

AGENDA

WORCESTER COUNTY COMMISSIONERS

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

March 15, 2016

Item #

- 9:00 AM - Meet in Commissioners' Conference Room - Room 1103 Government Center, One West Market Street, Snow Hill, Maryland - Vote to Meet In Closed Session
- 9:01 - Closed Session: Discussion regarding hiring a Welcome Center Greeter for Tourism, Utility Mechanic I, and Landfill Operator III for Solid Waste Division of Public Works, considering an unpaid Marketing Intern for Volunteer Services, posting to fill vacancies for a Store Manager, Store Clerk, and Retail Operations Manager for Liquor Control, and other personnel matters; receiving legal advice from Counsel; and performing administrative functions
- 10:00 - Call to Order, Prayer, Pledge of Allegiance
- 10:01 - Report on Closed Session; Review and Approval of Minutes
- 10:05 - Presentation of Proclamation Recognizing Public Health Week 1
- 10:10 - Receive Objections to Disposal of Surplus Vehicles & Equipment to be Auctioned on GovDeals 2
- 10:15 - Chief Administrative Officer: Administrative Matters 3-14
(Re-Designation of Town of Snow Hill Arts and Entertainment District; Contract for Step Up and Reach for the Stars STEM Camp and Internship Program; Court House Phone System Replacement; Appointments to County Boards and Commissions; Award of Bid for Snow Hill Health and Recreation Condenser Coil Replacement; Pipe Bid Specifications; 2016 Mosquito Control Budget; Central Landfill Property Declaration of Covenant; HAZMAT Response Vehicle Replacement; Adoption of Findings of Fact and Resolutions for Rezoning No. 395 and No. 396; Town of Berlin Proposed Annexation; and potentially other administrative matters)
- 10:20 -
- 10:30 -
- 10:40 -
- 10:50 - Presentation of Requested FY2016/2017 County Operating Budget 16
- 11:00 - Legislative Session - Public Hearings on:
- Bill 16-1 (Zoning - Commercial Marine Yards in CA Commercial Airport District) 17
 - Emergency Bill 16-2 (Public Safety - Townhouse Fire Sprinkler Systems) 18
 - Introduction of Bills - Natural Resources - Nonprofit Offices in Resource Conservation Area 19
- 11:10 - Public Hearing - Rezoning Case No. 398 - Salt Grass Bali Hi, LLC 20
- 11:20 - - 24.031 acres on south side of St. Martins Neck Road and west side of Salt Grass Point Road
 - 11:30 - - from E-1 Estate District to A-2 Agricultural District
- 11:40 -
- 11:50 -
- 12:00 - Questions from the Press
- Lunch
- 1:30 PM - Public Hearing to Consider Policy on Utilization of New Mystic Harbour Sanitary Capacity
- 1:40 - and Requests for Establishment of a Policy to Permit Private Transfers of Sanitary Capacity 21
 - 1:50 -
- 2:00 - Chief Administrative Officer: Administrative Matters (If Necessary) 3-14, continued

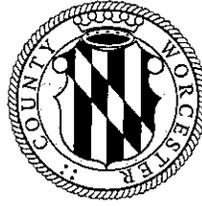
AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

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

Please be thoughtful and considerate of others.

Turn off your cell phones & pagers during the meeting!

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



1

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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

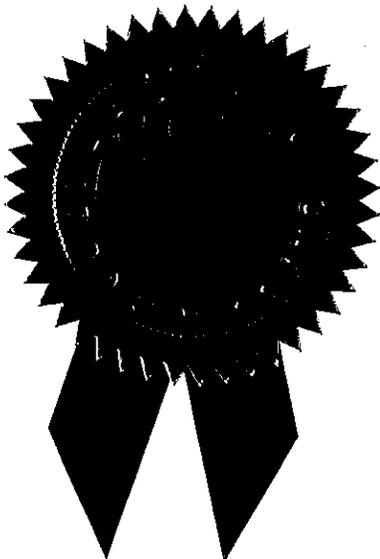
PROCLAMATION

WHEREAS, the Worcester County Health Department, which provides a variety of services to the community, including health education, prevention, treatment and enforcement through the diligent efforts of employees, students and volunteers, is participating in the nationwide 2016 Generation Health Campaign to provide quality medical care, improve access to healthy food, and ensure conditions that give everyone the opportunity to be healthy; and

WHEREAS, In recognition of Public Health Week the health department will host its Public Health Week Conference, *Public Health: Working for Worcester*, in Ocean City on April 6 and the annual Tortoise and Hare Dare walk/run in Pocomoke on April 2.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby proclaim the week of April 4-10, 2016 as **Public Health Week** and commend all public health workers, students and volunteers for their dedication to meeting the health needs of their community and encourage residents to learn about the services available through the Worcester County Health Department.

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



Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell

Citizens and Government Working Together

1

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



2

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

OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
JOHN E. "SONNY" BLOXOM
COUNTY ATTORNEY

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND
21863-1195

FAXED
2/18/16 @ 4:45 PM

February 18, 2016

TO: *The Daily Times* Group and *Ocean City Today* Group
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
COPY: John H. Tustin, P.E., Director of Public Works

Please print the attached Notice of Disposal of Surplus Vehicles and Equipment in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on February 25, 2016, March 3, 2016 and March 10, 2016. Thank you.

NOTICE

Disposal of Surplus Vehicles and Equipment to be Auctioned on GovDeals.com

"Disposition of County Personal Property no longer used by the County"

The following described personal property, including vehicles, furniture and equipment, have been determined to be no longer required for County use by the County Commissioners of Worcester County, Maryland and deemed to be surplus property:

SURPLUS VEHICLES AND EQUIPMENT

Surplus vehicles, listed by make and model (with model year), as follows: Chevrolet Cavalier (2004); Chevrolet S-10 Pickup (1996, 2003); Chevrolet Silverado Pickup 4x4 (2005); Chevrolet 1500 Pickup Truck (2002); Chevrolet 2500 Utility Truck (2005); Dodge Intrepid (1996); Dodge Shadow (1993); Ford Aerostar (1995); Ford Crown Victoria (2004, 2006, 2007, 2007, 2008, 2009); Ford Taurus (2000); Ford Expedition (2005); Ford Ranger (2001); Ford Tempo GL (1994); Ford Van (1996); Ford Ranger Extended Cab (2003); Ford F-150 Pickup (2000); Ford F-350 Truck (2006); Ford F700 Dump Truck (1988); Ford F800 Dump Truck (1991); Ford LT900 Dump Truck (1987, 1987); and International 1754 Dump Truck (1989).

Surplus equipment, including: John Deere Mower - F935; Kubota Mower - F3060 (2000); Alamo 23' Long Reach Mower (1999); Kees Mower - KKW 48141; New Holland Tractor - TS90 (2000, 2001); Fimco 50-gallon Sprayer with Trailer; Meyers Pipe Flusher (1986); and QP Trash Pump - QP301T.

Surplus furniture and miscellaneous equipment, including: Usued Wheel Weights; Rane PA System; 4 Garrett Magnetometers; Chalk Board; Detecto Scale; 4 Metal Lockers; Cabinet with Plastic Top; Wooden Entertainment or Storage Cabinet; 7 Shop Lights; 3 Filing Cabinets; 30 Ball Field Lights; 13 Miscellaneous Chairs; 3 Tables with Wooden Tops; 2 Metal and Wood Desks; 42 Chairs with 2 Rolling Stands; Girls age 5-12 Softball Uniforms, Helmets, Shin Guards and Chest Protectors; Jugs Softball Pitching Machine (2 available); 8 Chainsaws and 3 Weed Eaters; 2 Snow Plows; Approximately 76 Plastic Baffles; 2 Lawn Mowers; Lot of Various Size Wooden 4x4 Posts; 2 Ice Machines; Metal Cabinet; Metal Shelves; and Storage Bin.

TERMS AND CONDITIONS OF SALE AND CONVEYANCE: The County Commissioners propose to solicit competitive bids via an Internet-based auction system operated by GovDeals, Inc. for which the winning bidder pays a buyers premium of twelve and one-half percent (12.5%) of the winning bid for each transaction so that there is no net cost to the County. All of the above referenced surplus property will be offered for sale "AS IS, WHERE IS." The County Commissioners make no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The County Commissioners warrant to the buyer that the property offered for sale will conform to its description. The County Commissioners reserve the right to reject any and all bids as they see fit and to withdraw from sale any of the items listed. Payment in full by successful bidders shall be made to Worcester County Commissioners.

OPPORTUNITY FOR OBJECTIONS: Anyone objecting to the proposed conveyance of the above surplus vehicles and equipment shall do so in writing prior to 4:30 p.m. on Thursday, March 10, 2016, or in person at the regularly scheduled meeting of the County Commissioners to be held at 10:00 a.m. on March 15, 2016 in the County Commissioners Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland 21863. *

WORCESTER COUNTY COMMISSIONERS

RECEIVED
FEB 10 2016
Worcester County Admin



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

JOHN H. TUSTIN, P.E.
DIRECTOR

MEMORANDUM

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: February 10, 2016
SUBJECT: Surplus Vehicles, Equipment and Miscellaneous Items

DIVISIONS

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

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

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

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

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

Attached, for your approval and to comply with Worcester County's Code of Public Local Laws, is a list of county-owned property to be declared as surplus and advertised once a week for three consecutive weeks, prior to being auctioned on the internet website GovDeals.com. Upon completion of meeting the County's code requirement, Fleet Management will begin the process of disposing of the surplus property.

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

Attachments

cc: Kathy Whited, Budget Officer
Fleet Management File: GovDeals.com

APPROVED
Worcester County Commissioners
Date HH 2/16/16

WORCESTER COUNTY
SURPLUS VEHICLE & EQUIPMENT LIST - 2016

VEHICLES

| STOCK # | YEAR | MAKE | MODEL | VIN # | MILEAGE | DEPARTMENT | COMMENTS |
|---------|------|---------------|----------------------|-------------------|---------|--------------|---|
| | 2003 | Ford | Ranger Ext Cab | 1FTYR14U33TA46341 | 110,076 | EP | Age, no known problems |
| | 2004 | Chevrolet | Cavalier | 1G1JC52F947271347 | 133,787 | EP | Needs tires, front brakes, rear frame rusting |
| | 2005 | Ford | Expedition | 1FMPU16595LA93601 | 156,700 | Fire Marshal | High mileage |
| | 1993 | Dodge | Shadow | 1B3XP28D1PN648071 | 83,482 | Health | AC inoperable, age (23 yrs), dents |
| | 1994 | Ford | Tempo GL | 2FAPP36X7RB117351 | 119,912 | Health | Runs rough, needs steering rack, rear motor mount, align |
| | 1995 | Ford | Areostar | 1FMCA11U7SZC05956 | 164,363 | Health | Ignition key problems, age, battery drains |
| | 1996 | Dodge | Intrepid | 1B3HD46F7TF152046 | 107,500 | Health | Age, paint peeling, rusting |
| | 1996 | Ford | Van | 1FTFE24H7THB24716 | 178,858 | Maintenance. | High mileage, age, corrosion |
| | 2002 | Chevrolet | 1500 Pickup Truck | 1GCEK14W22Z140795 | 134,135 | Maintenance. | High mileage, corrosion |
| | 2005 | Chevrolet | Silverado Pickup 4x4 | 1GCEK14V05E295719 | 144,664 | Maintenance. | Small engine no power |
| | 2006 | Ford | F-350 Truck | 1FDWW36Y56EA91958 | 147,159 | Maintenance. | High mileage |
| | 1988 | Ford | F700 Dump Truck | 1FDXK74A5JVA25545 | 189,522 | Parks | Does not pass DOT, severe rust |
| | 2000 | Ford | Taurus | 1FAPP5325YG169911 | 77,217 | Recreation | Age, catalytic converter, PCM |
| | 1987 | Ford | LT 9000 Dump Truck | 1FDZU90W1HVA64112 | 168,720 | Roads | Does not pass DOT, parts obsolete |
| | 1987 | Ford | LT9000 Dump Truck | 1FDZU90W1HVA64111 | 192,290 | Roads | Does not pass DOT, parts obsolete |
| | 1989 | International | 1754 Dump Truck | 1HTLCCFN8KH665423 | 250,062 | Roads | High mileage, parts obsolete |
| | 1991 | Ford | F800 Dump Truck | 1FDXK84P9MVA13963 | 266,466 | Roads | High mileage, parts obsolete |
| | 2006 | Ford | Crown Vic | 2FAFP71W36X108940 | 188,317 | Sheriff | High mileage |
| | 2007 | Ford | Crown Vic | 2FAFP71W87X123080 | 174,061 | Sheriff | Dead battery, bad transmission |
| | 2007 | Ford | Crown Vic | 2FAFP71W77X123085 | 200,608 | Sheriff | Dead battery, high mileage |
| | 2008 | Ford | Crown Vic | 2FAFP71V28X141101 | 202,171 | Sheriff | Broken window, will not start, parts missing |
| | 2009 | Ford | Crown Vic | 2FAHP71V99X121468 | 139,290 | Sheriff | PCM issues (cuts off), dead battery (K-9) |
| | 2004 | Ford | Crown Vic | 2FAFP71W74X121980 | 137,829 | Solid Waste | Paint peeling, exhaust manifold leaks, windshield cracked |
| | 1996 | Chevrolet | S10 Pickup | 1GCCS14X1TK203508 | 171,122 | WWW | High mileage, no A/C |
| | 2000 | Ford | F150 Pickup | 1FTZF172XYNB20017 | 191,710 | WWW | Dead battery, bad transmission, broken window |
| | 2001 | Ford | Ranger | 1FTYR10U71TA72301 | 150,114 | WWW | High mileage |
| | 2003 | Chevrolet | S10 Pickup | 1GCCS14H238126539 | 160,903 | WWW | Dead battery, fly wheel broken |
| | 2005 | Chevrolet | 2500 Utility Truck | 1GBHC24U85E248482 | 264,916 | WWW | High mileage |
| | | | | | | | |
| | | | | | | | |

| EQUIPMENT | | | | | | | |
|-----------|---------|----------------------|------------------------|------------------|---------|------------|--|
| STOCK # | YEAR | MAKE/ DESCRIPTION | MODEL | SERIAL/ VIN # | HOURS | DEPARTMENT | COMMENTS |
| | unknown | John Deere Mower | F935 | M0F935X150059 | 4,481 | Jail | Engine will not run, flat tires, broken steering |
| | 2000 | Kubota Mower | F3060 | 15436 | 4,218 | Parks | 4x4 doesn't work, engine smokes, bad spindle |
| | unknown | Fimco Sprayer | 50 Gallon with Trailer | unknown | unknown | Parks | No pump |
| | 1986 | Pipe Flusher | Meyers Pipe Flusher | 11004 | unknown | Roads | Tank rusted, parts obsolete |
| | 1999 | Mower | 23' Long Reach Alamo | 5086 | 4,200 | Roads | Worn out |
| | 2000 | Tractor | New Holland TS90 | 141038B | 9,027 | Roads | High hours, not dependable |
| | 2001 | Tractor | New Holland TS90 | 159975B | 5,185 | Roads | High hours, not dependable |
| | unknown | Trash Pump | QP Trash Pump (QP301T) | 301T-338 | unknown | Roads | Obsolete |
| | unknown | Mower | Kees KKW 48141 | unknown | unknown | Roads | Transmission linkage shaft broken |

MISCELLANEOUS

| STOCK # | NO. | DESCRIPTION | DEPARTMENT | COMMENTS |
|---------|-------|---|-------------------|----------------------------|
| | 1 lot | Used Wheel weights | Fleet Management | No longer needed |
| | 1 | Rane PA System | Government Center | No longer needed |
| | 1 lot | 4 Garrett Magnetometers | Government Center | No longer needed |
| | 1 | Chalk board | Health | No longer needed |
| | 1 | Detecto Scale | Health | No longer needed |
| | 1 lot | 4 Metal Lockers | Health | No longer needed |
| | 1 | Cabinet with plastic top | Health | No longer needed |
| | 1 | Wooden Entertainment or Storage Cabinet | Maintenance. | No longer needed |
| | 1 lot | 7 Shop lights | Maintenance. | Replaced with newer lights |
| | 1 lot | 3 Filing Cabinets | Maintenance. | No longer needed |
| | 1 lot | 30 Ball Field Lights | Parks | No longer needed |
| | 1 lot | 13 Misc Chairs | Public Works | No longer needed |
| | 1 lot | 3 Tables with Wooden Tops | Public Works | No longer needed |
| | 1 lot | 2 Metal and Wood Desks | Public Works | No longer needed |

| MISCELLANEOUS CONTINUED | | | | | |
|-------------------------|-------|---|--|------------|--------------------------|
| STOCK # | NO. | DESCRIPTION | | DEPARTMENT | COMMENTS |
| | 1 lot | 42 Chairs with 2 Rolling Stands | | Recreation | No longer needed |
| | 1 lot | Girls ages 5-12 softball uniforms, helmets, shin guards, chest protectors | | Recreation | No longer needed |
| | 1 | Jugs softball pitching machine | | Recreation | No longer needed |
| | 1 | Jugs softball pitching machine | | Recreation | No longer needed |
| | 1 lot | 8 Chain saws and 3 weed eaters | | Roads | Missing parts inoperable |
| | 1 lot | 2 Snow plows | | Roads | Missing parts |
| | 1 lot | Plastic baffles (approx. 76) | | Roads | No longer needed |
| | 1 lot | 2 Lawn mowers | | Roads | Not operational |
| | 1 lot | Wooden 4x4 posts (various sizes) | | Roads | Broken |
| | 1 lot | 2 Ice machines | | Roads | Not operational |
| | 1 | Metal cabinet | | Roads | No longer needed |
| | 1 lot | Metal shelves | | Roads | No longer needed |
| | 1 | Storage bin | | Roads | No longer needed |

SUBTITLE IV
County Real and Personal Property and County Buildings

§ CG 4-401. Title to County property.

