpadgham@tcclesmd.org

Grantee:

By receiving funds under this grant award, I hereby agree, as grantee, to comply with the terms and conditions as set forth in the Terms of Agreement attached to this document. I further certify that I am legally authorized to sign and to represent this organization

	_____	_____	_____
	Authorized Signature	Print Name	Date
	_____	_____	
	Witness Signature		
Grantor:	_____	_____	_____
	Authorized Signature	Print Name	Date
	_____	_____	
	Witness Signature		

Rural Maryland Prosperity Investment Fund
Tri-County Council for the Lower Eastern Shore – Sub-grantee Terms of Agreement

Purpose of Funds: These funds are awarded to the sub-grantee for the purpose of programmatic support to achieve the goals and measurable objectives outlined in the scope of work.

Responsibilities of sub-grantees:

- Awardee is required to execute a sub-grant agreement for disbursement of FY22 RMPIF funds through the Tri-County Council for the Lower Eastern Shore of Maryland.
- Requisition full funding for operations upon execution of grant.
- Use funds to meet deliverables specified in the approved final sub-grant proposal and agreement. Significant changes in the scope of work are not permitted. Minor changes that adhere to the original intent of the grant and maintain the essential integrity of the grant's purpose may be allowed, provided the Grantor and Administering Agency approve such changes as consistent with the Board's intent.
- Performance under this agreement commences on execution of grant and continues until agreed upon services are completed, but in any case no later than June 30, 2022.
- Complete and submit programmatic and financial reports for interim period ending December 31 and final period ending June 30 no later than January 10, 2022 and July 10, 2022 respectively. Reporting narrative should be completed on TCCLES SUBGRANT Exhibit C covered with TCCLES SUBGRANT Exhibit A. Include documentation in PDF form to support expenses reported in Item 6, Program Budget, and include a forecast of expenses for the remainder of the grant in Item 7 (if this is an interim report). Any overpayment or unspent funds must be reported promptly and returned to the Tri-County Council prior to the final report.
- By signing the Sub-grant agreement, recipient certifies that compliance will all applicable federal, state, and local law, including laws relating to discrimination in employment. Recipient also certifies compliance with Maryland's policy concerning drug and alcohol free work places, as set for in COMAR 01.01,1989.18 and 21,11,08 and shall remain in compliance through the term of this agreement.
- Upon the occurrence of default of any terms of this agreement, Tri-County Council of the Lower Eastern Shore (TCCLES) shall have the right to terminate this Agreement by written notice to the Sub-grantee. In the event of termination, TCCLES may require the Sub-grantee to repay within 30 days of receipt of written notice of default all grant funds which have been disbursed to Sub-grantee, and Sub-grantee shall have no right to receive any undisbursed grant funds. In addition, the TCCLES may at any time proceed to protect and enforce all rights available to TCCLES by suite in equity, action at law, or by any other appropriate proceedings, which rights and remedies shall survive the termination of this Agreement.

Acknowledgement

The Tri-County Council for the Lower Eastern Shore of Maryland is the recipient of funds for this program through the Rural Maryland Council (RMC) and is further sub-granting funds to your organization. RMC requires that any organization receiving funds shall give credit to RMC whenever and wherever credit is being given, including written, oral, broadcast and internet. Grantee shall use the RMC logo to credit and acknowledge the RMC in all programs and promotional materials related to activities of the project. To ensure proper credit to RMC, Grantees shall:

- A. Use the RMC's name and logo on printed materials related to the grant,
- B. Link to the RMC website from your organization's website,
- C. Include the RMC logo on event signage or publications at your events,
- D. Acknowledge RMC support in Power Point presentations, videos or reports,
- E. Make an announcement at regular/special events or meetings,
- F. Mention of RMC's support in print, radio or television interviews you give about the organization, program or project.



RMC
Rural Maryland Council

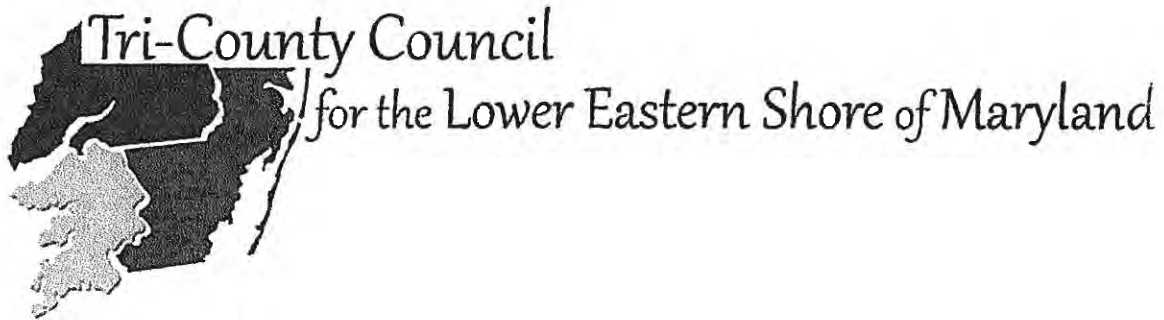


Exhibit A: Cover Sheet (Please use as a cover sheet for your proposal, and each subsequent progress report.

Organization Information

Organization Name: Worcester County Office of Tourism and Economic Development
 Address: 100 Pearl Street Snow Hill, MD 21863
 Contact Person: Melanie Pursel Title: Director
 Phone: 410-632-3112 Email: mpursel@marvlandscoast.org

Organization Type: Non-Profit: Government: Private for Profit:

Project Name: Worcester County STATT (Skilled Trades, Agriculture, Technology and Tourism)

Type of Funding: Rural Maryland Prosperity Investment Fund

Grant Amount: \$ 100,000.00 Matching Funds Secured: \$ 100,000.00

Please specify attachments below:

Exhibit B Proposal Exhibit C Interim Report Exhibit C Final Report

Be sure to include the correct forms for the applicable program(s). Reports should be typed in 12-point font (Times New Roman, Calibri, or similar) single spaced, with one inch margins on all sides.

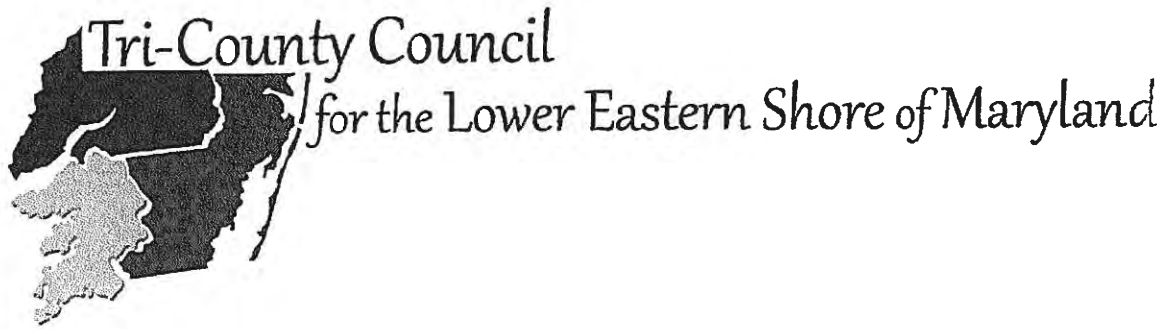


Exhibit B (Please cover this form with Exhibit A)

SUBGRANT PROPOSAL FORM

PROPOSAL INFORMATION

County(ies) Served: Somerset Wicomico Worcester Other –
Explain

Project/Program Name: Worcester County STATT (Skilled Trades, Agriculture, Technology and Tourism) IP

ESTIMATED FY22 FUNDING REQUEST*

Total funding amount requested for preparation activities:	
Total funding amount requested for program activities:	\$ 100,000.00
Estimated Number of Individuals served:	120
Estimated Cost Per Participant if applicable:	

***Because FY22 funding allocations are unknown, respondents are asked to provide a "best guess" proposal. Selected providers will have the opportunity to negotiate final participant counts and budgets once the actual funding levels are announced*

APPLICATION NARRATIVE: (Complete Sections 1-8 for subgrant proposal)

1. Summarize the program to be provided, delineating specific goals to be addressed.

The Worcester STATT Internship Program (WSTATT-IP) is a work-based learning experience that will provide high school students and recent graduates from Worcester County an opportunity to explore Skill Trades, Agriculture, Technology (STEM) or Tourism related careers via paid internships, co-sponsored by Worcester County and Tri-County Council/RMPIF. WSTATT-IP aims to support local employers in the skilled trades, agriculture, technology and tourism sectors of Worcester County's economy by sponsoring motivated students for subsidized employment positions. By providing employers with funding per intern (amount TBD), the employers are able to host the intern through an introductory employment period of 100 hours to provide training and determine if the student is a good fit for continued employment at no cost to the STATT business. WSTATT-IP provides a valuable economic investment in Worcester County by engaging student interns in mentoring services and on-the-job training to launch their careers with local STATT employers, while fostering the personal and professional skills essential to their success in the 21st century workforce.

There will also be robust summer academics for middle and high school students to explore various aspects of these industries and get hands on experience. Middle school students will also be able to explore WTTTS offerings and make informed decision on what path to take (especially for a 4 year program). Our program connects Worcester County STATT businesses with the future workforce and provide opportunities for classroom studies to be applied to real life tasks. Middle school campers are exposed to a variety of engineering topics including computer programming, robotics, electronics, aviation science, and aerospace engineering or choose tracks in the Skilled Trades, Agriculture and Tourism. Aspects of the curriculum develops career readiness skills for high school students pursuing STATT fields of study.

The technology portion of the program interacts with NASA Wallops Flight Facility (WFF) to build a strong connection between local students and the regional engineering community.

2. How will this project benefit the area(s) identified?

Worcester County Students - WCED STATT Program is designed to offer students grades 11 & 12 an opportunity to learn about local STATT career options and apprenticeship opportunities; receive mentorship and guidance to achieve employment to local STATT careers through education and apprenticeship; directly experience the connection between academics and career opportunities; receive professional development to strengthen valuable career and life skills; and gain valuable work experience. We will partner with the Board of Education and Worcester Technical HS for curriculum development and delivery.

Worcester County Local Business Community - Worcester County businesses will benefit with the opportunity to engage directly with local students; recruit their future workforce; connect with local students who are more likely to stay in Worcester County long-term; invest in their future workforce by providing on-the-job experience; gain access to high quality labor for 100 hours and the ability to hire, train, and pay interns as employees during an introductory period. We will also engage with the local business community for site visits, guest speaker appearances/hands on demonstration as well as industry specific instruction (for summer academy).

Worcester County - invests in its future by fostering local students interest in local careers; maximizes use of the WTHS facility; safeguards against deficiencies in the workforce in critical skilled trade areas; supports local agriculture and tourism industry employers; creates job opportunities for youth by connected future apprentices with local employers; invests in its future workforce by fostering local interest in local careers; supports business community by subsidizing new employee training; recruits promising local students to fill vacancies in critical Worcester industries.

3. Describe how your organization has the ability to operate the requested programs. You may include examples of current or past projects with like or similar scope. Will you be leveraging other resources for the project? If so, please explain, Specify all match funding secured for this program and delineating source as federal, local, government/business and industry/community college/other (including waived indirect costs). These amounts should also be recorded in the proposed operational budget.

WCED STATT Program will be administered in collaboration with the Worcester County Board of Education as well as the Technical High School. The STATT Program is in expansion of the existing STEM Program with the objective to reach our Worcester County high school students interested in the skilled trades industries as well as Science Technology Engineering and Math. We feel combining these programs we deliver a comprehensive variety of industry tracks relative to the landscape of Worcester County's Economy. Starting in Middle school through high school various opportunities will be offered in the form of summer academics, career prep and internships.

Worcester County Economic Development is looking to include private corporate business partnership in the form of sponsorships. The private sector business sponsorship would increase our outreach to our high school students and recent graduates. It is still our goal to collaborate with the private sector as well as having just brought on a full-time Workforce Engagement Specialist to facilitate these relationships.

4. Delineate the number of jobs to be created/retained during this grant period. If none, please explain.

WCED STATT Program is designed to introduce Worcester County Students to the Skilled Trades, Agriculture, Technology - based and Tourism industries. Our program is available to Worcester County Students. Our goal is to provide career exploration, coaching and create jobs for our students approaching graduation and recent high school graduates.

The middle school portion (summer academy) will also be providing instruction based on selected pathway, career exploration, soft skills - preparing students for their potential selection of courses of study at the Technical High School.

5. Report number of services to be delivered.

1. WCED STATT Internship Program (professional work experience in STATT fields)
2. STATT Exploration Camp (career exposure and skills training for youth)
3. STATT Leadership/Job Prep (job skills training and career coaching)
4. Apprenticeship facilitation

6. Report the number of instructional hours to be delivered if applicable.

Worcester County STATT Internship Program - 100 Hours
Worcester County Economic Development STATT Camp and Leadership Development Cohort will receive 40 hours of instruction in each program for a total of 120 hours.

*more detail regarding academy curriculum, guest speakers etc. will be provided by the technical high school team and instructors. May be subject to change.

7. What goals and measurable outcomes are expected to be achieved in the program?	
Goal	Measurable Objective
<p>WCED STATT Internship Program: To match students and STATT employers for internship opportunities at no cost to the employer.</p> <p>To ensure the internship becomes continued employment beyond the 100 hours.</p>	<p>Meet the goal of at least 10-20 high school students and recent graduates accepting internship positions the first year of the program.</p> <p>Provide summer academy to at least 100 participants in various pathways. *may be more based on final cost for instructors and materials.</p>

TEL: 410-632-1194
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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

WESTON S. YOUNG, P.E.
CHIEF ADMINISTRATIVE OFFICER
JOSEPH E. PARKER, III
DEPUTY CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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

November 17, 2021

To: Weston Young, Chief Administrative Officer
Worcester County Commissioners

From: Kim Reynolds, Senior Budget Accountant *[Signature]*

Subject: DHCD – Amendment to Community Legacy Grant Agreement
“Black-Eyed Susan Paddle Boat Grant”

Attached please find the Department of Housing and Community Development Amended Community Legacy Grant Agreement. This grant was originally awarded for the “Tysons Foods Feed Mill Track Mobile” and has been amended to grant \$100,000 towards the Town of Snow Hill’s (sub-recipient) acquisition of the Black Eyed Susan Riverboat for general tourism.

A sub-recipient grant agreement has also been prepared for signature between the County Commissioners of Worcester County and the Town of Snow Hill for your review and approval. Should you have any questions please do not hesitate to contact me.

**Amendment to
Department of Housing and Community Development
Community Legacy Grant Agreement**

This Amendment (the “**Amendment**”) is entered into as of the Effective Date (as defined herein) by and between the DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, a principal department of the State of Maryland (the “**Department**”) and Commissioners of Worcester County. (the “**Grantee**”).

RECITALS

- A. The Department and Grantee entered into a Community Legacy Grant Agreement for Project #00617-R dated June 18, 2018 (the “**Agreement**”) for the Department to provide a \$100,000 grant (the “**Grant**”) to purchase a track mobile to move freight cars coming in with grain to the Tysons Food Feed Mill.
- B. Grantee has requested the Department’s consent to modify the Project Description and Project Budget to reduce the number of properties rehabilitated.
- C. The Department has agreed to modify the Project Description and Project Budget.

AGREEMENT

NOW THEREFORE, the parties to this Amendment agree as follows:

- 1. The Recitals are incorporated by reference herein.
- 2. The Department and Grantee hereby agree to modify the Project Description and Project Budget as set forth in the attached and incorporated Exhibits A-1 and B-1. Exhibits A-1 and B-1 shall replace Exhibits A and B in their entirety.
- 3. This Amendment is effective as of the date of its execution by the Department (the “**Effective Date**”).
- 4. Except as amended herein, the Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the Department and the Grantee, or their authorized representatives, have executed this Amendment.

Community Legacy
Amendment to Grant Agreement #00617-R

ATTEST/WITNESS

Commissioners of Worcester County

By: _____

Name: Joseph Mitrecic

Title: President

WITNESS

**DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT**, a principal department of the State of
Maryland

By: _____ (SEAL)

Name: Kenneth C. Holt

Title: Secretary

Date Executed by the Department

Approved for form and
legal sufficiency

Assistant Attorney General

Exhibit A-1

Project Description, Scope of Work and Special Conditions

- 1. Project Description:**
Transfer funds to the Town of Snow Hill for the purchase of a Riverboat for general tourism.
- 2. Project Address(es)**
Snow Hill, Maryland
- 3. Scope of Project:**
The awardee will transfer their State Revitalization Programs Fiscal Year 2020 Community Legacy award to the Town of Snow Hill for the purchase of a riverboat to support tourism in the area. This opportunity will drive tourism in both downtown Pocomoke City and Snow Hill.
- 4. Project Financing:**
Community Legacy funds in the amount of \$100,000 will support the acquisition of a riverboat. These funds combined with \$250,000 from the loan will be used immediately to purchase the vessel and prepare it for use. Worcester County Government will provide a loan of \$150,000 for additional repairs to the vessel should we need. Total project cost: \$500,000.
- 5. Special Conditions:**
If this award contains capital funds; all capital funds are to be used strictly for approved capital activities. Awardee must provide current Certificate of Good Standing prior to award execution. Award must provide current MD Charitable Organization letter prior to award execution.

Exhibit B-1

Budget Sheet

USES OF FUNDS BY ACTIVITY	AWARD FUNDS		OTHER SOURCES OF FUNDS			Total by Activity
	Capital Amount	Operating Amount	Applicant's Contribution	Name of other Sources	Other Sources	
Building/Site Development						
Predevelopment						
Studies: Market/Feasibility/Planning						
New Construction						
Rehabilitation/Renovation						
Project Admin. (Cash)						
Project Admin. (In-Kind)						
Other (a) Riverboat acquisition	\$100,000		\$250,000	County Loan	\$150,000 - Worcester County loan	\$500,000
Other (b) Transport Riverboat from Harve De Grace, MD			\$25,000			\$25,000
Other (c)						
TOTALS OF FUNDS BY SOURCES						
Total award amount	\$100,000		\$300,000		\$150,000	\$550,000
Total Project Cost	\$100,000		\$300,000		\$150,000	\$550,000

SUB-RECIPIENT AGREEMENT

This Sub-Recipient Agreement (“Agreement”) is entered into on _____ by the County Commissioners of Worcester County, Maryland (“County”) and Mayor and Council of Snow Hill (“Sub-Recipient”).

Recitals

- A. The Recipient has entered into an agreement (the DHCD Grant Agreement) with the Department of Housing and Community Development, a department of the State of Maryland (“DHCD”), for a grant in the amount of \$100,000 (“DHCD Grant”);
- B. The DHCD Community Legacy Grant#00617-R is being subgranted by the Recipient to the Sub-Recipient in accordance with this Agreement

Terms

The parties agree as follows:

- 1. **Incorporation of DHCD Grant Agreement.** The Sub-Recipient has reviewed and understands the provisions of the DHCD Grant Agreement. The terms of the DHCD Grant Agreement and all its exhibits are incorporated into this Agreement. The Sub-Recipient agrees to assist the Recipient, to cooperate with the Recipient, and to assume responsibility with the Recipient in fulfilling the terms and conditions of the DHCD Grant Agreement.
- 2. **Purpose of Agreement.** The purpose of this Agreement is to provide the Sub-Recipient with funds to carry out the activities described in Exhibit A of the DHCD Agreement (“Sub-Recipient Project”).
- 3. **Funds Provided.** In consideration of the various obligations to be performed by the Sub-Recipient pursuant to this Agreement, the Recipient agrees to provide Sub-Recipient with funds in an amount not to exceed \$100,000 (“Sub-Recipient Grant”).
- 4. **Schedule for Completion.** The funded activities related to the Sub-Recipient Project must be completed in accordance with the schedule that is Exhibit C of the DHCD Grant Agreement (“Schedule”).
- 5. **Expenditure of Funds.**

- (a) The proceeds of the Sub-Recipient Grant must be expended in accordance with the Sub-Recipient Project budget marked as Exhibit B-1 of the DHCD Grant Agreement (“Budget”).
- (b) The proceeds of the Sub-Recipient Grant may be used to reimburse the Sub-Recipient for costs incurred pursuant to the Budget for the activities described in Exhibit A-1 of the DHCD Grant Agreement.

6. Compliance with Federal Regulations.

- (a) The Sub-Recipient must undertake the Sub-Recipient Project in accordance with the Act and the DHCD Regulations.
- (b) The Sub-Recipient must comply with all of the applicable federal laws, regulations, circulars, and guidelines related to the Program which are set forth in the DHCD Grant Agreement.

7. Disbursement of Subrecipient Grant.

- (a) Disbursement of funds under the Sub-Recipient Grant must be in the amounts in the Budget and must be made only for costs which have been determined by the Recipient to have been properly incurred by the Sub-Recipient.

- (b) Requests for disbursements must be made in the following manner:

Sub-Recipient must send the County all invoices, copy of checks, and any other back up information to Senior Budget Accountant for review along with a cover memo requesting disbursement.

8. Records and Reports.

- (a) The Sub-Recipient must maintain the records related to the Sub-Recipient Project in a manner satisfactory to the Recipient. The sub-recipient shall retain the grant records for three (3) years following the date the Department approves the Final Report.
- (b) The Sub-Recipient must produce the reports set forth in the DHCD Grant Agreement on the dates and which contain the information indicated. (On January 1, April 1, July 1 and October 1 of each year during the term of this Agreement, the Sub-

Recipient shall provide the grantee with interim progress reports in a manner and form to be determined by the Grantor. Within forty-five (45) days after the Sub-Recipient completes the Project, Sub-Recipient shall submit to the Department a final report in a manner determined by the Grantor that describes the completed project, the success of the project, any problems encountered in completing the project and such other information such as financial reports.

9. **Term of Agreement.** Unless terminated earlier under Section 10 of this Agreement or upon the mutual agreement of the parties with the consent of DHCD, this Agreement will remain in effect until the Sub-Recipient Project has been completed to the satisfaction of the Recipient, DHCD, and HUD, all reports required by this Agreement, DHCD, or HUD have been submitted and approved, and all outstanding issues between the Recipient and the Sub-Recipient have been resolved in a manner satisfactory to the Recipient.

10. **Default and Remedies.**

- (a) Any breach of any representation, warranty, covenant, condition, or provision of this Agreement, including failure of the Sub-Recipient to conduct and complete the activities associated with the Sub-Recipient Project in a manner satisfactory to the Recipient, is a default under this Agreement.
- (b) The Recipient must notify the Sub-Recipient, in writing, of a default under this Agreement. The Sub-Recipient will have 15 days from the date of such notice to cure the default in a manner satisfactory to the Recipient. Upon the failure of the Sub-Recipient to cure the default in a manner satisfactory to the Recipient, the Recipient, in addition to the remedies set forth in the DHCD Grant Agreement, has the following remedies:
 - 1) the Sub-Recipient will not be entitled to any undisbursed portions of the Subrecipient Grant;
 - 2) the Recipient may, at its option, require the Sub-Recipient to repay all funds improperly expended by the Sub-Recipient; and

- 3) the Recipient may take all other actions available to it at law or in equity.

- 11. **Reversion of DHCD Assets.** Upon termination of this Agreement, the Sub-Recipient must:
 - (a) transfer to the Recipient all undisbursed Sub-Recipient Agreement Grant funds in the possession of the Sub-Recipient at the time of termination, including any accounts receivable attributable to the Sub-Recipient Grant; and
 - (b) comply with any special conditions related to the Sub-Recipient Project set forth in the DHCD Grant Agreement.
- 12. **Inspections.** The subrecipient must permit the authorized representatives of the Recipient, DHCD, or HUD to inspect, at any reasonable time, the Project and all records related to the Project.
- 13. **Third Party Beneficiaries.** The Recipient and the Sub-Recipient agree that all representations in this Agreement run to the benefit of DHCD, the State of Maryland (“State”), and HUD. The Recipient and the Sub-Recipient further agree that DHCD, the State, and HUD have the right to request documentation from time to time from the Recipient or the Sub-Recipient and may exercise all of the rights and remedies available to the Recipient against the Subrecipient.
- 14. **No Waiver.** No failure or delay by the Recipient to insist upon the strict performance of any term, condition, representation or warranty of this Agreement or to exercise any right, power or remedy will be a waiver of any such term, condition, representation or warranty nor preclude the Recipient, DHCD, the State, or HUD from exercising any such right, power, or remedy at any later time.
- 15. **Survival.** All representations made in this Agreement and in any other documents delivered pursuant will survive closeout of the DHCD Grant and be in full force until the Recipient has complied with all terms related to the close out of the DHCD Grant Agreement between DHCD and the Recipient for the Project.
- 16. **Notices.** All reports, notices, consents or approvals required under this Agreement must be in writing and will be deemed to have been given

properly if mailed by first class certified mail, return receipt requested, postage prepaid, as follows:

If to Recipient:

County Commissioners of Worcester County, Maryland
Attention: Senior Budget Accountant
1 W Market Street, Room 1103
Snow Hill, Maryland 21863

If to Sub-Recipient:

Mayor and Council of Snow Hill
103 Bank St.
Snow Hill, Maryland 21863

17. **Modification /Assignment.** No portion of this Agreement may be modified except with the written consent of Recipient and by a written agreement executed by the parties. This Agreement may not be assigned, in whole or in part, without the written consent of DHCD.
18. **Governing Law.** This Agreement is governed by and construed in accordance with the laws of the State of Maryland.
19. **Exclusive Jurisdiction.** All legal proceedings related to this Agreement must be exclusively filed, tried, and maintained in either the District Court of Maryland for Worcester County, Maryland or the Circuit Court of Worcester County, Maryland. The parties expressly waive any right to remove the matter to any other state or federal venue and waive any right to a jury trial.
20. **Terms Binding.** All of the terms, conditions, representations, warranties, and covenants of this Agreement apply to and are binding upon and inure to the benefit of the Recipient, DHCD, and the State. This Agreement will be binding upon Sub-Recipient and its successor[s].
21. **Indemnification.** The Sub-Recipient agrees to indemnify the Recipient, DHCD, and the State from any claim or cost of any kind, including attorney's fees, that arise because of the Project. Any money expended by the Recipient, DHCD, or the State as a result of such claims or costs, together with interest at a rate not to exceed the maximum interest rate permitted by law and reasonable attorney's fees, will be immediately due

and payable by the Sub-Recipient to the party who has expended such money.

22. **Further Assurances and Corrective Instruments.** The parties agree that they will, from time to time, execute and deliver, or cause to be executed and delivered, such amendment and such further instruments as may be required by the Recipient, DHCD, the State, or HUD to comply with any existing or future State or federal regulations, policies, directives, procedures or other requirements or to further the general purposes of this Agreement.

23. **Severability.** The invalidity of any articles, section, subsection, paragraph, clause or provision of this Agreement will not affect the validity of the remaining articles, sections, subsections, paragraphs, clauses or provisions.

The Parties agree to this Agreement on the date stated above.

Attest:

**County Commissioners of
Worcester County, Maryland**

Weston Young
Chief Administrative Officer

_____(Seal)
Joseph M. Mitrecic
President

Witness

**Mayor and Council of Snow Hill
Sub-Recipient**

_____(Seal)
By: Jennifer R. Jewell, Mayor



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

PLANNING DIVISION
ZONING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Weston S. Young, P.E., Chief Administrative Officer
From: Jennifer K. Keener, AICP, Director *JKK*
Date: November 29, 2021
Re: Approved Private Road Request – Buttercup Lane, West Ocean City

The Department has received a request from Keith Iott, PE, RA, on behalf of his client, Kathy Clark, Shady Side Village, LLC, to designate the roads within the proposed Shady Side Village Residential Planned Community (RPC), as an approved private road to serve a proposed thirty-three (33) townhouse and duplex units. At this time, I am requesting that these items be considered by the County Commissioners at their upcoming meeting on December 7, 2021. The request is threefold:

1. To establish an approved private road, pursuant to § ZS 1-123;
2. To obtain approval for a road standard of their own design; and
3. For modifications to the density of the RPC pursuant to § ZS 1-315(k)(2)B.5.

During the Planning Commission’s review of the Step II plan on August 5, 2020, the road was proposed to be an internal driveway; however, in order to build it to a design different than one of the current county road RPC standards, the applicant is requesting approval for an approved private road, as well as approval to build the road to their specifications illustrated on the attached Sheet C 201. The road consists of a loop of approximately 860 feet in length with two spurs consisting of 69 feet and 75 feet respectively with a ribbon curb.

As required by § ZS 1-123, the attached information was provided to the various agencies responsible for review, including the County Roads Division of the Department of Public Works, the Department of Emergency Services, the Worcester County Fire Marshal’s Office, and the local fire departments. Overall, staff supports the proposal as requested, subject to addressing the comments from the County Roads Superintendent. The Planning Commission is currently scheduled to review this matter at their Thursday, December 2, 2021 meeting. A memo detailing their recommendation will be provided in advance of the County Commissioners review.

The County Commissioners are not required to hold a public hearing on this request, but may do so where they feel the proposal shall have an impact on the public generally. In my opinion, this request does not meet that test, nor have similar applications been the subject of a public hearing. Shady Side Village, LLC will be responsible for all construction and inspection costs, and all future maintenance costs shall be the responsibility of the property owners' association. A draft resolution is attached should the County Commissioners approve this request.

In addition to the road modifications, several site modifications have been made to the plan. The last approved design consisted of 37 townhouse units. The current proposal consists of both townhouse and duplex buildings, resulting in a net decrease in the overall number of units from 37 to 33 for a density of 6.85 units per acre. Pursuant to § ZS 1-315(k)(2)B.5, changes in the density of the project may only be approved by the County Commissioners after a duly advertised public hearing where they determine the change to be of such significance that a public hearing is necessary. Based upon my review of this proposal, it is my opinion that the modification of housing type and the reduction of the overall density does not constitute a material change that would require re-approval of the Step I plan through a duly advertised public hearing. Unless the County Commissioners feel differently, staff will process the request as a modification to the plans as part of our normal review procedures.

As always, I will be available to discuss the matter at your upcoming meeting.

RESOLUTION NO. 21 - ____

**RESOLUTION APPROVING A PROPOSAL FOR AN
APPROVED PRIVATE ROAD FOR SHADY SIDE VILLAGE, LLC**

WHEREAS, the County Commissioners of Worcester County, Maryland received a request from Iott Architecture & Engineering, Inc. and Shady Side Village, LLC for approval of a certain private road and a certain road construction standard within the Shady Side Village Residential Planned Community (RPC) and serve thirty-three townhouse and duplex units within the RPC, said road construction standards shown on the plan attached hereto and made a part hereof; said Shady Side Village RPC located on the southerly side of MD Route 707 (Old Bridge Road), east of US Route 50, in Worcester County, Maryland; and

WHEREAS, Shady Side Village Residential Planned Community received Step I RPC approval from the County Commissioners on March 5, 2020 and the Step II RPC approval from the Planning Commission on August 5, 2020; and

WHEREAS, in accordance with the provisions of § 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 designation and road construction standard at its meeting of December 2, 2021; and

WHEREAS, the County Commissioners reviewed the request at their meeting of December 7, 2021 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 and the associated construction standard proposed by Iott Architecture & Engineering, Inc. and Shady Side Village, 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 _____ 2021.

Worcester County, MD
Wednesday, November 17, 2021

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.



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PLANNING DIVISION
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TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer K. Keener, AICP, Director *JKK*
Date: November 17, 2021
Re: Approved Private Road Request – Buttercup Lane, West Ocean City

The Department has received a request from Keith Iott, PE, RA, on behalf of his client, Kathy Clark to establish an approved private road within the proposed Shady Side Village Residential Planned Community (RPC), Tax Map 26, Parcel 157, to be identified as Buttercup Lane in West Ocean City, Maryland (attached).

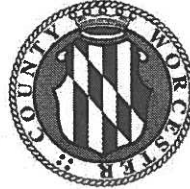
The Planning Commission has previously reviewed the project consisting of 37 townhouse units through the Step I Concept plan review on March 5, 2020, and the Step II Master plan review on August 5, 2020. The current proposal indicates that the unit types have been re-designed to include two duplex buildings, resulting in a net decrease in the number of units from 37 to 33 (density of 6.85 units per acre). I find that this is a minor modification to the overall plan, and will request that the County Commissioners also concur with that finding.

During the initial review, the road was proposed to be an internal driveway; however, in order to build it to a standard different than one of the current county road RPC standards, the applicant is requesting approval to build the road to their design as illustrated on Sheet C 201. The road consists of a loop of approximately 860 feet in length with two spurs consisting of 69 feet and 75 feet respectively, with a ribbon curb.

The attached information was provided to the various agencies responsible for review, including the County Roads Division of the Department of Public Works, the Department of Emergency Services, the Worcester County Fire Marshal’s Office, and the local fire departments. Comments received are attached. Overall, staff supports the proposal as requested, subject to addressing the comments from the County Roads Superintendent.

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 upcoming meeting.

NOTE: If the road is established as an approved private road, the Planning Commission will also need to approve the revised setbacks for the overall development. Attached you will find a separate memo that details this request.



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

MEMORANDUM

DALLAS BAKER JR., P.E.
 DIRECTOR

JOHN S. ROSS, P.E.
 DEPUTY DIRECTOR

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

TO: Jennifer Kenner, Director DRP
FROM: Kevin Lynch, Roads Superintendent *KAL*
DATE: November 16, 2021
SUBJECT: Shadyside Village RPC

DIVISIONS

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

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

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

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

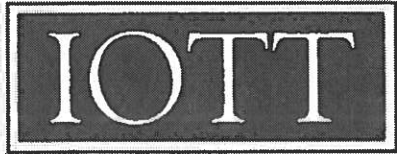
**WATER AND
 WASTEWATER**
 TEL: 410-641-5251
 FAX: 410-641-5185

I have had the opportunity to review the letter of request, site plan, and road detail in regards the approved private road request for Shadyside Village Residential Planned Community. My comments are as follows:

1. On page C200 under the roadway and sidewalk notes it states that the internal roadway is to be constructed to a newly created RPC standard. Please change to indicate that the roadway will be constructed to an "Approved Private Road" that will need to be approved by the County Commissioners and not turned over to the County.
2. Page C201 lists a ribbon curb detail. This detail is not included in the Road Specifications for Worcester County; therefore, please include this detail in the request for the "Approved Private Road" to the County Commissioners.
3. Page C201 the pavement detail indicates 2" surface course and the roadway cross section shows 1 1/2" surface course. Please correct so both details match.

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

KL:ll



**A R C H I T E C T U R E
E N G I N E E R I N G
I N C O R P O R A T E D**

October 21, 2021

Jennifer Keener
Director
Worcester County DPR
1 West Market Street
Snow Hill, Maryland 21863

Re: Shadyside Planned Residential Community
Tax Map 26, Parcel 157
Worcester County, Maryland
Iott File No. 19-055

Dear Jennifer,

On behalf of the developers of the Shadyside Planned Residential Community, we request that the Worcester County Commissioners approve a non-standard private road for this project. As we have discussed the developers do not feel that the current Approved Private Road as described in the Worcester County Roads design standards will best serve this planned community.

The proposed private road is shown on sheet C200, attached hereto. The road will be a rectangular loop with two spurs that are provided for potential access to adjacent parcels. The loop measures approximately 860 feet in total length and the spurs measure approximately 69 feet and 75 feet.

The proposed private road has a 30 ft. wide wearing surface with mountable curbs on each side. The road will be built in accordance with the construction standards for the approved private road as enumerated in the design standards. The road is not crowned. This site has been designed using ESD practices and crowned roads require piped storm drainage which is generally not consistent with ESD stormwater design.

We respectfully request that this be presented to the County Commissioners as quickly as possible after the appropriate agency reviews.

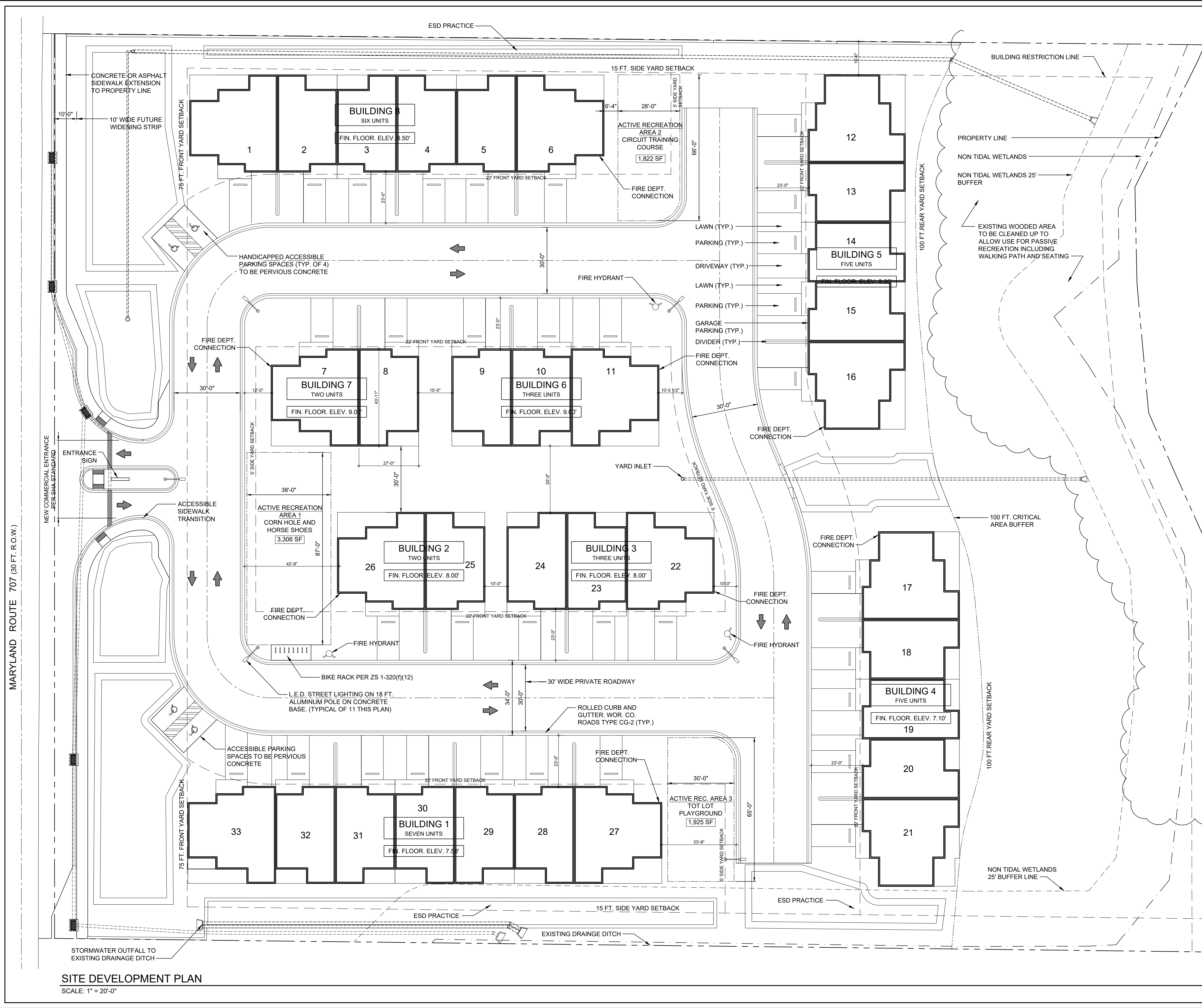
Thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Iott", is written over a horizontal line.

Keith Iott PE, RA

President
Iott Architecture Engineering, Inc.



SITE DEVELOPMENT SUMMARY	
PARCEL DESCRIPTION TAX MAP 26, PARCEL 157 10TH TAX DISTRICT WORCESTER COUNTY, MARYLAND	
PROPERTY OWNERS KATHLEEN M. CLARK 12319-201 OCEAN GATEWAY OCEAN CITY MARYLAND, 21842 (410) 213-1633	
SITE AREA EXISTING ± 4.82 ACRES GROSS SITE AREA (± 4.51 ACRES UPLAND & ± 0.18 ACRES NON TIDAL WETLAND) ± 0.06 ACRES TIDAL WETLAND ± 0.09 ACRES ROAD WIDENING ± 4.67 ACRES NET SITE AREA	
NET SITE AREA BREAKDOWN ± 1.00 ACRES BUILDING FOOTPRINTS AND PATIOS ± 0.44 ACRES DRIVEWAYS AND PARKING ± 0.22 SIDEWALK ± 0.68 ACRES ROADWAY SUBTOTAL NON-OPEN SPACE : ± 2.4 ACRES OPEN SPACE PROVIDED : ± 2.27 ACRES PERCENTAGE OF OPEN SPACE PROVIDED : ± 49% NET SITE ACRE	
OPEN SPACE REQUIRED : 30% OF NET SITE AREA : 1.40 ACRES OPEN SPACE TO BE IN A NATURAL STATE : 1.81 ACRES	
ACTIVE RECREATION SPACE REQUIRED: 0.14 ACRES (10% OF REQUIRED OPEN SPACE) PROVIDED: 0.16 ACRES (12% OF REQUIRED OPEN SPACE)	
PASSIVE RECREATION SPACE REQUIRED: 0.28 ACRES (20% OF REQUIRED OPEN SPACE) PROVIDED: 0.30 ACRES (28% OF REQUIRED OPEN SPACE)	
EXISTING AND PROPOSED ZONING R-4, GENERAL RESIDENTIAL	
PROPOSED USE AND DENSITY RESIDENTIAL PLANNED COMMUNITY ALLOWABLE DENSITY: 8 UNITS PER ACRE PROPOSED DENSITY: 37 UNITS + 4.82 ACRES = 7.49 UNITS/ACRES	
FLOOD ZONE THIS SITE IS LOCATED IN FLOOD ZONE A-E (ELEV.5) AND ZONE X PER FEMA COMMUNITY PANEL 24047C0160H DATED 7-16-15	
CRITICAL AREA THIS SITE IS LOCATED ENTIRELY WITHIN THE INTENSIVE DEVELOPMENT AREA (IDA) OF THE ATLANTIC COASTAL BAYS CRITICAL AREA.	
PARKING SUMMARY	
NUMBER OF RESIDENTIAL UNITS	37 UNITS
MINIMUM REQUIRED PARKING	74 SPACES
MAXIMUM PROVIDED PARKING	93 SPACES
PARKING PROVIDED	78 SPACES
(FOUR ACCESSIBLE SPACES TO BE PERVIOUS PAVEMENT)	
ROADWAY AND SIDEWALK NOTES	
THE INTERNAL ROADWAY IS TO BE CONSTRUCTED TO A NEWLY CREATED RPC STANDARD. SIDEWALKS SHOWN SHALL BE PROVIDED WITH ACCESSIBLE TRANSITIONS WHERE ROADWAY CROSSING IS REQUIRED TO MEET ACTIVE RECREATION AREAS. SIDEWALKS SHALL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.	
WATER AND SEWER SUMMARY	
THIS PROJECT REQUIRES 37 WATER AND SEWER EDUs. THE PROJECT CURRENTLY HAS 28 SEWER EDUs FROM THE WEST OCEAN CITY SANITARY SERVICE.	
NINE SEWER EDUs WILL BE TRANSFERRED INTO THE SITE FROM THE MYSTIC HARBOR SANITARY SERVICE.	
37 WATER EDUs WILL BE ACQUIRED FROM THE MYSTIC HARBOR SERVICE AREA.	
IF LAWN IRRIGATION IS TO BE PROVIDED BACKFLOW PREVENTION DEVICES SHALL BE INSTALLED AT ALL CONNECTIONS TO THE WATER SERVICE.	
LINE TYPE LEGEND	
---	PROPERTY LINE
---	BUILDING RESTRICTION LINE
---	NON TIDAL WETLAND
---	NON TIDAL WETLANDS 25' BUFFER
---	100 FT. CRITICAL AREA BUFFER

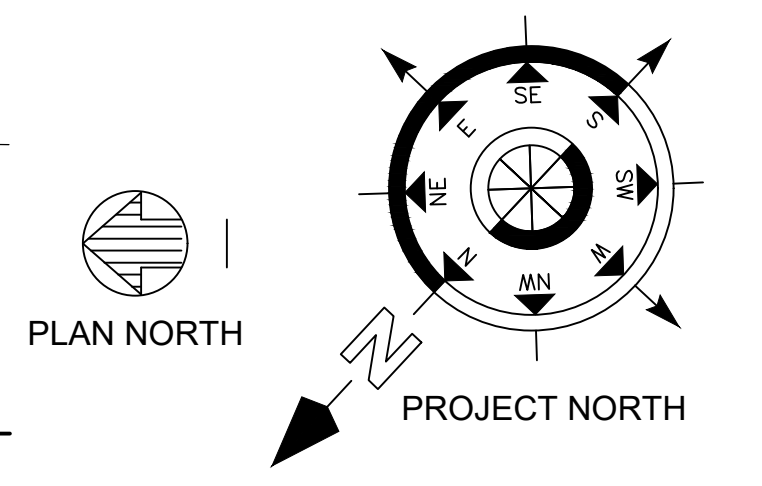
REVISIONS	
NO.	DATE

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
 ARCHITECTURE ENGINEERING INCORPORATED
 310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND
 (410) 749-2229 • FAX (410) 749-0001

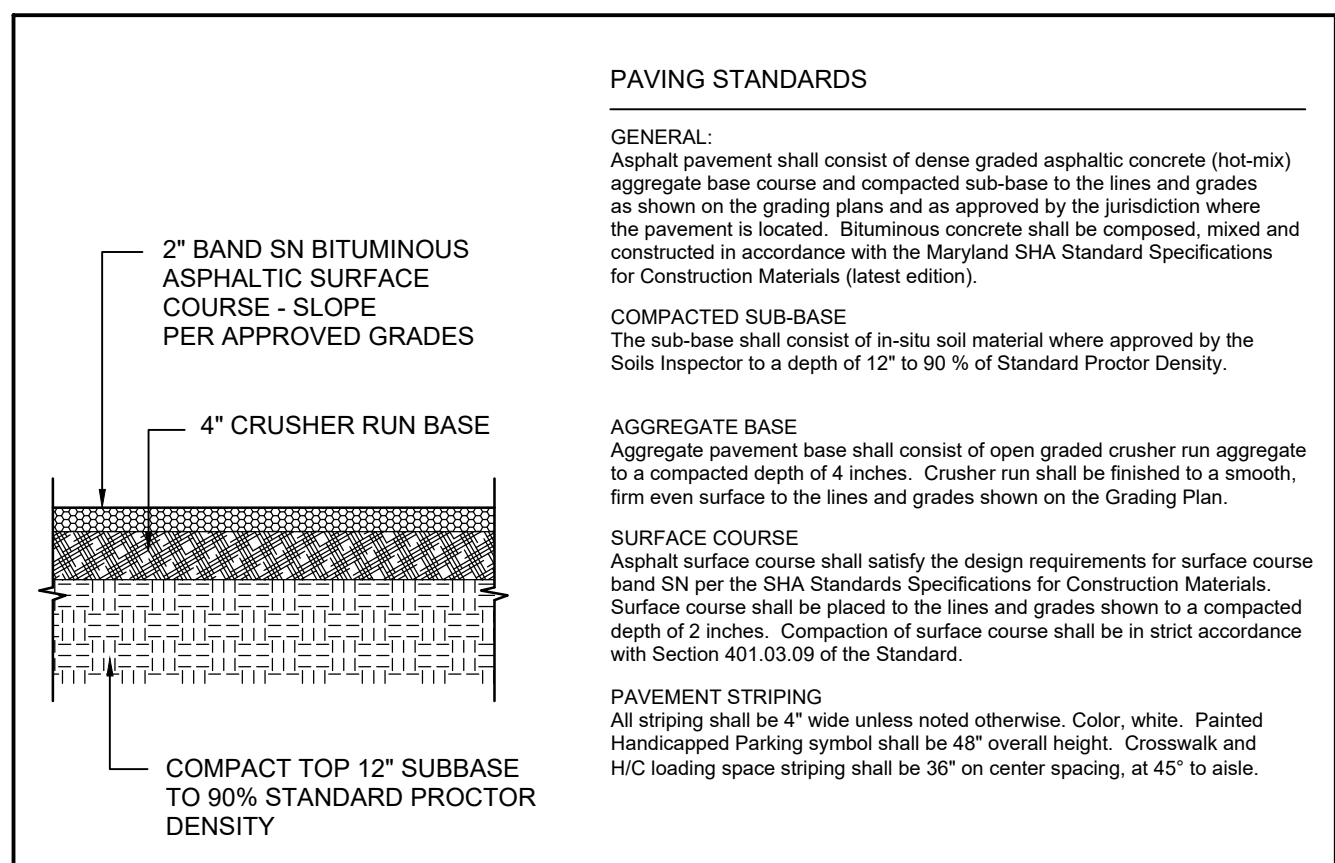
RESIDENTIAL PLANNED COMMUNITY
 SHADYSIDE VILLAGE
 TAX MAP 26, PARCEL 157
 WORCESTER COUNTY, MARYLAND
 SITE DEVELOPMENT PLAN

DATE: 9-16-2021	DESIGN BY: KI
IOTT PROJ. NO.: 19-055	DRAWN BY: T.E.
SCALE: 1" = 20'-0"	STAGE: P-2
DWG. FILE: 19-055	

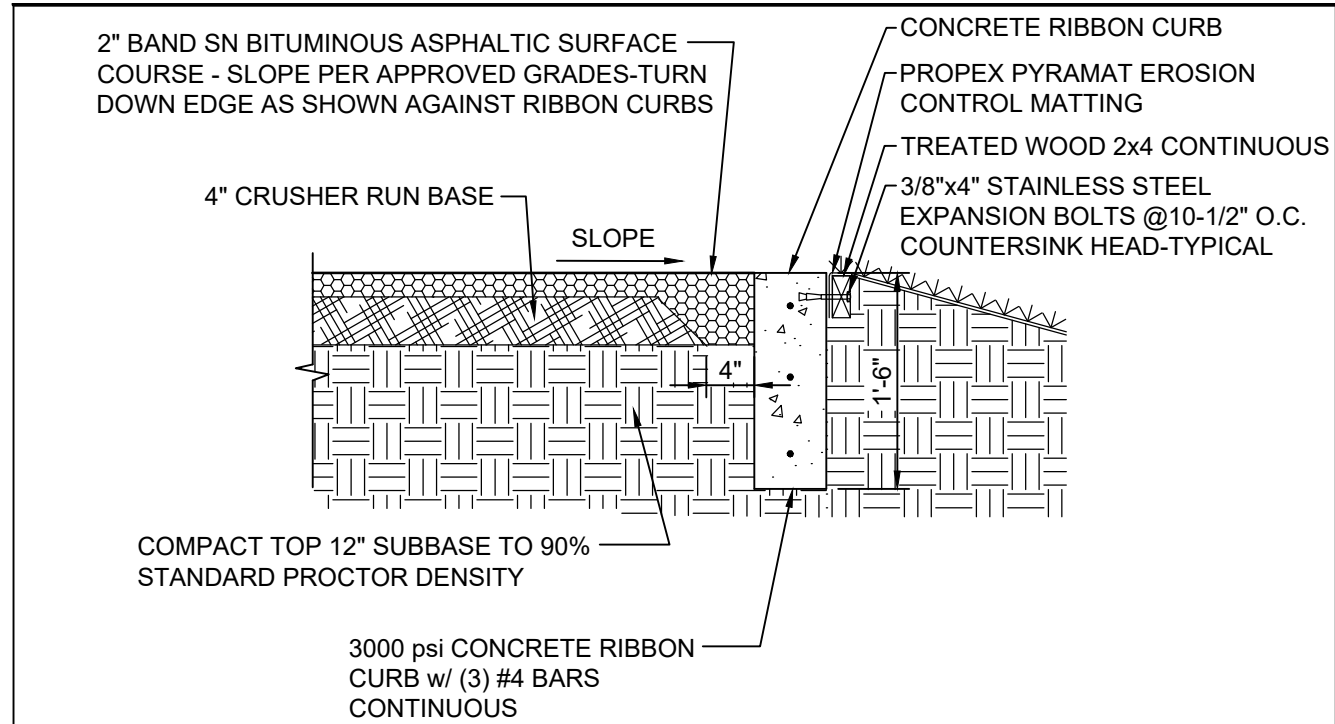
SITE DEVELOPMENT PLAN
 SCALE: 1" = 20'-0"



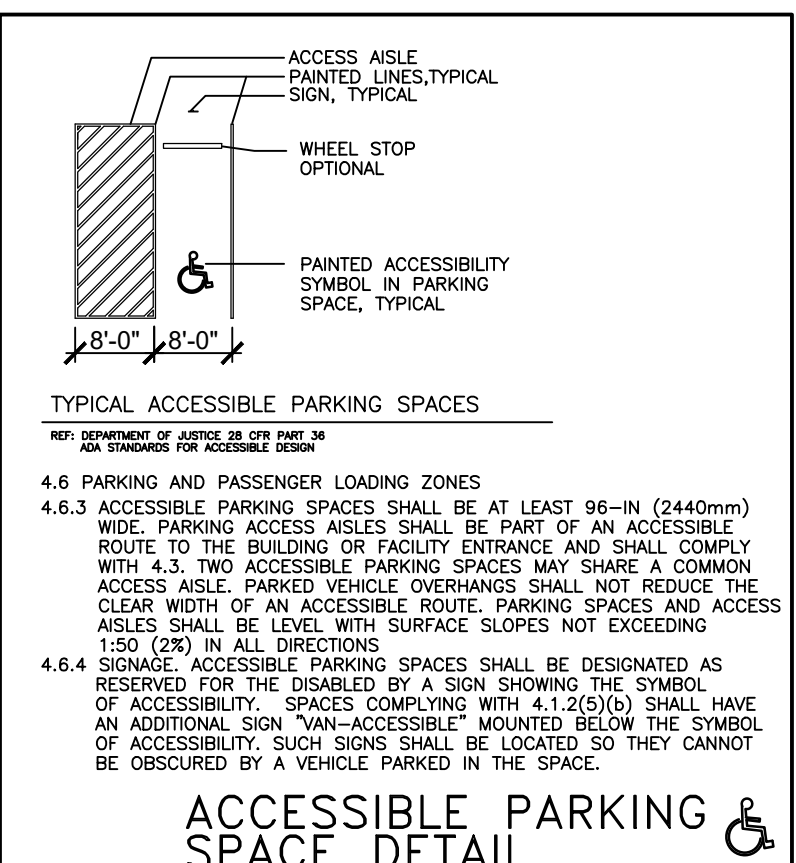
C 200



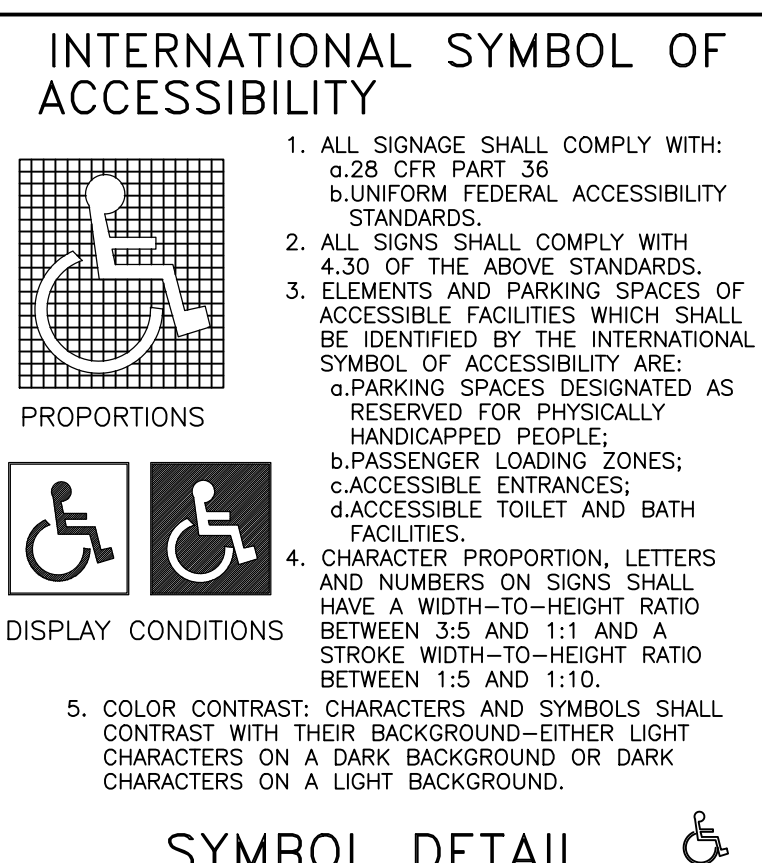
BITUMINOUS PAVEMENT DETAIL
SCALE: 3/4" = 1'-0"



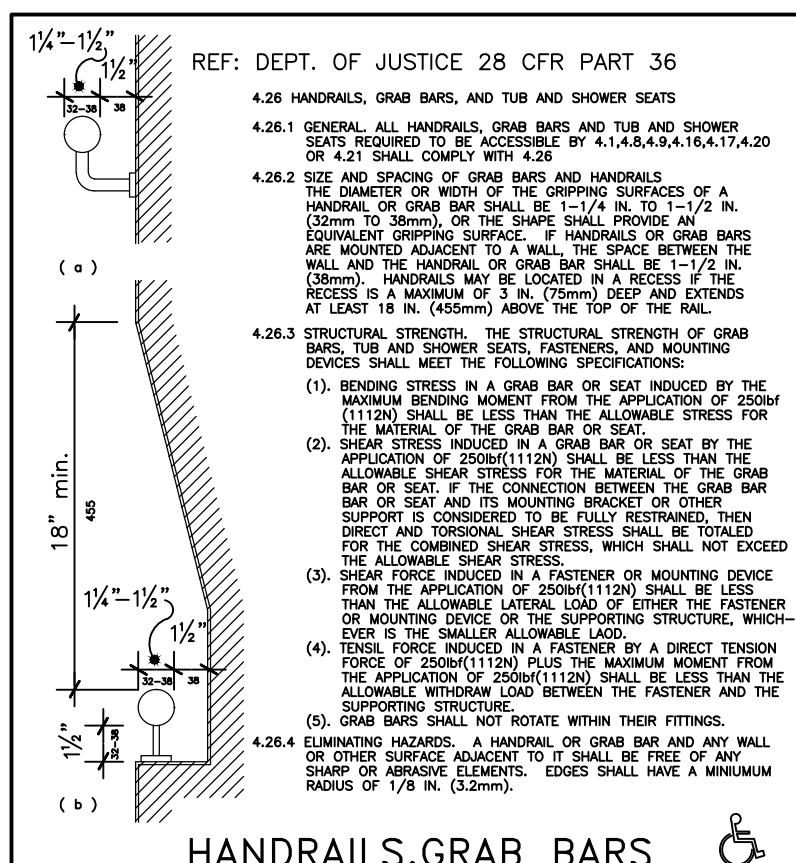
RIBBON CURB DETAIL
SCALE: 3/4" = 1'-0"



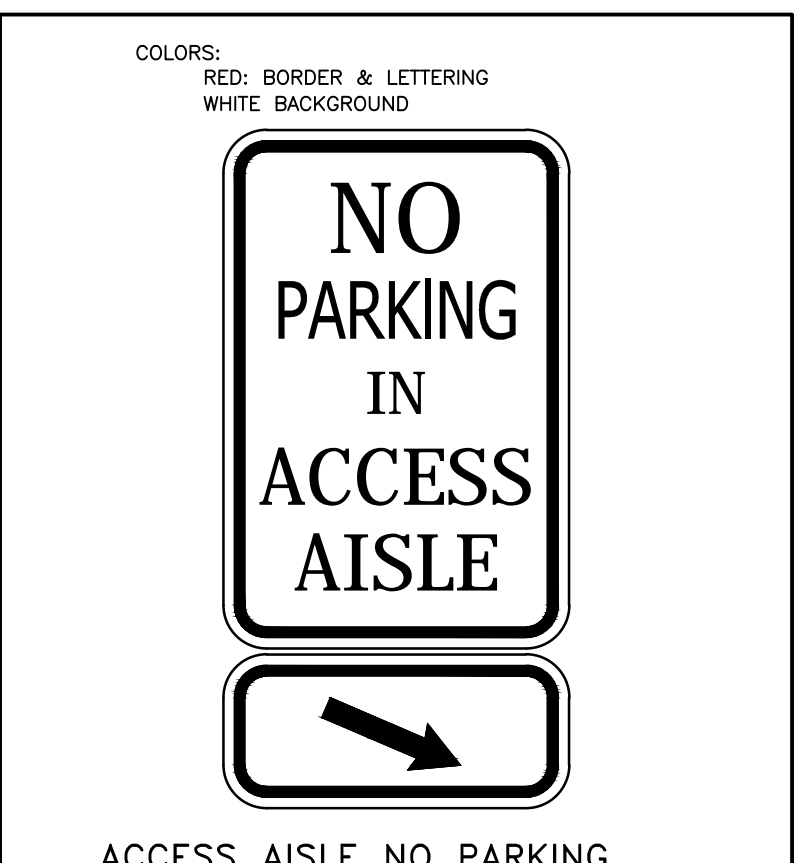
ACCESSIBLE PARKING SPACE DETAIL
NOT TO SCALE



SYMBOL DETAIL
NOT TO SCALE



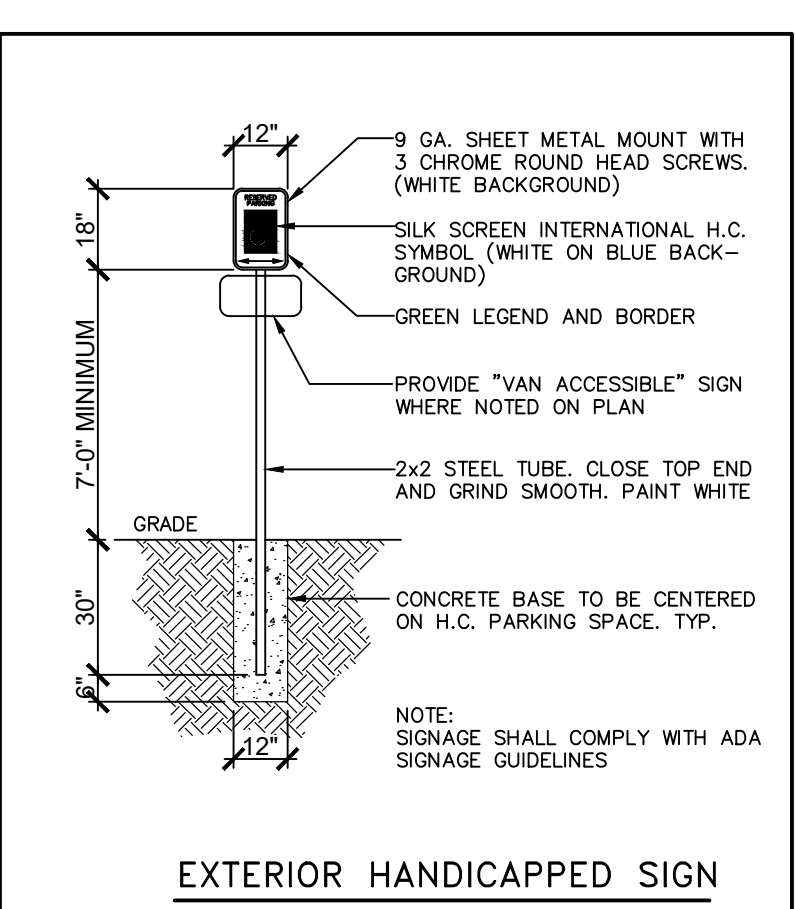
HANDRAILS, GRAB BARS and TUB AND SHOWER SEATS
NOT TO SCALE



ACCESS AISLE NO PARKING SIGN DETAIL
NOT TO SCALE

AMERICANS WITH DISABILITIES ACT (ADA)
The legislation set forth a variety of requirements that affect the construction of new buildings and the alteration of existing buildings. The legislation states that failure to implement "reasonable accommodations" to facilitate the employment of persons with disabilities and ensure accessibility by removing architectural barriers where "readily achievable" will constitute an act of discrimination against people with disabilities and subject the owner to civil action.
Ref: American with Disabilities Act, Public Law 101-336 Uniform Federal Accessibility Standards, FED STD-795 Specifications for Making Buildings and Facilities Accessible to, and Usable by, Physical Handicapped People, ANSI A117.1

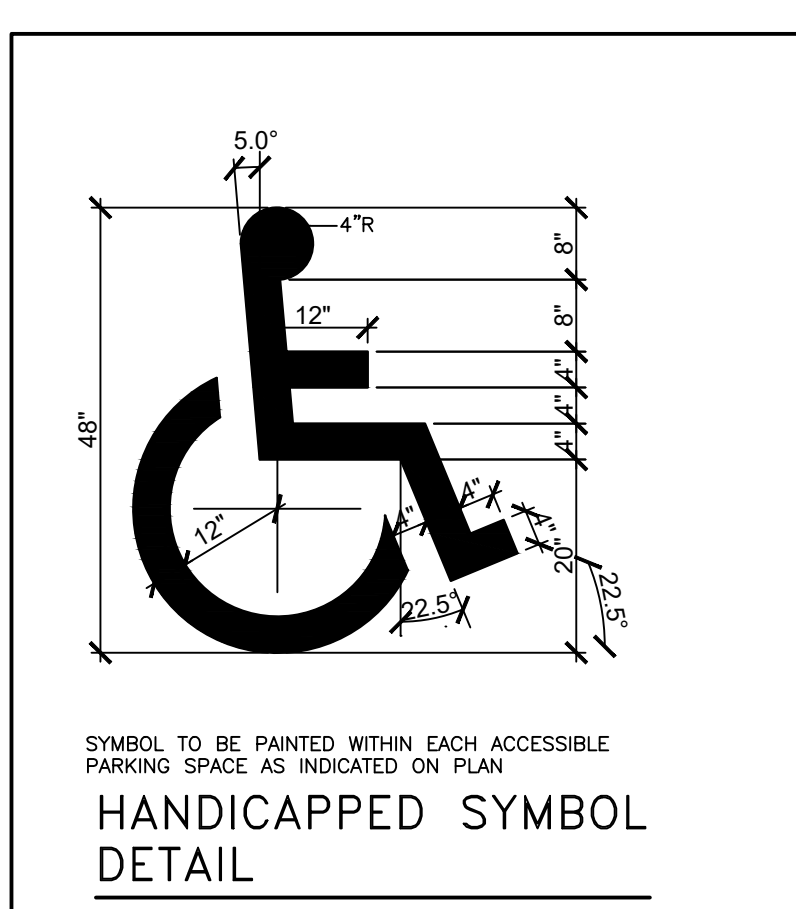
PROVISIONS FOR ACCESSIBILITY
THIS PROJECT CONSISTING OF THE SITE AND BUILDING IMPROVEMENTS AND FACILITIES WITHIN THE BUILDING SHALL MEET AND COMPLY WITH THE REQUIREMENTS OF BARRIER FREE ACCESSIBILITY TO AND USABLE BY THE PHYSICALLY HANDICAPPED AND PERSONS WITH DISABILITIES AS INDICATED ON THE DRAWINGS AND/OR AS REQUIRED BY THE "HANDICAPPED CODES AND ACCESSIBILITY CODES".
AREAS AND ITEMS SO REQUIRED TO BE ACCESSIBLE AND USABLE, SHALL CONFORM TO THE AMERICAN NATIONAL STANDARD INSTITUTE, INC. ANSI A117.1-(LATEST EDITION) "SPECIFICATIONS FOR MAKING BUILDINGS AND FACILITIES ACCESSIBLE TO AND USABLE BY PHYSICALLY HANDICAPPED PEOPLE", THE UNIFORM FEDERAL ACCESSIBILITY STANDARDS AND THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) AND SHALL BE CLEARLY IDENTIFIED WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY FOR THE HANDICAPPED



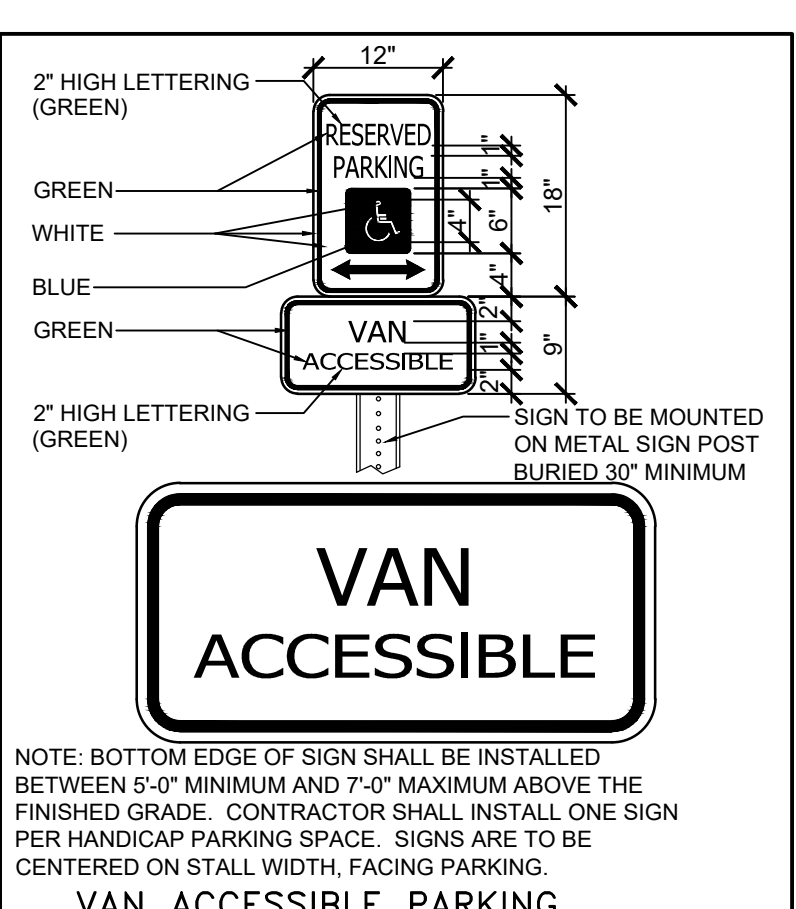
EXTERIOR HANDICAPPED SIGN
NOT TO SCALE



ACCESSIBLE PARKING SPACE SIGN DETAIL
NOT TO SCALE

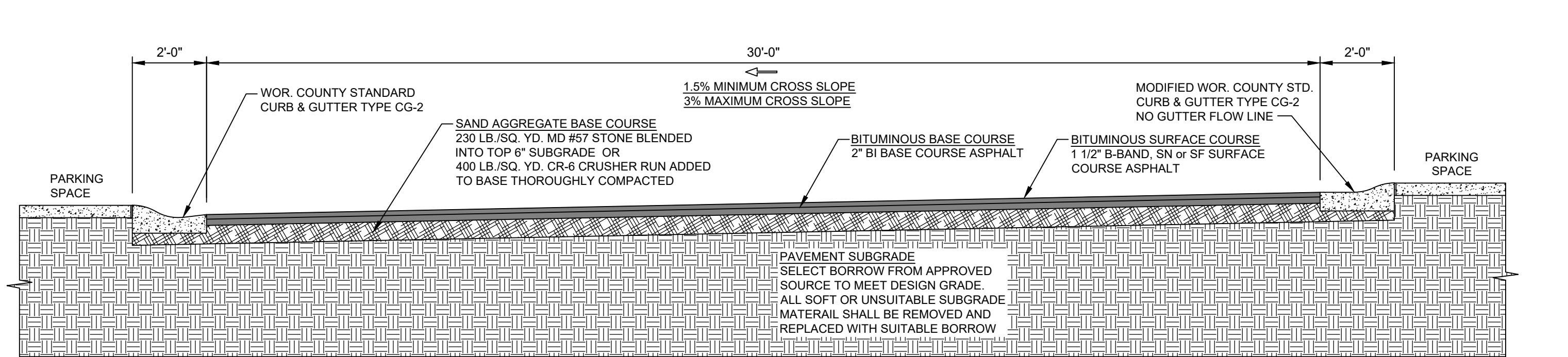


HANDICAPPED SYMBOL DETAIL
NOT TO SCALE

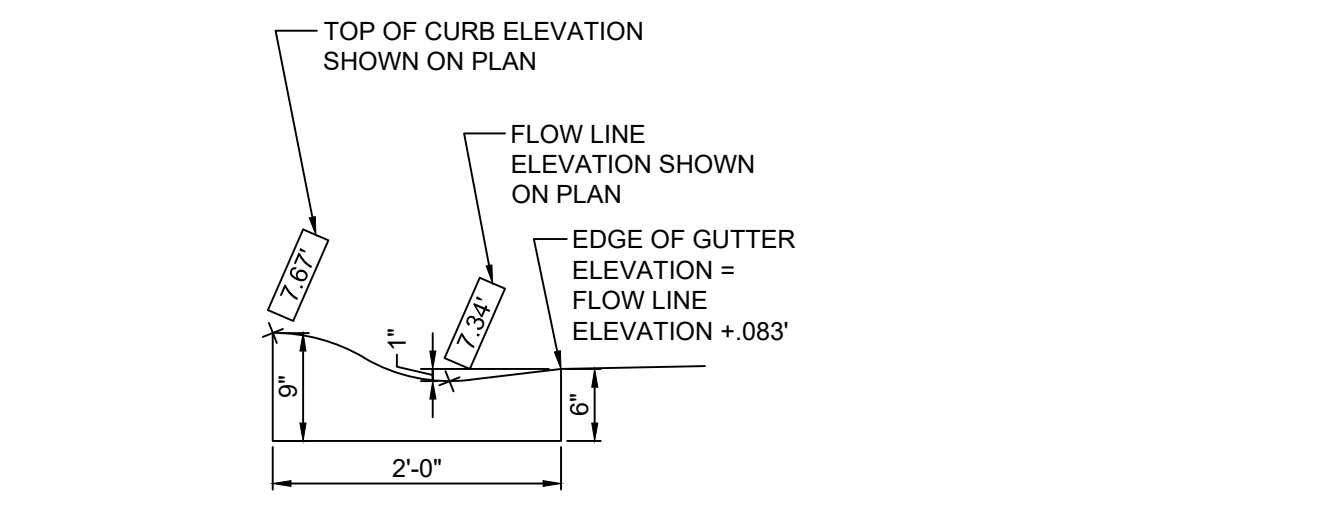


VAN ACCESSIBLE PARKING SPACE SIGN DETAIL
NOT TO SCALE

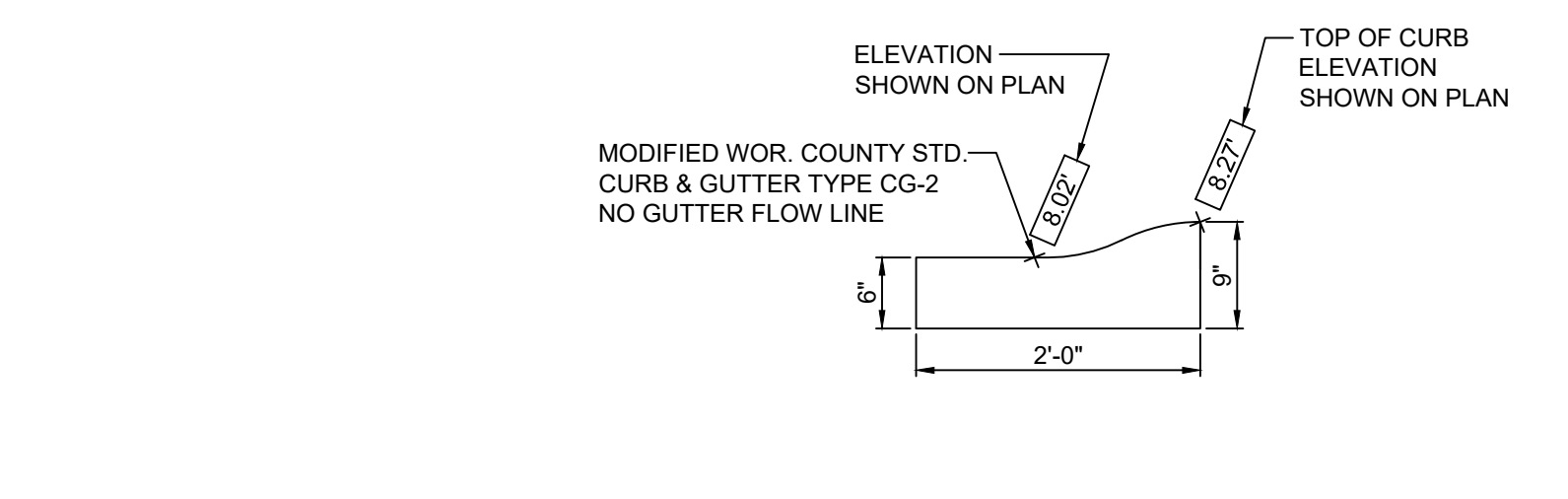
SITE ACCESSIBILITY NOTES AND DETAILS



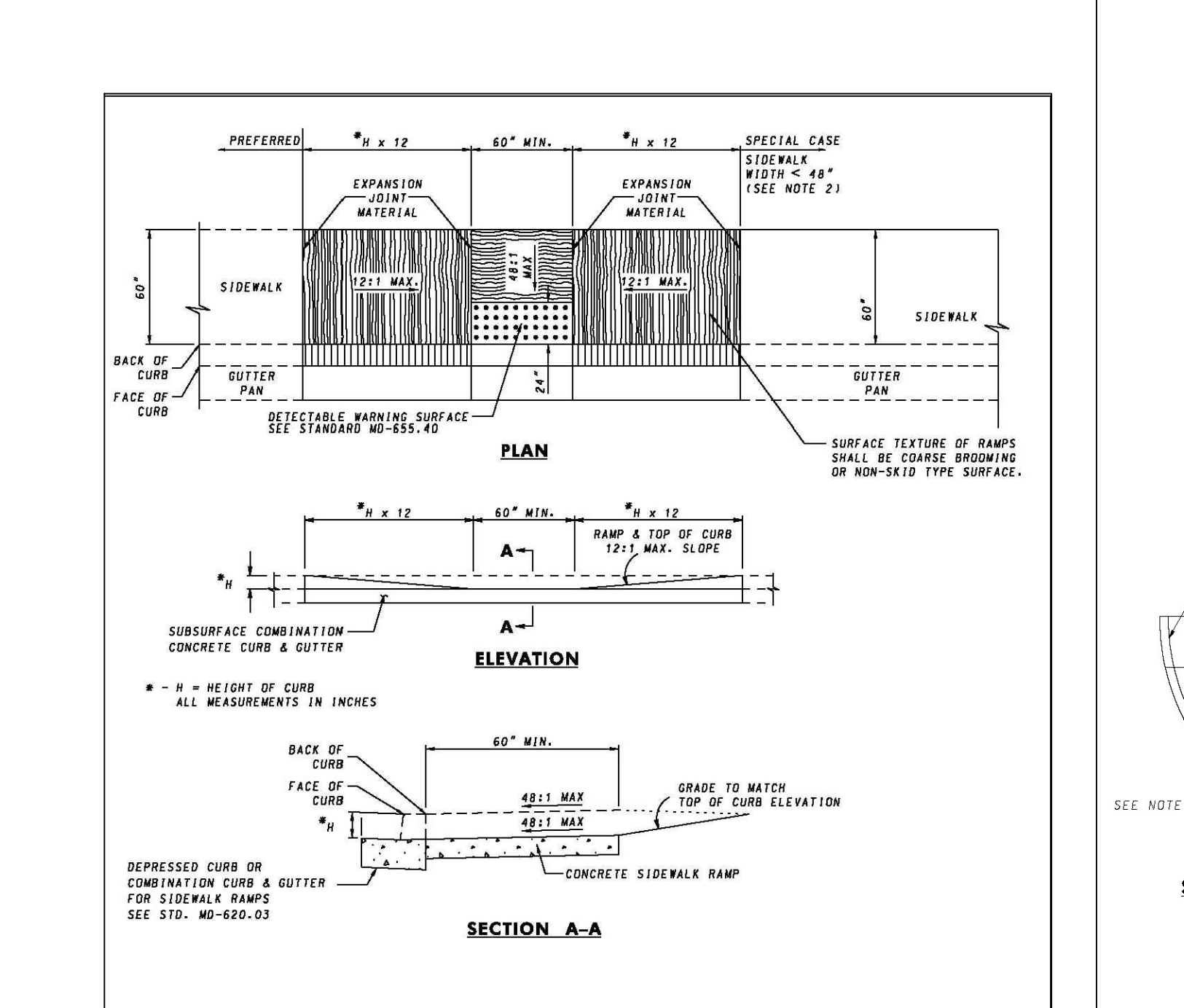
ROADWAY CROSS SECTION



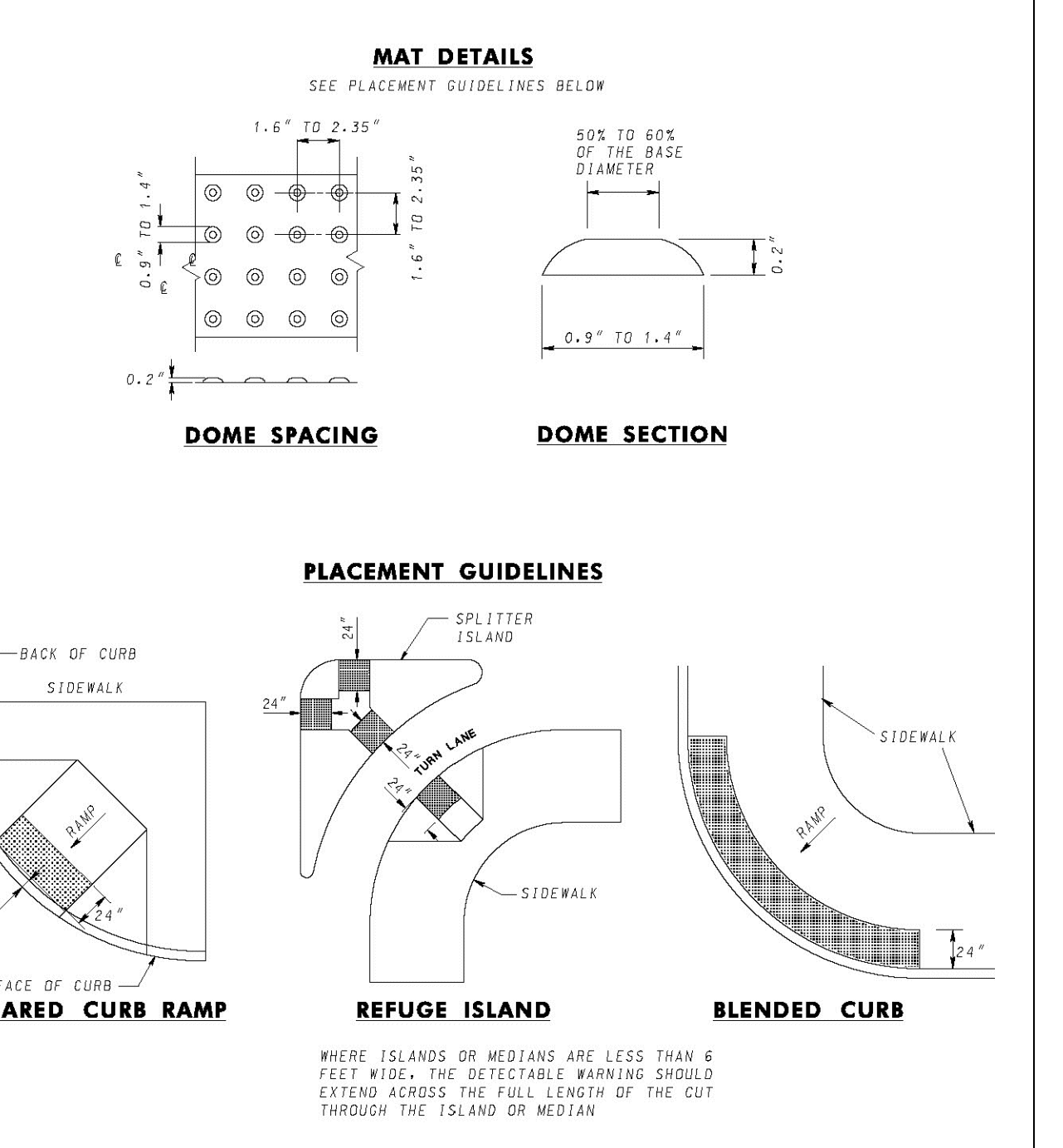
CURB AND GUTTER WITH GUTTER FLOW LINE



CURB AND GUTTER WITHOUT GUTTER FLOW LINE



SIDEWALK RAMP AND DETECTABLE WARNING SURFACE DETAILS



DETECTABLE WARNING SURFACES

DATE: 9-16-2021
IOTT PROJ. NO.: 19-055
DESIGN BY: KI
DRAWN BY: RE
SCALE: AS NOTED
STAGE: P-2
DWG. FILE: 12-041 C201

APPROVED: *K.E.G. Mullen*
DIRECTION: OFFICE OF HIGHWAY DEVELOPMENT
APPROVAL: SHA 3-10-04, FEDERAL 3-31-04
REVISIONS: 3-23-04, 4-2-04

Maryland Department of Transportation
STATE HIGHWAY ADMINISTRATION
STANDARDS FOR HIGHWAYS AND INCIDENTAL STRUCTURES
SIDEWALK RAMP PARALLEL
STANDARD NO. MD 655.12

Maryland Department of Transportation
STATE HIGHWAY ADMINISTRATION
STANDARDS FOR HIGHWAYS AND INCIDENTAL STRUCTURES
DETECTABLE WARNING SURFACES
STANDARD NO. MD 655.40

NO.	DATE	REVISIONS	REMARKS

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR CHECKED BY A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
ARCHITECTURE ENGINEERING INCORPORATED
310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND (410) 749-2229 • FAX (410) 749-0001

IOTT
RESIDENTIAL PLANNED COMMUNITY SHADYSIDE VILLAGE
TAX MAP 26, PARCEL 157
WORCESTER COUNTY, MARYLAND
SITE PAVING AND ACCESSIBILITY DETAILS

DATE: 9-16-2021
IOTT PROJ. NO.: 19-055
DESIGN BY: KI
DRAWN BY: RE
SCALE: AS NOTED
STAGE: P-2
DWG. FILE: 12-041 C201

APPROVED: *K.E.G. Mullen*
DIRECTION: OFFICE OF HIGHWAY DEVELOPMENT
APPROVAL: SHA 3-10-04, FEDERAL 3-31-04
REVISIONS: 3-23-04, 4-2-04

RESOLUTION NO. 21 - ____

**RESOLUTION APPROVING A PROPOSAL FOR AN
APPROVED PRIVATE ROAD FOR SHADY SIDE VILLAGE, LLC**

WHEREAS, the County Commissioners of Worcester County, Maryland received a request from Iott Architecture & Engineering, Inc. and Shady Side Village, LLC for approval of a certain private road and a certain road construction standard within the Shady Side Village Residential Planned Community (RPC) and serve thirty-three townhouse and duplex units within the RPC, said road construction standards shown on the plan attached hereto and made a part hereof; said Shady Side Village RPC located on the southerly side of MD Route 707 (Old Bridge Road), east of US Route 50, in Worcester County, Maryland; and

WHEREAS, Shady Side Village Residential Planned Community received Step I RPC approval from the County Commissioners on March 5, 2020 and the Step II RPC approval from the Planning Commission on August 5, 2020; and

WHEREAS, in accordance with the provisions of § 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 designation and road construction standard at its meeting of December 2, 2021; and

WHEREAS, the County Commissioners reviewed the request at their meeting of December 7, 2021 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 and the associated construction standard proposed by Iott Architecture & Engineering, Inc. and Shady Side Village, 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 _____ 2021.



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

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

PLANNING DIVISION
ZONING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Weston S. Young, P.E., Chief Administrative Officer
From: Jennifer K. Keener, AICP, Director *JKK*
Date: December 2, 2021
Re: Approved Private Road Request – Buttercup Lane, West Ocean City

During their regular meeting today, December 2, 2021, the Planning Commission reviewed a request for an approved private road submitted by Keith Iott, on behalf of Kathy Clark, for Shady Side Village Residential Planned Community. In addition, the request includes a proposal for a construction standard of their own design. A motion was made to forward a favorable recommendation to the Worcester County Commissioners pursuant to § ZS 1-123 Approved private roads, subject to addressing the comments of the County Roads Superintendent.

Please include this memo as part of the County Commissioners review of the request at their upcoming meeting of December 7, 2021.

As always, I will be available to discuss the matter at your upcoming meeting.



Worcester County Department of Environmental Programs
Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863
Tel: (410) 632-1220 | Fax: (410) 632-2012

Memorandum

To: Weston S. Young, P.E., Chief Administrative Officer

From: Robert J. Mitchell, LEHS, REHS/RS
Director, Environmental Programs 

Subject: Request for Public Hearing
Reclassification – Atlantic Coastal Bays Critical Area

Date: 11/29/21

The Department is in receipt of an application for a Critical Area Reclassification submitted by Hugh Cropper on behalf of Ayres Creek Family Farm, LLC. The reclassification request is for 8.34 acres of land from Resource Conservation Area (RCA) to Limited Development Area (LDA). The applicant alleges that an error occurred in the original district mapping for the area on Parcel 80, Lot 1, as shown on Worcester County Tax Map 33. The subject property is located along the western side of MD Rt 611, east of Ayres Creek, at 8219 Stephen Decatur Highway.

As the attached memorandum from Jenelle Gerthoffer, our Natural Resources Administrator details, these requests are reviewed by the Planning Commission and this application was favorably recommended at their meeting on November 4, 2021. Attached are staff's report, the site plan and property report along with the Planning Commission minutes.

Pursuant to our local law, I would therefore recommend and request the County Commissioners schedule the requisite public hearing necessary to correct our local program designation for the subject property. I have forwarded an electronic copy of the hearing advertisement to County Administration for their review.

Please do not hesitate to contact me should you have any questions.


Attachments



Worcester County
 Department of Environmental Programs
 Natural Resources Division

Memorandum

To: Robert Mitchell, Director

From: Jenelle Gerthoffer, Natural Resources Administrator 

Subject: Atlantic Coastal Bays Critical Area Amendment/Refinement Request

Date: November 29, 2021

Natural Resources has received an amendment/refinement request from Mr. Hugh Cropper IV of the Law Offices of Booth, Booth, Cropper & Marriner P.C. to seek a mapping mistake on the lands of Ayres Creek Family Farm, LLC located at Tax Map 33 Parcel 80 Lot 1, also known as 8219 Stephen Decatur Highway. The applicant would like to reclassify approximately 8.34 acres, as shown on the attached site plan, from Resource Conservation Area (RCA) to Limited Development Area (LDA).

As per NR 3-110, proposals for growth allocations, shall be reviewed by the Planning Commission, County Commissioners, and Critical Area Commission, but shall first be referred to the Department for review and subsequent recommendation. It is important to mention that this request is not a growth allocation request; however, if granted, the LDA acreage will be deducted from the County's available growth allocation acreage; therefore, this proposed mapping mistake requires your review. In addition, this proposal cannot qualify for a Growth Allocation because Lot 1 does not have adjacency to LDA or Intensely Developed Area (IDA) parcels/lots, as required per NR 3-110(b)(2).

Upon original receipt of this request, staff conducted a thorough review as well as forwarding to the State Critical Area Commission (CAC) staff for preliminary review. The Planning Commission made a favorable recommendation and at this time, a request is being made to schedule a public hearing for the proposed amendment/refinement. If the request is approved by the County Commissioners in a following session, the request is then forwarded to the Critical Area Commission for approval or denial.

Citizens and Government Working Together

When initially mapped, this property was designated as a Resource Conservation Area (RCA) due to the conditions and environmental aspects present at the time of mapping. As you are aware, the RCA designation within the Critical Area program is the most restrictive and is characterized by wetlands, forests, agricultural lands and various other nature dominated environments. Development, redevelopment, and land use activities occurring within this designation shall take place in a manner to conserve, protect, and enhance ecological values of the Critical Area as well as maintain and support agriculture, forestry, aquaculture, and fishery activities.

At the time of initial mapping, it was determined that this parcel did not qualify as an LDA designation per the description under NR 3-107(a)(1-4), as was typical with other golf courses within the Critical Area. It should also be noted that at the time of initial mapping, the boundaries of Lot 1 did not exist (this lot was created in 2020) and the area was part of Parcel 80, a 99.06 acre parcel. Per NR 3-107(a), LDAs “are those areas which are currently developed in low- or moderate-intensity uses. They also contain areas of natural plant and animal habitats. The quality of runoff from these areas has not been substantially altered or impaired. At the time of the initial mapping, these areas shall have at least one of the following features:”

1) Housing density ranging from one dwelling unit per five acres up to four dwelling units per acre.

At the time of initial mapping, housing density did not meet the ranges stated above. The main building on Lot 1 was originally permitted in May of 2001, prior to the implementation of the Atlantic Coastal Bays Critical Area Law, as a clubhouse to serve the adjacent 18-hole golf course. Since the golf course is no longer in place, the original clubhouse now serves as the offices for the Maryland Coastal Bays Program, as approved and permitted through text amendment and Bill #16-3 which was passed on April 19, 2016 and is associated with NR 3-108(d)(9). NR 3-108(d)(9) allows for an office and/or establishment utilized by a nonprofit environmental conservation and land preservation organization, subject to the following that the Organization(s) maintain a non-profit and/or tax-exempt status and that the total use area shall not exceed twenty thousand square feet in area.

2) Areas not dominated by agricultural, wetland, forest, barren land, surface water, or open space.

At the time of initial mapping, the parcel was dominated by open space, forest, and wetlands, as a part of the golf course. The majority of the property was included as open space area and therefore, was not suitable for an LDA or Intensely Developed Area (IDA).

It should be noted that six out of the seven golf courses located within the Critical Area in Worcester County are also located in either the RCA or LDA. Two are located in the LDA, both of which are associated with a community development. The only golf course located within an IDA in the County is located in Ocean Pines, and was established prior to the implementation of Critical Area regulations.

(3) Areas meeting the conditions of an Intensely Developed Area but comprising less than twenty acres.

The original parcel was larger than 20 acres, it was approximately 99.06 acres. This particular lot is 9.13 acres in total; however, the lot does not appear to meet conditions of and IDA designation.

(4) Areas having public sewer or public water, or both.

At the time of initial mapping, the parcel did not have public water or sewer, neither does it have public water or sewer at the current time. The lot does contain a Shared Facility system for sewage, which is a private/non-public system, to support this parcel and recently created neighboring lots also located within Critical Area boundaries.

Staff understands the motive and purpose of this proposed request to remap the property from RCA to LDA; however, given the current regulatory requirements for such a determination, staff cannot fully support the proposed request as submitted as the request is not consistent with description of the Limited Development Area Designation provided in NR 3-107(a)(1-4).

As noted above, this request is to schedule a public hearing for the proposed amendment/refinement to reclassify 8.34 acres of land, designated as RCA, to LDA, located at on the lands of Ayres Creek Family Farm, LLC located at Tax Map 33 Parcel 80 Lot 1, also known as 8219 Stephen Decatur Highway. If you have any further questions please feel free to contact me at jgerthoffer@co.worcester.md.us. I will make myself available the day that this will be presented in the event any questions are raised.

Attachments: Site Plan;
Environmental Report

cc: David Bradford, EP Deputy Director



**PO Box 66 Fruitland, Maryland 21826
coastalcompliancesolutions@gmail.com
410-726-8736**

**Atlantic Coastal Bays Critical Area Mapping Mistake
Environmental Report
Ayers Creek Family Farm
(Former Pine Shores South Golf Course)**



**8219 Stephen Decatur Highway, Berlin MD 21811
TAX MAP 33, PARCEL 80, LOT ONE
SDAT 10-019850**

**Prepared for:
Ayers Creek Family Farm LLC
9428 Stephen Decatur Highway
Berlin, MD 21811**

**Prepared By:
R.D Hand and Associates INC.
12302 Collins Road
Bishopville MD 21813**

**Coastal Compliance Solutions LLC
P.O. Box 66
Fruitland, MD 21826**

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Introduction:

This report is submitted in support of the application of Ayres Creek Family Farm, LLC, Todd E. Burbage, sole and managing member, to reclassify 8.34 acres of Resource Conservation Area (RCA) to Limited Development Area (LDA). The petitioned area is a portion of "LOT ONE" as designated on the Plat entitled "Boundary Line Adjustment Plan and Minor Subdivision Creating Lots 1, 2, & 3" by Frank G. Lynch, Jr. & Associates, Inc., dated June 23, 2020, and recorded among the Land Records of Worcester County, Maryland, in Plat Book SRB 249, Pages 1-4.

Lot One was originally part of the much larger parcel designated as Worcester County Tax Map 33, Parcel 80. Parcel 80 originally included seven parcels, which were previously consolidated in connection with a golf course and other amenities and re-assembled/re-subdivided by virtue of the aforementioned Boundary Line Adjustment Plat.

The 99.06 acre assemblage of properties will be referred to as Parcel 80. A portion of Parcel 80 lies outside the Atlantic Coastal Bays Critical Area (CA). In fact, a portion of Lot One lies outside the Atlantic Coastal Bays Critical Area, so this request is limited to 8.34 acres. Lot 1 is 9.13 acres, in total.

As will be explained in more detail later in this report, Worcester County Code, Section NR 3-108 governs RCA's. Specifically, Section NR 3-108(d)(2) permits "a golf course, excluding principal buildings and/or structures such as the clubhouse, pro-shop, parking lot, etc....." In this case, the golf course clubhouse, restaurant, snack bar (including liquor license), pro-shop, parking lot, etc. were all located on the 8.34 acres which is the subject of this request, as of the effective date of the CA. This was a mapping mistake, and this serves as the basis for the application.

In accordance with the requirements of the Atlantic Coastal Bays Critical Area Law (CA), Regulations and Local Program, this report has been prepared to address standards as defined in Code of Maryland Annotated Regulations (COMAR), most specifically in Section 27.01.01.03 and NR 3-110(a) Worcester County Code of Public Local Laws. As detailed in further sections, this report will specify and describe the request for the program refinement, detailing the evidence for the mistake rectification request. Further, details on existing impacts and existing habitat and resources, coupled with a specific understanding of why this program refinement and mapping mistake requested is warranted.

Subdivision History:

Prior to 1965, the farm consisted of seven separate parcels known as Worcester County Tax Map 33, Parcels 76, 77, 79, 80, 81, and 234, under single ownership.

The seven parcels were consolidated by virtue of a Declaration of Consolidation dated September 3, 1997 and recorded among the Land Records of Worcester County, Maryland in Liber RHO No. 2477, Folio 60. The Declaration of Consolidation was temporary, and once the "Golf Course Development" ceased to exist, the Declaration of Consolidation was, by its own terms, released and extinguished.

The consolidated parcel was known as Tax Map 33, Parcel 80 (99.06 acres).

On or about May 5, 2020, the property owner entered into a Shared Facility Agreement with the Worcester County Commissioners with respect to an on-site septic system, approved for three thousand five hundred (3,500) gallons per day. The Shared Facility Agreement is recorded among the Land Records, as aforesaid, in Liber SRB No. 7671, Folio 388, and it is memorialized in Worcester County Commissioners' Resolution No. 20-8.

By virtue of a plat dated June 23, 2020, the property was reassembled and resubdivided into five lots as designated on the Plat entitled "Boundary Line Adjustment Plan and Minor Subdivision Creating Lots 1, 2,



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 coastalcompliancesolutions@gmail.com
 410-726-8736

and 3" by Frank G. Lynch, Jr. & Associates, Inc., dated June 23, 2020, and recorded among the Land Records as aforesaid, in Plat Book SRB No. 249, Pages 1-4.

This application concerns Lot One as designated on said plat, which is 9.13 acres. The portion of Lot One in the Critical Area is 8.34 acres.

Additionally, the aforesaid Shared Facility is located on Lot One.

Background:

Prior to 1995, Parcel 80 was a working farm.

On September 5, 1996, the former owner, Mumford, Inc., Charles E. Mumford, III, President, was granted conditional site plan approval by the Worcester County Planning Commission for an 18 hole golf course, together with other amenities, originally known as the "Ayres Creek Golf Course" and later known as "The Creek Club." These improvements were proposed on the entirety of Parcel 80 (99.06 acres). Specifically, the clubhouse and pro-shop were located on Lot One. Construction commenced shortly thereafter, and on March 26, 1998, a Certificate of Occupancy was issued by Worcester County for a temporary clubhouse (24" x 44") on Lot One. Additional improvements were added including a clubhouse, separate golf cart storage building, ten station driving range, 18 hole putting course, with all required parking, among other things, on Lot One.

Maintenance buildings, bridges, and incidental structures associated with the golf course were built throughout Parcel 80.

In approximately 2001, the Creek Club was acquired by new owners, and renamed "Pine Shore South Golf Course." The clubhouse underwent substantial renovation, with the inclusion of a renovated pro-shop, retail area, and restaurant. An outside screened porch was added for seating associated with the restaurant/bar. The kitchen was renovated, and the new owners obtained a liquor license, all on the petitioned area, being a portion of Lot One. These structures and amenities were in full operation as of the effective date of the CA.

This serves as the basis for the program refinement. Although golf courses are permitted in an RCA, principal buildings and/or structures such as the clubhouse, pro-shop, parking lot, etc. are specifically prohibited. In this case, all of those amenities were constructed on Lot One, which is the subject of this request.

Additionally, and perhaps more importantly, at the time the septic requirement for a golf course was three thousand five hundred (3,500) gallons per day. An on-site sand mound/septic system was constructed on Lot One, in the petitioned area, to serve these uses. It has since been approved as a Shared Facility by the Worcester County Commissioners, and that Shared Facilities Agreement is recorded among the Land Records, as aforesaid.

Current Conditions:

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Parcel 80 is now known as the Ayres Creek Family Farm. It was purchased in 2014 out of foreclosure by Mr. Burbage from the bank. It is more widely known locally as the previous Pine Shores South Golf Course, an 18-hole working golf course with an existing pro-shop, maintenance building and restaurant. The existing maintenance buildings in recent years have been converted to storage and the pro-shop/restaurant has been utilized as a nonprofit environmental conservation organization location for the Maryland Coastal Bays Program. This use was authorized by virtue of a recent text amendment, namely the addition of NR3-108 (d) (9)

Parcel 80 has been maintained and planted in agriculture, mostly for hunting and recreating by the owner. As such, a conservation plan was composed and filed and approved by the Worcester County Soil Conservation District along with the Maryland Department of Agriculture, that codifies the current farming practices onsite. In the petitioned mistake area, there are many remnants of the former golf course with the associated pro-shop/restaurant that has been converted to the current use of a nonprofit environmental conservation and/or land preservation organization.

Parcel 80 is approximately 99 acres, of which approximately 81 acres are located within the limits of the CA. This application is proposing to reclassify under the basis of mistake, 8.34 acres of Resource Conservation Area (RCA) to Limited Development Area (LDA).

Change in Designation and Consistency with the Comprehensive Plan and Zoning:

The current land use designation in the CA is Resource Conservation Area (RCA). This application proposes to amend that designation only a portion of the property, a portion almost completely out of the Critical Area to Limited Developed Area (LDA). Since this request is a refinement to amend the original Critical Area Mapping, adjacency to existing LDA is not a requirement unlike as would be in a growth allocation request.

The site is currently zoned E-1 Estate District and more closely matches the LDA designation as opposed to the RCA designation given at the time of the original mapping. As noted in the Worcester County Comprehensive Plan (pages 20 and 26) the elimination of the Estate Zone is encouraged and reclassifying to something more appropriate is suggested.

The current existing wastewater disposal system, that is permitted and installed is sized to accommodate wastewater from a higher intensity use, such as office, restaurant, and pro-shop to more commercial in nature used. It is currently approved for over 3,000 gallons per day of wastewater.

Forest Identification and Protection:

Within the proposed mistake area are some scattered small trees and a portion of the expanded 100-foot buffer due to an existing blue line stream. Outside of that, the existing commercial area was and has remained unforested and abuts a former stormwater management facility. By virtue of redesignation of this area from RCA to LDA, there will be no impact on forest or habitat protection areas.

Stormwater Management:

As a currently developed site with Stormwater Management, the previous site best management practices (BMP) have been installed and can be utilized for site quantity controls. There is an existing wet detention pond adjacent to the proposed mistake area, which provides ample existing stormwater management for the mistake area.

Soil Erosion and Sediment Control:

Erosion and sediment control approval is not needed as part of the mistake/refinement of the proposed area.

Lot Coverage:



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As mentioned previously, the petitioned mistake area was utilized for a golf course restaurant and pro-shop and clubhouse for many years prior to the current owner purchasing it. Site improvements and existing lot coverage within the petitioned mistake area equal 1.24 acres or approximately 15% of lot coverage.

Mitigation for Clearing and Afforestation:

There is no requirement for mitigation as no clearing is proposed as part of the requested mistake refinement.

Buffer Management Plan:

There is no requirement for submission of a buffer management plan as part of the requested mistake refinement.

Habitat Protection Areas:

The expanded 100-foot buffer along the existing blue line stream is the only habitat protection area located within the petitioned mistake area. It is proposed to be unaffected by this refinement.

Section NR 3-107(a):

Section NR3-107(a) describes LDA'S as those areas which are currently developed in low or moderate – intensity uses. Currently, the site meets this definition, inasmuch as it is operated as a non-profit environmental conservation and/or land preservation organization. At the time of the initial mapping, these areas shall have at least one of the following features:

- (1) Housing density ranging from one dwelling unit per 5 acres up to 4 dwelling units per acre – there was no residential housing on the site at the time of initial mapping.
- (2) Areas not dominated by agricultural, wetland, forest, barren land, surface water or open space – the applicant contends that the site meets this requirement. At the time of initial mapping, the site contained a clubhouse, renovated pro shop, retail area, and restaurant. There was an outside screened porch for seating associated with the restaurant/bar. There was a full kitchen, as well as associated parking and storage. The area was not dominated by agricultural or open space uses.
- (3) Areas meeting the conditions of an Intensely Developed Area but comprising less than 20 acres – The applicant contends the site meets this requirement. Section NR3-106(a) provides that, at the time of initial mapping, IDA's shall have at least one of four features listed in that statute. Subsection (2) refers to industrial, institutional or commercial uses concentrated in the area. At the time of initial mapping, the site was known as the Pine Shores South Golf Course and the clubhouse had recently undergone renovation. There was a pro shop, retail area, and restaurant. There was outside seating for a restaurant/bar. In 2002, there was a liquor license issued for the site; these are clearly commercial uses, which meet the intent of Section NR 3-106(a)(2). The area is less than 20 acres.
- (4) Areas having public sewer or public water, or both – The applicant contends that the site meets the

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Intent of this section. The site is served by a commercially sized wastewater treatment system which serves other parcels/lots within the Critical Area, and the approved use of the environmental non-profit office on site. The wastewater treatment system has been approved as a "Shared Facility" by the Worcester County Commissioners, and a Shared Facility Agreement has been filed among the Land Records of Worcester County, Maryland. As such, the Worcester County Commissioners have the right to assume control and operation of the Facility, therefore making it a quasi-public sewer, and meeting the intent of subsection (4).

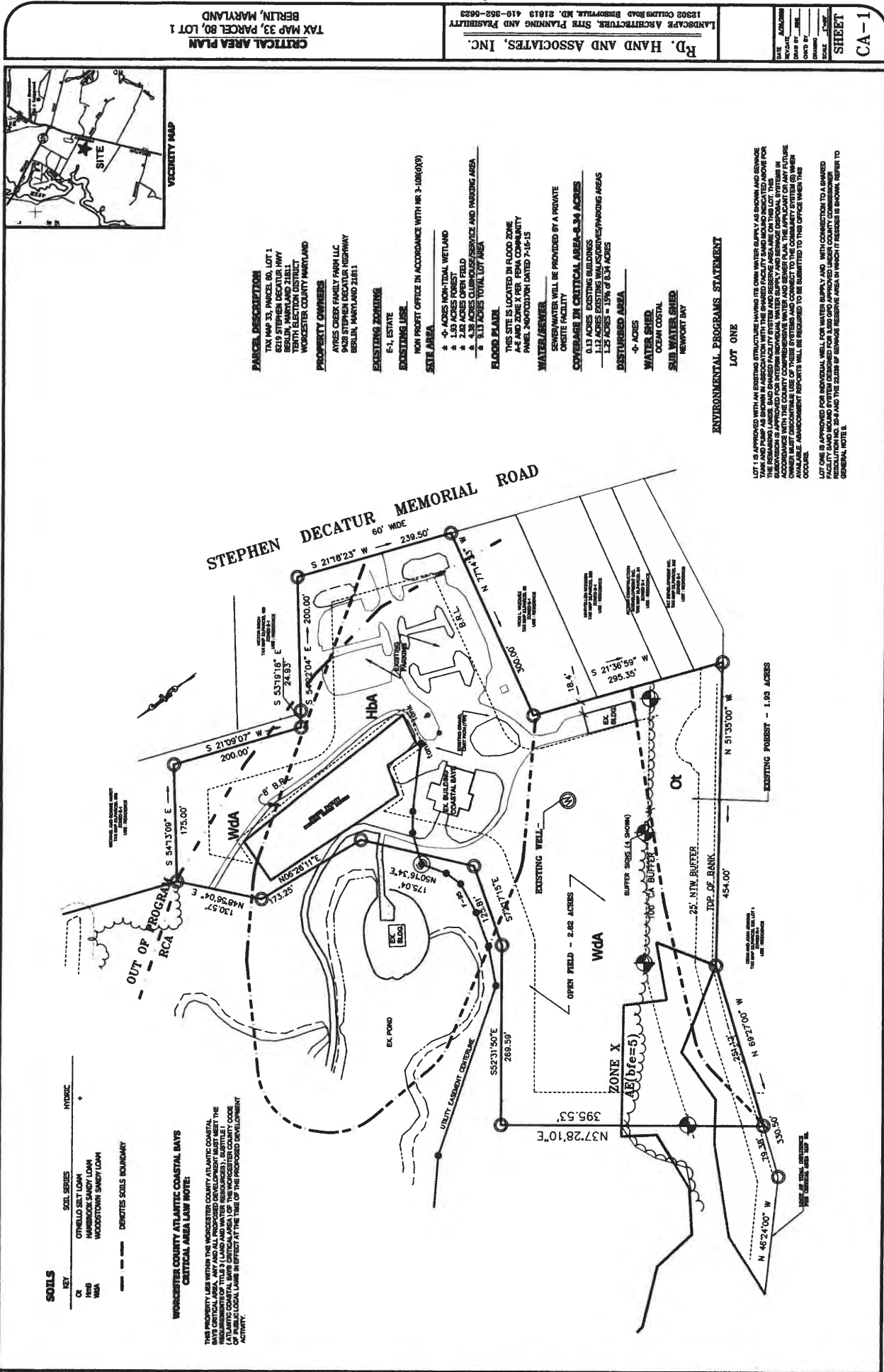
In conclusion, the applicant contends that, at the time of initial mapping, the site met three of the four features.

Summary:

As described above and denoted on the attached exhibit, the proposed 8.34 acre mapping mistake redesignation will have no material impact on the resources located with the Atlantic Coastal Bays Critical Area. The existing use predated the enactment of the Atlantic Coastal Bays Critical Area Law and is well documented by public aerial photograph and through previously issued County authorizations.

In conclusion, at the time of the original mapping, Lot One was mistakenly designated RCA. Due to the existing principal buildings and/or structures such as the clubhouse, pro-shop, parking lot, restaurant, snack bar, golf cart storage building, driving range, and putting course, it should have been designated LDA. The reclassification will correct this mapping mistake and bring the property into compliance.

(7/14/2021)



PARCEL DESCRIPTION
 TAX MAP 33, PARCELS 80, LOT 1
 2019 STEPHEN DECATUR HWY
 BERLIN, MARYLAND 21811
 TENTH ELECTION DISTRICT
 WOODSTOCK COUNTY MARYLAND

PROPERTY OWNERS
 AYES CREEK FAMILY FARM LLC
 2423 STEPHEN DECATUR HIGHWAY
 BERLIN, MARYLAND 21811

EXISTING ZONING
 E-1, ESTATE

EXISTING USE
 NON PROFIT OFFICE IN ACCORDANCE WITH MR 3-JOB(019)

SITE AREA
 4 0.4 ACRES NON-TIDAL WETLAND
 4 1.93 ACRES FOREST
 4 3.85 ACRES OPEN FIELD
 4 4.3 ACRES EXISTING SERVICE AND PARKING AREA
 4 9.13 ACRES TOTAL LOT AREA

FLOOD PLAIN
 THIS SITE IS LOCATED IN FLOOD ZONE
 PANEL 24042010RN DATED 7-16-15

WATER/SWEEPER
 SEWER/WATER WILL BE PROVIDED BY A PRIVATE
 ON-SITE FACILITY

COVERAGE IN CRITICAL AREA-8.94 ACRES
 0.13 ACRES EXISTING BUILDINGS
 1.5 ACRES EXISTING SERVICE AND PARKING AREAS
 7.31 ACRES TOTAL

DISTURBED AREA
 0 ACRES

WATER SHED
 OCEAN COSTAL
 NEWPORT BAY

ENVIRONMENTAL PROGRAMS STATEMENT
 LOT ONE

LOT ONE IS APPROVED WITH AN EXISTING STRUCTURE HAVING ITS OWN WATER SUPPLY AS SHOWN AND SHOWN
 TANK AND PUMP AS SHOWN IN ASSOCIATION WITH THE SHOWN FACILITY AND INDICATED ABOVE FOR
 THE REMAINING LOTS. A SOIL DAMAGED FACILITY SYSTEM AND RESERVE AREA ON THIS LOT. THIS
 SYSTEM SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE COUNTY CRITICAL AREA
 REGULATIONS AND THE COUNTY COMPREHENSIVE WATER AND SEWER PLAN. THE APPLICANT OR ANY FUTURE
 OWNER OF THIS LOT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SYSTEM(S) WHEN
 AVAILABLE. ENVIRONMENTAL REPORTS SHALL BE SUBMITTED TO THE OFFICE WHEN THE
 OCCURS.

LOT ONE IS APPROVED FOR INDIVIDUAL WELL FOR WATER SUPPLY AND WITH CONNECTION TO A SHARED
 FACILITY AND SOIL DAMAGED FACILITY SYSTEM FOR 3.000 GPD APPROVED UNDER COUNTY COMPREHENSIVE
 WATER AND SEWER PLAN AND THE ZONES OF SOIL DAMAGED RESERVE AREA IN WHICH IT RESIDES IS SHOWN. REFER TO
 GENERAL NOTE 3.

SOILS
 KEY
 OR
 WITH
 WDA
 WOODSTOCK COUNTY ATLANTIC COASTAL BAYS
 CRITICAL AREA LAW NOTE

THIS PROPERTY LIES WITHIN THE WOODSTOCK COUNTY ATLANTIC COASTAL BAYS
 CRITICAL AREA. ANY AND ALL PROPOSED DEVELOPMENT MUST MEET THE
 REQUIREMENTS OF THE WOODSTOCK COUNTY ATLANTIC COASTAL BAYS
 CRITICAL AREA LAW AND THE LOCAL LUMBS IN EFFECT AT THE TIME OF THE PROPOSED DEVELOPMENT
 ACTIVITY.

SOILS
 KEY
 SOIL SERIES
 HYDRO
 OTHELLO SALT CLAY
 WOODBROOK SANDY CLAY
 WOODSTOCK SHALTY CLAY
 DOTTED LINE BOUNDARY

WATER/SWEEPER
 SEWER/WATER WILL BE PROVIDED BY A PRIVATE
 ON-SITE FACILITY

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 GENERAL NOTE 3.

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – November 4, 2021

Meeting Date: November 4, 2021

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierrri, Chair
Rick Wells, Vice Chair
Marlene Ott, Secretary
Ken Church
Mary Knight

Staff

Jennifer Keener, Director, DRP
Gary Pusey, Deputy Director, DRP
Stu White, DRP Specialist
Bob Mitchell, Director, Environmental Programs
Dave Bradford, Deputy Director, Environmental Pgms.
Jenelle Gerthoffer, Natural Resources Administrator
Joy Birch, Natural Resources Specialist
Roscoe Leslie, County Attorney

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, October 7, 2021

As the first item of business, the Planning Commission reviewed the minutes of the October 7, 2021 meeting.

A motion was made by Ms. Ott, seconded by M. Wells, and carried unanimously to approve the minutes.

B. Board of Zoning Appeals Agenda, November 10, 2021

No hearing scheduled for November.

C. Technical Review Committee Agenda, November 10, 2021

No meeting scheduled for November.

III. Ayres Creek Family Farm, LLC Atlantic Coastal Bays Critical Area

Amendment/Refinement Request

A. As the next item of business, the Planning Commission reviewed an application associated with the Ayres Creek Family Farm, LLC Atlantic Coastal Bays Critical Area Amendment/Refinement Request to reclassify 8.34 acres of Resource Conservation Area (RCA) to Limited Development Area (LDA). This request is for Tax Map 33, Parcel 80, Lot 1 located at 8219 Stephen Decatur Highway. Planning Commission members previously received a survey of the property, the Critical Area report, and a report by Natural Resources staff.

Mr. Hugh Cropper and Mr. Chris McCabe represented the applicant. Mr. Cropper presented his argument that he believed the property should have been designated as LDA when the Critical

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Area maps were first created because the property and area within the Critical Area included a clubhouse that serviced the adjacent golf course use. It was noted that this clubhouse had received all proper permits and its liquor license in 2002. Mr. Cropper referenced NR 3-108(d)(2), which allows for golf courses, but not principal buildings and/or structures, to be permitted in the RCA. Mr. Cropper also stated that some properties are partially located within the Critical Area, including this one and that this lot was originally part of parcel 80, which is also partially located outside the Critical Area. He also cited NR 3-107(a)(3) and mentioned that Lot 1 is less than 20 acres in size, so it could possibly even be considered an Intensely Developed Area (IDA).

Planning Commission member Ken Church asked Mr. Cropper if permits for the clubhouse were approved by Worcester County, to which Mr. Cropper replied yes. Mr. Cropper stated that Ms. Keener had provided him with all past permits associated with the petitioned area.

Following the brief discussion, a motion was made by Ms. Knight, seconded by Mr. Church, to approve the reclassification of the 8.34 acres of Resource Conservation Area to a Limited Development Area and recommended that they forward a favorable recommendation to the County Commissioners. There were five (5) Commission members present at this meeting, and four (4) out of the five (5) supported the recommendation, with one (1) Member against.

IV. Comprehensive Water and Sewerage Plan Amendment

- A. As the next item of business, the Planning Commission reviewed an application associated with the expansion of the Pocomoke City Sewer Planning Area to serve a single property, the Royal Farm store located just south of the Virginia state line in New Church Virginia in the *Master Water and Sewerage Plan (The Plan)*. The Town of Pocomoke City submitted the amendment. Robert Mitchell, Director of Environmental Programs, presented the staff report to the Planning Commission and Jeremy Mason, City Manager for Pocomoke City, was also present and participated in the presentation.

Mr. Mitchell explained that the applicant requests the inclusion of the store's flow, estimated at 2,250 gpd, in the Sewer Planning Area of Pocomoke City. This flow would amount to nine (9) EDUs of flow according to the Town's planning figures. The store will connect to a previously installed line completed in 2010 that serves the Virginia Rest Area Plaza, which is also located in New Church, Virginia, south of this property. That plaza tied into an existing force main that runs south from the corporate limits of Pocomoke City to the Virginia state line. The amendment for that prior connection was approved in 2010 under Worcester County Commissioner Resolution No. 10-11. That amendment also provided for the sewer main widening project that would assist with the delivery of sewage from the southern end of their service area to the plant.

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Mr. Mitchell further explained that the current onsite septic system serving the property has failed and the option for repair is limited to a connection to public sewer. He noted that the Pocomoke City Wastewater Treatment Plant (WWTP) is already receiving their sewage as part of their septage receiving flow as the store is on a pump-and-haul arrangement at the present time. That use of the current septic system as a holding tank which needs pumping out every few days is a costly expense for the store's owner. The lack of a sufficient septic repair option, a desire on the town's part to avoid a blighted property on a major route into town, and an existing sewer line that runs right in front of the store are just some of the reasons behind the consideration on the town's part to plan for this connection. They would also like to secure a working relationship with the Royal Farms ownership group in hopes of an expansion within town limits for another store in the near future. The corporation will pay all infrastructure, connection, and associated town charges for this sewer hookup. Besides the visitor's center, this is the only location over the Virginia line that the town will support a tie-in to their WWTP. Mr. Mason confirmed Mr. Mitchell's statements and added that they do not want a blighted Rt. 13 commercial corridor and would not consider this connection, save for the fact they are already receiving the septage from the store and the connecting sewer line is already adjacent along the front of the property.

Mr. Mitchell also reviewed a previously approved amendment (SW-2003-06), that approved the corridor of properties south of the town boundary to the Virginia state line. The town has annexed the median of Route 13 to the state line and the area was designated S-1 by the same amendment. This provides adjacency of an S-1 planning area for the subject property requested in this amendment. The transmission line is currently designated as a restricted access line and this amendment requests that designation remain, save for the addition of the subject property.

Mr. Church questioned how this was advantageous if tax revenue from out-of-state companies would not benefit the Town or the County. Mr. Mitchell noted they are already servicing the station right now, as they do treat septage from septic pump-outs delivered from the Town of Chincoteague and much of the northern Eastern Shore of Virginia. It is a revenue item for the Town of Pocomoke. He also added that the elimination of the septic system was in the best interest of the watershed as this was part of the Lower Pocomoke watershed and elimination of the large septic by connection could be credited toward nutrient reduction for the Chesapeake Bay. Mr. Mason confirmed that statement and added that the revenue helps fund the salaries of his WWTP staff and helps with operating costs. Mr. Mason also stated that the oil company behind the Royal Farm store was not defunct and was an abandoned property. Since Royal Farms remodeled their store before the septic failed, they have the added expense of paying for the remodeled store and the costly pump-and-haul arrangement they are currently funding.

Mr. Wells asked if the line was sized for just the store and no other connections. Mr. Mitchell responded that the line was telescoped in size down Rt. 13 to the state line and would only be

WORCESTER COUNTY PLANNING COMMISSION
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able to handle a limited number of connections. The line on the Virginia side is to be designated denied access and will only be available to the previous Travel Plaza connection and this property if approved.

Ms. Knight spoke in favor of assisting the Town with their business development efforts. Mr. Mason spoke again of not wanting to have derelict and closed commercial properties in this service corridor and their relationship with Royal Farms that they want to cultivate for additional development within the Town's corporate limits. Mr. Mitchell finished by noting the corridor's importance in the Town's comprehensive plan and the assistance and cooperation of the County in working with the Towns to help their economic development efforts noted in the County's *Comprehensive Plan*.

Following the discussion, a motion was made by Ms. Knight, seconded by Ms. Ott, and to find this application consistent with the *Comprehensive Plan* and recommended that they forward a favorable recommendation to the County Commissioners. The vote was 3-2 with Commissioners Church and Wells opposed. This vote is treated as a favorable recommendation.

- IV. **Adjourn** – A motion to adjourn was made by Ms. Ott and seconded by Mr. Wells. The Planning Commission adjourned at 1:35 P.M.

Jerry Barbierri, Chair

Stuart White, DRP Specialist



Worcester County Department of Environmental Programs
Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863
Tel: (410) 632-1220 | Fax: (410) 632-2012

Memorandum

To: Weston S. Young, P.E., Chief Administrative Officer

From: Robert J. Mitchell, LEHS, REHS/RS
Director, Environmental Programs

A handwritten signature in blue ink, appearing to be "RM", is written over the name of the sender.

Subject: Request to add the Nutrient Trading Option for Maryland Coastal Bays Watershed

Date: 11/29/21

Maryland's Coastal Bays are sometimes referred to as the "forgotten bays" as state legislation and programmatic innovations are centered around the Chesapeake Bay. Both Worcester County and the Maryland Coastal Bays Program (MCB) have done much to bring these inconsistencies to light in our communications and testimonies on relevant legislative and administrative regulatory matters,

One such issue is that Maryland's Water Quality Trading Program, a tool to enhance the restoration and protection of the bay and local waters, is currently limited to just the Chesapeake Bay. Despite this inconsistency being raised in MCB Policy Committee meetings with Maryland Departmental Secretaries present, the Atlantic Coastal Bays have not yet been added to the state regulations permitting such actions. The program's charge is to create a public marketplace for nitrogen phosphorus and sediment reductions. It is a voluntary program that works to enhance the restoration and protection of our watersheds by accelerating the pace and reducing the costs of implementation efforts in reducing nutrient and sediment pollution.

The solution is a rather simple one, it would be to add references for Atlantic Coastal Bays to the Trading Regulations under Maryland Code of Regulations (COMAR) 26.08.11. The state has indicated that they are conducting an internal legal review that would confirm that this change would not need to go to the legislature under a process of review by the Committee on Administrative, Executive & Legislative Review (AELR), which is sometimes a lengthy and contentious evaluation.

We are requesting approval to prepare a letter for the President's signature that would be sent to the Secretaries of the Maryland Departments of Environment and Agriculture that we encourage the state review and correct this situation for the benefit of the restoration and protection of our local waters here in Worcester County,

Please do not hesitate to contact me should you have any questions.

Attachment

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 08 WATER POLLUTION

Chapter 11 Maryland Water Quality Trading Program

Authority: Agriculture Article, §§8-901 and 8-904; Environment Article, §§9-313, 9-315, 9-319, and 9-325; Annotated Code of Maryland

.01 Purpose.

* A. The purpose of this chapter is to establish a Water Quality Trading Program between the agricultural, stormwater, wastewater, and on-site sewage disposal sectors that attracts public and private participation and enhances Maryland's effort to protect and restore not only the water resources of the Chesapeake Bay and its tributaries, but also local waters. Trading may supplement the more traditional governmental approaches for improving water quality and has the potential to achieve results faster and at a lower cost, accelerating efforts to restore and improve water quality. The Program expands opportunities for point sources and nonpoint sources by creating a water quality marketplace that allows them to meet and maintain pollutant load limits through the acquisition of credits generated by pollutant load reductions elsewhere in Maryland's portion of the Chesapeake Bay watershed as long as the trade does not cause or contribute to a violation of State water quality standards.

B. General Structure of Program.

- (1) The Program is voluntary and relies on a market-based approach to offer economic incentives for pollutant reductions from point and nonpoint sources.
- (2) The State provides the infrastructure to support trading through an online suite of tools that includes:
 - (a) The Maryland Nutrient Tracking Tool used by agricultural credit generators;
 - (b) The central Registry; and
 - (c) The optional Marketplace.
- (3) The price of each credit is negotiated between the credit seller and the credit buyer.

.02 Scope.

This chapter establishes Maryland's Water Quality Trading Program and sets forth the criteria under which the Program will operate, including:

- A. Purpose;
- B. Definitions;
- C. Program framework;
- D. Baseline requirements;
- E. Calculation of credits;



Worcester County Department of Environmental Programs

Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863

Tel: (410) 632-1220 | Fax: (410) 632-2012

Memorandum

To: Weston S. Young, P.E., Chief Administrative Officer

From: Robert J. Mitchell, LEHS, REHS/RS 

Subject: **Public Hearing on the Comprehensive Update of the Atlantic Coastal Bays and Chesapeake Bay Critical Area Codes**
Additional Materials

Date: 11/29/21

The Department has now completed the listening sessions for the Comprehensive Update of the Critical Area Code. As Ms. Gerthoffer's memo details, we held public listening sessions in the northern and southern county, as advertised, to take public comments and questions on the code update. Those questions and staff responses are attached to her memo. The County Commissioners have the option to review and accept these suggestions at the public hearing and we will be happy to respond to specific inquiries on those responses and the updated code.

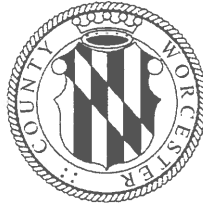
We have previously attached the hard copy bill in addition to a digital copy shared with County Administration and our County Attorney, posted on the County website and available at the listening sessions. We have attached a road map for the legislation changes and a short powerpoint slide presentation for the Commissioner's review that we would like to provide on the screen during the presentation of this bill at the legislative hearing on December 7th. As a reminder, the bill's text has strike-and-replace for deletions and all additions of language are presented in caps.

As stated previously, the bill simply codifies the combination of our existing programs and provides updates in accordance with state law changes that are already enforced by staff. It does not address or include any additional regulations over and above that which we already must apply, or have agreed to in prior local amendments to this code.

If you have any questions or need any additional information please let us know. Both myself and members of my staff will be available to discuss this update with you and the County Commissioners at the public hearing.

Attachments

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

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

COMMISSIONERS
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DIANA PURNELL

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
Snow Hill, Maryland
21863-1195

MEMORANDUM

TO: *The Daily Times* Group and *Ocean City Today* Group
FROM: Weston S. Young, Chief Administrative Officer
DATE: September 23, 2021
RE: Notice of Introduction of Bill 21-8

Please print the attached notice in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on October 7, 2021 and October 14, 2021.

NOTICE OF INTRODUCTION OF BILL 21-8 WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 21-8 (Natural Resources – Critical Area Law) was introduced by Commissioners Nordstrom and Purnell on September 21, 2021.

A fair summary of the bill is as follows:

§NR 3-101. Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-102: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations (i.e. provide definition for lot coverage which took the place of the term impervious surface).

§NR 3-103: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-104: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-105: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.

§NR 3-106: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations, including updating adjacency regulations.

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ITEM 20

§NR 3-107: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations. Some language changes made to reflect new terminology (i.e. lot coverage verse impervious surface).

§NR 3-108: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Special Event Language added, as previously adopted locally by the County Commissioners on May 19, 2020 with passage of Bill # 20-3.

§NR 3-109: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-110: Changes made to update current State regulations.

§NR 3-111: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations, including After the Fact variance requests and Administrative variances.

§NR 3-112: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-113: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.

§NR 3-114: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations. Unauthorized clearing section originally from §NR 3-116(g) moved to this section.

§NR 3-115: This section was entirely placed within §NR 3-114, then the Lot Consolidation and Reconfiguration section (from COMAR) was added to the Worcester County Code; therefore, the language in this section is completely new and added to update to current State regulations.

§NR 3-116: Parts of this section were deleted because they are not in COMAR. Other parts of this section (g-Enforcement) were placed in §NR 3-114.

§NR 3-117: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-118: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-119: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.

§NR 3-120: No changes.

§NR 3-121: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Removed section on Bald Eagles as they are no longer considered an endangered species.

§NR 3-122: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Removed “wetlands” from section.

§NR 3-123: Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-124: Changes made to combine the Chesapeake and Atlantic Coastal Bays.

§NR 3-125: No changes.

§NR 3-126: This is a completely new section, taken from COMAR/State regulations.

§NR 3-127: This section was renumbered from §NR 3-126. Changes made to combine the Chesapeake and Atlantic Coast Bays sections and to update current State regulations.

§NR 3-127 (original code): This section was removed because Maryland Department of Environment oversees wetlands.

§NR 3-127: This section was renumbered from §NR 3-126. Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update to current State regulations.

§NR 3-128: This is a new section based on recent regulations passed by the Critical Area Commission on April 1, 2021.

A Public Hearing

will be held on Bill 21-8 at the Commissioners’ Meeting Room, Room 1101 – Government Center, One West Market Street, Snow Hill, Maryland on **Tuesday, December 7, 2021 at 10:30 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center. A full copy of the bill with an option to submit comments will also be available by a link provided on the County Website at www.co.worcester.md.us.

THE WORCESTER COUNTY COMMISSIONERS




Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Robert Mitchell, Director

From: Jenelle Gerthoffer, Natural Resources Administrator 

Subject: Comprehensive Update of the Atlantic Coastal Bays and Chesapeake Bay Critical Area Codes

Date: November 29, 2021

The Natural Resources Division has finished drafting the Comprehensive Update of the Worcester County Atlantic Coastal Bays and Chesapeake Bay Critical Area programs, which includes the combination of the two programs into a simplified code. This Comprehensive update has been reviewed by Worcester County Natural Resources and contracted reviewer, Worcester County Attorney (past and present), and the State Critical Area Commission. All changes made reflect what is currently enforced by the Department through the Code of Maryland Regulations (COMAR) and will reflect the Model Ordinance written by the State Critical Area Commission, with language adapted to blend with Worcester County's Code of Public Local Laws.

The Division introduced the Comprehensive update to the Planning Commission in February of 2021 and then again on September 2, 2021. The Comprehensive update was then introduced at the County Commissioner's meeting on September 21, 2021. After the Bill was introduced, a link to the Bill text and contact information were placed on the County website for public review and comment. In addition, on October 20th and 27th, the Department held listening sessions in the Northern and Southern areas of the County, as advertised on the County website and a press release. There were nine attendees at the October 20th meeting at the Ocean Pines Library and one attendee at the October 27th meeting at the County Government Center. A list of all comments and questions received from the Planning Commission meeting, listening sessions, County website portal, and/or email, telephone, or fax were compiled and are being provided in conjunction with this memorandum.

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The public hearing is scheduled for December 7, 2021. Staff will present a PowerPoint and will be available for any comments or questions. In addition, Critical Area Commission staff and Peter Johnston of Peter Johnston & Associates, LLC, will be present for any questions or comments.

If approved by the Worcester County Commissioners, the Division is required to formally submit the Comprehensive update to the Critical Area Commission who will also hold a hearing. If approved by the Critical Area Commission, the County Commissioners will have a 60 day time period to adopt the Comprehensive update.

Should you have any questions or concerns, please feel free to contact me.

Attachments: Proposed Critical Area Code Comprehensive Update;
Roadmap;
Question & Comment Table;
Critical Area PowerPoint

cc: David Bradford, Deputy Director of Environmental Programs




Worcester County

Department of Environmental Programs
Natural Resources Division

Question/Comment	Staff Response
<p>1. A recommendation was made during the Planning Commission hearing to keep or edit the language seen in NR 3-121(c)(1-4) Standards for Bald Eagle Protection. The specific recommendation was to keep the language in case Bald Eagles were reintroduced to the threatened and endangered species or species in need of conservation list at the Federal level. Another comment was made during a listening session that this section be kept and have the possibility to add protection for herons as well.</p>	<p>Staff removed this section as eagles are no longer considered a threatened and endangered species or species in need of conservation according to the U.S. Fish and Wildlife Service. In addition, this language is not present in COMAR. If the Commissioners would like for this language to remain, it would be placed (as it currently exists) in NR 3-121(c)(1-4).</p>
<p>2. What is the Buffer Mitigation ratio?</p>	<p>The Buffer Mitigation ratio is as noted in NR 3-104(h)(1), which provides a breakdown of mitigation required for different impacts to the Buffer.</p>
<p>3. Does the State Critical Area Commission review After-the-Fact Variances?</p>	<p>Yes, all cases are sent to the Critical Area Commission for comment prior to the case hearing, in addition to a review by Natural Resources staff.</p>
<p>4. Are there any new or changing Significant Habitat Areas or Natural Heritage Areas?</p>	<p>No, all Significant Habitat Areas or Natural Heritage Areas seen in NR 3-121(a)(1-2) and NR 3-122(c)(10)(A)(1-3) were moved, word for word, from the Chesapeake Bay Critical Area Code to this proposed update and combined Code.</p>
<p>5. What is the reasoning for removing NR 3-127 Nontidal Wetland and Nontidal Wetland Buffer Regulations?</p>	<p>Maryland Department of the Environment (MDE), not Worcester County, has jurisdiction over these areas, so it is redundant to have in this text. As you can see in NR 3-109(d)(1), an applicant is still required to show all tidal and nontidal wetlands on a site plan. During the review stage, if Staff sees disturbance proposed to a tidal or non-tidal wetland and/or associated buffer, Staff will ensure that proper permits or authorizations provided by MDE.</p>
<p>6. Could a lot consolidation of two lots, one waterfront and one non-waterfront, but adjacent, be able to be done? There are perceptions that a loss of buildability or a penalty would occur if the owner did this.</p>	<p>Without knowing the specific property and based solely on Critical Area regulations, yes, a lot consolidation could be done without penalty. The applicant would have to go through the consolidation process and ensure this would be possible from all Departments and</p>

Citizens and Government Working Together

<p>7. Edits removing Worcester County Commissioners and inserting Critical Area Commission in the text, will this result in a change of final approvals (e.g. NR 3-110 Amendment and Refinements)?</p>	<p>Divisions who review subdivision and consolidation plats.</p> <p>No, the Worcester County Commissioners will continue to have the final say. Projects, text amendments, growth allocations, etc. are reviewed by the Critical Area Commission, after being reviewed by Staff and the County Commissioners. In regards to amendments and refinements, per NR 3-110, the Critical Area Commission Chair makes the initial determination if a proposed change should be considered and amendment or a refinement. Once the Critical Area Commission makes a ruling on a request, the County Commissioners have a specific time period to adopt whatever was approved by the Critical Area Commission. If the County Commissioners do not agree with the Critical Area Commission's approval, they do not have to accept it. This is best highlighted in the following image taken directly from the PowerPoint presentation, on the Growth Allocation slide.</p> 
<p>8. Will lot coverage be grandfathered?</p>	<p>There are no specific changes proposed for this. Currently, lot coverage on a specific lot or parcel, that existed prior to the adoption of the respective Critical Area program, does not require mitigation for. It should be mentioned that all lot coverage, pre-Critical Area or post, will be counted towards the total lot coverage on a property. If a property is located within the LDA or RCA, there are lot coverage limitations in place per NR 3-107(c)(8)(E).</p>
<p>9. Are there any major changes between the Atlantic Coastal Bays Critical Area Code and the Chesapeake Bay Critical Area Code?</p>	<p>There are a few minor differences, such as the buffer size for a timber harvest. This difference will not be changed in the proposed update. Another difference between the two Codes is that there have been numerous text amendments in the Atlantic Coastal Bays Critical Area Program, specifically NR 3-108(d)(1-10), which have not been completed in the Chesapeake Bay Critical Area Program. By combining the two Codes, properties in the Chesapeake Bay Critical Area will no longer be at a disadvantage and they will have the same land use allowances within the Resource Conservation Area.</p>

Worcester County Critical Area Code Update

Roadmap for Changes and Updates- 9/13/2021

Code Section	Summary of Code Amendment and Justification	Notes and Comments
NR 3-101 Intent; Purpose; Findings; Severability	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.	
NR 3-102 Definitions	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations (i.e. provide definition for lot coverage which took the place of the term impervious surface). Definition for "Special Events" added per text amendment.	
NR 3-103 Development in the Critical Area	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations	
NR 3-104 The Buffer	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.	
NR 3-105 Grandfathered Uses Structures and Density	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.	
NR 3-106 Intensely Developed Areas	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.	
NR 3-107 Limited Development Areas	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations. Some language changes made to reflect new terminology (i.e. lot coverage vs impervious surface)	
NR 3-108 Resource Conservation Areas	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Special Event text amendment language added.	
NR 3-109 Implementation of the Critical Area Provisions	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.	
NR 3-110 Amendment and	Changes made to update current State regulations.	

Worcester County Critical Area Code Update

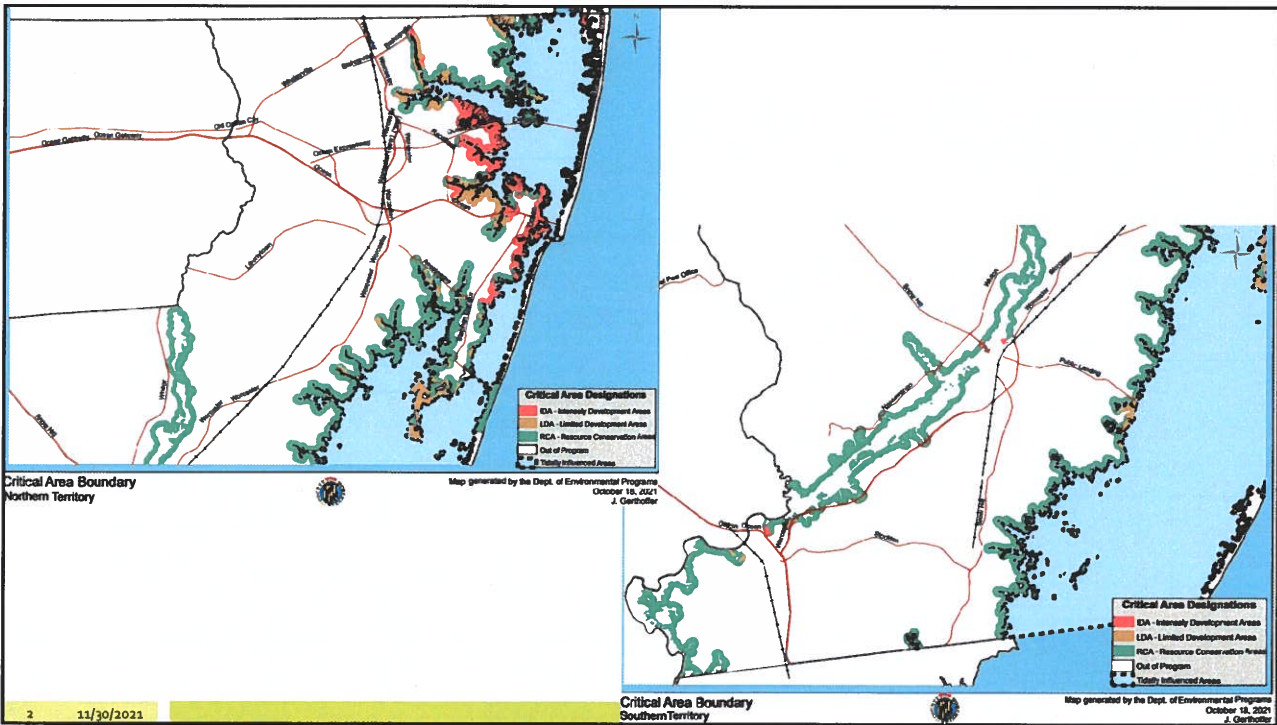
Refinements	
NR 3-111 Variances	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations, including After the Fact variance requests, per COMAR
NR 3-112 Growth Allocation	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-113 Intrafamily Transfers	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.
NR 3-114 Administration and Enforcement	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations. Unauthorized clearing section originally from NR 3-116(g) moved to this section as it makes more sense to be placed within the enforcement section.
NR 3-115 Cutting and Clearing of Trees/ Lot Consolidation and Reconfiguration	This section was entirely placed within NR 3-114, then Lot Consolidation and Reconfiguration section (from COMAR) was added to the Worcester County Code; therefore, the language in this section is completely new and added to update to current State regulations.
NR 3-116 Forest and Woodland Protection	Parts of this section were deleted because they are not in COMAR. Other parts of this section (g-Enforcement) were placed in NR 3-114 as it makes more sense to be placed within the enforcement section.
NR 3-117 Commercial Timber Harvesting	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-118 Surface Mining	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-119 Agriculture	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.
NR 3-120 Habitat Protection	No changes.
NR 3-121 Threatened and Endangered Species and Species in Need of Conservation	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Removed section on Bald Eagles as they are no longer considered an endangered species.
NR 3-122	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.

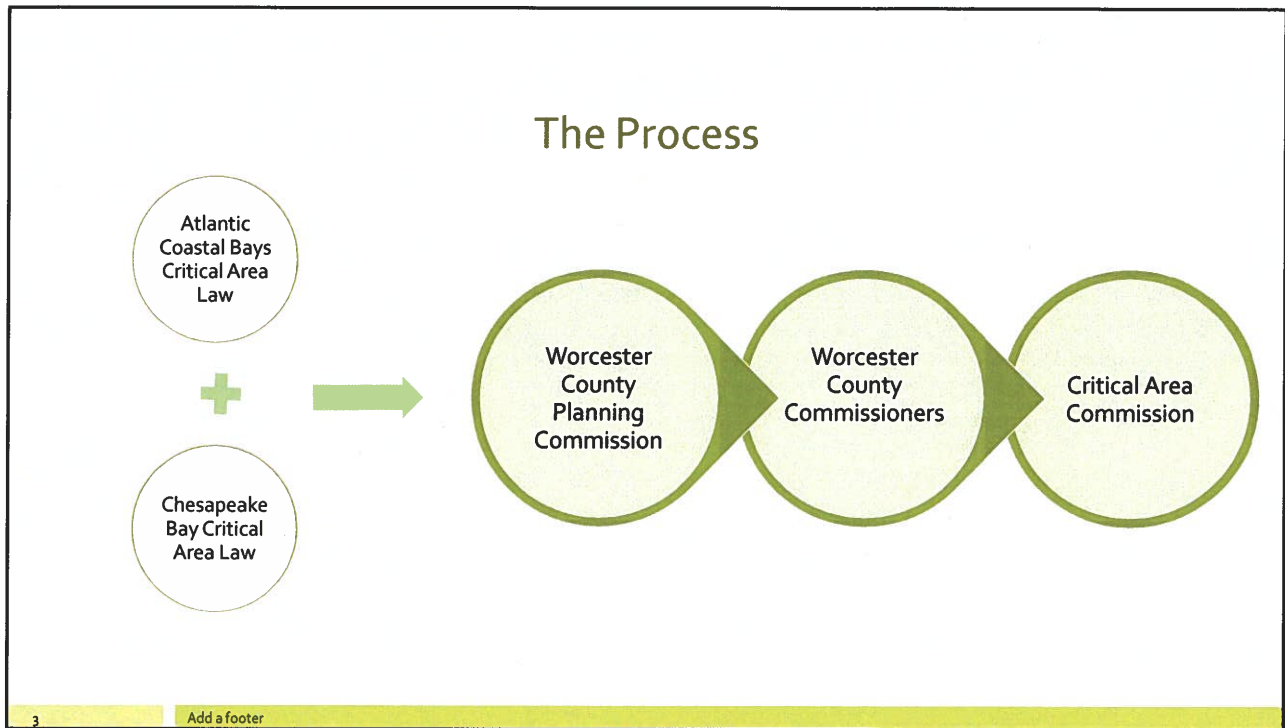
Worcester County Critical Area Code Update

Plant and Wildlife Habitat Protection Plan	Removed "wetlands" from section because this is now under the jurisdiction of MDE.	
NR 3-123 Anadromous Fish Propagation Waters	Changes made to combine the Chesapeake and Atlantic Coastal Bays Sections and to update current State regulations.	
NR 3-124 Water Dependent Facilities	Changes made to combine the Chesapeake and Atlantic Coastal Bays.	
NR 3-125 Individual Private Piers and Docks	No changes.	
NR 3-126 Non-water Dependent Structures on Piers	This is a completely new section, taken from COMAR/State regulations.	
NR 3-127 Shore Erosion Protection Works	This section was renumbered from NR 3-126. Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.	
NR 3-127 (old code section)	This section was removed because MDE now oversees all Non-Tidal Wetlands.	
NR 3-128 Renewable Energy Generating Systems	This is a new section based on recent regulations passed by the Critical Area Commission on April 1, 2021.	