Title to all County property, both real and personal, transferred to Worcester County, the County Commissioners or any agency department or branch thereof by way of purchase, grant, gift, dedication or anyway whatsoever shall be titled to the County Commissioners of Worcester County unless otherwise specifically provided in individual cases by a resolution of the County Commissioners.

§ CG 4-402. Management of real and personal property and buildings.

Management authority and responsibility for all County property and buildings is vested in and charged to the County Commissioners, and all decisions with regard to the use of the same and contracts with regard thereto, be they for acquisition, improvement or in any way connected therewith, shall be by resolution of the County Commissioners or as may be provided by law or regulation. The County Commissioners may, at their option, by resolution or as provided by appropriate law and regulation, delegate the authority and responsibility as prescribed by this section by franchise, lease or other appropriate executive or legislative act.

§ CG 4-403. Disposition of County property when no longer used by County.

- (a) Generally. Unless otherwise provided by law, whenever the County Commissioners propose to dispose of any County-owned property or any rights incidental thereto by reason of the fact that such property is no longer required for County use, they shall first advertise the same at least once a week for three successive weeks in one or more newspapers of general circulation in said County inviting competitive bids to be made upon such terms and conditions as the County Commissioners may deem appropriate, including, without limitation, the right to accept or reject any and all bids as they see fit with regard to the disposal of such property and giving an opportunity for objections to any such disposal.
- (b) For other public use. When any County-owned property is no longer needed for use by the County Commissioners and the County Commissioners propose to dispose of the same by lease, grant or otherwise for a public purpose, as such public purpose may be from time to time determined by a five-sevenths majority vote of the County Commissioners, the Commissioners shall, prior to adopting a resolution for the disposal of such property, advertise the proposed disposal once a week for three successive weeks in one or more newspapers of general circulation in said County stating the terms of such disposal and the compensation to be received therefor and giving opportunity for objections thereto. [Amended 8-20-2002 by Bill No. 02-11]
- (c) Where bidding impractical. The County Commissioners may, by a five-sevenths majority vote, determine that it may be impractical to dispose of County-owned property or rights incidental thereto for nonpublic purposes by competitive bidding. In such cases, the County Commissioners shall, prior to adopting a resolution for the disposal of such property, advertise the proposed disposal once a week for three successive weeks in one or more newspapers of general circulation in said County stating the terms of such disposal and the compensation to be received therefor and giving opportunity for objections thereto. [Amended 8-20-2002 by Bill No. 02-11]
- (d) Exceptions. The provisions of this section shall not apply to the closing of public roads within the County or easements for public utilities or to property titled to other bodies corporate or politic of the County.

TEL: 410-632-3112
FAX: 410-632-5631
E-MAIL: chooseworchester@co.worcester.md.us
WEB: www.chooseworchester.org



3

Meredith M. Mears
DIRECTOR
mmears@co.worcester.md.us

DEPARTMENT OF
ECONOMIC DEVELOPMENT

Worcester County

100 PEARL STREET, SUITE B
SNOW HILL, MARYLAND 21863

To: County Commissioners
Harold Higgins, Chief Administrative Officer

From: Merry Mears, Director of Economic Development

Date: February 29, 2016

Re: Town of Snow Hill Arts and Entertainment District Designation

The purpose of this memo is to inform you of the Town of Snow Hill's intent to be designated by the Maryland Department of Commerce as a recognized Arts and Entertainment District. Sought after by the Mayor and Council of Snow Hill, this designation provides:

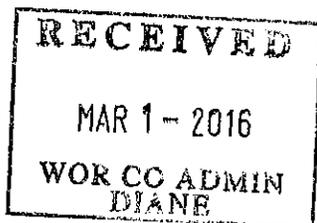
- an income tax subtraction modification for qualified artists residing in the district
- authorization for the governing body to grant a property tax credit for certain renovated buildings within the district, and
- authorization for the governing body to grant certain exemptions from the admissions and amusement tax

This application requires an acknowledgement from the County that the income tax subtraction modification to be offered in the district may affect the County's income. If the district is designated, the County may offer a property tax credit, and an exemption from the admissions and amusement tax.

Worcester County Economic Development fully supports the Town in this pursuit, as the economic revitalization of Snow Hill is fundamental to the economic prosperity of the County as a whole.

The Town of Snow Hill requests a formal Resolution from the Commissioners acknowledging the designation of the Arts and Entertainment District.

Thank you for your consideration.





MAYOR AND COUNCIL OF SNOW HILL

February 22, 2016

Commissioner Madison J Bunting, Jr
1 West Market Street
Snow Hill, MD 21863

Dear Commissioner Bunting:

The Town of Snow Hill is currently working on an application for re-designation of the Snow Hill Arts and Entertainment District. As you may be aware, Snow Hill's A&E District showcases our art galleries and musical talents by way of events such as the annual Blues Jam and Paint Snow Hill.

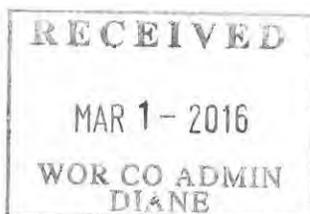
On behalf of the Mayor and Council I would like to formally request the support of the County Commissioners by way of Resolution for the Snow Hill Arts and Entertainment District. If this could be placed on the agenda for the March 8, 2016 meeting we would greatly appreciate it.

Thank you very much for your continued support.

Sincerely,


Kelly C Pruitt

Town Manager



RESOLUTION NO. 16 - ____

**RESOLUTION ACKNOWLEDGING RE-DESIGNATION OF THE
SNOW HILL ARTS AND ENTERTAINMENT DISTRICT**

WHEREAS, the Town of Snow Hill has applied to the State Department of Commerce for re-designation of the Snow Hill Arts and Entertainment District within certain boundaries, as shown on the accompanying map (the "District"); and

WHEREAS, under State law, the designation of an arts and entertainment district provides the following:

- (i) Provides an income tax subtraction modification for qualified artists residing in the district,
- (ii) Authorizes the governing body to grant a property tax credit for certain renovated buildings within the district, and
- (iii) Authorizes the governing body to grant certain exemptions from the admissions and amusement tax; and

WHEREAS, the application requires an acknowledgment from the County that the income tax subtraction modification to be offered in the district may affect the County's income, as well as a statement from the County as to whether, if the district is designated, the County will offer a property tax credit and the exemption from the admissions and amusement tax; and

WHEREAS, the County Commissioners of Worcester County, Maryland previously supported and acknowledged the Snow Hill Arts and Entertainment District by Resolution No. 06-4 adopted on March 21, 2006; and

WHEREAS, the County Commissioners of Worcester County continue to recognize the benefits of such designation of the Snow Hill Arts and Entertainment District and wish to acknowledge their continued support.

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

1. The County Commissioners of Worcester County, Maryland support the Town of Snow Hill's application to the State for re-designation of the Snow Hill Arts and Entertainment District within certain boundaries, as shown on the accompanying map (the "District"); and
2. The County Commissioners acknowledge that the income tax subtraction modification to be offered in the district may affect the County's income; and

3. If the district is designated, the County will offer a property tax credit and an exemption from the admissions and amusement tax equal to that which is offered by the Town of Snow Hill.

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

PASSED AND ADOPTED this _____ day of _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

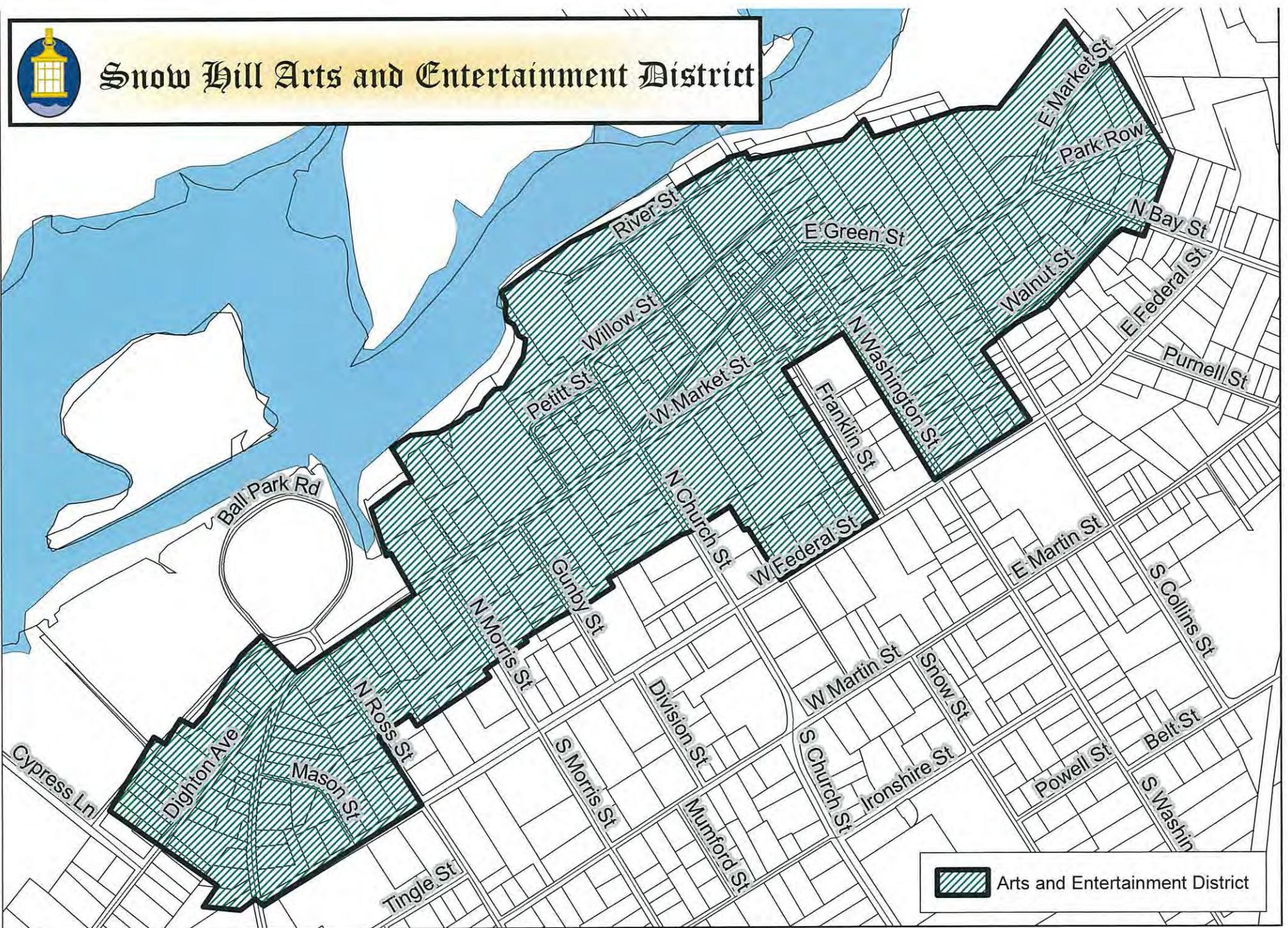
Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell



Snow Hill Arts and Entertainment District



 Arts and Entertainment District

6



WORCESTER COUNTY, MARYLAND
 Department of Development Review and Permitting
 Technical Services Division - 2016



TEL: 410-632-3112
FAX: 410-632-5631
E-MAIL: chooseworchester@co.worcester.md.us
WEB: www.chooseworchester.org



4

Meredith M. Mears
DIRECTOR
mmears@co.worcester.md.us

DEPARTMENT OF
ECONOMIC DEVELOPMENT

Worcester County

100 PEARL STREET, SUITE B
SNOW HILL, MARYLAND 21863

To: County Commissioners
Harold Higgins, Chief Administrative Officer

From: Merry Mears, Director of Economic Development

Date: March 2, 2016

Re: Step Up and Reach for the Stars STEM Camp and Internship Program

On February 4, 2014, the Worcester County Commissioners unanimously approved the request of the Economic Development Department to provide continued funding for the remainder of the five-year time-period (through the summer of 2017; see attached copy of minutes) for the Step Up and Reach for the Stars STEM (Science, Technology, Engineering and Mathematics) Camp and Internship Program.

The purpose of this memo is to provide you with an updated copy of the Independent Contractor's Agreement for Fawn and Ryan Mete, Administrators of the program. Please note that the program has remained at level funding of \$77,000 since 2013, and each year, over 40 students are selected to participate in the program. This year, to ensure that we are able to address increased demand, we have added a leadership development component for students that may need additional professional development instruction before entering the workplace. This will allow enrollment to increase to 58 students.

X

We appreciate your continued support of this invaluable community program.

County Commissioners of Worcester County, Maryland
INDEPENDENT CONTRACTORS AGREEMENT
(For Contracts Under \$250,000.00)

THIS AGREEMENT, is made this 15th day of March, 2016, by and between the **COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND**, of Room 1103, Government Center, One West Market Street, Snow Hill, Maryland 21863-1195, hereinafter called “County” and Fawn Mete and Ryan Mete, collectively called “Contractor.”

1. **Services.** The County hereby contracts with Contractor to perform the following services as an Independent Contractor for the County:
 - Provide a Science, Technology, Engineering and Mathematics (STEM) oriented day camp for 28 students from July 18 through July 28 hosted at The Red Doors Community Center at St. Paul’s By the Sea, a non-profit community center located at 302 N. Baltimore Avenue, Ocean City, Maryland.
 - Provide 30 high school and university students that are residents in Worcester County the opportunity to explore a STEM related career via a six week paid summer internship, or a paid leadership development program, co-sponsored by Worcester County and local business partners. The internship program runs from June 1 to July 28, and the leadership development program runs from June 30 to July 28.
 - Provide a valuable economic investment in Worcester County by engaging student interns in a series of professional development activities and mentoring services to pique interest in local STEM career opportunities while fostering the personal, professional and social skills essential to their success in the 21st century workforce.
 - Support local business initiatives in the science, technology, engineering and mathematics sectors of Worcester County’s economy by sponsoring motivated students for subsidized employment positions.

- Contractor will subcontract to individuals to work as camp staff on an independent contractor basis. Interns are not employees or subcontractors of the County or the Contractor, they are employees of the business at which they are interning.

2. **Terms of Agreement.** This Agreement shall commence upon signing. Contractor services shall be completed no later than August 30, 2016.
3. **Payment.** Contractor shall be paid periodically upon written invoices for completed work submitted and approved by the County. Total amount of the contract will not exceed \$77,000. Each Contractor shall be paid \$75/hour and work on the project no more than 220 hours each, for a collective total of 440 hours. County shall not be required to pay for incomplete work. At the time of any payment or upon request, Contractor shall provide complete and proper lien releases, in such form as County may require, from all entities or persons having any right to claim a lien on account of the work.
4. **Performance by Contractor.** Contractor shall expeditiously proceed with Contractor's services hereunder and shall devote such time as may be necessary to complete them within the time provided. Contractor shall perform this contract promptly, properly, completely, in accordance with all codes, in a workmanlike manner and in accordance with industry standards and all plans and specifications. Contractor pledges any and all payments paid or due hereunder for the faithful performance hereof.
5. **County will Provide:** County will provide the following services, materials, space or support as follows:
 - linkage to employers willing to undertake internships.
 - linkages to transportation options for the program.
 - 21 notebook computers and 1 mobile lab cart with charging capability, computers and mobile lab cart will remain the property of Worcester County throughout the

program and beyond.

6. **Termination for Cause.** County may terminate this Agreement for any cause upon notice to Contractor. For the purposes hereof, "Cause" shall include, but not be limited to:
 - A. Material breach of Contract
 - B. Dishonesty, Fraud or Criminal Activity
 - C. Incapability to perform
 - D. Nonperformance
 - E. Substandard performance
 - F. Termination of any grant to the County which provides funding for this Contract.

In the event of termination, Contractor shall be entitled to be paid for work performed to date of termination, subject to the limitations herein set forth.

7. **Contract Official.** Contractor shall report directly to, and receive instructions as necessary from Meredith Mears, Director of Economic Development, who shall be the County Contract Official. Final decisions with respect to the Contract on behalf of the County will be made by the Worcester County Commissioners.
8. **Confidential Information - Reports.** Contractor agrees that information received by Contractor during the administration of the Contract may be considered confidential and upon notice agrees to keep such information confidential. Any report by Contractor shall be the sole and exclusive property of the County and may not be released to any other person or entity without the express written permission of the County.
9. **Employment of Others - Subcontractors.** Any Subcontractors of the Contractor shall be first approved in writing by the County prior to engagement. County may,

from time to time, provide other employees to assist Contractor with performance of Contractor services or to perform related services required of Contractor hereunder. This Contract is not assignable and will be performed personally by Contractor as set forth in Contractor's proposal.