Worcester County Critical Area Law

Combining the Chesapeake & Atlantic Coastal Bays Critical Area Programs





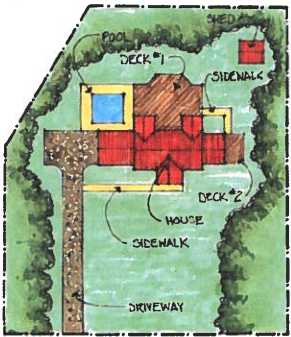
The Buffer (NR 3-104)

- Include need for expanded Buffer within the RCA.
- Include Buffer Establishment, as already enforced, from the Model Code.
- Include Buffer Mitigation ratios, as already enforced, from the Model Code.
- Provide a reference to the Buffer Management Area Appendix.

4 Add a footer

Lot Coverage (NR 3-107)

- The percentage of a total lot or parcel that is:
 - Occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway;
 - Or covered with a paver, walkway gravel, stone, shell, impermeable decking, a paver, permeable pavements, or other manmade material;
 - The ground area covered or occupied by a stairway or impervious deck.



5

Variances (NR 3-111)

- Added language from the Model Ordinance for After-the-Fact variance request.
- Samples of recent ATF variance requests in 2020:
 - Request for an ATF patio and walkway in the IDA in a 15' BMA (Isle of Wight) → this request was granted
 - Request for an ATF patio in the IDA in a 15' BMA (Ocean Pines) → this request was granted
 - Request for an ATF stone wall and patio in the LDA in a 100' Buffer (Bishopville) → this request was granted



6

Add a footer

Growth Allocation (NR 3-112)

- What is a Growth Allocation → A request to change a specific acreage of upland from a Resource Conservation Area (RCA) to a Limited Development Area (LDA) or to change a specific acreage of upland from Limited Development Area (LDA) to Intensely Developed Area (IDA)
- An applicant must meet specific requirements for a request (see NR 3-112(b)(1-8))
- When a growth allocation is proposed in the RCA, a 300 foot naturally vegetated buffer is required per COMAR (and this Code update)



7

Add a footer

NR 3-120 to NR 3-123

- Significant Habitat Areas within the Chesapeake Bay Critical Area:
 - Pocomoke Sand Ridge
 - Poorhouse Branch
- Natural Heritage Areas within the Chesapeake Bay Critical Area:
 - Hickory Point Cypress Swamp
 - Lower Nassawango Creek
 - Mataponi



8

Add a footer

Critical Area Map Update

- In 2008, legislation was passed and signed into law that required the State to work with local governments to update the Critical Area Maps.
- DNR must prepare a Statewide Base maps that includes a State determined shoreline, landward boundary of tidal wetlands, and the 1,000 foot Critical Area boundary, all of which is integrated into a GIS map.
- Process: Worcester County's mapping update was started in July of 2021.
- The State is working in conjunction with the Eastern Shore Regional GIS Cooperative (ESRGC), a local outreach entity of Salisbury University.

9

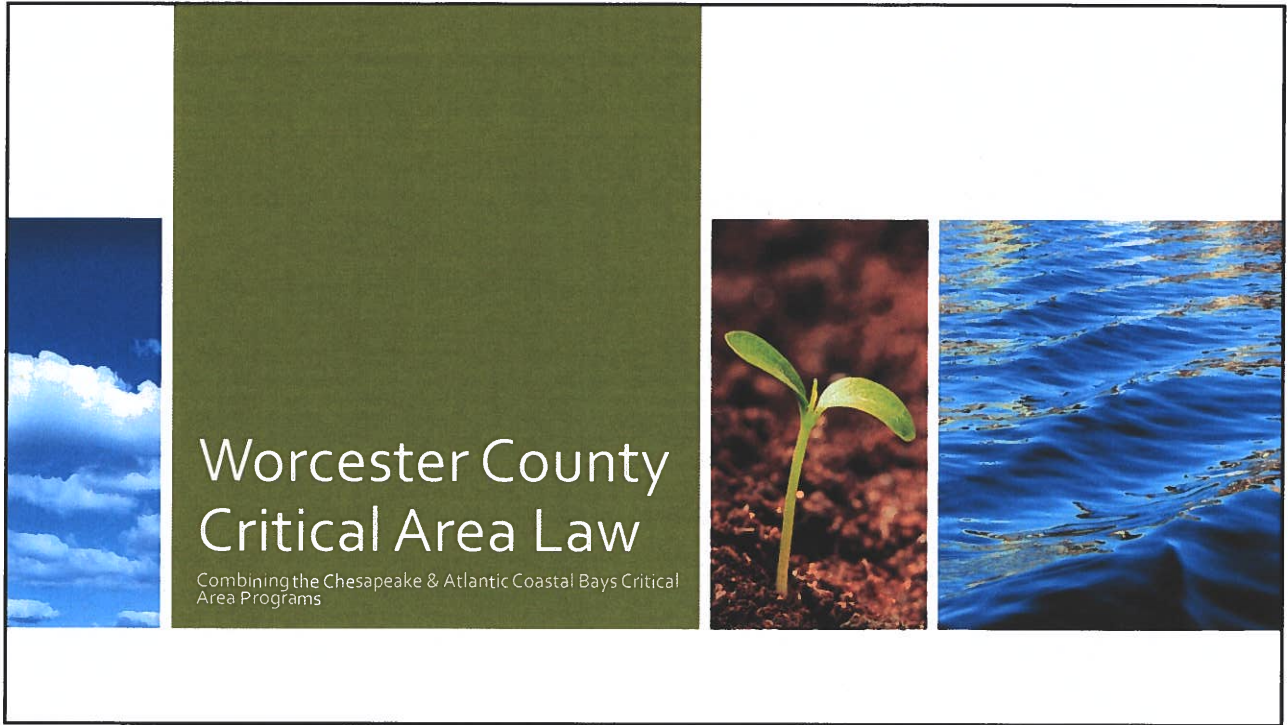
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The Critical Areas and the Comprehensive Plan

- Channel growth and development away from habitats of threatened and endangered species
- Continue to work with Coastal Bays Sensitive Areas task force and other initiatives aimed at identifying and protecting sensitive species
- Preserve and provide natural areas that are large and circular with a minimum dimension of 300 feet as a general rule for habitat protection
- Preserve existing and create forested riparian corridors

10

Add a footer






Worcester County
Department of Environmental Programs

Memorandum

To: Weston S. Young, P.E., Chief Administrative Officer

From: Robert J. Mitchell, LEHS, REHS/RS
Director, Environmental Programs 

Subject: **Critical Area Bill**
Local Legislation Comprehensively Updating and Combining the Atlantic Coastal Bays and Chesapeake Bay Critical Area Ordinances

Date: September 13, 2021

Attached you will find a copy of the above referenced bill to complete the comprehensive update of our local Atlantic Coastal Bays and Chesapeake Bay Critical Area codes, which also involves the combination of the two programs into a single code. This legislation was prepared to update the code to reflect changes in state law since the ordinances were last comprehensively updated. This was also done to simplify the program for our citizens and contractors.

The attached memorandum from our Natural Resources Administrator, Jenelle Gerthoffer, details the path forward that we presented to the County Commissioners in their meeting on September 6, 2021. If the Commissioners intend to introduce this bill, we would recommend a two (2) month period for the bill to be reviewed by the public with public listening sessions held in the north and south of the county. The bill will be posted on the county website with a contact provided to allow for comments on the proposed legislation. Comments will be accepted via faxed, written, or email format. Staff will address each of these and summarize these for the Commissioner's review before the proposed hearing. This recommendation would place the hearing date within the November 2021 legislative meeting's agenda.

We have attached this hard copy bill in addition to a digital copy shared with County Administration and our County Attorney. We have also attached a road map for the legislation changes and a short powerpoint slide presentation for the Commissioner's review. A draft ad will be forwarded to County Administration for review. The bill's text has strike-and-replace for deletions and all additions of language are presented in caps.

Citizens and Government Working Together

As stated previously, the bill simply codifies the combination of our existing programs and provides updates in accordance with state law changes that are already enforced by staff. It does not address or include any additional regulations over and above that which we already must apply, or have agreed to in prior local amendments to this code. I would therefore respectfully recommend that the County Commissioners introduce this bill at their upcoming legislative session.

If you have any questions or need any additional information please let us know. Both myself and members of my staff will be available to discuss this matter with you and the County Commissioners at your convenience.

Attachments

cc: Roscoe Leslie
David Bradford
Jenelle Gerthoffer
Katherine Munson



Worcester County
 Department of Environmental Programs
 Natural Resources Division

Memorandum

To: Robert Mitchell, Director

From: Jenelle Gerthoffer, Natural Resources Administrator (JG)

Subject: Comprehensive Update of the Atlantic Coastal Bays and Chesapeake Bay Critical Area Codes

Date: September 13, 2021

The Natural Resources Division has finished drafting the Comprehensive Update of the Worcester County Atlantic Coastal Bays and Chesapeake Bay Critical Area programs, which includes the combination of the two programs into a simplified code. This Comprehensive update has been reviewed by Worcester County Natural Resources and contracted reviewer, Worcester County Attorney (past and present), and the State Critical Area Commission. All changes made reflect what is currently enforced by the Department through the Code of Maryland Regulations (COMAR) and will reflect the Model Ordinance written by the State Critical Area Commission, with language adapted to blend with Worcester County's Code of Public Local Laws.

The Division introduced the Comprehensive update to the Planning Commission in February of 2021 and then again on September 2, 2021. At this point, the Department is requesting an introduction of the Bill at the September legislative session. After the introduction of the Bill, this Division recommends scheduling at least two workgroups, one in the Southern area and another in the Northern area of the County, for public inquiries and comments. The draft Bill will also be posted on the Department's website to provide for public comments to be forwarded online. Suggestions received at the public workgroups and online comments will be addressed individually by staff in a document that will be given to the County Commissioners in advance of the public hearing. We are suggesting a two month period before a public hearing on the Bill is held during the November 2021 legislative session. After approval from the Worcester County Commissioners, the Division is required to formally submit to the Critical Area Commission who will also hold a hearing on the update. Should you have any questions or concerns, please feel free to contact me.

cc: David Bradford, Deputy Director of Environmental Programs

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Worcester County Critical Area Code Update

Roadmap for Changes and Updates - 9/13/2021

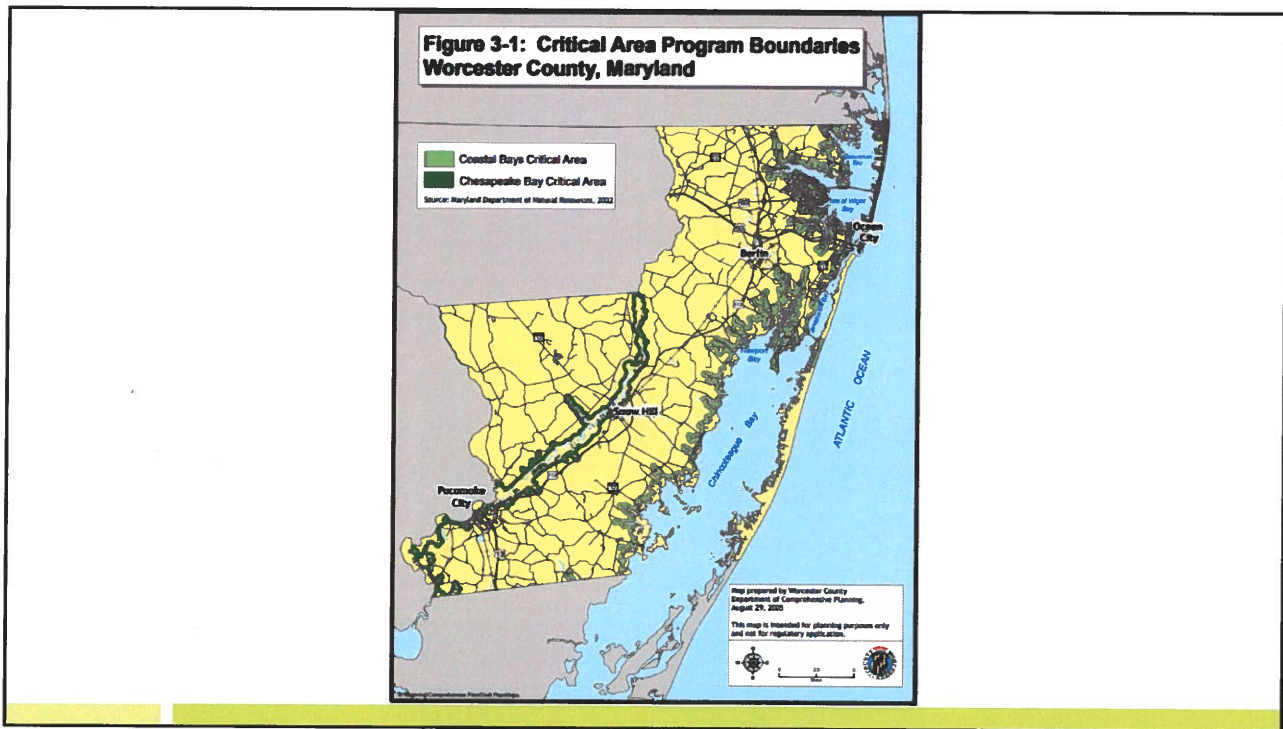
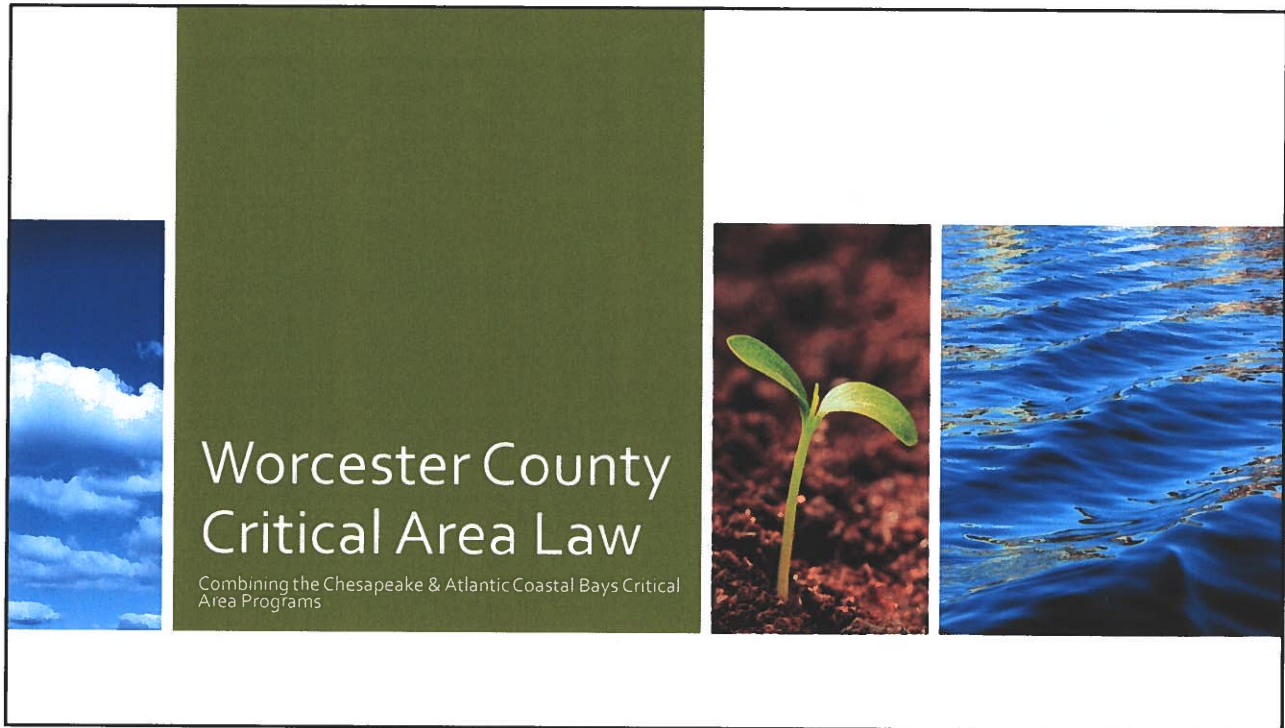
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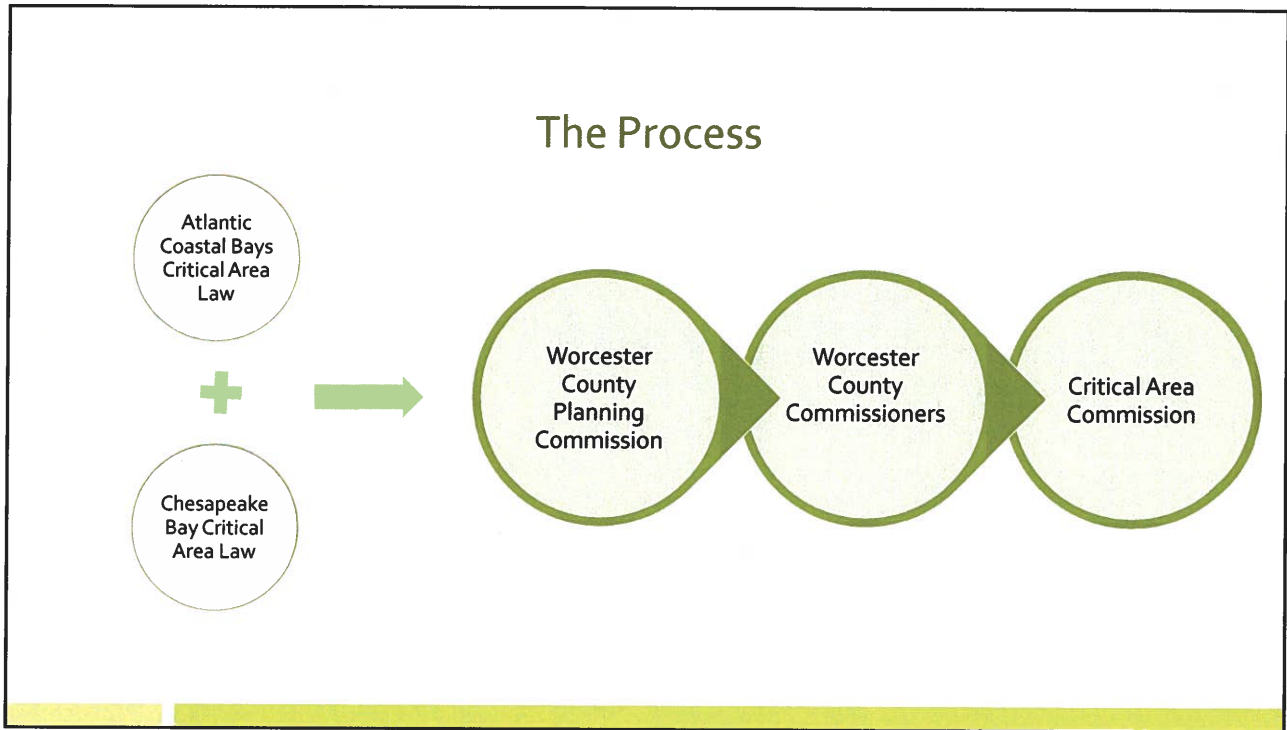
Worcester County Critical Area Code Update

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NR 3-117 Commercial Timber Harvesting	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-118 Surface Mining	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-119 Agriculture	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.
NR 3-120 Habitat Protection	No changes.
NR 3-121 Threatened and Endangered Species and Species in Need of Conservation	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Removed section on Bald Eagles as they are no longer considered an endangered species.
NR 3-122	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.

Worcester County Critical Area Code Update

Plant and Wildlife Habitat Protection Plan	Removed "wetlands" from section because this is now under the jurisdiction of MDE.	
NR 3-123 Anadromous Fish Propagation Waters	Changes made to combine the Chesapeake and Atlantic Coastal Bays Sections and to update current State regulations.	
NR 3-124 Water Dependent Facilities	Changes made to combine the Chesapeake and Atlantic Coastal Bays.	
NR 3-125 Individual Private Piers and Docks	No changes.	
NR 3-126 Non-water Dependent Structures on Piers	This is a completely new section, taken from COMAR/State regulations.	
NR 3-127 Shore Erosion Protection Works	This section was renumbered from NR 3-126. Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.	
NR 3-127 (old code section)	This section was removed because MDE now oversees all Non-Tidal Wetlands.	
NR 3-128 Renewable Energy Generating Systems	This is a new section based on recent regulations passed by the Critical Area Commission on April 1, 2021.	





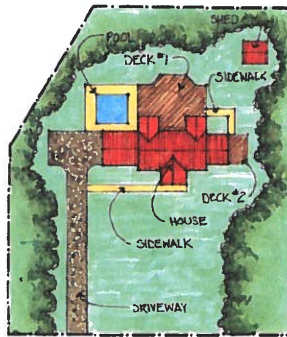
The Buffer (NR 3-104)

- Include need for expanded Buffer within the RCA.
- Include Buffer Establishment, as already enforced, from the Model Code.
- Include Buffer Mitigation ratios, as already enforced, from the Model Code.
- Provide a reference to the Buffer Management Area Appendix.



Lot Coverage (NR 3-107)

- The percentage of a total lot or parcel that is:
 - Occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway;
 - Or covered with a paver, walkway gravel, stone, shell, impermeable decking, a paver, permeable pavements, or other manmade material;
 - The ground area covered or occupied by a stairway or impervious deck.



Variances (NR 3-111)

- Added language from the Model Ordinance for After-the-Fact variance request.
- Samples of recent ATF variance requests in 2020:
 - Request for an ATF patio and walkway in the IDA in a 15' BMA (Isle of Wight) → this request was granted
 - Request for an ATF patio in the IDA in a 15' BMA (Ocean Pines) → this request was granted
 - Request for an ATF stone wall and patio in the LDA in a 100' Buffer (Bishopville) → this request was granted



Growth Allocation (NR 3-112)

- What is a Growth Allocation → A request to change a specific acreage of upland from a Resource Conservation Area (RCA) to a Limited Development Area (LDA) or to change a specific acreage of upland from Limited Development Area (LDA) to Intensely Developed Area (IDA)
- An applicant must meet specific requirements for a request (see NR 3-112(b)(1-8))
- When a growth allocation is proposed in the RCA, a 300 foot naturally vegetated buffer is required per COMAR (and this Code update)



NR 3-120 to NR 3-123

- Significant Habitat Areas within the Chesapeake Bay Critical Area:
 - Pocomoke Sand Ridge
 - Poorhouse Branch
- Natural Heritage Areas within the Chesapeake Bay Critical Area:
 - Hickory Point Cypress Swamp
 - Lower Nassawango Creek
 - Mataponi



Critical Area Map Update

- In 2008, legislation was passed and signed into law that required the State to work with local governments to update the Critical Area Maps.
- DNR must prepare a Statewide Base maps that includes a State determined shoreline, landward boundary of tidal wetlands, and the 1,000 foot Critical Area boundary, all of which is integrated into a GIS map.
- Process: Worcester County's mapping update was started in July of 2021.
- The State is working in conjunction with the Eastern Shore Regional GIS Cooperative (ESRGC), a local outreach entity of Salisbury University.

The Critical Areas and the Comprehensive Plan

- Channel growth and development away from habitats of threatened and endangered species
- Continue to work with Coastal Bays Sensitive Areas task force and other initiatives aimed at identifying and protecting sensitive species
- Preserve and provide natural areas that are large and circular with a minimum dimension of 300 feet as a general rule for habitat protection
- Preserve existing and create forested riparian corridors

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COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 21-

BY:
INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

Natural Resources - ~~Atlantic Coastal Bays~~ WORCESTER COUNTY Critical Area LAW

For the purpose of ~~repealing and reenacting~~ AMENDING the Worcester County CHESAPEAKE AND Atlantic Coastal Bays Critical Area Law to ~~amend this Resource Protection Program for~~ UPDATE AND COMBINE the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries to comply with State law.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND that Subtitle I - Coastal Bays Critical Area, of Title 3 - Land and Water Resources of the Natural Resources Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

Title 3

LAND AND WATER RESOURCES

SUBTITLE I

~~Atlantic Coastal Bays~~ WORCESTER COUNTY Critical Area LAW

§ NR 3-101. Intent; purpose; findings; severability.

(a) Intent. IN 1984, THE MARYLAND GENERAL ASSEMBLY PASSED THE CHESAPEAKE BAY CRITICAL AREA ACT IN RESPONSE TO GROWING CONCERN OVER THE DECLINE OF THE QUALITY AND PRODUCTIVITY OF THE WATERS OF THE CHESAPEAKE BAY AND ITS TRIBUTARIES. In 2002 the Maryland General Assembly passed the Atlantic Coastal Bays Protection Act for the purpose of preserving, protecting, and improving the water quality and natural habitats of the Atlantic Coastal Bays and their tributaries. The Legislature has determined that the CHESAPEAKE AND Atlantic Coastal Bays require especially sensitive consideration with regard to development. It is the intent of the County Commissioners to establish a local Program to implement the requirements of the Act THESE ACTS.

- (1) NOTWITHSTANDING ANY PROVISION IN THIS ORDINANCE, OR THE LACK OF A PROVISION IN THIS ORDINANCE, ALL OF THE REQUIREMENTS OF NATURAL RESOURCES ARTICLE 8-1801 THROUGH 8- 1817 AND COMAR TITLE 27 SHALL APPLY TO, AND BE APPLIED BY, [COUNTY] AS MINIMUM STANDARDS.
- (2) IN THE CASE OF CONFLICTING PROVISIONS, THE STRONGER PROVISION APPLIES.

- (b) Purpose. It is the purpose of the County Commissioners in enacting this Subtitle:
- (1) To establish a Resource Protection Program for the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries by fostering more sensitive development activity for certain shoreline areas so as to minimize damage to water quality and natural habitats;
 - (2) To implement the Resource Protection Program; and
 - (3) To authorize, ordain, and impose a critical area protection program to provide for reasonable restrictions, reasonably enforced on properties in the ~~Atlantic Coastal Bays~~ Critical Area.
- (c) Findings. The County Commissioners find and declare that:
- (1) The CHESAPEAKE AND Atlantic Coastal Bays and their tributaries are natural resources of great significance to the County;
 - (2) The shoreline and adjacent lands constitute a valuable, fragile, and sensitive part of this estuarine system, where human activity can have a particularly immediate and adverse impact on water quality and natural habitats;
 - (3) The capacity of these shoreline and adjacent lands to withstand continuing demands without further degradation to water quality and natural habitats is limited;
 - (4) Studies have documented that the quality and productivity of the waters of the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries have declined due to the cumulative effects of human activity that have caused increased levels of pollutants, nutrients, and toxins in the bay systems and declines in more protective land uses such as forestland and agricultural land in the watershed.
 - (5) Those portions of the Atlantic Coastal Bays and their tributaries within Maryland are particularly stressed by the continuing population growth and development activity concentrated in the Ocean City, West Ocean City, Ocean Pines, St. Martins Neck, South Point, and Maryland Route 611 Corridor areas. **THOSE PORTIONS OF THE CHESAPEAKE BAY AND THEIR TRIBUTARIES WITHIN MARYLAND ARE PARTICULARLY STRESSED BY THE CONTINUING POPULATION GROWTH AND DEVELOPMENT ACTIVITY CONCENTRATED IN THE SNOW HILL, BERLIN, AND POCOMOKE AREAS;**
 - (6) The quality of life for the citizens of Worcester County would be enhanced through the restoration of the quality and productivity of the waters of the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries;
 - (7) The preservation of the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries is dependent, in part, on minimizing further adverse impacts to the water quality and natural habitats of the shoreline and adjacent lands;
 - (8) The cumulative impact of current development practices is inimical to these purposes;
 - (9) It is in the County's interest for the benefit of current and future generations to foster

more sensitive development activity in a consistent and uniform manner along shoreline areas of the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries so as to minimize damage to water quality and natural habitats; and

- (10) It is the public policy of the County Commissioners of Worcester County that, where possible, a setback of one hundred feet from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands be provided on all lots and for all structures and other improvements created or erected after the effective date of this Subtitle. To that end it is hereby declared that any private restriction or covenant heretofore or hereinafter enacted which has the effect of precluding, impeding or encumbering the ability of the owner of a lot to maximize a yard setback on the waterfront and/or wetlands side of a lot in order to achieve the setback of one hundred feet or as much thereof that may be reasonable is hereby declared void as against public policy, provided zoning minimums are met.
- (11) Because of the limited distance between the headwaters of the watershed of the CHESAPEAKE AND Atlantic Coastal Bays and the Bays themselves, upstream activities have a direct impact on the quality and function of the water bodies of the ~~Atlantic Coastal Bays~~ Critical Area. Therefore, additional protections of certain areas beyond the limits of the ~~Atlantic Coastal Bays~~ Critical Area are necessary.
- ~~(12) Existing State regulations do not require mitigation for impacts to nontidal wetlands and their associated buffers under all circumstances. Therefore, the County Commissioners find it advisable to provide for additional protection for impacts to nontidal wetlands and their buffers beyond the limits of the Atlantic Coastal Bays Critical Area but within the watershed of that Critical Area.~~
- (d) Goals. The goals of the ~~Atlantic Coastal Bays~~ Critical Area Law are to accomplish the following:
- (1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or runoff from surrounding lands;
 - (2) Conserve fish, wildlife, and plant habitat; and
 - (3) Establish land use policies for development in the ~~Atlantic Coastal Bays~~ Critical Area, which accommodate growth as well as address the environmental impacts that the number, movement, and activities of people may have on the area.
- (e) Citing. This Subtitle may be cited as the "Worcester County ~~Atlantic Coastal Bays~~ Critical Area Law."
- (f) Territory affected. Within Worcester County, the ~~Atlantic Coastal Bays~~ Critical Area shall mean all lands and waters defined in Section 8-1807 of the Natural Resources Article, Annotated Code of Maryland, as from time to time amended. They include:
- (1) All waters of and lands under the CHESAPEAKE AND Atlantic coastal bays and their tributaries to the head of tide as indicated by the more restrictive of either the State Wetlands Maps or the 1989 Maryland Department of Natural Resources wetland maps and all state and private wetlands designated under Title 16 of the Environment Article, Annotated Code of Maryland, as from time to time amended, and including all land and water areas within one thousand feet beyond the landward boundaries of state or private wetlands and the heads of tides designated under Title 16 of the Environment Article, Annotated Code of Maryland, as from time to time amended. The boundaries of the

~~Atlantic Coastal Bays~~ Critical Area and the limits of each of the land classification designations will be as shown on maps adopted by resolution of the County Commissioners after a duly advertised public hearing in accordance with the provisions of § ZS 1-114 of the Worcester County Zoning Ordinance and approved by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

- (2) Nontidal wetlands and their buffers beyond the limits established in subsection (f)(1) hereof only as provided for in § NR 3-127 of this Subtitle.

- (g) REGULATED ACTIVITIES AND APPLICABILITY. ~~Except as provided herein, the requirements of this Subtitle shall not apply to:~~ EXCEPT AS PROVIDED IN SUBSECTION (H) AND (I) THE PROVISIONS OF THIS ORDINANCE SHALL APPLY AS FOLLOWS:

- (1) THE DEPARTMENT SHALL REVIEW A PERMIT OR LICENSE FOR A DEVELOPMENT OR REDEVELOPMENT ACTIVITY IN THE CRITICAL AREA FOR COMPLIANCE WITH THIS SUBTITLE PRIOR TO ISSUANCE OF THAT PERMIT OR LICENSE.
- (2) DEVELOPMENT AND REDEVELOPMENT ACTIVITIES REVIEWED SHALL INCLUDE, BUT ARE NOT LIMITED TO, DEVELOPMENT OR REDEVELOPMENT, GRADING, SEDIMENT AND EROSION CONTROL, TIMBER HARVESTING, SHORELINE EROSION CONTROL, INSTALLATION OF A SEPTIC SYSTEM AND DRAIN FIELD, OPERATION OF A WASTE COLLECTION OR DISPOSAL FACILITY, OPERATION OF A COMMERCIAL OR PRIVATE MARINA OR OTHER WATER-RELATED COMMERCIAL OR INDUSTRIAL OPERATION (WHETHER PUBLIC OR PRIVATE), MINING (WHETHER SURFACE OR SUB-SURFACE) OR QUARRYING, FARMING OR OTHER AGRICULTURE-RELATED ACTIVITIES SHALL HAVE SUCH PERMITS OR LICENSES ISSUED BY THE DEPARTMENT.

- (h) APPLICABILITY EXCEPTIONS. Except as provided herein, the requirements of this Subtitle shall not apply to THE FOLLOWING TYPES OF DEVELOPMENT IN THE ATLANTIC COASTAL BAYS:

- (1) The initial development of a planned unit development or residential planned community for which the following were issued prior to June 1, 2002 and which is subdivided into recorded and legally buildable lots:
- A. A valid Step III approval in accordance with the provisions of the Zoning and Subdivision Control Article and at least three of the following State permits:
- i. Groundwater or surface water discharge permit.
 - ii. Nontidal wetlands permit.
 - iii. Water quality certification permit.
 - iv. Water appropriation permit.
- B. Any planned unit development as described in subsection (hg)(1)(A) above

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which includes an inland marina built after April 8, 2002 shall meet the following requirements, except for those dwelling units immediately adjacent to tidal waters of the inland marina:

- i. At least eighty-five percent (85%) of the dwelling units in the planned unit development shall comply with the 100-foot Buffer requirements contained herein; and
 - ii. No dwelling unit may have a buffer of less than fifty feet from existing or proposed tidal waters, tidal wetlands or tributary streams.
- (2) A fairground or racetrack in an A-1 Agricultural District as defined by the Zoning and Subdivision Control Article which received special exception approval for that use prior to January 1, 2002 only for the purpose of making improvements consistent with said special exception.
- (3) The initial development of a Young Men’s Christian Association (YMCA) facility located on property identified on the Atlantic Coastal Bays Critical Area Maps adopted pursuant to § NR 3-103(b) hereof provided that prior to July 1, 2003:
- A. The property described in subsection (g)(3) above has been acquired by the YMCA; and
 - B. Three of the four following State permits has been issued to the YMCA:
 - i. Groundwater or surface water discharge permit.
 - ii. Nontidal wetlands permit.
 - iii. Water quality certification permit.
 - iv. Water appropriation permit.

~~(h)~~ (i) Applicability to pending approvals. The provisions of this subtitle shall not apply to the granting of an approval or activity pursuant thereto for the initial development of land pursuant to any approval listed herein as limited herein and strictly subject to the time limitations hereof.

Approval	Date of approval/issuance (On or before)	Limitation
§ ZS 1-325 site plan approval	Effective date of this subtitle (JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA)	A building permit is issued and construction commenced as evidenced by the placement of the building foundation within six months of the date of adoption of this law. Growth allocation is deducted where necessary.
Building permit, zoning permit, shoreline construction,	Effective date of this subtitle (JUNE 1, 2002 IN THE	Notwithstanding the provisions of zs 1-115(g) if the work described in any permit as described in this subsection

application accepted for review	ATLANTIC COASTAL BAYS CRITICAL AREA)	has not begun within 6 months of the effective date of this law, such permit shall expire. Thereafter no work shall begin until the applicant has filed for and received a new permit which may only be issued in conformance with the requirements of this subtitle. For the purposes of this subsection the placement and approval of the building foundation shall be considered "beginning of construction".
Special exception by the Board of Zoning Appeals	Effective date of this law (JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA)	A building permit is issued and construction commenced as evidenced by the placement of the building foundation within 12 months of the date of adoption of this law. Growth allocation is deducted where necessary.
Preliminary plat	JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA	All provisions except density limitations shall apply. Plat recorded within one year from the date of adoption of this law. Growth allocation is deducted where necessary.

- (j) Underlying zoning. This subtitle is supplemental and is applicable in addition to underlying zoning and land use provisions of this Code and other applicable land use laws and regulations. Where such provisions are in conflict with the provisions of this subtitle, the stricter provisions shall prevail, provided, however, that the minimum requirements of this subtitle must always be met even when a stricter standard is applicable.
- (k) Severability. Should any section or provision of this Subtitle be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Subtitle as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

§ NR 3-102. Definitions.

- (a) Applicability. The following words have the following meanings for the purposes of implementing the CHESAPEAKE AND Atlantic Coastal Bays Critical Area Law but shall not be applicable to other portions of the Code of Public Local Laws of Worcester County, Maryland:

ABATEMENT - THE ACT OF PUTTING AN END TO A LAND ALTERATION OR DEVELOPMENT ACTIVITY OR REDUCING THE DEGREE OR INTENSITY OF THE ALTERATION OR ACTIVITY.

ACCESSORY STRUCTURE - A STRUCTURE THAT IS DETACHED FROM THE PRINCIPAL STRUCTURE, LOCATED ON THE SAME LOT AND CUSTOMARILY INCIDENTAL AND SUBORDINATE TO A PRINCIPAL STRUCTURE.

ADDITION -CONSTRUCTION THAT INCREASES THE SIZE OF A STRUCTURE.

AFFORESTATION - The establishment of a tree crop on an area from which it has always or very long been absent or the planting of open areas which are not presently in forest cover.

AGRICULTURE - All methods of production and management of livestock, crops, vegetation, and soil. This includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting, and marketing. It also includes, but is not limited to, the activities of feeding, housing, and maintaining of animals such as cattle, dairy cows, sheep, goats, hogs, horses, and poultry and handling their by-products.

AGRICULTURAL EASEMENT - A non-possessory interest in land which restricts the conversion of use of the land, preventing non-agricultural uses.

ANADROMOUS FISH - Fish that travel upstream (from their primary habitat in the ocean) to freshwater in order to spawn.

ANADROMOUS FISH PROPAGATION WATERS - Those streams that are tributary to the CHESAPEAKE AND Atlantic Coastal Bays where the spawning of anadromous species (e.g., rockfish or striped bass, yellow perch, white perch, shad, and river herring) occurs or has occurred.

AQUACULTURE - (a) Farming or culturing of finfish, shellfish, other aquatic plants or animals or both, in lakes, streams, inlets, estuaries, and other natural or artificial water bodies or impoundments; (b) Activities include hatching, cultivating, planting, feeding, raising, and harvesting of aquatic plants and animals and the maintenance and construction of necessary equipment, buildings, and growing areas; and (c) Cultivation methods include, but are not limited to, seed or larvae development and grow-out facilities, fish ponds, shellfish rafts, racks and longlines, seaweed floats and the culture of clams and oysters on tidelands and subtidal areas. For the purpose of this definition, related activities such as wholesale and retail sales, processing, and product storage facilities are not considered aquacultural practices.

AREAS WITH SPECIES IN NEED OF CONSERVATION - Those areas where these species, as designated by the Secretary of the Department of Natural Resources, are found or have historically been found and their surrounding habitats.

AREAS OF THREATENED AND ENDANGERED SPECIES - Those areas where these species, as designated by the Secretary of the Department of Natural Resources, are found or have historically been found and their surrounding habitats.

ATLANTIC COASTAL BAYS - Means and includes the Assawoman Bay, Isle of Wight Bay, Sinepuxent Bay, Newport Bay, Chincoteague Bay, associated smaller bays forming parts thereof and other bodies of water between Assateague Island and Ocean City on the east and the mainland on the west and including their tidal tributaries.

ATLANTIC COASTAL BAYS CRITICAL AREA - All waters of and lands under the Atlantic Coastal Bays and their tributaries to the head of tide as indicated on the State Wetlands Maps and all State and private wetlands designated under Title 16 of the Environment Article, Annotated Code of Maryland, as from time to time amended, and including all land and water areas within 1,000 feet beyond the landward boundaries of State or private wetlands and the heads of tides designated under Title 16 of the Environment Article, Annotated Code of Maryland, as from time to time amended.

BARREN LAND - Unmanaged land having sparse vegetation.

BAYSIDE MIXED USE DISTRICT - An area of existing large bayside parcels that are essentially undeveloped with permanent structures, suitable for large-scale mixed use development and offer the opportunity for well-planned, efficient, and diversified unified development and that received approval for the establishment of a residential planned community floating zone prior to June 1, 2002.

BEST MANAGEMENT PRACTICES (BMPs) - Conservation practices or systems of practices and management measures that control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins, and sediment. Agricultural BMPs include, but are not limited to, strip cropping, terracing, contour stripping, grass waterways, animal waste structures, ponds, minimal tillage, grass and naturally vegetated filter strips, and proper nutrient application measures.

BONA FIDE INTRAFAMILY TRANSFER - A transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

~~**BUFFER** - An existing, naturally vegetated area or an area established in native vegetation and managed to protect aquatic, wetland, shoreline, and terrestrial environments from manmade disturbances.~~

BUFFER - AN AREA THAT BASED ON CONDITIONS AT THE TIME OF DEVELOPMENT, IS IMMEDIATELY LANDWARD FROM MEAN HIGH WATER OF TIDAL WATERWAYS, THE EDGE OF BANK OF A TRIBUTARY STREAM, OR THE EDGE OF A TIDAL WETLAND; AND THE AREA EXISTS OR MAY BE ESTABLISHED IN, NATURAL VEGETATION TO PROTECT A STREAM, TIDAL WETLAND, TIDAL WATERS OR TERRESTRIAL ENVIRONMENTS FROM HUMAN DISTURBANCE. THE BUFFER INCLUDES AN AREA OF AT LEAST 100-FEET, EVEN IF THAT AREA WAS PREVIOUSLY DISTURBED BY HUMAN ACTIVITY, AND ALSO INCLUDES ANY EXPANSION FOR CONTIGUOUS AREAS, INCLUDING A STEEP SLOPE, HYDRIC SOIL, HIGHLY ERODIBLE SOIL, NONTIDAL WETLAND, OR A NONTIDAL WETLAND OF SPECIAL STATE CONCERN AS DEFINED IN COMAR 26.23.01.01.

BUFFER MANAGEMENT PLAN - A NARRATIVE, GRAPHIC DESCRIPTION, OR PLAN OF THE BUFFER THAT IS NECESSARY WHEN AN APPLICANT PROPOSES A DEVELOPMENT ACTIVITY THAT WILL AFFECT A PORTION OF THE BUFFER, AFFECT BUFFER VEGETATION, OR REQUIRE THE ESTABLISHMENT OF A PORTION OF THE BUFFER IN VEGETATION. BUFFER MANAGEMENT PLAN INCLUDES A MAJOR BUFFER MANAGEMENT PLAN, A MINOR BUFFER MANAGEMENT PLAN, OR A SIMPLIFIED BUFFER MANAGEMENT PLAN AS DESCRIBED IN WITH COMAR 27.01.09.01-3.

CANOPY TREE - A tree that, when mature, commonly reaches a height of at least 35 feet.

CLEARCUTTING - The removal of an entire stand of trees in one cutting with tree reproduction obtained by natural seeding from adjacent stands or from trees that were cut, from advanced regeneration or stump sprouts, or from the planting of seeds or seedlings by man.

CLUSTER DEVELOPMENT - A residential development in which dwelling units are concentrated in a selected area or selected areas of the development tract so as to provide natural habitat or other open space uses on the remainder.

COLONIAL NESTING WATER BIRDS - Herons, egrets, terns, glossy ibis, and other such birds that for the purpose of nesting congregate (that is, "colonize") in a limited number of areas which can be susceptible to local disturbances.

COMAR - The Code of Maryland Regulations.

COMMERCIAL HARVESTING - A commercial operation that would alter the existing composition or profile, or both, of a forest, including all commercial cutting operations done by companies and private individuals for economic gain.

COMMISSION - The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

COMMISSIONERS - The County Commissioners of Worcester County.

COMMUNITY PIERS - Boat docking facilities associated with subdivisions or similar residential areas and with townhouse, condominium, apartment, and other multiple family dwelling units. Individual private piers are excluded from this definition.

COMPREHENSIVE or MASTER PLAN - A compilation of policy statements, goals, standards, maps and pertinent data relative to the past, present and future trends of the local jurisdiction including, but not limited to, its population, housing, economics, social patterns, land uses, water resources and their use, transportation facilities and public facilities prepared by or for the Planning Commission and County Commissioners.

CONSERVATION EASEMENT - A non-possessory interest in land which restricts the manner in which the land may be developed in an effort to preserve natural resources for future use.

CONSISTENT WITH - MEANS THAT A STANDARD OR FACTOR WILL FURTHER, AND NOT BE CONTRARY TO, THE FOLLOWING ITEMS IN THE COMPREHENSIVE PLAN:

- (1) POLICIES;
- (2) TIMING OF THE IMPLEMENTATION OF THE PLAN OF DEVELOPMENT AND REZONING;
- (3) DEVELOPMENT PATTERNS;
- (4) LAND USES; AND
- (5) DENSITIES OR INTENSITIES.

CONSOLIDATION - A COMBINATION OF ANY LEGAL PARCEL OF LAND OR RECORDED LEGALLY BUILDABLE LOTS INTO FEWER LOTS OR PARCELS THAN ORIGINALLY EXISTED. CONSOLIDATION INCLUDES ANY TERM USED BY THE COUNTY FOR A DEVELOPMENT APPLICATION THAT PROPOSES TO COMBINE LEGAL PARCELS OF LAND OR RECORDED, LEGALLY BUILDABLE LOTS INTO FEWER PARCELS OR LOTS THAN THE NUMBER THAT EXISTED BEFORE THE APPLICATION, A LOT LINE ABANDONMENT, A BOUNDARY LINE ADJUSTMENT, A REPLATTING REQUEST, AND A LOT LINE ADJUSTMENT.

COVER CROP - The establishment of a vegetative cover to protect soils from erosion and to restrict pollutants from entering the waterways. Cover crops can be dense, planted crops of grasses or legumes, or crop residues such as corn, wheat, or soybean stubble, which maximize

infiltration and prevent runoff from reaching erosive velocities.

CRITICAL AREA - MEANS ALL LANDS AND WATERS DEFINED IN §8-1807 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND. CRITICAL AREA INCLUDES:

- (1) ALL WATERS OF AND LANDS UNDER THE CHESAPEAKE BAY AND ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES TO THE HEAD OF TIDE;
- (2) ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 16 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND;
- (3) ALL LAND AND WATER AREAS WITHIN 1,000 FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 16 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND; AND
- (4) MODIFICATION TO THESE AREAS THROUGH INCLUSIONS OR EXCLUSIONS PROPOSED BY LOCAL JURISDICTIONS AND APPROVED BY THE COMMISSION AS SPECIFIED IN §8-1807 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND.

CRITICAL HABITAT - Habitat necessary for the survival of threatened or endangered species or species in need of conservation.

DENSITY - The number of dwelling units within a defined and measurable area expressed in units per acre.

DEPARTMENT - The county department designated by the County Commissioners to administer and enforce this Title.

DEVELOPED WOODLANDS - AN AREA OF TREES OR OF TREES AND NATURAL VEGETATION THAT IS INTERSPERSED WITH RESIDENTIAL, COMMERCIAL, INDUSTRIAL OR RECREATIONAL DEVELOPMENT. ~~Those areas of one acre or more in size which predominantly contain trees and natural vegetation and which also include residential, commercial, or industrial structures and uses.~~

DEVELOPER - A PERSON WHO UNDERTAKES DEVELOPMENT ACTIVITY AS DEFINED IN THIS ORDINANCE; OR A PERSON WHO UNDERTAKES DEVELOPMENT ACTIVITY AS DEFINED IN THE CRITERIA OF THE COMMISSION.

DEVELOPMENT - Any activity that materially affects the condition or use of dry land, land underwater, or any structure.

DEVELOPMENT ACTIVITIES - The construction or substantial alteration of residential, commercial, industrial, agricultural, institutional, or transportation facilities or structures.

DEVELOPMENT ENVELOPE - INCLUDES AN INDIVIDUALLY OWNED LOT, THE LOT COVERAGE ON THAT INDIVIDUALLY OWNED LOT, A ROAD, A UTILITY, A STORMWATER MANAGEMENT MEASURE, AN ONSITE SEWAGE DISPOSAL MEASURE, ANY AREA SUBJECT TO HUMAN USE SUCH AS AN ACTIVE

RECREATION AREA, ANY REQUIRED BUFFERS, AND ANY ADDITIONAL ACREAGE NECESSARY TO MEET THE REQUIREMENTS OF THIS TITLE.

DISTURBANCE - ANY ALTERATION OR CHANGE TO THE LAND, INCLUDING ANY AMOUNT OF CLEARING, GRADING, OR CONSTRUCTION ACTIVITY. DISTURBANCE DOES NOT INCLUDE GARDENING OR MAINTENANCE OF AN EXISTING GRASS LAWN.

DOCUMENTED BREEDING BIRD AREAS - Forested areas where the occurrence of interior dwelling birds, during the breeding season, has been demonstrated as a result of on-site surveys using standard biological survey techniques.

DWELLING UNIT — A single unit providing complete, independent living facilities for at least one person, including permanent provisions for sanitation, cooking, eating, sleeping, and other activities routinely associated with daily life. A dwelling unit may include living quarters for a domestic or other employee or tenant, an in-law or accessory apartment, a guest house, or a caretaker residence.

ECOSYSTEM - A more or less self-contained biological community together with the physical environment in which the community's organisms occur.

ENDANGERED SPECIES - Any species of fish, wildlife, or plants that have been designated as such by regulation by the Secretary of the Department of Natural Resources. Designation occurs when the continued existence of these species as viable components of the State's resources are determined to be in jeopardy. This includes any species determined to be an "endangered" species pursuant to the Federal Endangered Species Act, 16 USC §1531 et seq., as from time to time amended.

ESTABLISHMENT - THE PLANTING OR REGENERATION OF NATIVE VEGETATION THROUGHOUT THE BUFFER.

EXCESS STORMWATER RUN-OFF - All increases in stormwater resulting from:

- (1) An increase in the imperviousness of the site, including all additions to buildings, roads, driveways, and parking lots;
- (2) Changes in permeability caused by compaction during construction or modifications in contours, including the filling or drainage of small depression areas;
- (3) Alteration of drainageways, or regrading of slopes;
- (4) Destruction of forest or developed woodlands; or
- (5) Installation of collection systems to intercept street flows or to replace swales or other drainageways.

EXPANDED NONTIDAL WETLAND BUFFER - A regulated area one hundred feet in width surrounding a nontidal wetland, measured from the outer edge of a nontidal wetland, and established by the Maryland Department of the Environment as nontidal wetlands of special State concern.

FISHERIES ACTIVITIES - Commercial water-dependent fisheries facilities including structures for the packing, processing, canning, or freezing of finfish, crustaceans, mollusks, and

amphibians and reptiles and also including related activities such as product storage facilities, crab shedding, off-loading docks, shellfish culture operations, and shore-based facilities necessary for aquacultural operations but not including wholesale and retail sales.

FOREST - A BIOLOGICAL COMMUNITY DOMINATED BY TREES AND OTHER WOODY PLANTS COVERING A LAND AREA OF 10,000 SQUARE FEET OR GREATER. FOREST INCLUDES AREAS THAT HAVE AT LEAST 100 TREES PER ACRE WITH AT LEAST 50% OF THOSE TREES HAVING TWO-INCH OR GREATER DIAMETER AT 4.5 FEET ABOVE THE GROUND AND FOREST AREAS THAT HAVE BEEN CUT, BUT NOT CLEARED. FOREST DOES NOT INCLUDE ORCHARDS. ~~A biological community dominated by trees and other woody plants covering a land area of one acre or more. This also includes forests that have been cut, but not cleared.~~

FOREST INTERIOR DWELLING BIRDS - Species of birds that require relatively large forested tracts in order to breed successfully, including but not limited to various species of flycatchers, warblers, vireos, and woodpeckers.

FOREST MANAGEMENT - The protection, manipulation, and utilization of the forest to provide multiple benefits, such as timber harvesting, water transpiration, wildlife habitat, etc.

FOREST PRACTICE - The alteration of the forest, either through tree removal or replacement, in order to improve the timber, wildlife, recreational, or water quality values.

FULLY ESTABLISHED - THE BUFFER CONTAINS AS MUCH DIVERSE, NATIVE VEGETATION AS NECESSARY TO SUPPORT A FIRM AND STABLE RIPARIAN HABITAT CAPABLE OF SELF-SUSTAINING GROWTH AND REGENERATION.

GRANDFATHERED PARCEL OR GRANDFATHERED LOT - MEANS A PARCEL OF LAND THAT WAS CREATED OR A LOT CREATED THROUGH THE SUBDIVISION PROCESS AND RECORDED AS A LEGALLY BUILDABLE LOT PRIOR TO DECEMBER 1, 1985, IN THE CHESAPEAKE BAY CRITICAL AREA AND JUNE 1, 2002, IN THE ATLANTIC COASTAL BAYS CRITICAL AREA.

GROWTH ALLOCATION - The number of acres of land in the ~~Atlantic Coastal Bays~~ Critical Area that a local jurisdiction may use to create new Intensely Developed Areas and Limited Development Areas.

GROWTH ALLOCATION ENVELOPE - ALL OF THE PROPOSED COMPONENTS OF A GROWTH ALLOCATION THAT ARE NECESSARY TO SERVE THE PROPOSED DEVELOPMENT, INCLUDING AN INDIVIDUALLY OWNED LOT, LOT COVERAGE, A ROAD, A UTILITY, A STORMWATER MANAGEMENT MEASURE, AN ON-SITE SEWAGE DISPOSAL MEASURE, AN ACTIVE RECREATION AREA, AND ADDITIONAL ACREAGE NEEDED TO MEET THE DEVELOPMENT REQUIREMENTS OF THE CRITICAL AREA CRITERIA.

HABITAT PROTECTION PLAN - A PLAN THAT PROVIDES FOR THE PROTECTION AND CONSERVATION OF THE SPECIES AND HABITATS IDENTIFIED AS HABITAT PROTECTION AREAS IN THE CRITICAL AREA. THE PLAN SHALL BE SPECIFIC TO THE SITE OR AREA WHERE THE SPECIES OR ITS HABITAT IS LOCATED AND SHALL ADDRESS ALL ASPECTS OF A PROPOSED DEVELOPMENT ACTIVITY THAT MAY AFFECT THE CONTINUED PRESENCE OF THE SPECIES. THESE INCLUDE BUT ARE NOT LIMITED TO, CUTTING, CLEARING, ALTERATIONS OF NATURAL HYDROLOGY, AND INCREASES IN LOT COVERAGE. IN DEVELOPING THE PLAN, AN APPLICANT SHALL COORDINATE WITH THE DEPARTMENT OF NATURAL RESOURCES TO ENSURE THAT THE PLAN IS ADEQUATE TO PROVIDE FOR LONG-TERM

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CONSERVATION AND CAN BE EFFECTIVELY IMPLEMENTED ON THE SPECIFIC SITE.

HAZARDOUS TREE - A TREE WITH A STRUCTURAL DEFECT, SUCH AS A CRACK, CANKER, WEAK BRANCH UNION, DECAY, DEAD WOOD, ROOT DAMAGE, OR ROOT DISEASE, THAT DECREASES THE STRUCTURAL INTEGRITY OF THE TREE AND WHICH, BECAUSE OF ITS LOCATION, IS LIKELY TO FALL AND CAUSE PERSONAL INJURY OR PROPERTY DAMAGE, INCLUDING ACCELERATION OF SOIL EROSION; OR BASED ON ITS LOCATION IN THE LANDSCAPE, A HEALTHY TREE THAT, WITH CONTINUED NORMAL GROWTH, WILL DAMAGE AN EXISTING PERMANENT STRUCTURE OR SIGNIFICANTLY INCREASE THE LIKELIHOOD OF SOIL EROSION. "HAZARDOUS TREE" DOES NOT INCLUDE A TREE FOR WHICH THE LIKELIHOOD OF PERSONAL INJURY, PROPERTY DAMAGE, OR SOIL EROSION CAN REASONABLY BE ELIMINATED OR SIGNIFICANTLY DIMINISHED WITH ROUTINE AND PROPER ARBORICULTURAL PRACTICES, SUCH AS REGULAR WATERING, APPLICATION OF FERTILIZER OR MULCH, AND PRUNING; OR BY RELOCATION OF PROPERTY THAT IS LIKELY TO BE DAMAGED.

HIGHLY ERODIBLE SOILS - Those soils with a slope greater than fifteen percent (15%) or those soils with a K value greater than 0.35 and with slopes greater than five percent (5%).

HISTORIC WATERFOWL STAGING AND CONCENTRATION AREA - An area of open water and adjacent marshes where waterfowl gather during migration and throughout the winter season. These areas are historic in the sense that their location is common knowledge and because these areas have been used regularly during recent times.

~~HOME IMPROVEMENT - THE ADDITION TO OR ALTERATION, CONVERSION, IMPROVEMENT, MODERNIZATION, REMODELING, REPAIR, OR REPLACEMENT OF A BUILDING OR PART OF A BUILDING THAT IS USED OR DESIGNED TO BE USED AS A RESIDENCE OR DWELLING PLACE OR A STRUCTURE ADJACENT TO THAT BUILDING; OR AN IMPROVEMENT TO LAND ADJACENT TO THE BUILDING.~~ CONSTRUCTION, IMPROVEMENT, OR REPLACEMENT, ON LAND ADJACENT TO THE BUILDING, OF A DRIVEWAY, FALL-OUT SHELTER, FENCE, GARAGE, LANDSCAPING, DECK, PIER, PORCH, OR SWIMMING POOL; A SHORE EROSION CONTROL PROJECT, AS DEFINED UNDER § 8-1001 OF THE NATURAL RESOURCES ARTICLE, FOR A RESIDENTIAL PROPERTY; CONNECTION, INSTALLATION, OR REPLACEMENT, IN THE BUILDING OR STRUCTURE, OF A DISHWASHER, DISPOSAL, OR REFRIGERATOR WITH AN ICEMAKER TO EXISTING EXPOSED HOUSEHOLD PLUMBING LINES; INSTALLATION IN THE BUILDING OR STRUCTURE, OF AN AWNING, FIRE ALARM, OR STORM WINDOW; AND WORK DONE ON INDIVIDUAL CONDOMINIUM UNITS.

HYDRIC SOILS - Soils that are wet frequently enough to periodically produce anaerobic conditions, thereby influencing the species composition or growth, or both, of plants on or in those soils.

HYDROPHYTIC VEGETATION - Plants cited in "Vascular Plant Species Occurring in Maryland Wetlands" (Dawson, F. et al., 1985) which are described as growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (plants typically found in wet habitats).

INCLUDES - Includes or including by way of illustration and not by way of limitation.

INITIAL DEVELOPMENT - In a planned unit development or residential planned community, the original construction of those uses as originally contemplated on the Step I and Step II plans

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which require approval of a § ZS 1-325 site plan in accordance with the Worcester County Zoning Ordinance and subsequently shown on such approved § ZS 1- 325 site plan or for single-family residential structures, the residential structure itself as originally approved and not including any uses or structures accessory to the residential structure, unless authorized by a building or zoning permit in conjunction with the original residential structure.

IMMEDIATE FAMILY - A father, mother, son, daughter, grandfather, grandmother, grandson, or granddaughter.

IN-KIND REPLACEMENT - THE REMOVAL OF A STRUCTURE AND THE CONSTRUCTION OF ANOTHER STRUCTURE THAT IS SMALLER THAN OR IDENTICAL TO THE ORIGINAL STRUCTURE IN USE, FOOTPRINT AREA, WIDTH, AND LENGTH.

INTENSELY DEVELOPED AREA (IDA)- AN AREA OF AT LEAST TWENTY (20) ACRES OR THE ENTIRE UPLAND PORTION OF THE CRITICAL AREA WITHIN A MUNICIPAL CORPORATION, WHICHEVER IS LESS, WHERE: RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL DEVELOPED LAND USES PREDOMINATE; AND A RELATIVELY SMALL AMOUNT OF NATURAL HABITAT OCCURS. THESE AREAS INCLUDE AN AREA WITH A HOUSING DENSITY OF AT LEAST FOUR (4) DWELLING UNITS PER ACRE; AN AREA WITH PUBLIC WATER AND SEWER SYSTEMS WITH A HOUSING DENSITY OF MORE THAN THREE (3) DWELLING UNITS PER ACRE.

INTRAFAMILY TRANSFER - the subdivision of a parcel of land for the purpose of transferring title to an immediate family member that would otherwise not be allowed by the density limitations of the resource conservation area.

INVASIVE SPECIES - A TYPE OF PLANT THAT IS NON-NATIVE TO THE ECOSYSTEM UNDER CONSIDERATION AND WHOSE INTRODUCTION CAUSES, OR IS LIKELY TO CAUSE, ECONOMIC OR ENVIRONMENTAL HARM OR HARM TO HUMAN HEALTH.

K VALUE - The soil erodibility factor in the Universal Soil Loss Equation. It is a value that has been experimentally determined.

LAND-BASED AQUACULTURE - The raising of fish or shellfish in any natural or man-made, enclosed, or impounded water body.

LAND CLASSIFICATION AREA - The designation of land in the ~~Atlantic Coastal Bays~~ Critical Area in accordance with the criteria adopted by the County Commissioners as an intensely developed area or district, a limited development area or district, or a resource conservation area or district.

LAND CLEARING - Any activity that removes the vegetative ground cover.

LANDWARD EDGE - THE LIMIT OF A SITE FEATURE THAT IS FARTHEST AWAY FROM A TIDAL WATER, TIDAL WETLAND, OR TRIBUTARY STREAM.

LARGE SHRUB - A SHRUB THAT, WHEN MATURE, REACHES A HEIGHT OF AT LEAST SIX (6) FEET.

LEGALLY DEVELOPED - ALL PHYSICAL IMPROVEMENTS TO A PROPERTY THAT EXISTED BEFORE CRITICAL AREA COMMISSION APPROVAL OF A LOCAL PROGRAM, OR WERE PROPERLY PERMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE WORCESTER COUNTY CRITICAL AREA PROGRAMS IN EFFECT AT THE TIME OF CONSTRUCTION.

LIMIT OF DISTURBANCE - THE AREA OF A DEVELOPMENT OR REDEVELOPMENT ACTIVITY THAT INCLUDES TEMPORARY DISTURBANCE AND PERMANENT DISTURBANCE.

LIMITED DEVELOPMENT AREA (LDA) - AN AREA: WITH A HOUSING DENSITY RANGING FROM ONE DWELLING UNIT PER FIVE (5) ACRES UP TO FOUR (4) DWELLING UNITS PER ACRE; WITH A PUBLIC WATER OR SEWER SYSTEM; THAT IS NOT DOMINATED BY AGRICULTURAL LAND, WETLAND, FORESTS, BARREN LAND, SURFACE WATER, OR OPEN SPACE; OR THAT IS LESS THAN TWENTY (20) ACRES AND OTHERWISE QUALIFIES AS AN INTENSELY DEVELOPED AREA UNDER THE DEFINITION IN THIS CHAPTER.

LIVING SHORELINE - A SUITE OF STABILIZATION AND EROSION CONTROL MEASURES THAT PRESERVE THE NATURAL SHORELINE AND ARE DESIGNED TO MINIMIZE SHORELINE EROSION, MAINTAIN COASTAL PROCESS, AND PROVIDE AQUATIC HABITAT. MEASURES MUST INCLUDE MARSH PLANTINGS AND MAY INCLUDE THE USE OF SILLS, SAND CONTAINMENT STRUCTURES, BREAKWATERS, OR OTHER NATURAL COMPONENTS.

LOCAL SIGNIFICANCE - DEVELOPMENT OF A MINOR SCALE, WHICH CAUSES ENVIRONMENTAL OR ECONOMIC CONSEQUENCES THAT ARE LARGELY CONFINED TO THE IMMEDIATE AREA OF THE PARCEL OF LAND ON WHICH IT IS LOCATED; DOES NOT SUBSTANTIALLY AFFECT THE CRITICAL AREA PROGRAM OF THE COUNTY; AND IS NOT CONSIDERED TO BE MAJOR DEVELOPMENT AS DEFINED IN THIS TITLE.

LOT COVERAGE - THE PERCENTAGE OF A TOTAL LOT OR PARCEL THAT IS: OCCUPIED BY A STRUCTURE, ACCESSORY STRUCTURE, PARKING AREA, DRIVEWAY, WALKWAY, OR ROADWAY; OR COVERED WITH A PAVER, WALKWAY GRAVEL, STONE, SHELL, IMPERMEABLE DECKING, A PAVER, PERMEABLE PAVEMENT, OR OTHER ANY MANMADE MATERIAL. LOT COVERAGE INCLUDES THE GROUND AREA COVERED OR OCCUPIED BY A STAIRWAY OR IMPERMEABLE DECK, BUT DOES NOT INCLUDE: A FENCE OR WALL THAT IS LESS THAN ONE FOOT IN WIDTH THAT HAS NOT BEEN CONSTRUCTED WITH A FOOTER; A WALKWAY IN THE BUFFER OR EXPANDED BUFFER, INCLUDING A STAIRWAY, THAT PROVIDES DIRECT ACCESS TO A COMMUNITY OR PRIVATE PIER; A WOOD MULCH PATHWAY; OR A DECK WITH GAPS TO ALLOW WATER TO PASS FREELY.

MAJOR DEVELOPMENT - DEVELOPMENT OF A SCALE THAT MAY CAUSE STATE-WIDE, REGIONAL, OR INTER-JURISDICTIONAL, ENVIRONMENTAL OR ECONOMIC EFFECTS IN THE CRITICAL AREA, OR WHICH MAY CAUSE SUBSTANTIAL IMPACTS ON THE CRITICAL AREA PROGRAM OF A LOCAL JURISDICTION. THIS DEVELOPMENT INCLUDES, BUT IS NOT LIMITED TO, AIRPORTS, POWER PLANTS, WASTEWATER TREATMENT PLANTS, HIGHWAYS, REGIONAL UTILITY TRANSMISSION FACILITIES, PRISONS, HOSPITALS, PUBLIC HOUSING PROJECTS, PUBLIC BEACHES, AND INTENSELY DEVELOPED PARK AND RECREATION FACILITIES.

MARINA - Any facility for the mooring, berthing, storing, or securing of watercraft, but not including community piers, piers serving single-family dwellings, and other non-commercial boat docking and storage facilities.

MATURE TREE - A large woody plant having one or several self-supporting stems or trunks and numerous branches that reach a height of at least twenty feet at maturity.

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MEAN HIGH WATER LINE (MHWL) - The average level of high tides at a given location.

MITIGATION - Creation, restoration, or enhancement of forest or other plant communities that were or will be lost due to regulated activities.

MODIFIED BUFFER AREA (MBA) - AN AREA OFFICIALLY MAPPED BY THE COUNTY AND APPROVED BY THE CRITICAL AREA COMMISSION AS A MODIFIED BUFFER AREA, WHERE IT HAS BEEN SUFFICIENTLY DEMONSTRATED THAT THE EXISTING PATTERN OF RESIDENTIAL, INDUSTRIAL, COMMERCIAL, INSTITUTIONAL, OR RECREATIONAL DEVELOPMENT PREVENTS THE BUFFER FROM FULFILLING ITS WATER QUALITY AND HABITAT FUNCTIONS, AND WHERE DEVELOPMENT IN ACCORDANCE WITH SPECIFIC BMA PROVISIONS CAN BE PERMITTED IN THE BUFFER WITHOUT A VARIANCE.

NATURAL FEATURES - Components and processes present in or produced by nature, including, but not limited to, soil types, geology, slopes, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, flood plains, aquatic life, and wildlife.

NATURAL FOREST VEGETATION - VEGETATION CONSISTING OF CANOPY TREES, UNDERSTORY TREES, SHRUBS, AND HERBACEOUS PLANTS THAT ARE TYPICALLY FOUND IN RIPARIAN AREAS IN THE STATE OF MARYLAND. AREAS OF NATURAL FOREST VEGETATION PLANTED TO MEET THE MITIGATION REQUIREMENTS IN THIS ORDINANCE SHALL RESEMBLE THE STRUCTURE AND SPECIES COMPOSITION OF NATURAL FORESTS.

NATURAL HERITAGE AREA - Any community of plants or animals which is considered to be among the best Statewide examples of its kind and is designated by regulation by the Secretary of the Department of Natural Resources.

NATURAL VEGETATION - Those plant communities that develop in the absence of human activities.

NATURE DOMINATED - A condition where landforms or biological communities, or both, have developed by natural processes in the absence of human activities.

NEW DEVELOPMENT - THAT FOR PURPOSES OF IMPLEMENTING SPECIFIC PROVISIONS OF THIS SUBTITLE, NEW DEVELOPMENTS (AS OPPOSED TO REDEVELOPMENT) MEANS A DEVELOPMENT ACTIVITY THAT TAKES PLACE ON A PROPERTY WITH PRE-DEVELOPMENT IMPERVIOUSNESS (IN IDA) OR LOT COVERAGE (LDA AND RCA) OF LESS THAN 15 PERCENT AS OF DECEMBER 1, 1985 IN THE CHESAPEAKE BAY CRITICAL AREA AND JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA.

NON-WATER DEPENDENT PROJECT - A TEMPORARY OR PERMANENT STRUCTURE THAT, BY REASON OF ITS INTRINSIC NATURE, USE, OR OPERATION, DOES NOT REQUIRE LOCATION IN, ON, OR OVER STATE OR PRIVATE WETLANDS.

(1) NON-WATER DEPENDENT INCLUDES:

- A. A DWELLING UNIT ON A PIER;
- B. A RESTAURANT, A SHOP, AN OFFICE, OR ANY OTHER COMMERCIAL BUILDING OR USE ON A PIER;

- C. A TEMPORARY OR PERMANENT ROOF OR COVERING ON A PIER;
 - D. A PIER USED TO SUPPORT A NON-WATER-DEPENDENT USE; AND
 - E. A SMALL-SCALE RENEWABLE ENERGY SYSTEM ON A PIER, INCLUDING:
 - I. A SOLAR ENERGY SYSTEM AND ITS PHOTOVOLTAIC CELLS, SOLAR PANELS, OR OTHER NECESSARY EQUIPMENT;
 - II. A GEOTHERMAL ENERGY SYSTEM AND ITS GEOTHERMAL HEAT EXCHANGER OR OTHER NECESSARY EQUIPMENT; AND
 - III. A WIND ENERGY SYSTEM AND ITS WIND TURBINE, TOWER, BASE, OR OTHER NECESSARY EQUIPMENT.
- (2) A NON-WATER DEPENDENT PROJECT DOES NOT INCLUDE:
- A. A FUEL PUMP OR OTHER FUEL-DISPENSING EQUIPMENT ON A PIER;
 - B. A SANITARY SEWAGE PUMP OR OTHER WASTEWATER REMOVAL EQUIPMENT ON A PIER; OR
 - C. AN OFFICE ON A PIER FOR MANAGING MARINA OPERATIONS, INCLUDING MONITORING VESSEL TRAFFIC, REGISTERING VESSELS, PROVIDING DOCKING SERVICES, AND HOUSING ELECTRICAL OR EMERGENCY EQUIPMENT RELATED TO MARINA OPERATIONS.

NON-POINT SOURCE POLLUTION - Pollution generated by diffuse land use activities rather than from an identifiable or discrete facility. It is conveyed to waterways through natural processes, such as rainfall, storm runoff, or groundwater seepage rather than by deliberate discharge.

NON-RENEWABLE RESOURCES - Resources that are not naturally regenerated or renewed.

NONTIDAL WETLANDS - An area that is inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. The determination of whether an area is a nontidal wetland shall be made in accordance with the publication known as the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, published in 1989 and as may be amended. Nontidal wetlands do not include tidal wetlands regulated under Title 16 of the Environment Article of the Annotated Code of Maryland.

NONTIDAL WETLANDS BUFFER - A regulated area no less than twenty-five feet in width surrounding a nontidal wetland, measured from the outer edge of the nontidal wetland.

NONTIDAL WETLANDS OF SPECIAL STATE CONCERN - The areas designated based on criteria in COMAR 26.23.01.04, as from time to time amended, and listed in COMAR 26.23.06.01, as from time to time amended, as having an exceptional ecological or educational value of Statewide significance.

OFFSETS - Structures or actions that compensate for undesirable impacts.

OPEN SPACE - Land and water areas retained in an essentially undeveloped state.

OVERBURDEN - The strata or material in its natural state, before its removal by surface mining, overlying a mineral deposit or in between mineral deposits.

PALUSTRINE - All nontidal wetlands dominated by trees, shrubs, persistent emergent plants, or emergent mosses or lichens and all such wetlands that occur in tidal areas where the salinity due to ocean-derived salts is below one-half part per one thousand parts of water.

PERMANENT DISTURBANCE - A MATERIAL, ENDURING CHANGE IN THE TOPOGRAPHY, LANDSCAPE, OR STRUCTURE THAT OCCURS AS PART OF A DEVELOPMENT OR REDEVELOPMENT ACTIVITY. "PERMANENT DISTURBANCE" INCLUDES:

- (1) CONSTRUCTION OR INSTALLATION OF ANY MATERIAL THAT WILL RESULT IN LOT COVERAGE;
- (2) CONSTRUCTION OF A DECK;
- (3) GRADING OR CLEARING (EXCEPT WHERE IT MEETS THE DEFINITION OF TEMPORARY DISTURBANCE); AND
- (4) THE INSTALLATION OF A SEPTIC SYSTEM, IN A FOREST OR DEVELOPED WOODLAND ON A GRANDFATHERED LOT, IF CLEARING IS REQUIRED.