10. **Inducement.** Contractor has represented to County that Contractor is fully qualified to perform the services hereunder in a professional, state of the art manner to the highest standards within the parameters of this Contract and specifically that the services required of Contractor hereunder may be accomplished under this Contract for the compensation stated herein. Nothing herein shall require County to pay any overage or additional payment; the Contract price herein stated being firm. Any limitation on County's liability hereunder, shall not be a limitation on services required of the Contractor.
11. **Independent Contractor.** The parties hereto do hereby agree that Contractor is an independent contractor in its performance of its obligations hereunder. Accordingly, Contractor shall be responsible for the payment of all taxes including, without limitation, Federal, State and Local taxes, State Income Tax, Social Security Tax, Unemployment Insurance Tax and all other taxes or business license fees as required arising out of Contractor's performance hereof. Contractor specifically agrees that to the extent required by law, Contractor shall carry Workers' Compensation Insurance in statutory required amounts and Liability Insurance unless waived in writing by County and agrees to provide County with copies of policies as requested. The Contractor agrees to indemnify and hold harmless County with respect to all the Contractor's activities hereunder including, without limitation, claims for negligence or malfeasance against Contractor and as well as Workers' Compensation claims. If this contract is for professional services, contractor shall provide a minimum of \$1,000,000.00 (one million and 00/100 dollars) Errors and Omissions Insurance. At the option of the County, the Contractor may be required to add the County as an additional insured to any insurance that is required hereunder.

12. **Illegality of Performance.** If for any reason this Agreement or its execution by County Commissioners is determined to be illegal, ultra-vires or not in accordance with the law by County Commissioners, then County Commissioners may in their sole discretion and in good faith, declare it null and void.
13. **Immunity/limitation on Actions Against County Commissioners.** Nothing herein or any related agreement or any amendment hereto shall under any circumstances constitute or be construed as a waiver of immunities or limitations of liability that the County Commissioners, their officers, employees, agents, or servants, may have in by virtue of and in accordance with any law, including sovereign, statutory, qualified, official, common law, public general law or public local law immunity. No action may be brought with respect hereto other than in the appropriate State Court in Worcester County, Maryland. Contractor hereby consents and agrees to such provision and further waives any right to jury trial in any action relating hereto. County Commissioners, as a body politic, has become a party hereto only in the capacity stated herein. No individual elected County Commissioner, contractor, employee, agent, or servant of County shall have any personal liability hereunder. Any indemnity herein or arising out of this Agreement, on the part of the County Commissioners, shall be only to the extent permitted by law and shall be subject to the non-waiver of immunity, limitations of liability and all other provisions of this Agreement. County Commissioners' liability under or arising out of this agreement shall be subject to annual budget appropriation and strictly conditioned thereon. The non-waiver and the limitation of liability to County Commissioners hereunder shall be contractual and it is agreed that such limitation is fair and equitable under the totality of the circumstances hereof. It is further agreed and understood that this provision is of the essence.
14. **Hold Harmless - Indemnification.** The Contractor shall defend, indemnify and hold harmless the County, its employees, agents and officials from any and all liabilities, claims, suits, or demands including attorney=s fees and court costs which may be

incurred or made against the County, its employees, agents or officials resulting from any act or omission committed in the performance of the duties imposed by and performed under the terms of the contract. The Contractor shall not be responsible for acts of gross negligence or willful misconduct committed by the County.

15. **Insurance.** Contractor shall also provide Motor Vehicle Insurance and General Liability Insurance in amounts and with companies satisfactory to County. At the option of the County, the Contractor may be required to add the County as an additional insured to any insurance that is required hereunder.
16. **Bonds.** Contractor shall provide such bonds as required by the bid specifications. Contractor hereby binds Contractor to pay and satisfy to the extent legally required all suppliers, subcontractors or others having any right to a claim or action under the Maryland Little Miller Act and hereby pledges any amounts paid or due hereunder as payment security to provide for such payments or satisfactions. Contractor shall provide all lien releases required by County. Where lien releases satisfactory to County are not provided, County may withhold payment to Contractor to the extent determined by County to be reasonably necessary to adequately provide for such claim or action.
17. **Delays and Extensions of Time.** The Contractor agrees to prosecute the work continuously and diligently and no changes or claims for damages shall be made by him for any delays or hindrances, from any cause whatsoever during the progress of any portion of the services specified in this Agreement. Such delays or hindrances, if any, may be compensated for by an extension of time for such reasonable period as the County may decide. Time extensions will be granted only for excusable delays such as delays beyond the control and without the fault or negligence of the Contractor as determined by the County.
18. **Equal Opportunity Employer.** The Contractor represents to County that Contractor is an Equal Opportunity Employer.
19. **Notice of Political Contributions.** The Contractor shall comply with the political

contribution reporting requirements under Title 14 of the Election Law Article, Maryland Annotated Code, to which the contractor may be subject.

20. **Notices.** All notices and communications hereunder shall be in writing and shall be deemed given when sent postage prepaid by registered or certified mail, return receipt requested, and, if intended for the County Commissioners, shall be addressed to it, to the attention of its President, at Room 1103, Government Center, One West Market Street, Snow Hill, Maryland 21863-1195, or at such other address of which the County provided, and if intended for the Contractor, shall be addressed to its attention at The Red Doors Community Center at St. Paul's By The Sea, 302 North Baltimore Avenue, Ocean City, MD, 21842, or at such other address of which the Contractor shall have given notice to the County in the manner herein provided.

ATTEST:

**COUNTY COMMISSIONERS OF WORCESTER
COUNTY, MARYLAND**

Harold L. Higgins
Chief Administrative Officer

By: _____ (SEAL)
Madison J. Bunting, Jr., President

ATTEST:

Fawn Mete

By: _____ (SEAL)

ATTEST:

Ryan Mete

By: _____ (SEAL)

2016 Proposed STEP UP and Reach for the Stars STEM Program Budget- 77K

| 2016 Proposed STEP UP and Reach for the Stars STEM Program Budget- 77K | | | | | | |
|---|---|-----------------|-------------|-------------|-------------|--------------------|
| Staff Costs | | Quantity | Rate | Time | Unit | Total |
| | Curriculum Instructors | 2 | \$1,000.00 | 3 | days | \$6,000.00 |
| | Program Managers- R. Mete, F. Mete | 2 | \$75.00 | 220 | hours | \$33,000.00 |
| | Camp Counselors | 2 | \$200.00 | 8 | day | \$3,200.00 |
| Total Staff Costs | | | | | | \$42,200.00 |
| Materials | | | | | | |
| | Hardware Upgrades | 0 | \$0.00 | | EA | \$0.00 |
| | Software and Licensing | 0 | \$0.00 | | EA | \$0.00 |
| | Design & Print (Color Brochures, Flyers, Copies) | 1 | \$200.00 | | EA | \$200.00 |
| | Website Design | 0 | \$600.00 | | EA | \$0.00 |
| | T-Shirts | 30 | \$16.00 | | EA | \$480.00 |
| | Recognition Ceremony Materials | 1 | \$100.00 | | EA | \$100.00 |
| | Office Supplies | 1 | \$300.00 | | EA | \$300.00 |
| | First Aid Supplies | 1 | \$50.00 | | EA | \$50.00 |
| | Aerospace Engineering and Digital Technology camp supplies | 1 | \$800.00 | | EA | \$800.00 |
| | Camp Games & Ice Breakers | 1 | \$100.00 | | EA | \$100.00 |
| | Intern Professional Development Materials | 1 | \$200.00 | | EA | \$200.00 |
| Total Materials | | | | | | \$2,230.00 |
| Facilities and Travel | | | | | | |
| | Transportation - Vehicles (donated) | 3 | \$0.00 | 8 | days | \$0.00 |
| | Transportation-Rental | 1 | \$200.00 | | | \$200.00 |
| | Transportation - Drivers | 3 | \$80.00 | 8 | days | \$1,920.00 |
| | High Ropes Challenge Field Trip | 1 | \$700.00 | 1 | day | \$700.00 |
| | Fuel for camp vans | 1 | \$200.00 | 2 | weeks | \$400.00 |
| | Project Manager Mileage | 1 | \$0.51 | 900 | miles | \$450.00 |
| | Facilities and Administration (usage, utilities, administrative support, camp payroll, copying) | 1 | \$500.00 | 11 | days | \$5,500.00 |
| | Insurance | 1 | \$50.00 | 11 | days | \$550.00 |
| Total Facilities and Travel | | | | | | \$9,720.00 |
| Food | | | | | | |
| | Camp Snacks, Ceremony Refreshments | | | | | \$800.00 |

6

| | | | | | | | |
|--------------------------------|--|----|---------|-----|---------|-------------|--------------------|
| | Total | | | | | | \$800.00 |
| Student Stipends | | | | | | | |
| | High School and College STEM Intern Stipends | 15 | \$11.00 | 100 | hours | \$16,500.00 | |
| | Worcester STEM Leadership Cohort | 15 | \$250 | 1 | stipend | \$3,750.00 | |
| | Total STEP UP/WSLC Program | | | | | | \$20,250.00 |
| Total Estimated Cost | | | | | | | |
| | | | | | | | \$75,200.00 |
| Overhead | | | | | | | |
| | | | | | | | \$210.00 |
| Total Proposed Budget | | | | | | | |
| | | | | | | | \$75,410.00 |
| Total Requested Funding | | | | | | | |
| | | | | | | | \$77,000.00 |
| Over / (Under) | | | | | | | |
| | | | | | | | -\$1,590.00 |

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized Commission President Church to sign a letter agreeing to continue participating in the Maryland Housing Rehabilitation Program, which includes funding of \$55,906 for Worcester County in 2014, offered through the State Special Loans Program and targeted to Maryland residents with acceptable credit whose income is below 80% of the State median income of \$65,680 for a family of four.

The Commissioners met with Economic Development Director Bill Badger and Fawn Fitzgerald Mete, of the Red Doors Community Center at St. Paul's By the Sea Episcopal Church on 3rd Street in Ocean City, to discuss the proposed 2014 StepUp Internship and Reach for the Stars Worcester County STEM (Science, Technology, Engineering and Mathematics) Enrichment Programs. Mr. Badger reviewed the proposal, noting that the program, which is funded by area businesses and a County match of \$77,000, is set to enter its second year following the elimination of federal funds for the former StepUp program at NASA Wallops. He reviewed the success of the 2013 program and asked the Commissioners to approve the requested County match of \$77,000 as budgeted for the 2014 program and to agree in concept to continue funding the program for a full five-year period through summer 2017, with program officials tracking student participation from camp to internships to their fields of study in college to determine the program's success in inspiring young people to pursue STEM-related studies and career paths.

In response to a question by Commissioner Boggs, Mr. Badger stated that a portion of last year's funds were used to purchase equipment, with remaining funds able to provide internships for 14 students in summer 2013. However, this year 100% of the funding would go directly to oversight of the summer camp and providing summer internships for 20 students. Ms. Mete reviewed the area STEM-related businesses that partner with the County to provide summer internships. These included State Ventures, LLC, Habitat for Humanity, Atlantic General Hospital, Martin Physical Therapy, Maryland Coastal Bays Program, Bel-Art, TR Group, T3 Corporation and others. She stated that these opportunities help inform students of possible STEM-related careers. Following some discussion, the Commissioners unanimously approved the requested County match of \$77,000 for the 2014 StepUp Internship and Reach for the Stars Program, with funds available in the FY14 budget, and conceptually agreed to provide continued funding for the remainder of the five-year program as requested.

The Commissioners met with Fire Marshal Jeff McMahon to discuss a request from the Federal Bureau of Investigation (FBI) to conduct a live demonstration at the Langmaid Road Borrow Pit in Newark during their annual two-day Basic Anti-Terrorism Training for Law Enforcement (BATTLE) conference in Ocean City from April 15-18, 2014. Mr. McMahon advised that the course will be for the region's bomb technicians and post-blast fire/explosives investigators, and the demonstration will take place on either Wednesday or Thursday. He further advised that all area property owners are to be informed of the training by the FBI prior to the actual event. Following some discussion and upon a motion by Commissioner Gulyas, the Commissioners approved the request.



EMERGENCY SERVICES

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1002

SNOW HILL, MARYLAND 21863-1193

TEL: 410-632-1311

FAX: 410-632-4686

5

FRED E. WEBSTER, JR.
DIRECTOR

To: Harold Higgins, Chief Administrative Officer

From: Fred Webster, Director of Emergency Services 

Re: Courthouse Phone System

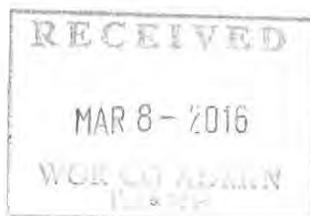
Date: 5 March 2016

County Administration has been contacted by Richard Outten in Judge Groton's office regarding the upgrade of the phone system in the County Courthouse.

Adopted at the 15 September 2015 Commissioners meeting was replacement schedule of telephones throughout various government departments. The Courthouse phones were included in Phase II which was to be completed in FY17. However, according to Mr. Outten their phones are now in dire need of replacement. In addition to their experiencing the same problems that the Government Center had with phones going off line, they are now entirely without voice mail.

At this time we are requesting, on behalf of the court system, permission to spend \$36,586.49 to expedite the installation of the phones in the judges' offices in the Courthouse this budget year. These will be identical to the Avaya phones recently installed at the other county departments replaced in Phase I of the project. Telephones, switches and a gateway will be ordered now. Arrival of the equipment is expected within 30-days of the order being placed which will coincide with the installation of cabling in the Courthouse which is being done by the State of Maryland. In addition a license will be added to allow the Courts to intercom with the current phone system in the States Attorney's office. Quotes from Alliance Technology (for telephones and gateway) and ePlus (for switches) are attached.

Brian and I are available to answer any questions at your convenience.





Alliance Technology Group, LLC

WSOB, WBE Certified

7010 Hi Tech Drive
 Hanover, MD 21076
 410-712-0270
 410-712-0271 fax

Worcester County Government

SALES QUOTATION

Quote Date: 03/07/16
 Quote Number: 42345-3
 Alliance Sales Rep: Windsor
 Vendor Sales Rep:
 Expiration Date: 02/06/16

| Description | | | | | | Maintenance Rates | | |
|-------------|---|------|-------------|-------------|-----------------|-------------------|-----------|----------|
| Product # | Item Description | Qty. | Unit List | Sales Price | Ext Sales Price | Coverage | Unit Rate | Ext Rate |
| | AVAYA VOIP | | | | | | | |
| | New Gateway, 38 9621 Phones & Cords Plus 4 9608 Phones & Cords Includes all licensing and 1 year support on Gateway | 1 | \$31,483.00 | \$14,110.00 | \$ 14,110.00 | | | |
| X2011 | Chronicall with Standard Reports, 1 - 250 Users | 1 | | \$1,755.00 | \$ 1,755.00 | | | |
| X3011 | Xima Care For Chronicall with Standard Reports, 1 - 250 Users | 1 | | \$180.00 | \$ 180.00 | | | |
| 185446 | AVAYA COMMUNICATIONS 5OLUTION - Ability to have VOIP communication with non-Avaya phone systems | 1 | | \$0.00 | \$ - | | | |
| 275642 | IPO R9+ IP500 VCE NTWK 4 ADI LIC | 3 | | \$585.00 | \$ 1,755.00 | | | |
| 700480643 | BUTTON MOD 12B | 1 | | \$97.00 | \$ 97.00 | | | |

End User: Brian Jones

Subtotal: \$17,897.00
 Installation: N/A
Total: \$17,897.00

Freight & Applicable Taxes Additional. Freight charges are "ESTIMATED" and "ACTUAL" charges will be invoiced. Customer is responsible for 100% of freight charges.
 This quote and configuration is confidential to Alliance and is only to be used between Alliance and the customer. In the event this provided quote and configuration is used for other purposes, consulting fees will be charged. Should customer desire to use this information for any purpose other than its original intended purpose, or wish to divulge the contents of this quote to a 3rd party, customer must obtain written permission from Alliance prior to such use. This quote is valid for 30 days past the quote date unless otherwise noted and Quote is subject to change.
 All Purchase Orders subject to acceptance by Alliance Technology Group, LLC. Prices subject to change prior to acceptance of Purchase Order. Payment Terms pursuant to Contract of Sale. Leasing figures are being provided to you for informational purposes only. Actual lease rates may vary and are subject to credit approval.

Alliance's Term's & Condition's apply. Alliance's T&C's can be viewed at www.alliance-it.com.

Maintenance pricing quoted must be purchased with product for price to be valid. Unless pre-paid, all maintenance pricing is subject to change.

Quote Name:



Quotation

| Bill To | | | Ship To | | | Quotation #: | |
|---|--|--|--|--|--|-----------------------------|--|
| WORCESTER COUNTY GOVERNMENT 1 WEST MARKET STREET | | | WORCESTER COUNTY GOVERNMENT 1 WEST MARKET STREET RM 1002 Information Technology Division | | | 21880842 | |
| SNOW HILL MD 21863 | | | SNOW HILL MD 21863 | | | Order #: | |
| | | | Brian Jones | | | Quotation Date: 03/07/2016 | |
| | | | | | | Expiration Date: 04/06/2016 | |
| | | | | | | Client Reference: | |
| | | | | | | Account Rep: Jennifer Eslin | |

| Line No. | Quantity | Part Number | MFG | Description | Warranty Length | Unit Price | Ext Price |
|----------|----------|------------------|-------|---|-----------------|------------|-------------|
| 001 | 3 | WS-C3650-48PS-S | CISCO | CISCO CATALYST 3650 48 PORT POE 4X1G UPLINK IP BASE | | \$5,222.22 | \$15,666.66 |
| 002 | 3 | CON-SNT-WSC36PSS | CISCO | SNTC-8X5XNBD CISCO CATALYST 3650 48 PORT POE 4X1G UPL | 1 Year | \$479.83 | \$1,439.49 |
| 003 | 3 | S3650UK9-37E | CISCO | CAT3650 UNIVERSAL K9 IMAGE | | \$0.00 | \$0.00 |
| 004 | 3 | PWR-C2-640WAC | CISCO | 640W AC CONFIG 2 POWER SUPPLY | | \$0.00 | \$0.00 |
| 005 | 3 | PWR-C2-640WAC/2 | CISCO | 640W AC CONFIG 2 SECONDARY POWER SUPPLY | | \$527.78 | \$1,583.34 |
| 006 | 6 | CAB-TA-NA | CISCO | NORTH AMERICA AC TYPE A POWER CABLE | | \$0.00 | \$0.00 |
| 007 | 3 | STACK-T2-BLANK | CISCO | TYPE 2 STACKING BLANK | | \$0.00 | \$0.00 |

By placing an order with ePlus for products or services you agree to comply with the Terms and Conditions for Purchasing Products and Services located at <http://www.eplus.com/terms-and-conditions/Pages/Products-Services-Terms-and-Conditions.aspx> (the "Order Terms"). Unless there is a separate written agreement signed on behalf of both you and ePlus by a duly authorized officer, the Order Terms shall be the only terms and conditions applicable to transactions between you and ePlus, and no additional or contrary terms referenced in a purchase order, document, or electronic communication shall apply. In no event shall ePlus performance under a purchase order be deemed to constitute acceptance of any terms and conditions set forth therein.

ePlus offers flexible and easy leasing options for your IT equipment. Use leasing to increase your IT acquisition capability, overcome limited budgets, and manage the lifecycle of your assets. Contact an ePlus Leasing Coordinator at 1-703-984-8021 or leasing@eplus.com to receive a lease quote today.

Thank you for your inquiry. Please note the following about this quotation: It will expire on the date stated above. Unless freight amount is indicated, or is zero, freight will be added to the invoice. Unless Bill-To company is exempt from Sales Tax, it will be added to the invoice. Extended Warranties and Professional Services are available.

| Customer Acceptance | To Place An Order, Please Contact: | Summary |
|--|---|--|
| Signature: _____ Date: _____ Name: _____ PO #: _____ Title: _____ Ship Via: _____ | Sales: Kristen Zawislak Phone: 610-495-1294 Fax: 610-495-1208 Email: KZawislak@EPLUS.com Address: 130 Futura Drive - Pottstown, PA 19464 | Sub Total: \$ 18,689.49 Est. Tax: Shp&Hnd: \$ 0.00 |
| <p>This quotation is confidential for your internal use only.</p> <p>This is a solicitation for an offer and is subject to credit approval. No contract is formed unless a purchase order or other offer is received and accepted by our office. If you accept this quotation with the intent to have your chosen leasing company to pay the costs directly, please note that if the Lessor does not pay ePlus for any reason, you will be responsible for payment to ePlus.</p> | | Total: \$ 18,689.49 |

3

Pursuant to the recommendation of Mr. Webster and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the bid from Alliance Technology Group, LLC of Hanover, Maryland to provide additional telephone systems for the following eight remote office in Worcester County: Recreation and Parks; Isle of Wight; Tourism/Economic Development; Animal Control; and the Administration, Roads, Solid Waste, and Water and Wastewater Divisions within Public Works at a total additional cost of \$49,245 using the Model 9621 sets for these offices. Installation will also require switches totaling \$28,710.65 for a total cost of \$77,955.65. In response to a question by Commissioner Bertino, Mr. Webster stated that several of the State agencies in the Court House maintain their own phone systems; however, staff has reached out to discuss options for piggybacking on the County's bid to replace their systems.

BID FORM

One (1) Multi-Line, Multi Position Telephone System

We have reviewed the specifications and provisions for furnishing One (1) multi-line, multi-position telephone system (The System) and understand said requirements. We hereby propose to furnish the System as specified:

Make: AVAYA Model: 9608 and 9621

Year system was first manufactured: 2006

Total bid price for The System including delivery and setup:

Worcester County Government Center: \$25,835.00

State's Attorney: \$8,370.00

Jail: \$8,460.00

Recreation and Parks: \$7,365.00

DPW - Administration/Maintenance: \$910.00

DPW - Roads: \$650.00

DPW - Solid Waste: \$1,170.00

DPW - Water & Wastewater: \$8,160.00

Animal Control: \$910.00

Isle of Wight Annex: \$8,160.00

Tourism/Economic Development: \$600.00

Liquor Control: \$1,950.00

Worcester County Court House: \$8,370.00

← plus handsets, intercom and switches

**Please note these prices do not include handsets or line cords; which are as followed:*

AVAYA 9608 Handset: \$115/phone

AVAYA 9621 Handset: \$199/phone

Phone Line Cords: \$6.00/each

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



6

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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

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

March 8, 2016

TO: Worcester County Commissioners
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS.*
SUBJECT: Current Board Appointments - Terms Beginning January 1, 2016

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (7) which have members who have resigned or whose terms have expired and either need to be reappointed or replaced (8 total). They are as follows: Drug & Alcohol Abuse Council (1), Housing Review Board (1), Local Management Board/Initiative to Preserve Families (1), Local Development Council for Ocean Downs Video Lottery Facility (2), Lower Shore Workforce Investment Board (1), Water and Sewer Advisory Council - Ocean Pines (1), and Commission for Women (1). I have circled the members whose terms have expired on each of these boards.

Most of these Boards and Commissions specify that current members' terms expired on December 31st. Current members will continue to serve beyond their term until they are either reappointed or a replacement is named. Please consider these reappointments or new appointments at your next meeting so I can notify the board members and staff contacts as soon as possible to restore full appointed membership on each of these boards.

If you have any questions or concerns, please don't hesitate to contact me. Thank You!

Pending Board Appointments - By Commissioner

- District 1 - Lockfaw** p. 7 - Local Development Council for Ocean Downs Casino (Ron Taylor) - 4-year
p. 12 - Commission for Women (Laura McDermott - **resigned-replace** - for remainder of term through 2016) - 3-year
- District 2 - Purnell** All District Appointments received. Thank You!
Please consider nominations for At-Large positions listed below - "All Commissioners"
- District 3 - Church** All District Appointments received. Thank You!
Please consider nominations for At-Large positions listed below - "All Commissioners"
- District 4 - Elder** All District Appointments received. Thank You!
Please consider nominations for At-Large positions listed below - "All Commissioners"
- District 5 - Bertino** All District Appointments received. Thank You!
Please consider nominations for At-Large positions listed below - "All Commissioners"
- District 6 - Bunting** All District Appointments received. Thank You!
Please consider nominations for At-Large positions listed below - "All Commissioners"
- District 7 - Mitreic** p. 5 - Housing Review Board (Ruth Waters) - 3-year
p. 7 - Local Development Council for Ocean Downs Casino (Todd Ferrante) - 4-year

All Commissioners

- p. 6 - (1) Local Management Board - Initiative to Preserve Families (Mark Frostrom) - 3-year
p. 8 - (1) Lower Shore Workforce Investment Board (Replace Craig Davis -remainder of term through 2017 - Business Representatives) - 4-year
p. 9 - LSWA requests appointment of representatives from the following industries: Logistics (Sysco), Trades (small independent contractors), Hospitality (hotel, motel, restaurant), Health Care (AGH, Assisted Living, Coastal Hospice), or Manufacturing (wineries, breweries, Dunkin Donuts).
p. 11 - (1) Water and Sewer Advisory Council - Ocean Pines (Gail Blazer) - 4-year

All Commissioners - (Awaiting Nominations)

- p. 3 - (1) Drug and Alcohol Abuse Council (Marty Pusey - Substance Abuse Prevention Provider)
- Awaiting nomination of Marty Pusey's replacement by Health Officer Debbie Goeller

DRUG AND ALCOHOL ABUSE COUNCIL

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: David Baker, Council Secretary, Health Department (410-632-1100, ext. 1106)
Doug Dods, Council Chair, Sheriff's Office (410-632-1111)

Current Members:

| <u>Name</u> | <u>Representing</u> <u>At-Large Members</u> | <u>Years of Term(s)</u> |
|-------------------------------|--|--------------------------------|
| Marty Pusey | Substance Abuse Prevention Provider | 04-11, 11-15 |
| Kim Moses | Knowledgeable on Substance Abuse Issues | 08-12, 12-16 |
| Karen Johnson | Knowledgeable on Substance Abuse Issues | *14-16 |
| Colleen Wareing | Knowledge of Substance Abuse Treatment | *06-09-13, 13-17 |
| Rev. Bill Sterling | Knowledge of Substance Abuse Issues | 13-17 |
| Eric Gray (Christina Purcell) | Substance Abuse Treatment Provider | *15-18 |
| Sue Abell-Rodden | Recipient of Addictions Treatment Services | 10-14, 14-18 |
| Colonel Doug Dods | Knowledgeable on Substance Abuse Issues | 04-10 (advisory), 10-14, 14-18 |
| Jim Freeman, Jr. | Knowledgeable on Substance Abuse Issues | 04-11-15, 15-19 |
| Jennifer LaMade | Knowledgeable on Substance Abuse Issues | *12-15, 15-19 |

*Retired. replace
Debbie Goeller &
propose*

Ex-Officio Members

| | | |
|--------------------------------------|---------------------------------------|------------------------|
| Debbie Goeller | Health Officer | Ex-Officio, Indefinite |
| Peter Buesgens (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 |
| Beau Oglesby | State's Attorney | Ex-Officio, Indefinite |
| Burton Anderson | District Public Defender | Ex-Officio, Indefinite |
| Sheriff Reggie Mason (Doug Dods) | County Sheriff | Ex-Officio, Indefinite |
| Bob Rothermel (Aaron Dale) | Board of Education President | Ex-Officio, Indefinite |
| Diana Purnell | County Commissioners | Ex-Officio, Indefinite |
| Judge Thomas Groton (Jen Bauman) | Circuit Court Administrative Judge | Ex-Officio, Indefinite |
| Judge Gerald Purnell (Tracy Simpson) | District Court Administrative Judge | Ex-Officio, Indefinite |
| Garry Mumford | Warden, Worcester County Jail | Ex-Officio, Indefinite |

Advisory Members

| | | |
|--------------------------------------|--|------------|
| Sharon Smith | Stephen Decatur H.S. - SADD Advisor | Since 2004 |
| Lt. Earl W. Starner | Maryland State Police | Since 2004 |
| Jennifer Standish | Recreation & Parks Department | |
| Charles "Buddy" Jenkins | Business Community - Jolly Roger Amusements | |
| Chief Ross Buzzuro (Lt. Rick Moreck) | Ocean City Police Dept. | |
| Leslie Brown | Hudson Health Services, Inc. | |
| (Vacant) | Student Rep - Stephen Decatur HS - appointed by Principal | |
| (Vacant) | Student Rep - Snow Hill HS - appointed by Principal | |
| (Vacant) | Student Rep - Pocomoke HS - appointed by Principal | |
| (Vacant) | Student Rep - Worcester Preparatory - appointed by Principal | |

Prior Members:

Vince Gisriel
Michael McDermott
Marion Butler, Jr.
Judge Richard Bloxom
Paula Erdie
Tom Cetola
Gary James (04-08)
Vickie Wrenn
Deborah Winder
Garry Mumford
Judge Theodore Eschenburg
Andrea Hamilton
Fannie Birckhead
Sharon DeMar Reilly
Lisa Gebhardt
Jenna Miller
Dick Stegmaier
Paul Ford
Megan Griffiths
Ed Barber
Eloise Henry-Gordy
Lt. Lee Brumley
Ptl. Noal Waters
Ptl. Vicki Fisher
Chief John Groncki
Chief Arnold Downing
Frank Pappas
Captain William Harden
Linda Busick (06-10)
Sheriff Chuck Martin
Joel Todd
Diane Anderson (07-10)
Joyce Baum (04-10)
James Yost (08-10)
Ira "Buck" Shockley (04-13)
Teresa Fields (08-13)
Frederick Grant (04-13)
Doris Moxley (04-14)
Commissioner Merrill Lockfaw
Kelly Green (08-14)
Sheila Warner - Juvenile Services

Since 2004

Chief Bernadette DiPino - OCPD
Chief Kirk Daugherty - SHPD
Mike Shamburek - Hudson Health
Shirleen Church - BOE
Tracy Tilghman (14-15)

HOUSING REVIEW BOARD

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: \$50 per meeting (policy)

Meetings: As Needed

Special Provisions: Immediate removal by Commissioners for failure to attend meetings.

Staff Support: Development Review & Permitting Department
Jo Ellen Bynum, 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> |
|----------------------|---------------------|----------------|--------------------------|
| Ruth Waters | D-7, Gulyas | Berlin | 12-15 |
| C. D. Hall | D-1, Lockfaw | Pocomoke | 10-13, 13-16 |
| Debbie Hileman | D-6, Bunting | Ocean Pines | 10-13, 13-16 |
| John Glorioso | D-3, Church | Ocean Pines | *06-11-14, 14-17 |
| Scott Tingle | D-4, Elder | Snow Hill | 14-17 |
| Donna Dillon | D-5, Bertino | Ocean Pines | 08-11-14, 14-17 |
| Sharon Teagle | D-2, Purnell | Ocean Pines | 00-12-15, 15-18 |

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 Alphonsi | 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) | |
| Ted Ward (94-00) | |
| Larry Duffy (90-00) | |
| Patricia McMullen (00-02) | |
| 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: \$50 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, Acting Director, Local Management Board - (410) 632-3648
 Jennifer LaMade - Local Management Board - (410) 632-3648
 Pete Buesgens, Chair - (410) 677-6807; Eloise Henry-Gordy, Vice-Chair

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 - Lockfaw | Pocomoke City | *99-09, 09-12, 12-15 |
| Ira "Buck" Shockley | At-Large - D. Purnell | Snow Hill | 03-09-12, 13-16 |
| Eloise Henry Gordy | At-Large - J. Purnell | Snow Hill | *07-08-11-14, 14-17 |
| Andrea Watkins | At-Large - Bertino | Ocean Pines | *13-14, 14-17 |
| Jennifer LaMade | <i>Ex officio</i> | Core Service Agency | Indefinite |
| Deborah Goeller | <i>Ex officio</i> | Health Department | Indefinite |
| Sheila Warner | <i>Ex officio</i> | Juvenile Justice | Indefinite |
| Dr. Jerry Wilson | <i>Ex officio</i> | Board of Education | Indefinite |
| Peter Buesgens | <i>Ex officio</i> | Department of Social Services | Indefinite |

Prior Members (since 1994):

| | | |
|----------------------------|-----------------------------|----------------------------|
| Tim King (97) | Jeannette Tresler (02-05) | Judy Baumgartner (07-10) |
| Sandra Oliver (94-97) | Lou Taylor (02-05) | Claudia Nagle (09-10) |
| Velmar Collins (94-97) | Paula Erdie | Megan O'Donnell (10) |
| Catherine Barbierr (95-97) | Rev. Pearl Johnson (05-07) | Kiana Smith (10) |
| Ruth Geddie (95-98) | Peter Fox (05-07) | Christopher Bunting (10) |
| Rev. Arthur George (94-99) | Lou Etta McClafin (04-07) | Simi Chawla (10) |
| Kathey Danna (94-99) | Bruce Spangler (04-07) | Jerry Redden |
| Sharon Teagle (97-99) | Sharon DeMar Reilly | Jennifer Standish |
| Jeanne Lynch (98-00) | Kathy Simon | Anne C. Turner |
| Jamie Albright (99-01) | Vickie Stoner Wrenn | Marty Pusey |
| Patricia Selig (97-01) | Robin Travers | Virgil L. Shockley |
| Rev. Lehman Tomlin (99-02) | Jordan Taylor (09) | Dr. Jon Andes (96-12) |
| Sharon Doss | Aaron Marshall (09) | Dr. Ethel M. Hines (07-13) |
| Rick Lambertson | Allen Bunting (09) | |
| Cyndy B. Howell | LaTrele Crawford (09) | |
| Sandra Lanier (94-04) | Sheriff Charles T. Martin | |
| Dr. James Roberts (98-04) | Joel Todd, State's Attorney | |
| Dawn Townsend (01-04) | Ed Montgomery (05-10) | |
| Pat Boykin (01-05) | Edward S. Lee (07-10) | |
| | Toni Keiser (07-10) | |

* = Appointed to fill an unexpired term

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

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

Appointed by: County Commissioners

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

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

Compensation: None

Meetings: At least semi-annually

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

Staff Contacts: Kim Moses, Public Information Officer, 410-632-1194
Maureen Howarth, County Attorney, 410-632-1194

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Represents/Resides</u> | <u>Years of Term(s)</u> |
|-------------------------|---------------------|---------------------------|-------------------------|
| Ron Taylor ° | Dist. 1 - Lockfaw | Resident - Pocomoke | *09-10, 10-14 |
| Todd Ferrante ° | Dist. 7 - Gulyas | Resident - Ocean City | *09-11, 11-15 |
| Mayor Charlie Dorman | Dist. 4 - Shockley | Resident - Snow Hill | 12-16 |
| Rod Murray ° | Dist. 6 - Bunting | Resident - Ocean Pines | *09-12, 12-16 |
| Mayor Rick Meehan ° | At-Large | Business - Ocean City | *09-12, 12-16 |
| Mayor Gee Williams ° | Dist. 3 - Church | Resident - Berlin | 09-13, 13-17 |
| Jim Rosenberg ° | Dist. 5 - Boggs | Resident - Ocean Pines | 09-13, 13-17 |
| David Massey ° | At-Large | Business - Ocean Pines | 09-13, 13-17 |
| Cam Bunting ° | At-Large | Business - Berlin | *09-10-14, 14-18 |
| James N. Mathias, Jr. ° | | Maryland Senator | 09-10-14, 14-18 |
| Mary Beth Carozza | | Maryland Delegate | 14-18 |
| Charles Otto | | Maryland Delegate | 14-18 |
| Roxane Rounds | Dist. 2 - Purnell | Resident - Berlin | *14-15, 15-19 |
| Mark Wittmyer | At-Large | Business - Ocean Pines | 15-19 |
| Joe Cavilla | Ocean Downs Casino | Ocean Downs Casino | 12-indefinite |

Prior Members: Since 2009

J. Lowell Stoltzfus ° (09-10)
 Mark Wittmyer ° (09-11)
 John Salm ° (09-12)
 Mike Pruitt ° (09-12)
 Norman H. Conway ° (09-14)
 Michael McDermott (10-14)
 Diana Purnell ° (09-14)
 Linda Dearing (11-15)

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

LOWER SHORE WORKFORCE INVESTMENT BOARD
(Previously Private Industry Council Board - PIC)

Reference: Workforce Investment Act of 1998, Section 117

Appointed by: County Commissioners

Functions: Advisory/Regulatory
Provide education and job training opportunities to eligible adults, youth and dislocated workers who are residents of Somerset, Wicomico and Worcester counties.