PERSON - AN INDIVIDUAL, PARTNERSHIP, CORPORATION, CONTRACTOR, PROPERTY OWNER, OR ANY OTHER PERSON OR ENTITY.

PHYSIOGRAPHIC FEATURES - The soils, topography, land slope and aspect, and local climate that influence the form and species composition of plant communities.

PIER - Any pier, wharf, dock, walkway, bulkhead, breakwater, piling, or other similar structure. "Pier" does not include any structure on pilings or stilts that was originally constructed beyond the landward boundaries of State or private wetlands.

PLANT HABITAT - A community of plants commonly identifiable by the composition of its vegetation and its physiographic characteristics.

PORT - A facility or area established or designated by the State or local jurisdiction for purposes of waterborne commerce.

PRINCIPAL STRUCTURE - THE PRIMARY OR PREDOMINANT STRUCTURE ON ANY LOT OR PARCEL. FOR RESIDENTIAL PARCELS OR LOTS, THE PRINCIPAL STRUCTURE IS THE PRIMARY DWELLING.

PROGRAM - The CHESAPEAKE AND Atlantic Coastal Bays Critical Area Protection Program of the County, including all laws, resolutions, maps, and plans necessary for the implementation,

application, and enforcement of this Subtitle.

- (1) "Program" includes any amendments to the Program.

PROGRAM AMENDMENT - Any change OR PROPOSED CHANGE to the adopted Program that IS NOT DETERMINED BY THE CHAIRMAN OF THE CRITICAL AREA COMMISSION TO BE A PROGRAM REFINEMENT ~~the County Commissioners determine will result in a use of land or water in the Atlantic Coastal Bays Critical Area in a manner not provided for in the adopted Program.~~

- ~~(1) "Program amendment" includes a change to a zoning map that is not consistent with the method for using the growth allocation contained in the adopted Program.~~

PROGRAM REFINEMENT - Any change OR PROPOSED CHANGE to the adopted Program that the ~~County Commissioners determine will result in a use of land or water in the Atlantic Coastal Bays Critical Area in a manner consistent with the adopted Program.~~ CHAIRMAN OF THE CRITICAL AREA COMMISSION DETERMINES WILL RESULT IN A USE OF LAND OR WATER IN THE CHESAPEAKE BAY CRITICAL AREA OR ATLANTIC COASTAL BAYS CRITICAL AREA IN A MANNER CONSISTENT WITH THE ADOPTED PROGRAM, OR THAT WILL NOT SIGNIFICANTLY AFFECT THE USE OF LAND OR WATER IN THE CRITICAL AREA. PROGRAM REFINEMENT MAY INCLUDE:

- (1) A CHANGE TO AN ADOPTED PROGRAM THAT RESULTS FROM STATE LAW;
- (2) A CHANGE TO AN ADOPTED PROGRAM THAT AFFECTS LOCAL PROCESSES AND PROCEDURES;
- (3) A CHANGE TO A LOCAL ORDINANCE OR CODE THAT CLARIFIES AN EXISTING PROVISION; AND
- (4) A MINOR CHANGE TO AN ELEMENT OF AN ADOPTED CRITICAL AREA PROGRAM THAT IS CONSISTENT WITH THE PROVISIONS OF STATE CRITICAL AREA LAW AND ALL THE CRITERIA OF THE COMMISSION.

~~(1) "Program refinement" includes:~~

- ~~A. A change to a zoning map that is consistent with the land classification designation of the adopted Program.~~
- ~~B. The use of the growth allocation in accordance with the adopted Program.~~
- ~~C. A change in the Program text to correct omissions or to provide clarification to the adopted Program.~~

PROJECT APPROVAL - The approval of development, other than development by the State or local government, in the ~~Atlantic Coastal Bays~~ Critical Area by the appropriate local approval authority. The term includes approval of subdivision plats and site plans, the inclusion of areas within floating zones, issuance of variances, special exceptions or expansions of non-conformities; and issuance of zoning permits. The term does not include building permits.

PROPERTY OWNER - A PERSON HOLDING TITLE TO A PROPERTY OR TWO OR MORE PERSONS HOLDING TITLE TO A PROPERTY UNDER ANY FORM OF JOINT OWNERSHIP.

PUBLIC WATER-ORIENTED RECREATION - Shore-dependent recreation facilities or activities provided by public agencies that are available to the general public.

RECLAMATION - The reasonable rehabilitation of disturbed land for useful purposes, and the protection of the natural resources of adjacent areas, including water bodies.

RECONFIGURATION - A CHANGE OF THE CONFIGURATION OF AN EXISTING LOT OR PARCEL LINE OF ANY LEGAL PARCEL OF LAND OR RECORDED LEGALLY BUILDABLE LOT. RECONFIGURATION INCLUDES A LOT LINE ADJUSTMENT, A BOUNDARY LINE ADJUSTMENT, AND A REPLATTING REQUEST.

REDEVELOPMENT - The process of developing land which is or has been developed.

REFORESTATION - The establishment of a forest through artificial reproduction or natural regeneration.

REGULATED ACTIVITY - With the exception of an agricultural or forestry activity, any of the following activities which are directly undertaken or originate in a nontidal wetland or within the buffer or expanded buffer of a nontidal wetland:

- (1) Removal, excavation or dredging of soil, sand, gravel, minerals, organic matter, or materials of any kind;
- (2) Changing existing drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics;
- (3) Disturbance of the water level or water table by drainage, impoundment or other means;
- (4) Dumping, discharging of material, or filling with material, including the driving of piles or placing of obstructions;
- (5) Grading or removal of material that would alter existing topography; or
- (6) Destruction or removal of plant life that would alter the character of a nontidal wetland.

RENEWABLE RESOURCE - A resource that can renew or replace itself and, therefore, with proper management, can be harvested indefinitely.

RESOURCE CONSERVATION AREA (RCA) - AN AREA THAT IS CHARACTERIZED BY NATURE DOMINATED ENVIRONMENTS, SUCH AS WETLANDS, SURFACE WATER, FORESTS, AND OPEN SPACE; AND RESOURCE-BASED ACTIVITIES, SUCH AS AGRICULTURE, FORESTRY, FISHERIES, OR AQUACULTURE. RESOURCE CONSERVATION AREAS INCLUDE AREAS WITH A HOUSING DENSITY OF LESS THAN ONE DWELLING PER FIVE (5) ACRES.

RESOURCE UTILIZATION ACTIVITIES - ANY ACTIVITIES ASSOCIATED WITH THE UTILIZATION OF NATURAL RESOURCES SUCH AS AGRICULTURE, FORESTRY, SURFACE MINING, AQUACULTURE, AND FISHERIES ACTIVITIES.

RESTORATION - THE ACT OF RETURNING A SITE OR AREA TO AN ORIGINAL STATE OR ANY ACTION THAT REESTABLISHES ALL OR A PORTION OF THE ECOLOGICAL STRUCTURE AND FUNCTIONS OF A SITE OR AREA.

RIPARIAN HABITAT - A habitat that is strongly influenced by water and which occurs adjacent to streams, shorelines, or wetlands.

SEASONALLY FLOODED WATER REGIME - A condition where surface water is present for extended periods, especially early in the growing season, and when surface water is absent, the water table is often near the land surface.

SELECTION - The removal of single, scattered, mature trees or other trees from uneven-aged stands by frequent and periodic cutting operations.

SHORELINE EROSION PROTECTION WORKS - Those structures or measures constructed or installed to prevent or minimize erosion of the shoreline in the ~~Atlantic Coastal Bays~~ Critical Area.

SIGNIFICANTLY ERODING AREAS - Areas that erode two feet or more per year.

SPECIAL EVENTS - PERSONAL OR BUSINESS SOCIAL ENGAGEMENTS OR OTHER ACTIVITIES CONDUCTED ON A FARM WHERE GUESTS ASSEMBLE FOR PARTIES, WEDDING EVENTS, BIRTHDAY OR ANNIVERSARY CELEBRATIONS, CHILDREN'S PARTIES, CORPORATE AND EMPLOYEE APPRECIATION PARTIES, OR OTHER SIMILAR EVENTS FOR COMPENSATION, DURING WHICH FOOD AND BEVERAGES MAY BE SERVED TO GUESTS AND MUSIC OR OTHER ENTERTAINMENT IS ALLOWED.

SPECIES IN NEED OF CONSERVATION - Those fish and wildlife species whose continued existence as part of the State's resources are in question and which may be designated by regulation by the Secretary of Natural Resources as in need of conservation pursuant to the requirements of Natural Resources Articles, §§ 10-2A-903 and 4-2A-03, Annotated Code of Maryland, as from time to time amended.

SPOIL PILE - The overburden and reject materials as piled or deposited during surface mining.

SOIL CONSERVATION AND WATER QUALITY PLANS - Land-use plans for farms that show farmers how to make the best possible use of their soil and water resources while protecting and conserving those resources for the future. It is a document containing a map and related plans that indicate:

- (1) How the landowner plans to treat a farm unit;
- (2) Which best management practices the landowner plans to install to treat undesirable conditions; and
- (3) The schedule for applying those Best Management Practices.

STEEP SLOPES - Slopes of fifteen percent (15%) or greater incline.

SUBWATERSHED - A smaller geographic section of a larger watershed unit with a typical drainage area generally of between two and fifteen square miles and whose boundaries include all the land area draining to a point where two second-order streams combine to form a third-order .
~~For the purposes of this Subtitle, the five subwatersheds of Worcester County's Atlantic Coastal~~

~~Bays are those of the Assawoman Bay, the Isle of Wight Bay, Sinepuxent Bay, Newport Bay, and Chincoteague Bay.~~

STRUCTURE - ANYTHING CONSTRUCTED OR ERECTED ON OR OVER LAND OR WATER THAT MAY OR MAY NOT RESULT IN LOT COVERAGE.

SUBSTANTIAL ALTERATION - ANY REPAIR, RECONSTRUCTION, OR IMPROVEMENT OF A PRINCIPAL STRUCTURE, WHERE THE PROPOSED TOTAL FOOTPRINT IS AT LEAST 50 PERCENT GREATER THAN THAT OF THE EXISTING PRINCIPAL STRUCTURE.

SUPPLEMENTAL PLANTING PLAN - A DESCRIPTION AND LANDSCAPE SCHEDULE THAT SHOWS THE PROPOSED SPECIES TYPE, QUANTITY, AND SIZE OF PLANTS TO BE LOCATED WITHIN A BUFFER IF NATURAL REGENERATION DOES NOT MEET THE REQUIRED STEM DENSITY.

SURFACE MINING – THE EXCAVATION, DIGGING OR DREDGING FOR SAND, GRAVEL, SOIL AND OTHER MINERALS. IT SHALL INCLUDE SAND AND GRAVEL PITS, BORROW PITS, CLAY PITS, QUARRIES, SURFACE MINES AND THE PROCESSING OR COMPOUNDING OF PRODUCTS COMPOSED OF ON-SITE MATERIALS. IT SHALL NOT INCLUDE CONCRETE OR ASPHALT MIXING PLANTS OR MATERIAL REMOVED FROM A DEVELOPMENT SITE AS PART OF A NORMAL CUT AND FILL OPERATION.

TEMPORARY DISTURBANCE - A SHORT-TERM CHANGE IN THE LANDSCAPE THAT OCCURS AS PART OF A DEVELOPMENT OR REDEVELOPMENT ACTIVITY. TEMPORARY DISTURBANCE INCLUDES:

- (1) STORAGE OF MATERIALS THAT ARE NECESSARY FOR THE COMPLETION OF THE DEVELOPMENT OR REDEVELOPMENT ACTIVITY;
- (2) CONSTRUCTION OF A ROAD OR OTHER PATHWAY THAT IS NECESSARY FOR ACCESS TO THE SITE OF THE DEVELOPMENT OR REDEVELOPMENT ACTIVITY, IF THE ROAD OR PATHWAY IS REMOVED IMMEDIATELY AFTER COMPLETION OF THE DEVELOPMENT OR REDEVELOPMENT ACTIVITY AND THE AREA IS RESTORED TO ITS PREVIOUS VEGETATIVE CONDITION;
- (3) GRADING OF A DEVELOPMENT SITE, IF THE AREA IS RESTORED TO ITS PREVIOUS VEGETATIVE CONDITION IMMEDIATELY AFTER COMPLETION OF THE DEVELOPMENT OR REDEVELOPMENT ACTIVITY; AND
- (4) LOCATING A SEPTIC SYSTEM ON A LOT CREATED BEFORE LOCAL PROGRAM APPROVAL IF THE SEPTIC SYSTEM IS LOCATED IN EXISTING GRASS OR CLEARING IS NOT REQUIRED.

TEMPORARY DISTURBANCE DOES NOT INCLUDE A VIOLATION.

THINNING - A forest practice used to accelerate tree growth of quality trees in the shortest interval of time by the selective removal of certain trees.

THREATENED SPECIES - Any species of fish, wildlife, or plants designated as such by regulation by the Secretary of the Department of Natural Resources which appear likely, within

the foreseeable future, to become endangered, including any species of wildlife or plant determined to be a "threatened" species pursuant to the Federal Endangered Species Act, 16 USC §1531 et seq., as from time to time amended.

TOPOGRAPHY - The existing configuration of the earth's surface, including the relative relief, elevation, and position of land features.

TRANSITIONAL HABITAT - A plant community whose species are adapted to the diverse and varying environmental conditions that occur along the boundary that separates aquatic and terrestrial areas.

TRANSPORTATION FACILITIES - Anything that is built, installed, or established to provide a means of transport from one place to another.

TREE - A LARGE, WOODY PLANT HAVING 1 OR SEVERAL SELF-SUPPORTING STEMS OR TRUNKS AND NUMEROUS BRANCHES THAT REACH A HEIGHT OF AT LEAST 20 FEET AT MATURITY.

TRIBUTARY STREAMS - A PERENNIAL STREAM OR INTERMITTENT STREAM WITHIN THE CRITICAL AREA THAT HAS BEEN IDENTIFIED BY SITE INSPECTION OR IN ACCORDANCE WITH LOCAL PROGRAM PROCEDURES APPROVED BY THE CRITICAL AREA COMMISSION. ~~Those perennial and intermittent streams in the Atlantic Coastal Bays Critical Area, which are so noted on the most recent U.S. Geological Survey 7.5 minute topographic quadrangle maps (scale 1:24,000) or more detailed maps or studies at the discretion of the local jurisdictions.~~

UNDERSTORY - THE LAYER OF FOREST VEGETATION TYPICALLY LOCATED UNDERNEATH THE FOREST CANOPY.

UNDERSTORY TREE - A TREE THAT, WHEN MATURE, REACHES A HEIGHT BETWEEN 12 AND 35 FEET.

UNWARRANTED HARDSHIP - A situation wherein without a variance, an applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.

UTILITY TRANSMISSION FACILITIES - Fixed structures that convey or distribute resources, wastes, or both, including, but not limited to, electrical lines, water conduits, and sewer lines.

WASH PLANT - A facility where sand and gravel is washed during processing.

WATER-BASED AQUACULTURE - The raising of fish and shellfish in any natural, open, free-flowing water body.

WATER-DEPENDENT FACILITIES - Those structures or works associated with industrial, maritime, recreational, educational, or fisheries activities that require location at or near the shoreline within the Buffer specified in § NR 3-104 of this Subtitle. An activity is water-dependent if it cannot exist outside the Buffer and is dependent on the water by reason of the intrinsic nature of its operation. SUCH ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO, PORTS, THE INTAKE AND OUTFALL STRUCTURES OF POWER PLANTS, WATER-USE INDUSTRIES, MARINAS, AND OTHER BOAT DOCKING STRUCTURES, PUBLIC BEACHES AND OTHER PUBLIC WATER-ORIENTED RECREATION AREAS, AND FISHERIES ACTIVITIES.

WATER-USE INDUSTRY - An industry that requires location near the shoreline because it utilizes surface waters for cooling or other internal purposes.

WATERFOWL - Birds which frequent and often swim in water, nest and raise their young near water, and derive at least part of their food from aquatic plants and animals.

WATERSHED - The area of land that drains into a specific body of water.

WILDLIFE CORRIDOR - A strip of land having vegetation that provides habitat and safe passage for wildlife.

WILDLIFE HABITAT - Those plant communities and physiographic features that provide food, water and cover, nesting, and foraging or feeding conditions necessary to maintain populations of animals in the Atlantic Coastal Bays Critical Area.

§ NR 3-103. Development in the ~~Atlantic Coastal Bays~~ Critical Area.

(a) Generally. In order to accommodate already existing land uses and growth in the ~~Atlantic Coastal Bays~~ Critical Area while providing for the conservation of habitat and the protection of water quality, the County Program has set out three land classification areas within the ~~Atlantic Coastal Bays~~ Critical Area, which are as follows: the Intensely Developed Areas (IDAs), the Limited Development Areas (LDAs), and the Resource Conservation Areas (RCAs).

(1) While any intense development should be directed outside of the ~~Atlantic Coastal Bays~~ Critical Area, future intense development activities, when proposed in the ~~Atlantic Coastal Bays~~ Critical Area, shall be directed towards the Intensely Developed Areas.

(2) Additional low-intensity development may be permitted in the Limited Development Areas but shall be subject to strict regulation to prevent adverse impacts on habitat and water quality.

(3) Development shall be limited in the Resource Conservation Area, which shall be chiefly designated for agriculture, forestry, fisheries activities, other resource utilization activities, and for habitat protection.

(b) Implementation. For the purposes of implementing these regulations the County Commissioners have determined, based on land uses and development in existence on DECEMBER 1, 1985 FOR THE CHESAPEAKE BAY AND ON June 1, 2002 FOR THE ATLANTIC COASTAL BAYS, which land areas fall within the three types of land classification areas in accordance with COMAR Title 27, as from time to time amended, and as described in this Program. These three types of land classification areas are designated on maps on file in the Department or its successor.

(1) OFFICIAL CRITICAL AREA OVERLAY DISTRICT MAP(S) SHALL BE MAINTAINED IN FORCE AS PART OF THE OFFICIAL ZONING MAPS REFERRED TO IN THE COUNTY'S ZONING ORDINANCE. THE OFFICIAL CRITICAL AREA MAP(S) DELINEATE THE EXTENT OF THE CRITICAL AREA OVERLAY DISTRICT THAT SHALL INCLUDE:

A. ALL WATERS OF AND LANDS UNDER THE CHESAPEAKE BAY AND ITS TRIBUTARIES TO THE HEAD OF TIDE AS INDICATED ON THE STATE WETLANDS MAPS AND ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 9 OF THE NATURAL RESOURCES

ARTICLE, ANNOTATED CODE OF MARYLAND;

- B. ALL LAND AND WATER AREAS WITHIN ONE THOUSAND FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 9 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND; AND
 - C. ALL WATERS OF AND LANDS UNDER THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES TO THE HEAD OF TIDE AS INDICATED ON THE STATE WETLANDS MAPS AND ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AS FROM TIME TO TIME AMENDED, AND INCLUDING ALL LAND AND WATER AREAS WITHIN ONE THOUSAND FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AS FROM TIME TO TIME AMENDED.
- (2) WITHIN THE DESIGNATED CRITICAL AREA OVERLAY DISTRICT, ALL LAND IS ASSIGNED ONE OF THE FOLLOWING LAND MANAGEMENT AND DEVELOPMENT AREA CLASSIFICATIONS, BASED ON LAND USES AND DEVELOPMENT IN EXISTENCE ON DECEMBER 1, 1985 [IN THE CHESAPEAKE BAY CRITICAL AREA AND JUNE 1, 2002, IN THE ATLANTIC COASTAL BAYS CRITICAL AREA.
- A. INTENSELY DEVELOPED AREA (IDA).
 - B. LIMITED DEVELOPMENT AREA (LDA).
 - C. RESOURCE CONSERVATION AREA (RCA).
- (3) THE CRITICAL AREA OVERLAY DISTRICT MAP MAY BE AMENDED BY THE COUNTY COMMISSIONERS IN COMPLIANCE WITH AMENDMENT PROVISIONS IN THIS SUBTITLE, CRITICAL AREA LAW, NATURAL RESOURCES ARTICLE 8, SUBTITLE 18, AND COMAR TITLE 27 CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS.
- (c) Application and interpretation of land classification area boundaries.
- (1) Where uncertainty exists about the boundaries of land classification areas as shown on the official ~~Atlantic Coastal Bays~~ Critical Area maps due to errors in map and/or overlay registration, the following rules shall apply:
 - A. Where a known upland lot or parcel is shown as being tidally influenced, the land classification area of the closest upland lot or parcel shall apply.
 - B. Where a land classification area district boundary, as shown on the maps does not exactly coincide with the actual property line in existence as of the date of adoption of this Subtitle, it shall be deemed to coincide with the property line.
 - (2) For development activities on properties bisected by the ~~Atlantic Coastal Bays~~ Critical Area line which have at least fifty percent (50%) of their land area contained within the

Atlantic Coastal Bays Critical Area, the entire property may be developed in accordance with this Subtitle if the owner so chooses and, if so, the requirements of Subtitle 4 (Forest Conservation) of the Natural Resources Article of the Code of Public Local Laws of Worcester County, Maryland shall not apply.

- (d) Activities not permitted except in Intensely Developed Areas. Certain new development, redevelopment or expanded activities or facilities, because of their intrinsic nature or because of their potential for adversely affecting habitats or water quality, may not be permitted in the ~~Atlantic Coastal Bays~~ Critical Area except in Intensely Developed Areas under regulations of this section and only after the activity or facility has demonstrated to all appropriate local and State permitting agencies that there will be a net improvement in water quality to the adjacent body of water. These activities include the following:
- (1) Non-maritime heavy industry;
 - (2) Transportation facilities and utility transmission facilities, except those necessary to serve permitted uses, or where regional or interstate facilities must cross tidal waters (utility transmission facilities do not include power plants); or
 - (3) Permanent sludge handling, storage, and disposal facilities, other than those associated with wastewater treatment facilities. However, agricultural or horticultural use of sludge under appropriate approvals when applied by an approved method at approved application rates may be permitted in the ~~Atlantic Coastal Bays~~ Critical Area, except in the 100-foot Buffer;
- (e) Activities not permitted. Certain new development activities or facilities, or the expansion of certain existing facilities, because of their intrinsic nature or because of their potential for adversely affecting habitat and water quality, may not be permitted in the ~~Atlantic Coastal Bays~~ Critical Area unless no environmentally acceptable alternative exists outside of the ~~Atlantic Coastal Bays~~ Critical Area, and these development activities or facilities are needed in order to correct an existing water quality or wastewater management problem. These include:
- (1) Solid or hazardous waste collection or disposal facilities, including transfer stations;
 - (2) Sanitary landfills; or
 - (3) Sewage sludge composting, storage or disposal facilities, or land application.
- (f) Continuation of existing permitted facilities. Existing, permitted facilities of the type noted in § NR 3-103(d)(1) and (2) hereof shall be subject to the standards and requirements of the Department of the Environment, under COMAR Title 26, as from time to time amended.
- (g) REASONABLE ACCOMMODATIONS FOR THE NEEDS OF DISABLED CITIZENS. THE BOARD OF APPEALS MAY MAKE REASONABLE ACCOMMODATIONS TO AVOID DISCRIMINATION ON THE BASIS OF A PHYSICAL DISABILITY. REASONABLE ACCOMMODATIONS FOR THE NEEDS OF DISABLED CITIZENS MAY BE PERMITTED IN ACCORDANCE WITH THE EVIDENTIARY REQUIREMENTS SET FORTH IN THE FOLLOWING PARAGRAPHS.
- (1) AN APPLICANT SHALL HAVE THE BURDEN OF DEMONSTRATING BY A PREPONDERANCE OF THE EVIDENCE THAT:
 - A. THE ALTERATIONS WILL BENEFIT PERSONS WITH A DISABILITY WITHIN THE MEANING OF THE AMERICANS WITH DISABILITIES ACT;

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- B. LITERAL ENFORCEMENT OF THE REQUIREMENTS OF THIS CHAPTER WOULD RESULT IN DISCRIMINATION BY VIRTUE OF SUCH DISABILITY OR DEPRIVE A DISABLED RESIDENT OR USER OF THE REASONABLE USE AND ENJOYMENT OF THE PROPERTY;
 - C. A REASONABLE ACCOMMODATION WOULD REDUCE OR ELIMINATE THE DISCRIMINATORY EFFECT OF THE REQUIREMENTS OR RESTORE THE DISABLED RESIDENT'S OR USER'S REASONABLE USE OR ENJOYMENT OF THE PROPERTY;
 - D. THE ACCOMMODATION REQUESTED WILL NOT SUBSTANTIALLY IMPAIR THE PURPOSE, INTENT, OR EFFECT, OF THE PROVISIONS OF THIS ORDINANCE AS APPLIED TO THE PROPERTY; AND
 - E. THE ACCOMMODATION WOULD:
 - i. BE ENVIRONMENTALLY NEUTRAL WITH NO GREATER NEGATIVE IMPACT ON THE ENVIRONMENT THAN THE LITERAL ENFORCEMENT OF THE STATUTE, ORDINANCE, REGULATION OR ANOTHER REQUIREMENT; OR
 - ii. ALLOW ONLY THE MINIMUM ENVIRONMENTAL CHANGES NECESSARY TO ADDRESS THE NEEDS RESULTING FROM THE PARTICULAR DISABILITY OF THE APPLICANT/APPELLANT.
- (2) THE BOARD OF APPEALS SHALL DETERMINE THE NATURE AND SCOPE OF ACCOMMODATION UNDER THIS SECTION AND MAY AWARD DIFFERENT OR OTHER RELIEF THAN REQUESTED AFTER GIVING DUE REGARD TO:
- A. THE STANDARDS GIVEN IN THIS SECTION;
 - B. THE PURPOSE, INTENT, OR EFFECT OF THE REQUIREMENTS FROM WHICH RELIEF IS REQUESTED; AND
 - C. THE SIZE, LOCATION, NATURE, AND TYPE OF ACCOMMODATION PROPOSED AND WHETHER ALTERNATIVES EXIST, WHICH COULD ACCOMMODATE THE NEED WITH LESS ADVERSE EFFECT.
- (3) THE BOARD OF APPEALS MAY REQUIRE, AS A CONDITION OF APPROVAL, THAT UPON THE TERMINATION OF THE NEED FOR ACCOMMODATION, THAT THE PROPERTY BE RESTORED TO COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS ORDINANCE. APPROPRIATE BONDS MAY BE COLLECTED, OR LIENS PLACED IN ORDER TO ENSURE THE COUNTY'S ABILITY TO RESTORE THE PROPERTY SHOULD THE APPLICANT FAIL TO DO SO.

§ NR 3-104. The 100-Foot Buffer.

(a) ~~Identification of the Buffer. A 100-foot Buffer is hereby established from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands.~~

(a) APPLICABILITY AND DELINEATION. AN APPLICANT FOR A DEVELOPMENT

ACTIVITY OR A CHANGE IN LAND USE SHALL APPLY ALL OF THE REQUIRED STANDARDS AS DESCRIBED BELOW. THE BUFFER SHALL BE DELINEATED IN THE FIELD AND SHALL BE SHOWN ON ALL APPLICATIONS AS FOLLOWS:

- (1) A BUFFER OF AT LEAST 100 FEET IS DELINEATED, AND EXPANDED AS DESCRIBED IN A(3), BASED ON EXISTING FIELD CONDITIONS LANDWARD FROM:
 - A. THE MEAN HIGH WATER LINE OF A TIDAL WATER;
 - B. THE EDGE OF EACH BANK OF A TRIBUTARY STREAM; AND
 - C. THE UPLAND BOUNDARY OF A TIDAL WETLAND.

- (2) APPLICATIONS FOR A SUBDIVISION OR DEVELOPMENT ACTIVITY ON LAND LOCATED WITHIN THE RCA REQUIRING SITE PLAN APPROVAL AFTER JULY 1, 2008, SHALL INCLUDE A MINIMUM BUFFER OF AT LEAST 200 FEET FROM A TIDAL WATERWAY OR TIDAL WETLANDS. IN THE FOLLOWING INSTANCES, THE 200-FOOT BUFFER DOES NOT APPLY AND THE BUFFER SHALL BE DELINEATED IN ACCORDANCE WITH A(1) AND A(3):
 - (A) THE APPLICATION FOR SUBDIVISION OR SITE PLAN APPROVAL WAS SUBMITTED BEFORE JULY 1, 2008, AND LEGALLY RECORDED (SUBDIVISIONS) OR RECEIVED APPROVAL (SITE PLANS), BY JULY 1, 2010; OR
 - (B) THE APPLICATION INVOLVES THE USE OF GROWTH ALLOCATION.

- (3) THE BUFFER SHALL BE EXPANDED BEYOND 100 FEET AS DESCRIBED IN A(1) ABOVE, AND BEYOND 200 FEET AS DESCRIBED IN §A(2) ABOVE, TO INCLUDE THE FOLLOWING CONTIGUOUS LAND FEATURES:
 - A. A STEEP SLOPE AT A RATE OF FOUR FEET FOR EVERY ONE PERCENT (1%) OF SLOPE OR THE ENTIRE STEEP SLOPE TO THE TOP OF THE SLOPE, WHICHEVER IS GREATER;
 - B. A NONTIDAL WETLAND TO THE UPLAND BOUNDARY OF THE NONTIDAL WETLAND;
 - C. THE BUFFER THAT IS ASSOCIATED WITH A NONTIDAL WETLAND OF SPECIAL STATE CONCERN AS STATED IN COMAR §26.23.06.01; AND/OR
 - D. FOR AN AREA OF HYDRIC SOILS OR HIGHLY ERODIBLE SOILS, THE LESSER OF:
 - (I) THE LANDWARD EDGE OF THE HYDRIC OR HIGHLY ERODIBLE SOILS; OR
 - (II) THREE HUNDRED FEET WHERE THE EXPANSION AREA INCLUDES THE MINIMUM BUFFER.

- (b) General requirements. The functions of the Buffer with regard to the protection of the ~~Atlantic Coastal Bays~~ CRITICAL AREA include the following:

- -
- (1) Provide for the removal or reduction of sediments, nutrients and potentially harmful or toxic substances in runoff entering the Bays and their tributaries;
 - (2) Minimize the adverse effects of human activities on wetlands, shoreline, stream banks, tidal waters, and aquatic resources;
 - (3) Maintain an area of transitional habitat between aquatic and upland communities;
 - (4) Maintain the natural environment of streams; and
 - (5) Protect riparian wildlife habitat.
- (c) DEVELOPMENT ACTIVITIES IN THE BUFFER. THE DEPARTMENT MAY AUTHORIZE DISTURBANCE TO THE BUFFER FOR THE FOLLOWING ACTIVITIES, PROVIDED MITIGATION IS PERFORMED IN ACCORDANCE WITH SUBSECTION (E), AND AN APPROVED BUFFER MANAGEMENT PLAN IS SUBMITTED AS REQUIRED PER SUBSECTION (H) OF THIS PART:
- (1) A NEW DEVELOPMENT OR REDEVELOPMENT ACTIVITY ASSOCIATED WITH A WATER-DEPENDENT FACILITY AS DESCRIBED IN § NR 3-124.
 - (2) IN ACCORDANCE WITH COMAR 26.24.02, A SHORE EROSION CONTROL MEASURE UNDER COMAR 26.24.04 AND THIS SUBTITLE.
 - (3) A DEVELOPMENT OR REDEVELOPMENT ACTIVITY APPROVED IN ACCORDANCE WITH THE VARIANCE PROVISIONS OF THIS SUBTITLE.
 - (4) A NEW DEVELOPMENT OR REDEVELOPMENT ACTIVITY ON A LOT OR PARCEL THAT WAS CREATED BEFORE JANUARY 1, 2010, IN THE ATLANTIC COASTAL BAYS, OR DECEMBER 1, 1985, IN THE CHESAPEAKE COASTAL BAYS WHERE:
 - A. THE BUFFER IS EXPANDED FOR HIGHLY ERODIBLE SOIL ON A SLOPE LESS THAN FIFTEEN (15) PERCENT OR IS EXPANDED FOR A HYDRIC SOIL, AND THE EXPANDED BUFFER OCCUPIES AT LEAST 75% OF THE LOT OR PARCEL;
 - B. THE DEVELOPMENT OR REDEVELOPMENT IS LOCATED IN THE EXPANDED PORTION OF THE BUFFER AND NOT WITHIN THE 100-FOOT BUFFER; AND
 - C. MITIGATION OCCURS AT A 2:1 RATIO BASED ON THE LOT COVERAGE OF THE PROPOSED DEVELOPMENT ACTIVITY THAT IS IN THE EXPANDED BUFFER.
 - (5) A SEPTIC SYSTEM ON A LOT CREATED BEFORE DECEMBER 1, 1985, IN THE CHESAPEAKE BAY CRITICAL AREA AND JUNE 1, 2002, IN THE ATLANTIC COASTAL BAYS CRITICAL AREA, WHERE MITIGATION IS PROVIDED AT A 1:1 RATIO FOR THE AREA OF CANOPY CLEARED OF ANY FOREST OR DEVELOPED WOODLAND.

(ed) Standards. The following criteria apply to land use activities within the Buffer:

- (1) The Buffer shall be established at a minimum distance of one hundred feet landward from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward edge of tidal wetlands; within the ~~Atlantic Coastal Bays~~ Critical Area.
- (2) The Buffer shall be expanded beyond one hundred feet to include contiguous sensitive areas such as steep slopes, hydric soils or highly erodible soils whose development or disturbance may impact streams, wetlands or other aquatic environments. In the case of contiguous slopes of fifteen percent (15%) or greater the Buffer shall be expanded four feet for every one percent (1%) of slope or to the top of the slope, whichever is greater in extent. Buffer expansion for steep slopes is not required when the slopes are wholly within the 100-foot Buffer.
- (3) The Buffer shall also be required along both sides of all drainage ditches if adjacent agricultural lands do not have in place Best Management Practices cited and approved under the Agricultural Protection Section of this Subtitle. The Buffer may be used to establish wildlife corridors as defined under this Program.
- (4) New development activities including structures, roads, parking areas and other LOT COVERAGE ~~impervious surfaces~~, mining and related facilities or septic systems may not be allowed in the Buffer except for those necessarily associated with water-dependent facilities approved under § NR 3-124 of this Subtitle.
- (5) The Buffer shall be maintained in natural vegetation, but may include planted vegetation where necessary to protect, stabilize or enhance the shoreline. When lands are proposed to be developed or converted to new uses, the Buffer shall be established. In establishing the Buffer, management measures shall be undertaken to provide forest vegetation that ensures the Buffer functions as set forth in this section.
- (6) APPLICATIONS FOR A SUBDIVISION OR DEVELOPMENT ACTIVITY ON LAND LOCATED WITHIN THE RESOURCE CONSERVATION AREA (RCA) REQUIRING SITE PLAN APPROVAL AFTER JULY 1, 2008, SHALL INCLUDE A MINIMUM BUFFER OF AT LEAST TWO HUNDRED (200) FEET FROM A TIDAL WATERWAY OR TIDAL WETLANDS. IN THE FOLLOWING INSTANCES, THE 200-FOOT BUFFER DOES NOT APPLY, AND THE BUFFER SHALL BE DELINEATED IN ACCORDANCE WITH (1)A AND B:
 - A. THE APPLICATION FOR SUBDIVISION OR SITE PLAN APPROVAL WAS SUBMITTED BEFORE JULY 1, 2008, AND LEGALLY RECORDED (SUBDIVISIONS) OR RECEIVED APPROVAL (SITE PLANS), BY JULY 1, 2010; OR
 - B. THE APPLICATION INVOLVES THE USE OF GROWTH ALLOCATION.

~~(e) Buffer management areas (BMAs). The County Commissioners may designate and map certain areas as Buffer management areas. These maps and the associated Buffer management plan shall be adopted by resolution of the County Commissioners after a duly advertised public hearing in accordance with § ZS 1-114 of the Worcester County Zoning Ordinance. Any measures approved as outlined herein shall be subject to the approval of the Critical Area Commission of the Chesapeake and Atlantic Coastal Bays.~~

- (de) Tree cutting in the Buffer. The Buffer shall be managed to achieve or enhance the standards stated in § NR 3-104(c) hereof. Cutting of trees or clearing of vegetation within the Buffer shall be prohibited except that:
- (1) Cutting of trees or removal of natural vegetation may be permitted where necessary to provide access to private piers, or to install, repair or construct a shore erosion protection device or measure, or a water-dependent facility, providing the device, measure or facility has received all necessary State and Federal permits. Such cutting of trees or removal of natural vegetation shall be in accordance with the following:
 - A. Access shall be provided in such a manner as to minimize clearing within the Buffer.
 - B. Access shall not be in excess of six feet in width.
 - C. The trees or vegetation cleared shall be replaced within the 100-foot Buffer on a two to one basis.
 - ~~(2) Individual trees may be cut for personal use providing that this cutting does not impair the water quality or existing habitat value or other functions of the Buffer as set forth in the policies of this plan and provided that the trees are replaced within the Buffer on an equal basis for each tree cut.~~
 - (32) Individual trees may be removed, which are dead, diseased, or which are in danger of falling and causing damage to dwellings or other structures, or which are in danger of falling and therefore causing the blockage of streams, or resulting in accelerated shore erosion.
 - (43) Horticultural practices may be used to maintain the health of individual trees.
 - (54) Other cutting techniques may be undertaken within the Buffer and under the advice and guidance of the State Departments of Agriculture and Natural Resources if necessary to preserve the forest from extensive pest or disease infestation or threat from fire.
 - (65) Notwithstanding any other provisions of this Subtitle, tree cutting or clearing in the Buffer may be permitted with a Critical Area site plan where the applicant demonstrates that Buffer impacts have been minimized for the initial development of a lot or parcel legally existing as of DECEMBER 1, 1985 FOR THE CHESAPEAKE BAY AND June 1, 2002 FOR THE ATLANTIC COASTAL BAYS when done in conjunction with a valid and approved forest conservation plan approved prior to the date of adoption of this Subtitle.
- (gf) BUFFER ESTABLISHMENT.
- (1) THE REQUIREMENTS OF THIS REGULATION APPLY TO:
 - A. A DEVELOPMENT OR REDEVELOPMENT ACTIVITY THAT OCCURS ON A LOT OR PARCEL THAT INCLUDES A BUFFER TO TIDAL WATERS, A TIDAL WETLAND, OR A TRIBUTARY STREAM IF THAT DEVELOPMENT OR REDEVELOPMENT ACTIVITY IS LOCATED OUTSIDE THE BUFFER; AND
 - B. THE APPROVAL OF A SUBDIVISION THAT INCLUDES A BUFFER TO TIDAL WATERS, A TIDAL WETLAND, OR A TRIBUTARY STREAM.

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- (2) THE REQUIREMENTS OF THIS REGULATION DO NOT APPLY TO AN IN-KIND REPLACEMENT OF A STRUCTURE.
- (3) THE DEPARTMENT SHALL REQUIRE AN APPLICANT TO ESTABLISH THE BUFFER IN VEGETATION IN ACCORDANCE WITH THE TABLE BELOW AND SUBSECTION (GF)(5) AND TO PROVIDE A BUFFER MANAGEMENT PLAN UNDER SUBSECTION (K) WHEN AN APPLICANT APPLIES FOR:
 - A. APPROVAL OF A SUBDIVISION;
 - B. CONVERSION FROM ONE LAND USE TO ANOTHER LAND USE ON A LOT OR A PARCEL; OR
 - C. DEVELOPMENT ON A LOT OR A PARCEL CREATED BEFORE JANUARY 1, 2010.
- (4) WITHIN THE INTENSLEY DEVELOPED AREA, LIMITED DEVELOPMENT AREA, OR RESOURCE CONSERVATION AREA, WHEN THE BUFFER IS NOT FULLY FORESTED OR IS NOT FULLY ESTABLISHED IN EXISTING, NATURALLY OCCURRING WOODY OR WETLAND VEGETATION, AN APPLICANT SHALL ESTABLISH THE BUFFER TO THE EXTENT REQUIRED IN THE FOLLOWING TABLE:

TABLE (gf)(5). BUFFER ESTABLISHMENT REQUIREMENTS.

DEVELOPMENT CATEGORY	LOT CREATED BEFORE JUNE 1, 2002, IN THE ATLANTIC COASTAL BAYS CRITICAL AREA or DECEMBER 1, 1985, IN THE CHESAPEAKE BAY CRITICAL AREA	LOT CREATED AFTER JUNE 1, 2002, IN THE ATLANTIC COASTAL BAYS CRITICAL AREA or DECEMBER 1, 1985, IN THE CHESAPEAKE BAY CRITICAL AREA
DEVELOPMENT ON A VACANT LOT	ESTABLISH THE BUFFER BASED ON THE TOTAL SQUARE FOOTAGE OF LOT COVERAGE OUTSIDE THE BUFFER	FULLY ESTABLISH THE BUFFER
SUBDIVISION	FULLY ESTABLISH THE BUFFER	
NEW LOT WITH AN EXISTING DWELLING UNIT	ESTABLISH THE BUFFER BASED ON THE TOTAL SQUARE FOOTAGE OF LOT COVERAGE OUTSIDE THE BUFFER	
CONVERSION OF LAND USE ON A PARCEL OR LOT TO ANOTHER LAND USE	FULLY ESTABLISH THE BUFFER	
ADDITION, ACCESSORY STRUCTURE, OR REDEVELOPMENT	ESTABLISH THE BUFFER BASED ON NET SQUARE FOOTAGE INCREASE IN LOT COVERAGE OUTSIDE THE BUFFER	
SUBSTANTIAL ALTERATION	ESTABLISH THE BUFFER BASED ON TOTAL SQUARE FOOTAGE OF LOT COVERAGE OUTSIDE THE BUFFER	

(6) ANY LOT COVERAGE REMOVED FROM THE BUFFER MAY BE DEDUCTED FROM THE TOTAL CUMULATIVE AMOUNT OF ESTABLISHMENT REQUIRED IF:

- A. THE LOT COVERAGE EXISTED BEFORE JUNE 1, 2002 IN THE ATLANTIC COASTAL BAY CRITICAL AREA OR DECEMBER 1, 1985 IN THE CHESAPEAKE BAY CRITICAL AREA OR WAS ALLOWED BY LOCAL PROCEDURES; AND
- B. THE TOTAL AREA IS STABILIZED.

(h) MITIGATION FOR IMPACTS TO THE BUFFER. AN APPLICANT FOR A DEVELOPMENT ACTIVITY THAT INCLUDES DISTURBANCE TO THE BUFFER SHALL MITIGATE FOR IMPACTS TO THE BUFFER AND SHALL PROVIDE A BUFFER MANAGEMENT PLAN IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THIS SUBSECTION.

(1) ALL AUTHORIZED DEVELOPMENT ACTIVITIES SHALL BE MITIGATED BASED ON THE RATIOS NOTED IN THE TABLE BELOW, IN ADDITION TO THE AREA OF CANOPY COVERAGE REMOVED FOR AN INDIVIDUAL TREE, DEVELOPED WOODLAND OR FOREST:

TABLE (h)(1) BUFFER MITIGATION RATIOS.

ACTIVITY	MITIGATION RATIO	
	PERMANENT DISTURBANCE	TEMPORARY DISTURBANCE
SEPTIC ON A LOT CREATED BEFORE LOCAL PROGRAM APPROVAL IF LOCATED IN EXISTING GRASS OR IF CLEARING IS NOT REQUIRED	NOT APPLICABLE	0
SEPTIC SYSTEM IN A FOREST OR DEVELOPED WOODLAND ON A LOT CREATED BEFORE LOCAL PROGRAM APPROVAL IF CLEARING IS REQUIRED	1:1	NOT APPLICABLE
SHORE EROSION CONTROL	1:1	1:1
RIPARIAN WATER ACCESS	2:1	1:1
WATER-DEPENDENT FACILITY	2:1	1:1
VARIANCE	3:1	1:1

(2) ALL VIOLATIONS IN THE BUFFER SHALL BE MITIGATED AT A RATIO OF 4:1 FOR THE AREA OF PERMANENT DISTURBANCE IN THE BUFFER.

(3) ANY LOT COVERAGE REMOVED FROM THE BUFFER MAY BE DEDUCTED FROM THE TOTAL CUMULATIVE AMOUNT OF MITIGATION REQUIRED IF:

- A. THE LOT COVERAGE EXISTED BEFORE THE DATE OF LOCAL PROGRAM ADOPTION OR WAS ALLOWED BY LOCAL PROCEDURES; AND

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- B. THE TOTAL AREA IS STABILIZED.
- (4) PLANTING FOR MITIGATION SHALL BE PLANTED ONSITE WITHIN THE BUFFER. IF MITIGATION PLANTING CANNOT BE LOCATED WITHIN THE BUFFER, THE DEPARTMENT MAY ALLOW PLANTING IN THE FOLLOWING ORDER OF PRIORITY:
 - A. ON-SITE AND ADJACENT TO THE BUFFER; AND
 - B. ON-SITE ELSEWHERE IN THE CRITICAL AREA.
- (5) THE INSTALLATION OR CULTIVATION OF NEW LAWN OR TURF IN THE BUFFER IS PROHIBITED.
- (i) BUFFER PLANTING STANDARDS. AN APPLICANT THAT IS REQUIRED TO PLANT THE BUFFER TO MEET ESTABLISHMENT OR MITIGATION REQUIREMENTS SHALL APPLY THE FOLLOWING PLANTING CREDITS AND STANDARDS:
 - (1) IF PLANTING TO MEET A MITIGATION REQUIREMENT, THE FOLLOWING COMBINATION OF PLANTINGS MAY BE USED:
 - A. IF REQUIRED TO PLANT LESS THAN ONE (1) ACRE, THE ENTIRE REQUIREMENT MUST BE MET USING LANDSCAPE STOCK, AS NOTED IN TABLE (I)(1).
 - B. IF REQUIRED TO PLANT ONE (1) ACRE OR MORE, AT LEAST 50% OF THE PLANTING REQUIREMENT MAY BE MET IN LANDSCAPE STOCK PER TABLE (I)(1), AND THE REMAINDER MAY BE MET IN FLEXIBLE STOCK PER TABLE (I)(2).
 - (2) IF PLANTING TO MEET AN ESTABLISHMENT REQUIREMENT, THE FOLLOWING COMBINATION OF PLANTINGS MAY BE USED:
 - A. IF REQUIRED TO PLANT LESS THAN ¼ ACRE, THE ENTIRE REQUIREMENT MUST BE MET USING LANDSCAPE STOCK PER TABLE (I)(1).
 - B. IF REQUIRED TO PLANT AT LEAST ¼ ACRE AND UP TO 1 ACRE, AT LEAST 25% OF THE REQUIREMENT MUST BE MET USING LANDSCAPE STOCK PER TABLE (I)(1) AND THE REMAINDER MAY BE MET IN FLEXIBLE STOCK PER TABLE (I)(2).
 - C. IF REQUIRED TO PLANT MORE THAN ONE (1) ACRE, AT LEAST 10% OF THE REQUIREMENT MUST BE MET USING LANDSCAPE STOCK PER TABLE (I)(1) AND THE REMAINDER MAY BE MET IN FLEXIBLE STOCK PER TABLE (I)(2).
 - (3) A VARIANCE TO THE PLANTING AND MITIGATION STANDARDS OF THIS ORDINANCE IS NOT PERMITTED.

(j) PLANTING CREDITS.

- (1) IF REQUIRED TO PLANT USING LANDSCAPE STOCK, THE FOLLOWING PLANTING SIZES AND CREDIT SHALL BE USED:

TABLE (H)(1) LANDSCAPE STOCK CREDIT.

VEGETATION TYPE	MINIMUM SIZE ELIGIBLE FOR CREDIT	MAXIMUM CREDIT ALLOWED (SQUARE FEET)	MAXIMUM PERCENTAGE OF LANDSCAPE STOCK CREDIT
Canopy TREE	2-INCH CALIPER	200	NOT APPLICABLE
Canopy TREE	¾-INCH CALIPER	100	NOT APPLICABLE
Understory Tree	¾-inch caliper	75	Not Applicable
LARGE SHRUB	3 feet high	50	30%
SMALL SHRUB	18 inches high	25	20%
HERBACEOUS PERENNIAL	1 quart OR BASED ON THE AREA COVERED BY PLUGS OR SEED MIX	2	10%
PLANTING CLUSTER FOR BUFFER ESTABLISHMENT OR MITIGATION OF LESS THAN ½ ACRE	1 CANOPY TREE; AND 3 LARGE SHRUBS OR 6 SMALL SHRUBS OF SIZES LISTED ABOVE	300	NOT APPLICABLE
PLANTING CLUSTER FOR BUFFER ESTABLISHMENT OR MITIGATION OF LESS THAN ½ ACRE	2 UNDERSTORY TREES; AND 3 LARGE SHRUBS OR 6 SMALL SHRUBS OF SIZES LISTED ABOVE	350	NOT APPLICABLE

- A. THE DEPARTMENT MAY AUTHORIZE AN APPLICANT TO INCREASE THE PERCENTAGE OF LARGE SHRUBS, SMALL SHRUBS, OR HERBACEOUS PERENNIALS IF:

- i. THE BUFFER HAS EXISTING CANOPY COVERAGE OF AT LEAST 50 PERCENT; OR
- ii. THERE ARE VERIFIED SITE CONSTRAINTS THAT PRECLUDE CANOPY PLANTINGS, INCLUDING SEVERELY ERODING SLOPES, SALTWATER INTRUSION, PREDOMINATELY SANDY SOILS, OR UNCONSOLIDATED FILL.

- (2) THE FOLLOWING FLEXIBLE PLANTING STOCK MAY BE USED IF AUTHORIZED UNDER SECTION E(1) OR (2) OF THIS PART:

TABLE (i)(2) FLEXIBLE PLANTING STOCK.

STOCK SIZE OF TREES ONLY	REQUIRED # OF STEMS/ACRE	SURVIVABILITY REQUIREMENT	MINIMUM FINANCIAL ASSURANCE PERIOD AFTER PLANTING
BARE-ROOT SEEDLINGS OR WHIP	700	50 PERCENT	5 YEARS
½-INCH TO 1-INCH CONTAINER GROWN TREES	450	75 PERCENT	2 YEARS
MORE THAN 1-INCH CONTAINER GROWN TREES	350	90 PERCENT	2 YEARS

(K) REQUIRED SUBMITTAL OF BUFFER MANAGEMENT PLANS. AN APPLICANT THAT IS REQUIRED TO PLANT THE BUFFER TO MEET ESTABLISHMENT OR MITIGATION REQUIREMENTS SHALL SUBMIT A BUFFER MANAGEMENT PLAN IN ACCORDANCE WITH COMAR 27.01.09.01-3. THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO MAINTAINING AN EXISTING GRASS LAWN OR AN EXISTING GARDEN IN THE BUFFER.

- (1) ANY PERMIT FOR A DEVELOPMENT ACTIVITY THAT REQUIRES BUFFER ESTABLISHMENT OR BUFFER MITIGATION WILL NOT BE ISSUED UNTIL A BUFFER MANAGEMENT PLAN IS APPROVED BY THE DEPARTMENT.
- (2) AN APPLICANT MAY NOT OBTAIN THE FINAL APPROVAL OF A SUBDIVISION APPLICATION UNTIL THE BUFFER MANAGEMENT PLAN HAS BEEN REVIEWED AND APPROVED BY THE DEPARTMENT.
- (3) THE DEPARTMENT MAY NOT APPROVE A BUFFER MANAGEMENT PLAN UNLESS:
 - A. THE PLAN INDICATES THAT ALL PLANTING STANDARDS UNDER SUBSECTION (3-104 (i)) WILL BE MET; AND
 - B. APPROPRIATE MEASURES ARE IN PLACE FOR THE LONG-TERM PROTECTION AND MAINTENANCE OF ALL BUFFER AREAS.
- (4) FOR A BUFFER MANAGEMENT PLAN THAT IS THE RESULT OF AN AUTHORIZED DISTURBANCE TO THE BUFFER, A PERMIT AUTHORIZING FINAL USE AND OCCUPANCY WILL NOT BE ISSUED UNTIL THE APPLICANT:
 - A. COMPLETES THE IMPLEMENTATION OF A BUFFER MANAGEMENT PLAN; OR
 - B. PROVIDES FINANCIAL ASSURANCE TO COVER THE COSTS FOR:
 - I. MATERIALS AND INSTALLATION; AND
 - II. IF THE MITIGATION OR ESTABLISHMENT REQUIREMENT IS AT LEAST 5,000 SQUARE FEET, LONG-TERM SURVIVABILITY REQUIREMENTS AS SET FORTH IN COMAR 27.01.09.01-2.

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- (5) CONCURRENT WITH RECORDATION OF A SUBDIVISION PLAT, AN APPLICANT SHALL RECORD A PROTECTIVE EASEMENT FOR THE BUFFER.
 - (6) IF AN APPLICANT FAILS TO IMPLEMENT A BUFFER MANAGEMENT PLAN, THAT FAILURE SHALL CONSTITUTE A VIOLATION OF THIS SUBTITLE. A PERMIT FOR ANY DEVELOPMENT ACTIVITY WILL NOT BE ISSUED FOR A PROPERTY THAT HAS A VIOLATION.
 - (7) AN APPLICANT SHALL POST A SUBDIVISION WITH PERMANENT SIGNS PRIOR TO FINAL RECORDATION IN ACCORDANCE WITH COMAR 27.01.09.01-2.
 - (8) BUFFER MANAGEMENT PLANS THAT INCLUDE NATURAL REGENERATION SHALL FOLLOW THE PROVISIONS OF COMAR 27.01.09.01-4.
- (L) FEE-IN-LIEU OF BUFFER MITIGATION. A FEE-IN-LIEU FOR MITIGATION WILL BE COLLECTED IF THE PLANTING REQUIREMENTS OF SUBSECTION (E) CANNOT BE FULLY MET ONSITE, IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
- (1) FEE-IN-LIEU MONIES SHALL BE COLLECTED AND HELD IN A SPECIAL FUND, WHICH MAY NOT REVERT TO THE WORCESTER COUNTY'S GENERAL FUND;
 - (2) FEE-IN-LIEU SHALL BE ASSESSED AT \$1.50 PER SQUARE FOOT OF REQUIRED BUFFER MITIGATION;
 - (3) A PORTION OF FEE-IN-LIEU MONEY CAN BE USED FOR MANAGEMENT AND ADMINISTRATIVE COSTS; HOWEVER, THIS CANNOT EXCEED 20% OF THE FEES COLLECTED; AND
 - (4) FEE-IN-LIEU MONIES SHALL BE USED FOR THE FOLLOWING PROJECTS:
 - A. TO ESTABLISH THE BUFFER ON SITES WHERE PLANTING IS NOT A CONDITION OF DEVELOPMENT OR REDEVELOPMENT;
 - B. FOR WATER QUALITY AND HABITAT ENHANCEMENT PROJECTS AS APPROVED BY THE CRITICAL AREA COMMISSION OR BY AGREEMENT BETWEEN WORCESTER COUNTY AND THE CRITICAL AREA COMMISSION.
- (M) Buffer management areas (BMAs). The County Commissioners may designate and map certain areas as Buffer management areas. These maps and the associated Buffer management plan shall be adopted by resolution of the County Commissioners after a duly advertised public hearing in accordance with § ZS 1-114 of the Worcester County Zoning Ordinance. Any measures approved as outlined herein shall be subject to the approval of the Critical Area Commission of the Chesapeake and Atlantic Coastal Bays. FOR BMAS WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA, REFERENCE APPENDIX ADOPTED BY WORCESTER COUNTY COMMISSIONERS ON MARCH 18, 2003.

§ NR 3-105. Grandfathered uses structures and density.

- (a) Continuation of existing uses. The Department shall permit the continuation, but not necessarily

the intensification or expansion, of any permitted use or structure legally existing on the date of Program approval unless the use has been discontinued for more than one year or is otherwise restricted by existing local ordinances. If any existing use or structure does not conform with the provisions of the Program, its intensification or expansion may be permitted only in accordance with the variance procedures outlined in § NR 3-111 of this Subtitle.

- (b) Residential density. Except as herein provided, the Department shall permit the types of land described in the following subsections to be developed notwithstanding the density provisions of this Subtitle provided it is in accordance with the following subsections.
- (1) A vacant single lot or parcel of land legally existing as of the date of adoption of this Subtitle, DECEMBER 1, 1985 IN THE CHESAPEAKE BAYS CRITICAL AREA AND JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA, may be improved with a single-family dwelling provided that the lot or parcel is brought into conformance with the terms of this Subtitle to the extent possible, including the consolidation or reconfiguration of adjoining lots owned by the same individual or entity and the measures proposed are approved by the Commission.
 - (2) IT IS ON LAND WHERE DEVELOPMENT ACTIVITY HAS PROGRESSED TO THE POINT OF THE POURING OF FOUNDATION FOOTINGS OR THE INSTALLATION OF STRUCTURAL MEMBERS.
 - (2-3) ~~Vacant land that was subdivided into recorded and legally buildable lots which received final plat approval as described in the Zoning and Subdivision Control Article after June 1, 2002 but prior to the effective date of this Subtitle may be improved with a single-family dwelling provided that development of the land conforms to the requirements of this Subtitle and COMAR Title 27, as from time to time amended, or the area of land is deducted from the County's growth allocation.~~
IT IS A LEGAL PARCEL OF LAND, NOT BEING PART OF A RECORDED OR APPROVED SUBDIVISION, THAT WAS RECORDED AS OF DECEMBER 1, 1985 IN THE CHESAPEAKE BAY CRITICAL AREA; JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA, AND LAND THAT WAS SUBDIVIDED INTO RECORDED, LEGALLY BUILDABLE LOTS, WHERE THE SUBDIVISION RECEIVED THE COUNTY'S FINAL APPROVAL PRIOR TO JUNE 1, 1984 IN THE CHESAPEAKE BAY CRITICAL AREA; JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA IF:
 - A. AT THE TIME OF DEVELOPMENT, THE LAND IS BROUGHT INTO CONFORMANCE WITH THE CRITICAL AREA PROGRAM INSOFAR AS POSSIBLE, INCLUDING MEETING THE LOT CONSOLIDATION AND RECONFIGURATION REQUIREMENTS OF NR 3-115, IF APPLICABLE;
OR
 - B. WITHIN THE CHESAPEAKE BAYS CRITICAL AREA, THE LAND HAS RECEIVED A BUILDING PERMIT SUBSEQUENT TO DECEMBER 1, 1985, BUT PRIOR TO LOCAL PROGRAM APPROVAL.
 - (4) IT IS ON LAND THAT WAS SUBDIVIDED INTO RECORDED, LEGALLY BUILDABLE LOTS, WHERE THE SUBDIVISION RECEIVED THE COUNTY'S FINAL APPROVAL BETWEEN JUNE 1, 1984 AND DECEMBER 1, 1985 IN THE CHESAPEAKE BAY CRITICAL AREA AND JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA; AND
 - (5) IT IS ON LAND THAT WAS SUBDIVIDED INTO RECORDED, LEGALLY

BUILDABLE LOTS, WHERE THE SUBDIVISION RECEIVED THE FINAL APPROVAL AFTER DECEMBER 1, 1985 IN THE CHESAPEAKE BAY CRITICAL AREA AND JUNE 1, 2002 IN THE ATLANTIC COASTAL BAY CRITICAL AREA, AND PROVIDED THAT EITHER DEVELOPMENT OF ANY SUCH LAND CONFORMS TO THE IDA, LDA OR RCA REQUIREMENTS IN THIS CHAPTER OR THE AREA OF THE LAND IS COUNTED AGAINST THE GROWTH ALLOCATION PERMITTED UNDER THIS ORDINANCE.

- (36) WITHIN THE ATLANTIC COASTAL BAYS, a planned unit development in a bayside mixed use district that receives final site plan approval and/or for which a subdivision plat has been recorded after June 1, 2002 but prior to the effective date of this Subtitle may be developed provided that:
- A. Development of the land conforms to the requirements of this Subtitle and Title 27 of the Code of Maryland Regulations, as from time to time amended, and the land area is deducted from the County's growth allocation in accordance with § NR 3-112 hereof and COMAR 27.01.02.06, as from time to time amended; or
 - B. The land is:
 - i. Designated as an Intensely Developed Area;
 - ii. Exempted from the Buffer designation in COMAR 27.01.09, as from time to time amended, pursuant to § NR 3-104(e) hereof; and
 - iii. Part of a project that complies with Title 4, Subtitle 2 of the Environment Article of the Annotated Code of Maryland as may be amended from time to time.

§ NR 3-106. Intensely Developed Areas.

- (a) Description. Intensely Developed Areas are areas where residential, commercial, institutional, and/or industrial uses predominate and where relatively little natural habitat occurs or remains. At the time of the initial mapping, these areas shall have at least one of the following features:
- (1) Housing density equal to or greater than four dwelling units per acre;
 - (2) Industrial, institutional or commercial uses are concentrated in the area; or
 - (3) Public sewer and water collection and distribution systems are currently serving the area, and housing density is greater than three dwelling units per acre.
 - (4) In addition, these features shall be concentrated in an area of at least twenty adjacent acres or that entire upland portion of the ~~Atlantic Coastal Bays~~ Critical Area within the boundary of a municipality, whichever is less., UNLESS:
 - A. THE COMMISSION HAS APPROVED AN ALTERNATIVE STANDARD FOR DESIGNATION OF AN INTENSELY DEVELOPED AREA; AND
 - B. THE AREA IS PART OF A GROWTH ALLOCATION APPROVED BY THE COMMISSION.
- (b) General requirements. In addition to the 100-foot Buffer, new or expanded development or

redevelopment within Intensely Developed Areas shall:

- (1) Improve the quality of runoff from developed areas that enter the ~~Atlantic Coastal Bays~~ Critical Area or its tributary streams;
 - (2) Accommodate additional development of the type and intensity designated by the County Commissioners in this Subtitle provided that water quality is not impaired;
 - (3) Minimize the expansion of Intensely Developed Areas into portions of the ~~Atlantic Coastal Bays~~ Critical Area designated as Habitat Protection Areas and Resource Conservation Areas under this Program;
 - (4) Conserve and enhance Habitat Protection Areas to the extent possible within Intensely Developed Areas; and
 - (5) Use retrofitting measures to the extent feasible to address existing stormwater management problems.
- (c) Development standards. The following criteria are hereby adopted for Intensely Developed Areas:
- (1) All plans shall be assessed for their impacts on water quality and other biological resources.
 - (2) Roads, bridges, or utilities may not be located in any Habitat Protection Area unless no feasible alternative exists. All roads, bridges, and utilities that must cross a Habitat Protection Area shall be located, designed, constructed, and maintained so as to provide maximum erosion protection and minimize negative impacts to wildlife, aquatic life, and their habitats and maintain hydrologic processes and water quality.
 - (3) Best Management Practices shall be considered and, where appropriate, implemented as part of all plans for development or redevelopment.
 - (4) Development and redevelopment shall be subject to the Habitat Protection Area requirements prescribed in § NR 3-120 through 3-123 of this Subtitle.
 - (5) Stormwater shall be addressed in accordance with the following provisions:
 - A. The county shall require, at the time of development or redevelopment, that technologies as required by applicable State and local ordinances be applied by anyone undertaking development activities in order to minimize adverse impacts to water quality caused by stormwater. The technologies shall be developed in accordance with the guidelines published by the ~~Chesapeake Bay~~ Critical Area Commission.
 - B. In the case of redevelopment, if the technologies do not reduce pollutant loadings measured by use of the keystone pollutant method by at least ten percent (10%) below the level of pollution on the site prior to redevelopment, then offsets shall be provided to achieve a ten percent (10%) reduction.
 - C. In the case of new development, offsets as determined by the Department shall be used if they reduce pollutant loadings by at least ten percent (10%) of the pre-development levels.

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- D. Offsets may be located either on or off site, provided that water quality benefits are equivalent, that the benefits are obtained within the same watershed, and that the benefits can be determined through the use of modeling, monitoring or other computation of mitigation measures as specified in the ~~“10% Rule Compliance—Urban Stormwater Quality Guidance for Maryland Chesapeake Bay Critical Area” (Kumble, Peter, et al, 1993)~~. CRITICAL AREA 10% RULE GUIDANCE MANUAL – FALL 2003 AND AS MAY BE SUBSEQUENTLY AMENDED.
- (6) WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA, proposed development sites shall provide a forest or developed woodland cover of at least fifteen percent (15%) after development, which may be comprised all or in part of typical landscaping as approved by the Department, with the following exceptions:
- A. Development of a single lot for the purpose of constructing a dwelling intended for the use of the owner, a child or grandchild of the owner, if the development does not result in the cutting, clearing or grading of more than forty thousand square feet of forest and the lot was legally recorded prior to July 31, 1994; or
- B. Development of a single lot that is part of a project that has otherwise complied with the Forest Conservation Act.
- (7) If practicable, permeable areas shall be established in vegetation and whenever possible, redevelopment shall reduce existing levels of pollution.
- (8) Areas of public access to the shoreline, such as foot paths, scenic drives and other public recreational facilities and open spaces, should be maintained and, if possible, encouraged to be established within Intensely Developed Areas.
- (9) Ports and industries which use water for transportation and derive economic benefits from shore access shall be located near existing port facilities. The County Commissioners may identify other sites for planned future port facility development and use if this use will provide significant economic benefit to the State or County and is consistent with the provisions of the Water Dependent Facilities Section of this Subtitle and other State and Federal regulations.
- (10) To the extent practicable, future development in the ~~Atlantic Coastal Bays~~ Critical Area shall use cluster development as a means to reduce ~~impervious areas~~ LOT COVERAGE and to maximize areas of natural vegetation.
- (11) When the cutting or clearing of trees in forests and developed woodland areas is associated with current or planned development activities, the following shall be required:
- A. Development activities shall be designed and implemented to minimize destruction of forest and woodland vegetation; and
- B. Development activities shall address the protection of existing forests and developed woodlands identified as Habitat Protection Areas in the Habitat Protection Section of this Subtitle.

§ NR 3-107. Limited Development Areas.

- (a) Description. Limited Development Areas are those areas that are currently developed in low or

moderate-intensity uses. They also contain areas of natural plant and animal habitats. The quality of runoff from these areas has not been substantially altered or impaired. At the time of the initial mapping, these areas shall have at least one of the following features:

- (1) Housing density ranging from one dwelling unit per five acres up to four dwelling units per acre;
- (2) Areas not dominated by agricultural, wetland, forest, barren land, surface water, or open space;
- (3) Areas meeting the conditions of an Intensely Developed Area but comprising less than twenty acres; or
- (4) Areas having public sewer or public water, or both.

(b) General requirements. In addition to the ~~100-foot~~ Buffer, the ~~Atlantic Coastal Bays~~ Critical Area law hereby incorporates the following requirements for Limited Development Areas. New or expanded development or redevelopment shall take place in such a way as to:

- (1) Maintain or, if possible, improve the quality of runoff and groundwater entering the Atlantic Coastal Bays and their tributaries;
- (2) Maintain, to the extent practicable, existing areas of natural habitat; and
- (3) Accommodate additional low or moderate-intensity development if:
 - A. This development conforms to the water quality and habitat protection criteria in subsection 3-107(c) hereof; and
 - B. The overall intensity of development within the Limited Development Areas is not increased beyond the level established in a particular area so as to change its prevailing character as identified by density and land use established in the area at the time of adoption of this Subtitle.

(c) Development standards. The following criteria apply for Limited Development Areas:

- (1) For all development activities in the Limited Development Areas, the applicant shall identify any environmental or natural feature described below and shall meet all of the following standards of environmental protection:
 - A. Adherence to the provisions of § NR 3-104 and 3-120 through 3-123 of this Subtitle.
 - B. Roads, bridges, or utilities may not be located in any Habitat Protection Area unless no feasible alternative exists. All roads, bridges, and utilities that must cross a Habitat Protection Area shall be located, designed, constructed, and maintained so as to provide maximum erosion protection and minimize negative impacts to wildlife, aquatic life, and their habitats and maintain hydrologic processes and water quality.
 - C. All development activities that must cross or affect streams shall be designed to:
 1. Reduce increases in flood frequency and severity that are attributable to development;

- 2. Retain tree canopy so as to maintain stream water temperature within normal variation;
 - 3. Provide a natural substrate for stream beds; and
 - 4. Minimize adverse water quality and quantity impacts of stormwater.
- D. All development sites receiving project approval shall incorporate a wildlife corridor system that connects the largest undeveloped or most vegetated tracts of land within and adjacent to the site in order to provide continuity of existing wildlife and plant habitats with offsite habitats. The wildlife corridor system may include Habitat Protection Areas identified in this Subtitle. The Department shall ensure the maintenance of the wildlife corridors by requiring the establishment of conservation easements, restrictive covenants, or similar instruments approved by the County Commissioners through which the corridor is preserved by public or private groups, including homeowners associations, land trusts, nature trusts, and other organizations.
- (2) For the cutting or clearing of trees in forests and developed woodland areas which are associated with current or planned development activities, but not including building permits for individual lots, in a Limited Development Area, the Department shall:
- A. Require that the applicant seek the comments of and comply with the recommendations of the Maryland Department of Natural Resources to the extent possible when planning development on forested land;
 - B. Design and implement development activities to minimize the destruction of woodland vegetation, and;
 - C. Provide protection for forests and developed woodlands identified as Habitat Protection Areas in this Subtitle.
 - D. Planting associated with the required replacement of forest or developed woodland shall be performed prior to the issuance of any zoning certificate or certificate of use and occupancy or shall be bonded in accordance with the provisions of § ZS 1-124 of the Worcester County Zoning Ordinance.
 - E. IF AN APPLICANT IS AUTHORIZED TO CLEAR LESS THAN TWENTY (20) PERCENT OF A FOREST OR DEVELOPED WOODLANDS ON A LOT OR PARCEL, THE APPLICANT SHALL REPLACE THE FOREST OR DEVELOPED WOODLANDS AT A RATE OF ONE (1) TIMES THE ENTIRE AREAL EXTENT OF THE FOREST OR DEVELOPED WOODLAND CLEARED;
 - F. IF AN APPLICANT IS AUTHORIZED TO CLEAR MORE THAN TWENTY (20) PERCENT OF A FOREST OR DEVELOPED WOODLANDS ON A LOT OR PARCEL, THE APPLICANT SHALL REPLACE THE FOREST OR DEVELOPED WOODLANDS AT 1.5 TIMES THE ENTIRE AREAL EXTENT OF THE FOREST OR DEVELOPED WOODLANDS CLEARED, INCLUDING THE FIRST TWENTY (20) PERCENT OF THE FOREST OR DEVELOPED WOODLANDS CLEARED;
 - G. AN APPLICANT MAY NOT CLEAR MORE THAN THIRTY (30) PERCENT OF A FOREST OR DEVELOPED WOODLANDS ON A LOT OR PARCEL

UNLESS THE VARIANCE IS GRANTED AND THE APPLICANT REPLACES FOREST OR DEVELOPED WOODLANDS AT A RATE OF THREE (3) TIMES THE ENTIRE AREAL EXTENT OF THE FOREST OR DEVELOPED WOODLANDS CLEARED.

H. IF AN APPLICANT IS AUTHORIZED TO CLEAR ANY PERCENTAGE OF FOREST OR DEVELOPED WOODLAND THE REMAINING PERCENTAGE SHALL BE MAINTAINED THROUGH RECORDED, RESTRICTIVE COVENANTS OR SIMILAR INSTRUMENTS APPROVED BY THE COUNTY.