Number/Term: 24 - 5 Worcester County, 7 At-Large (by Tri-County Council), 12 Other
2, 3 or 4-year terms; Terms expire September 30

Compensation: None

Meetings: Quarterly (January, April, July, October) on the 2nd Wednesday

Special Provisions: Board must be at least 51% business membership.
Chair must be a businessperson

Staff Contact: Lower Shore Workforce Alliance
Milton Morris, Workforce Director (410-341-3835, ext 6)
One-Stop Job Market, 31901 Tri-County Way, Suite 215, Salisbury, MD 21804

Current Members (Worcester County - also members from Wicomico, Somerset and Tri-County Council):

| <u>Name</u> | <u>Resides/Agency</u> | <u>Term</u> | <u>Representing</u> |
|------------------------|-----------------------|------------------|-----------------------|
| Craig Davis (resigned) | Berlin | 13-17 | Business Rep. |
| Walter Maizel | Bishopville | *12, 12-16 | Private Business Rep. |
| Donna Weaver | Berlin | *08-09-13, 13-17 | Business Rep. |
| Geoffrey Failla | Whaleyville | *15-18 | Business Rep. |
| Jason Cunha | Pocomoke | *16-18 | Business Rep. |

*Resigned -
Replace*

Prior Members: Since

| | |
|---------------------------|-------------------------|
| Baine Yates | Heidi Kelley (07-08) |
| Charles Nicholson (98-00) | Bruce Morrison (05-08) |
| Gene Theroux (97-00) | Margaret Dennis (08-12) |
| Jackie Gordon (98-00) | Ted Doukas (03-13) |
| Caren French (97-01) | Diana Nolte (06-14) |
| Jack Smith (97-01) | John Ostrander (07-15) |
| Linda Busick (98-02) | |
| Edward Lee (97-03) | |
| Joe Mangini (97-03) | |
| Linda Wright (99-04) | |
| Kaye Holloway (95-04) | |
| Joanne Lusby (00-05) | |
| William Greenwood (97-06) | |
| Gabriel Purnell (04-07) | |
| Walter Kissel (03-07) | |

** See attached* →

Request Rep. from

- Health Care
- Hospitality
- Manufacturing
- Trades, or
- Logistics

Kelly Shannahan

From: Dione Shaw <dshaw@tcclesmd.org>
Sent: Wednesday, January 20, 2016 3:55 PM
To: Kelly Shannahan
Cc: Maria Waller; Walter Maizel
Subject: Lower Shore Workforce Alliance - Workforce Development Board Members
Attachments: WDB Resignations.pdf

Hello Kelly,

It was great talking with you today. Copies of the resignation letters for Craig Davis and John Ostrander are attached.

We currently have two Worcester County vacancies and are seeking individuals from these industries:

Logistics - Sysco
Trades – Small Independent Contractors
Hospitality – Hotel/Motels and Restaurant
Healthcare – AGH, Assistant Living, Coastal Hospice
Manufacturing -- Wineries/Breweries, Dunkin Donuts

*

We look forward to hearing from you in the near future.

Thank you for all you do to help us keep our Workforce Development Board in compliance.

Di

DIONE SHAW
OPERATIONS COORDINATOR
LOWER SHORE WORKFORCE ALLIANCE
31901 TRI-COUNTY WAY
SALISBURY, MARYLAND 21804
PHONE: 410-341-3835
FAX: 410-341-3735
EMAIL: DSHAW@LSWA.ORG
WEB: WWW.LOWERSHORE.ORG

 Please consider the environment before printing this email
LEGAL DISCLAIMER: [ELECTRONICCOMMUNICATIONS](#)

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Received
3/4/15

TAYLOR'S NEIGHBORHOOD RESTAURANT

11021 Nicholas Lane, Suite 1, Ocean Pines, MD 21811
(410) 208-4260

March 4, 2015

To: Mr. Jim Bunting

Cc: Milton Morris

I am writing this letter to inform you that I must resign from my position on the Lower Shore Workforce Investment Board. Thank you for your understanding with this matter.

Sincerely,

Craig Davis

Craig Davis

Owner

Taylor's Neighborhood Restaurant

443-235-4601 cell

**WATER AND SEWER ADVISORY COUNCIL
OCEAN PINES 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: Expense allowance for meeting attendance as authorized in the budget.

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> |
|------------------|----------------|-------------------------|
| Gail Blazer | Ocean Pines | 07-11, 11-15 |
| Frederick Stiehl | Ocean Pines | *06-08-12, 12-16 |
| Mike Hegarty | Ocean Pines | *08-09-13, 13-17 |
| Michael Reilly | Ocean Pines | *14-17 |
| James Spicknall | Ocean Pines | 07-10-14, 14-18 |

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)

* = Appointed to fill an unexpired term

COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

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

Compensation: None

Meetings: At least monthly (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: Eloise Henry-Gordy, 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> |
|----------------------|----------------------------------|-----------------|-------------------------|
| Laura McDermott | D-1, Lockfaw | Pocomoke City | *11-13, 13-16 |
| Hope Carmean | D-4, Elder | Snow Hill | *15-16 |
| Dawn Cordrey Hodge | At-Large | Ocean City | 13-16 |
| Mary Beth Quillen | Dept of Social Services | | 13-16 |
| Julie Phillips | Board of Education | | 13-16 |
| Charlotte Cathell | D-5, Bertino | Ocean Pines | *09-11-14, 14-17 |
| Alice Jean Ennis | At-Large | Pocomoke | 14-17 |
| Eloise Henry-Gordy | At-Large | Snow Hill | 08-11-14, 14-17 |
| Corporal Lisa Maurer | Public Safety - Sheriff's Office | | *13-14, 14-17 |
| Debbie Farlow | Health Department | | *13-14, 14-17 |
| Teola Brittingham | D-2, Purnell | Berlin | *16-18 |
| Michelle Bankert | D-3, Church | West Ocean City | *14-15, 15-18 |
| Bess Cropper | D-6, Bunting | Berlin | 15-18 |
| Nancy Fortney | D-7, Mitrecic | Ocean City | 12-15, 15-18 |
| Carol Rose | At-Large | Berlin | *14-15, 15-18 |

*Resigned-
Replace*

Prior Members: Since 1995

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

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

Prior Members: Since 1995 (continued)

Dr. Mary Dale Craig (02-06)
Dee Shorts (04-07)
Ellen Payne (01-07)
Mary Beth Quillen (05-08)
Marge SeBour (06-08)
Meg Gerety (04-07)
Linda Dearing (02-08)
Angela Hayes (08)
Susan Schwarten (04-08)
Marilyn James (06-08)
Merilee Horvat (06-09)
Jody Falter (06-09)
Kathy Muncy (08-09)
Germaine Smith Garner (03-09)
Nancy Howard (09-10)
Barbara Witherow (07-10)
Doris Moxley (04-10)
Evelyne Tyndall (07-10)
Sharone Grant (03-10)
Lorraine Fasciocco (07-10)
Kay Cardinale (08-10)
Rita Lawson (05-11)
Cindi McQuay (10-11)
Linda Skidmore (05-11)
Kutresa Lankford-Purnell (10-11)
Monna Van Ess (08-11)
Barbara Passwater (09-12)
Cassandra Rox (11-12)
Diane McGraw (08-12)
Dawn Jones (09-12)
Cheryl K. Jacobs (11)
Doris Moxley (10-13)
Kutresa Lankford-Purnell (10-12)
Terry Edwards (10-13)
Dr. Donna Main (10-13)
Beverly Thomas (10-13)
Caroline Bloxom (14)
Tracy Tilghman (11-14)
Joan Gentile (12-14)
Carolyn Dorman (13-16)
Arlene Page (12-15)
Shirley Dale (12-16)

RECEIVED
MAR 09 2016
Worcester County Admin



7

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

JOHN H. TUSTIN, P.E.
DIRECTOR

MEMORANDUM

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: March 8, 2016
**SUBJECT: Snow Hill Health & Recreation Center
Condenser Coil Replacement Project - Bid Recommendation**

DIVISIONS

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

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

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

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

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

On Monday February 22, 2016, three (3) bids were received and opened for the replacement of condenser coils at the Snow Hill Health and Recreation Center. A summary of the pricing received is below:

Table 1: Total Bid Pricing "Health" & "Recreation Center"

| Bidder | Health | Recreation | Total Coil Coating | Total |
|-----------------------------|-------------|-------------|--------------------|--------------|
| Eastern Shore Heating & Air | \$58,726.00 | \$95,060.00 | \$5,984.00 | \$159,770.00 |
| Joseph M. Zimmer, Inc. | \$43,996.00 | \$65,976.00 | \$2,300.00 | \$112,272.00 |
| Wilfre Co., Inc. | \$43,173.00 | \$71,446.00 | \$3,824.00 | \$118,443.00 |

Page
4
6
8
10

Table 2: Total Bid Pricing "Health" Only

| Bidder | Health | Add: York Coil Coating | Total |
|-----------------------------|-------------|------------------------|-------------|
| Wilfre Co., Inc. | \$43,173.00 | \$2,048.00 | \$45,221.00 |
| Joseph M. Zimmer, Inc. | \$43,996.00 | \$1,500.00 | \$45,496.00 |
| Eastern Shore Heating & Air | \$58,726.00 | \$2,992.00 | \$61,718.00 |

Bid Specifications

Funds, \$24,700 for the Health and \$30,000 for the Recreation Center were allocated in the Unassigned Fund Balance for these two projects. The lowest responsive bids received exceed the allocated funds. The shortfall in budgeting is attributable to the following:

1. Budgetary costs were obtained for the Health facility by the Maintenance Superintendent from local suppliers of parts and service. It has been determined that the local supplier of York equipment provided an inaccurate quantity of components required at the time the budget was established and when the Bidders made their inquiries during the bid process, the supplier doubled the quantities to meet the actual requirements. This error has accounted for a significant portion of the increase.
2. It was assumed in budget estimates that if the Health facility could be repaired for \$24,700 then the Recreation Center could be repaired for a similar estimated amount. The error was duplicated by using the estimate obtained for the Health facility.

As regards the bids received, Wilfre Co., Inc. provided the lowest bid, \$45,221.00, for the Health facility and Joseph M. Zimmer, Inc. provided the lowest bid, \$66,776.00 for the Recreation Center.

At this time, with the bids exceeding the budget allocations, it would seem important to prioritize the facilities and make the repairs to the Health facility as it provides emergency support functions during catastrophic events and it is the most difficult to condition should there be a loss of cooling during the cooling season. The Recreation Center gymnasium has better access to install temporary cooling should there be a loss during the cooling season. Therefore, it is recommended that the Recreation Center be postponed and the funding for both projects be combined with the Health project to be awarded to Wilfre Co., Inc. at a total installed cost of \$45,221.00.

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

Attachments

cc: Kenneth J. Whited, Maintenance Superintendent

Competitive Bid Worksheet

Item: HVAC Condenser Coils Replacement Project

Bid Deadline/Opening Date: 1:00 P.M., February 22, 2016

Bids Received by deadline = 3

| <u>Vendor's Submitting Bids</u> | <u>Snow Hill Health Total Bid Price</u> | <u>Recreation Center Total Bid Price</u> |
|--|---|--|
| Eastern Shore Heating and Air Post Office Box 1735 Unknown- <u>Salisbury, MD 21802</u> | \$ <u>58,726⁰⁰</u> | \$ <u>95,000⁰⁰</u> |
| Joseph M. Zimmer, Inc. 2225 Northwood Drive Salisbury, MD 21801 | \$ <u>43,996⁰⁰</u> | \$ <u>65,976⁰⁰</u> |
| Wilfre Co., Inc. 8161 Memory Gardens Lane Hebron, MD 21830 | \$ <u>43,173⁰⁰</u> | \$ <u>71,446⁰⁰</u> |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

BID FORM

**County Commissioners of Worcester County Maryland
"Snow Hill Health & Recreation Center- Condenser Coil Replacement Project"**

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

HEALTH FACILITY TOTAL BID PRICE: \$ 58,726.00

RECREATION CENTER TOTAL BID PRICE: \$ 95,060.00

The Owner may request additional work or the Contractor may identify work that is required to complete the project but was not included in the Scope of Supply in the Bid Documents. All Bidders shall list their rates for additional work below.

INFORMATIONAL PRICING

| | |
|--|-----------------|
| Supervision...Additional Labor...per man hour.....ADD | \$ <u>90.00</u> |
| Journeyman/Tech/Mechanic...Additional Labor...per man hour...ADD | \$ <u>45.00</u> |
| Apprentice/Laborer...Additional Labor...per man hour.....ADD | \$ <u>45.00</u> |
| Material Mark Up.....% ADD | <u>46%</u> |

BID MUST BE SIGNED TO BE CONSIDERED

Date: 2-19-16 Signature: Michael Bartemy
Name: Michael Bartemy
Company: Eastern Shore Heating & Air
Address: P.O. Box 1735
Salisbury, MD 21802
Telephone: 443-210-2816

Eastern Shore Heating & Air
 PO Box 1735
 Salisbury MD 21802
 Phone: 443-210-2816
 Fax: 443-210-2819

QUOTE

| | | |
|-------------|---------------|---------------|
| DATE | QUOTE# | CUST # |
| 2/18/2016 | 0000030281 | 0006762 |

BILL TO:

WORCESTER COUNTY COMMISSIONERS
 ONE WEST MARKET ST, ROOM 1103
 SNOW HILL MD 21863

SHIP TO:

WORCESTER COUNTY RECREATION CENTER
 6040 PUBLIC LANDING ROAD
 SNOW HILL MD 21863

| P.O. NUMBER | | TERMS | SALES PERSON | |
|--|---|------------|-------------------|--|
| COIL COATINGS ADD ON | | COD | | |
| QUAN | DESCRIPTION | PRICE EACH | AMOUNT | |
| 16.00 | ADD ON FOR COIL COATINGS FOR 16 CONDENSER COILS | 194.00 | 3,104.00 | |
| 32.00 | Technician Labor | 90.00 | 2,880.00 | |
| <p>Acceptance of Proposal The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined under the payment terms above.</p> <p>Signature: _____</p> <p>Date: _____</p> | | | | |
| TOTAL | | | \$5,984.00 | |

BID FORM

**County Commissioners of Worcester County Maryland
"Snow Hill Health & Recreation Center- Condenser Coil Replacement Project"**

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

HEALTH FACILITY TOTAL BID PRICE: \$ 43,996 .00

RECREATION CENTER TOTAL BID PRICE: \$ 65,976 .00

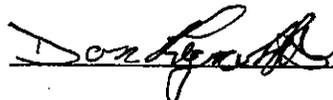
The Owner may request additional work or the Contractor may identify work that is required to complete the project but was not included in the Scope of Supply in the Bid Documents. All Bidders shall list their rates for additional work below.

INFORMATIONAL PRICING

| | |
|--|-----------------|
| Supervision...Additional Labor...per man hour.....ADD | \$ <u>85.00</u> |
| Journeyman/Tech/Mechanic...Additional Labor...per man hour...ADD | \$ <u>65.00</u> |
| Apprentice/Laborer...Additional Labor...per man hour.....ADD | \$ <u>35.00</u> |
| Material Mark Up.....% ADD | <u>10%</u> |

BID MUST BE SIGNED TO BE CONSIDERED

Date: 2/22/16

Signature: 

Name: Don Reynolds

Company: Joseph M. Zimmer, Inc.

Address: 2225 Northwood Drive

Salisbury, MD 21801

Telephone: (410) 422-5024

JOSEPH M. ZIMMER, INC.
CONTRACTORS

County Commissioners of Worcester County Maryland
C/O Worcester County- Department of Public Works
Maintenance Division
6113 Timmons Road
Snow Hill, MD 21863
Te. (410)632-3766 Fax (410) 632-1753
Attention: Kenneth J. Whited

Addendum 1

Re: Project: WCDPW – Coil replacement/Coil coating application

Snow Hill Health Dept: \$1500.00

Snow Hill Rec Center: \$800.00

Above shall include labor and materials for applying field applied "Bronze Glow" coil primer and coil coating.