~~(3) For the alteration of forest and developed woodland in the Limited Development Area, the following requirements shall apply:~~

~~A. The total acreage in forest coverage within the County in the Atlantic Coastal Bays Critical Area shall be maintained or preferably increased;~~

~~B. All forests that are allowed to be cleared or developed shall be replaced in the Atlantic Coastal Bays Critical Area on not less than an equal area basis on sites with similar characteristics to those on which the original forests were growing;~~

~~C. No more than twenty percent (20%) of any forest or developed woodland may be removed from forest use, except as provided in paragraph (e)(4) below. The remaining eighty percent (80%) shall be maintained through recorded, restrictive covenants or similar instruments approved by the County Commissioners; and~~

~~D. Developed woodland vegetation shall be conserved to the greatest extent practicable.~~

~~(4) For replacement of forest and developed woodland, if more than twenty percent (20%) is to be removed from forest use, an applicant may clear or develop not more than thirty percent (30%) of the total forest area provided that the afforested area shall consist of one and a half times the total surface acreage of the disturbed forest or developed woodland area, or both.~~

(53) In addition, applicants seeking project approval shall adhere to the following criteria for forest and woodland development:

A. A performance bond in an amount determined by the Department to ensure satisfactory replacement as required by paragraph (c)(2) ~~(3) and (4)~~ above shall be posted, if necessary;

B. A stormwater management permit and sediment and erosion control plan approval shall be required before forest or developed woodland is cleared;

C. Forests which have been cleared before obtaining a stormwater management permit and sediment and erosion control plan approval or that exceed the maximum area allowed in paragraph (c)(2) above shall be replanted at three times the areal extent of the cleared forest;

D. If the areal extent of the site limits the application of the reforestation guidelines in paragraph (c)(2) ~~(3), (4) and (5)~~ above, alternative provisions or reforestation guidelines may be permitted by the Department if they are consistent with the intent of the Forest and Woodland element of this Subtitle to conserve the forest

and developed woodland resources of the ~~Atlantic Coastal Bays~~ Critical Area. Alternative provisions may include use of a forest mitigation bank if the provisions are adequate to ensure the restoration or establishment of an equivalent forest area;

- E. If no forest exists on the proposed development site, this site shall be planted to provide a forest or developed woodland cover of at least fifteen percent (15%);
 - F. All forests designated on development plans shall be maintained to the extent practicable, through conservation easements, restrictive covenants or other protective instruments approved by the County Attorney;
 - G. The applicant shall designate, subject to the approval of the Department, a new forest area on a part of the site not forested; and
 - H. The afforested area shall be maintained as forest cover through easements, restrictive covenants, or other protective instruments approved by the County Commissioners.
- (64) Projects which receive Forest Conservation Plan approval in accordance with the provisions of Subtitle 4 (Forest Conservation) of the Worcester County Code of Public Local Laws prior to JUNE 1, 2002 FOR THE ATLANTIC COASTAL BAYS ~~the date of adoption of this Subtitle~~ may develop under the terms of that Forest Conservation Plan approval with a Critical Area site plan where the applicant demonstrates that resource impacts have been minimized, notwithstanding the provisions of § NR 3-107(c)(1) through (5) above.
- (75) Development on slopes greater than fifteen percent (15%), as measured before development, shall be prohibited unless the project is the only effective way to maintain or improve the stability of the slope and is consistent with the policies in Section 3-107(b) above.
- (8) Except as otherwise provided in this subsection, for stormwater runoff, LOT COVERAGE ~~impervious areas~~ shall be limited to fifteen percent (15%) of the site.
- A. If a parcel or lot of one-half acre or less in size existed on or before DECEMBER 1, 1985, IN THE CHEAPEAKE BAY, OR June 1, 2002, IN THE ATLANTIC COASTAL BAYS, then LOT COVERAGE IS ~~manmade impervious surfaces are~~ limited to twenty-five percent (25%) of the parcel or lot.
 - B. If a parcel or lot greater than one-half acre and less than one acre in size existed on or before DECEMBER 1, 1985, IN THE CHEAPEAKE BAY, OR June 1, 2002, IN THE ATLANTIC COASTAL BAYS, then LOT COVERAGE IS ~~manmade impervious surfaces are~~ limited to fifteen percent (15%) of the parcel or lot.
 - C. If an individual lot one acre or less in size is part of a subdivision approved after DECEMBER 1, 1985, IN THE CHEAPEAKE BAY, OR June 1, 2002, IN THE ATLANTIC COASTAL BAYS, then ~~manmade impervious surfaces of the lot~~ COVERAGE may not exceed ~~twenty-five percent (25%) of the lot and the total impervious surfaces of the entire subdivision may not exceed fifteen percent (15%)~~ EXCEED FIFTEEN (15%) OF THE INDIVIDUAL LOT; HOWEVER THE TOTAL LOT COVERAGE FOR THE ENTIRE SUBDIVISION MAY NOT EXCEED FIFTEEN PERCENT (15%).

D. ~~Impervious surface~~ LOT COVERAGE limits provided in subsections (c)(8)A through C above may be exceeded, ~~upon findings by the Director of the Department or his designee that~~ IF all of the following conditions exist:

1. THE LOT OR PARCEL IS LEGALLY NONCONFORMING. A LOT OR PARCEL LEGALLY DEVELOPED AS OF JULY 1, 2008 MAY BE CONSIDERED LEGALLY NONCONFORMING FOR THE PURPOSES OF LOT COVERAGE REQUIREMENTS;
2. LOT COVERAGE ASSOCIATED WITH NEW DEVELOPMENT ACITIVITIES ~~New impervious surfaces~~ on the property have been minimized;
32. For a lot or parcel one-half acre or less in size, total LOT COVERAGE ~~impervious surface area~~ does not exceed ~~impervious surface~~ LOT COVERAGE limits in subsection (c)(8)A by more than twenty-five percent (25%) or five hundred (500) square feet, whichever is greater;
43. For a lot or parcel greater than one-half acre and less than one acre in size, total LOT COVERAGE ~~impervious surface area~~ does not exceed LOT COVERAGE ~~impervious surface~~ limits in subsection (c)(8)B or five thousand, four hundred and forty-five (5,445) square feet, whichever is greater;
54. Water quality impacts associated with runoff from new ~~impervious surfaces~~ LOT COVERAGE can be and have been minimized through site design considerations or the use of best management practices to improve water quality; and
65. The property owner performs on-site mitigation to offset potential adverse water quality impacts from the new ~~impervious surfaces~~ LOT COVERAGE.

E. THE FOLLOWING TABLE SUMMARIZES THE LIMITS SET FORTH IN PARAGRAPHS A THROUGH D ABOVE:

LOT/PARCEL SIZE (SQUARE FEET)	LOT COVERAGE LIMIT
0 – 8,000	25% OF PARCEL + 500 SF
8,001 – 21, 780	31.25% OF PARCEL
21,780 – 36,300	5,445 SF
36,301 – 43,560	15% OF PARCEL

F. IF THE DEPARTMENT MAKES THE FINDINGS SET FORTH IN SECTION E ABOVE AND AUTHORIZES AN APPLICANT TO USE THE LOT COVERAGE LIMITS SET FORTH IN THAT PARAGRAPH, THE APPLICANT SHALL:

- (1) DEMONSTRATE THAT WATER QUALITY IMPACTS ASSOCIATED WITH RUNOFF FROM THE DEVELOPMENT ACTIVITIES THAT CONTRIBUTE TO LOT COVERAGE HAVE

BEEN MINIMIZED THROUGH SITE DESIGN CONSIDERATIONS OR THE USE OF BEST MANAGEMENT PRACTICES TO IMPROVE WATER QUALITY; AND

- (2) THE PROPERTY OWNER PERFORMS ON-SITE MITIGATION, IN THE FORM OF PLANTINGS, TO OFFSET POTENTIAL ADVERSE WATER QUALITY IMPACTS FROM THE NEW LOT COVERAGE.
 - (3) IF THE APPLICANT CANNOT PROVIDE APPROPRIATE STORMWATER TREATMENT AND PLANTINGS DUE TO SITE CONSTRAINTS, THEN THE COUNTY MAY REQUIRE THE PROPERTY OWNER TO PAY A FEE TO THE COUNTY IN LIEU OF PERFORMING THE ON-SITE MITIGATION. SUCH A FEE IS ESTABLISHED BY RESOLUTION OF THE COUNTY COMMISSIONERS AND MAY BE AMENDED FROM TIME TO TIME. THE COUNTY SHALL USE ALL FEES COLLECTED UNDER THIS PROVISION TO FUND PROJECTS THAT IMPROVE WATER QUALITY WITHIN THE CRITICAL AREA, CONSISTENT WITH THE COUNTY'S CRITICAL AREA PROGRAM AND ZONING ORDINANCE.
- (9) To reduce the extent of ~~impervious areas~~ LOT COVERAGE and maximize areas of natural vegetation, cluster development shall be considered when planning for future development.
- (10) Development may be allowed on soils having development constraints if the development includes mitigation measures that adequately address the identified constraints, and that will not have significant adverse impacts on water quality or plant, fish, or wildlife habitat.
- (d) Complementary State laws and regulations. In applying this ~~Atlantic Coastal Bays~~ Critical Area Law, the Program refers to all of the following complementary existing State laws and regulations:
- (1) For soil erosion and sediment control (COMAR 26.17.01, as from time to time amended):
 - A. In order to prevent soil erosion and sedimentation, a Soil Erosion and Sedimentation Control Plan shall be required whenever a development within the ~~Atlantic Coastal Bays~~ Critical Area will involve any clearing, grading, transporting, or other form of disturbance to land by the movement of earth. This plan shall be consistent with the requirements of Natural Resources Article §§ 8-1101 through 8-1108 and Environment Article §§ 4-103 through 4-108 and § 4-116, Annotated Code of Maryland, as from time to time amended, and local ordinances, as may be amended from time to time. Sediment control practices shall be appropriately designed to reduce adverse water quality impacts.
 - B. The Program requires erosion control as the basis of sediment control plans within the ~~Atlantic Coastal Bays~~ Critical Area.
 - (2) For stormwater runoff (COMAR 26.17.02, as from time to time amended):
 - A. Post-development discharges may not cause downstream property, watercourses, channels, or conduits to receive stormwater runoff at a higher volume or rate than would have resulted from a 10-year storm at the predevelopment state.

- B. All stormwater storage facilities shall be designed with sufficient capacity to achieve the water quality goals of this Section and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state.
- C. Stormwater management measures shall be consistent with the requirements of Environment Article 4-201 et seq., Annotated Code of Maryland, as may be amended from time to time.

§ NR 3-108. Resource Conservation Areas.

- (a) Description. Resource Conservation Areas are areas characterized by nature-dominated environments (including, but not limited to, wetlands, forests, abandoned fields) and resource-utilization activities (including, but not limited to, agriculture, forestry, fisheries activities or aquaculture). At the time of the initial mapping, these areas shall have at least one of the following features:
- (1) Existing density is less than one dwelling unit per five acres; or
 - (2) The dominant land use is in agriculture, wetland, forest, barren land, surface water, and/or open space.
- (b) General requirements. In addition to the ~~100-foot~~ Buffer, the ~~Atlantic Coastal Bays~~ Critical Area Law hereby incorporates the following requirements for Resource Conservation Areas. New or expanded development or redevelopment in these areas shall take place in such a way as to:
- (1) Conserve, protect and enhance the overall ecological values of the ~~Atlantic Coastal Bays~~ Critical Area, its biological productivity and its diversity;
 - (2) Provide adequate breeding, feeding and wintering habitats for those wildlife populations that require the CHESAPEAKE AND Atlantic Coastal Bays, their tributaries or coastal habitats in order to sustain populations of those species;
 - (3) Conserve the land and water resource base that is necessary to maintain and support land uses such as agriculture, forestry, fisheries activities and aquaculture; and
 - (4) Conserve the existing developed woodlands and forests for the water quality benefits that they provide.
- (c) Development standards. The following criteria apply for Resource Conservation Areas:
- (1) Land use management practices shall be consistent with the policies and criteria for the Habitat Protection Area Section, the Agricultural Section, and the Forest and Woodlands Protection Section of this Subtitle.
 - (2) Agricultural and conservation easements shall be encouraged in Resource Conservation Areas.
 - (3) Land within the Resource Conservation Area may be developed for residential uses at a density not to exceed one dwelling unit per twenty acres. Within this limit of overall density, minimum lot sizes shall be as prescribed by the terms of the Zoning and Subdivision Control Article. Such mechanisms as cluster development, maximum lot size provisions, and/or additional means to maintain the land area necessary to support the protective uses will be encouraged by the County Commissioners and implemented as

necessary.

- (4) Existing industrial and commercial facilities, including those that directly support agriculture, forestry, aquaculture, or residential development, not exceeding the density specified in Section 3-108(c)(2) above, shall be allowed in Resource Conservation Areas.
- (5) New commercial, industrial, and institutional uses shall not be permitted in Resource Conservation Areas. Additional land may not be zoned or used for industrial, commercial, or institutional development except as provided by § NR 3-108(d) and § NR 3-112 below. Non-industrial activities which support surface mining, agriculture, and forestry may be established or expanded, provided they conform with the other requirements of this Subtitle.
- (6) The Department shall ensure that the overall acreage of forest and woodland within the Resource Conservation Areas does not decrease.
- (7) Development activity within the Resource Conservation Areas shall be consistent with the requirements for Limited Development Areas in this Subtitle as specified in § NR 3-107 hereof.
- (8) Nothing in this section shall limit the ability of a participant in the Agricultural Easement Program to convey real property impressed with such an easement to family members provided that no such conveyance will result in a density greater than one dwelling unit per twenty acres.
- (9) In calculating the one dwelling unit per twenty-acre density of development that is permitted on a parcel located within the Resource Conservation Area, the Department may permit the area of any private wetlands located on the property to be included under the following conditions:
 - A. The density of development on the upland portion of the parcel may not exceed one dwelling unit per eight acres; and
 - B. The area of private wetlands shall be estimated on the basis of vegetative information as designated on the State wetlands maps or by private survey approved by the Department and the State Department of Environment.
- (10) In consideration of additional dwelling units per lot or parcel as part of the primary dwelling unit, the County shall adhere to the following:
 - A. Within a Resource Conservation Area, the County may consider one additional dwelling unit per lot or parcel as part of the primary dwelling unit for the purpose of the density calculation under this subsection if the additional dwelling unit meets either of the following set of conditions:
 1. The additional dwelling unit is located within the primary dwelling unit, or its entire perimeter is within 100 feet of the primary dwelling unit, it does not exceed 900 square feet in total enclosed area, and it is served by the same sewage disposal system as the primary dwelling unit; or
 2. The additional dwelling unit is located within the primary dwelling unit, is built so that its construction does not increase the amount of ~~impervious surface~~ LOT COVERAGE already attributed to the primary dwelling unit, and it is served by the same sewage disposal system as the primary dwelling unit.

- B. An additional dwelling unit meeting all the criteria of this section that is separate from the primary dwelling unit may not be subdivided or conveyed separately from the primary dwelling unit.
 - C. The provisions of this section apply to density calculations only and may not be construed to authorize the County to grant a variance, unless the variance is granted in accordance with the requirements and standards in this Subtitle for variances in the Atlantic Coastal Bays Critical Area.
 - D. The County shall maintain records of all building permits issued under this section for additional dwelling units considered part of a primary dwelling unit and shall provide this information on a quarterly basis to the Critical Area Commission.
- (d) Land use in the Resource Conservation Area. In addition to the uses specified above, certain nonresidential uses may be permitted in Resource Conservation Areas if permitted by the terms of the Zoning and Subdivision Control Article and if it is determined by the Department that the proposed use is one of the following:
- (1) A home occupation as an accessory use on a property used for residential purposes and as provided for in the County's Zoning Ordinance;
 - (2) A golf course, excluding principal buildings and/or structures such as the clubhouse, pro-shop, parking lot, etc.;
 - (3) A cemetery that is an accessory use to a church ~~existing as of June 1, 2002~~ if impervious surfaces LOT COVERAGE are IS limited to 20,000 square feet or 15% of the site, whichever is less;
 - (4) A bed and breakfast facility located in a residential structure existing as of DECEMBER 1, 1985, IN THE CHESAPEAKE COASTAL BAY, OR June 1, 2002, IN THE ATLANTIC COASTAL BAYS, and where meals are prepared only for guests staying at the facility;
 - (5) A gun club or skeet shooting range or similar use, excluding main buildings and/or structures, such as a clubhouse, snack bar, etc.;
 - (6) A daycare facility in a dwelling where the operators live on the premises, and there are no more than eight children;
 - (7) A group home or assisted living facility with no more than eight residents;
 - (8) A public or private non-commercial dock or pier and passive recreational areas.
[Added 3-17-2015 by Bill No. 15-1]
- A. Dock or pier and passive recreational areas may include:
- 1. Floating platforms for the launching and retrieval of non-motorized watercraft;
 - 2. A pervious storage structure for non-motorized watercraft not to exceed twenty thousand square feet in area; and
 - 3. Passive recreation such as walking, hiking, bicycle paths and trails,

wildlife observation areas, and picnic areas.

- B. Dock or pier and passive recreational areas may not include principal uses and structures or accessory uses and structures, including but not limited to: gazebos, pavilions, clubhouses, restrooms, and parking areas.
 - C. Lot coverage shall be limited to fifteen percent of the site.
- (9) An office and/or establishment utilized by a nonprofit environmental conservation and land preservation organization, subject to the following:
[Added 4-19-2016 by Bill No. 16-3]
- A. Organizations shall maintain a non-profit and/or tax-exempt status; and
 - B. The total use area shall not exceed twenty thousand square feet in area. Areas of passive recreation such as walking, hiking, bicycle paths and trails, wildlife observation areas, and picnic areas shall not be subject to this limitation.
- (10) SPECIAL EVENTS SHALL BE PERMITTED IN THE RCA IN THE ESTATE, AGRICULTURAL AND RESOURCE PROTECTION ZONING CLASSIFICATIONS, SUBJECT TO THE FOLLOWING ADDITIONAL STANDARDS:
- A. ALL LOT COVERAGE PERTAINING TO THE SPECIAL EVENTS ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, TEMPORARY STRUCTURES, TEMPORARY TENTS, PARKING AREAS (IMPROVED AND UNIMPROVED), AND OTHERWISE MUST OCCUR OUTSIDE THE BUFFER OR OTHER HABITAT PROTECTION AREA UNLESS THE LOT COVERAGE IS LEGALLY DEVELOPED EXISTED AT THE TIME OF SPECIAL EXCEPTION APPLICATION AND THE PROVISIONS OF SECTION NR 3-107(C)(8)(A-D) SHALL STILL APPLY.
 - B. A SCALED DRAWING OF THE SITE SHOWING THE LOCATION OF THE PROPOSED STRUCTURES AND DEMONSTRATING THE SITE REQUIREMENTS IN SECTION ZS 1-203(C)(21) FOR SPECIAL EVENTS, INCLUDING ANY TEMPORARY STRUCTURES, TEMPORARY TENTS AND TEMPORARY PARKING SPACES MUST BE SUBMITTED WITH THE SPECIAL EXCEPTION APPLICATION. THE SCALED DRAWING MUST DEMONSTRATE HOW THE SPECIAL EVENT USE WILL MINIMIZE IMPACTS TO NATURAL RESOURCES AND PROTECTS THE DEFINED LAND USES IN THE RCA FOUND IN THIS CHAPTER AND MUST ALSO DEPICT THE REQUIREMENTS LISTED UNDER SECTION NR 3-109(D)(1).
 - C. PROVISIONS PERTAINING TO LOT COVERAGE AND CLEARING LIMITS IN THE RCA CONTAINED IN THIS CHAPTER APPLY TO SPECIAL EVENT ACTIVITIES. SPECIAL EVENT ACTIVITIES SHALL BE IN CLOSE PROXIMITY TO EXISTING STRUCTURES AND FACILITIES ON THE PROPERTY TO MINIMIZE ADVERSE IMPACTS TO NATURAL RESOURCES AND ARE ACCESSORY TO THE PRINCIPAL USE OF THE PROPERTY.
 - D) THIS USE IS LIMITED TO ONLY PROPERTIES THAT ARE 25 ACRES OR GREATER IN SIZE AND ARE LIMITED TO NO MORE THAN 40 EVENTS PER CALENDAR YEAR. AN EVENT HAS A MAXIMUM DURATION OF TWO CONSECUTIVE DAYS CONSISTING OF 48 HOURS.

- E) ALL LOT COVERAGE AND PROPOSED TEMPORARY STRUCTURES ASSOCIATED WITH THE SPECIAL EVENT MUST COMPLY WITH HABITAT PROTECTION AREAS, PER NR 3-120. THIS INCLUDES PROTECTION OF THE ONE HUNDRED FOOT BUFFER, THREATENED AND ENDANGERED SPECIES AND SPECIES IN NEED OF CONSERVATION, PLANT AND WILDLIFE HABITAT PROTECTION AREA INCLUDING NON-TIDAL WETLANDS, AND ANADROMOUS FISH PROPAGATION WATERS.

§ NR 3-109. Implementation of the ~~Atlantic Coastal Bays~~ Critical Area provisions.

- (a) Regulated activities and applicability. It shall be unlawful to pursue any new, expanded or intensified activities within the ~~Atlantic Coastal Bays~~ Critical Area, such as development or redevelopment, grading, clearing, sediment and erosion control, timber harvesting, shoreline erosion control, installation of a septic system and drain field, operation of a waste collection or disposal facility, operation of a commercial or private marina or other water-related commercial or industrial operation (whether public or private), mining (whether surface or sub-surface) or quarrying, farming or other agriculturally-related activities, without first obtaining approval by the Department after review under the provisions of this Subtitle.
- (b) Responsible agency. All applications for such County permits and licenses that are issued by the County shall be made to the pertinent department. The Department shall make available to all agencies involved in overseeing regulated activities a set of maps showing the location so that these agencies may identify affected properties subject to said referrals. Applications for timber harvesting shall be reviewed by the Department of Natural Resources through the District Forestry Board. Applications for mining and quarrying shall be reviewed by the Department and appropriate State agencies. Applications for farming or other agriculture-related activities shall be reviewed by the Department or the County Soil Conservation District, depending on the nature of the proposed activity.
- (c) Process. Upon receiving the referred application, the Department shall review the application for compliance of the activity with the requirements of this Subtitle. The ~~Atlantic Coastal Bays~~ Critical Area review includes, but is not limited to, evaluating the 100-foot Buffer, area of ~~impervious surface~~ LOT COVERAGE, area of forest cover, area of steep slopes, location of tidal or nontidal wetlands and their buffers, and the mitigation plan if required.
- (d) Application requirements. In order for the Department to make findings and specific recommendations as to the compliance of a project with the goals of the ~~Atlantic Coastal Bays~~ Critical Area Law, information on land and water disturbing activities must be submitted by the applicant. This information shall include an ~~Atlantic Coastal Bays~~ Critical Area site plan and a written ~~Atlantic Coastal Bays~~ Critical Area report.
- (1) ~~Atlantic Coastal Bays~~ Critical Area site plan. The ~~Atlantic Coastal Bays~~ Critical Area site plan must be drawn to scale and shall include, but not be limited to, the following information:
- A. Topography (if property is flat or gently sloping, state this on the plan).
 - B. Mean high water line.
 - C. Tidal wetlands (private and State).
 - D. Tributary streams.

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- E. Nontidal wetlands.
 - F. Soils.
 - G. Forest cover (show individual trees or a tree line defining wooded areas).
 - H. ~~100-foot~~ CRITICAL AREA Buffer (drawn from mean high water, the edge of tidal wetlands or tributary streams).
 - i. The Buffer may be required to be expanded beyond 100-feet to include contiguous sensitive areas, such as steep slopes, hydric soils, or highly erodible soils, whose development or disturbance may impact streams, wetlands, or other aquatic environments.
 - I. Habitat protection areas.
 - J. All LOT COVERAGE ~~impervious surfaces~~ (including all structures, sidewalks, sheds, decks, driveways, pools, etc.) labeled as existing or proposed.
 - K. All proposed clearing, grading, and disturbance (e.g., septic areas, wells, lawns, etc.).
 - L. Computation of the amount of existing and proposed LOT COVERAGE ~~impervious surfaces~~, existing forest cover and proposed clearing, and total area of disturbance.
 - M. BUFFER MANAGEMENT PLAN, IF APPLICABLE.
 - N. 10 PERCENT POLLUTION REDUCTION CALCULATIONS IF LOCATED IN AN INTENSELY DEVELOPED AREA (IDA).
- (2) ~~Atlantic Coastal Bays Critical Area report.~~ The ~~Atlantic Coastal Bays~~ Critical Area report must include a description of the project and an environmental assessment of the site. This report shall include but not be limited to the following information:
- A. Forest cover, generally describing the size and species of trees and shrubs.
 - B. Shoreline condition, including any existing or proposed piers, bulkheads, revetments, or other shoreline stabilization methods.
 - C. Proposed or existing stormwater management measures.
 - D. Site topography and soil conditions, including any areas of erosion or run-off.
 - E. Proposed clearing, excavation, and grading.
 - F. Discussion of the proposed development, including the number of residential units, amount of proposed ~~impervious surface~~ LOT COVERAGE, proposed sewer treatment and water supply, and total square footage of clearing, grading, and disturbance.
 - G. Discussion of the proposed development's impacts on water quality and Habitat Protection Areas AND ANY PROPOSED OFFSET OR MITIGATION.

H. Documentation of all correspondence and findings received from any County, State or Federal Agency.

(e) NOTIFICATION OF PROJECT APPROVAL.

(1) CRITICAL AREA NOTIFICATION. THE DEPARTMENT SHALL SEND COPIES OF APPLICATIONS FOR ALL DEVELOPMENTS, SUBDIVISIONS, AND SITE PLANS WHOLLY OR PARTIALLY WITHIN THE CRITICAL AREA AS SPECIFIED IN COMAR 27.03.01.04 TO THE CRITICAL AREA COMMISSION FOR REVIEW AND COMMENT.

A. THE APPLICATION SHALL BE ACCOMPANIED BY A COMPLETED "PROJECT NOTIFICATION APPLICATION" FORM.

B. THE DEPARTMENT MAY NOT PROCESS AN APPLICATION THAT HAS BEEN SENT TO THE COMMISSION FOR NOTIFICATION UNTIL IT HAS RECEIVED NOTICE OF RECEIPT BY THE COMMISSION.

C. ANY ACTION BY THE COUNTY IN VIOLATION OF THESE PROCEDURES SHALL BE VOID.

§ NR 3-110. Amendments and refinements.

(a) Generally. The regulations, restrictions, definitions, districts, classifications, and boundaries as set forth in this Subtitle may, from time to time be amended, supplanted, modified, or repealed by the County Commissioners with the ~~concurrence~~ APPROVAL of the CRITICAL AREA Commission. The reclassification of any property, the relocation of any district boundary, the designation or future modification of any Buffer management area and its accompanying regulations, and the award of growth allocation shall be done by resolution of the County Commissioners after a duly advertised public hearing in accordance with the provisions of § ZS 1-114 of the Worcester County Zoning Ordinance and approval of the CRITICAL AREA Commission. Amendments to the text of this Subtitle shall be passed by the County Commissioners as public local laws according to legally required procedures and with the ~~concurrence~~ APPROVAL of the CRITICAL AREA Commission.

(b) Applications and procedures. Amendments and refinements shall be processed in the following manner:

(1) Proposals for any amendment or refinement may be made by any interested person who is a resident or taxpayer in the County or by any government agency of the County. Proposals shall be addressed to and filed with the County Commissioners in such form as they may prescribe. ~~Applications shall only be accepted from January 1 to January 30 and July 1 to July 31 of each calendar year.~~

(2) Any application for growth allocation shall be reviewed by the Planning Commission but shall first be referred to the Department for review. Comments and recommendations shall be prepared by the Department for consideration by the Planning Commission in its review. The Planning Commission shall review the application in accordance with the provisions of § NR 3-112 hereof and forward a recommendation to the County Commissioners within a reasonable period of time as determined by the County Commissioners. Upon receipt of the Planning Commission's recommendation, the County Commissioners shall hold at least one public hearing in accordance with the

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provisions of § NR 3-112(c)(4) et seq. hereof.

- (3) All amendments other than requests for growth allocation shall be reviewed and acted upon by the County Commissioners but shall first be referred to the Department for review.
- A. Upon receipt of the application, the Department shall examine the application and information submitted therewith. If the application and information are insufficient for the purposes of review the Department may:
- i. Return the application to the applicant with a letter describing the deficiencies in the submittal; or
 - ii. Request any additional information as may be necessary to review the application.
- B. Any application returned as being insufficient may only be resubmitted within the application periods, as identified in § NR 3-110(b)(1) herein.
- C. The Department shall review the application in a reasonable period of time as determined by the County Commissioners and forward a report and recommendation to the County Commissioners.
- D. After receipt of the Department's recommendation, 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 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 the County in accordance with the provisions of § ZS 1-114 of the Worcester County Zoning Ordinance. In the case of amendments to the text of this Subtitle, if no County Commissioner is willing to introduce the proposed amendment as a bill, it need not be considered, and a public hearing need not be held.
- (C) **COMPREHENSIVE REVIEWS. WORCESTER COUNTY WILL REVIEW ITS ENTIRE PROGRAM AS CONTAINED IN THIS SUBTITLE AND PROPOSE ANY NECESSARY AMENDMENTS AT LEAST EVERY SIX (6) YEARS. THE ANNIVERSARY OF THE DATE THAT THE PROGRAM BECAME EFFECTIVE SHALL BE USED TO DETERMINE WHEN THE REVIEW SHALL BE COMPLETED. WITHIN SIXTY (60) DAYS AFTER THE COMPLETION OF THE REVIEW, THE COUNTY WILL SEND THE FOLLOWING INFORMATION IN WRITING TO THE COMMISSION:**
- (1) A STATEMENT CERTIFYING THAT THE REQUIRED REVIEW HAS BEEN ACCOMPLISHED;
 - (2) ALL NECESSARY REQUESTS FOR PROGRAM AMENDMENTS, PROGRAM REFINEMENTS, OR OTHER MATTERS THAT THE COUNTY WISHES THE COMMISSION TO CONSIDER;
 - (3) AN UPDATED RESOURCE INVENTORY; AND

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- (4) A STATEMENT QUANTIFYING ACREAGES WITHIN EACH LAND CLASSIFICATION, THE GROWTH ALLOCATION USED, AND THE GROWTH ALLOCATION REMAINING.
- (D) OFFICIAL CRITICAL AREA MAP AMENDMENTS. EXCEPT FOR AMENDMENTS OR REFINEMENTS TO THIS SUBTITLE DEVELOPED DURING A SIX-YEAR COMPREHENSIVE REVIEW, AN AMENDMENT OF THE OFFICIAL CRITICAL AREA MAP MAY ONLY BE GRANTED BY THE COUNTY COMMISSIONERS UPON PROOF OF A MISTAKE IN THE EXISTING LAND USE AREA. THIS REQUIREMENT DOES NOT APPLY TO PROPOSED CHANGES TO THE OFFICIAL CRITICAL AREA MAP THAT MEET THE FOLLOWING CRITERIA:
- (1) ARE WHOLLY CONSISTENT WITH THE LAND CLASSIFICATION IN THIS SUBTITLE OR
 - (2) PROPOSE THE USE OF GROWTH ALLOCATION IN ACCORDANCE WITH THE GROWTH ALLOCATION PROVISIONS OF THIS SUBTITLE.

§ NR 3-111. Variances.

- (a) Applicability. ~~An Atlantic Coastal Bays~~ A Critical Area Program variance may be granted to the terms of this Subtitle in accordance with the provisions of § ZS 1-116(c)(4) of the Worcester County Zoning Ordinance where, owing to special features of a site or other circumstances, implementation of this Program or a literal enforcement of provisions within the Program would result in unwarranted hardship to an applicant.
- (B) STANDING. IN ACCORDANCE WITH NATURAL RESOURCES ARTICLE, §8-1808(D)(2), ANNOTATED CODE OF MARYLAND, IF A PERSON MEETS THE THRESHOLD STANDING REQUIREMENTS UNDER FEDERAL LAW, THE PERSON SHALL HAVE STANDING TO PARTICIPATE AS A PARTY IN A LOCAL ADMINISTRATIVE PROCEEDING.
- (cb) Standards. The provisions for granting such a variance shall include evidence submitted by the applicant that the following standards are met:
- (1) Special conditions or circumstances exist that are peculiar to the applicant's land or structure and a literal enforcement of provisions and requirements of the County's ~~Atlantic Coastal Bays~~ Critical Area Program would result in unwarranted hardship;
 - (2) A literal interpretation of the provisions of the County's ~~Atlantic Coastal Bays~~ Critical Area Program and related laws will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Atlantic Coastal Bays Critical Area;
 - (3) The granting of a variance will not confer upon an applicant any special privilege that would be denied by the County's ~~Atlantic Coastal Bays~~ Critical Area Program to other lands or structures within the ~~Atlantic Coastal Bays~~ Critical Area;
 - (4) The variance request is not based upon conditions or circumstances which are the result of actions by the applicant nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring property;
 - (5) The granting of a variance shall not adversely affect water quality or adversely impact

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fish, wildlife or plant habitat within the ~~Atlantic Coastal Bays~~ Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's ~~Atlantic Coastal Bays~~ Critical Area Program;

~~(6) The Board of Zoning Appeals shall not make a decision relative to a request for such a variance without reviewing the comments of the Department and finding that the applicant has satisfied each of the provisions and standards contained herein.~~

(de) Process. Applications for a variance shall be made in writing to the Board of Zoning Appeals on forms prescribed by the Department.

(1) THE BOARD OF ZONING APPEALS SHALL NOT MAKE A DECISION RELATIVE TO A REQUEST FOR SUCH A VARIANCE WITHOUT REVIEWING THE COMMENTS OF THE DEPARTMENT AND FINDING THAT THE APPLICANT HAS SATISFIED EACH OF THE PROVISIONS AND STANDARDS CONTAINED HEREIN.

(2) AFTER HEARING AN APPLICATION FOR A CRITICAL AREA PROGRAM VARIANCE, THE BOARD OF ZONING APPEALS SHALL MAKE FINDINGS REFLECTING ANALYSIS OF EACH STANDARD BEFORE MAKING A DECISION ON THE REQUESTED VARIANCE.

(ed) Board procedures. The following procedures shall be adhered to by the Board of Zoning Appeals when considering variance requests to this Subtitle:

(1) In considering an application for a variance the Board of Zoning Appeals shall presume that the specific development activity in the Critical Area that is subject to the application and for which a variance is required does not conform with the general purpose and intent of Natural Resources Article, Title 8, Subtitle 18, COMAR Title 27, as from time to time amended, and the requirements of the County's ~~Atlantic Coastal Bays~~ Critical Area Program.

(2) If the variance request is based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development activity before an application for a variance has been filed, the Board of Zoning Appeals may consider that fact, AND WHETHER THE APPLICATION HAS MET THE REQUIREMENTS OF SECTION (g) BELOW.

(3) An applicant has the burden of proof and the burden of persuasion to overcome the presumption of nonconformance established in subsection (1) hereof.

(4) Based on competent and substantial evidence, the Board of Zoning Appeals shall make written findings as to whether the applicant has overcome the presumption of nonconformance as established above.

(5) With due regard for the person's experience, technical competence, and specialized knowledge, the written findings may be based on evidence introduced and testimony presented by:

A. The applicant;

B. Any agency of the local, state or federal government; or

C. Any other person deemed appropriate by the Board of Zoning Appeals.

(fe) Appeals. Appeals from decisions concerning the granting or denial of a variance under these regulations shall be taken in accordance with all applicable laws and procedures of the County for variances. Variance decisions by the Board of Zoning Appeals may be appealed to the Circuit Court in accordance with the Maryland Rules of Procedure. ~~Appeals may be taken by any person, firm, corporation, or governmental agency, including, but not limited to, the County Commissioners, aggrieved or adversely affected by any decision made under this section.~~

A. A PERSON WITH STANDING UNDER SUNSECTION (b) OF THIS CHAPTER MAY:

- (1) PARTICIPATE AS A PARTY IN AN ADMINISTRATIVE PROCEEDING AT A BOARD OF APPEALS EVEN IF THE PERSON WAS NOT A PARTY TO THE ORIGINAL ADMINISTRATIVE PROCEEDING; AND
- (2) PETITION FOR JUDICIAL REVIEW AND PARTICIPATE AS A PARTY EVEN IF THE PERSON WAS NOT A PARTY TO THE ACTION WHICH IS THE SUBJECT OF THE PETITION.

B. AN APPEAL MAY BE FILED BY:

- (1) A PERSON AGGRIEVED OR ADVERSELY AFFECTED BY A DECISION MADE UNDER THIS CHAPTER, INCLUDING A GOVERNMENT AGENCY; AND
- (2) THE CHAIRMAN, EVEN IF THE CHAIRMAN WAS NOT A PARTY TO OR IS NOT SPECIFICALLY AGGRIEVED BY THE ACTION OR DECISION.

C. A LOCAL JURISDICTION MAY NOT ISSUE A PERMIT FOR THE ACTIVITY THAT WAS THE SUBJECT OF THE VARIANCE APPLICATION UNTIL THE APPLICABLE 30-DAY APPEAL PERIOD HAS ELAPSED.

(gf) Conditions and mitigation. The Board of Zoning Appeals shall impose conditions on the use or development of a property which is granted a variance as it may find reasonable to ensure that the spirit and intent of the ~~Atlantic Coastal Bays~~ Critical Area Law is maintained, including, but not limited to, the following:

- (1) Adverse impacts resulting from the granting of the variance shall be mitigated AS RECOMMENDED BY THE NATURAL RESOURCE DIVISION, BUT NO ~~by the planting of trees and shrubs on the site at an amount equal to not less than A THREE TO ONE BASIS. three times the square footage of the area of disturbance allowed by the variance or as recommended by the Department.~~
- (2) New or expanded structures or ~~impervious surfaces~~ LOT COVERAGE shall be located the greatest possible distance from mean high water, the landward edge of tidal wetlands, tributary streams, nontidal wetlands, or steep slopes.

(h) AFTER-THE-FACT REQUESTS.

- (1) THE BOARD OF ZONING APPEALS WILL NOT ACCEPT AN APPLICATION OF VARIANCE TO LEGALIZE A VIOLATION OF THIS SUBTITLE, INCLUDING AN UNPERMITTED STRUCTURE OR OTHER DEVELOPMENT ACTIVITY UNTIL THE DEPARTMENT:
 - A. ISSUES A NOTICE OF VIOLATION; AND
 - B. ASSESSES AN ADMINISTRATIVE OR CIVIL PENALTY FOR THE VIOLATION.
- (2) THE BOARD OF ZONING APPEAL MAY NOT APPROVE AN AFTER-THE-FACT VARIANCE UNLESS AN APPLICANT HAS:
 - A. FULLY PAID ALL ADMINISTRATIVE, CIVIL AND CRIMINAL PENALTIES IMPOSED UNDER NATURAL RESOURCES ARTICLE, §8-1808(C)(L)(III)14-15 AND (2)(I), ANNOTATED CODE OF MARYLAND;
 - B. PREPARED A RESTORATION OR MITIGATION PLAN, APPROVED BY THE LOCAL JURISDICTION, TO ABATE IMPACTS TO WATER QUALITY OR NATURAL RESOURCES AS A RESULT OF THE VIOLATION; AND
 - C. PERFORMED THE ABATEMENT MEASURES IN THE APPROVED PLAN IN ACCORDANCE WITH THIS SUBTITLE.
- (3) IF THE BOARD OF ZONING APPEALS DENIES THE REQUESTED AFTER-THE-FACT VARIANCE, THEN THE DEPARTMENT SHALL:
 - A. ORDER REMOVAL OR RELOCATION OF ANY STRUCTURE; AND
 - B. ORDER RESTORATION OF THE AFFECTED RESOURCES.
- (i) COMMISSION NOTIFICATION. WITHIN TEN (10) WORKING DAYS AFTER A WRITTEN DECISION REGARDING A VARIANCE APPLICATION IS ISSUED, A COPY OF THE DECISION WILL BE SENT TO THE CRITICAL AREA COMMISSION. THE DEPARTMENT MAY NOT ISSUE A PERMIT FOR THE ACTIVITY THAT WAS THE SUBJECT OF THE APPLICATION UNTIL THE APPLICABLE 30-DAY APPEAL PERIOD HAS ELAPSED.

§ NR 3-112. Growth allocation.

(a) Description.

- (1) FOR THE CHESAPEAKE COASTAL BAYS CRITICAL AREA. THE UPLAND AREA OF THE COUNTY WITHIN THE CRITICAL AREA COMPRISES ABOUT NINE THOUSAND EIGHT HUNDRED TWENTY NINE (9,829) ACRES. WITHIN THE CRITICAL AREA, TWO HUNDRED NINETY EIGHT AND SEVEN TENTHS (298.7) ACRES OF LAND WERE CLASSIFIED AS IDA OR LDA. THE REMAINING NINE THOUSAND FIVE HUNDRED THIRTY (9,530) ACRES WERE CLASSIFIED AS RCA. THE STATE CRITICAL AREA LAW PERMITTED THE COUNTY TO ALLOCATE FIVE PERCENT OF THIS AREA, OR FOUR HUNDRED SEVENTY SIX AND FIVE TENTHS (476.5) ACRES. FOR USE FOR FUTURE GROWTH AS EITHER IDA OR LDA. AMOUNT AVAILABLE FOR FUTURE

GROWTH ALLOCATION IS FOUR HUNDRED ELEVEN AND FIFTY TWO HUNDREDTHS (411.52) ACRES. THIS ACREAGE SHALL BE USED FOR THE EXPANSION OF EXISTING OR THE CREATION OF NEW LDAS AND IDAS UNDER THE FOLLOWING GENERAL GUIDELINES:

- (A) THE TOTAL AREA OF EXPANSION OF INTENSELY DEVELOPED OR LIMITED DEVELOPMENT AREAS, OR BOTH, SHALL NOT EXCEED FOUR HUNDRED SEVENTY SIX AND FIVE TENTHS (476.5) ACRES.
 - (B) WHEN PERMITTING FUTURE EXPANSION OF INTENSELY DEVELOPED AND LIMITED DEVELOPMENT AREAS NEAR THE MUNICIPALITIES OF SNOW HILL AND POCOMOKE CITY, THE COUNTY SHALL NOTIFY THE APPROPRIATE LOCAL OFFICIALS TO ALLOW THEM AN OPPORTUNITY TO COMMENT ON HOW THE EXPANSION MAY AFFECT THESE MUNICIPALITIES.
- (2) FOR THE ATLANTIC COASTAL BAYS CRITICAL AREA. The upland area of the County within the Atlantic Coastal Bays Critical Area comprises about twenty-two thousand nine hundred and fifty-five (22,955) acres. Within the Atlantic Coastal Bays Critical Area, three thousand four hundred and sixty (3,460) acres of land are classified as Intensely Developed Area and three thousand one hundred sixteen (3,116) acres as Limited Development Area. The remaining sixteen thousand three hundred and seventy-nine (16,379) acres are classified as Resource Conservation Area. The Atlantic Coastal Bays Protection Act permits the County Commissioners to allocate five percent (5%) of this area, or eight hundred and nineteen (819) acres, for use for future growth as either Intensely Developed Areas or Limited Development Areas. This acreage shall be used for the expansion of existing or the creation of new Limited Development Areas and Intensely Developed Areas under the following general guidelines:
- (A) The total area of expansion of Intensely Developed or Limited Development Areas, or both, shall not exceed eight hundred nineteen (819) acres.
 - (B) When permitting future expansion of Intensely Developed and Limited Development Areas within one mile of an incorporated municipality, the Department shall notify the appropriate local officials to allow them an opportunity to comment on how the expansion may affect the municipality.
 - (C) NO MORE THAN ONE-HALF OF THE ALLOCATED EXPANSION MAY BE LOCATED IN THE ATLANTIC COASTAL BAY RESOURCE CONSERVATION AREAS EXCEPT AS PROVIDED IN PARAGRAPH (C)(7) BELOW.
- (3) UP TO 150 ACRES OF GROWTH ALLOCATION MAY BE TRANSFERRED FROM THE ATLANTIC COASTAL BAYS CRITICAL AREA TO THE CHESAPEAKE BAY CRITICAL AREA, OR VICE-VERSA, PROVIDED THE REMAINING ACERAGE IN THE DESIGNATED POT IS INSUFFICIENT TO ALLOW APPROVAL OF THE GROWTH ALLOCATION PROPOSAL FOR WHICH THE COUNTY IS SEEKING APPROVAL.
- (b) Requirements. THE COUNTY COMMISSIONERS SHALL REQUIRE AN APPLICATION FOR A NEW INTENSELY DEVELOPED AREA OR LIMITED DEVELOPMENT AREA TO BE:

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- (1) IN CONFORMANCE WITH THE REQUIREMENTS OF THIS CODE AND COMAR TITLE 27;
 - (2) DESIGNATED ON THE LOCALLY APPROVAL CRITICAL AREA MAP THAT IS SUBMITTED AS PART OF THE APPLICATION TO THE CRITICAL AREA COMMISSION;
 - (3) FOR A GROWTH ALLOCATION APPLICATION FOR A RESIDENTIAL SUBDIVISION, IN COMPLIANCE WITH THE REQUIREMENTS AND PROCEDURES UNDER ENVIRONMENT ARTICLE, §9-206, ANNOTATED CODE OF MARYLAND, AND LAND USE ARTICLE, TITLE 1, SUBTITLE 5, AND §5-104, ANNOTATED CODE OF MARYLAND; AND
 - (4) CONSTITUTE AN AMENDMENT TO THIS PROGRAM SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION, THE COUNTY COMMISSIONERS AND THE CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS.
- (cb) STANDARDS Requirements. When locating new Intensely Developed or Limited Development Areas, the County Commissioners shall use these guidelines:
- (1) New Intensely Developed Areas SHALL ~~should~~ be located in Limited Development Areas or adjacent to existing Intensely Developed Areas;
 - (2) New Limited Development Areas SHALL ~~should~~ be located adjacent to existing Limited Development Areas or Intensely Developed Areas;
 - (3) New Intensely Developed Areas shall be at least twenty acres in size unless:
 - A. They are contiguous to an existing Intensely Developed Area or Limited Development Area; or
 - B. They are a grandfathered commercial or industrial use that was permitted and legally existing as of the date of local Program approval. The amount of growth allocation deducted shall be equivalent to the area of the entire parcel or parcels subject to the growth allocation request.
 - (4) No more than one-half of the allocated expansion may be located in Resource Conservation Areas ~~except as provided in paragraph (b)(9) below;~~
 - (5) New Intensely Developed Areas and Limited Development Areas SHALL ~~should~~ be located in such a manner as to minimize impacts to Habitat Protection Areas as specified in this Subtitle and in an area and in a manner that optimizes benefits to water quality;
 - (6) New Intensely Developed Areas should be located where they minimize their impacts on the defined land uses of the Resource Conservation Area;
 - (7) New Intensely Developed Areas and Limited Development Areas in the Resource Conservation Area SHALL ~~should~~ be located at least three hundred feet landward of the limits of tidal wetlands or tidal waters; , UNLESS THE COUNTY PROPOSES AND THE COMMISSION APPROVES ALTERNATIVE MEASURES FOR WATER QUALITY AND HABITAT THAT PROVIDE GREATER BENEFIT TO THE RESOURCES;

(8) New Intensely Developed or Limited Development Areas shall conform to all criteria of the Department for such areas, shall be so designated on the County's Atlantic Coastal Bays Critical Area Maps and shall constitute an amendment to this Program subject to review and approval by the Planning Commission, the County Commissioners and the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

~~(9) If the County Commissioners are unable to utilize a portion of its growth allocation as set out in paragraphs (b)(1) and (2) above within or adjacent to existing Intensely Developed or Limited Development Areas, then that portion of the allocated expansion which cannot be so located may be located in the Resource Conservation Areas in addition to the expansion allowed in (b)(4) above. An applicant shall be required to cluster any development in an area of expansion authorized under this paragraph.~~

(d) FACTORS. IN REVIEWING MAP AMENDMENTS OR REFINEMENTS INVOLVING THE USE OF GROWTH ALLOCATION, THE COUNTY COMMISSIONERS SHALL CONSIDER THE FOLLOWING FACTORS:

- (1) CONSISTENCY WITH WORCESTER COUNTY COMPREHENSIVE PLAN AND WHETHER THE GROWTH ALLOCATION WOULD IMPLEMENT ITS GOALS AND OBJECTIVES.
- (2) FOR A MAP AMENDMENT OR REFINEMENT INVOLVING A NEW INTENSELY DEVELOPED AREA, WHETHER THE DEVELOPMENT IS:
 - (A) TO BE SERVED BY A PUBLIC WASTEWATER SYSTEM;
 - (B) HAVE AN ALLOWED AVERAGE DENSITY OF AT LEAST 3.5 UNITS PER ACRE;
 - (C) IF GREATER THAN 20 ACRES, BE LOCATED IN A PRIORITY FUNDING AREA; AND
 - (D) HAVE A DEMONSTRABLE ECONOMIC BENEFIT TO THE AREA;
- (3) FOR A MAP AMENDMENT OR REFINEMENT INVOLVING A NEW LIMITED DEVELOPMENT AREA, WHETHER THE DEVELOPMENT IS:
 - (A) TO BE SERVED BY A PUBLIC WASTEWATER SYSTEM OR SEPTIC SYSTEM THAT USES THE BEST AVAILABLE NITROGEN REMOVAL TECHNOLOGY;
 - (B) A COMPLETION OF AN EXISTING SUBDIVISION;
 - (C) AN EXPANSION OF AN EXISTING BUSINESS; OR
 - (D) TO BE CLUSTERED;
- (4) THE USE OF EXISTING PUBLIC INFRASTRUCTURE, WHERE PRACTICAL;
- (5) CONSISTENCY WITH STATE AND REGIONAL ENVIRONMENTAL PROTECTION POLICIES CONCERNING THE PROTECTION OF THREATENED

AND ENDANGERED SPECIES AND SPECIES IN NEED OF CONSERVATION THAT MAY BE LOCATED ON- OR OFF-SITE;

- (6) IMPACTS ON A PRIORITY PRESERVATION AREA, AS DEFINED UNDER § 2-518 OF THE AGRICULTURE ARTICLE;
 - (7) ENVIRONMENTAL IMPACTS ASSOCIATED WITH WASTEWATER AND STORMWATER MANAGEMENT PRACTICES AND WASTEWATER AND STORMWATER DISCHARGES TO TIDAL WATERS, TIDAL WETLANDS, AND TRIBUTARY STREAMS; AND
 - (8) ENVIRONMENTAL IMPACTS ASSOCIATED WITH LOCATION IN A COASTAL HAZARD AREA OR AN INCREASED RISK OF SEVERE FLOODING ATTRIBUTABLE TO THE PROPOSED DEVELOPMENT.
- (ee) Process. Applicants for growth allocation shall submit a request for growth allocation in accordance with the provisions of § NR 3-110 hereof which shall be accompanied by appropriate plans and environmental reports in accordance with the following process:
- (1) All applications for growth allocation shall be submitted to the Department. Requests shall be accompanied by a concept plan and appropriate environmental reports and studies so as to provide sufficient information to permit the Planning Commission to review the application for consistency with the County's Atlantic Coastal Bays Critical Area regulations and the Comprehensive Plan. The subdivision history of parcels designated as Resource Conservation Area must be provided as part of the growth allocation application. The date of June 1, 2002, is the date used for the original Atlantic Coastal Bays Critical Area mapping and shall be used as a beginning point of analysis. THE DATE OF DECEMBER 1, 1985, IS THE DATE USED FOR THE ORIGINAL CHESAPEAKE BAY CRITICAL AREA MAPPING AND SHALL BE USED AS A BEGINNING POINT OF ANALYSIS.
 - (2) All applications for growth allocation shall be forwarded to the Planning Commission for review and shall include comments and recommendations from the staff. The Planning Commission shall consider the growth allocation request prior to making a recommendation on the proposal to the County Commissioners.
 - (3) The applicant shall address the Planning Commission's comments and recommendations And may revise the concept plan accordingly. The growth allocation request shall then be forwarded to the County Commissioners by the Planning Commission with a recommendation for either approval or denial.
 - (4) The County Commissioners shall hold a public hearing following due notice in accordance with § ZS 1-114 of the Zoning and Subdivision Control Article on the request for growth allocation and any revisions to the concept plan.
 - (5) The County Commissioners may establish conditions of approval that are consistent with the intent of the County's ~~Atlantic Coastal Bays~~ Critical Area Program.
 - (6) Upon approval of the growth allocation request by the County Commissioners, the County Commissioners shall send a request to the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays to utilize a portion of their growth allocation. The request shall be accompanied by pertinent plans and environmental reports and studies. Upon receipt of the request from the County Commissioners, the Critical Area

Commission for the Chesapeake and Atlantic Coastal Bays shall notify the County Commissioners regarding the processing of the request as an amendment or refinement to the County's Program. Refinements shall be acted on AT THE NEXT SCHEDULED CRITICAL AREA COMMISSION MEETING ~~within thirty days of the Commission's notification to the County Commissioners of a complete submission.~~ Amendments shall be acted on within ONE HUNDRED THIRTY ~~ninety~~ days of the Commission's notification of a complete submission.

- (7) Following approval of the growth allocation request by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays, the County Commissioners shall implement the change and the applicant may proceed to the preparation of the final site plan or subdivision plat for recording in the County land records.
 - (8) Prior to approving the final site plan or subdivision plat, the Planning Commission or their designee shall ensure that all conditions of approval are incorporated into the final plan, public works agreement, deed covenants, etc.
 - (9) Final subdivision plats and site plans shall be processed in accordance with the requirements of this Subtitle and the County's subdivision regulations.
 - (10) The County's official ~~Atlantic Coastal Bays~~ Critical Area maps shall be amended to reflect the new land classification area, and a copy of the new map shall be provided to the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.
 - (11) As a condition of approval, the County Commissioners may require that any project approved for the use of growth allocation shall demonstrate that it is substantially completed within three years of the date of growth allocation approval by the Commission. Substantially completed is defined as projects in which all public improvements such as roads, sewer and/or water facilities, etc. have been built and approved as required by the County Commissioners.
 - (12) A CONCEPTUAL SITE DEVELOPMENT PLAN AND ENVIRONMENTAL FEATURES MAP ARE REQUIRED, AND SHALL INCLUDE:
 - A. ALL REQUIREMENTS AS NOTED IN COMAR 27.01.02.06-1.B.
 - B. AN ENVIRONMENTAL REPORT IN ACCORDANCE WITH COMAR 27.01.02.06-2, INCLUDING THE FOLLOWING:
 - i. IF APPLICABLE, A BUFFER MANAGEMENT PLAN AND/OR HABITAT PROTECTION PLAN IN ACCORDANCE WITH COMAR 27.01.02.06-2.B AND C; AND
 - ii. IF APPLICABLE, THE PRELIMINARY STORMWATER MANAGEMENT PLAN FOR COMPLIANCE WITH THE 10% POLLUTANT REDUCTION RULE, INCLUDING ALL WORKSHEETS AND SUPPORTING DOCUMENTATION.
- (fd) ADDITIONAL COUNTY Standards. Applicants for growth allocation shall demonstrate that the following design standards will be met or exceeded by the proposed project:
- (1) All requirements of the County's ~~Atlantic Coastal Bays~~ Critical Area Program, zoning ordinance, and subdivision regulations can be met.
 - (2) In addition to meeting the minimum requirements of the ~~Atlantic Coastal Bays~~ Critical

Area regulations, the project design shall enhance the habitat value or improve water quality in the area.

- (3) For residential development, where possible, a community pier shall be provided rather than individual piers.
- (ge) Deduction methodology. The following standards shall be used to determine the area of growth allocation to be deducted when the designation of a parcel or a portion of a parcel is changed through the growth allocation process, ALSO STATED WITHIN COMAR 27.01.02.06-4:
- (1) Subdivision of any lot of record existing as of DECEMBER 1, 1985, WITHIN THE CHESAPEAKE COASTAL BAY, OR AS OF June 1, 2002, WITHIN THE ATLANTIC COASTAL BAYS and which is classified as Resource Conservation Area or Limited Development Area, where all or part of the parcel is identified by the County Commissioners as a growth allocation area, shall result in the acreage of the entire parcel, excluding tidal wetlands, being deducted from the jurisdiction's growth allocation, unless the development envelope concept outlined in paragraph (ge)(2) below is used.
- (2) In order to allow some flexibility in the use of growth allocation when development is only proposed on a portion of the property, the following methodology may be used for parcels designated as Resource Conservation Area. On a parcel proposed for the use of growth allocation, a single development envelope may be specified, and the acreage of the development envelope rather than the acreage of the entire parcel shall be deducted from the County's growth allocation if the development envelope meets the following criteria:
- A. The development envelope shall include individually owned lots, required buffers, ~~impervious surfaces~~ LOT COVERAGE, roads, utilities, stormwater management measures, on-site sewage disposal measures, any areas subject to human use such as active recreation areas, and any additional acreage needed to meet the development requirements of the criteria. The required buffers refer to the minimum 100-foot Buffer and the 25-foot nontidal wetlands buffer.
- B. Only one development envelope shall be established per parcel of land.
- C. If a development envelope is proposed in the Resource Conservation Area, a minimum of twenty acres must remain outside of the development envelope, or the acreage of the entire parcel must be deducted. If the original parcel in the Resource Conservation Area is less than twenty acres, then the acreage of the entire parcel must be deducted. If there is a permanently protected Resource Conservation Area (an area protected by recorded easement) adjacent and contiguous to an undeveloped remainder which totals less than twenty acres and which together will result in a minimum twenty acre undeveloped area, then only that portion of the parcel which is to be developed has to be deducted.
- D. The minimum twenty-acre undeveloped remainder outside of the development envelope may be developed at Resource Conservation Area density unless some type of permanent protection exists that restricts development.
- (3) For growth allocation proposed in the Resource Conservation Area, a three hundred-foot naturally vegetated buffer is ~~strongly encouraged~~ IS REQUIRED, and ~~where it is provided, it shall not be deducted~~ even if the buffer does not meet the twenty-acre requirement.

§ NR 3-113. **Intrafamily transfers.**

- (a) Applicability. The Department shall permit bona fide intrafamily transfers to be made only from parcels of land that:
- (1) Were of legal record on MARCH 1, 1986, WITHIN THE CHESAPEAKE BAY, OR June 1, 2002, WITHIN THE ATLANTIC COASTAL BAYS; and
 - (2) Are seven acres or more and less than sixty acres in size.
- (b) Required subdivision. A bona fide intrafamily transfer from a portion of a parcel of land shall be a subdivision of the parcel of land that is subject to approval under the Subdivision Regulations of the County.
- (c) Approval of subdivision of parcels. The Department may approve the subdivision of a parcel of land into the number of lots indicated in this subsection by means of a bona fide intrafamily transfer and may not approve any greater subdivision of the parcel of land or any portion of it as follows:
- (1) A parcel that is seven acres or more and less than twelve acres in size may be subdivided into two lots.
 - (2) A parcel that is twelve acres or more and less than sixty acres in size may be subdivided into three lots.
 - (3) The lots may be created at different times.
- (d) Conditions of approval. As a condition of approval, the Department shall require that:
- (1) Any deed for a lot that is created by a bona fide intrafamily transfer shall contain a covenant approved by the County Commissioners stating that the lot is created subject to the provisions of Natural Resources Article Section 8-1801, Annotated Code of Maryland, as from time to time amended; and
 - (2) A lot created by a bona fide intrafamily transfer may not be conveyed subsequently to any person other than a member of the owner's immediate family, except under provisions set forth in subsection (e) of this section.
 - (3) This subsection does not prevent the conveyance of the lot to a third party as security for a mortgage or deed of trust or any subsequent conveyance as a result of any bona fide foreclosure or sale of any such mortgage or deed of trust or other bona fide and valid legal lien.
- (e) Standards and procedures for the subsequent conveyance of lots created by intrafamily transfer to persons other than immediate family members. Prior to the conveyance of such lots to persons other than immediate family members, the current owner shall make application on forms prescribed by the Department in accordance with the following procedures:
- (1) The request shall be accompanied by a title history of the parcel originally approved as an intrafamily transfer and any fee as established by prior resolution of the County Commissioners.
 - (2) The Department shall review the application and accompanying documents and provide a report and recommendation to the County Commissioners with regard to the consistency

of the application with the requirements and standards as established by this subsection.

- (3) The County Commissioners shall provide for an opportunity for the applicant to be heard and may, where determined necessary, hold a public hearing relative to the matter following due notice in accordance with § ZS 1-114 of the Zoning and Subdivision Control Article. In evaluating the request and prior to approving any such transfer, the County Commissioners shall make findings of fact with respect to the following:
- A. The lot was created as part of a bona fide intrafamily transfer and not with the intent of subdividing the original parcel of land for purposes of ultimate commercial sale; and
 - B. A change in circumstances has occurred since the original transfer was made that is not inconsistent with this Subtitle and that warrants an exception; or
 - C. Other circumstances exist that are consistent with this Subtitle and with the Atlantic Coastal Bays Critical Area criteria to maintain land areas necessary to support the protective uses of agriculture, forestry, open space and natural habitats in Resource Conservation Areas and thus warrant an exception.
- (4) The County Commissioners, by resolution, may approve the request and may furthermore establish conditions of approval consistent with the intent of the ~~Atlantic Coastal Bays~~ Critical Area Program. Any resolution so passed by the County Commissioners shall be recorded in the land records of Worcester County and shall render null and void any previously recorded covenants limiting non-intrafamily transfers.

§ NR 3-114. Administration and enforcement.

- (a) Responsible agencies. The responsibility for the administration and enforcement of this Subtitle shall be vested in such Department (hereinafter called the "Department") as designated or created for such purpose by the County Commissioners. The Department may be provided with such personnel and resources as the County Commissioners may direct. The Department may delegate to its personnel and other persons such duties and responsibilities in connection with the administration and enforcement of this Subtitle as are appropriate in the Department's judgement.
- (b) Enforcement provisions. Violation of any provision hereof or any program adopted hereunder shall be a civil infraction, and each day of a violation shall be a separate offense. Violators of the provisions of programs approved or adopted by the Commissioners shall be subject to prosecution or suit by the Commissioners, who may invoke the sanctions and remedies afforded by State or local law. The Commissioners may invoke any sanction or remedy available, in any court of competent jurisdiction in which the Commissioners would be authorized to prosecute or sue the violator. In addition to any other sanction or remedy available, the Commissioners may bring an action in equity to compel compliance or restrain noncompliance with the requirements of approved project plans and compel restoration of lands or structures to their condition prior to any modification which was done in violation of approved project plans. Notwithstanding any other provision of this section, whenever a development in the ~~Atlantic Coastal Bays~~ Critical Area is proceeding in violation of approved project plans and threatens to immediately and irreparably degrade the quality of tidal waters or fish, wildlife or plant habitat, the Commissioners may bring an action to restrain the violation and, as appropriate, to compel restoration of any land or water areas affected by the development.
- (c) RESPONSIBLE PERSONS. THE FOLLOWING PERSONS MAY EACH BE HELD JOINTLY

OR INDIVIDUALLY RESPONSIBLE FOR A VIOLATION: (1) PERSONS WHO APPLY FOR OR OBTAIN ANY PERMIT OR APPROVAL, (2) CONTRACTORS, (3) SUBCONTRACTORS, (4) PROPERTY OWNERS, (5) MANAGING AGENTS, OR (6) ANY PERSON WHO HAS COMMITTED, ASSISTED, OR PARTICIPATED IN THE VIOLATION.

(d) RIGHT TO ENTER PROPERTY. EXCEPT AS OTHERWISE AUTHORIZED AND IN ACCORDANCE WITH THE PROCEDURES SPECIFIED HEREIN, THE DEPARTMENT OR ITS DESIGNEE MAY OBTAIN ACCESS TO AND ENTER A PROPERTY, IN ORDER TO IDENTIFY OR VERIFY A SUSPECTED VIOLATION, RESTRAIN A DEVELOPMENT ACTIVITY, OR ISSUE A CITATION IF WORCESTER COUNTY HAS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS SUBTITLE HAS OCCURRED, IS OCCURRING, OR WILL OCCUR. THE DEPARTMENT SHALL MAKE A REASONABLE EFFORT TO CONTACT A PROPERTY OWNER BEFORE OBTAINING ACCESS TO OR ENTERING THE PROPERTY. IF ENTRY IS DENIED, THE DEPARTMENT MAY SEEK AN INJUNCTION TO ENTER THE PROPERTY TO PURSUE AN ENFORCEMENT ACTION.

(e) Additional penalties. In addition to any other penalty applicable under State or County law, a person who violates a provision of Natural Resources Article, Title 8, Subtitle 18, as from time to time amended, or the County's ~~Atlantic Coastal Bays~~ Critical Area Law is subject to a fine not exceeding \$10,000.00. ~~In determining the amount of the penalty to be assessed under this subsection, the County may consider the following:~~

(1) BEFORE IMPOSING ANY CIVIL PENALTY, THE PERSON(S) BELIEVED TO HAVE VIOLATED THIS ORDINANCE SHALL RECEIVE: 1) WRITTEN NOTICE OF THE ALLEGED VIOLATION(S), INCLUDING WHICH, IF ANY, ARE CONTINUING VIOLATIONS; AND 2) AN OPPORTUNITY TO BE HEARD. THE AMOUNT OF THE CIVIL PENALTY FOR EACH VIOLATION, INCLUDING EACH CONTINUING VIOLATION, SHALL BE DETERMINED SEPARATELY. FOR EACH CONTINUING VIOLATION, THE AMOUNT OF THE CIVIL PENALTY SHALL BE DETERMINED PER DAY. IN DETERMINING THE AMOUNT OF THE PENALTY TO BE ASSESSED UNDER THIS SUBSECTION, THE COUNTY MAY CONSIDER THE FOLLOWING:

- A. The gravity of the violation;
- B. THE PRESENCE OR ABSENCE OF GOOD FAITH OF THE VIOLATOR;
- C. Any willfulness or negligence involved in the violation; ~~and~~
- D. The environmental impact of the violation; AND
- E. THE COST OF RESTORATION OF THE RESOURCE AFFECTED BY THE VIOLATION AND MITIGATION FOR DAMAGE TO THAT RESOURCE, INCLUDING THE COST TO THE COUNTY FOR PERFORMING, SUPERVISING, OR RENDERING ASSISTANCE TO THE RESTORATION AND MITIGATION.

(2) ADMINISTRATIVE CIVIL PENALTIES FOR CONTINUING VIOLATIONS SHALL ACCRUE FOR EACH VIOLATION, EVERY DAY EACH VIOLATION CONTINUES, WITH NO REQUIREMENTS FOR ADDITIONAL ASSESSMENTS, NOTICE, OR HEARINGS FOR EACH SEPARATE OFFENSE. THE TOTAL AMOUNT PAYABLE FOR CONTINUING VIOLATIONS SHALL BE THE AMOUNT ASSESSED PER DAY FOR EACH VIOLATION MULTIPLIED BY THE NUMBER OF DAYS THAT EACH VIOLATION HAS CONTINUED.

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- (3) THE PERSON RESPONSIBLE FOR ANY CONTINUING VIOLATION SHALL PROMPTLY PROVIDE THE DEPARTMENT WITH WRITTEN NOTICE OF THE DATE(S) THE VIOLATION HAS BEEN OR WILL BE BROUGHT INTO COMPLIANCE AND THE DATE(S) FOR DEPARTMENT INSPECTION TO VERIFY COMPLIANCE. PENALTIES FOR CONTINUING VIOLATIONS MAY CONTINUE TO ACCRUE AS SET FORTH HEREIN UNTIL DEPARTMENT RECEIVES SUCH WRITTEN NOTICE AND VERIFIES COMPLIANCE BY INSPECTION OR OTHERWISE.
 - (4) ASSESSMENT AND PAYMENT OF PENALTIES SHALL BE IN ADDITION TO AND NOT IN SUBSTITUTION FOR PAYMENT TO WORCESTER COUNTY FOR ALL DAMAGES, COSTS, AND OTHER EXPENSES CAUSED BY THE VIOLATION.
 - (5) PAYMENT OF ALL PENALTIES ASSESSED SHALL BE A CONDITION PRECEDENT TO THE ISSUANCE OF ANY PERMIT OR OTHER APPROVAL REQUIRED BY THIS SUBTITLE.

(f) UNAUTHORIZED CLEARING

- (1) FOR UNAUTHORIZED CLEARING, CUTTING, OR REMOVAL OF VEGETATION THAT DOES NOT EXCEED THE AREA THAT COULD BE AUTHORIZED IN ACCORDANCE WITH THIS SUBTITLE, FINES SHALL BE ASSESSED IN THE AMOUNT OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH DAY THE VIOLATION CONTINUES, AND REFORESTATION SHALL BE REQUIRED ON AN EQUAL AREA BASIS IF LESS THAN TWENTY PERCENT (20%) OF THE FOREST COVER IS REMOVED. FOR CLEARING BETWEEN TWENTY PERCENT (20%) AND THIRTY PERCENT (30%) OF THE EXISTING FOREST COVER, REFORESTATION SHALL BE REQUIRED AT A THREE TO ONE BASIS.
- (3) FOR UNAUTHORIZED CLEARING, CUTTING, OR REMOVAL OF VEGETATION THAT EXCEEDS THE AREA THAT COULD BE AUTHORIZED IN ACCORDANCE WITH THIS SUBTITLE, FINES SHALL BE ASSESSED AT FIVE HUNDRED DOLLARS (\$500.00) FOR EACH DAY THE VIOLATION CONTINUES AND REFORESTATION SHALL BE REQUIRED AT THREE TIMES THE TOTAL SURFACE ACREAGE OF FOREST CLEARED.
- (4) FOR UNAUTHORIZED DISTURBANCE INCLUDING CLEARING, CUTTING, OR REMOVAL OF VEGETATION IN THE BUFFER OR ANOTHER HABITAT PROTECTION AREA, FINES SHALL BE ASSESSED AT ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH DAY THE VIOLATION CONTINUES AND ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH SEPARATE OCCURRENCE OF DISTURBANCE IN THE BUFFER AND REFORESTATION SHALL BE REQUIRED AT FOUR TIMES THE TOTAL SURFACE ACREAGE OF FOREST CLEARED AND SUCH REPLANTINGS SHALL BE WITHIN THE BUFFER WHEREVER POSSIBLE. PLUS AN ADDITIONAL 1:1 FOR CANOPY COVERAGE REMOVED.
- (5) FINES COLLECTED FROM ENFORCEMENT ACTIONS IN THE ATLANTIC COASTAL BAYS CRITICAL AREA SHALL BE MAINTAINED IN A SEPARATE ACCOUNT TO BE USED BY THE COUNTY COMMISSIONERS FOR REFORESTATION OR OTHER HABITAT ENHANCING EFFORTS WITHIN THE SAME SUB WATERSHED OF THE ATLANTIC COASTAL BAYS CRITICAL AREA AS THE SITE.

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- (6) IF A PERSON CUTS OR CLEARS OR PLANS TO CUT OR CLEAR TREES WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA IN VIOLATION HEREOF OR ANY PROGRAM ADOPTED BY THE COMMISSIONERS, THE COMMISSIONERS MAY BRING AN ACTION:
- A. TO REQUIRE THE PERSON TO REPLANT TREES WHERE THE CUTTING OR CLEARING OCCURRED IN EXCESS OF THAT AMOUNT APPROVED ON THE PLAN PREPARED BY THE STATE FORESTER, A REGISTERED PROFESSIONAL FORESTER OR A REGISTERED LANDSCAPE ARCHITECT;
 - B. TO RESTRAIN THE PLANNED VIOLATION; OR
 - C. FOR DAMAGES:
 - I. TO BE ASSESSED BY THE CIRCUIT COURT IN AN AMOUNT EQUAL TO THE ESTIMATED COST OF REPLANTING TREES; AND
 - II. TO BE PAID TO THE COMMISSIONERS BY THE PERSON FOUND TO HAVE VIOLATED THE PROVISIONS OF THIS SUBSECTION.
- (7) PREPARATION, APPROVAL, ETC. OF A PLAN TO REPLANT TREES. ON THE REQUEST OF THE COMMISSIONERS, THE STATE FORESTER, A REGISTERED PROFESSIONAL FORESTER OR A REGISTERED LANDSCAPE ARCHITECT MAY PREPARE, OVERSEE, AND APPROVE THE FINAL IMPLEMENTATION OF A PLAN TO REPLANT TREES IN ~~ANY PART OF~~ THE ATLANTIC COASTAL BAYS OR CHESAPEAKE BAY CRITICAL AREA WHERE TREES ARE CUT OR CLEARED IN VIOLATION OF THIS SUBSECTION.
- (g) VARIANCES PURSUANT TO A VIOLATION. WORCESTER COUNTY MAY ACCEPT AN APPLICATION FOR A VARIANCE REGARDING A PARCEL OR LOT THAT IS SUBJECT TO A CURRENT VIOLATION OR ANY PROVISIONS OF AN ORDER, PERMIT, PLAN, OR THIS SUBTITLE IN ACCORDANCE WITH THE VARIANCE PROVISIONS OF THIS SUBTITLE. HOWEVER, THE APPLICATION SHALL NOT BE REVIEWED, NOR SHALL A FINAL DECISION BE MADE, UNTIL ALL ABATEMENT, RESTORATION, AND MITIGATION MEASURES, A NOTICE OF VIOLATION, AND ADMINISTRATIVE OR CIVIL PENALTY HAVE BEEN ASSESSED, IMPLEMENTED, AND INSPECTED BY THE DEPARTMENT.
- (h) PERMITS PURSUANT TO A VIOLATION. THE DEPARTMENT OR ANY COUNTY AGENCY OR BOARD WILL NOT ISSUE ANY PERMIT, APPROVAL, VARIANCE, OR SPECIAL EXCEPTION, UNLESS THE PERSON SEEKING THE PERMIT HAS:
- (1) FULLY PAID ALL ADMINISTRATIVE, CIVIL, OR CRIMINAL PENALTIES AS SET FORTH IN SECTION (F) ABOVE;
 - (2) PREPARED A RESTORATION OR MITIGATION PLAN, APPROVED BY THE DEPARTMENT, TO ABATE IMPACTS TO WATER QUALITY OR NATURAL RESOURCES DUE TO THE VIOLATION;
 - (3) PERFORMED THE ABATEMENT MEASURES IN THE APPROVED PLAN IN

ACCORDANCE WITH THIS SUBTITLE; AND

- (4) UNLESS AN EXTENSION OF TIME IS APPROVED BY THE DEPARTMENT BECAUSE OF ADVERSE PLANTING CONDITIONS, WITHIN NINETY (90) DAYS OF THE ISSUANCE OF A PERMIT, APPROVAL, VARIANCE, OR SPECIAL EXCEPTION FOR THE AFFECTED PROPERTY, ANY ADDITIONAL MITIGATION REQUIRED AS A CONDITION OF APPROVAL FOR THE PERMIT, APPROVAL, VARIANCE, OR SPECIAL EXCEPTION SHALL BE COMPLETED.