Accepted by _____

DATE: _____

CORPORATE OFFICE

8860 CITATION ROAD • BALTIMORE, MARYLAND 21221-3122 • (410) 780-0600

2225 NORTHWOOD DRIVE • SALISBURY, MARYLAND 21801-7800 • (410) 546-5700

BID FORM

**County Commissioners of Worcester County Maryland
"Snow Hill Health & Recreation Center- Condenser Coil Replacement Project"**

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

HEALTH FACILITY TOTAL BID PRICE: \$ _____, **\$43,173** .00

RECREATION CENTER TOTAL BID PRICE: \$ _____, **\$71,446** .00

The Owner may request additional work or the Contractor may identify work that is required to complete the project but was not included in the Scope of Supply in the Bid Documents. All Bidders shall list their rates for additional work below.

INFORMATIONAL PRICING

| | |
|--|----------------|
| Supervision...Additional Labor...per man hour.....ADD | \$ _____ 85.00 |
| Journeyman/Tech/Mechanic...Additional Labor...per man hour...ADD | \$ _____ 65.00 |
| Apprentice/Laborer...Additional Labor...per man hour.....ADD | \$ _____ 55.00 |
| Material Mark Up.....15.....% ADD | |

Addendum #1 is included.

BID MUST BE SIGNED TO BE CONSIDERED

Date: 2/22/16 Signature: *William R. Harrison*
Name: William Harrison
Company: Wilfre Co. Inc.
Address: 8161 Memory Gardens Lane
Hebron, Md. 21830
Telephone: 410-749-0496



8161 MEMORY GARDENS LANE HEBRON, MD 21830
410.749.0496 • FAX 410.548.7974

1) Add alternate for coil coating for York units.

ADD: \$ 2,048.00

2) Add alternate for coil coating for Aeon units.

Add: \$1,776.00

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



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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

February 3, 2016

FAXED
2/3/16 @ 3:10pm

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

Please print the attached Notice to Bidders in *The Daily Times/Worcester County Times/ Ocean Pines Independent and Ocean City Digest/Ocean City Today* on February 11, 2016. Thanks.

NOTICE TO BIDDERS

HVAC Rooftop Unit Condenser Coils Replacement at Worcester County Health Department and Recreation Center in Snow Hill Worcester County, Maryland

The Worcester County Commissioners are currently accepting bids for replacement of the existing HVAC rooftop unit condenser coils at the Worcester County Health Department facility and the Worcester County Recreation Center located respectively at 6040 and 6030 Public Landing Road, Snow Hill, Maryland 21863. Bid specification packages and bid forms are available from the Office of the County Commissioners, Worcester County Government Center, One West Market Street - Room 1103, Snow Hill, Maryland 21863, obtained online at www.co.worcester.md.us or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. Interested bidders are encouraged to attend a **pre-bid inspection meeting to be held at 10:00 AM on Tuesday, February 16, 2016**, starting at the Health Department facility at 6040 Public Landing Road, Snow Hill, Maryland 21863. **Sealed bids will be accepted until 1:00 PM, Monday, February 22, 2016** in the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Bid for Snow Hill Health & Recreation Center - Condenser Coil Replacement Project**" in the lower left-hand corner. After opening, bids will be forwarded to the Department of Public Works for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Ken Whited, Maintenance Superintendent, 410-632-3766 (phone), or kenwhited@co.worcester.md.us (Email). Email correspondence is encouraged and will be binding.

INSTRUCTIONS TO BIDDERS

1. **BIDS**

Bids should be submitted in sealed envelopes clearly marked in the lower left-hand corner “**Snow Hill Health & Recreation Center– Condenser Coil Replacement Project**”

2. **LATE BIDS**

Bids should be mailed or hand carried to be received in the Office of the County Commissioners by or before **1:00 p.m., Monday February 22, 2016**. Bids received after the appointed time will not be considered.

3. **TAXES**

- A. The County is **NOT** exempt from federal and state taxes on this project. Your prices should reflect included taxes.
- B. To clarify the County’s tax status, the County is exempt from all Federal and States taxes for direct purchase of supplies and materials. However, the County’s tax exemption does not extend to the bidder for supplies and materials, which bidder must purchase to complete the job. Therefore, bidders’ prices should reflect the inclusion of Federal and State taxes on purchased supplies and materials for this project.

4. **PRE-BID INSPECTION**

A pre-bid meeting will be held at 10:00 AM on Tuesday February 16, 2016 starting at the Health facility and Bidders are encouraged to attend. Verification of equipment nameplate data shall be available at that time for all Bidders to obtain for their equipment pricing. The Worcester County Health Facility and Recreation Center are located in one complex at 6030 & 6040 Public Landing Road, Snow Hill, MD 21863. Further inquires will be directed to Ken Whited during normal work days between the hours of 7:30 a.m. and 4:00 p.m. at (410) 632-3766 or by electronic mail to kenwhited@co.worcester.md.us.

5. **SCOPE OF SUPPLY**

Remove and replace existing condenser coils with direct replacement products that meet the original performance as specified by the manufacturer. Equipment manufacturer and model numbers are included below.

SNOW HILL HEALTH DEPARTMENT

EQUIPMENT MODELS:

| YORK | RTU-1 | RTU-2 | RTU-3 |
|---------------------|--------------------|--------------------|--------------------|
| SUBMITTAL MODEL NO. | Z22AC02Q1KDOB E | Z22AC02Q1KDOB E | Z24AC02Q4KDDB E |
| FIELD VERIFICATION | Z22AC02Q1KDOB E | Z22AC02Q1KDOB E | Z24AC02Q4KDDB E |



RECREATION CENTER

EQUIPMENT MODELS:

| |
|--|
| AAON |
| RTU-1 |
| MODEL NO. - FIELD VERIFICATION |
| 55942 |
| RN-050-3-0-AB04-7A2: HBFFM0BGFS0BARG0BDN0000A000000B |

| |
|--|
| AAON |
| RTU-2 |
| MODEL NO. - FIELD VERIFICATION |
| 55940 |
| RN-040-3-0-AB04-7A2: HBFFM0BGEH0BARG0BDN0000A000000B |

NOTE: The above equipment information is for reference only and shall not be the basis for Bidders to provide a Bid Price. All Bidders shall confirm/verify all equipment nameplate data and RTU designation as it exists in the facility locations. The County will not be responsible for any errors made by the Bidder or Contractor that hasn't verified the equipment designations.

- Work Included:

- .1 Contractor shall provide all supervision, labor, materials, tools and equipment to remove and replace the existing condenser coils in their entirety as described in the Bid Documents to the satisfaction of the County, governing inspection agencies and manufacturer. Contractor is responsible to lock out and tag out the equipment as required to perform the work and to provide all electrical and controls technicians to perform the shutdown and startup of the equipment. Contractor shall return the equipment to a fully functional status at the completion of the work. Contractor will be responsible for adjusting refrigerant gas pressures (adding or removing) after the initial re-charge of the refrigerant circuits. This may require multiple trips to the site as the ambient temperatures rise and building loads increase following completion of the work. The Contractor shall provide 24 hours of advance notice to the Owner or their designee prior to making the gas pressure adjustments. Adjustments shall not be made without the Owner or their representatives present to witness and assist as needed with any changes to the operational condition of the RTU's.
- .2 Contractor shall verify current operating conditions of the equipment and note any and all abnormalities that may affect the performance of the new coils. The County will provide ATC assistance for this verification. This verification shall be presented to the Owner or his/her representative in writing and shall be written in a technical format. Contractor shall notify the County in writing of any potential conflicts observed with performance of the work.
- .3 Contractor shall provide daily clean-up and removal, plus disposal off-site (in an approved licensed waste disposal site) of all trash and debris generated by the work. Furthermore, Contractor shall recover all refrigerants, oils, solvents used to complete the work and in accordance of all regulatory agency rules, laws and codes that govern recovery and disposal of this type of equipment.
- .4 Contractor shall be required to locate stored materials in an area(s) designated by the County. Contractor further acknowledges the need to store some of the product off site. This may be at the Contractor's facilities or at the manufacturer's factory warehouse and if the Contractor is invoicing for stored materials then the Contractor shall provide insurance for the stored materials.
- .5 Contractor shall provide any vertical hoisting and horizontal transportation required by this scope.
- .6 Contractor to provide protective barriers and barricades as required protecting the staff and patrons of the building from any harm arising from performance of the work.
- .7 Contractor shall repair at its own expense any and all damage associated with the performance of this work.

6. **SPECIFICATIONS**

- A. All products shall be new.
- B. The Bidder/Contractor shall verify all equipment nameplate data prior to ordering replacement components. Replacement components shall only be ordered upon receipt of an approved product submittal.
- C. The Contractor and Manufacturer shall certify that all materials intended to be used in the work are acceptable and compatible for their intended end use.
- D. The supplied products shall be installed only by a qualified contraction firm, which has been installing the specified product for not less than 5 years and is approved (licensed where applicable) by the material/equipment manufacturer.
- E. All material/equipment selections, installation methods and fastening systems shall meet all applicable codes by the agency having jurisdiction for the work.
- F. Bidders shall include all fees, taxes, permits, electrical power for the work, compressed air for pneumatic tools, debris removal, clean up and inspections.
- G. Bidders/Contractors shall furnish all manufacturers warranties and include manufacturer's statements as applicable.
- H. Bidder shall provide full product submittals to accompany the Bid Form.
- I. The Contractor shall provide a project schedule that includes duration for the repairs and the project schedule shall be approved by the County prior to performance of the work. All work shall be performed in an expeditious manner to return the equipment to operational status without delay and any delays shall be reported to the County representative immediately for consideration. This project may require multiple mobilizations with some evening, weekend or holiday work. All pricing shall reflect work that cannot be performed while the buildings are occupied.
- J. The Bidder shall provide copies of their current State of Maryland – DLLR HVACR license and business license. All licenses shall accompany the Bid Form.

BID FORM

**County Commissioners of Worcester County Maryland
"Snow Hill Health & Recreation Center- Condenser Coil Replacement Project"**

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

HEALTH FACILITY TOTAL BID PRICE: \$ _____, _____ .00

RECREATION CENTER TOTAL BID PRICE: \$ _____, _____ .00

The Owner may request additional work or the Contractor may identify work that is required to complete the project but was not included in the Scope of Supply in the Bid Documents. All Bidders shall list their rates for additional work below.

INFORMATIONAL PRICING

| | |
|--|----------|
| Supervision...Additional Labor...per man hour.....ADD | \$ _____ |
| Journeyman/Tech/Mechanic...Additional Labor...per man hour...ADD | \$ _____ |
| Apprentice/Laborer...Additional Labor...per man hour.....ADD | \$ _____ |
| Material Mark Up.....% ADD | |

BID MUST BE SIGNED TO BE CONSIDERED

Date: _____ Signature: _____

Name: _____

Company: _____

Address: _____

Telephone: _____

✓ KDC
2/3/16

BIDDERS

Eastern Shore Heating & Air, Inc.
PO Box 1735
Salisbury, MD 21802
Attn: Mike Bartemy (443) 210-2816 Fax (443) 210-2819
Email: mbartemy@precise-comfort.com

Joseph M. Zimmer, Inc.
Attn: Jeff White
2225 Northwood Drive
Salisbury, MD 21801-7806
Te. (410) 546-5700 Fax (410) 546-1329
Email: don_reynolds@jnzinc.com

Sens Mechanical, Inc.
Attn: Steve Kolarik
10135 Pin Oak Ln.
Berlin, MD 21811
Te. (410) 629-0777 Fax (410) 629-0778
Email: stevek@sensinc.com

T.E. Smith & Son, Inc.
Attn: William Vollmer
2043 Northwood Drive
Salisbury, MD 21801
Te. (410) 749-4232 Fax (410) 548-5419
Email: bill@te-smith.com

Wilfre Company, Inc.
Attn: Bill Harrison Jr.
8161 Memory Gardens Lane
Hebron, MD 21830
Te. (410) 749-0496 Fax (410) 548-7974
Email: billjr@wilfre.net

Addendum 1 – Pre-Bid Conference Meeting Notes And Clarifications
Worcester County Snow Hill Health & Recreation Center
Condenser Coil Replacement Project
6030 & 6040 Public Landing Road, Snow Hill, MD 21863

Prebid Meeting Notes

February 16, 2016 at 10:00 a.m.

Notes and Clarifications:

The general scope of the project was reviewed regarding the request for Contractor services. Worcester County attendees were as follows:

- Kenneth J. Whited, Superintendent of Public Works Maintenance Division
- Michael N. Hutchinson, Supervisor of Public Works Maintenance Division

The Prebid Meeting Agenda contained below was reviewed and the below listing of attached handouts were provided to the meeting attendees.

Pre Bid Meeting Agenda

Project Highlights & Requirements

- Project Description/Scope of Supply
 - Remove and Replace RTU condenser coils on the units identified at the Snow Hill Health & Recreation Center facilities per the bid specifications.
- Requests for Information due **no later than February 18, 2016**
- Bid Due Date: **Until 1:00 PM, Monday February 22, 2016**
- Bid Title: Snow Hill Health & Recreation Center – Condenser Coil Replacement Project
- Bids shall be mailed or hand-carried to be received in the Office of the County Commissioners – One West Market Street, Rm. 1103, Snow Hill, MD 21863.
- Taxes...the County is NOT tax exempt for this project.
- Bid Form: As supplied in the Bid Specifications.
- Bid Bond: Is not required.
- Project Timeline
 - Submittals/Material Verification...Contractor to coordinate with the County with approval by the County's designee.
 - Contractor's work schedule to be submitted to the County for approval prior to the start of the work and all work shall be based on verified delivery schedules for the replacement condenser coils. See attached email message from Toni Giordano of United Products, Inc. for York equipment...Mickey Jarboe of Havtech is checking availability of AAON products.
 - SubContractors: A SubContractor List shall be provided to the County for approval prior to the start of the work.
 - Completion Date...as listed in the executed contract with the County.

Addendum 1 – Pre-Bid Conference Meeting Notes And Clarifications
Worcester County Snow Hill Health & Recreation Center
Condenser Coil Replacement Project
6030 & 6040 Public Landing Road, Snow Hill, MD 21863

Notes and Clarifications:...continued

Pre Bid Meeting Handouts:

1. York Condenser Coil Delivery Schedule...Email Message from Toni Giordano of United Products, Inc.
2. AAON Condenser Coil Delivery Schedule...Email Message from Mickey Jarboe of HACTECH
3. Aerial Views of Snow Hill Health & Recreation Center – Identification of RTU's

Clarifications:

Q. If a crane is required to make the equipment lifts then what requirements does the County have for use of a crane at site?

A. The County will require the awarded Contractor to provide a written certified lift plan to the County for approval in advance of the lift being made. The Contractor shall provide the name of the company that will be providing the crane for the lift. Furthermore, the Contractor shall provide a current insurance certificate from the company providing the crane and the insurance certificate shall name the **County Commissioners of Worcester County Maryland** as additional insured and the certificate shall have an endorsement if applicable dependent on insurance carrier's contract language as contained in the policy.

Addendum 1 – Pre-Bid Conference Meeting Notes And Clarifications
Worcester County Snow Hill Health & Recreation Center
Condenser Coil Replacement Project
6030 & 6040 Public Landing Road, Snow Hill, MD 21863

Clarifications:...continued

Q. Will the County allow all of the equipment to be worked on simultaneously or will the Contractor only be able to shut one unit down at a time?

A. The County understands the need for the awarded Contractor to work on all of the units at one time so the Contractor can keep their mobilizations to a minimum and to be productive while on site. The County will not tell the Contractor in what manner to perform the work but will require the Contractor to keep abreast of ambient conditions and the need for the Contractor to keep the facilities interior spaces at a reasonable temperature so building services are maintained. This may require operating the units with supply fans and outdoor air with all based on ambient conditions. Therefore, there may be requirements to work on only one unit at a time or there may be additional nighttime or weekend work required to return the RTU's to service to provide cooling of building interior spaces. All indications are that the work will be performed in early April when ambient conditions are moderate and allow for use of outdoor air for cooling.

Q. Has the County considered protecting the coils with an anti-corrosion coating?

A. The County has considered this and opted to have the awarded Bidder field-apply a coating in lieu of having the coating installed by the manufacturer as the factory-applied coatings cannot be verified and may delay receipt of the coils. Bidders shall provide the following. The protective coating, be it field applied or installed by the manufacturer, shall be offered to the County as an Add Alternate to accompany the Bid Form. The Add Alternate shall be provided on the Bidder's company letterhead and the alternate shall be permanently affixed to the Bidder's Bid Form to prevent loss of documents.

END OF ADDENDUM #1
Kjw 2-16-2016

YORK CONDENSER COIL DELIVERY SCHEDULE

PER EMAIL MESSAGE FROM TONI GIORDANO DATED 2/12/2016

Ken, Please see below;

s1-3732729000 - projected date of availability 4/1/16
s1-37327291000 - projected date of availability 4/1/16

s1-37327372000 - projected date of availability 3/11/16
s1-37327298000 - in stock

s1-37327290000 - projected date of availability 4/1/16
s1-37327291000 - projected date of availability 4/1/16

Thank you,
Toni Giordano
United Products Inc.
410-749-6800 ext. 1105
t.giordano@updinc.com

RECREATION CENTER CONDENSER COIL DELIVERY: AAON EMAIL RESPONSE ON

Good morning Ken,

It looks like the lead time for these coils right now is 4 weeks. Please let me know if you have any further questions. Thanks!