~~§ NR 3-115. Cutting or clearing trees.~~

(a) ~~Supplemental applicability.~~

~~(1) The provisions of this section are in addition to any other sanction, remedy, or penalty provided by law.~~

~~(2) This section does not apply to any cutting or clearing of trees that is allowed under regulations adopted by the Commissioners under this Subtitle.~~

(b) ~~Additional remedies.~~ If a person cuts or clears or plans to cut or clear trees within the Atlantic Coastal Bays Critical Area in violation hereof or any program adopted by the Commissioners, the Commissioners may bring an action:

~~(1) To require the person to replant trees where the cutting or clearing occurred in excess of that amount approved on the plan prepared by the State Forester, a registered professional forester or a registered landscape architect;~~

~~(2) To restrain the planned violation; or~~

~~(3) For damages:~~

~~A. To be assessed by the Circuit Court in an amount equal to the estimated cost of replanting trees; and~~

~~B. To be paid to the Commissioners by the person found to have violated the provisions of this subsection.~~

(c) ~~Actions by the Commissioners.~~ The Commissioners may invoke the remedies available to the local jurisdiction under subsection (b) of this section in any court of competent jurisdiction.

(d) ~~Preparation, approval, etc. of a plan to replant trees.~~ On the request of the Commissioners, the State Forester, a registered professional forester or a registered landscape architect may prepare, oversee, and approve the final implementation of a plan to replant trees in any part of the Atlantic Coastal Bays Critical Area where trees are cut or cleared in violation of this subsection.

§ NR 3-115. LOT CONSOLIDATION AND RECONFIGURATION.

- (a) APPLICABILITY. THE PROVISIONS OF THIS SUBSECTION APPLY TO CONSOLIDATION OR A RECONFIGURATION OF ANY NONCONFORMING LEGAL GRANDFATHERED PARCEL OR LOT. THESE PROVISIONS DO NOT APPLY TO THE RECONFIGURATION OR CONSOLIDATION OF PARCELS OR LOTS WHICH ARE

CONFORMING OR MEET ALL REQUIREMENTS OF THIS SUBTITLE.
NONCONFORMING PARCELS OR LOTS INCLUDE:

- (1) THOSE FOR WHICH A CRITICAL AREA VARIANCE IS SOUGHT OR HAS BEEN ISSUED; AND
 - (2) THOSE LOCATED IN THE RESOURCE CONSERVATION AREA AND ARE LESS THAN TWENTY (20) ACRES IN SIZE.
- (b) PROCEDURE.
- (1) AN APPLICANT SEEKING A PARCEL OR LOT CONSOLIDATION OR RECONFIGURATION SHALL PROVIDE THE REQUIRED INFORMATION IN SECTION (C) BELOW TO THE DEPARTMENT.
 - (2) THE DEPARTMENT MAY NOT APPROVE A PROPOSED PARCEL OR LOT CONSOLIDATION OR RECONFIGURATION WITHOUT MAKING WRITTEN FINDINGS IN ACCORDANCE WITH SECTION (D) BELOW AND COMAR 27.01.02.08.F.
 - (3) THE DEPARTMENT SHALL ISSUE A FINAL WRITTEN DECISION OR ORDER GRANTING OR DENYING AN APPLICATION FOR CONSOLIDATION OR RECONFIGURATION. AFTER A FINAL WRITTEN DECISION OR ORDER IS ISSUED, THE DEPARTMENT SHALL SEND A COPY OF THE DECISION OR ORDER AND A COPY OF ANY APPROVED DEVELOPMENT PLAN WITHIN TEN (10) BUSINESS DAYS BY U.S. MAIL TO THE COMMISSION'S BUSINESS ADDRESS.
 - (4) THE DEPARTMENT MAY NOT ISSUE A BUILDING PERMIT UNTIL THE APPEAL TIME HAS EXPIRED.
- (c) APPLICATION. AN APPLICATION FOR THE CONSOLIDATION OR RECONFIGURATION OF ANY NONCONFORMING LEGAL PARCEL OF LAND OR RECORDED LEGALLY BUILDABLE LOT SHALL CONTAIN AT LEAST THE FOLLOWING INFORMATION:
- (1) THE DATE OF RECORDATION OF EACH LEGAL PARCEL OF LAND OR LEGALLY BUILDABLE LOT TO BE CONSOLIDATED OR RECONFIGURED;
 - (2) A PLAN DRAWN TO SCALE THAT SHOWS ALL EXISTING AND PROPOSED LOT OR PARCEL BOUNDARIES;
 - (3) INFORMATION SUFFICIENT FOR THE DEPARTMENT TO MAKE THE FINDINGS SET FORTH IN SECTION (D) BELOW; AND
 - (4) A TABLE THAT LISTS THE NUMBER OF ALL LEGAL PARCELS OF LAND OR RECORDED LEGALLY BUILDABLE LOT AND THE NUMBER OF PROPOSED LOTS OR PARCELS OR DWELLING UNITS TO BE DERIVED.
- (d) STANDARDS. THE DEPARTMENT SHALL REVIEW A PROPOSED LOT CONSOLIDATION OR RECONFIGURATION AND WILL MAKE WRITTEN FINDINGS THAT EACH ONE OF THE FOLLOWING STANDARDS HAS BEEN MET:

- (1) THE PROPOSED CONSOLIDATION OR RECONFIGURATION WILL RESULT IN NO GREATER NUMBER OF LOTS, PARCELS, OR DWELLING UNITS IN THE CRITICAL AREA THAN THE EXISTING CONFIGURATION WOULD ALLOW;
- (2) THE PROPOSED LOT CONSOLIDATION OR RECONFIGURATION WILL RESULT IN NO GREATER LOT COVERAGE THAN THE EXISTING CONFIGURATION WOULD ALLOW;
- (3) THE PROPOSED CONSOLIDATION OR RECONFIGURATION DOES NOT:
 - A. CREATE AN ADDITIONAL RIPARIAN LOT OR PARCEL, WATERFRONT LOT, OR ANY OTHER LOT OR PARCEL DEEDED WITH WATER ACCESS; OR
 - B. INTENSIFY OR INCREASE IMPACTS ASSOCIATED WITH RIPARIAN ACCESS.
- (4) THE PROPOSED CONSOLIDATION OR RECONFIGURATION DOES NOT CREATE:
 - A. A LOT OR PARCEL OR PORTION OF A LOT OR PARCEL THAT WILL SERVE DEVELOPMENT ACTIVITIES OUTSIDE THE CRITICAL AREA; OR
 - B. A RESOURCE CONSERVATION AREA LOT OR PARCEL THAT SERVES DEVELOPMENT ACTIVITIES IN THE INTENSELY DEVELOPED AREA OR LIMITED DEVELOPMENT AREA.
- (5) THE PROPOSED CONSOLIDATION OR RECONFIGURATION IDENTIFIES EACH HABITAT PROTECTION AREA, AND IF IMPACTS TO A HABITAT PROTECTION AREA ARE PROPOSED, THE PROPOSAL DEMONSTRATES THAT:
 - A. NO GREATER IMPACT TO A HABITAT PROTECTION AREA WOULD RESULT THAN THE IMPACT THAT WOULD HAVE RESULTED FROM THE EXISTING LOT CONFIGURATION;
 - B. ADVERSE IMPACTS TO A HABITAT PROTECTION AREA ARE MINIMIZED; AND
 - C. PROTECTIVE MEASURES AND RESTORATION MEASURES ARE INCLUDED THAT PROVIDE FOR THE LEAST POSSIBLE IMPACT;
- (6) THE PROPOSED CONSOLIDATION OR RECONFIGURATION PROVIDES:
 - A. STORMWATER MANAGEMENT FOR ALL PROPOSED DEVELOPMENT ACTIVITIES; AND
 - B. BENEFITS TO FISH, WILDLIFE, AND PLANT HABITAT THAT ARE IDENTIFIED.

§ NR 3-116. Forest and woodland protection.

- (a) General requirements. Recognizing the value of forested land for its water quality benefits and habitat protection while accommodating the utilization of forest resources, the following policies for forest and woodland protection should be adhered to wherever possible:
- (1) Maintain and increase the forested vegetation in the ~~Atlantic Coastal Bays~~ Critical Area;
 - (2) Conserve forests and developed woodlands and provide for expansion of forested areas;
 - (3) Provide that the removal of trees associated with development activities shall be minimized and, where appropriate, shall be mitigated; and
 - (4) Recognize that forests are a protective land use and should be managed in such a manner so that maximum values for wildlife, water quality, timber, recreation, and other resources can be maintained, even when they are mutually exclusive.
- (b) Identification. The County Commissioners may identify and map forests and developed woodlands within the ~~Atlantic Coastal Bays~~ Critical Area and may identify and map habitat protection areas as described in § NR 3-104 and 3-121 through 3-123 hereof. A more detailed evaluation of forest resources on specific sites shall be accomplished as part of the environmental analysis required prior to site plan and subdivision approval.
- (c) Requirements for the protection of riparian and forest habitat. The purpose of the following requirements is to protect habitat:
- (1) Vegetation within the 100-foot Buffer shall be maintained in its natural condition along all streams to provide wildlife corridors and for water quality protection.
 - (2) A minimum 100-foot Buffer shall extend landward from the mean high water line of tidal water, the banks of tributary streams, and the landward boundary of tidal wetlands. This area is to be conserved for wildlife protection and water quality protection.
 - (3) Nontidal wetland forests shall be left in a natural state for wildlife and water quality protection.
 - (4) Forest areas utilized as breeding areas by forest interior dwelling birds and other wildlife species shall be conserved.
 - (5) Existing riparian forests that are documented breeding areas shall be conserved.
- (d) Process. If a forest is to be developed or to be harvested, a site-specific field investigation shall be conducted to determine if important sensitive species are present and to make sure that appropriate protection measures are incorporated into the development plan or Timber Harvest Plan. The Department may seek a recommendation of the Department of Natural Resources based on an evaluation of the site and the proposed development. In general, the following measures are required:
- (1) Minimize forest and woodlands disturbance from off-road vehicles, public use or logging from May through August of each year;
 - (2) Focus all development on the periphery of the forest or woodlands;
 - (3) Retain the forest canopy as well as shrub understory;

- (4) Retain snag and mature seed trees as dens for woodpeckers and as nests for bald eagles;
- (5) Discourage the creation of small clearings and expansion of forest edge habitats;
- (6) Encourage re-establishment of native forests and woodlands; and
- (7) Adopt harvest techniques to maintain or improve habitat.

(e) Requirements for the establishment or replacement of forest. The following policies shall be used for afforestation and reforestation:

- (1) The replacement or establishment of forests or developed woodlands should ensure a diversified plant community and should include canopy trees, understory trees, shrubs, and herbaceous plants.
- (2) Native species must be used for all reforestation and afforestation, except as otherwise approved by the Department, but in no case shall less than seventy-five percent (75%) of the plant material be native species.

~~(f) Buffer protection standards for timber for personal use. Individual trees may be cut for personal use if the trees cut are replaced on an equal basis and provided the cutting does not impair the water quality or existing habitat value or other functions of the Buffer set forth in § NR 3-104. Cutting or clearing of trees and natural vegetation within the Buffer shall be prohibited except that:~~

- ~~_____ (1) _____ Cutting of trees or removal of natural vegetation may be permitted where necessary to _____ provide pedestrian access of no more than six feet in width to private piers, or to install or _____ construct a shore erosion protection device or measure, or a water dependent facility, _____ providing the device, measure or facility has received all necessary County, State and _____ Federal permits.~~
- ~~_____ (2) _____ Individual trees may be removed, which are in danger of falling and causing damage to _____ dwellings or other structures, or which are in danger of falling and therefore causing the _____ blockage of streams, or resulting in accelerated shore erosion.~~
- ~~_____ (3) _____ Horticultural practices may be used to maintain the health of individual trees.~~
- ~~_____ (4) _____ Other cutting techniques may be undertaken within the Buffer and under the advice and _____ guidance of the State Departments of Agriculture and Natural Resources if necessary to _____ preserve the forest from extensive pest or disease infestation or threat from fire.~~

~~(g) Enforcement. Unauthorized clearing, cutting, or removal of vegetation; unauthorized clearing, cutting, or removal of vegetation in the Buffer; and clearing, cutting, or removal of vegetation in excess of the area permitted to be cleared by this Subtitle is considered a civil infraction.~~

- ~~_____ (1) _____ For unauthorized clearing, cutting, or removal of vegetation that does not exceed the area _____ that could be authorized in accordance with this Subtitle, fines shall be _____ assessed in the _____ amount of five hundred dollars (\$500.00) for each day the violation continues, and _____ reforestation shall be required on an equal area basis if less than twenty percent (20%) of _____ the forest cover is removed. For clearing between twenty percent (20%) and thirty _____ percent (30%) of the existing forest cover, reforestation shall be required at a three to one _____ basis.~~

- ~~_____ (2) _____ For unauthorized clearing, cutting, or removal of vegetation that exceeds the area~~

~~that could be authorized in accordance with this Subtitle, fines shall be assessed at five hundred dollars (\$500.00) for each day the violation continues and reforestation shall be required at three times the total surface acreage of forest cleared.~~

~~(3) For unauthorized clearing, cutting, or removal of vegetation in the Buffer or another Habitat Protection Area, fines shall be assessed at one thousand dollars (\$1,000.00) for each day the violation continues and one thousand dollars (\$1,000.00) for each separate occurrence of clearing, cutting or removal of vegetation in the Buffer and reforestation shall be required at three times the total surface acreage of forest cleared and such replantings shall be within the Buffer wherever possible.~~

~~(4) Fines collected from enforcement actions in the Atlantic Coastal Bays Critical Area shall be maintained in a separate account to be used by the County Commissioners for reforestation or other habitat enhancing efforts within the same sub-watershed of the Atlantic Coastal Bays Critical Area as the site.~~

§ NR 3-117. Commercial timber harvesting.

- (a) General requirements. A goal of the ~~Atlantic Coastal Bays~~ Critical Area Program is to maintain or increase the lands in forest cover because forests provide protection of the water quality and habitat values of the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries. The problems of sedimentation and erosion can occur when poorly managed timber operations take place in the watershed. These problems can be substantially reduced by proper management of harvest operations.
- (b) Process. Landowners proposing to harvest timber on one or more acres in the ~~Atlantic Coastal Bays~~ Critical Area shall submit a "Timber Harvest Plan". This plan shall be prepared by a registered professional forester. The Timber Harvest Plan shall be reviewed and approved by the Department of Natural Resources through the District Forestry Board. The approved plan shall be filed with the Soil Conservation District, and a copy of the approved plan shall be sent to the Department prior to beginning timbering operations.
- (c) Timber Harvest Plan contents. Plans shall include measures to protect surface and groundwater quality and identify whether the activities will disturb or affect Habitat Protection Areas as identified in § NR 3-104 and 3-121 through 3-123 of this Subtitle and shall incorporate protection measures for these areas as specified in those sections. To provide for the continuity of habitat, the plans shall address mitigation through forest management techniques, which shall include scheduling, size, timing, and intensity of harvest cuts, afforestation and reforestation.
- (d) Sediment Control Plans. In the Worcester County ~~Atlantic Coastal Bays~~ Critical Area, any landowner who plans to harvest timber on an area which will disturb 5,000 square feet or more, including harvesting on agricultural lands shall submit a Sediment Control Plan for approval. This plan is also required for any harvests which will cross perennial or intermittent streams.
- (1) If cuts and fills are three feet or more, if grades for roads are fifteen percent (15%) or more, or if landings are on slopes of ten percent (10%) or more, then the landowner must get a custom Sediment Control Plan for the operation. These are prepared by Registered Professional Foresters and include controls necessary to prevent site erosion and to ensure site stabilization. This plan shall be submitted to the local Soil Conservation district for approval and notice of approval sent to the Department.
 - (2) Either the owner or the operator shall take responsibility for implementation of the Sediment Control Plan, or each subcontractor must file a separate plan.

- (3) The landowner must sign the agreement to certify that he understands the terms of the plan and is responsible for preventing erosion and sedimentation during the forest harvesting.
- (e) Buffer protection standards for timber harvests. ~~A minimum 50-foot Buffer shall be maintained in natural, native vegetation between tidal waters, wetlands and streams, and uplands. The Buffer is measured landward from the mean high water line (MHWL) of tidal waters, from each bank of perennial tributary streams and from the landward edge of tidal wetlands. Where necessary the Buffer can be planted to protect, stabilize or enhance the shoreline.~~ TIMBER HARVESTS ARE PERMITTED IN THE BUFFER IN ACCORDANCE WITH THE PROVISIONS OF COMAR 27.01.09.01-7.

§ NR 3-118. Surface Mining.

- (a) Definition. Surface mining is defined as the breaking of the surface soil in order to extract or remove minerals in the ~~Atlantic Coastal Bays~~ Critical Area. Surface mining includes any activity or process constituting all or part of a process for the extraction or removal of minerals from their original location in the ~~Atlantic Coastal Bays~~ Critical Area and the extraction of sand, gravel, rock, stone, earth or fill from borrow pits for highway construction purposes or other facilities. For the purpose of this section, surface mining is also defined as operations engaged in processing minerals at the site of extraction; removal of overburden and mining of limited amounts of any mineral when done for the purpose of prospecting and to the extent necessary to determine the location, quantity or quality of any natural deposit; and mining operations, if the affected land exceeds one acre or more in area. SURFACE MINING DOES NOT INCLUDE AN ACITIVITY OR PROCESS THAT IS EXCLUDED UNDER THE PROVISIONS OF ENVIRONMENTAL ARTICLE, §15-807, ANNOTATED CODE OF MARYLAND OR COMAR 26.21.01.08.
- (b) General requirements. The Department shall ensure that all available measures are taken to protect the ~~Atlantic Coastal Bays~~ Critical Area from all sources of pollution from surface mining operations, including, but not limited to sedimentation, siltation, chemical, and petrochemical use and spillage, and storage and disposal of waste, dusts, and spoils. The Department shall further ensure that surface mining is conducted in a way to permit the reclamation of surface mining sites as soon as possible and to the extent possible.
- (c) Mineral Resource Plan and Program. The County mineral resources plan and program are included in the Comprehensive Plan.
- (d) Standards. Surface mining operation permits are issued by the Maryland Department of the Environment (MDE), and periodic site inspections of permitted areas are made to determine whether the conditions of the permit and the accompanying Reclamation Plan are being fulfilled. Permits for surface mining are also issued by the Department and permits for such operations in the ~~Atlantic Coastal Bays~~ Critical Area shall only be granted if the following conditions are met:
- (1) A Reclamation Plan shall be submitted as part of the permit application which specifies the use which is proposed to be made of the site following reclamation, the manner in which soil and subsoil are to be conserved and restored, the specifications for surface gradient restoration suitable for the subsequent use, the proposed manner and type of re-vegetation or other surface treatment of affected areas and an acceptable schedule to the Department for the implementation of reclamation measures. Reclamation is to occur as mining on each segment of a site is completed.
 - (2) The operation will not have an unduly adverse effect on wildlife, forests, or freshwater, estuarine, or marine fisheries.

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- (3) The operator has provided applicable permits from all Federal, State, and local regulatory agencies responsible for air and water pollution and sediment control.
 - (4) Adequate consideration shall be given by the Board of Zoning Appeals to:
 - A. The effects of the proposed action on the environment, including adverse and beneficial environmental effects that are reasonably likely if the proposal is implemented or if it is not implemented.
 - B. Measures that might be taken to minimize potential adverse environmental effects and maximize potential beneficial environmental effects, including monitoring, maintenance, replacement, operation, and other follow-up activities.
 - C. An applicant's previous experience with similar operations which indicates that the operation will not result in substantial deposits of sediment in stream beds or lakes, landslides, or other causes of water pollution.
- (e) Location of future sites.
- (1) New surface mining operations are permitted within the ~~Atlantic Coastal Bays~~ Critical Area provided that identification of appropriate post-excavation uses for this land such as recreation, habitat restoration, open space use, or development are accomplished according to the appropriate land management classification (IDA, LDA or RCA) and other applicable County and State codes and ordinances.
 - (2) Areas such as the following shall not be used for surface mining:
 - A. Areas where important natural resources such as threatened and endangered species, areas of scientific value, or rare assemblages of species occur;
 - B. Areas where highly erodible soils exist;
 - C. Areas where the use of renewable resource lands would result in the substantial loss of long-range (twenty five years or more) productivity of forest and agriculture, or would result in a degrading of water quality or a loss of vital habitat;
 - D. Lands that are within one hundred feet of the mean high water line of tidal waters, tidal wetlands, or the edge of streams.
 - (3) Surface mining operations shall operate under the following conditions:
 - A. Future wash plants, including ponds, spoil piles, and equipment, may not be located within the Buffer as defined in this Subtitle.
 - B. Existing wash ponds shall be reclaimed as soon as possible after the cessation of a sand and gravel operation.
 - C. To the fullest extent possible, existing sand and gravel operations shall conduct their extraction activities so as to provide, at a minimum, a 100-foot Buffer of natural vegetation between the operation and the mean high water line of tidal waters or the edges of streams and tidal wetlands, whichever is further inland.

- (a) General requirements. The County Commissioners and the Department shall follow all of the following requirements with regard to agriculture in the ~~Atlantic Coastal Bays~~ Critical Area:
- (1) Ensure that agricultural lands are identified and that programs are established for the ~~Atlantic Coastal Bays~~ Critical Area to maintain, where appropriate, agricultural lands in agricultural use, to the greatest extent possible.
 - (2) Recognize that agriculture is a protective land use that should be properly managed so that it minimizes its contribution to pollutant loadings to the CHESAPEAKE AND Atlantic Coastal Bays and their tributaries.
 - (3) Ensure that the creation of new agricultural lands is not accomplished:
 - A. By diking, draining or filling of any class or subclass of palustrine wetlands, as described in this Program, which has a seasonally flooded or wetter water regime, unless mitigation is accomplished in accordance with applicable State and County regulations;
 - B. By clearing of forests or woodlands on soils with a slope greater than fifteen percent (15%) or on soils with a "K" value greater than 0.35 and slope greater than five percent (5%);
 - C. If the clearing will adversely affect water quality or will destroy plant and wildlife habitat as defined in this Subtitle; or
 - D. By the clearing of existing natural vegetation within the Buffer as defined in this Subtitle.
 - (4) Ensure that the drainage of nontidal wetlands for the purpose of agriculture is done in accordance with a Soil Conservation and Water Quality Plan, approved by the Soil Conservation District AND IN ACCORDANCE WITH THE MITIGATION REQUIREMENTS IN COMAR 26.23.04.
 - (5) Ensure that Best Management Practices for the control of nutrients, animal wastes, pesticides, and sediment runoff be used to protect the productivity of the land base and enhance water quality. These practices shall minimize contamination of surface and groundwater and, further, shall minimize adverse effects on plants, fish and wildlife resources.
 - (6) Ensure that animal feeding operations, including retention and storage ponds, feedlot waste storage, and manure storage minimize the contamination of water bodies.
 - (7) Ensure that agricultural activity permitted within the ~~Atlantic Coastal Bays~~ Critical Area use Best Management Practices in accordance with a Soil Conservation and Water Quality Plan approved by the Soil Conservation district.
- (b) Inventory of agricultural lands. Worcester County's intent is to maintain agriculture and forestry as viable and productive land uses within the CHESAPEAKE AND Atlantic Coastal Bays Watershed. The County Commissioners may inventory and map the general extent of agricultural lands within the ~~Atlantic Coastal Bays~~ Critical Area and also map the Habitat Protection Areas referenced in § NR 3-120 through 3-123 of this Subtitle. When developed, these maps shall be used to make an initial determination regarding how a proposed agricultural activity may adversely impact a Habitat Protection Area.

- (c) Performance standards for agriculture. The following performance standards shall apply to all land in agricultural use or to be converted to agricultural use within the ~~Atlantic Coastal Bays~~ Critical Area:
- (1) The County Commissioners hereby incorporate the agricultural components of the Clean Water Act and other Federal, State, and local water quality plans into this Program. These components shall be applicable to all agricultural activities in the ~~Atlantic Coastal Bays~~ Critical Area.
 - (2) Soil Conservation and Water Quality Plans and Best Management Practices shall be developed and implemented for those portions of farms that lie within the ~~Atlantic Coastal Bays~~ Critical Area. Landowners shall cooperate with the Worcester County Soil Conservation District for approval of their proposed plans. Landowners who have signed up as Conservation District operators but who do not have a Conservation Plan prepared for them by the local Soil Conservation District shall be allowed to continue to farm until a Conservation Plan is developed provided that the goals of this Program are being met.
 - (3) A landowner shall select and implement practices, with the assistance of a technically trained soil conservation planner or technician, from among the several Best Management Practices that minimize impacts to water quality, conserve fish, wildlife, and plant habitat, and integrate best with the farming operation.
 - (4) Cover crops shall be planted to reduce erosion where practical.
 - (5) Nutrients shall be applied at the appropriate time, and appropriate methods shall be used where practical.
 - (6) Reduced tillage (e.g., "no-till") practices shall be utilized where practical.
 - (7) Crop rotations shall be implemented where practical.
 - (8) Agricultural activities are permitted in the Buffer, if, as a minimum Best Management Practice, a 25-foot vegetated filter strip measured landward from the mean high water line of tidal waters or tributary streams, or from the edge of tidal wetlands, whichever is further inland, is established and further provided that:
 - A. The filter strip shall be composed of either trees with a dense ground cover or a thick sod of grass and shall be so managed as to provide water quality benefits and habitat protection consistent with the policies stated above. Noxious weeds, including Johnson grass, Canada thistle, and multiflora rose, which occur in the filter strip, may be controlled by authorized means.
 - B. The filter strip shall be expanded by a distance of four feet for every one percent (1%) of slope, for slopes greater than six percent (6%).
 - C. The 25-foot vegetated filter strip shall be maintained until such time as the landowner is implementing, under an approved Soil Conservation and Water Quality Plan, a program of Best Management Practices for the specific purposes of improving water quality and protecting plant and wildlife habitat; and provided that the portion of the Soil Conservation and Water Quality Plan being implemented achieves the water quality and habitat protection objectives of the 25-foot vegetated filter strip.
 - D. The Best Management Practices shall include a requirement for the

implementation of a grassland and manure management program where appropriate and that the feeding or watering of livestock may not be permitted within fifty feet of the mean high water line of tidal water and the edge of the bank of tributary streams and the landward edge of tidal wetlands within the ~~Atlantic Coastal Bays~~ Critical Area.

- E. Clearing of existing natural vegetation in the Buffer is not allowed.
- F. Farming activities, including the grazing of livestock, shall not disturb stream banks, tidal shorelines, or other Habitat Protection Areas as described in this Subtitle.
- G. Where agricultural use of lands within the Buffer ceases and the lands are proposed to be converted to other uses; the Buffer shall be established. In establishing the Buffer, management measures shall be undertaken to provide forest vegetation that ensures the Buffer functions as set forth in § NR 3-104 of this Subtitle, which shall not preclude normal agricultural drainage ditch maintenance in accordance with best management practices.

§ NR 3-120. Habitat Protection.

- (a) Description. The Habitat Protection Section of the Worcester County Atlantic Coastal Bays Critical Area Law addresses protection of the following four habitats:
 - (1) The 100-foot Buffer
 - (2) Threatened and Endangered Species and Species in Need of Conservation;
 - (3) Plant and Wildlife Habitat Protection Areas including nontidal wetlands; and
 - (4) Anadromous Fish Propagation Waters
- (b) Identification. Maps illustrating the general location, extent, and configuration of Habitat Protection Areas in Worcester County may be developed and filed with the Department. If developed, they will be used as a "flagging" device to assist property owners, developers, any person proposing development activity, the Department, the Planning Commission, and other agencies of the county government when reviewing development plans. While these maps give a general indication of the area, they do not excuse any property owner or operator from establishing to the satisfaction of the Department whether or not the property or activity will affect the element of habitat to be protected. Prior to the time of development activity on the site the applicant will be responsible for providing an on-site analysis and inventory.

§ NR 3-121. Threatened and Endangered Species and Species in Need of Conservation.

- (a) Identification. The approximate location of rare, threatened, and endangered species and species in need of conservation are shown on the 1" = 600' scale Resource Inventory Maps filed with the Department. These maps will be used as a flagging device. **LOCALLY SIGNIFICANT HABITAT AREAS INCLUDE:**
 - (1) **POCOMOKE SAND RIDGE. THIS AREA IS COMPRISED OF A SYSTEM OF ANCIENT SAND DUNES AND ASSOCIATED NON-TIDAL WETLANDS WHICH SUPPORTS AN ENDANGERED SPECIES AND SEVERAL UNCOMMON SPECIES.**

- (2) POORHOUSE BRANCH. THIS AREA ENCOMPASSES RIPARIAN FOREST, WETLANDS, AND THE HABITATS OF SEVERAL THREATENED AND ENDANGERED SPECIES.
- (b) General requirements. The Department shall provide for the protection of the known habitats of species in need of conservation and threatened and endangered species and also the habitats of these species that may be identified in the future. Protection measures for these Habitat Protection Areas are to be developed in the following way:
- (1) The Department shall review the proposed activities on a case-by-case basis and seek technical advice from the Department of Natural Resources. Development of property located within the ~~Atlantic Coastal Bays~~ Critical Area of Worcester County will require a site specific survey to be submitted along with design plans and a written description of the measures the property owner proposes to take to protect any habitats identified. This information concerning habitats will be incorporated into the County's Resource Inventory Maps for future reference.
- ~~(c) Standards for Bald Eagle protection. A three-zone protection area of 1/4 mile (thirteen hundred twenty feet) in radius around each Bald Eagle nest shall be established and within the zones the following protection measures shall apply:~~
- ~~(1) Zone 1 shall include the area extending from the nest out to a radius of three hundred thirty feet from the nest. In this zone timber cutting, land clearing, and development activities are prohibited. Hiking, fishing, and agricultural activities may be permitted from June 16 to December 14. These activities and human activity in general shall not be permitted in this zone from December 15 to June 15.~~
- ~~(2) Zone 2 extends from the outer limit of Zone 1 to a radius of six hundred sixty feet from the nest. In this zone, major habitat changes shall be avoided including clear-cutting, land clearing, and development activity. Hunting, hiking, fishing, and agricultural activities may be permitted from June 16 to December 14. These activities and human activity in general shall not be permitted in this zone from December 15 to June 15. Agricultural activities may be permitted if Department of Natural Resources data indicate that the nesting eagles are tolerant of these activities. From August 16 to November 14, selective thinning and maintenance of timber stands and building and road maintenance may be permitted.~~
- ~~(3) Zone 3 extends from the outer limit of Zone 2 to a radius of thirteen hundred twenty feet from the nest. Timber cutting, land clearing, and development activities shall be restricted from December 15 to June 15. Other activities in this zone that are within sight of the eagles on the nest may need to be restricted during this time period in accordance with Department of Natural resources recommendations.~~
- ~~(4) If a Bald Eagle nest has not been used for three successive nesting seasons, then any protective regulations applied to the specific site may be removed after verification by the Department of Natural Resources that the nest has been abandoned.~~
- (dc) Implementation. The owner of any property containing a portion of, or adjacent to, a habitat of a threatened or endangered species or a species in need of conservation on which a land altering or land development activity is proposed shall prepare and submit a Habitat Protection Plan, as described in subsection (e) hereof, to the Department prior to beginning the activity. The Department will request a review and comments from the Department of Natural Resources. A land altering activity shall include, but not be limited to, such activities as subdivision, timbering, sand, and gravel mining, clearing new farmlands, grading and the construction of homes or commercial structures.

- (ed) Habitat Protection Plans. Habitat Protection Plans shall consist of the following elements:
- (1) Designation of a protection area or “buffer” around each of the habitats occurring on a particular site or in the jurisdiction where development activities are proposed. Development activities and other disturbances shall be prohibited within the protection areas unless it can be shown that these activities or disturbances will not have or cause adverse impacts on these habitats.
 - (2) Development and implementation of specific protection measures or Best Management Practices such as time of year restrictions, landscaped buffers, water quality control structures, etc. designed to protect the habitat from adverse impacts associated with a change in land: use, development activity, or increased human activity.
- (fe) Public notice. The determination of the existence and extent of these habitats and protection areas shall result from a cooperative effort between the Department and public agencies or private organizations. Designation of habitat and protective measures may not be accomplished unless the affected public is given an adequate opportunity to be heard. If the Secretary of the Department of Natural Resources designates additional species by regulation in the future, a public hearing, as appropriate, shall be held to consider comments on the protection measures proposed for these species. The protection measures shall be adopted within 12 months of the date of the Secretary’s designation.
- (1) The establishment of Habitat Protection Areas shall not be intended to restrict or affect, beyond any existing local, State or Federal laws or regulations, or, on private land, any private restrictions, such activities as non-commercial passive recreation, educational pursuits, scientific observation, or non-commercial hunting, trapping or fishing.
 - (2) Development activities in areas of threatened or endangered species in need of conservation may be subject to other provisions and requirements of this Program.

§ NR 3-122. Plant and Wildlife Habitat ~~and Nontidal Wetlands~~ Protection Plan.

- (a) Description. The following plant and wildlife habitats shall be identified in the ~~Atlantic Coastal Bays~~ Critical Area:
- (1) Colonial waterbird nesting sites;
 - (2) Historic waterfowl staging and concentration areas in tidal waters, tributary streams or tidal and nontidal wetlands;
 - (3) Existing riparian forests, for example relatively mature forests of at least three hundred feet in width which occur adjacent to streams, wetlands, or the bay shoreline and which are documented breeding areas;
 - (4) Forest areas utilized as breeding areas by forest interior dwelling birds and other wildlife species, for example relatively mature forested areas within the ~~Atlantic Coastal Bays~~ Critical Area of one hundred acres or more or forest connected with such areas;
 - (5) Other plant and wildlife habitats determined to be of local significance and so designated by resolution of the County Commissioners;
 - (6) Natural Heritage Areas which have been designated; and
 - ~~(7) Nontidal wetlands.~~

- (b) General requirements. The requirements of Worcester County regarding plant and wildlife habitat in the ~~Atlantic Coastal Bays~~ Critical Area shall be to:
- (1) Conserve wildlife habitat in the Atlantic Coastal Bays Critical Area;
 - (2) Protect those wildlife habitats that tend to be least abundant or which may become so in the future if current land-use trends continue;
 - (3) Protect those wildlife habitat types which are required to support the continued presence of various species;
 - (4) Protect those wildlife habitat types and plant communities which are determined by the County Commissioners to be of local significance;
 - (5) Protect Natural Heritage Areas; and
 - (6) Protect and conserve nontidal wetlands.
- (c) Standards. In addition to the standards set forth in § NR 3-104 hereof for the protection of the Buffer, the following standards shall apply to new development and redevelopment within the ~~Atlantic Coastal Bays~~ Critical Area:
- (1) Any development or significant land use change on property located within the ~~Atlantic Coastal Bays~~ Critical Area of Worcester County will require a site-specific survey to determine the presence of any plant and wildlife habitat areas. The survey shall be submitted along with design plans and a written description of the measures the property owner proposes to take to protect the habitats identified. This information concerning habitats will be incorporated into the Resource Inventory Maps for future reference.
 - (2) The Department may seek additional information and comments from the Department of Natural Resources and other appropriate agencies and adjacent jurisdictions.
 - (3) For development activities in the Resource Conservation Area and Limited Development Area, wildlife corridors shall be established and used to connect the area left in forest cover with any large forest tracts which are located outside of the area of the property being developed or subdivided. The area left in forest cover shall be adjacent to larger forest, not left as an isolated island of trees. Planting required as a mitigation measure shall also be adjacent to other habitat. Tree planting, which serves only as a visual screening, does not meet these requirements.
 - (4) Buffer areas for colonial waterbird nesting sites shall be established (if such birds are found to exist in the ~~Atlantic Coastal Bays~~ Critical Area) so that these sites are protected from the adverse impacts of development activities and disturbance during the breeding season.
 - (5) New water-dependent facilities shall be located to prevent disturbance to sites of significance to wildlife, such as historic aquatic staging and concentration areas for waterfowl.
 - (6) Protection measures, including a buffer area, shall be established where appropriate for other plant and wildlife habitat sites identified in this Subtitle.
 - (7) Forested areas required to support wildlife species identified above in § NR 3-122(a)(1)

and (4) shall be protected and conserved by developing management programs that have as their objective, conserving the wildlife that inhabit or use the areas. Development activities or the clearing or cutting of trees which might occur in these areas shall be conducted so as to conserve riparian habitat, forest interior wildlife species and their habitat. Management measures may include incorporating appropriate wildlife protection elements into Timber Harvest Plans, Forest Management Plans, cluster zoning, or other site design criteria that provide for the conservation of wildlife habitat. Measures may also include Soil Conservation Plans, which have wildlife habitat protection provisions appropriate to the areas defined above, and incentive programs which use the acquisition of recorded easements in perpetuity and other similar techniques.

- (8) When development activities or the cutting or clearing of trees occurs in forested areas, corridors of existing forest or woodland vegetation shall be maintained to the extent practical to provide effective connections between wildlife habitat areas.
 - (9) Those plant and wildlife habitats considered to be of local significance by the County Commissioners shall be protected. Examples of these are those whose habitat values may not be of statewide significance but are of importance locally or regionally because they contain species uncommon or of limited occurrence in the jurisdiction or because the species are found in unusually high concentrations.
 - (10) Natural Heritage Areas shall be protected from alterations due to development activities or cutting or clearing so that the structure and species composition of the areas are maintained.
 - A. The following areas within the Critical Area of Worcester County are officially identified and designated as natural heritage areas:
 - 1. Hickory Point Cypress Swamp.
 - 2. Lower Nassawango Creek.
 - 3. Mataponi.
 - AB. Development activities or cutting and clearing in Natural Heritage Areas shall be prohibited unless an analysis is performed and measures proposed to mitigate any adverse impacts of the proposed activities. The analysis and mitigation measures shall be prepared by qualified professionals (e.g., ornithologists, zoologists, environmental engineers, and planners) at the expense of the applicant and shall address the expected effects on the natural environment within the Natural Heritage Area.
 - BC. The analysis shall be submitted to the Department, which will then submit it to the State Department of Natural Resources for review and comment. Upon receiving said comment and, if appropriate, upon seeking the advice of expert consultants, the Department shall find against or in favor of the activities or may make suggestions for changing the analysis and ask the applicant to resubmit the analysis. The State Department of Natural Resources shall make a recommendation for consideration by the Department in making its decision as to whether to find against or in favor of the activities.
- (d) Public notice. The determination of the existence and extent of plant and wildlife habitats shall

result from a cooperative effort between the County Commissioners and public agencies or private organizations. Designation of habitat and protective measures may not be accomplished unless the affected public is given an adequate opportunity to be heard. If additional plant and wildlife habitat areas are to be designated in the future, local public hearings, as appropriate, shall be held to consider comments on the areas and protection measures proposed.

§ NR 3-123. Anadromous fish propagation waters.

- (a) Identification. The County Commissioners may identify and map anadromous fish propagation waters as defined in § NR 3-102 hereof, and, if developed, these maps will be available at the Department.
- (b) General requirements. The requirements of the Program with regard to anadromous fish propagation waters shall be to:
- (1) Protect the instream and streambank habitat of anadromous fish propagation waters;
 - (2) Promote land use policies and practices in the watershed of spawning streams within the ~~Atlantic Coastal Bays~~ Critical Area which will minimize the adverse impacts of development on the water quality of the streams; and
 - (3) Provide for the unobstructed movement of spawning and larval forms of anadromous fish in streams.
- (c) Standards. Within anadromous fish propagation watersheds, the following criteria shall apply:
- (1) The installation or introduction of concrete or stone riprap or other artificial surfaces onto the bottom of natural streams shall be prohibited unless it can be demonstrated that water quality and fisheries habitat can be improved.
 - (2) Channelization or other physical alterations which may change the course or circulation of a stream and thereby interfere with the movement of fish shall be prohibited.
 - (3) The Department shall require each development activity that occurs within a watershed draining to anadromous fish propagation waters to fulfill the following objectives:
 - A. Minimize development activities or land disturbances within the watershed;
 - B. Maintain, or, if practicable, improve water quality in affected streams or other water bodies;
 - C. Minimize to the extent possible the discharge of sediments into affected streams or other water bodies;
 - D. Maintain, or, if practicable, increase the natural or native vegetation of the watershed and tree canopy over the streams;
 - E. Indicate how any portion of the development activity outside the ~~Atlantic Coastal Bays~~ Critical Area will maintain or improve the water quality of the affected watershed;
 - (4) THE COUNTY SHALL ENSURE COORDINATION AND COMPLIANCE WITH COMPLEMENTARY STATE LAWS AND REGULATIONS:

- (A) PROHIBIT THE CONSTRUCTION OR PLACEMENT OF DAMS OR OTHER STRUCTURES THAT WOULD INTERFERE WITH OR PREVENT THE MOVEMENT OF SPAWNING FISH OR LARVAL FORMS IN STREAMS OR OTHER DESIGNATED WATERBODIES. IF PRACTICAL, EXISTING STRUCTURES SHALL BE REMOVED; AND
- (B) ENSURE THAT THE CONSTRUCTION, REPAIR OR MAINTENANCE ACTIVITIES ASSOCIATED WITH BRIDGES, OR OTHER STREAM CROSSING OR WITH UTILITIES AND ROADS, WHICH INVOLVE DISTURBANCE WITHIN THE BUFFER OR WHICH OCCUR INSTREAM, AS DESCRIBED IN COMAR 08.05.03.11B(5), SHALL BE PROHIBITED BETWEEN MARCH 1 AND JUNE 15 OF EACH YEAR.

§ NR 3-124. Water dependent facilities.

- (a) Identification. Water dependent facilities include, but are not limited to, ports, the intake and outfall structures of power plants, water-use industries, marinas, and other boat docking structures, public beaches and other public water-oriented recreation areas, and fisheries activities. Excluded from this regulation are individual private piers installed or maintained by riparian landowners, which are located in a subdivision that does not provide community piers.
- (b) General requirements. The requirements of the Program with regard to water-dependent facilities shall be to limit development activities in the Buffer to those that are water-dependent and provide by design and location criteria that these activities will have minimal individual and cumulative impacts on water quality and fish, wildlife, and plant habitat in the ~~Atlantic Coastal~~ Bays Critical Area.
- (1) In order to protect water quality and fish, wildlife and plant habitats, water-dependent facilities as defined herein shall not extend more than two hundred fifty feet over State or private wetlands.
- (2) Without further action by the County Commissioners, the provisions of § NR 3-124(b)(1) above shall be abrogated and of no further force and effect, one year after the effective date of this Subtitle unless modified or amended as a public local law in accordance with legally required procedures.
- (c) Standards. The following standards shall apply to new or expanded development activities associated with water-dependent facilities:
- (1) New or expanded development activities may be permitted in the Buffer in the Intensely Developed and Limited Development Areas provided that it can be shown:
- A. That they are water-dependent;
 - B. That the project meets a recognized private right or public need;
 - C. That adverse effects on water quality, fish, plant and wildlife habitat are minimized;
 - D. That, insofar as possible, non-water-dependent structures or operations associated with water-dependent projects or activities are located outside the Buffer; and
 - E. That the facilities are consistent with an approved local plan as set forth below.

- (2) Except as otherwise provided in this Subtitle, new or expanded development activities may not be permitted in those portions of the Buffer, which occur in Resource Conservation Areas.
- (d) Implementation. Applicants for new or expanded water-dependent facilities in Intensely Developed Areas or Limited Development Areas shall set out in the application how the above requirements are met. Other than those cited in subsections (h) through (k) of this section, water-dependent facilities in Resource Conservation Areas shall only be allowed through the award of growth allocation in accordance with the provisions of § NR 3-112.
- (e) Evaluating plans for new and expanded water-dependent facilities. The Department shall evaluate on a case-by-case basis all proposals for the expansion of existing or new water-dependent facilities. The Department shall work with appropriate State and Federal agencies to ensure compliance with applicable regulations. The following factors shall be considered when evaluating proposals for new or expanded water-dependent facilities:
- (1) That the activities will not significantly alter existing water circulation patterns or salinity regimes;
 - (2) That the water body upon which these activities are proposed has adequate flushing characteristics in the area;
 - (3) That disturbance to wetlands, submerged aquatic plant beds, or other areas of important aquatic habitats will be minimized;
 - (4) That adverse impacts to water quality that may occur as a result of these activities, such as non-point source runoff, sewage discharge from land activities or vessels, or boat cleaning and maintenance operations, is minimized;
 - (5) That shellfish beds will not be disturbed or be made subject to discharge that will render them unsuitable for harvesting;
 - (6) That dredging shall be conducted in a manner and using a method which causes the least disturbance to water quality and aquatic and terrestrial habitats in the area immediately surrounding the dredging operation or within the Atlantic Coastal Bays Critical Area, generally;
 - (7) That dredged spoil will not be placed within the Buffer or elsewhere in that portion of the ~~Atlantic Coastal Bays~~ Critical Area which has been designated as a Habitat Protection Area except as necessary for:
 - A. Backfill for permitted shore erosion protection measures;
 - B. Use in approved vegetated shore erosion projects;
 - C. Placement on previously approved channel maintenance spoil disposal areas; and
 - D. Beach nourishment.
 - (8) That interference with the natural transport of sand will be minimized; and
 - (9) That disturbance will be avoided to historic areas of waterfowl staging and concentration or other Habitat Protection Areas identified in § NR 3-104 and 3-121 through 3-123 of

this Subtitle.

- (f) Industrial and port-related facilities. New, expanded, or redeveloped industrial or port-related facilities and the replacement of these facilities may be permitted only in buffer management areas in Intensely Developed Areas.
- (g) Marinas and other commercial maritime facilities. New, expanded or redeveloped marinas may be permitted in the Buffer within Intensely Developed Areas and Limited Development Areas subject to the requirements set forth in this section. New marinas or related maritime facilities may not be permitted in the Buffer within Resource -Conservation Areas except as provided in subsections (i) through (k) hereof. Expansion of existing marinas may be permitted by the Department within Resource Conservation Areas provided that it is sufficiently demonstrated that the expansion will not adversely affect water quality and that it will result in an overall net improvement in water quality at or leaving the site of the marina. New and existing marinas shall meet the sanitary requirements of the Department of the Environment as required in COMAR 26.04.02 or as amended from time to time. New marinas shall establish a means of minimizing the discharge of bottom wash waters into tidal waters.
- (h) Community piers. New or expanded community marinas and other non-commercial boat-docking and storage facilities may be permitted in the Buffer subject to the following requirements:
 - (1) These facilities may not offer food, fuel, or other goods and services for sale and shall provide adequate and clean sanitary facilities;
 - (2) The facilities are community-owned and established and operated for the benefit of the residents only of a platted and recorded riparian subdivision;
 - (3) The facilities are associated with a residential development approved by the Department for the Atlantic Coastal Bays Critical Area and consistent with all State requirements for the Atlantic Coastal Bays Critical Area;
 - (4) Disturbance to the Buffer is the minimum necessary to provide a single point of access to the facilities; and
 - (5) If community piers or slips are provided as part of the new development, private piers in the development are not allowed.
 - (6) The number of slips, or piers, permitted at the facility shall be the lesser of paragraph (h)(6)A or B below:
 - A. One slip for every 50 feet of shoreline in the subdivision in the Intensely Developed and Limited Development Areas and one slip for every 300 feet of shoreline in the subdivision in the Resource Conservation Area; or
 - B. A density of slips or piers to platted lots or dwellings within the subdivision in the ~~Atlantic Coastal Bays~~ Critical Area according to the following schedule:

Platted Lots or Dwellings in the Atlantic Coastal Bays Critical Area	Slips
up to 15	1 for each lot
16 - 40	15 or 75% whichever is greater

41 - 100	30 or 50% whichever is greater
101 - 300	50 or 25% whichever is greater
over 300	75 or 15% whichever is greater

- (i) Public beaches and other public recreation or education areas. Public beaches or other public water-oriented recreation or education areas including, but not limited to, publicly owned boat launching and docking facilities and fishing piers may be permitted in the Buffer in Intensely Developed Areas. These facilities may be permitted within the Buffer in Limited Development Areas and Resource Conservation Areas provided that:
 - (1) Adequate sanitary facilities exist;
 - (2) Service facilities are, to the extent possible, located outside the Buffer;
 - (3) Permeable surfaces are used to the extent practicable if no degradation of groundwater would result;
 - (4) Disturbance to natural vegetation is minimized; and
 - (5) Areas for possible recreation, such as nature study, and hunting and trapping, and for education, may be permitted in the Buffer within Resource Conservation Areas if service facilities for these uses are located outside of the Buffer.

- (j) Research areas. Water-dependent research facilities or activities operated by State, Federal, or local agencies or educational institutions may be permitted in the Buffer, if non-water-dependent structures or facilities associated with these projects are, to the extent possible, located outside of the Buffer.

- (k) Fisheries activities. Lands and water areas with high aquacultural potential will be identified by the County Commissioners in cooperation with the State when applications for new or expanded fisheries or aquaculture facilities in these areas are submitted to the County Commissioners. These areas are encouraged for that use and, if so used, should be protected from degradation by other types of land and water use or by adjacent land and water uses. Commercial water-dependent fisheries including, but not limited to, structures for crab shedding, fish off-loading docks, shellfish culture operations, and shore-based facilities necessary for aquaculture operations and fisheries activities may be permitted in the Buffer in Intensely Developed, Limited Development, and Resource Conservation Areas.

§ NR 3-125. Individual private piers and docks

- (a) General requirements. Individual private piers or docks may be installed or maintained when in conformance with all other applicable laws and regulations by riparian landowners of lots or parcels legally existing on the effective date of this Subtitle.

- (b) Standards. The following standards shall apply in addition to any other applicable laws or regulations to the construction, expansion, replacement or modification of an existing or newly constructed private pier or dock:
 - (1) New piers or docks shall not extend more than one hundred feet in length over State or

private wetlands.

- (2) Existing piers or docks shall not be expanded, altered, replaced, or modified in whole or in part so as to cumulatively exceed more than one hundred feet in length over State or private wetlands.
 - (3) Any disturbance of the Buffer shall be the minimum necessary for the construction and/or maintenance of the pier or dock.
 - (4) A reasonable pedestrian access path to an individual pier or dock may be located in the Buffer subject to the following:
 - A. A maximum of one access path shall be permitted per lot or parcel.
 - B. The access path may include clearing and stabilization of no more than six feet in width.
 - C. ~~Impervious areas~~ LOT COVERAGE constructed within the six-foot width identified in B. above are limited to three feet in width. The ~~impervious area~~ LOT COVERAGE created is subject to all other limitations as established by this Subtitle.
 - D. All access paths shall be located to minimize impacts from the pier or dock to the principal structure on the same lot or parcel or the path's point of exit from the Buffer.
- (c) Without further action by the County Commissioners, the provisions of § NR 3-125(b)(1) and (2) hereof shall be abrogated and of no further force and effect one year after the effective date of this Subtitle unless otherwise modified or amended as a public local law in accordance with legally required procedures.

§ NR 3-126. NON-WATER DEPENDENT PROJECTS ON PIERS

- (a) THE DEPARTMENT MAY APPROVE A NON-WATER DEPENDENT PROJECT LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA IF THE PROJECT:
 - (1) INVOLVES A COMMERCIAL ACTIVITY THAT IS PERMITTED AS A SECONDARY OR ACCESSORY USE TO A PERMITTED PRIMARY COMMERCIAL USE;
 - (2) IS NOT LOCATED ON A PIER THAT IS ATTACHED TO RESIDENTIALLY, INSTITUTIONALLY, OR INDUSTRIALLY USED PROPERTY;
 - (3) IS LOCATED IN:
 - A. AN INTENSELY DEVELOPED AREA (IDA) AND THE PROJECT IS AUTHORIZED UNDER AN AMENDMENT TO THIS SUBTITLE APPROVED ON OR AFTER JULY 1, 2013, IF THE APPROVED AMENDMENT INCLUDES NECESSARY CHANGES TO COUNTY'S ZONING, SUBDIVISION AND OTHER ORDINANCES SO AS TO BE CONSISTENT WITH, OR MORE RESTRICTIVE THAN, THE REQUIREMENTS REQUIRED UNDER THIS PARAGRAPH; OR

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- B. AN AREA THAT HAS BEEN EXCLUDED FROM A WORCESTER COUNTY CRITICAL AREA PROGRAM IF THE EXCLUSION HAS BEEN ADOPTED OR APPROVED BY THE CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS;
- (4) IS APPROVED BY THE DEPARTMENT OR THE BOARD OF ZONING APPEALS AFTER THE AMENDMENT UNDER SUBPARAGRAPH (a)(3)(A) ABOVE, IF APPLICABLE, HAS BEEN APPROVED;
- (5) ALLOWS OR ENHANCES PUBLIC ACCESS TO STATE WETLANDS;
- (6) DOES NOT EXPAND BEYOND THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER ON WHICH THE PROJECT IS CONSTRUCTED;
- (7) HAS A HEIGHT OF UP TO EIGHTEEN (18) FEET UNLESS THE PROJECT IS LOCATED AT A MARINA; AND
- (8) IS UP TO 1,000 SQUARE FEET IN TOTAL AREA; OR
 - A. IS LOCATED ON A PIER THAT WAS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2012;
 - B. SATISFIES ALL OF THE REQUIREMENTS UNDER SECTION (1)(A)-(G) OF THIS PARAGRAPH; AND
 - C. IF APPLICABLE, HAS A TEMPORARY OR PERMANENT ROOF STRUCTURE OR COVERING THAT IS UP TO 1,000 SQUARE FEET IN TOTAL AREA.
- (b) THE DEPARTMENT MAY APPROVE A NON-WATER DEPENDENT PROJECT FOR A SMALL SCALE RENEWABLE ENERGY SYSTEM ON A PIER LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA IF THE PROJECT:
 - (1) INVOLVES THE INSTALLATION OR PLACEMENT OF A SMALL-SCALE RENEWABLE ENERGY SYSTEM THAT IS PERMITTED AS A SECONDARY OR ACCESSORY USE ON A PIER THAT IS AUTHORIZED UNDER TITLE 16 OF THE ENVIRONMENT ARTICLE;
 - (2) IS LOCATED IN:
 - A. THE CRITICAL AREA AND THE PROJECT IS AUTHORIZED UNDER AN AMENDMENT TO THIS SUBTITLE APPROVED ON OR AFTER JULY 1, 2013, IF THE APPROVED PROGRAM AMENDMENT INCLUDES NECESSARY CHANGES TO COUNTY'S ZONING, SUBDIVISION, AND OTHER ORDINANCES SO AS TO BE CONSISTENT WITH OR MORE RESTRICTIVE THAN THE REQUIREMENTS PROVIDED UNDER THIS PARAGRAPH; OR
 - B. AN AREA THAT HAS BEEN EXCLUDED FROM THE COUNTY'S CRITICAL AREA PROGRAM THAT HAS BEEN ADOPTED OR APPROVED BY THE CRITICAL AREA COMMISSION;

- (3) IS APPROVED BY THE PLANNING COMMISSION OR BOARD OF ZONING APPEALS AFTER AN AMENDMENT IN ACCORDANCE WITH SUBPARAGRAPH (E)(1)(C) ABOVE, IF APPLICABLE, HAS BEEN APPROVED;
- (4) A BUILDING PERMIT OR OTHER APPROVAL ISSUED UNDER THE REQUIREMENTS IN SUBPARAGRAPH (2) ABOVE MAY INCLUDE THE INSTALLATION OR PLACEMENT OF:
- A. A SOLAR ENERGY SYSTEM ATTACHED TO A PIER OF THE DEVICE OR EQUIPMENT ASSOCIATED WITH THAT SYSTEM DOES NOT EXTEND MORE THAN: [1] FOUR (4) FEET ABOVE OR EIGHTEEN (18) INCHES BELOW THE DECK OF THE PIER; OR [2] ONE (1) FOOT BEYOND THE LENGTH OR WIDTH OF THE PIER;
 - B. A SOLAR ENERGY SYSTEM ATTACHED TO A PILING IF THERE IS ONLY ONE SOLAR PANEL PER BOAT SLIP;
 - C. A SOLAR ENERGY SYSTEM ATTACHED TO A BOATHOUSE ROOF IF THE DEVICE OR EQUIPMENT ASSOCIATED WITH THAT SYSTEM DOES NOT EXTEND BEYOND THE LENGTH, WIDTH, OR HEIGHT OF THE BOATHOUSE ROOF;
 - D. A CLOSED-LOOP GEOTHERMAL HEAT EXCHANGER UNDER A PIER IF THE GEOTHERMAL HEAT EXCHANGER OR ANY ASSOCIATED DEVICES OR EQUIPMENT DO NOT: [1] EXTEND BEYOND THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER; [2] DELETERIOUSLY ALTER LONGSHORE DRIFT; OR [3] CAUSE SIGNIFICANT INDIVIDUAL OR CUMULATIVE THERMAL IMPACTS TO AQUATIC RESOURCES; OR
 - E. A WIND ENERGY SYSTEM ATTACHED TO A PIER IF THERE IS ONLY ONE WIND ENERGY SYSTEM PER PIER FOR WHICH: [1] THE HEIGHT FROM THE DECK OF THE PIER TO THE BLADE EXTENDED AT ITS HIGHEST POINT IS UP TO TWELVE (12) FEET; [2] THE ROTOR DIAMETER OF THE WIND TURBINE IS UP TO FOUR (4) FEET; AND [3] THE SETBACKS OF THE WIND ENERGY SYSTEM FROM THE NEAREST PROPERTY LINE AND FROM THE CHANNELWARD EDGE OF THE PIER TO WHICH THAT SYSTEM IS ATTACHED ARE AT LEAST 1.5 TIMES THE TOTAL HEIGHT OF THE SYSTEM FROM ITS BASE TO THE BLADE EXTENDED AT ITS HIGHEST POINT.

§ NR 3-1267. Shore erosion protection works.

- (a) Generally. As an alternative to structural erosion controls, which can disturb the aquatic environment and increase erosion downstream, the County Commissioners encourage the use of non-structural controls such as marsh creation, maintenance of buffer zones, and the establishment of natural barriers to prevent intrusion on fragile vegetated shorelines. The criteria set forth in this chapter are not intended to apply to those structures necessarily associated with water-dependent facilities, as discussed in § NR 3-124 of this Subtitle.
- (b) General requirements. In protecting shore areas from erosion the Department shall follow these

requirements:

- (1) Encourage the protection of rapidly eroding portions of the shoreline in the ~~Atlantic Coastal Bays~~ Critical Area by public and private landowners;
 - (2) Where such measures can effectively and practically reduce or prevent shore erosion, encourage the use of non-structural shore protection measures in order to conserve and protect plants, fish, and wildlife habitat.
- (c) Implementation. Each application for shore erosion protection shall demonstrate how it complies with the following objectives:
- (1) Structural control measures shall only be used in areas with significantly eroding shorelines and where non-structural measures would not be practical or effective in controlling erosion.
 - (2) Where structural erosion control is required, the measure that best provides for the conservation of fish and plant habitat and which is practical and effective shall be used;
 - (3) Non-structural measures shall be utilized in areas of erosion where they would be a practical and effective method of erosion control;
 - (4) Structural erosion measures shall not be encouraged in areas where no significant erosion occurs;
 - (5) If significant alterations in the characteristics of a shoreline occur, the measure that best fits the change may be used for sites in that area.
 - (6) Vegetation removed in the Buffer for construction of shore erosion control measures shall be replaced on an equal basis.
 - (7) A BUFFER MANAGEMENT PLAN FOR A SHORE EROSION CONTROL MEASURE SHALL BE PROVIDED AND APPROVED BY THE DEPARTMENT.
- (d) Process. The Department, in reviewing any application for a permit for structural erosion control devices, may refer the application to the Soil Conservation District, the Department of Natural Resources and the department of the environment for field verification of the need for the structural erosion control as well as for recommendations on proposed erosion control mechanisms.
- (1) Any application made to the Department for the installation of an erosion control device must, at a minimum, include the following information:
 - A. Photograph of erosion problem;
 - B. The specific location of the site on a USGS 7.5 topographic map;
 - C. Soil type and erodibility;
 - D. Proposed and existing land use.
 - (2) Applications must include appropriate authorization from the Maryland Department of the Environment and the U.S. Army Corps of Engineers.

~~§ NR 3-127. Nontidal wetland and nontidal wetland buffer regulations.~~

- (a) ~~Generally.~~ For development activities located on lots and parcels created after June 1, 2002 within the Atlantic Coastal Bays watershed lying outside the Atlantic Coastal Bays Critical Area where the State permits nontidal wetland buffer impacts without mitigation, mitigation as provided for below is required by this subsection. For activities in these areas that the State classifies as “temporary impacts”, mitigation is not required.
- (b) ~~Site plan requirements.~~ For any project that impacts the nontidal wetland or its buffer, the following must be shown in addition to the other site plan requirements of this Subtitle on any site plan submitted to the Department:
- (1) ~~The boundary of any nontidal wetlands and any nontidal wetlands buffers.~~
 - (2) ~~The limits of disturbance within the nontidal wetlands and nontidal wetlands buffer.~~
 - (3) ~~The location and boundaries of any onsite mitigation project proposed or required by this subsection.~~
 - (4) ~~The location and boundaries of any offsite mitigation project proposed or required by this subsection.~~
- (c) ~~Required mitigation.~~ For regulated activities that impact the nontidal wetland and nontidal wetland buffer, mitigation will be required at an equal basis onsite and at an areal extent twice that offsite. Natural vegetation similar to the vegetation destroyed by the impact shall be used, either through regeneration of the disturbed area or through planting. Mitigation of nontidal wetland and nontidal wetland buffer impacts shall not be allowed to count toward a project’s afforestation and/or reforestation requirements.
- (d) ~~Priority sequence for mitigation site selection.~~ All mitigation sites proposed for compliance with this subsection shall be accomplished in accordance with the following preferred locational sequence:
- (1) ~~Onsite adjacent to a nontidal wetland or its buffer.~~
 - (2) ~~Onsite between and connecting existing forested areas.~~
 - (3) ~~Onsite where establishing or enhancing forest buffers adjacent to critical habitats where appropriate.~~
 - (4) ~~Onsite within the one hundred year floodplain.~~
 - (5) ~~Offsite mitigation will only be allowed if it is demonstrated to the satisfaction of the Department that onsite mitigation is not practicable. Offsite mitigation shall be on a two to one ratio and shall take place in accordance with the locational sequence specified in subsection (d)(1) through (4) above.~~
- (e) ~~Planting methodology.~~ If the mitigation project requires planting, the planting shall take place in accordance with the provisions of the current Forest Conservation Manual with respect to planting techniques and specifications. Planting associated with required mitigation shall be performed prior to the issuance of any zoning certificate or certificate of use and occupancy or shall be bonded in accordance with the provisions of § ZS 1-124 of the Worcester County Zoning Ordinance. Natural regeneration may be permitted in lieu of planting where:
- (1) ~~Seventy five percent (75%) of the proposed mitigation area is located within 50 feet of~~

adjoining forest, or the proposed planting area is a forest opening less than one acre in size; and

- ~~(2) Adjoining forest has a maximum of twenty percent (20%) cover of invasive exotic species.~~
- ~~(f) Perpetual protective agreements. Any person required to mitigate impacts to a nontidal wetland or nontidal wetland buffer in accordance with the provisions of this subsection shall enter into a perpetual protective agreement as prescribed by § NR 1 415(g) and (h) hereof to ensure that the vegetation used for mitigation shall be protected against clearing and the detrimental effects of invasive species.~~

§ NR 3-128. RENEWABLE ENERGY GENERATING SYSTEMS.

- (a) GENERALLY. ON OR AFTER APRIL 1, 2021, THE DEPARTMENT MAY AUTHORIZE A SOLAR ENERGY GENERATING SYSTEM WITHIN THE CRITICAL AREA PURSUANT TO COMAR 27.01.14.

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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 _____, 2021.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Weston S. Young, P.E.
Chief Administrative Officer

Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Joshua C. Nordstrom

Diana Purnell

To: Commissioners

From: Roscoe Leslie

Date: December 1, 2021

RE: Code Amendments

The Mayor and City Council of the Town of Ocean City have requested minor amendments to the County's rental registration ordinance to increase room tax collection from third-party hosting platforms such as AirBNB or VRBO.

I have coordinated with our Department of Development, Review, & Permitting and the Town's attorneys to draft the changes. The minor changes to the County code will dovetail with more comprehensive changes in the Town's code with the goal of increasing tax revenues that are currently uncollected.

Attached is a letter from the Town and the changes to our ordinance.



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

November 30, 2021

Mr. Joseph Mitrecic, President
Worcester County Commissioners
Government Center
One West Market Street – Room 1103
Snow Hill, MD 21863-1195

Dear Commissioner President Joe Mitrecic:

The Mayor and City Council would like to request that the Worcester County Commissioners consider amending the County code to impose a requirement on third party hosting platforms to collect and remit hotel rental tax.

Hosting platforms such as Airbnb, VRBO, and many others have become very popular and a more common way for entities to list their property for rent to our visitors in Ocean City and Worcester County. Currently, the owners of said properties are responsible for the collection and remittance of the hotel rental tax. Unfortunately, hosting platforms are not responsible for this. We believe there are number of properties listed on the hosting platforms that do not have a rental license, thus the owner is failing to collect and remit hotel rental tax to the County. Our local hotels, motels, property management companies and many of our private property owners are complying with the collection and remittance of hotel rental tax. There should be a level playing field. We need to hold hosting platforms responsible for collecting and remitting the proper amount of hotel rental tax.

Other jurisdictions such as Baltimore City, Baltimore County, Montgomery County, P.G. County, and Anne Arundel County have imposed similar requirements on hosting platforms. I think it is time we follow suit.

The Town has a draft ordinance prepared to strengthen the Town’s rental housing ordinance. Said draft includes, but is not limited to, the following changes:

- Requires that all rental advertisements include the rental license control number;
- Updates definitions to include all housing types in the requirement to have a rental license;
- Imposes recorded keeping requirements on the property owner and hosting platform;
- Requires the property owner of the rental housing unit or their agent to be registered with the Maryland State Comptroller for the reporting, collecting and payment of the State’s sales and use tax;
- Requires the property owner of the rental housing unit to certify that all federal, state, county and municipal taxes relating to the rental of property are paid current prior to the issuance of the applicable license or renewal;
- Requires the hosting platform and property manager to verify that the property they are listing has a rental license prior to advertising said property;
- Requires the hosting platform or property manager to cease renting and advertising a rental housing unit that the housing inspector informs cannot lawfully be rented; and

MAYOR
RICHARD W. MEEHAN

CITY COUNCIL

MATTHEW M. JAMES
President

ANTHONY J. DELUCA
Secretary

PETER S. BUAS
JOHN F. GEHRIG, JR.
J. FRANKLIN KNIGHT
LLOYD MARTIN
MARK L. PADDACK

CITY MANAGER
DOUGLAS R. MILLER

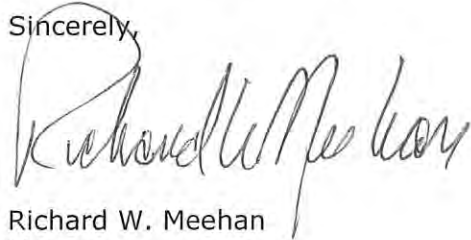
CITY CLERK
DIANA L. CHAVIS, CMC

- Prohibits the hosting platform or property manager from conducting business to include, but not limited to, collecting or receiving a fee in exchange for facilitating reservations, advertisements, or listings of a rental, for serving as a communication conduit between property owners and renters, or for otherwise facilitating booking transactions for rentals if the rental housing unit cannot lawfully be used for a residential rental.

The Office of the City Solicitor is willing to work with the County Administration and the County Attorney on any proposed amendment to the County Code.

My hope is that the County will join the Town's effort to address rental housing and tax collection. We thank you in advance for your consideration to our request, and as always, I am available to answer any questions you may have.

Sincerely,

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

Richard W. Meehan
Mayor

cc: Weston Young, Chief Administrator Officer

STRIKE AND REPLACE VERSION

A BILL ENTITLED

AN ACT Concerning

Taxation and Revenue - Hotel Rental Tax

For the purpose of amending the Taxation and Revenue Article to include provisions for hosting platforms.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Title I, Subtitle VI of the Taxation and Revenue Article of the Code of Public Local Laws of Worcester County, Maryland be repealed in its entirety and replaced to read as follows:

**SUBTITLE VI
Hotel Rental Tax**

§ TR 1-601. General provisions.

- (a) Imposition and rate. The Board of County Commissioners of Worcester County may impose a tax within every resort area within the County on the amount paid for room or building rental by or for any transient at any hotel or motel, at any house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, rooming house, recreational vehicle, recreational park model, or any other building or structure or portion thereof used as a place of lodging. This tax, if imposed, shall be at the rate as a per centum of the room or building rental as the Board may, by resolution after public notice and hearing, determine, but not to be imposed at a rate in excess of five percent (5.0%). Any resolution establishing a rate in excess of three percent shall require the unanimous consent of all of the County Commissioners. The notice of public hearing shall be advertised at least twice in at least one newspaper of general circulation in the County, with the first such notice appearing not less than ten days prior to the date of such hearing and shall state the possible rates that may be set and the date, time and place of the hearing.
- (b) Definitions. In this section, the following words and phrases shall have the meaning indicated, unless the context clearly indicates a different meaning:

HOSTING PLATFORM – A PERSON OR ENTITY THAT, IN EXCHANGE FOR COMPENSATION OF ANY KIND:

- (1) FACILITATES ADVERTISEMENTS OR RESERVATIONS OF A ROOM OR BUILDING RENTAL;**
- (2) SERVES AS A CONDUIT OF COMMUNICATION BETWEEN PROPERTY OWNERS AND PROPERTY MANAGERS AND RENTERS; OR**

- (3) **OTHERWISE FACILITATES ANY TRANSACTIONS FOR THE RENTAL OF ANY HOUSE, TOWNHOUSE, APARTMENT, CONDOMINIUM UNIT, COTTAGE, CABIN, MANUFACTURED HOME, ROOMING HOUSE, RECREATIONAL VEHICLE, RECREATIONAL PARK MODEL OR ANY OTHER TOURIST HOME, HOTEL OR MOTEL ROOM, OR ANY OTHER BUILDING OR STRUCTURE OR PORTION THEREOF AS A PLACE OF SLEEPING ACCOMMODATIONS OR SPACE PROVIDED TO A TRANSIENT.**

HOTEL, MOTEL, APARTMENT, COTTAGE OR SIMILAR PLACE - Any hotel or motel, any public or private house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, recreational vehicle, recreational park model, or other tourist home or house, or any other building or structure or portion thereof, or other similar lodging place offering sleeping accommodations or space for one or more persons at any time, where the owner or operator thereof provides or offers to provide such sleeping accommodations or space to any transient in return for compensation of any kind.

PERSON - Any individual, corporation, company, association, firm, partnership or any group of individuals acting as a unit and includes any trustee, receiver, assignee or personal representative thereof.

RESORT AREA - Any portion or portions of the County, as specified by the Board of County Commissioners from time to time, which, by reason of natural, scenic or man-made attractions or development, has or have an unusual influx of visitors, sojourners and temporary residents and which, by reason of the influx, requires municipal services in unusual number or magnitude. The term specifically includes but is not necessarily limited to the Tenth Election District of the County, as it existed on January 1, 1971.

ROOM OR BUILDING RENTAL - The total charge for any monetary compensation or the fair market value of any non-monetary compensation received by the owner, operator, **HOSTING PLATFORM**, or resident agent of any house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, rooming house, recreational vehicle, recreational park model, hotel or motel room, or any other building or structure or portion thereof as a place of sleeping accommodations or space provided to a transient. If the charge includes any amount for services or accommodations in addition to that of the use of sleeping space, the portion of the total charge which represents only "room or building rental" shall be distinctly set out and billed to the transient as a separate item.

TRANSIENT - Any person who, for any period of less than four consecutive months, obtains sleeping accommodations or space, either at his own expense or at the expense of another, in any house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, rooming house, recreational vehicle, recreational park model, hotel or motel room, or any other building or structure or portion thereof as sleeping accommodations.

- (c) Collection. Every person **OR HOSTING PLATFORM** receiving any payment for room or building rental on which a tax is levied under this section shall collect the amount of tax

imposed from the transient or person on whom it is levied or from the person paying for the room or building rental at the time payment is made. The taxes required to be collected hereunder shall be deemed held in trust by the person **OR HOSTING PLATFORM** required to collect them until remitted as hereinafter required.

- (d) Reports and remittances. The person **OR HOSTING PLATFORM** collecting the tax **AS REQUIRED IN SUBSECTION (C) HEREIN** shall complete a report, upon forms and setting forth information the County Commissioners prescribe and require, showing the amount of room or building rental charges that have been collected. ~~and the~~ **THE PERSON OR HOSTING PLATFORM COLLECTING** the tax ~~required to be collected and he~~ shall sign and deliver the report to the Board of County Commissioners with a remittance of the tax required hereunder. The reports and remittances shall be made on or before the 21st day of each month, covering the sales and the amount of tax collected during the preceding calendar month. If the reports and remittances are mailed to the Board of County Commissioners, a postmark on the 18th day of the month is deemed to be evidence of timely payment.
- (e) Failure to report and remit. If any person **OR HOSTING PLATFORM** fails or refuses to remit to the Board of County Commissioners the tax required to be collected and paid under this section and/or file the required report within the time and in the amount specified in this section, there shall be added to the tax by the Board of County Commissioners interest at the rate of one-half percent per month on the unpaid tax for each month or portion thereof from the date upon which the tax is due, as provided in this section. If the tax remains delinquent and unpaid for a period of one month from the date it is due and payable, there shall be added thereto by the Board of County Commissioners a penalty of ten percent of the unpaid tax. The Board of County Commissioners may proceed to collect delinquent and unpaid taxes by suit or distraint.
- (1) The County Commissioners may institute injunctive, mandamus or other appropriate proceedings of law to correct violations of this Subtitle. Any court of competent jurisdiction shall have the right to issue temporary or permanent restraining orders, injunctions or mandamus, or other appropriate forms of relief.
 - (2) Delinquent and unpaid taxes shall become a lien upon the real property of the person or entity from whom they are due and shall be collectible in the same manner as real estate taxes assessed against any such property.
- (f) Distribution of proceeds.
- (1) From the total proceeds collected from the tax by the Board of County Commissioners from time to time from any house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, rooming house, recreational vehicle, recreational park model, hotel or motel room, or any other building or structure or portion thereof used as sleeping accommodations:
 - A. The Board of County Commissioners shall deduct a reasonable sum or percentage for the cost of imposing and collecting the tax and credit this

deduction to the general funds of the County.

B. That portion of the remainder of the total proceeds which came from payments made for any house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, rooming house, recreational vehicle, recreational park model, hotel or motel room, or any other building or structure or portion thereof used as sleeping accommodations located in whole or in part within the corporate limits of a municipal corporation in a resort area of the County shall be paid over, without qualification or condition, to the Mayor and City Council, by whatever name known, of the municipal corporation.

C. The remaining portion of the total proceeds shall be credited to the general funds of the County.

(2) Distribution of these several payments shall be made periodically by the Board of County Commissioners, not less than fifteen days nor more than thirty days following the last day of each month during the year.

(g) State administrative fee. The Retail Sales Tax Division of the Comptroller's Office shall supply to the Board of County Commissioners information in aid of verification of liability for the tax. The Retail Sales Tax Division may make a reasonable charge for this assistance, which shall be paid by the Board of County Commissioners and treated as a part of the reasonable costs of collecting the tax.

(h) Amendments to laws and procedures. The Board of County Commissioners may promulgate and from time to time change or repeal rules and regulations not inconsistent with this section and deemed necessary to provide for an orderly, systematic and thorough collection and distribution of the tax imposed in this section. As applicable, the laws and the regulations in effect as to the sales and use tax in Maryland shall be adopted and followed by the Board of County Commissioners in promulgating or changing a rule or regulation.

(i) Surety bond of Treasurer. The surety bond of the Treasurer of the County may be increased by the Board of County Commissioners in relation to the moneys collected and distributed under this section. The premium for any increase in the surety bond shall be deemed part of the cost of imposing and collecting the tax imposed in this section.

(j) Processing fee retained by remitter. The person **OR HOSTING PLATFORM** collecting the tax may apply and credit against the amount of tax payable by him an amount equal to one and five-tenths percent of the gross tax to be remitted by him to the Board of County Commissioners to cover his expense in the collection and remittance of the tax. However, nothing in this subsection applies to any person **OR HOSTING PLATFORM** who fails or refuses to file his return with the Board of County Commissioners within the time prescribed within this section.

(k) Bond.

- (1) The Board of County Commissioners, in order to protect the revenues to be obtained under this section, may require any person **OR HOSTING PLATFORM** collecting the tax to file with the Board a surety bond issued by a surety company authorized to do business in this state and approved by the State Insurance Commissioner as to solvency and responsibility, in such amount or amounts from time to time as the Board of County Commissioners may fix, to secure the payment of the tax due or which may become due from the person **OR HOSTING PLATFORM** collecting the tax. If the Board determines that the person **OR HOSTING PLATFORM** is to file such a bond, the Board shall give notice to the person **OR HOSTING PLATFORM** to that effect, specifying the amount of bond required. The person **OR HOSTING PLATFORM** collecting the tax shall file the bond within five days after receiving the notice unless, within that period, the person **OR HOSTING PLATFORM** requests, in writing, a hearing before the Board, at which hearing the necessity, propriety and amount of the bond shall be determined by the Board of County Commissioners. This determination is final and shall be complied with within fifteen days after the person **OR HOSTING PLATFORM** collecting the tax receives notice thereof.
 - (2) In lieu of the bond required by Subsection (k)(1) herein, securities approved by the Board of County Commissioners or cash in such amount as the Board prescribes may be deposited, which shall be kept in the custody of the Board. The Board, at any time, without notice to the depositor of the securities or cash, may apply them to any tax due, and for that purpose the securities may be sold by the Board at public or private sale without notice to the depositor of the securities.
- (1) Applicability. The procedures under Title 20, Subtitle 4 (Hotel Rental Taxes) of the Local Government Article of the Annotated Code of Maryland, as from time to time amended, apply to this section.

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



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

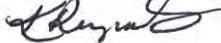
GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

WESTON S. YOUNG, P.E.
CHIEF ADMINISTRATIVE OFFICER
JOSEPH E. PARKER, III
DEPUTY CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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

November 17, 2021

TO: Weston Young, Chief Administrative Officer
Worcester County Commissioners

FROM: Kim Reynolds, Senior Budget Accountant 

RE: “REQUESTED” Updated Capital Improvement Plan FY2023 through FY2027

Please find attached, the Updated Requested Fiscal Year 2023 through Fiscal Year 2027 Five-Year Capital Improvement Plan. The Plan Summary by Category indicates projects totaling \$201,391,677 are requested over the five-year period. Of these projects, \$9,988,240 or 4.9% is proposed to come from the General Fund and \$89,942,034 or 44.6% from general bond funds. The remaining portion would come from grant funds, state match funds, user fees, assigned funds, private donations and enterprise bonds. Public School projects have been included in the Capital Improvement Plan.

We would ask you to assess the requests for FY2023 to see if there are items in the plan that the County should further review. The FY2023 General Fund request is \$1,530,000 or 2.6% of the capital outlay and General Bonds total \$26,192,548 or 45.8% of the capital outlay. The Bond Rating Agencies look closely at the Capital Improvement Plan as a financial planning tool for the County.

The following changes have been made to the first Capital Improvement Plan presented on November 2, 2021.

- Renovation of the Tourism Building has been removed from the CIP.
- The Mystic Harbour Storage Building Repair/Plant Rehabilitation and the Plant Solids Dewatering projects have been combined into one project.
- The Ocean Pines Spray Irrigation Project and the Ocean Pines Belt Filter Press projects have been separated into individual projects.

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

Worcester County

Requested

5 Year Capital Improvement Plan
FY 2023 to FY 2027



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.

December 7, 2021

REQUESTED PLAN SUMMARY BY CATEGORY

11/3/2021

WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN
FY 2023 TO FY 2027 PROJECT SUMMARY

Project Category	2023	2024	2025	2026	2027	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete*	Total Project Cost
General Government	17,433,333	21,947,967	21,412,968	0	0	60,794,268	30.19%	0	0	60,794,268
Public Safety	8,852,610	6,750,000	16,000,000	15,250,000	0	46,852,610	23.26%	2,483,060	0	49,335,670
Public Works	9,443,000	7,150,000	4,700,000	2,070,000	2,630,000	25,993,000	12.91%	1,195,550	0	27,188,550
Recreation & Parks	13,987,930	9,811,000	0	0	0	23,798,930	11.82%	3,710,451	0	27,509,381
Public Schools	7,004,481	5,050,523	1,564,969	2,974,195	24,211,624	40,805,792	20.26%	8,731,131	92,172,095	141,709,018
Community College	416,777	0	150,885	2,471,640	107,775	3,147,077	1.56%	2,341,972	0	5,489,049
TOTAL	57,138,131	50,709,490	43,828,822	22,765,835	26,949,399	201,391,677	100.00%	18,462,164	92,172,095	312,025,936

Source of Funds	2023	2024	2025	2026	2027	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete	Total Project Cost
General Fund	1,530,000	2,650,000	1,500,000	1,837,244	2,470,996	9,988,240	4.96%	1,025,000	1,755,752	12,768,992
User Fees	620,000	400,000	400,000	0	0	1,420,000	0.71%	0	0	1,420,000
Grant Funds	18,579,433	27,305,333	17,333,334	0	0	63,218,100	31.39%	2,057,451	0	65,275,551
State Match	0	3,711,000	1,700,000	921,000	5,573,000	11,905,000	5.91%	4,814,000	18,110,000	34,829,000
State Loan	0	0	0	0	0	0	0.00%	0	0	0
Assigned Funds	3,659,150	2,564,634	2,637,519	250,000	0	9,111,303	4.52%	5,579,577	0	14,690,880
Private Donation	1,000,000	0	0	0	0	1,000,000	0.50%	0	0	1,000,000
Enterprise Bonds	5,050,000	4,750,000	2,800,000	570,000	1,130,000	14,300,000	7.10%	0	0	14,300,000
General Bonds	26,192,548	9,328,523	17,457,969	19,187,591	17,775,403	89,942,034	44.66%	4,986,136	72,306,343	167,234,513
ARPA Funds	507,000	0	0	0	0	507,000	0.25%	0	0	507,000
TOTAL	57,138,131	50,709,490	43,828,822	22,765,835	26,949,399	201,391,677	100.00%	18,462,164	92,172,095	312,025,936

* Balance to Complete - Years FY2028 and future

11/3/2021

FY 2023 TO FY 2027 SUMMARY BY PROJECT REQUESTED

WORCESTER COUNTY FIVE YEAR CAPITAL IMPROVEMENT PLAN

	FY2023	FY2024	FY2025	FY2026	FY2027	Prior Allocation	Balance To Complete	TOTAL
General Government Facilities								
New Pocomoke Library	100,000	3,914,634	4,079,634					8,094,268
Broadband Infrastructure	17,333,333	17,333,333	17,333,334					52,000,000
Snow Hill Library Building Improvements		700,000						700,000
Total General Government Facilities	17,433,333	21,947,967	21,412,968	0	0	0	0	60,794,268
Public Safety								
Worcester County Jail Improvement Project	8,472,610	1,000,000				2,483,060		11,955,670
Fire/EMS Paging System	30,000	650,000						680,000
Outdoor Warning Siren System	50,000	800,000						850,000
Public Safety Logistical Storage Facility	200,000	3,050,000						3,250,000
Public Safety Building	100,000	1,250,000	16,000,000	15,250,000				32,600,000
Total Public Safety	8,852,610	6,750,000	16,000,000	15,250,000	0	2,483,060	0	49,335,670
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
Berlin Roads Building Renovation	320,000					123,550		443,550
Gradall XL4100 V 6X4		500,000						500,000
Water Wastewater								
Mystic Harbour Water Treatment Plant Rehab/Solids Dewatering	1,350,000	1,100,000	200,000					2,650,000
Lewis Road Sewer Extension	1,953,000					72,000		2,025,000
Landings Water Tower Rehabilitation and Painting	450,000							450,000
Ocean Pines Spray Irrigation	3,250,000							3,250,000
Ocean Pines Belt Filter Press		3,550,000						3,550,000
Mystic Harbour Wastewater Treatment Expansion & Effluent Disposal		100,000	2,000,000					2,100,000
Riddle Farm Water Tower Rehabilitation, Painting & Lowering			600,000					600,000
Riddle Farm & Mystic Harbour Effluent Disposal Interconnection				570,000	1,130,000			1,700,000
Solid Waste								
Solid Waste Cell 1 Pump Station	620,000							620,000
Administration Scale House Renovations & Addition		400,000	400,000					800,000
Total Public Works	9,443,000	7,150,000	4,700,000	2,070,000	2,630,000	1,195,550	0	27,188,550
Recreation & Parks								
West Ocean City Commercial Harbor	400,000							1,525,000
Worcester County Sports Complex	12,988,930							15,584,381
Ocean City Inlet & Harbor Navigation Improvement Project	589,000	9,811,000						10,400,000
Total Recreation & Parks	13,987,930	9,811,000	0	0	0	3,710,451	0	27,509,381

FY 2023 TO FY 2027 SUMMARY BY PROJECT
REQUESTED

WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN

	FY2023	FY2024	FY2025	FY2026	FY2027	Prior Allocation	Balance To Complete	TOTAL
Public Schools								
Stephen Decatur Middle School Addition	6,521,108					8,731,131		15,252,239
Snow Hill Middle/Cedar Chapel School - Roof Replace	103,000	3,826,000						3,929,000
Buckingham Elementary Replacement School	380,373	1,224,523	1,457,969	703,951	23,240,628		39,557,851	66,565,295
Pocomoke Elementary School - Roof Replacement			107,000	1,933,000				2,040,000
Snow Hill Elementary Replacement School				337,244	970,996		52,614,244	53,922,484
Total Public Schools	7,004,481	5,050,523	1,564,969	2,974,195	24,211,624	8,731,131	92,172,095	141,709,018
Wor-Wic Community College								
Wor-Wic Applied Technology Building	416,777					2,341,972		2,758,749
Wor-Wic Learning Commons Building			150,885	2,471,640	107,775			2,730,300
Total Wor-Wic	416,777	0	150,885	2,471,640	107,775	2,341,972	0	5,489,049

CAPITAL PROJECT SUMMARY - BY SOURCE OF FUNDS

	FY2023	FY2024	FY2025	FY2026	FY2027	Prior Allocation	Balance to Complete	TOTAL
Source of Funds								
General Fund	1,530,000	2,650,000	1,500,000	1,837,244	2,470,996	1,025,000	1,755,752	12,768,992
User Fees	620,000	400,000	400,000					1,420,000
Grant Funds	18,579,433	27,305,333	17,333,334			2,057,451		65,275,551
State Match		3,711,000	1,700,000	921,000	5,573,000	4,814,000	18,110,000	34,829,000
State Loan								0
Assigned Funds	3,659,150	2,564,634	2,637,519	250,000		5,579,577		14,690,880
Private Donation	1,000,000							1,000,000
Enterprise Bonds	5,050,000	4,750,000	2,800,000	570,000	1,130,000			14,300,000
General Bonds	26,192,548	9,328,523	17,457,969	19,187,591	17,775,403	4,986,136	72,306,343	167,234,513
ARPA Funds	507,000							507,000
TOTAL	57,138,131	50,709,490	43,828,822	22,765,835	26,949,399	18,462,164	92,172,095	312,025,936

Project: New Pocomoke Library

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

Project Summary: New Pocomoke Library

Purpose: To replace the current 51-year old facility with a new, larger building.

Location: Downtown Pocomoke

Impacts on General Fund Operating, Personnel or Maintenance: There will be increased costs for personnel because an increase in the size of the staff will be required. There will be an increase in some building operations costs because it is a larger building (custodial). Repair and maintenance costs will go down significantly in the first few years of the new building's operation.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000	385,000	110,000					595,000
Land Acquisition								0
Site Work								0
Construction		3,529,634	3,529,634					7,059,268
Equipment/Furnishings			440,000					440,000
Other								0
EXPENDITURES								

TOTAL	100,000	3,914,634	4,079,634	0	0	0	0	8,094,268
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match		1,700,000	1,700,000					3,400,000
State Loan								0
Assigned Funds	100,000	2,214,634	2,379,634					4,694,268
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0

TOTAL	100,000	3,914,634	4,079,634	0	0	0	0	8,094,268
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PROJECTED OPERATING IMPACTS	0	0	34,000	34,000	34,000			102,000
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Project: New Pocomoke Library

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. In September 2021, Worcester County Commissioners signed an agreement with the City of Pocomoke to use a downtown site for the new library, if a Strategic Demolition grant is successful. If the grant is not successful, the library would like to move forward with plans for a new branch on the current site, Market Street.

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 a new facility 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 and school readiness but there is no room to expand library collections. Dated HVAC equipment continues to fail. 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 new 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?

The cost estimate is based on figures developed by Whiting Turner in May 2020 when an alternate site was being considered. An additional 5% has been included to account for escalation.

Project: New Pocomoke Library

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 several options for facility upgrades and other locations have been discussed. An alternative downtown Pocomoke site was considered in Spring 2020 but upon further evaluation the location was not viable. The library will apply for construction funding through the Public Library Capital Grant program in FY 24.

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 Pocomoke library is over 50 years old and some building systems are at the end of their life cycle. Building improvements should lower ongoing operating costs.

Operating Impact Projections

Project: New Pocomoke Library

Department: Library

Department Head Signature: Jennifer Ranck

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Job Title & Benefit Costs (List Separately)						
Part-time Library Serv. Assistant (2)			28,000	28,000	28,000	84,000
Benefits			6,000	6,000	6,000	18,000
						0
						0
						0
						0
						0
						0

EXPENDITURES

New Positions Salary & Benefits TOTAL	0	0	34,000	34,000	34,000	102,000
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General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Operating Expenses						
Utilities						0
Telephone						0
Custodial						0
Cleaning						0
Maintenance Repairs						0
Refuse						0
Fire/Security Alarm						0
Internet						0
Vehicle Expense						0
Other						0
						0
						0
						0

EXPENDITURES

Operating TOTAL	0	0	0	0	0	0
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Project: New Pocomoke Library

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Capital Expenses						
Furnishings						0
Equipment						0
						0
						0
						0
						0
						0
						0
EXPENDITURES						
Capital TOTAL	0	0	0	0	0	0

Projected Revenue Impact	FY 23	FY 24	FY 25	FY 26	FY 27	Revenue Total
						0
						0
						0
						0
						0
						0
						0
						0
Revenues						
Project Revenue TOTAL	0	0	0	0	0	0

PROJECTED OPERATING IMPACTS	0	0	34,000	34,000	34,000	102,000
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Project: New Pocomoke Library

Complete the following questions.

Operating Impacts

Employee positions.

Does the project increase or reduce the number of employees needed? How many positions would be affected? Are the positions full-time, part-time, contractual, grant-funded, enterprise funded? What is the projected cost (savings) of the employees? Are there benefit costs for additional full-time or part-time employees? Benefit cost should be calculated by using the full time 46.39% or for part time 21.43%.

With a larger building, we anticipate the need of two additional part-time employees.

Utility costs.

Does the project increase or reduce utility costs? Utilities may include electricity, oil, gas, telephone, water or sewer costs.

New equipment should result in lower utility cost.

Maintenance costs.

Does the project increase or reduce internal maintenance costs or maintenance agreements with outside vendors? Some costs to consider are custodial services, ball field maintenance, road maintenance and general preventative maintenance.

Maintenance costs may increase depending on building systems and if outside vendors will need to support. Custodial services will increase with a larger building.

Insurance costs.

Does the project increase insurance costs? You should consider liability, property and vehicle insurance. Additional risk insurance should be calculated using the building or addition cost times \$0.002.

A larger building may increase property insurance.

Telecommunications.

Consider the potential need of telephones, copiers, and computers and hardware. List them below.

New telephone and updated security system will be needed; perhaps additional computers in the adult and children's areas.

Furniture, equipment or capital outlay.

Does the project increase or reduce the need for furniture and equipment or other capital outlay items? Is the increase or savings on-going or one-time?

New shelving and furnishings will be needed, approximately \$440,000 (anticipating 10% escalation over the next two years).

Project: Broadband Infrastructure

Dept Head, Title & Phone #: Brian Jones Director of IT 410-726-5823

Project Summary: County-wide broadband project.

Purpose: To provide high speed broadband to all unserved and underserved areas of Worcester County.

Location: Worcester County unserved areas as identified by a feasibility study.

Impacts on General Fund Operating, Personnel or Maintenance: No impacts from general fund budget. Potential of up to 100% grant funding.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design								0
Land Acquisition								0
Site Work								0
Construction	17,333,333	17,333,333	17,333,334					52,000,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	17,333,333	17,333,333	17,333,334	0	0	0	0	52,000,000

SOURCES OF FUNDS								
	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
General Fund								0
User Fees								0
Grant Funds	16,333,333	17,333,333	17,333,334					51,000,000
State Match								0
State Loan								0
Assigned Funds	1,000,000							1,000,000
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	17,333,333	17,333,333	17,333,334	0	0	0	0	52,000,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Broadband Infrastructure

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?

There are no mandates by federal law, however there are several pushed from the Governors office to provide internet for all. The project scope is often determined by the need from the feasibility study from CTC and the driving force of the elected officials priority areas.

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 allow all residents in unserved areas of the county to have broadband access. This will also help drive down the cost for those in the county already served.

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?

We hired a consultant a few years ago that did a broadband feasibility study as well as broadband study. They were able to map the areas listed by the FCC as unserved. This allowed us to reach for grants we were never able to do previously.

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?

Since the wide spread of COVID, the ability to telework or virtual schooling from home has had a huge impact for citizens without broadband capabilities. We want to be proactive should the spread continue or continue to effect the residents of the county. We are also seeing an uptick in the need to have medical care via internet services.

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 21863

Impacts on General Fund Operating, Personnel or Maintenance:

No impact to personnel. The operating and maintenance costs should decrease with more efficient equipment.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design		64,000						64,000
Land Acquisition								0
Site Work								0
Construction		636,000						636,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	0	700,000	0	0	0	0	0	700,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds		350,000						350,000
State Match								0
State Loan								0
Assigned Funds		350,000						350,000
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0

TOTAL	0	700,000	0	0	0	0	0	700,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			700,000
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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?

The 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. The Library is currently updating our Facility Plan in FY 23 and will share results of the plan with County Commissioners, County Administration, and Department of Public Works.

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 (\$64,000); HVAC replacement (including air handling units, circulating pumps, and controls (\$361,000); plumbing and lighting improvements (\$275,000). Increased the overall estimate by approximately 5% from the FY 22 CIP to account for escalation. In September 2021, the HVAC unit for the Worcester Room for our local history collection was replaced at a cost of approximately \$21,000 (using funds from the library's periodical savings due to Covid).

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 2024 budget. The library will apply for a matching grant Library Capital Grant program through the Maryland State Library. Anticipated grant application deadline for FY24 grant is May 2022. The timing of this project has been delayed due to the priority of the Pocomoke library 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?

This project is necessary but not time critical; although the age of the building equipment is a concern. Building improvements should lower ongoing operating costs.

Project: Worcester County Jail Improvements Phase 2

Dept Head, Title & Phone #: **Fulton Holland, Warden, 410-632-1300/ Bill Bradshaw, Engineer**

Project Summary: This project includes replacement of heating, ventilating equipment and ductwork, controls, fire alarms and electrical for the 1980's original housing units and 1988 work release addition housing unit. Also included is HVAC equipment for corridors and office areas in the 1980 and 1988 building areas and multipurpose rooms. This project includes roof replacement/repair for the original building. Maintenance and replacement of exterior steel coatings, kitchen doors, lighting in renovated areas, building controls and shower enclosures are also included.

Purpose: This project improves the 40 year old building sections heating, ventilating, and air conditioning equipment to current standards and will mitigate future outages and disruptions due to leaks and equipment failure. It is crucial to improve the air conditioning/ventilation due to overheating and unsafe work conditions for Correctional Officers wearing full PPE and the pandemic.

Location: Worcester County Jail, 5022 Joyner Road Snow Hill, MD

Impacts on General Fund Operating, Personnel or Maintenance: This project does not increase the number of employees required for the jail. This project will also result in the reduction of maintenance costs associated with the upkeep of the current 30 year old system components. Additionally, the project will increase energy costs to air condition parts of the building and decrease energy costs in areas where equipment is replaced for heating and ventilating. Additional utility costs for air conditioning and savings in heating and ventilating efficiency will offset. If lighting replacement options are approved, electrical savings will result.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	98,940					483,060		582,000
Land Acquisition								0
Site Work								0
Construction	8,333,670	1,000,000				2,000,000		11,333,670
Equipment/Furnishings								0
Other	40,000							40,000
EXPENDITURES								

TOTAL	8,472,610	1,000,000	0	0	0	2,483,060	0	11,955,670
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds						1,000,000		1,000,000
Private Donation								0
Enterprise Bonds								0
General Bonds	8,472,610	1,000,000				1,483,060		10,955,670
								0
								0

TOTAL	8,472,610	1,000,000	0	0	0	2,483,060	0	11,955,670
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Worcester County Jail Improvements Phase 2

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 escalated the need for replacement of critical equipment based on operational priority and completed as phase 1 previously. The remaining improvements are generally designed to replace 40 year old equipment, improve building conditions including ventilation and space conditioning in select areas to improve working conditions for Correctional Officers. Phase 2 also includes roof repairs and replacement of the original facility, painting of outdoor steel security enclosures, and select replacement of interior doors and shower areas.

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 improves reliability by replacing 40 year old systems with a newer, more efficient system components. The occupants benefit by improving building ventilation and conditioning. If this project is not funded, or if it is delayed, the County will continue to pay increasing 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?

This estimate was prepared by Gipe Engineering based on detailed design and updated 3/5/21 - attached for reference.

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 entire facility is planned to be funded in 2 phases. Phase 1 work has been completed during 2019 budgeted at \$3.5 million (\$3.4 million spent as of 9/15/20). Phase 1 work has revealed additional priority items including interior kitchen doors and exterior structures which are recommended to be included in phase 2. Prior Phase 2 estimates include the escalated balance from the original 2014 engineering study minus phase 1. The current phase 2 estimate is based on detailed design completed by Gipe Engineering. This project is released for competitive bidding as of 9/21/21.

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 targeted in this phase 2. Phase 2 improvements specifically



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CONSTRUCTION COST ESTIMATE

PROJECT: Worcester County Detention Center
GAI PROJECT NO: 20059
DATE: 03/05/21
PREPARED BY: GAW

GENERAL PROJECT INFORMATION

PROJECT SQUARE FOOTAGE: 57,524
FACILITY TYPE: Detention Center
OF FLOORS: 1
ARCHITECT: Gipe Associates, Inc
BASIS FOR ESTIMATE: CODE-B (DESIGN DEVELOPMENT)
SUMMARY: DESIGN DEVELOPMENT ESTIMATE

Design Development Total Estimate	QUANTITY		MATERIAL		LABOR		TOTAL COST
	NO. OF UNITS	UNIT OF MEASURE	PER UNIT	TOTAL	PER UNIT	TOTAL	
BASE BID COST ESTIMATE							
DIVISION 01-DIVISION09	1.0	LS	\$ -	\$ -	\$ 2,546,000.00	\$ 2,546,000.00	\$ 2,546,000.00
DIVISION 21-23	1.0	LS	\$ -	\$ -	\$ 4,465,220.00	\$ 4,465,220.00	\$ 4,465,220.00
DIVISION 26-28	1.0	LS	\$ -	\$ -	\$ 453,670.00	\$ 453,670.00	\$ 453,670.00
COMMISSIONING	1.0	LS	\$ -	\$ -	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00
CONTINGENCY ALLOWANCE	1.0	LS	\$ -	\$ -	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00
ALTERNATE #1 - 2 YEAR WARRANTY	1.0	LS	\$ -	\$ -	\$ -	\$ -	\$ -
ALTERNATE #2 - ATC SYSTEM CONTRACTOR	1.0	LS	\$ -	\$ -	\$ -	\$ -	\$ -
ALTERNATE #3 - PVC PIPE JACKET	1.0	LS	\$ -	\$ -	\$ -	\$ -	\$ -
ALTERNATE #4 - HIGH EFFICIENCY UNITS	1.0	EA	\$ -	\$ -	\$ -	\$ -	\$ -
ALTERNATE #5 - LAUNDRY MAKE-UP	1.0	LS	\$ -	\$ -	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
ALTERNATE #6 - EXERCISE ENCLOSURES (9 ENCLOSURES)	1.0	LS	\$ -	\$ -	\$ 72,000.00	\$ 72,000.00	\$ 72,000.00
ALTERNATE #7 - ATC SYSTEM INTEGRATION	1.0	LS	\$ -	\$ -	\$ 33,000.00	\$ 33,000.00	\$ 33,000.00
ALTERNATE #8 - STAINLESS STEEL SHOWER ENCLOSURE	1.0	LS	\$ -	\$ -	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
ALTERNATE #9 - ROOF REPLACEMENT	1.0	LS	\$ -	\$ -	\$ 538,000.00	\$ 538,000.00	\$ 538,000.00
ALTERNATE #10 - LED LIGHTING	1.0	LS	\$ -	\$ -	\$ 247,500.00	\$ 247,500.00	\$ 247,500.00

COST ESTIMATE SUMMARY

DESCRIPTION	MATERIAL	LABOR	TOTAL
BASE BID TOTAL COST	\$ -	\$ 7,586,890.00	\$ 7,586,890.00
ALTERNATE #1 TOTAL COST	\$ -	\$ -	\$ -
ALTERNATE #2 TOTAL COST	\$ -	\$ -	\$ -
ALTERNATE #3 TOTAL COST	\$ -	\$ -	\$ -
ALTERNATE #4 TOTAL COST	\$ -	\$ -	\$ -
ALTERNATE #5 TOTAL COST	\$ -	\$ 30,000.00	\$ 30,000.00
ALTERNATE #6 TOTAL COST	\$ -	\$ 72,000.00	\$ 72,000.00
ALTERNATE #7 TOTAL COST	\$ -	\$ 33,000.00	\$ 33,000.00
ALTERNATE #8 TOTAL COST	\$ -	\$ 95,000.00	\$ 95,000.00
ALTERNATE #9 TOTAL COST	\$ -	\$ 538,000.00	\$ 538,000.00
ALTERNATE #10 TOTAL COST	\$ -	\$ 247,500.00	\$ 247,500.00
TOTAL BASE BID + ALTERNATES:	\$ -	\$ 8,602,390.00	\$ 8,602,390.00
TOTAL BASE BID + ALT. COST PER SQUARE FOOT:	\$ 0.00 PER S.F.	\$ 149.54 PER S.F.	\$ 149.54 PER S.F.

GRAND TOTAL COST ESTIMATE SUMMARY

ADDITIONAL PROJECT COST ITEM DESCRIPTION (APPLIES TO BASE BID ONLY)	PERCENTAGE (%)	% X TOTAL BASE BID	REMARKS
CONTRACTOR OVERHEAD	5.0%	\$ 379,344.50	
CONTRACTOR PROFIT	5.0%	\$ 379,344.50	
GENERAL CONDITIONS	5.0%	\$ 379,344.50	
PHASING OF GENERAL CONDITIONS	5.0%	\$ 379,344.50	
DESIGN CONTINGENCY	5.0%	\$ 379,344.50	
CONSTRUCTION CONTINGENCY	5.0%	\$ 379,344.50	
BUILDER'S RISK INSURANCE	1.0%	\$ 75,868.90	
PERMIT FEES	1.0%	\$ 75,868.90	
CONTRACTOR INSURANCE	2.0%	\$ 151,737.80	
PAYMENT BOND	1.0%	\$ 75,868.90	
PERFORMANCE BOND	1.0%	\$ 75,868.90	
UTILITY COST (ELECTRIC, GAS, ETC...)	0.0%	\$ -	
TOTAL ADDITIONAL PROJECT COST ITEMS		\$ 2,731,280.40	
GRAND TOTAL CONSTRUCTION COST (BASE BID + ADDITIONAL PROJECT COSTS)		\$ 10,318,170.40	\$ 179.37 PER S.F.
GRAND TOTAL CONSTRUCTION COST (BASE BID + ALTERNATES + ADDITIONAL PROJECT COSTS)		\$ 11,333,670.40	\$ 197.03 PER S.F.



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CONSTRUCTION COST ESTIMATE

PROJECT: Worcester County Detention Center
GAI PROJECT NO: 20059
DATE: 03/05/21
PREPARED BY: GAW

GENERAL PROJECT INFORMATION

PROJECT SQUARE FOOTAGE: 57,524
FACILITY TYPE: Detention Center
OF FLOORS: 1
ARCHITECT: Gipe Associates, Inc
BASIS FOR ESTIMATE: CODE-B (DESIGN DEVELOPMENT)
SUMMARY: DESIGN DEVELOPMENT ESTIMATE

Mechanical Systems	QUANTITY		MATERIAL		LABOR		TOTAL COST
	NO. OF UNITS	UNIT OF MEASURE	PER UNIT	TOTAL	PER UNIT	TOTAL	

BASE BID COST ESTIMATE

DEMOLITION	1.0	LS	\$ -	\$ -	\$ 287,620.00	\$ 287,620.00	\$ 287,620.00
GYM AHU	1.0	EA	\$ 143,810.00	\$ 143,810.00	\$ 115,048.00	\$ 115,048.00	\$ 258,858.00
CORRIDOR RTU	3.0	EA	\$ 57,524.00	\$ 172,572.00	\$ 43,143.00	\$ 129,429.00	\$ 302,001.00
CRANE	1.0	LS	\$ 70,000.00	\$ 70,000.00	\$ -	\$ -	\$ 70,000.00
REFRIGERANT/CONDENSATE PIPE	1.0	LS	\$ 43,143.00	\$ 43,143.00	\$ 31,638.20	\$ 31,638.20	\$ 74,781.20
HOT WATER PIPE	1.0	LS	\$ 103,543.20	\$ 103,543.20	\$ 135,181.40	\$ 135,181.40	\$ 238,724.60
INSULATION	1.0	LS	\$ 94,914.60	\$ 94,914.60	\$ 94,914.60	\$ 94,914.60	\$ 189,829.20
AUTOMATIC TEMP. CONTROLS (ATC)	1.0	LS	\$ 287,620.00	\$ 287,620.00	\$ 402,668.00	\$ 402,668.00	\$ 690,288.00
RELIEF FAN	12.0	EA	\$ 3,500.00	\$ 42,000.00	\$ 1,500.00	\$ 18,000.00	\$ 60,000.00
TEST AND BALANCE	1.0	LS	\$ -	\$ -	\$ 138,057.60	\$ 138,057.60	\$ 138,057.60
DUCTWORK	1.0	LS	\$ 483,201.60	\$ 483,201.60	\$ 819,717.00	\$ 819,717.00	\$ 1,302,918.60
FIRE PROTECTION	1.0	LS	\$ 43,143.00	\$ 43,143.00	\$ 109,295.60	\$ 109,295.60	\$ 152,438.60
H&V UNIT	11.0	EA	\$ 30,000.00	\$ 330,000.00	\$ 15,000.00	\$ 165,000.00	\$ 495,000.00
PLUMBING PIPING	2,300.0	LF	\$ 7.00	\$ 16,100.00	\$ 10.00	\$ 23,000.00	\$ 39,100.00
FREEZE PUMPS	15.0	EA	\$ 600.00	\$ 9,000.00	\$ 800.00	\$ 12,000.00	\$ 21,000.00
PLUMBING CHASE	54.0	EA	\$ 800.00	\$ 43,200.00	\$ 1,500.00	\$ 81,000.00	\$ 124,200.00
SHOWERS	17.0	EA	\$ 400.00	\$ 6,800.00	\$ 800.00	\$ 13,600.00	\$ 20,400.00

COST ESTIMATE SUMMARY

DESCRIPTION	MATERIAL	LABOR	TOTAL
BASE BID TOTAL COST	\$ 1,889,047.40	\$ 2,576,169.40	\$ 4,465,216.80
TOTAL BASE BID COST PER SQUARE FOOT:	\$32.84 PER S.F.	\$44.78 PER S.F.	\$77.62 PER S.F.

GRAND TOTAL COST ESTIMATE SUMMARY

ADDITIONAL PROJECT COST ITEM DESCRIPTION (APPLIES TO BASE BID ONLY)	PERCENTAGE (%)	% X TOTAL BASE BID	REMARKS
CONTRACTOR OVERHEAD	0.0%	\$ -	
CONTRACTOR PROFIT	0.0%	\$ -	
GENERAL CONDITIONS	0.0%	\$ -	
BUILDER'S RISK INSURANCE	0.0%	\$ -	
PERMIT FEES	0.0%	\$ -	
CONTRACTOR INSURANCE	0.0%	\$ -	
PAYMENT BOND	0.0%	\$ -	
PERFORMANCE BOND	0.0%	\$ -	
UTILITY COST (ELECTRIC, GAS, ETC...)	0.0%	\$ -	
TOTAL ADDITIONAL PROJECT COST ITEMS		\$ -	
GRAND TOTAL CONSTRUCTION COST (BASE BID + ADDITIONAL PROJECT COSTS)		\$ 4,465,216.80	\$77.62 PER S.F.



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CONSTRUCTION COST ESTIMATE

PROJECT: Worcester County Detention Center
GAI PROJECT NO: 20059
DATE: 03/05/21
PREPARED BY: EMP

GENERAL PROJECT INFORMATION

PROJECT SQUARE FOOTAGE: 57,524
FACILITY TYPE: Detention Center
OF FLOORS: 1
ARCHITECT: Gipe Associates, Inc
BASIS FOR ESTIMATE: CODE-B (DESIGN DEVELOPMENT)
SUMMARY: DESIGN DEVELOPMENT ESTIMATE

Electrical Systems	QUANTITY		MATERIAL		LABOR		TOTAL COST
	NO. OF UNITS	UNIT OF MEASURE	PER UNIT	TOTAL	PER UNIT	TOTAL	

BASE BID COST ESTIMATE

DEMOLITION	1.0	LS	\$ -	\$ -	\$ 48,895.40	\$ 48,895.40	\$ 48,895.40
FIRE ALARM	1.0	LS	\$ 71,905.00	\$ 71,905.00	\$ 106,419.40	\$ 106,419.40	\$ 178,324.40
GYM AHU	1.0	EA	\$ 2,400.00	\$ 2,400.00	\$ 6,000.00	\$ 6,000.00	\$ 8,400.00
CORRIDOR RTU	2.0	EA	\$ 1,000.00	\$ 2,000.00	\$ 3,000.00	\$ 6,000.00	\$ 8,000.00
MAU	1.0	EA	\$ 900.00	\$ 900.00	\$ 1,500.00	\$ 1,500.00	\$ 2,400.00
WORK REPLEASE RTU	1.0	EA	\$ 1,200.00	\$ 3,500.00	\$ 2,500.00	\$ 1,500.00	\$ 5,000.00
H&V UNIT	11.0	EA	\$ 1,000.00	\$ 11,000.00	\$ 3,500.00	\$ 38,500.00	\$ 49,500.00
ERV UNIT	11.0	EA	\$ 1,000.00	\$ 11,000.00	\$ 3,500.00	\$ 38,500.00	\$ 49,500.00
FANS	9.0	EA	\$ 450.00	\$ 4,050.00	\$ 1,100.00	\$ 9,900.00	\$ 13,950.00
LIGHTING (REMOVE, CLEAN & REPLACE)	550.0	EA	\$ 75.00	\$ 41,250.00	\$ 35.00	\$ 19,250.00	\$ 60,500.00
UPS CIRCUITS	1.0	LS	\$ 2,700.00	\$ 2,700.00	\$ 6,500.00	\$ 6,500.00	\$ 9,200.00
PANEL	2.0	EA	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00	\$ 20,000.00

ALTERNATE #1 - REPLACE LIGHTING IN KIND WITH LED LIGHTING

ALTERNATE #1 - LIGHTING	550.0	EA	\$ 300.00	\$ 165,000.00	\$ 150.00	\$ 82,500.00	\$ 247,500.00
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ALTERNATE #2 -

ALTERNATE #2 -	1.0	LS	\$ -	\$ -	\$ -	\$ -	\$ -
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COST ESTIMATE SUMMARY

DESCRIPTION	MATERIAL	LABOR	TOTAL
BASE BID TOTAL COST	\$ 160,705.00	\$ 292,964.80	\$ 453,669.80
ALTERNATE #1 TOTAL COST	\$ 165,000.00	\$ 82,500.00	\$ 247,500.00
ALTERNATE #2 TOTAL COST	\$ -	\$ -	\$ -
TOTAL BASE BID + ALTERNATES:	\$ 325,705.00	\$ 375,464.80	\$ 701,169.80
TOTAL BASE BID + ALT. COST PER SQUARE FOOT:	\$5.66 PER S.F.	\$6.53 PER S.F.	\$12.19 PER S.F.

GRAND TOTAL COST ESTIMATE SUMMARY

ADDITIONAL PROJECT COST ITEM DESCRIPTION (APPLIES TO BASE BID ONLY)	PERCENTAGE (%)	%X TOTAL BASE BID	REMARKS
CONTRACTOR OVERHEAD	0.0%	\$ -	
CONTRACTOR PROFIT	0.0%	\$ -	
GENERAL CONDITIONS	0.0%	\$ -	
BUILDER'S RISK INSURANCE	0.0%	\$ -	
PERMIT FEES	0.0%	\$ -	
CONTRACTOR INSURANCE	0.0%	\$ -	
PAYMENT BOND	0.0%	\$ -	
PERFORMANCE BOND	0.0%	\$ -	
UTILITY COST (ELECTRIC, GAS, ETC...)	0.0%	\$ -	
TOTAL ADDITIONAL PROJECT COST ITEMS		\$ -	
GRAND TOTAL CONSTRUCTION COST (BASE BID + ADDITIONAL PROJECT COSTS)		\$ 453,669.80	\$7.89 PER S.F.
GRAND TOTAL CONSTRUCTION COST (BASE BID + ALTERNATES + ADDITIONAL PROJECT COSTS)		\$ 701,169.80	\$12.19 PER S.F.

Project: FIRE/EMS Paging System

Dept Head, Title & Phone #: Billy Birch, Director of Emergency Services

Project Summary: This project seeks to replace the current VHF Paging System used to alert volunteer Fire/EMS personnel.

Purpose: Voice paging is a critical component of alerting Fire/EMS personnel. The current system was installed in 2005 and upon replacement will have reached 17-18 years old, exceeding it's life expectancy.

Location: Countywide

Impacts on General Fund Operating, Personnel or Maintenance: Execution of this project will impact general fund unless grant funding is identified.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	30,000							30,000
Land Acquisition								0
Site Work								0
Construction								0
Equipment/Furnishings		650,000						650,000
Other								0
EXPENDITURES								
TOTAL	30,000	650,000	0	0	0	0	0	680,000

SOURCES OF FUNDS								
	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
General Fund	30,000	650,000						680,000
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	30,000	650,000	0	0	0	0	0	680,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: FIRE/EMS Paging System

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 scope of this project will include design/engineering, equipment procurement, installation and decommissioning of previous equipment. There is no legal requirement for this project.

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 project benefits all residents of Worcester County by ensuring reliable alerting of Fire/EMS personnel. This project will be designed around NFPA 1221 standards and may directly impact ISO ratings this resulting in a reduction of insurance premiums within Worcester County.

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?

Project cost estimated using actual numbers obtained from vendors for similar scope projects.

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 has been added as support and parts availability for current equipment has expired.

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 is a critical project as the reliability of this service is essential for the alerting of Fire/EMS personnel.

Project: Outdoor Warning Siren System

Dept Head, Title & Phone #: Billy Birch, Director of Emergency Services

Project Summary: This project seeks to replace the outdoor public warning system/fire siren system countywide. Current sirens within the system are aged 30 years and older are not backed up by battery power during a power outage and some distant sirens have communications issues.

Purpose: This project is being undertaken based upon concern expressed by the County Commissioners and fire service.

Location: Countywide

Impacts on General Fund Operating, Personnel or Maintenance: Execution of this project will impact general fund unless grant funding is identified.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	50,000							50,000
Land Acquisition								0
Site Work		50,000						50,000
Construction		750,000						750,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	50,000	800,000	0	0	0	0	0	850,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	50,000							50,000
Private Donation								0
Enterprise Bonds								0
General Bonds		800,000						800,000
								0
								0
TOTAL	50,000	800,000	0	0	0	0	0	850,000

PROJECTED OPERATING IMPACTS	0	1,500	5,200	5,200	5,200			17,100
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Project: Outdoor Warning Siren System

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?

Scope includes an engineering study on siren placement utilizing an external consultant, system design/ordering, and installation. Scope was determined by staff experience in similar projects. Historically, most sirens currently in use within Worcester County were provided by the Federal Office of Civil Defense and turned over to volunteer fire companies by Worcester County. Those sirens are of significant vintage and now face reliability 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?

In addition to their use by volunteer fire companies, the core function of outdoor sirens is to alert the public to a critical emergency requiring their action. These situations range from tornadoes to evacuations, and even an enemy attack. This project, while replacing current sirens, seeks to extend the public warning function of outdoor sirens to critically underserved residents and visitors.

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?

Cost estimates for this project are based upon a "best guess" approach at this point in time. The estimate could be seriously impacted by site selection issues, connectivity issues, and similar items currently unknown. A critical item of the first year study will be to identify these issues and develop a direct project 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?

This project is being requested at this time due to urgency expressed by the County Commissioners related to the reliability of the current system.

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?

System reliability will likely continue to be an issue should this project not be funded.

Operating Impact Projections

Project: Outdoor Public Warning System

Department: Emergency Services

Department Head Signature: **JWB**

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Job Title & Benefit Costs (List Separately)						
						0
						0
						0
						0
						0
						0
						0
						0

EXPENDITURES

New Positions Salary & Benefits TOTAL	0	0	0	0	0	0
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General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Operating Expenses						
Utilities		1,500	1,500	1,500	1,500	6,000
Telephone						0
Custodial						0
Cleaning						0
Maintenance Repairs			2,500	2,500	2,500	7,500
Refuse						0
Fire/Security Alarm						0
Internet			1,200	1,200	1,200	3,600
Vehicle Expense						0
Other						0
						0
						0

EXPENDITURES

Operating TOTAL	0	1,500	5,200	5,200	5,200	17,100
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Project: Outdoor Public Warning System

Complete the following questions.

Operating Impacts

Employee positions.

Does the project increase or reduce the number of employees needed? How many positions would be affected? Are the positions full-time, part-time, contractual, grant-funded, enterprise funded? What is the projected cost (savings) of the employees? Are there benefit costs for additional full-time or part-time employees? Benefit cost should be calculated by using the full time 46.39% or for part time 21.43%.

This project is not expected to require additional employees.

Utility costs.

Does the project increase or reduce utility costs? Utilities may include electricity, oil, gas, telephone, water or sewer costs.

This project will require power at several sites resulting in several additional in electrical service connections.

Maintenance costs.

Does the project increase or reduce internal maintenance costs or maintenance agreements with outside vendors? Some costs to consider are custodial services, ball field maintenance, road maintenance and general preventative maintenance.

This project will increase maintenance responsibilities for internal staff and also result in additional external vendor support.

Insurance costs.

Does the project increase insurance costs? You should consider liability, property and vehicle insurance. Additional risk insurance should be calculated using the building or addition cost times \$0.002.

Insurance coverage may be required for new sirens.

Telecommunications.

Consider the potential need of telephones, copiers, and computers and hardware. List them below.

Several siren locations may require internet or cellular connectivity.

Furniture, equipment or capital outlay.

Does the project increase or reduce the need for furniture and equipment or other capital outlay items? Is the increase or savings on-going or one-time?

Neutral.

Project: Public Safety Logistical Storage Facility

Dept Head, Title & Phone #: Jeff McMahon, Fire Marshal, 410-632-5666

Combined submission on behalf of Public Safety for the Department of Emergency Services, the Sheriff's Office and the Fire Marshal's Office

Project Summary: A new building to house vehicle and storage for the Departments of Emergency Services, the Sheriff's Office and the Fire Marshal's Office. This building will hold the current 22 vehicles and the many trailers used by the three departments. Plus store all the Logistic Staging Area (LSA) inventory and supplies for all emergency preparation, to include pandemics, weather related emergencies, hazardous materials responses (CBRNE) and a secure impound facility for the Sheriff's Office.

Purpose: Currently there is a need due to no covered storage for vehicles and trailers containing expensive and sensitive equipment with the need to respond quickly. Although the County currently leases space for the LSA, the accessibility and security of the lease space is not desirable.

Location: The proposed location is on the Fire Training Center grounds owned by the County (12 acres of cleared land/adjacent to a proposed Public Safety Building).

Impacts on General Fund Operating, Personnel or Maintenance: The impacts, from a financial standpoint would be high. Partial funding for the project may qualify under grants provided from multiple sources, however that funding cannot be guaranteed. From a Personnel standpoint, no immediate additional personnel is projected for this project. Obviously there would be an increase in maintenance cost due to the larger size building.

	FY23	FY24	FY25	FY26	FY27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000							100,000
Land Acquisition	0							0
Site Work	100,000	50,000						150,000
Construction		2,750,000						2,750,000
Equipment/Furnishings		50,000						50,000
Other		200,000						200,000
EXPENDITURES								
TOTAL	200,000	3,050,000	0	0	0	0	0	3,250,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	200,000							200,000
Private Donation								0
Enterprise Bonds								0
General Bonds		3,050,000						3,050,000
								0
								0
TOTAL	200,000	3,050,000	0	0	0	0	0	3,250,000

PROJECTED OPERATING IMPACTS	0	19,900	(22,600)	(19,600)	(16,600)			(38,900)
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Project: Public Safety Logistical Storage Facility

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 was discussed between the 3 public safety departments of Emergency Services, the Sheriff's Office and the Fire Marshal's Office. A larger "warehouse - clear span" style building is needed for several purposes. To include current vehicles inside (out of the weather) storage of critical response vehicles for a multitude array of purposes to support emergency management, law enforcement and hazardous materials and CBRNE (Chemical, Biological, Radiological, Nuclear and Explosive) type incidents.

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 project benefits the entire county. In addition to critical needs for county operated public safety departments, it also supplements the County's volunteer fire and EMS services and the incorporated towns. Not completing this project will further enhance the deterioration of current, as well as future, vehicles and apparatus that is damaged by exposure to weather elements currently being stored outside.

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 difficult to determine due to the current environment of supplies and materials. At this time building product cost vary day-to-day and have steadily increased over the past two years. There was no scope study performed, the demand for this is driven by the pandemic, the need for the LSA and the protection of current assets exceeding \$1,000,000 in value. A square foot estimate was not used because it is based on a "clear-span" type building. Similar Maryland recently constructed projects were researched by other county, state of federal agencies. The cost is a "best guess". A concern of material cost exist due to the current building industry material and labor problems.

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?

There is no CIP Timing. This project was driven by the pandemic, the need for a LSA and to reduce damage to current emergency equipment and vehicles stored outside. In the past two years the County has added to the vehicles and equipment which is stored outside in the harsh weather conditions.

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?

We consider this project critical. Protecting current assets is crucial. Planning to mitigate any of the emergencies this project could aide is a must for emergency management planning and preparation. Not funding or planning for this project will further hamper the growth and technology changes which occur between regional and national emergencies.

Operating Impact Projections

Project: Joint Public Safety Logistical Storage Facility

Department: Joint Departments - Emergency Services, Sheriff's Office & Fire Marshal's Office

Department Head Signature:

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY27	Total Operating Cost
Job Title & Benefit Costs (List Separately)						0
						0
						0
						0
						0
						0
						0
						0

EXPENDITURES

New Positions Salary & Benefits TOTAL	0	0	0	0	0	0
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General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY27	Total Operating Cost
Operating Expenses						
Utilities		5,500	5,500	5,500	5,500	22,000
Telephone		4,000	4,000	4,000	4,000	16,000
Custodial						0
Cleaning						0
Maintenance Repairs				3,000	6,000	9,000
Refuse		3,600	3,600	3,600	3,600	14,400
Fire/Security Alarm		1,200	1,200	1,200	1,200	4,800
Internet		600	600	600	600	2,400
Vehicle Expense						0
Other		5,000	2,500	2,500	2,500	12,500
Lease costs			(40,000)	(40,000)	(40,000)	(120,000)
						0
						0

EXPENDITURES

Operating TOTAL	0	19,900	(22,600)	(19,600)	(16,600)	(38,900)
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Project: Joint Public Safety Logistical Storage Facility

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY27	Total Operating Cost
Capital Expenses						
Furnishings						0
Equipment						0
						0
						0
						0
						0
						0
						0
						0
EXPENDITURES						

Capital TOTAL	0	0	0	0	0	0
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Projected Revenue Impact	FY 23	FY 24	FY 25	FY 26	FY27	Revenue Total
						0
						0
						0
						0
						0
						0
						0
						0
						0
Revenues						

Project Revenue TOTAL	0	0	0	0	0	0
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PROJECTED OPERATING IMPACTS	0	19,900	(22,600)	(19,600)	(16,600)	(38,900)
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Project: Joint Public Safety Logistical Storage Facility

Complete the following questions.

Operating Impacts**Employee positions.**

Does the project increase or reduce the number of employees needed? How many positions would be affected? Are the positions full-time, part-time, contractual, grant-funded, enterprise funded? What is the projected cost (savings) of the employees? Are there benefit costs for additional full-time or part-time employees? Benefit cost should be calculated by using the full time 44.90% or for part time 18.82%.

Utility costs.

Does the project increase or reduce utility costs? Utilities may include electricity, oil, gas, telephone, water or sewer costs.

Since this is a warehouse with limit occupation, minimal utility cost would be required. Basic electricity costs would be needed for climate control and if building is staffed. There would also be a savings by not having to lease a space for the storage of equipment and vehicles of \$40,000 per year.

Maintenance costs.

Does the project increase or reduce internal maintenance costs or maintenance agreements with outside vendors? Some costs to consider are custodial services, ball field maintenance, road maintenance and general preventative maintenance.

Due to a new building, over the span of the 5 years for this CIP the maintenance cost would be minimal.

Insurance costs

Does the project increase insurance costs? You should consider liability, property and vehicle insurance. Additional risk insurance should be calculated using the building or addition cost times \$0.002.

This would be a warehouse building that would need property insurance. The vehicles and trailers to be stored inside are current and already covered. The LSA products are not known if they should be insured. Therefore the insurance impact would be limited to the building only.

Telecommunications.

Consider the potential need of telephones, copiers, and computers and hardware. List them below.

A single computer with access to the Internet would be required and telephone. The site already has fiber and the connection would need to be run to the new building.

Furniture, equipment or capital outlay.

Does the project increase or reduce the need for furniture and equipment or other capital outlay items? Is the increase or savings on-going or one-time?

There would be no new furniture or equipment need in the capital outlay.

Project: Public Safety Building

Dept Head, Title & Phone #: Sheriff Matthew Crisafulli 410-632-1111

Project Summary:

Construction of Public Safety Facility

Purpose: To house the Sheriff's Office and Emergency Services, with potentially locating other agencies to the building such as the Fire Marshal's Office and a Child Advocacy Center.

Location: Parcel of land adjacent to Health Dept/Jail off of Route 113 or on the 12 acres of land where the Fire Training Center is located.

Impacts on General Fund Operating, Personnel or Maintenance:

The new building amounts are based on the new MSP Cumberland Barrack that was recently opened and Wicomico County Public Safety Building.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	100,000	1,250,000						1,350,000
Land Acquisition								0
Site Work			1,000,000					1,000,000
Construction			15,000,000	15,000,000				30,000,000
Equipment/Furnishings				250,000				250,000
Other								0
EXPENDITURES								
TOTAL	100,000	1,250,000	16,000,000	15,250,000	0	0	0	32,600,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	100,000			250,000				350,000
Private Donation								0
Enterprise Bonds								0
General Bonds		1,250,000	16,000,000	15,000,000				32,250,000
								0
								0
TOTAL	100,000	1,250,000	16,000,000	15,250,000	0	0	0	32,600,000

PROJECTED OPERATING IMPACTS	0	0	0	250,500	251,500			502,000
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Project: Public Safety 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?

Current facilities are beyond 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?

Consolidation of Public Safety into one building will allow for improved coordination between departments and offices. This will also allow for future growth as mandated by the State Legislature.

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 best guess at costs comes from Wicomico County Public Safety facility and Cumberland County MSP Barrick.

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?

All of Public Safety have out grown existing spaces.

Operating Impact Projections

Project: Public Safety Building

Department: Sheriff, Emergency Services, Fire Marshal & Child Advocacy Center

Department Head Signature:

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Job Title & Benefit Costs (List Separately)						
						0
						0
						0
						0
						0
						0
						0
						0
						0
						0

EXPENDITURES

New Positions Salary & Benefits TOTAL	0	0	0	0	0	0
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General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Operating Expenses						
Utilities				26,000	26,000	52,000
Telephone				209,000	210,000	419,000
Custodial				5,000	5,000	10,000
Cleaning						0
Maintenance Repairs						0
Refuse				1,000	1,000	2,000
Fire/Security Alarm				7,500	7,500	15,000
Internet				2,000	2,000	4,000
Vehicle Expense						0
Other						0
						0
						0
						0

EXPENDITURES

Operating TOTAL	0	0	0	250,500	251,500	502,000
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ITEM 22

Project: Public Safety Building

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Capital Expenses						
Furnishings						0
Equipment						0
						0
						0
						0
						0
						0
						0
EXPENDITURES						
Capital TOTAL	0	0	0	0	0	0

Projected Revenue Impact	FY 23	FY 24	FY 25	FY 26	FY 27	Revenue Total
						0
						0
						0
						0
						0
						0
						0
						0
Revenues						
Project Revenue TOTAL	0	0	0	0	0	0

PROJECTED OPERATING IMPACTS	0	0	0	250,500	251,500	502,000
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Project: Public Safety Building

Complete the following questions.

Operating Impacts

Employee positions.

Does the project increase or reduce the number of employees needed? How many positions would be affected? Are the positions full-time, part-time, contractual, grant-funded, enterprise funded? What is the projected cost (savings) of the employees? Are there benefit costs for additional full-time or part-time employees? Benefit cost should be calculated by using the full time 46.39% or for part time 21.43%.

Employee positions may be increased due to future unfunded mandates.

Utility costs.

Does the project increase or reduce utility costs? Utilities may include electricity, oil, gas, telephone, water or sewer costs.

Utilities would increase due to operations being in a new facility other than the government center building.

Maintenance costs.

Does the project increase or reduce internal maintenance costs or maintenance agreements with outside vendors? Some costs to consider are custodial services, ball field maintenance, road maintenance and general preventative maintenance.

Custodial services would be needed and other maintenance costs would be low since the building would be newly constructed.

Insurance costs.

Does the project increase insurance costs? You should consider liability, property and vehicle insurance. Additional risk insurance should be calculated using the building or addition cost times \$0.002.

Property Insurance costs are unknown at this point in time.

Telecommunications.

Consider the potential need of telephones, copiers, and computers and hardware. List them below.

All new communications infrastructure would be part of the design and construction.

Furniture, equipment or capital outlay.

Does the project increase or reduce the need for furniture and equipment or other capital outlay items? Is the increase or savings on-going or one-time.

Equipment and furniture are considered in the CIP Project first page of this document.

Project: Asphalt Overlay/Pavement Preservation of County Roads

Dept Head, Title & Phone #: Dallas Baker Jr., 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 cost of our paving projects. The Highway User Revenue has not been restored which means the General Fund will have to continue funding our paving projects. By doing so this puts a strain on the County's General Fund Budget and also limits how much paving we are able to provide to the Citizens and guests of Worcester County.

	FY 23	FY 24	FY 25	FY 26	FY 27	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
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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
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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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 for the citizens and guests. 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 or discontinued funding will enhance deterioration of roads leading to unsafe travel. This could ultimately result in major road repairs leading to a more costly alternative than simply preserving and overlaying the roads.

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, also the price per ton for hot mix asphalt has increased tremendously along with fuel costs resulting in higher contractor costs and less roads being paved for the same amount of money. The additional funding would result in a regular surface treatment and overlays which would provide safer travels for all.

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?

It is vital to continue to preserve and maintain our County Roads. By addressing the road maintenance/resurfacing issues early on rather than later, it will avoid costly repairs down the road. If not continued it can lead to a more significant impact not only financially but safety issues for the traveling public and property owners.

Project: Renovation of Berlin Roads Division Building

Dept Head, Title & Phone #: Department of Public Works, Dallas Baker - Director P.E., 410-632-5623

Project Summary: Replace roof system and renovate existing second floor to create office space.

Purpose: Renovation

Location: 10146 North Main Street, Berlin, MD

Impacts on General Fund Operating, Personnel or Maintenance: Relocation of Roads Division personnel while renovation work is in progress.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design						23,550		23,550
Land Acquisition								0
Site Work								0
Construction	120,000					100,000		220,000
Equipment/Furnishings	200,000							200,000
Other								0
EXPENDITURES								
TOTAL	320,000	0	0	0	0	123,550	0	443,550

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	320,000					123,550		443,550
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	320,000	0	0	0	0	123,550	0	443,550

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Renovation of Berlin Roads Division 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?

This requested project is in response to County Administration's need to establish office spaces in the Northern portion of the County. The project scope will replace the building's failing roof system, renovate the second story floorplan, installation of a fiber optic communication system, fire alarm system upgrade for second floor users, purchase of office desk systems with file storage.

County benefit.

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 will benefit county staff by reducing overcrowding in other facilities.

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?

Architectural fees were obtained following a meeting with a local firm. Communication requirements and associated pricing was obtained from the County's IT department. Fire alarm system requirements with pricing was obtained from the County's fire and security contractor. Generator, office furnishings, etc. were estimated as end user requirements are still pending.

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 can be accomplished in phases with replacement of the roof system being paramount. Renovation to create office spaces should follow the roof replacement work.

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 with all buildings, preventing intrusion of rain water is key to longevity of the structure. Therefore, installation of a new roof system should occur without delay.

Project: Gradall XL4100 V 6X4

Dept Head, Title & Phone #:Dallas Baker Jr. P.E.,Director Of Public Works 410-632-5623

Project Summary: To acquire a gradall to perform daily job duties to the citizens of Worcester County.

Purpose: Adding another gradall to our fleet would be a tremendous asset. We would be able to respond to emergency calls during storm events faster by having a gradall at our central shop in Snow Hill. We would be able to start and finish more projects in a timely manner by having another gradall to perform the work.

Location: Worcester County Roads

Impacts on General Fund Operating, Personnel or Maintenance: General preventative maintenance such as but not limited to filters, oil, tires, batteries etc.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design								0
Land Acquisition								0
Site Work								0
Construction								0
Equipment/Furnishings		500,000						500,000
Other								0
EXPENDITURES								
TOTAL	0	500,000	0	0	0	0	0	500,000

SOURCES OF FUNDS								
General Fund		500,000						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	0	500,000	0	0	0	0	0	500,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Gradall XL4100 V 6X4

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?

NA

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?

All citizens and guests of Worcester County would benefit, we would be able to respond to emergency calls for trees, washed out roads etc. faster by adding another gradall to cover more area of the County. We would also benefit by having a backup should another gradall go down for maintenance or repairs. We would be able to respond to work orders for pipes and ditching faster by having another gradall and crew available to perform the work and not have to wait for a gradall to become available which would ultimately result in improved times for work to be completed.

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 from Gradall through a Source-Well contract.

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 urgency to acquire a Gradall now would be that the price for them will only increase in future years, with that being said it is best to buy one now before our current Gradalls fail and begin to cost more money in repairs and outside repairs which would result in more money being spent on older equipment. It would be in the County's best intentions to acquire a Gradall sooner then later to save tax payer money in the long run and add a valuable piece of equipment to our fleet so we may provide the best service to the citizens and guests of Worcester County in a timely manner.

Project: Mystic Harbour Wastewater Treatment Plant Solids Dewatering / Storage Building Repair and Water Treatment Plant Rehabilitation

Dept Head, Title & Phone #: Dallas Baker Jr., P.E. Director - 410-632-5623

Project Summary: Mystic Harbour Solids Dewatering Upgrade, storage building repair, and Water Treatment Plant Rehabilitation

Rehabilitation of the Mystic Harbour Water Treatment plant building and equipment. The project includes rehabilitation of the exterior and interior of the Water Treatment building at Mystic Harbour. The exterior of the building needs a new roof, repair of the concrete block and either painting or siding to make the building more aesthetically acceptable. The building interior requires a new interior ceiling, cleaning and painting of the walls, sandblasting and painting of the interior piping and filters. In addition there are a number of electrical improvements needed, safety issues addressed and chemical feed systems upgraded to current standards.

Purpose: Resolving the solids dewatering problems at the Mystic Harbour Wastewater Treatment Plant and rehabilitating the storage building and to extend the life of the water treatment plant building.

Location: Mystic Harbour/West Ocean City

Impacts on General Fund Operating, Personnel or Maintenance: Project will be constructed and operated using Enterprise Funds.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	250,000	200,000						450,000
Land Acquisition								0
Site Work								0
Construction	1,100,000	900,000	200,000					2,200,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	1,350,000	1,100,000	200,000	0	0	0	0	2,650,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds	1,350,000	1,100,000	200,000					2,650,000
General Bonds								0
								0
								0

TOTAL	1,350,000	1,100,000	200,000	0	0	0	0	2,650,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Mystic Harbour Wastewater Treatment Plant Solids Dewatering / Storage Building Repair and Water Treatment Plant Rehabilitation

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 improvement to the Mystic Harbour Wastewater Treatment Plant by construction of needed improvements to the sludge handling facilities. In addition, the scope of work includes improvements to the on-site storage building.

A detailed report has been prepared for the Water Treatment Plant to identify the needed improvements to the water treatment plant. The report addressed the needed improvements and estimated the cost of each. Some of the the minor items will be addressed in the annual operating budget but the major improvements will require capital funds.

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 permanently resolve the handling of bio-solids at the Mystic Harbour Wastewater Treatment Plant. The rehabilitation is required to maintain the operation of the Mystic Harbour Water system.

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 sludge handling systems was taken from a recently completed study of alternatives to resolve the issue. The cost estimate for effluent disposal was a historical "best guess" based on recent experience with disposal of effluent. A detailed report and condition assessment was completed for the Water Treatment Plant.

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?

There is no change to the timing for this 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?

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, these plant improvements are required.

The Water Treatment Plant is the primary supplier of water to the Mystic Harbour and West Ocean City Area.

Project: Lewis Road Sewer Extension

Dept Head, Title & Phone #: Dallas Baker, 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 WWTP

Impacts on General Fund Operating, Personnel or Maintenance: The project will have no impact in the general funds operating, personnel or maintenance expenses. Operating expenses will be paid from user fees.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	98,000					72,000		170,000
Land Acquisition								0
Site Work								0
Construction	1,855,000							1,855,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	1,953,000	0	0	0	0	72,000	0	2,025,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds	1,446,000					72,000		1,518,000
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
ARPA	507,000							507,000
								0

TOTAL	1,953,000	0	0	0	0	72,000	0	2,025,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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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?

This project involves constructing a pipeline along Lewis Road and connecting all the homes in the community to this pipeline which will connect the community to the Landings wastewater treatment plant. The project has had a preliminary engineering report prepared for the method of transmission and service to the community. This report was mandated by USDA funding requirements. This project was a priority of the County Commissioners in the Fiscal Year 2017/2018.

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 reduction of nutrients into the Coastal Bays and the connection of a community of poorly performing and failing septic's to public sewer. If this project is not done we will lose the USDA Funding and the community will continue to suffer with failing systems and the poorly drained soils in the area that will continue to contribute to the failure of systems in the future.

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 preliminary engineering report. The 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 was a priority of the 2017/2018 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 is a priority and we have secured a great deal of funding to complete it.

Project: Landings Water Tower Rehabilitation and Painting

Dept Head, Title & Phone #: Dallas Baker Jr., PE Director of Public Works
410-632-5632

Project Summary: Painting and rehabilitation of the Riddle Farm Water Tower.

Purpose: Extending the life of the Landings Water Tower

Location: Landings Service Area

Impacts on General Fund Operating, Personnel or Maintenance: None - Work to be completed under the Enterprise Fund.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	50,000							50,000
Land Acquisition	400,000							400,000
Site Work								0
Construction								0
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	450,000	0	0	0	0	0	0	450,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds	450,000							450,000
General Bonds								0
								0
								0
TOTAL	450,000	0	0	0	0	0	0	450,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Landings Water Tower Rehabilitation and Painting

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?

Repainting and miscellaneous improvements to the Landings Water Tower.

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?

Extending the life of an important water storage tower.

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?

Historical from recently completed North Water Tower in Ocean Pines.

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?

First time on the CIP

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?

Waiting will just increase the deterioration and increase rehabilitation cost.

Project: Ocean Pines Spray Irrigation

Dept Head, Title & Phone Dallas Baker Jr., P.E., P.E., Director of Public Works 410-632-5623

Project Summary: Improvements in the Ocean Pines Service Area Includes:

-Spraying effluent on the Ocean Pines Golf Course

Purpose: The project is proposed to reduce nutrients to the Saint Martins River while reducing the need for groundwater to irrigate the Golf Course.

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 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	250,000							250,000
Land Acquisition								0
Site Work								0
Construction	2,600,000							2,600,000
Equipment/Furnishings	400,000							400,000
Other								0
EXPENDITURES								
TOTAL	3,250,000		0	0	0	0	0	3,250,000

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	3,250,000							3,250,000
General Bonds								0
								0
								0
TOTAL	3,250,000	0	0	0	0	0	0	3,250,000

PERFORMANCE AND OPERATIONAL IMPACTS								
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Project: Ocean Pines Spray Irrigation

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?

In an effort to reduce nutrient discharges to the Coastal bays and reduce the use of the groundwater to irrigate the Ocean Pines Golf Course, we are proposing to redirect treatment plant treated effluent to the golf course to use for irrigation.

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 reuse the plant effluent for golf course irrigation and reduce the withdrawal rate of groundwater aquifers.

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?

A study on the Ocean Pines Irrigation system was completed in 2021.

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 proposal for reuse of plant effluent has been developed in cooperation with the Ocean Pines Homeowners Association.

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 a voluntary measure to reduce nutrients from entering the bay and reduce the amount of drinkable groundwater from being used as irrigation for the golf course.

Project: Ocean Pines Belt Filter Press

Dept Head, Title & Phone #: Dallas Baker Jr., P.E., P.E., Director of Public Works 410-632-5623

Project Summary: Improvements in the Ocean Pines Service Area Includes:

-Replacing the Belt Filter Press

Purpose: The project is proposed to replacing an aging pieces of equipment and enhance solid handling at the WWTP.

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 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design		250,000						250,000
Land Acquisition								0
Site Work								0
Construction		2,500,000						2,500,000
Equipment/Furnishings		800,000						800,000
Other								0
EXPENDITURES								
TOTAL		3,550,000	0	0	0	0	0	3,550,000

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		3,550,000						3,550,000
General Bonds								0
								0
								0
TOTAL	0	3,550,000	0	0	0	0	0	3,550,000

FINANCIAL TYPE/STATEMENT IMPACTS								

Project: Ocean Pines Belt Filter Press

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 belt press at the Ocean Pines Wastewater Treatment Plant was installed in 1996. Since that time, it has undergone major repairs but is no longer reliable. We are looking at the use of newer technologies now available to be installed at the treatment plant.

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 increases efficiency of the Ocean Pines Wastewater Treatment Plant solids handling activities.

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 in a design report completed in 2021.

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 a long term program of 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: Mystic Harbour Wastewater Treatment Expansion & Effluent Disposal System

Dept Head, Title & Phone #: Dallas Baker Jr., P.E. Director - 410-632-5623

Project Summary: Mystic Harbour Expansion and improvements to effluent disposal systems.

Purpose:

Expanding the Mystic Harbour Treatment Plant and consolidating the effluent disposal systems to optimize the effluent disposal systems. The following activities are proposed:

1. Rehabilitate the Assateague Point Lagoon and convert in into a wastewater effluent holding facility
2. Expand the Mystic Harbour Wastewater Treatment Plant by placing treatment unit tank 4 into service (150,000 gpd)
3. Interconnect effluent piping from Mystic Harbour and Landings to allow more disposal options

Location:

Mystic Harbour/West Ocean City/Landings/Assateague Point

Impacts on General Fund Operating, Personnel or Maintenance:

Project will be constructed and operated using Enterprise Funds.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design		100,000						100,000
Land Acquisition								0
Site Work								0
Construction			2,000,000					2,000,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	0	100,000	2,000,000	0	0	0	0	2,100,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds		100,000	2,000,000					2,100,000
General Bonds								0
								0
								0

TOTAL	0	100,000	2,000,000	0	0	0	0	2,100,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Mystic Harbour Wastewater Treatment Expansion & Effluent Disposal System

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 combining the Mystic Harbour, Landings and Assateague Point Service areas for purposes of effluent disposal. The lagoon at Assateague Point will have the lagoon liner, which has outlived its useful life. The liner needs to be replaced and the lagoon will then function as an effluent holding pond.

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 provide needed treatment plant capacity and related effluent disposal by taking most advantage of the available resources.

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 lagoon rehabilitation was taken from a recently completed study of the facility. The cost of the effluent disposal lines was taken from recently opened unit pipe bids. The cost for opening treatment tank 4 was internally estimated.

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 will need to be initiated in the next year to have the capacity available when the current available EDUs are assigned.

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 treatment and effluent disposal capacity. To continue well controlled economic growth in this area, these facilities are required.

Project: Riddle Farm Water Tower Rehabilitation, Painting & Lowering

Dept Head, Title & Phone #: Dallas Baker Jr., PE Director of Public Works
410-632-5632

Project Summary: Painting, Lowering and rehabilitation of the Riddle Farm Water Tower

Purpose: Extend the life of the Riddle Farm Water Tower and to lower the tower and bring it to the same hydraulic elevation as surrounding service areas.

Location: Riddle Farm Service Area

Impacts on General Fund Operating, Personnel or Maintenance: None - Work to be completed under the Enterprise Fund.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design			50,000					50,000
Land Acquisition			550,000					550,000
Site Work								0
Construction								0
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	0	0	600,000	0	0	0	0	600,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds			600,000					600,000
General Bonds								0
								0
								0
TOTAL	0	0	600,000	0	0	0	0	600,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Riddle Farm Water Tower Rehabilitation, Painting & Lowering

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?