Regards,

Mickey Jarboe
Sales Engineer
HAVTECH
9505 Berger Road
Columbia, MD 21046
Baltimore: 410-724-3703
Washington: 301-206-9225
Fax: 301-497-9610
Direct: 443-832-1731
Mobile: 904-233-2343
MickeyJarboe@havtech.com
www.havtech.com

From: Ken Whited [<mailto:kenwhited@co.worcester.md.us>]
Sent: Monday, February 15, 2016 12:39 PM
To: Kristen Ash <KristenAsh@havtech.com>
Cc: Mickey Jarboe <MickeyJarboe@havtech.com>
Subject: Re: Worcester County Recreation Center - Replacement Condenser Coil Project

Thanks for letting me know you received my request. I await your reply.

Sent from my iPhone

On Feb 15, 2016, at 12:36 PM, Kristen Ash <KristenAsh@havtech.com> wrote:

Ken,

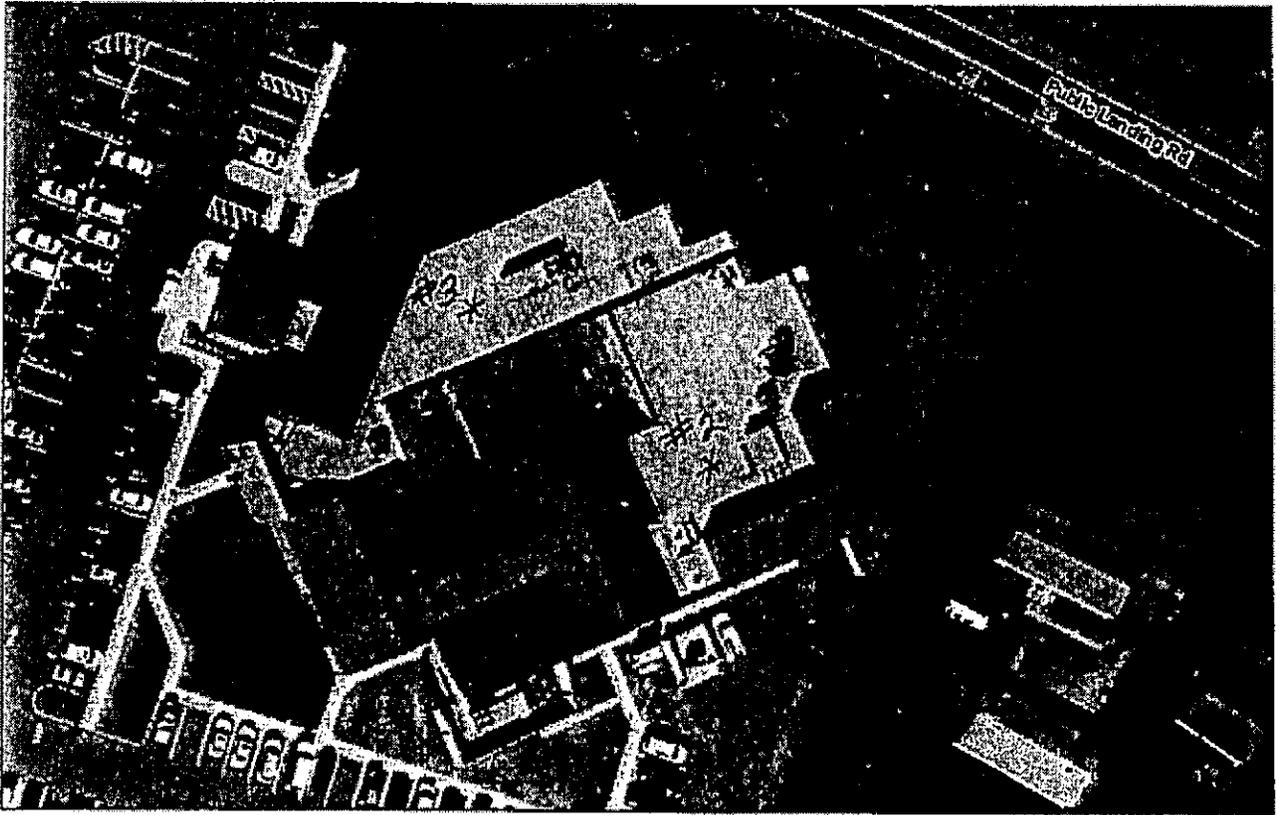
I have copied Mickey Jarboe on this response. He is the job captain for this project so you can contact him with any important information moving forward.

Mickey – please see below from Ken.

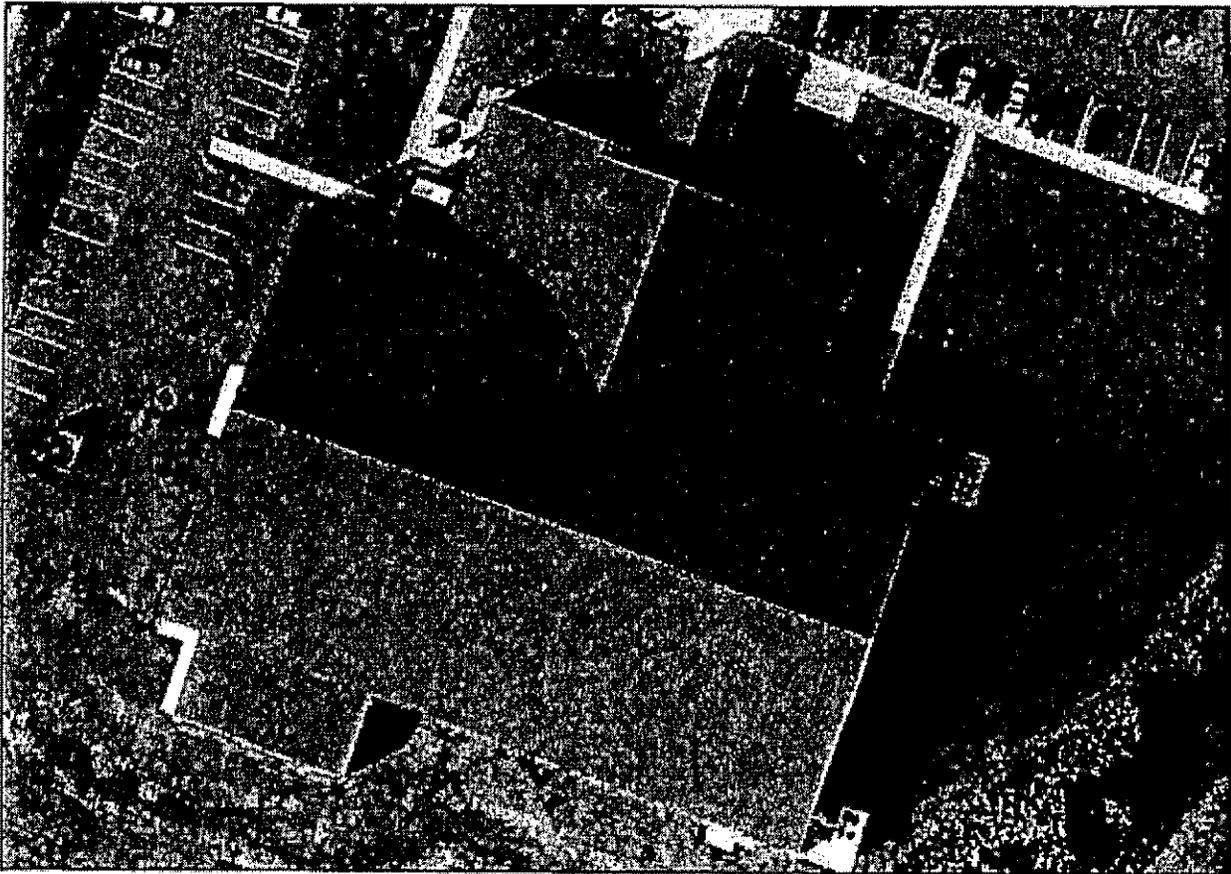
Thank you,

Kristen Ash
Marketing Analyst
HAVTECH
9505 Berger Road
Columbia, MD 21046
Baltimore: 410-724-3703
Washington: 301-206-9225
Direct: 443-283-8851
Fax: 301-497-9610
KristenAsh@havtech.com
www.HAVTECH.com

Snow Hill Health Department—2013 Aerials



Worcester County Recreation Center—2010 Aerials



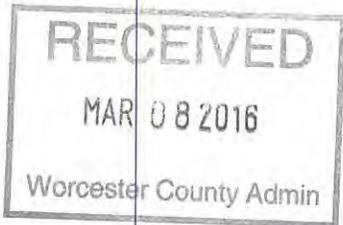
WORCESTER COUNTY - DPW
 Maintenance Division

SNOW HILL HEALTH AND RECREATION CENTER
 CONDENSER COIL REPLACEMENT PROJECT

PRE-BID MEETING SIGN IN LOG
 FEBRUARY 16, 2016

| CT. | NAME (print) | REPRESENTING | EMAIL | FAX | SIGNATURE |
|-----|---------------|-----------------------------------|--|--------------|-----------|
| 1 | FARREN LYNCH | EASTERN SHORE HEATING AND AIR. | 443-497-5508 FLYNCH@PRECISE-COMFORT.COM | | |
| 2 | Bill Harrison | Wilfre Co. | billsr@wilfre.net | 410-548-7974 | |
| 3 | Rob Schiffer | Wilfre Co. | rob@wilfre.net | 410-548-7974 | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |
| 11 | | | | | |
| 12 | | | | | |
| 13 | | | | | |
| 14 | | | | | |
| 15 | | | | | |

HL



8

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

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: March 7, 2016
SUBJECT: Pipe Bid - 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

Attached for your review and approval are bid documents for the purchase of pipe to be utilized by The Department of Public Works, Roads Division. Included in this packet is the Notice to Bidders, Specifications, Bid Form and Vendor List. Once the Commissioners have had the opportunity to review the packet, it is requested that authorization is provided to solicit bids for the purchase of pipe.

Funding in the amount of \$25,000.00 for the purchase of pipe was approved in the current FY16 operating budget in account 100.1202.6140.040.

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

Attachments

cc: Frank J. Adkins

DRAFT

NOTICE TO BIDDERS

**Purchase of Corrugated Metal Pipe and Plastic Pipe
Worcester County, Maryland**

The Worcester County Commissioners are currently accepting bids for the purchase of Galvanized Steel Corrugated Metal Pipe and HDPE Double Wall Plastic Pipe for the Roads Division of Public Works. Bid specification packages and bid forms are available from the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863-1195, obtained online at www.co.worcester.md.us or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. Sealed bids will be accepted until **1:00 p.m., Monday, April 11, 2016**, in the Office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Pipe Bid**" in the lower left-hand corner. After opening, bids will be forwarded to the Public Works Department for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Frank Adkins, Roads Superintendent, at 410-632-2244, Monday through Thursday, 6:00 a.m. to 4:30 p.m.

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 with 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> |
|---------------|--------------|--------------------------|-------------|---------------|-----------------|--------------|
| 4 | 12 | 36" | GCCMP | 20' | \$ _____ | \$ _____ |
| 16 | 16 | 15" | GCCMP | 20' | \$ _____ | \$ _____ |
| 14 | 16 | 15" | GCCMP | 16' | \$ _____ | \$ _____ |
| 16 | 16 | 15" | GCCMP | 14' | \$ _____ | \$ _____ |
| 18 | 16 | 15" | GCCMP | 12' | \$ _____ | \$ _____ |
| 7 | 16 | 15" | GCCMP | 10' | \$ _____ | \$ _____ |
| 10 | | 15" | BANDS | | \$ _____ | \$ _____ |
| 16 | 16 | 12" | GCCMP | 20' | \$ _____ | \$ _____ |
| 9 | 16 | 12" | GCCMP | 16' | \$ _____ | \$ _____ |
| 7 | 16 | 12" | GCCMP | 14' | \$ _____ | \$ _____ |
| 10 | 16 | 12" | GCCMP | 12' | \$ _____ | \$ _____ |
| 6 | 16 | 12" | GCCMP | 10' | \$ _____ | \$ _____ |
| 25 | | 12" | BANDS | | \$ _____ | \$ _____ |
| 3 | 12" | HDPE Double Wall Plastic | | 20' | \$ _____ | \$ _____ |
| 3 | 15" | HDPE Double Wall Plastic | | 20' | \$ _____ | \$ _____ |
| 1 | 18" | HDPE Double Wall Plastic | | 20' | \$ _____ | \$ _____ |
| 5 | 24" | HDPE Double Wall Plastic | | 20' | \$ _____ | \$ _____ |

BID FORM

“PIPE FY16”

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): \$ _____

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: _____ Signature: _____

Typed Name: _____

Title: _____

Firm: _____

Address: _____

Phone: _____

VENDOR LIST:

Lane Enterprises, Inc.
c/o Bill Winegarder
P.O. Box 67
Bealeton, VA 22712
Phone No.: 540-439-3201
Fax No.: 540-439-1042
E-Mail: bwinegarder@lane-enterprises.com

Tri Supply and Equipment
c/o Neil Messick
110 Columbia Road
Salisbury, MD 21801
Phone No.: 410-546-2900
Fax No.: 410-546-2644
Email: nmessick@trisupplyandequipment.com

Contech Construction Products, Inc.
c/o Jeff Vanosdel
605 Global Way – Suite 113
Linthicum, MD 21090
Phone No.: 410-740-8490
Fax No.: 410-740-8492
E-Mail: jvanosdel@conteches.com

Chemung Supply Corporation
c/o Carl Perine
Post Office Box 527
Elmira, NY 14902
Phone No.: 607-733-5506
Fax No.: N/A
Email: N/A

HD Supply Water Works
c/o Mike Hurd
25414 Prime Hook Road, Suite 100
Milton, DE 19968
Phone No.: 302-684-3054
Fax No.: 302-653-4425
Email: mike.hurd@hdsupply.com

P.E. Sales
c/o Andy Cary
P.O. Box 461
Perry Hall, MD 21128
Phone No.: 410-733-0748
Fax No.: 410-256-5952
Email: amcary@pesales.com

Ferguson Waterworks
c/o Gregg C. Thomas
28596 Naylor Mill Road
Salisbury, MD 21801
Phone No.: 410-677-6793
Fax No.: 410-543-9646
Email: gregg.thomas@ferguson.com



9

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

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: March 8, 2016
SUBJECT: Proposed Mosquito Control Budget -2016 Season

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

DIVISIONS

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

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

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

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

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

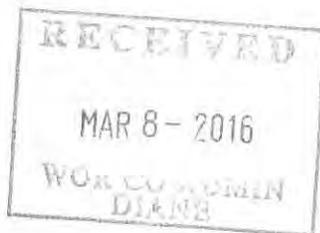
.....
I was requested to review the attached letter, dated February 18, 2016, from Mr. Daniel J. Schamberger, Acting Program Manager for the Mosquito Control Section of the Maryland Department of Agricultural transmitting the proposed Mosquito Control Budget for the 2016 season. In reviewing the document the proposed budget is similar to last year's budget. Total proposed County funding for the season is \$ 83,940.

We are not planning on making any substantive changes to last year's program; although our participation was down, the program ran smoothly in collecting the \$65.00 fee per residential household up front seemed to work very well and alleviate a lot of confusion and accounting issues at the end of the season. Therefore, I would recommend approval of the attached budget and the program to remain as is for this coming season.

I am available to discuss this at your convenience. In the meantime, should you have any questions please call me.

Attachments

cc: Ken Whited





Maryland Department of Agriculture

Agriculture | Maryland's Leading Industry

Office of Plant Industries & Pest Management Mosquito Control

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Joseph Bartenfelder, Secretary
James P. Eichhorst, Deputy Secretary

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

410.841.5870 Baltimore/Washington
410.841.5835 Fax
800.492.5590 Toll Free

MOSQUITO CONTROL SECTION

410-841-5870
February 18, 2016

James C. "Bud" Church, President
Board of County Commissioners
Government Center
1 W. Market Street, Room 1103
Snow Hill, Maryland 21863

Dear Mr. Church:

The Maryland Department of Agriculture, Mosquito Control Section, has prepared an estimate of operating expenses for mosquito control in Worcester County during the 2016 season. This budget estimate is based on previous years' expenditures and anticipated costs for the upcoming season.

The proposed mosquito control budget for the 2016 season in Worcester County is enclosed. If these amounts are acceptable, please sign and return two copies. If you wish to revise the suggested amounts, please line through the typed amount, write the new amount, initial and return two signed two copies of the document to the Maryland Department of Agriculture. Please note that if the local and/or county share is reduced, there will be a proportional reduction of State funds allotted. Once the copies are received by the Department, both copies will be signed, one will be returned to you, and one will remain in the Department file.

Please give this matter prompt attention as mosquito control activities will be starting soon in many areas. Thank you for your continued support. I trust that our cooperative efforts will result in a successful mosquito control program in Worcester County. Please call me if you have any questions.

Sincerely,

Daniel J. Schamberger
Acting Program Manager

DJS/dch

Enclosure

cc: C.A. Holko, Assistant Secretary
Gerald T. Mason

PROPOSED BUDGET
 WORCESTER COUNTY-MOSQUITO CONTROL
 CALENDAR YEAR 2016
 (FY 2017 SETTLEMENT)

| TEMPORARY WORK | LOCAL | COUNTY | STATE | TOTAL WORKING BUDGET |
|--|-----------|----------|----------|-------------------------|
| Adulticide Groundspray in Participating Communities | \$200,000 | None | None | \$200,000 |
| Countywide Larvicide (Air & Ground) Surveillance | None | 51,000 | 34,000 | 85,000 |
| Ocean Pines Larvicide/Surveillance | 1,500 | None | 1,000 | 2,500 |
| Adulticide/Surveillance | 16,500 | None | None | 16,500 |
| Ocean City Adulticide/Surveillance | 3,600 | None | None | 3,600 |
| Commercial Properties** Groundspray | 18,700 | None | None | 18,700 |
| Airspray for Disease Suppression | None | 15,000 | 10,000 | 25,000 |
| Total Temporary | \$240,300 | \$66,000 | \$45,000 | \$351,300 |
| Source Reduction | None | 17,940 | 37,260 | 55,200 |
| Total | \$240,300 | \$83,940 | \$82,260 | \$406,500 |

*The State appropriation is comprised of services, equipment and materials, only. Any balance in the State appropriation after expenses, is not payable and cannot be invoiced to offset local expenses.