Repainting, lowering and miscellaneous improvements to the Riddle Farm Water Tower.

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?

Extending the life of an important water storage tower. Lowering the tower will allow for better compatibility with adjoining service areas.

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?

Cost estimate is derived from recently completed North Water Tower and an estimate from a tower construction contractor.

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?

First time on the CIP

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?

Waiting will increase the deterioration and increase rehabilitation cost

Project: Riddle Farm and Mystic Harbour Effluent Disposal Interconnection

Dept Head, Title & Phone #: Dallas Baker Jr., P.E. Director of Public Works 410-632-5623

Project Summary: An interconnection between the effluent disposal systems in Riddle Farm and Mystic Harbour would benefit both service areas by offering multiple options for effluent disposal.

Purpose: To improve the ability of the treatment plant operators to dispose of treatment plant effluent.

Location: Riddle Farm/Mystic Harbour

Impacts on General Fund Operating, Personnel or Maintenance: None - All work to be done under the Enterprise fund.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design				70,000	80,000			150,000
Land Acquisition					50,000			50,000
Site Work								0
Construction				500,000	1,000,000			1,500,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	0	0	0	570,000	1,130,000	0	0	1,700,000

SOURCES OF FUNDS								
	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds				570,000	1,130,000			1,700,000
General Bonds								0
								0
								0
TOTAL	0	0	0	570,000	1,130,000	0	0	1,700,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Riddle Farm and Mystic Harbour Effluent Disposal Interconnection

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?

The concept for this project would be to interconnect the effluent disposal systems from the Riddle Farm Service Area with the effluent disposal systems serving Mystic Harbour and Landings. By making this interconnection, all plants would have the ability to dispose of effluent from multiple sources - the 36 hole golf courses at Riddle Farm, the 18 holes of golf courses at Eagle's Landing, the injection wells at Mystic Harbour or at Landings, or the spray irrigation system at Assateague Point. With all of these choices, reliable effluent disposal would be available for the foreseeable future.

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?

Reliable effluent disposal systems are key to continued use of the current wastewater treatment systems.

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?

No specific studies have been completed at this time. Estimate was based on measured pipeline lengths and current unit prices.

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?

First time on the CIP.

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?

Growth continues to be reliant on viable effluent disposal.

Project: Solid Waste Cell 1 Pump Station

Dept Head, Title & Phone #: Mike Mitchell, Solid Waste Superintendent, 410-632-3177

Project Summary: Rehabilitation of Cell 1 leachate pump stations (four).

Purpose: Replace existing leachate pumps, piping, valves, appurtenances and controls. Rehabilitate existing pump houses. Four pump stations in total, all equipment is original, installed in 1990.

Location: Central Landfill

Impacts on General Fund Operating, Personnel or Maintenance: None

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	70,000							70,000
Land Acquisition								0
Site Work								0
Construction	550,000							550,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	620,000	0	0	0	0	0	0	620,000
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SOURCES OF FUNDS								
General Fund								0
User Fees	620,000							620,000
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0

TOTAL	620,000	0	0	0	0	0	0	620,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Solid Waste Cell 1 Pump Station

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?

Replace 30 year old pumps, piping, valves, appurtenances, and controls in 4 leachate pump stations. MDE landfill permit only allows 12" of leachate on top of the cell liner. The pumps are needed to remove the leachate from the bottom of the cell 1 and keep leachate levels below the permitted level.

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 benefits by not receiving fines from MDE for violating our permit.

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 based on discussions with the engineering firm contracted to oversee regulatory compliance at the landfill.

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 is a new project that was added for FY23.

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: Solid Waste Administration Scale House Renovation & Addition

Dept Head, Title & Phone #: Mike Mitchell, Solid Waste Superintendent, 410-632-3177

Project Summary: Administration Scale House Renovation and Addition

Purpose: Renovate and add on to the Landfill Administration Office to increase and modernize space to become ADA compliant.

Location: Central Landfill

Impacts on General Fund Operating, Personnel or Maintenance: None

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design		50,000						50,000
Land Acquisition								0
Site Work								0
Construction		350,000	350,000					700,000
Equipment/Furnishings			50,000					50,000
Other								0
EXPENDITURES								

TOTAL	0	400,000	400,000	0	0	0	0	800,000
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SOURCES OF FUNDS								
General Fund								0
User Fees		400,000	400,000					800,000
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0

TOTAL	0	400,000	400,000	0	0	0	0	800,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Solid Waste Administration Scale House Renovation & 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?

Renovate and construct an addition to the existing scale house/administration office at the landfill.

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 project will benefit the landfill administrative employees. The building has not been renovated in over 20 years. It needs updates and additions plus a separation from between landfill employees and administrative employees as well as updating the facilities for ADA compliance.

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 based on proposed scope of work and previous building costs.

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 is a new project that was added for FY23 and FY24.

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 not critical , but it is something that would be good to do if resources are available.

Project: West Ocean City Commercial Harbor

Dept Head, Title & Phone #: Kelly Rados, Director of Recreation & Parks

Project Summary: West Ocean City Commercial Harbor Bulkhead

Purpose: Repair and replacement bulkhead

Location: West Ocean City Commercial Harbor

Impacts on General Fund Operating, Personnel or Maintenance:

Current commercial fishing leases are tied to the site. The failing bulkhead will impact the general fund since there is no grant funding available for operations and maintenance. Waterway grant funding is only available for publicly used areas, not for commercially leased sites.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design						25,000		25,000
Land Acquisition						0		0
Site Work						50,000		50,000
Construction	400,000					1,000,000		1,400,000
Equipment/Furnishings								0
Other						50,000		50,000
EXPENDITURES								
TOTAL	400,000	0	0	0	0	1,125,000	0	1,525,000

SOURCES OF FUNDS								
	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
General Fund						25,000		25,000
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	400,000					1,100,000		1,500,000
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	400,000	0	0	0	0	1,125,000	0	1,525,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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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?

There is 900 feet of deteriorated steel bulkhead at the West Ocean City Commercial Harbor. Steel sheeting, tie backs, etc. are in desperate need of replacement.

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 project will help maintain the future of the commercial harbor and fishing industry. It insures continuation of revenues from leased spaces.

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?

There was \$25,000 of engineering completed in FY2020-2021 general fund budget, completed by Stacey Hart & Associates. Previous estimate of the project was \$1,100,000. Estimate has since increased to \$1,500,000 due to increased material costs.

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?

Project needs to be completed as soon as possible.

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?

Urgent - Pending failure with any future storms possible. There is no grant funding available for "Commercial" operations.

Project: Worcester County Sports Complex

Dept Head, Title & Phone #: Kelly Rados, Director of Recreation & Parks, 410-632-2144 x2502

Project Summary: Multi-Purpose Sports Complex

Purpose: To acquire approximately 100 acres for the development of a sports complex (multi-purpose fields, tournament central with restrooms, parking and concessions) with a conceptual plan for recreation and travel sports in the Northern end of the county. Park amenities would also include walking trails, ponds and a playground. The main purpose for this project is to provide Worcester County residents and guests more recreational programming and event opportunities by providing additional field space.

Location: Northern Worcester County

Impacts on General Fund Operating, Personnel or Maintenance: The project would increase cost in the form of utilities, irrigation cost, field maintenance equipment/supplies and personnel, if not privately managed as intended.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	123,930							123,930
Land Acquisition						2,585,451		2,585,451
Site Work	5,000,000							5,000,000
Construction	7,350,000							7,350,000
Equipment/Furnishings	525,000							525,000
Other								0
EXPENDITURES								

TOTAL	12,998,930	0	0	0	0	2,585,451	0	15,584,381
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds	800,100					1,985,451		2,785,551
State Match								0
State Loan								0
Assigned Funds						600,000		600,000
Private Donation	1,000,000							1,000,000
Enterprise Bonds								0
General Bonds	11,198,830							11,198,830
								0
								0

TOTAL	12,998,930	0	0	0	0	2,585,451	0	15,584,381
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PROJECTED OPERATING IMPACTS	0	0	(146,000)	(155,200)	(166,240)			(467,440)
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Project: Worcester County Sports 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? Is this is mandated by Federal Law?

Design and development of land in the northern section of the county for the construction of a sports complex. The need was identified in the previous survey associated with the LPPRP, and supported by the population proximity analysis.

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?

It increases our capacity to drive "in house" revenue. Enhances capacity to host tournament play, providing an economic benefit for Worcester County businesses. It would offer large benefits by creating more programming opportunity for county citizens in the north.

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?

Cost estimated was provided to us by a design and development company, based on similar projects. Cost of materials continue to increase along with availability.

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?

Unknowns with regard to amounts of future POS funding allocations may cause an adjustment in the time line.

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 most urgent aspect is the availability of supplies and the rising costs of materials associated with development and construction.

Operating Impact Projections

Project: Worcester County Sports Complex
 Department: Recreation & Parks
 Department Head Signature: Kelly Rados

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Job Title & Benefit Costs (List Separately)						0
						0
						0
						0
						0
						0
						0
						0

EXPENDITURES

New Positions Salary & Benefits TOTAL	0	0	0	0	0	0
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General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Operating Expenses						
Utilities						0
Telephone						0
Custodial						0
Cleaning						0
Maintenance Repairs						0
Refuse						0
Fire/Security Alarm						0
Internet						0
Vehicle Expense						0
Other						0
						0
						0

EXPENDITURES

Operating TOTAL	0	0	0	0	0	0
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Project: Worcester County Sports Complex

General Fund Project Expenses	FY 23	FY 24	FY 25	FY 26	FY 27	Total Operating Cost
Capital Expenses						
Furnishings						0
Equipment						0
						0
						0
						0
						0
						0
						0
						0
EXPENDITURES						
Capital TOTAL	0	0	0	0	0	0

Projected Revenue Impact	FY 23	FY 24	FY 25	FY 26	FY 27	Revenue Total
Tournaments			100,000	100,000	100,000	300,000
Concessions			40,000	48,000	57,600	145,600
Rentals - Fields			6,000	7,200	8,640	21,840
						0
						0
						0
						0
						0
Revenues						
Project Revenue TOTAL	0	0	146,000	155,200	166,240	467,440

PROJECTED OPERATING IMPACTS	0	0	(146,000)	(155,200)	(166,240)	(467,440)
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Project: Worcester County Sports Complex

Complete the following questions.

Operating Impacts

Employee positions.

Does the project increase or reduce the number of employees needed? How many positions would be affected? Are the positions full-time, part-time, contractual, grant-funded, enterprise funded? What is the projected cost (savings) of the employees? Are there benefit costs for additional full-time or part-time employees? Benefit cost should be calculated by using the full time 46.39% or for part time 21.43%.

Unless the complex was contracted out and maintained by a private entity, there would be an increase in manpower needs. Additional season part-time staff members, full-time maintenance and a full-time special event coordinator would be needed.

Utility costs.

Does the project increase or reduce utility costs? Utilities may include electricity, oil, gas, telephone, water or sewer costs.

Utility cost, specifically electricity and water and sewer will increase as a result of irrigation, restroom facilities, concessions and equipment storage.

Maintenance costs.

Does the project increase or reduce internal maintenance costs or maintenance agreements with outside vendors? Some costs to consider are custodial services, ball field maintenance, road maintenance and general preventative maintenance.

Sports field maintenance cost will increase, as will the cost associate with restroom and concession operations and upkeep.

Insurance costs.

Does the project increase insurance costs? You should consider liability, property and vehicle insurance. Additional risk insurance should be calculated using the building or addition cost times \$0.002.

Yes.

Telecommunications.

Consider the potential need of telephones, copiers, and computers and hardware. List them below.

WiFi would be needed at the facility.

Furniture, equipment or capital outlay.

Does the project increase or reduce the need for furniture and equipment or other capital outlay items? Is the increase or savings on-going or one-time?

Project: Ocean City Inlet and Harbor Navigation Improvement Project

Dept Head, Title & Phone #: Robert Mitchell, Director, Dept. of Env. Programs 410-632-1220

Project Summary: Building a structure to alter patterns for sediment deposit, deepening the channel and realigning the channel to deeper water.

Purpose: This is a project to provide a long-term solution to manage the shoaling in the Ocean City Inlet and provide for the safety of vessels using that waterway.

Location: Ocean City Inlet, Ocean City, Maryland

Impacts on General Fund Operating, Personnel or Maintenance:

The project will have a slight impact on the General Fund to provide the local contributions needed to provide the 10% local match that Maryland DNR cannot cover.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	189,000	189,000						378,000
Land Acquisition								0
Site Work								0
Construction	400,000	9,622,000						10,022,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	589,000	9,811,000	0	0	0	0	0	10,400,000

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds		9,622,000						9,622,000
State Match		189,000						189,000
State Loan								0
Assigned Funds	589,000							589,000
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0
TOTAL	589,000	9,811,000	0	0	0	0	0	10,400,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Ocean City Inlet and Harbor Navigation Improvement Project

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 scope and the solutions were determined after design and modeling done by the US Army Corps of Engineers. Authority for Army Corps Navigation improvement projects are authorized by Section 107 of the Federal River and Harbor Act of 1960. The Corps utilized extensive local interviews and information in the design and modeling done for this project's proposed construction solutions.

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 is a navigational improvement project designed to improve safety and provide a long term solution to the shoaling in the Ocean City Inlet. Section 107 projects are formulated for commercial navigation. Economic justification for projects based on analysis of operating costs for commercial vessels. Benefits of navigation improvements must outweigh costs (benefit to cost ratio) to proceed. They do in this case as was presented to the County in a Corps Open House meeting on the project held in Worcester County on 8-17-21.

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? We would note that the Corps included 39% figure for contingencies in their project estimate, as stated in the August 2021 presentation.

Estimate was completed as a part of the ongoing design and modeling required for projects of this type. The design and modeling report considered storm effects and different design options. Engineers estimate is between \$8.4 to \$10.4 million to complete the project. The concerns really are with the local input, the amount that MD DNR can contribute to the 10% local input required. The 400,000 bond estimate was if the project went to the higher estimate figure and Worcester has to fund the local contribution by ourselves.

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 pledged \$300,000 by the County and \$300,000 by MDE/DNR to provide the initial local contribution needed to get this very important project through design and modeling stage to construction.

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 shoaling in the Ocean City Inlet is getting worse with each passing year and is a danger to vessels operating in the channel. A long term solution is desperately needed now. Federal by pass funding for the the Assateague Island Restoration Project will cease in 2027. After that time we will be dependent on maintenance and emergency funds to clean the inlet. This Section 107 project is the only way to complete a long term solution for the area.

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 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation (FY20-21-22)	Balance to Complete	Total Project Cost
Engineering/Design	65,769					544,231		610,000
Land Acquisition								0
Site Work	492,887					492,887		985,774
Construction	4,825,600					6,007,486		10,833,086
Equipment/Furnishings	489,630					1,047,749		1,537,379
Other (Construction Manager)	647,222					638,778		1,286,000
EXPENDITURES								
TOTAL	6,521,108	0	0	0	0	8,731,131	0	15,252,239

SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match						4,814,000		4,814,000
State Loan								0
Assigned Funds						414,055		414,055
Private Donation								0
Enterprise Bonds								0
General Bonds	6,521,108					3,503,076		10,024,184
								0
								0
TOTAL	6,521,108	0	0	0	0	8,731,131	0	15,252,239

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 to 730 students. The design process has developed a 25,000 square foot addition.

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?

Construction bids for the project were received in June 2021. Bids were approved by the Worcester County Board of Education in September 2021 and by the Worcester County Commissioners on October 5, 2021.

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 funding for the Stephen Decatur Middle School Addition project determines the start of the Snow Hill Middle/Cedar Chapel Special School roof replacement project. The State of Maryland Interagency Commission on School Construction approved \$4,814,000 state funding for the SDMS Addition project in the FY 2022 Capital Improvement Program.

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 686 students to 730 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 Special 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 roofs continue to deteriorate and the Maintenance Department must address alligating, blistering, exposed felt and expansion joint and counter flashing concerns.

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	103,000							103,000
Land Acquisition								0
Site Work								0
Construction		3,826,000						3,826,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	103,000	3,826,000	0	0	0	0	0	3,929,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match		1,822,000						1,822,000
State Loan								0
Assigned Funds	103,000							103,000
Private Donation								0
Enterprise Bonds								0
General Bonds		2,004,000						2,004,000
								0
								0

TOTAL	103,000	3,826,000	0	0	0	0	0	3,929,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Snow Hill Middle/Cedar Chapel Special 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 Pocomoke Middle School Roof Replacement project (bid in December 2020) 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. A Feasibility Study will be executed in summer/fall 2022 to investigate construction options including renovation/addition or 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 feet 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 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete (FY28 - 29)	Total Project Cost
Engineering/Design	380,373	1,224,523	1,457,969	163,754	300,330	0	398,695	3,925,644
Land Acquisition								0
Site Work								0
Construction					20,217,068	0	33,695,113	53,912,181
Equipment/Furnishings				19,600	1,013,380	0	2,722,007	3,754,987
Other (Construction Manager)				520,597	1,709,850	0	2,742,036	4,972,483

EXPENDITURES

TOTAL	380,373	1,224,523	1,457,969	703,951	23,240,628	0	39,557,851	66,565,295
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SOURCES OF FUNDS

General Fund								0
User Fees								0
Grant Funds								0
State Match					5,573,000		5,573,000	11,146,000
State Loan								0
Assigned Funds	380,373							380,373
Private Donation								0
Enterprise Bonds								0
General Bonds		1,224,523	1,457,969	703,951	17,667,628		33,984,851	55,038,922
								0
								0

TOTAL	380,373	1,224,523	1,457,969	703,951	23,240,628	0	39,557,851	66,565,295
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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, scheduled for summer/fall 2022. 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 43-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 twenty 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 43-year-old facility with aging structural/mechanical/electrical systems and five portable classrooms 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 roof 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 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design			107,000					107,000
Land Acquisition								0
Site Work								0
Construction				1,933,000				1,933,000
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	0	0	107,000	1,933,000	0	0	0	2,040,000
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match				921,000				921,000
State Loan								0
Assigned Funds			107,000					107,000
Private Donation								0
Enterprise Bonds								0
General Bonds				1,012,000				1,012,000
								0
								0

TOTAL	0	0	107,000	1,933,000	0	0	0	2,040,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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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 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 Pocomoke Middle School Roof Replacement (bid in December 2020) 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: Snow Hill Elementary Replacement School

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer, Board of Education, 410 632-5063

Project Summary: Snow Hill Elementary Replacement School

Purpose:

Demolish existing school and construct replacement school. A Feasibility Study will be executed in summer/fall 2025 to investigate construction options including renovation/addition or replacement school.

Location: 515 Coulbourne Lane, Snow Hill, MD, 21863

Impacts on General Fund Operating, Personnel or Maintenance:

The Snow Hill Elementary Replacement School will provide more square footage than the existing 40,500 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 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete (FY 28-32)	Total Project Cost
Engineering/Design				337,244	970,996	0	1,866,123	3,174,363
Land Acquisition								0
Site Work								0
Construction						0	43,525,919	43,525,919
Equipment/Furnishings						0	3,207,676	3,207,676
Other (Construction Manager)						0	4,014,526	4,014,526
EXPENDITURES								

TOTAL	0	0	0	337,244	970,996	0	52,614,244	53,922,484
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SOURCES OF FUNDS								
General Fund				337,244	970,996	0	1,755,752	3,063,992
User Fees								0
Grant Funds								0
State Match							12,537,000	12,537,000
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds							38,321,492	38,321,492
								0
								0

TOTAL	0	0	0	337,244	970,996	0	52,614,244	53,922,484
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Snow Hill 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 Snow Hill Elementary School project will begin with a Feasibility Study, scheduled for summer/fall 2025. 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 Snow Hill Elementary parents and community with a complete upgrade to the existing 42-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 twenty 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 Snow Hill 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?

Snow Hill Elementary is a 42-year-old facility with aging structural/mechanical/electrical systems and five portable classrooms utilized for instructional space. Maintenance and repair costs will only increase as the building systems continue to age.

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:

Construct a new applied technology building and roadway/parking infrastructure.

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:

	FY 23	FY 24	FY 25	FY 26	FY 27	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design						145,784		145,784
Land Acquisition								0
Site Work								0
Construction	191,672					2,196,188		2,387,860
Equipment/Furnishings	225,105							225,105
Other								0
EXPENDITURES								

TOTAL	416,777	0	0	0	0	2,341,972	0	2,758,749
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds	416,777					2,341,972		2,758,749
Private Donation								0
Enterprise Bonds								0
General Bonds								0
								0
								0

TOTAL	416,777	0	0	0	0	2,341,972	0	2,758,749
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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 is 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 expanded 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 Road 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 Road. 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

Project: Wor-Wic Applied Technology Building

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. Construction bids were due to Whiting-Turner in late June 2021, and the bids came in over budget. The college is requesting an additional \$2,000,753 in FY '23 from the State, \$475,245 from Wicomico County and \$191,672 from Worcester County to fund the construction overage. Unfortunately, the construction industry has experienced a sharp rise in the price of common construction materials due to labor shortages, supply chain disruptions and the hoarding of materials.

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:

Construct a new 40,000 GSF Learning Commons building to the east of the Hazel Center, and in the location of a portion of our existing South 1 parking lot.

Purpose:

Wor-Wic is proposing to build a new building to assist the college with meeting its strategic goals to provide students with educational experiences and support services that help them achieve their goals through college completion and workforce preparation.

Location:

Wor-Wic Community College, 32000 Campus Drive, Salisbury, MD 21804

Impacts on General Fund Operating, Personnel or Maintenance:

NA

	FY 23	FY 24	FY 25	FY 26	FY 27	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	150,885	2,471,640	107,775	0	0	2,730,300
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds			150,885					150,885
Private Donation								0
Enterprise Bonds								0
General Bonds				2,471,640	107,775			2,579,415
								0
								0

TOTAL	0	0	150,885	2,471,640	107,775	0	0	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 mandated by Federal Law?

The college proposes to build a 40,000 GSF learning commons on the college campus. The learning commons will be located to the east of the Hazel Center, and in the location of a portion of our existing South I parking lot.

This building is a major shift for the College, proposing to consolidate library services to more of a hub strategy. It is envisioned as a true learning center serving to supplement the learning experience of classrooms and labs, and encouraging group study and collaboration. The new building would include a resource center and office space for library services staff, centralizing the existing resource centers by relocating the largest center on campus from Brunkhorst Hall and eliminating the smaller centers in other buildings. Tutoring services, TRIO support services (laboratory and office space), Veterans services (laboratory, lounge and offices), the testing center, mathematics laboratory, reading and writing center service, and offices for student services staff whose job responsibilities include student development and success will relocate from Brunkhorst Hall to this proposed building. Moving functions from Brunkhorst allows the students to interact with students from other majors, frees up space in Brunkhorst Hall on the 2nd and 3rd floors to create additional faculty offices, converts some spaces back to laboratories and classrooms, and relocates some of the business office functions, HR, marketing and development from the Brunkhorst Hall first floor to enlarge and create a "one stop" student services admissions/registration office in that first floor space. The counseling and disability services office suite with an assistive technology lab/testing site will move from the first floor of the Maner Technology Center, and a computer laboratory will move from Fulton-Owen Hall. The proposed new building will also include large study spaces and group study rooms.

Additional parking will need to be considered before the start of, or as part of the learning commons project since the building will reside on part of our existing South I parking lot.

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 and is based on the estimate provided to build the applied technology building. 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. Classrooms and labs in existing buildings have been converted to resource centers, tutoring rooms, the advising center, TRIO support services, Veterans services, etc. over the years. This new building will enable the college to centralize student support services and convert existing space back to classrooms and labs, and create additional employee offices.



OFFICE OF THE
 COUNTY COMMISSIONERS

Worcester County

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

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

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

November 29, 2021

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

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (22), which have current or upcoming vacancies (46 total). The annual report for each board is also included. I have circled the members whose terms have expired or will expire on each of these boards.

President Mitrecic - You have **Five (5)** positions open:

- Ashley Harrison – Term Ending – Dec. 21- Economic Development Advisory Board
- Michael Patchett – Resigned – Board of Electrical Examiners
- Jake Mitrecic – Term Ending – Dec. 21- Housing Review Board
- Marie Campione-Lawrence (**Resigned**) - Replacement to the Social Services Advisory Board
- Lauren Taylor - Term Ending – Dec. 21 – Tourism Advisory Committee

Vice President Elder – You have **Four (4)** position needed:

- Robert Clarke – Term Ending – Dec. 21- Economic Development Advisory Board
- Michael Day – Term Ended - Tourism Advisory Committee
- Devin Bataille – Has moved from the area – Recreation Advisory Board
- Thomas Babcock – Term Ending -Dec. 21 – Board of Zoning Appeals

Commissioner Bertino – You have **Five (5)** positions needed:

- Cathy Gallagher – Term Ended - Social Services Advisory Board
- Josh Davis – Term Ending – Dec. 21 – Tourism Advisory Committee
- Bob Poremski (**Resigned**) - replacement to the Water & Sewer Advisory Council, Ocean Pines
- Gregory Sauter – Term Ending-Dec. 21- Water & Sewer Advisory Council, Ocean Pines
- John Collins, Jr. - Term Ending-Dec. 21- Water & Sewer Advisory Council, Ocean Pines

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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Commissioner Bunting – You have Nine (9) position needed:

- Kathy Drew - Term Ending – Dec. 21 – Agricultural Preservation Advisory Board
- Mike Poole – Term Ending – Dec. 21, Building Code Appeals Board
- Robert Fisher – Term Ending – Dec. 21- Economic Development Advisory Board
- Steve Kolarik – Term Ending – Dec. 21- Board of Electrical Examiners
- David Deutsch - Term Ending – Dec. 21- Ethics Board
- Richard Wells – Term Ending- Dec. 21- Planning Commission
- Chris Klebe – Resigned – Recreation Advisory Board
- Harry Hammond – Term Ended June 30, 2021 – Social Services Advisory Board
- Robert Purcell - -- Term Ending -Dec. 21 – Board of Zoning Appeals

Commissioner Nordstrom - You have Three (3) position needed:

- Glen Holland – Term Ending – Dec. 21 – Agricultural Preservation Advisory Board
- Mark Frostrom – Term Ending – Dec. 21 - LMB
- Sharon Dryden - Term Ended June 30, 2021 – Social Services Advisory Board

Commissioner Church – You have Nine (9) position open:

- Duane Duncan - Term Ending – Dec. 21- Board of Electrical Examiners
- Bruce Spangler - Term Ending – Dec. 21- Ethics Board
- Norman Bunting – Term Ending – Dec. 21 – Recreation Advisory Board
- Martin Kwesko – Term Ending – Dec. 21-Water & Sewer Advisory Council, Mystic Harbour
- Richard Jendrek – passed – Water & Sewer Advisory Council, Mystic Harbour
- Bruce Burns -passed - Water & Sewer Advisory Council, Mystic Harbour
- Todd Ferrante – Term Ending-Dec. 21- Water & Sewer Advisory Council, West Ocean City
- Keith Swanton - Term Ending-Dec. 21- Water & Sewer Advisory Council, West Ocean City
- Elizabeth Rodier - Term Ending-Dec. 21- Commission for Women- Not a Reappointment

Commissioner Purnell – You have One (1) position open:

- Vaughn White – Term Ending – Dec. 21 – Solid Waste Advisory Board

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All Commissioners:

- **(3) – Adult Public Guardianship Board-** (2) Terms Ending, (1) Vacancy - Psychiatrist
- **(1) -Drug and Alcohol Abuse Council - 1 Position** - (Passing of Dr. Cragway, Jr., also Knowledgeable of Substance Abuse Treatment), Mr. Orris hopes to have recommendations for The Commissioners later this year, however, if the Commissioners have someone they'd like to appoint, please advise.
- **(2) – Board of Library Trustees** – Nancy Howard – Term Ending – Dec. 21- Able to Serve another term. Leslie Mulligan – resigned (Snow Hill)
- **(4) - At Large position on Local Development Council For the Ocean Downs Casino-**4 yr. Mark Wittmyer (Business – Ocean Pines) Terms Ending – Dec. 21 for (3) – Gee Williams (Church), Bob Gilmore (Bertino), David Massey (At-Large- Business O.P.)
- **(3) - Water and Sewer Advisory Council** – (1) Resigned (Bob Poremski), (2) Term Endings Dec. 21.- Gregory Sauter and John Collins
- **(3) - Water and Sewer Advisory Council** – Mystic Harbour (Passing of Richard Jendrek and Bruce Burns) (1) – Term Ending-Dec. 21- Martin Kwesko
- **(2) - Water and Sewer Advisory Council-** West Ocean City – (2) Term Endings – Dec. 21 – Todd Ferrante and Keith Swanton
- **(1) – Commission for Women** –Elizabeth Rodier, (Church) does not choose to be reappointed.

Pending Board Appointments - By Commissioner

District 1 - Nordstrom p. 8 - Agricultural Preservation Board - Glen Holland
 p. 15 - LMB - Mark Frostrom
 p. 21 - Social Services - Sharon Dryden

District 2 - Purnell

p. 23 - Solid Waste Advisory Board - Vaughn White

District 3 - Church

p. 12 - Electrical Examiners - Duane Duncan
 p. 13 - Ethics Board - Bruce Spangler
 p. 20 - Recreation Advisory Board - Norman Bunting
 p. 25 - Water & Sewer - Mystic Harbour - Martin Kwesko
 p. 25 - Water & Sewer - Mystic Harbour - Richard Jendrek
 p. 25 - Water & Sewer - Mystic Harbour - Bruce Burns
 p. 27 - Water and Sewer Advisory Council- West Ocean City- Todd Ferrante.
 p. 27 - Water and Sewer Advisory Board -West Ocean City - Keith Swanton
 p. 28 - Commission for Women - Elizabeth Rodier

District 4 - Elder

p. 11 - Economic Development – Robert Clarke
 p. 20 - Recreation Advisory Board – Devin Bataille
 p. 24 - Tourism Advisory Committee – Michael Day
 p. 30 - Board of Zoning Appeals – Thomas Babcock

District 5 - Bertino

p. 21 - Social Services Advisory Board – Cathy Gallagher
 p. 24 - Tourism Advisory Board – Josh Davis
 p. 26 - Water & Sewer Advisor Board Ocean Pines -- Bob Poremski
 p. 26 - Water & Sewer Advisor Board Ocean Pines – Gregory Sauter
 p. 26 - Water & Sewer Advisor Board Ocean Pines -- John Collins, Jr.

District 6 - Bunting

p. 8 - Agricultural Preservation Advisory Board -- Kathy Drew
 p. 9 - Building Code Appeals Board – Mike Poole
 p. 11 - Economic Development Advisory Board – Robert Fisher
 p. 12 - Board of Electrical examiners – Steve Kolarik
 p. 13 - Ethics Board – David Deutsch
 p. 19 - Planning Commission – Richard Wells
 p. 20 - Recreation Advisory Board – Chris Klebe
 p. 21 - Social Services Advisory Board – Harry Hammond
 p. 30 - Board of Zoning Appeals – Robert Purcell

District 7 - Mitrecic

p. 11 - Economic Development Board – Ashley Harrison
 p. 12 - Electrical Examiners – Michael Patchett
 p. 14 - Housing Review Board – Jake Mitrecic
 p. 21 - Social Services Advisory Board – Maire Campione Lawrence
 p. 24 - Tourism Advisory Board – Lauren Taylor

All Commissioners

p. 6 (3) – Adult Public Guardianship Board- (2) Terms Ending, (1) Vacancy - Psychiatrist

p. 10 (1) -Drug and Alcohol Abuse Council - 1 Position - (Passing of Dr. Cragway, Jr., also Knowledgeable of Substance Abuse Treatment), Mr. Orris hopes to have recommendations for The Commissioners later this year, however, if the Commissioners have someone they'd like to appoint, please advise.

p. 16 (2) – Board of Library Trustees – Nancy Howard – Term Ending (**Reappoint**) – Dec. 21; Leslie Mulligan - resigned

p. 18 (4) - At Large position on Local Development Council For the Ocean Downs Casino-4 yr. Mark Wittmyer (Business – Ocean Pines) Terms Ending – Dec. 21 for (3) – Gee Williams (Church), Bob Gilmore (Bertino), David Massey (At-Large- Business O.P.)

p. 25 (3) - Water and Sewer Advisory Council – Mystic Harbour (Passing of Richard Jendrek and Bruce Burns) (1) – Term Ending-Dec. 21- Martin Kwesko

p. 26 (3) - Water and Sewer Advisory Council, Ocean Pines – (1) Resigned (Bob Poremski), (2) Term Endings Dec. 21.- Gregory Sauter and John Collins

p. 27 (2) - Water and Sewer Advisory Council- West Ocean City – (2) Term Endings – Dec. 21 – Todd Ferrante and Keith Swanton

p. 28 (1) – Commission for Women – Elizabeth Rodier (Church) does not choose to be reappointed.

ADULT PUBLIC GUARDIANSHIP BOARD

Reference: PGL Family Law 14-402, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory
 Perform 6-month reviews of all guardianships held by a public agency.
 Recommend that the guardianship be continued, modified or terminated.

Number/Term: 1 1/3 year terms
 Terms expire December 31st

Compensation: None, travel expenses (under Standard State Travel Regulations)

Meetings: Semi-annually

Special Provisions: 1 member must be a professional representative of the local department
 1 member must be a physician
 1 member must be a psychiatrist from the local department of health
 1 member must be a representative of a local commission on aging
 1 member must be a representative of a local nonprofit social services organization
 1 member must be a lawyer
 2 members must be lay individuals
 1 member must be a public health nurse
 1 member must be a professional in the field of disabilities
 1 member must be a person with a physical disability

Staff Contact: Department of Social Services - Roberta Baldwin (410-677-6872)

Current Members:

<u>Member's Name</u>	<u>Representing</u>	<u>Years of Term(s)</u>
Roberta Baldwin	Local Dept. Rep. - Social Services	03-06-09-12-15-18, 18-21 <i>ReAppoint</i>
Melissa Banks	Public Health Nurse	*02-03-06-09-12-15-18, 18-21
Dr. Kenneth Widra	Psychiatrist	18-21 <i>vacant</i>
Dr. William Greer	Physician	07-10-13-16-19, 19-22
Richard Collins	Lawyer	95-98-01-04-07-10-13-16-19-22
Nancy Howard	Lay Person	*17-19, 19-22
Connie Wessels	Lay Person	*15-16-19, 19-22
Brandy Trader	Non-profit Soc. Service Rep.	*15-17, 17-20, 20-23
LuAnn Siler	Commission on Aging Rep.	17-20, 20-23
Jack Ferry	Professional in field of disabilities	*14-14-17-20, 20-23
Thomas Donoway	Person with physical disability	17-20, 20-23

* = Appointed to fill an unexpired term

ADULT PUBLIC GUARDIANSHIP BOARD
(Continued)

Prior Members:

Dr. Donald Harting
Maude Love
Thomas Wall
Dr. Dorothy Holzworth
B. Randall Coates
Kevin Douglas
Sheldon Chandler
Martha Duncan
Dr. Francis Townsend
Luther Schultz
Mark Bainum
Thomas Mulligan
Dr. Paul Flory
Barbara Duerr
Craig Horseman
Faye Thornes
Mary Leister
Joyce Bell
Randolph Barr
Elsie Briddell
John Sauer
Dr. Timothy Bainum
Ernestine Bailey
Terri Selby (92-95)
Pauline Robbins (92-95)
Darryl Hagey
Dr. Ritchie Shoemaker (92-95)
Barry Johansson (93-96)

Since 1972

Albert Straw (91-97)
Nate Pearson (95-98)
Dr. William Greer, III (95-98)
Rev. Arthur L. George (95-99)
Irvin Greene (96-99)
Mary Leister (93-99)
Otho Aydelotte, Jr. (93-99)
Shirley D'Aprix (98-00)
Theresa Bruner (91-02)
Tony Devereaux (93-02)
Dr. William Krone (98-02)
David Hatfield (99-03)
Dr. Kimberly Richardson (02-03)
Ina Hiller (91-03)
Dr. David Pytlewski (91-06)
Jerry Halter (99-06)
Dr. Glenn Arzadon (04-07)
Madeline Waters (99-08)
Mimi Peuser (03-08)
Dr. Gergana Dimitrova (07-08)
Carolyn Cordial (08-13)
June Walker (02-13)
Bruce Broman (00-14)
Lori Carson (13-14)
Pattie Tingle (15-16)
The Rev. Guy H. Butler (99-17)
Debbie Ritter (07-17)
Dean Perdue (08-17)
Dr. Dia Arpon *(10-18)

* = Appointed to fill an unexpired term

AGRICULTURAL PRESERVATION ADVISORY BOARD

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

Appointed by: County Commissioners

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

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

Compensation: \$100 per meeting (policy)

Meetings: As Needed

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

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

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

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Terms (Year)</u>
Glen Holland (O-O)	Nordstrom	D-1, Pocomoke	13-17, 17-21
Kathy Drew	Bunting	D-6, Bishopville	** 06-09-13-17, 17-21
Ed Phillips (O-O)	Elder	D-4, Whaleyville	05-10-14-18, 18-22
Alan Hudson (O-O)	Elder	D-4, Berlin	14-18, 18-22
Billy Thompson (O-O)	Purnell	D-2, Berlin	19 -23
Curt Lambertson	Elder	D-4, Snow Hill	15-19, 19-23
Kelley Gravenor	Elder	D-4, Snow Hill	*14-16-20, 20-24

Prior Members:

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

* = Appointed to fill an unexpired term
 ** = Appointed to partial term to create proper staggering of terms
 ***=Membership expanded from 5 to 7 members and terms reduced from 5 to 4-years each in 2006

BUILDING CODE APPEALS BOARD

Reference: PGL - Public Safety Article - Section 12-501 - 12-508 - Annotated Code of Maryland
 COMAR 05.02.07 (Maryland Building Performance Standards)
 - International Building Code, International Residential Code

Appointed by: County Commissioners

Function: Quasi-Judicial
 Hear and decide upon appeals of the provisions of the International Building Code (IBC) and International Residential Code for one- and two-family dwellings (IRC)

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

Compensation: \$100 per meeting (by policy)

Meetings: As Needed

Special Provisions: Members shall be qualified by reason of experience, training or formal education in building construction or the construction trades.

Staff Contact: Edward A. Tudor, Director
 Development Review & Permitting (410-632-1200, ext. 1100)

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	17-21
Mark Bargar	D-4 - Elder	Berlin	14-18, 18-22
Jim Wilson	D-3 - Church	Berlin	02-06-10-14-18, 18-22
Elbert Davis	D-2 - Purnell	Snow Hill	*03-03-07-11-15-19, 19-23
Bill Paul	D-7 - Mitrecic	Ocean Pines	15-19, 19-23
Kevin Holland	D-1 - Nordstrom	Pocomoke	96-04-08-12-16-20, 20-24
James Spicknall	D-5 - Bertino	Ocean Pines	04-08-12-16-20, 20-24

Term Ending

Prior Members:

- Robert L. Cowger, Jr. (92-95)
- Charlotte Henry (92-97)
- Robert Purcell (92-98)
- Edward DeShields (92-03)
- Sumei Prete (97-04)
- Shane C. Spain (03-14)
- Dominic Brunori (92-15)
- Richard P. Mueller (98-17)

* = Appointed to fill an unexpired term

Reference: PGL Health-General, Section 8-1001

Appointed by: County Commissioners

Functions: Advisory
Develop and implement a plan for meeting the needs of the general public and the criminal justice system for alcohol and drug abuse evaluation, prevention and treatment services.

Number/Term: At least 18 - At least 7 At-Large, and 11 ex-officio (also several non-voting members)
~~At-Large members serve 4-year terms; Terms expire December 31~~

Compensation: None

Meetings: As Necessary

Special Provisions: Former Alcohol and Other Drugs Task Force was converted to Drug and Alcohol Abuse Council on October 5, 2004.

Staff Contact: Jack Orris, Council Secretary, Health Department (410-632-1100, ext. 1038)
Doug Dods, Council Chair, Sheriff's Office (410-632-1111)

Current Members:

<u>Name</u>	<u>Representing</u>	<u>Years of Term(s)</u>
<u>At-Large Members</u>		
Eric Gray (Christina Purcell)	Substance Abuse Treatment Provider	*15-18, 18-22
Sue Abell-Rodden	Recipient of Addictions Treatment Services	10-14-18, 18-22
Colonel Doug Dods	Knowledgeable on Substance Abuse Issues	04-10 (advisory), 10-14-18, 18-22
Jim Freeman, Jr.	Knowledgeable on Substance Abuse Issues	04-11-15, 15-19, 19-23
Jennifer LaMade	Knowledgeable on Substance Abuse Issues	*12-15, 15-19, 19-23
Mimi Dean	Substance Abuse Prevention Provider	*18-19, 19-23
Kim Moses	Knowledgeable on Substance Abuse Issues	08-12-16-20, 20-24
Dr. Roy W. Cragway, Jr.	Knowledgeable on Substance Abuse Issues	*17-20, 20-24 <i>Deceased</i>
Rev. James Jones	Knowledge of Substance Abuse Issues	*21-25
Tina Simmons	Knowledge of Substance Abuse Treatment	21-25

Ex-Officio Members

Rebecca Jones	Health Officer	Ex-Officio, Indefinite
Roberta Baldwin	Social Services Director	Ex-Officio, Indefinite
Spencer Lee Tracy, Jr.	Juvenile Services, Regional Director	Ex-Officio, Indefinite
Trudy Brown	Parole & Probation, Regional Director	Ex-Officio, Indefinite
Kris Heiser	State's Attorney	Ex-Officio, Indefinite
Burton Anderson	District Public Defender	Ex-Officio, Indefinite
Sheriff Matt Crisafulli	County Sheriff	Ex-Officio, Indefinite
William Gordy (Eloise Henry Gordy)	Board of Education President	Ex-Officio, Indefinite
Diana Purnell	County Commissioners	Ex-Officio, Indefinite
Judge Brian Shockley (Jen Bauman)	Circuit Court Administrative Judge	Ex-Officio, Indefinite
Judge Gerald Purnell (Tracy Simpson)	District Court Administrative Judge	Ex-Officio, Indefinite

* Appointed to a partial term for proper staggering, or to fill a vacant term

ECONOMIC DEVELOPMENT ADVISORY BOARD ITEM 23

Reference: County Commissioners' Resolutions of March 1976, 4/16/85, 9/16/97, 5/4/99 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory
 Provide the County with advice and suggestions concerning the economic development needs of the County; review applications for financing; review Comprehensive Development Plan and Zoning Maps to recommend to Planning Commission appropriate areas for industrial development; review/comment on major economic development projects.

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

Compensation: \$100 per meeting as expense allowance

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner
 Members may be reappointed

Staff Contact: Economic Development Department - Melanie Pursel (410-632-3110)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Term(s)</u>
Robert Clarke	D-4, Elder	Snow Hill	*08-09-13-17, 17-21
Robert Fisher	D-6, Bunting	Snow Hill	87-92-97-01-05-09-13-17, 17-21
Ashley Harrison	D-7, Mitrecic	Ocean City	19-21
Steven Habeger	D-5, Bertino	Ocean Pines	19-23
Natoshia Collick Owens	D-2, Purnell	Ocean Pines	*15-19, 19-23
Joe Schanno	D-3, Church	West Ocean City	*19-20, 20-24
Marc Scher	D-1, Nordstrom	Pocomoke	*19-20, 20-24

Term Ending

Prior Members: Since 1972

George Gering	Mary Humphreys	Michael Avara (99-03)
Margaret Quillin	Theodore Brueckman	Annette Cropper (00-04)
Robert W. Todd	Shirley Pilchard	Billie Laws (91-08)
Charles Fulton	W. Leonard Brown	Anne Taylor (95-08)
E. Thomas Northam	Charles Nichols (92-97)	Mary Mackin (04-08)
Charles Bailey	Jeff Robbins (97-98)	Thomas W. Davis, Sr. (99-09)
Terry Blades	Colleen Smith (94-98)	Mickey Ashby (00-12)
Roy Davenport	Tommy Fitzpatrick (97-99)	Priscilla Pennington-Zytkowicz (09-14)
M. Bruce Matthews	John Rogers (92-98)	Barbara Purnell (08-15)
Barbara Tull	Jennifer Lynch (98-99)	Timothy Collins (03-15)
Tawney Krauss	Don Hastings (92-99)	Joshua Nordstrom (12-16)
Dr. Francis Ruffo	Jerry Redden (92-00)	William Sparrow (16-18)
William Smith	Keith Mason (98-00)	Greg Shockley (14-18)
Saunders Marshall	Bob Pusey (99-00)	Tom Terry (15-19)
Elsie Marshall	Harold Scrimgeour (00-02)	John Glorioso (08-19)
Halcolm Bailey	Scott Savage (98-03)	Ralph Shockley (*08-21)
Norman Cathell	Gabriel Purnell (91-03)	

* = Appointed to fill an unexpired term

BOARD OF ELECTRICAL EXAMINERS

Reference: Public Local Law BR §2-203

Appointed by: County Commissioners

Function: Regulatory
Regulate licensing of electricians in Worcester County.

Number/Term: 7/3 years
Terms expire December 31st

Compensation: \$100 meeting for expenses (as determined by County Commissioners)

Meetings: As Needed (1 per month)

Special Provisions: 1 must be electrical contractor in Worcester County for 5-years prior.
1 must be electrician in Worcester County.
All must be residents of Worcester County.

Staff Contact: Department of Development Review & Permitting
Deborah Mooney - Isle of Wight (Ph. 410-352-3057)

Current Members:

Member's Name	Nominated By	Resides	Years of Term(s)	
Steve Kolarik (EG-5)	D-6, Bunting	Bishopville	12-15, 15-18, 18-21	Term Ending
Duane Duncan (ME-5)	D-3, Church	Berlin	*05-12-15-18, 18-21	
Roy M. Case (ME)	D-2, Purnell	Berlin	10-13-16-19, 19-22	
Carl Smith (ME-5)	D-4, Elder	Snow Hill	98-10-13-16-19, 19-22	
J.T. Novak (ME-5)	D-5, Bertino	Ocean Pines	07-10-13-16-19, 19-22	
Michael Patchett (ME-5)	D-7, Mitrecic	West Ocean City	08-11-14-17-20, 20-23	Resigned
Kenneth Lambertson (ME-5)	D-1, Nordstrom	Pocomoke	96-11-14-17-20, 20-23	

(Key: ME-5 = Master Electrician at least 5-years; ME = Master Electrician; EL = Electrician Limited; EG = Electrician General)

Prior Members: (Since 1972)

Harrison Lambertson	Howard Pusey	Bob Arnold (97-10)
William Molnar	Elwood Bunting	Jamie Englishmen (06-12)
Thomas Ashby	W. Prentiss Howard	
Billy Burton Cropper	Frank Bradshaw (90-96)	
Alonza Anderson	H. Coston Gladding (90-96)	
Gus Foltz	Willard W. Ward (92-97)	
Robert Conner	Walter Ward (92-98)	
Gus Payne	Dale Venable (94-00)	
Robert Farley	Gary Frick (96-03)	
Mike Costanza	Thomas Duncan (02-05)	
Herbert Brittingham	Mike Henderson (00-06)	
Otho Mariner	Brent Pokrywka (02-07)	
Mark Odachowski	Joel Watsky (03-08)	

* = Appointed to fill an unexpired term

ETHICS BOARD

Reference: Public Local Law, Section CG 5-103

Appointed by: County Commissioners

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

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

Compensation: \$100 per meeting

Meetings: As Necessary

Special Provisions:

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

Current Members:

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

Term Ends

Prior Members: (Since 1972)

- | | |
|-----------------------------|-------------------------------|
| J.D. Quillin, III | Wallace D. Stein (02-08) |
| Charles Nelson | William Kuhn (90-09) |
| Garbriel Purnell | Walter Kissel (05-09) |
| Barbara Derrickson | Marion Chambers (07-11) |
| Henry P. Walters | Jay Knerr (11-14) |
| William Long | Robert I. Givens, Jr. (98-14) |
| L. Richard Phillips (93-98) | Diana Purnell (09-14) |
| Marigold Henry (94-98) | Kevin Douglas (08-16) |
| Louis Granados (94-99) | Lee W. Baker (08-16) |
| Kathy Philips (90-00) | Richard Passwater (09-17) |
| Mary Yenney (98-05) | Jeff Knepper (16-21) |
| Bill Ochse (99-07) | |
| Randall Mariner (00-08) | |

* = Appointed to fill an unexpired term

HOUSING REVIEW BOARD

ITEM 23

Reference: Public Local Law §BR 3-104

Appointed by: County Commissioners

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

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

Compensation: \$100 per meeting (policy)

Meetings: As Needed

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

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

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Terms(s)</u>	<i>Term Ending</i>
Jake Mitrecic	D-7, Mitrecic	Ocean City	15-18, 18-21	
C. D. Hall	D-1, Nordstrom	Pocomoke	10-13-16-19, 19-22	
Debbie Hileman	D-6, Bunting	Ocean Pines	10-13-16-19, 19-22	
Chase Church	D-3, Church	Ocean Pines	*19-20, 20-23	
Scott Tingle	D-4, Elder	Snow Hill	14-17-20, 20-23	
Donna Dillon	D-5, Bertino	Ocean Pines	08-11-14-17-20-23	
Felicia Green	D-2, Purnell	Ocean Pines	*21-24	

Prior Members:

- | | |
|----------------------------|----------------------------|
| Phyllis Mitchell | Albert Bogdon (02-06) |
| William Lynch | Jamie Rice (03-07) |
| Art Rutter | Howard Martin (08) |
| William Buchanan | Marlene Ott (02-08) |
| Christina Alphonso | Mark Frostrom, Jr. (01-10) |
| Elsie Purnell | Joseph McDonald (08-10) |
| William Freeman | Sherwood Brooks (03-12) |
| Jack Dill | Otho Mariner (95-13) |
| Elbert Davis | Becky Flater (13-14) |
| J. D. Quillin, III (90-96) | Ruth Waters (12-15) |
| Ted Ward (94-00) | John Glorioso (*06-19) |
| Larry Duffy (90-00) | Sharon Teagle (00- 20) |
| Patricia McMullen (00-02) | Davida Washington (*21-21) |
| William Merrill (90-01) | |
| Debbie Rogers (92-02) | |
| Wardie Jarvis, Jr. (96-03) | |

* = Appointed to fill an unexpired term

WORCESTER COUNTY'S INITIATIVE TO PRESERVE FAMILIES BOARD

Previously - Local Management Board; and Children, Youth and Family Services Planning Board

Reference: Commissioners' Resolution No. 09-3, adopted on January 6, 2009

Appointed by: County Commissioners

Functions: Advisory/Policy Implementation/Assessment and Planning
 - Implementation of a local, interagency service delivery system for children, youth and families;
 - Goal of returning children to care and establishment of family preservation within Worcester County;
 - Authority to contract with and employ a service agency to administer the State Service Reform Initiative Program

Compensation: \$100 Per Meeting for Private Sector Members

Number/Term: 9 members/5 Public Sector, 4 Private Sector with 3-year terms
 51% of members must be public sector
 Terms expire December 31st

Meetings: Monthly

Staff Contact: Jessica Sexauer, Director, Local Management Board - (410) 632-3648
 Jennifer LaMade - Local Management Board - (410) 632-3648

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides/Representing</u>	<u>Years of Term(s)</u>
Mark Frostrom	At-Large - Nordstrom	Pocomoke City	*99-12-15-18, 18-21
Jennifer LaMade	<i>Ex officio</i>	Core Service Agency	Indefinite
Rebecca Jones	<i>Ex officio</i>	Health Department	Indefinite
Spencer "Lee" Tracey	<i>Ex officio</i>	Juvenile Justice	Indefinite
Louis H. Taylor	<i>Ex officio</i>	Board of Education	Indefinite
Roberta Baldwin	<i>Ex officio</i>	Department of Social Services	Indefinite
Theophilus Hobbs IV	At-Large - D. Purnell	Snow Hill	19-22
Dr. Mark Bowen	At-Large - J. Purnell	Snow Hill	20-23
Amy Rothermel	At-Large - Mitrecic	Ocean City	17-20, 20-23

Term Ending

Prior Members (since 1994):

Tim King (97)	Sharon DeMar Reilly	Deborah Goeller
Sandra Oliver (94-97)	Kathy Simon	Andrea Watkins (13-17)
Velmar Collins (94-97)	Vickie Stoner Wrenn	Sheila Warner (Indefinite)
Catherine Barbierrri (95-97)	Robin Travers	Ira Shockley (03-19)
Ruth Geddie (95-98)	Jordan Taylor (09)	Eloise Henry-Gordy *(07-20)
Rev. Arthur George (94-99)	Aaron Marshall (09)	
Kathey Danna (94-99)	Allen Bunting (09)	
Sharon Teagle (97-99)	LaTrele Crawford (09)	
Jeanne Lynch (98-00)	Sheriff Charles T. Martin	
Jamie Albright (99-01)	Joel Todd, State's Attorney	
Patricia Selig (97-01)	Ed Montgomery (05-10)	
Rev. Lehman Tomlin (99-02)	Edward S. Lee (07-10)	
Sharon Doss	Toni Keiser (07-10)	
Rick Lambertson	Judy Baumgartner (07-10)	
Cyndy B. Howell	Claudia Nagle (09-10)	
Sandra Lanier (94-04)	Megan O'Donnell (10)	
Dr. James Roberts (98-04)	Kiana Smith (10)	
Dawn Townsend (01-04)	Christopher Bunting (10)	
Pat Boykin (01-05)	Simi Chawla (10)	
Jeannette Tresler (02-05)	Jerry Redden	
Lou Taylor (02-05)	Jennifer Standish	
Paula Erdie	Anne C. Turner	
Rev. Pearl Johnson (05-07)	Marty Pusey	
Peter Fox (05-07)	Virgil L. Shockley	
Lou Etta McClafin (04-07)	Dr. Jon Andes (96-12)	
Bruce Spangler (04-07)	Dr. Ethel M. Hines (07-13)	

Updated: December 1, 2020
 Printed: November 17, 2020

BOARD OF LIBRARY TRUSTEES

Reference: PGL Education 23-403, Annotated Code of Maryland

Appointed by: County Commissioners (from nominees submitted by Board of Library Trustees)

Function: Supervisory
Responsible for the general control and development of the County library system. Oversees management of the libraries, assists in preparation of library budget and other fiscal matters, arranges for an annual audit, makes an annual report to the County Commissioners, make recommendations to the County Commissioners regarding library acquisitions/development.

Number/Term: 7/5 years
Terms expire December 31st

Compensation: None

Meetings: 1 per month except July, and August

Special Provisions: Nominees submitted by Library Board; Maximum 2 consecutive terms

Staff Contact: Library Director - Jennifer Ranck (410) 632-2600

Current Members:

Name	Resides	Years of Term(s)	
Nancy Howard	Ocean City	16-21	Reappoint
Vicki O'Mara	Ocean Pines	*18-22	
Leslie Mulligan	Snow Hill	*17-18, 18-23	Resigned
Jeff Smith	Berlin	19-24	
Patricia Tomasovic	Pocomoke	*19, 19-24	See attached memo
Sandra Buchanan	Pocomoke	21-26	
Jocelyn Briddell	Newark	21-26	

Prior Members: Since 1972

- | | | |
|-------------------------|----------------------------|----------------------------------|
| Herman Baker | Jere Hilbourn | Belle Redden (99-09) |
| Lieselette Pennewell | Janet Owens | Beverly Dryden Wilkerson (06-10) |
| Edith Dryden | Ruth Westfall | John Staley (97-11) |
| Clifford D. Cooper, Jr. | Helen Farlow | James Gatling (01-11) |
| Klein Leister | Judy Quillin | Shirley Dale (02-12) |
| Evelyn Mumford | Gay Showell | Edith Barnes (07-13) |
| Ann Eschenburg | Susan Mariner | Richard Polhemus (11-16) |
| Barbara Ward | Jacqueline Mathias | Richard Warner Davis (11-16) |
| Donald F. McCabe | Ann S. Coates (88-97) | Frederick Grant (13-17) |
| Fannie Russell | Jim Dembeck (91-97) | Rosemary S. Keech (12-18) |
| Stedman Rounds | Bill Waters (88-98) | Vivian Pruitt (09-19) |
| Donald Turner | Geraldine Thweatt (97-98) | Ron Cascio 09-19 |
| Sarah Dryden | Martha Hoover (87-99) | Donald James Bailey (16-21) |
| L. Richard Phillips | Eloise Henry-Gordy (98-00) | Holly Anderson (*10-21) |
| Barbara Bunting | William Cropper (91-01) | |
| Joanne Mason | Ms. Willie Gaddis (89-01) | |
| | Leola Smack (99-02) | |
| | Jean Tarr (94-04) | |
| | Lois Sirman (01-06) | |
| | Amanda DeShields (00-07) | |
| | David Nedrow (04-09) | |

* = Appointed to fill an unexpired term

Karen M. Hammer

To: Jennifer Ranck
Subject: RE: *EXTERNAL*:library board update

From: Jennifer Ranck <jranck@worcesterlibrary.org>
Sent: Monday, November 22, 2021 12:14 PM
To: Karen M. Hammer <khammer@co.worcester.md.us>
Subject: *EXTERNAL*:library board update

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

Hi Karen,

The library board has a vacancy - Leslie Mulligan unfortunately had to resign due to a work promotion (we are happy for her of course, just sorry to see her leave!). The board is interviewing candidates now and I hope we can send over a nomination in time for the December 7 Commissioner meeting. Nancy Howard has agreed to serve another term, so I will add that information in my memo.

(I know you are out this week - just emailing you all this before I forget. Hope you are having a blast!)

Happy Thanksgiving and thank you,
Jennifer

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

ITEM 23

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

Appointed by: County Commissioners

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

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

Compensation: None

Meetings: At least semi-annually

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

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

Current Members:

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

Terms Ending

Prior Members:

J. Lowell Stoltzfus ° (09-10)
Mark Wittmyer ° (09-11)
John Salm ° (09-12)
Mike Pruitt ° (09-12)
Norman H. Conway ° (09-14)
Michael McDermott (10-14)
Diana Purnell ° (09-14)
Linda Dearing (11-15)

Since 2009

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

Charlie Dorman (12-19)

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

Reference: Public Local Law ZS §1-112

Appointed by: County Commissioners

Functions: Advisory/Regulatory
 Make investigations and recommendations regarding zoning text and map amendment applications; recommend conditional rezoning; make recommendations to the Board of Zoning Appeals; review public projects, proposed facility development plans, regulations and standards; review and approve site plans; review and make recommendations regarding residential planned communities; review and approve subdivision plats.

Number/Term: 7/5 years; Terms expire December 31st

Compensation: \$100 per meeting (policy)

Meetings: 1 regular meeting per month; additional meetings held as necessary

Special Provisions: Historically - one member from each Commissioner District, plus two At-Large members; one member per district once expanded to seven districts.

Staff Contact: Department of Development Review & Permitting
 Edward A. Tudor, Director (410-632-1200, ext. 1100)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Richard L. Wells	D-6, Bunting	Bishopville	11-16, 16-21
Brooks Clayville	D-4, Elder	Snow Hill	02-07-12-17, 17-22
Marlene Ott	D-5, Boggs	Ocean Pines	08-13-18, 18-23
Betty M. Smith	D-2, Purnell	Berlin	*07-09-14-19, 19-24
Mary Knight	D-7, Mitrecic	Berlin	*20-24
Ken Church	D-3, Church	Berlin	20-25
Jerry Barbierri	D-1, Nordstrom	Pocomoke	*12-15-20, 20-25

Term Ending

Prior Members:

Since 1972

- | | | |
|--------------------|--------------------------|---------------------------------|
| David L. Johnson | Terry Bayshore | Wilbert "Tom" Pitts (99-07) |
| N. Paul Joyner | Larry Widgeon | Doug Slingerland (07-08) |
| Daniel Trimper, IV | Charles D. "CD" Hall | Carolyn Cummins (90-94, 99-09) |
| Hugh F. Wilde | Ernest "Sandy" Coyman | Madison "Jimmy" Bunting (05-10) |
| Warren Frame | Rev. Donald Hamilton | Jeanne Lynch (06-11) |
| Roland E. Powell | Dale Stevens | H. Coston Gladding (96-12) |
| Harry Cherrix | Marion L. Butler, Sr. | Wayne A. Hartman (09-14) |
| W. David Stevens | Ron Cascio (96-97) | Jay Knerr (14-20) |
| Granville Trimper | Louie Paglierani (90-99) | Mike Diffendal (10-20) |
| J. Brad Aaron | Robert Hawkins (96-99) | |
| Lester Atkinson | Ilia Fehrer (94-99) | |
| Paul L. Cutler | Rob Clarke (99-00) | |
| Edward R. Bounds | W. Kenny Baker (97-02) | |
| Edward Phillips | James Jarman (99-03) | |
| Vernon McCabe | Harry Cullen (00-03) | |
| R. Blaine Smith | Ed Ellis (96-04) | |
| Edward A. Tudor | Troy Purnell (95-05) | |
| | Larry Devlin (04-06) | |
| | Tony Devereaux (03-07) | |

* = Appointed to fill an unexpired term

RECREATION ADVISORY BOARD

ITEM 23

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

Appointed by: County Commissioners

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

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

Compensation: \$100 per meeting expense allowance, subject to funding

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner

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

Current Members:

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

Term Ending (next to Chris Klebe)

Resigned (next to Devin Bataille)

Prior Members: Since 1972

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

* = Appointed to fill an unexpired term

SOCIAL SERVICES ADVISORY BOARD

ITEM 23

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

Appointed by: County Commissioners

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

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

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

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

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

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

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Cathy Gallagher	D-5, Bertino	Ocean Pines	*13-14-17, 17-20
Harry Hammond	D-6, Bunting	Bishopville	15-18, 18-21
Sharon Dryden	D-1, Nordstrom	Pocomoke City	*20-21
Diana Purnell	ex officio - Commissioner		14-18, 18-22
Voncelia Brown	D-3, Church	Berlin	16-19, 19-22
Mary White	At-Large	Berlin	*17-19, 19-22
Maria Campione-Lawren	D-7, Mitrecic	Ocean City	16-19, 19-22
Nancy Howard	D-2, Purnell	Ocean City	09-16-17-20, 20-23
Karen Hammer	D-4, Elder	Snow Hill	21-24

Term Ending

Resigned

* = Appointed to fill an unexpired term

SOCIAL SERVICES BOARD
(Continued)

ITEM 23

Prior Members: (Since 1972)

James Dryden	Jeanne Lynch (00-02)
Sheldon Chandler	Michael Reilly (00-03)
Richard Bunting	Oliver Waters, Sr. (97-03)
Anthony Purnell	Charles Hinz (02-04)
Richard Martin	Prentiss Miles (94-06)
Edward Hill	Lakeshia Townsend (03-06)
John Davis	Betty May (02-06)
Thomas Shockley	Robert "BJ" Corbin (01-06)
Michael Delano	William Decoligny (03-06)
Rev. James Seymour	Grace Smearman (99-07)
Pauline Robertson	Ann Almand (04-07)
Josephine Anderson	Norma Polk-Miles (06-08)
Wendell White	Anthony Bowen (96-08)
Steven Cress	Jeanette Tressler (06-09)
Odetta C. Perdue	Rev. Ronnie White (08-10)
Raymond Redden	Belle Redden (09-11)
Hinson Finney	E. Nadine Miller (07-11)
Ira Hancock	Mary Yenny (06-13)
Robert Ward	Dr. Nancy Dorman (07-13)
Elsie Bowen	Susan Canfora (11-13)
Faye Thomes	Judy Boggs (02-14)
Frederick Fletcher	Jeff Kelchner (06-15)
Rev. Thomas Wall	Laura McDermott (11-15)
Richard Bundick	Emma Klein (08-15)
Carmen Shrouck	Wes McCabe (13-16)
Maude Love	Nancy Howard (09-16)
Reginald T. Hancock	Judy Stinebiser (13-16)
Elsie Briddell	Arlette Bright (11-17)
Juanita Merrill	Tracey Cottman (15-17)
Raymond R. Jarvis, III	Ronnie White (18-19)
Edward O. Thomas	Wayne Ayer *(19-20)
Theo Hauck	Faith Coleman (15-21)
Marie Doughty	
James Taylor	
K. Bennett Bozman	
Wilson Duncan	
Connie Quillin	
Lela Hopson	
Dorothy Holzworth	
Doris Jarvis	
Eugene Birckett	
Eric Rauch	
Oliver Waters, Sr.	
Floyd F. Bassett, Jr.	
Warner Wilson	
Mance McCall	
Louise Matthews	
Geraldine Thweat (92-98)	
Darryl Hagy (95-98)	
Richard Bunting (96-99)	
John E. Bloxom (98-00)	
Katie Briddell (87-90, 93-00)	
Thomas J. Wall, Sr. (95-01)	
Mike Pennington (98-01)	
Desire Becketts (98-01)	
Naomi Washington (01-02)	
Lehman Tomlin, Jr. (01-02)	

* = Appointed to fill an unexpired term

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: \$100 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 - Dallas Baker- (410-632-5623)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Vaughn White	D-2, Purnell	Berlin	*19-21
Bob Gilmore	D-5, Bertino	Ocean Pines	*21-22
George Linvill	D-1, Nordstrom	Pocomoke	14-18, 18-22
George Dix	D-4, Elder	Snow Hill	*10-10-14-18, 18-22
Mike Poole	D-6, Bunting	Bishopville	11-15-19, 19-23
Granville Jones	D-7, Mitrecic	Berlin	*15-16-20, 20-24
Michelle Beckett-El Soloh	Town of Pocomoke City		*19-20, 20-24
Gary Weber	Town of Snow Hill		20-24
Don Furbay	D-3, Church	Berlin	20-24
James Charles	Town of Berlin		21-25
Brain Scarborough	Town of Ocean City		21-25

Term Ending

Prior Members: (Since 1994)

- | | | |
|-----------------------------------|-----------------------------|--------------------------|
| Ron Cascio (94-96) | Hugh McFadden (98-05) | Bob Donnelly (11-15) |
| Roger Vacovsky, Jr. (94-96) | Dale Pruitt (97-05) | Howard Sribnick (10-16) |
| Lila Hackim (95-97) | Frederick Stiehl (05-06) | Dave Wheaton (14-16) |
| Raymond Jackson (94-97) | Eric Mullins (03-07) | Wendell Purnell (97-18) |
| William Turner (94-97) | Mayor Tom Cardinale (05-08) | George Tasker (*15-20) |
| Vernon "Corey" Davis, Jr. (96-98) | William Breedlove (02-09) | Rodney Bailey *19 |
| Robert Mangum (94-98) | Lester D. Shockley (03-10) | Steve Brown *10-19 |
| Richard Rau (94-96) | Woody Shockley (01-10) | Bob Augustine 16-19 |
| Jim Doughty (96-99) | John C. Dorman (07-10) | Michael Pruitt *15-19 |
| Jack Peacock (94-00) | Robert Hawkins (94-11) | James Rosenburg (*06-19) |
| Hale Harrison (94-00) | Victor Beard (97-11) | Jamey Latchum *17-19 |
| Richard Malone (94-01) | Mike Gibbons (09-14) | Hal Adkins (*20-21) |
| William McDermott (98-03) | Hank Westfall (00-14) | |
| Fred Joyner (99-03) | Marion Butler, Sr. (00-14) | |
| | Robert Clarke (11-15) | |

* = Appointed to fill an unexpired term

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

Appointed by: County Commissioners

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

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

Compensation: \$100 per meeting expense allowance

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

Special Provisions: One member nominated by each County Commissioner

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

Current Members:

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

Prior Members: Since 1972

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

* = Appointed to fill an unexpired term
 1 = Served on informal ad hoc committee prior to 1990, Committee abolished between 1995-1999
 2 = All members terms reduced by 1-year in 2003 to convert to 4-year terms

**WATER AND SEWER ADVISORY COUNCIL
MYSTIC HARBOUR SERVICE AREA**

Reference: County Commissioners' Resolutions of 11/19/93 and 2/1/05

Appointed by: County Commissioners

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

Number/Term: 7/4-year terms
Terms Expire December 31

Compensation: \$100.00/meeting

Meetings: Monthly or As-Needed

Special Provisions: Must be residents of Mystic Harbour Service Area

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

Current Members:

<u>Member's Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>	
Martin Kwesko	Mystic Harbour	13-17, 17-21	<i>Term Ending</i>
Richard Jendrek ^C	Bay Vista I	05-10-14-18, 18-22	
Matthew Kraeuter	Ocean Reef	19-22	<i>Deceased</i>
Joseph Weitzell ^C	Mystic Harbour	05-11-15-19, 19-23	
Bruce Burns	Deer Point	19-23	
David Dypsky	Teal Marsh Center	*10-12-16, 16-20, 20-24	
Stan Cygam	Whispering Woods	*18-20, 20-24	

Prior Members: (Since 2005)

- | | |
|---|-------------------------|
| John Pinnero ^C (05-06) | Carol Ann Beres (14-18) |
| Brandon Phillips ^C (05-06) | Bob Hunt (*06-19) |
| William Bradshaw ^C (05-08) | |
| Buddy Jones (06-08) | |
| Lee Trice ^C (05-10) | |
| W. Charles Friesen ^C (05-13) | |
| Alma Seidel (08-14) | |
| Gerri Moler (08-16) | |
| Mary Martinez (16-18) | |

^C = Charter member - Initial Terms Staggered in 2005
* = Appointed to fill an unexpired term

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

ITEM 23

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

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

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

Compensation: \$100.00/ Meeting

Meetings: Monthly

Special Provisions: Must be residents of Ocean Pines Service Area

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

Current Members:

<u>Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Gregory R. Sauter, P.E.	Ocean Pines	17-21
John F. (Jack) Collins, Jr.	Ocean Pines	*18-21
James Spicknall	Ocean Pines	07-10-14-18, 18-22
Bob Poremski	Ocean Pines	*17-19, 19-23
Frederick Stiehl	Ocean Pines	*06-08-12-16-20, 20-24

Term Ending (handwritten next to Gregory R. Sauter, P.E.)

Resigned (handwritten next to Bob Poremski)

Prior Members: (Since 1993)

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

* = Appointed to fill an unexpired term

**WATER AND SEWER ADVISORY COUNCIL
WEST OCEAN CITY SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

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

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

Compensation: \$100.00/Meeting

Meetings: Monthly

Special Provisions: Must be residents/ratepayers of West Ocean City Service Area

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

Current Members:

<u>Member's Name</u>	<u>Resides/Ratepayer of</u>	<u>Terms (Years)</u>
Todd Ferrante	West Ocean City	13-17, 17-21
Keith Swanton	West Ocean City	13-17, 17-21
Deborah Maphis	West Ocean City	95-99-03-07-11-15-19, 19-23
Gail Fowler	West Ocean City	99-03-07-11-15-19,19-23
Blake Haley	West Ocean City	*19-20, 20-24

Term Ending

Prior Members: (Since 1993)

- Eleanor Kelly^c (93-96)
- John Mick^c (93-95)
- Frank Gunion^c (93-96)
- Carolyn Cummins (95-99)
- Roger Horth (96-04)
- Whaley Brittingham^c (93-13)
- Ralph Giove^c (93-14)
- Chris Smack (04-14)
- Andrew Delcorro (*14-19)

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

COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

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

Compensation: None

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

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

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

Current Members:

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

Prior Members: Since 1995

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

* = Appointed to fill an unexpired term

^c = Charter member

Prior Members: Since 1995 (continued)

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

* = Appointed to fill an unexpired term

c = Charter member

BOARD OF ZONING APPEALS

ITEM 23

Reference: Public Local Law - ZS §1-116

Appointed by: County Commissioners

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

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

Compensation: \$100 per meeting, plus mileage for site inspections (policy)

Meetings: 2 per month

Special Provisions: None

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

Current Members:

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

Prior Members: (Since 1972)

- | | | |
|-----------------------|------------------------------|-------------------------------|
| Robert B. Jackson | George Ward, Jr. (92-95) | Dale Smack (01-06) |
| Ruth Spinak | Doris Glover (91-95) | Lou Taylor (05-08) |
| Merrill Lockfaw | Marion Marshall (90-96) | Jerre F. Clauss (98-10) |
| Winnie Williams | Madison Bunting (90-96) | Mike Diffendal (08-10) |
| Randolph F. Wilkerson | Howard "Buzz" Taylor (97-98) | James E. Clubb, Jr. (06-11) |
| Cashar J. Hickman | Edward Bounds (90-99) | Joe Fehrer, Jr. (06-12) |
| E. Paige Boston | Marion Butler, Sr. (96-99) | Beth Gismondi (96-14) |
| Elbridge Murray | Dwight Campbell (95-00) | Bill Bruning (12-15) |
| Gary McCabe | Larry Widgeon (94-00) | Robert L. Cowger, Jr. (10-16) |
| Harley Day | Robert Ewell (95-01) | Rodney C. Belmont (07-17) |
| Charles Lynch | Lester Shockley (99-02) | Larry Duffy (*17-19) |
| Dwight E. Campbell | Robert Mitchell (02-05) | Glen Irwin (14-20) |
| T. Clay Groton | Janice Foley (99-05) | |
| Albert Berger | Richard Outten (00-06) | |
| Clifford Dypsky | Doug Parks (00-06) | |
| Donald Jones | Brian Roberts (06) | |

* = Appointed to fill an unexpired term