**Commercial properties receiving mosquito control service will pay 100% of the actual cost and will be invoiced by Worcester County.

All MDA adulticiding cost, including supervision, surveillance, spray technicians, spray equipment, insecticide and supplies are 100% reimbursable to MDA.

APPROVED BY COUNTY:

APPROVED BY STATE:

Name/Title

Carol A. Holko, Assistant Secretary

Name/Title

Signature

Signature

Date

Date



10

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

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: March 7, 2016
SUBJECT: Declaration of Covenant – Central Landfill Property

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 Maryland Department of the Environment has requested the attached Covenant to be placed on the Central Landfill as we have done on Berlin, Snow Hill and Pocomoke in the past. This Covenant simply requires that if any construction or excavation on this property after closeout of the Landfill operations may not commence without first obtaining written authorization from the Secretary of the Maryland Department of the Environment.

As stated earlier, we have these Covenants on all the Landfill properties with Central being the last one to do as a result of the permitting of Cell 5.

If acceptable, please have Commissioner President Bunting execute the document and return the original to my office for processing

Cc: Mike Mitchell, Solid Waste Superintendent
Maureen Howarth, County Attorney

**DECLARATION OF COVENANT
ON
LANDFILL PROPERTY**

THIS DECLARATION OF COVENANT, made this _____ day of March, 2016, by the County Commissioners of Worcester County, Maryland (hereinafter the "County"), being the owner of the lands hereinafter described and being located in Worcester County, Maryland.

WHEREAS, the County is the fee simple owner(s) of certain real property, known as the Central Landfill Property, located at 7091 Central Site Lane, Newark, Maryland 21841 and identified on Exhibit A ("the Site"), attached hereto and made a part hereof; and

WHEREAS, the County has operated the Central Landfill since 1990 and will continue to operate the Central Landfill on this property after receipt of a Refuse Disposal Permit from the Department of the Environment of the State of Maryland; and

WHEREAS, Code of Maryland Regulations (COMAR) 26.04.07.09B and .17B requires that when the County no longer requires the use of the Site as an operating landfill and as a result have terminated the landfill operation, any construction or excavation on the Site, may not begin without first obtaining written authorization from the Secretary of the Maryland Department of the Environment.

Now, THEREFORE, Know All Men By These Presents, that the County for the purpose of complying with the request of the Maryland Department of the Environment and in conformance with applicable law and regulation does hereby declare that the real property described on Exhibit A is and shall be held, transferred, sold, conveyed and occupied subject to the covenant, condition and restriction hereinafter set forth and is binding on any heir, representative, successor or assign of the current or future owner of the Site.

ARTICLE I PROPERTY: The real property to be bound by this Declaration is all those tracts of land lying and being situated in Worcester County, Maryland described as follows: Liber 1397 Folio 438; Liber 1396 Folio 537; Liber 1477 Folio 179; Liber 1477 Folio 185; Liber 1477 Folio 189; Liber 1477 Folio 175 and Liber 1477 Folio 170 and as shown on Exhibit A.

ARTICLE II PROHIBITION AGAINST CONSTRUCTION: Any construction or excavation on this Site after closeout of the Central Landfill operation may not commence, or be accomplished, without first obtaining written authorization from the Secretary of the Maryland Department of the Environment, or his or her designee.

IN WITNESS WHEREOF, the said County has caused these presents to be signed by Madison J. Bunting, Jr., President of the County Commissioners of Worcester County, Maryland on the day and year first hereinabove written.

ATTEST:

_____ (SEAL)
Madison J. Bunting, Jr., President

_____ (SEAL)

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

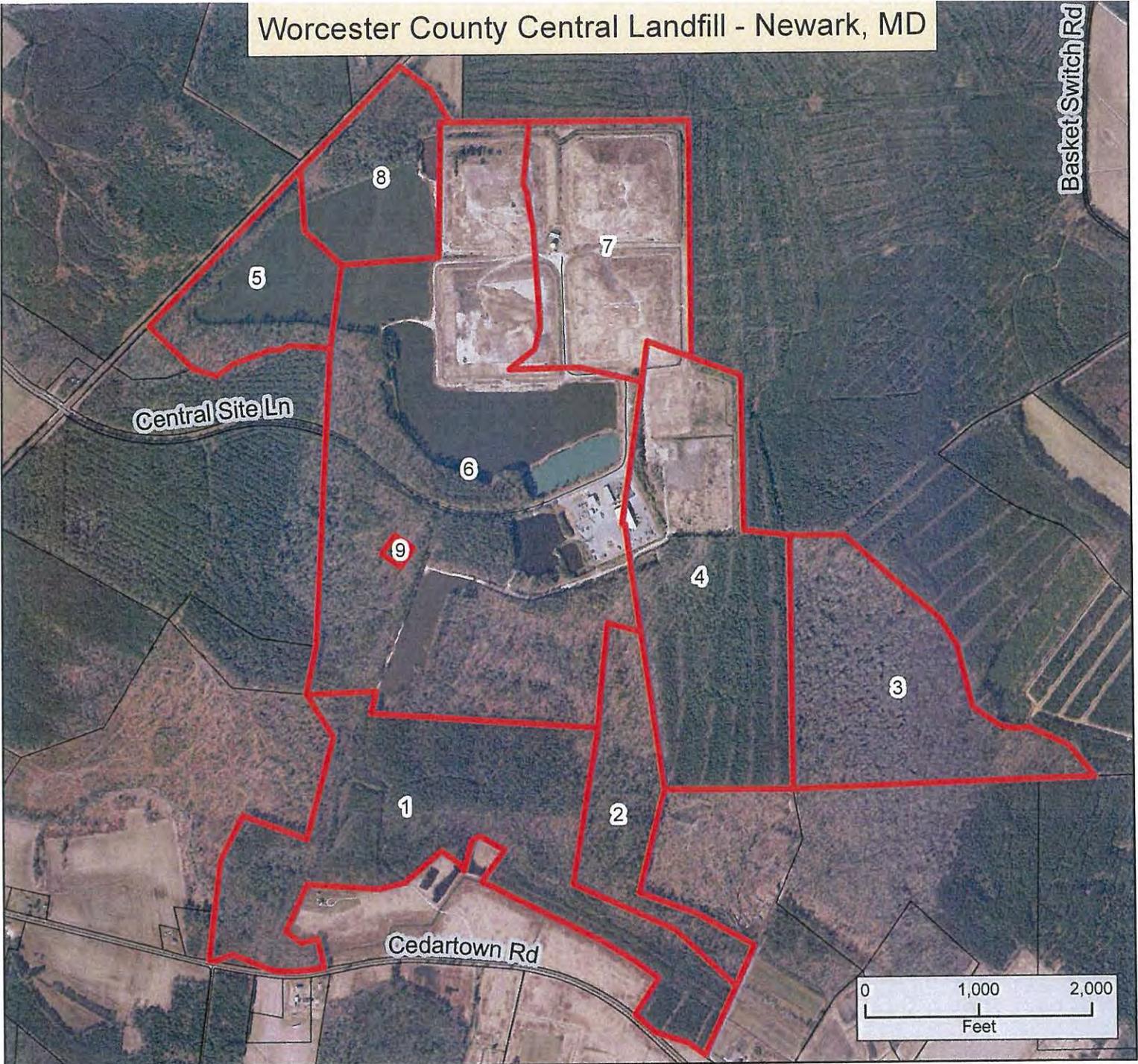
I HEREBY CERTIFY, that on this ___ day of March, 2016 before the subscriber, a Notary Public of the State and County aforesaid, personally appeared Madison J. Bunting, Jr. known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:

Worcester County Central Landfill - Newark, MD



Compilation of Properties - Worcester County Central Landfill

| Reference No. | Deed | | Grantor | Plat | | Tax Map | Parcel | Acreage |
|---------------|--|-------|---------------------|--------|-------|---------|--------|---------|
| | Liber | Folio | | Liber | Folio | | | |
| 1 | 1397 | 438 | Thomas Johnson, Jr. | 115 | 27 | 48 | 58 | 120.77 |
| 3 | 1396 | 537 | Thomas Johnson, Jr. | SMC 54 | 418 | 57 | 23 | 83 |
| | | | | 119 | 35 | | | (76.32) |
| 6 | 1477 | 179 | Thomas Johnson, Jr. | 119 | 34 | 56 | 59 | 245.745 |
| 4 | 1477 | 185 | James Dryden | 119 | 36 | 48 | 30 | 100.914 |
| 7 | 1477 | 189 | William Cropper | 119 | 33 | 48 | 39 | 68.644 |
| 2 | 1477 | 175 | David Smith | 119 | 31 | 56 | 3 | 35.385 |
| 5 & 8 | 1477 | 170 | William Cropper | 119 | 32 | 48 | 6 | 72.806 |
| 9 | 1 Acre Leased Area for Telecommunications Facility | | | | | | | |
| | | | | | | | TOTAL: | 727.264 |
| | | | | | | | | (-6.68) |
| | | | | | | | | 720.584 |

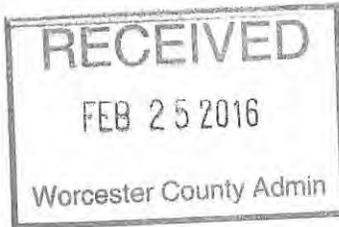




11

Jeffrey A. McMahon
Fire Marshal

Matthew W. Owens
Chief Deputy Fire Marshal



OFFICE OF THE FIRE MARSHAL
Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1302
SNOW HILL, MARYLAND 21863-1249

TEL: 410-632-5666

FAX: 410-632-5664

www.wcfmo.org

MEMORANDUM

DATE: February 25, 2016

TO: Harold Higgins, Chief Administrative Officer

FROM: Jeff McMahon 

RE: Hazmat Response Vehicle

As you are aware, for the past two years we have experienced difficulties with the 1982 Ford/Swab Heavy Rescue vehicle the County uses for the Special Hazards Response Team's main response vehicle. In addition to transporting the equipment necessary for a response, this truck is equipped with a generator, an air cascade system (replenishes the breathing air used for self-contained breathing apparatus) and scene lights for nighttime scene illumination and scene safety.

As previously reported, the generator is inoperable and the local Onan Generator Service Company could not repair the mounted generator on the 1982 Ford/Swab due to the age. During the response on the Bishopville fatal accident with the propane tractor-trailer we experienced engine difficulties and braking issues. Days later on the Snow Hill hazmat response we couldn't use the 1992 Ford/Swab because the vehicle started, but ran so rough it couldn't be driven. Additionally, as reported, the emergency lights used to illuminate the truck as an emergency vehicle and for scene safety have shorted causing the switching mechanism inside the cab console to smoke multiple times, so therefore we cannot use the emergency lights during a response nor at the scene to demarcate an emergency vehicle.

Subsequently, the annual DOT inspection was performed on the 1982 Ford/Swab this week by County Fleet Maintenance (copy attached) and the truck has failed the inspection. It failed for several reasons, but the main problems for the DOT failure are, the brakes, lighting, electrical malfunction, emergency equipment malfunction, vehicle frame rusting at structural supports and the trailer hitch fractures. The DOT inspection failure does not count the engine problems which is a significant repair cost. The estimated cost for the repairs to the 1982 Ford/Swab are in excess of \$16,000, plus \$15,000 for the proper size vehicle mounted replacement generator for a grand total of \$31,000.

We have at our disposal a loaned unmarked 2004 box truck from the Maryland Forest Service. This vehicle is for the County's use, but the County must DOT, make repairs and insure the truck. Although this box truck is NOT conducive for emergency hazmat usage, it will facilitate the transportation of most hazmat equipment. However, it would not allow for the air-cascade system, which is detrimental to any hazmat incident, nor could we tow the Decontamination Trailer as we do with the 1982 Ford/Swab. Additionally there would be no scene lighting for incident illumination or emergency demarcation per MOSHA regulations. The cost to DOT inspect, make repairs for temporary usage of the 2004 Forest Service box truck is \$22,000. To permanently use the box truck, (properly prepare, mount, secure and wire all equipment, including the air-cascade) is \$55,000.

In the FY16 Budget I requested \$100,000 for a used replacement vehicle for Hazmat usage. The amount has also been requested in the FY17 budget. During the budget process last year there seemed to be a concern for the low number of annual responses. I don't believe the complexity of a hazmat response is fully understood. During the 2015 calendar year, 19 Hazmat responses were made for a total of 1,368 man hours by the County's paid staff and the volunteer fire service. The man hours include response, mitigation, cleanup and next response preparedness. The hours do not include training and recertification.

Also attached with this memo are three samples of available used and one leftover 2015 new hazmat type response vehicles. As with any used emergency service apparatus, it is only available until the Broker sells the vehicle. This was an issue last year, as after we found a unit, it was sold within days. The three items are a 2003 Ford F-550 with a price not yet listed or known, a 2006 Ford F-550 listed for \$85,000 and the leftover 2015 new F-550 for \$131,600.

As of this date, the County's Hazmat Response Vehicle is out-of-service and has been deemed unsafe to operate by County Fleet Maintenance. It is my opinion spending the money to repair the 1982 Ford/Swab would not be financially practical. Spending the \$55,000 for a 2004 non-emergency style box truck is not recommended. Obviously the leftover 2015 new F-550 is priced appropriately, but is over the estimated \$100,000 I requested in the two FY budgets. The leftover 2015 is a new vehicle, where the 2003 and 2006 are used and would therefore need replacing in a 15 year time frame instead of 30 years.

Due to the lack of a response hazmat vehicle, I therefore respectfully ask consideration for an over-expenditure purchase for one of the three listed Brokered vehicles. At a minimum the vehicle marked as #2, the 2006 F-550 enclosed with this memo is my recommendation. I would welcome the opportunity to work with Mr. Tustin and his Fleet Maintenance Division to obtain the correct specs, necessary preliminary work and the best available price.

*

**TRUCK OR TRUCK TRACTOR
PREVENTIVE MAINTENANCE REPORT**
(MD TR §§23-301- -23-305; COMAR 11.22; FMCSR §396.17)

Owner's Name Wor. County Commissioners Address 1 west Market St Count House Broom 1103
Snow Hill Md 21863
Telephone ()
Make Ford Model F800 Year 1982
Company Name Worcester County Fire Marshall Tag Number LG 68912
Manufacturer's Vehicle ID Number AC211062MD
Title Number 33428711

| COMAR | Components | Passed | Failed | Date Repaired* |
|----------|--|--------|--------|----------------|
| 11.22.02 | | | | |
| .02 | Alignment | ✓ | | |
| .03 | Suspension | | | |
| .04 | Steering | | | |
| .05 | Brake Systems - Hydraulic/Vacuum | N/A | | |
| .06 | Brake System - Air | | X | |
| .07 | Tires | ✓ | | |
| .08 | Wheel Rims, Lock Rings, Studs and Nuts | ✓ | | |
| .09 | Accelerator Pedal and Air Throttle | ✓ | | |
| .10 | Fuel Storage and Delivery System | ✓ | | |
| .11 | Exhaust System | ✓ | | |
| .12 | Universal Joints and U-Clamps | ✓ | | |
| .13 | Vehicle Frame Body and Sheet Metal | | X | |
| .14 | Lighting | | X | |
| .15 | Electrical System | | X | |
| .16 | Emergency Equipment | | X | |
| .17 | Seats and Seat Belts | ✓ | | |
| .18 | Sun Visor | ✓ | | |
| .19 | Mirrors | ✓ | | |
| .20 | Glazing | ✓ | | |
| .21 | Windshield Wipers and Washers | ✓ | | |
| .22 | Defroster | ✓ | | |
| .23 | Auto Trans Gear Selector/Neutral Safety Switch | ✓ | | |
| .24 | Speedometer and Odometer | ✓ | | |
| .25 | Brake and Clutch Pedal | ✓ | | |
| .26 | Horn | ✓ | | |
| .27 | Hitches and Coupling Devices | | X | |
| .28 | Tanks and Pressure Vessels | ✓ | | |

Inspected: (a) Date 2-23-10 (b) Vehicle Mileage 30288

Inspected by (Print) Edward Simps Repaired by (Print) _____

Certified by (Print) _____ Signature) _____
(Owner or authorized representative)

*Provide description of repairs and parts used on reverse side of this form.

1981 8.2

410-742-0400

- 1) Air brake have to go to max pressure to release something wrong with pump or switching
- 2) Underside of rear area rusting out
- 3) Some emergency light not working
- 4) Wires hanging on underside
- 5) See lighting
- 6) Trailer hitch is not safe. Homemade welds and rear support bent. Should not tow anything

Engine smokes bad. Possible ring stuck in engine

Prized injectors and pump, JG Parks couldn't give labor est because of age

BRINDLEE MOUNTAIN FIRE APPARATUS, LLC

Search Trucks!



Toll Free: 866.285.9305

[HOME](#)

[FIRE TRUCKS FOR SALE](#)

[RECENT DELIVERIES](#)

[TESTIMONIALS](#)

[SERVICE](#)

[ABOUT US](#)

[CONTACT](#)

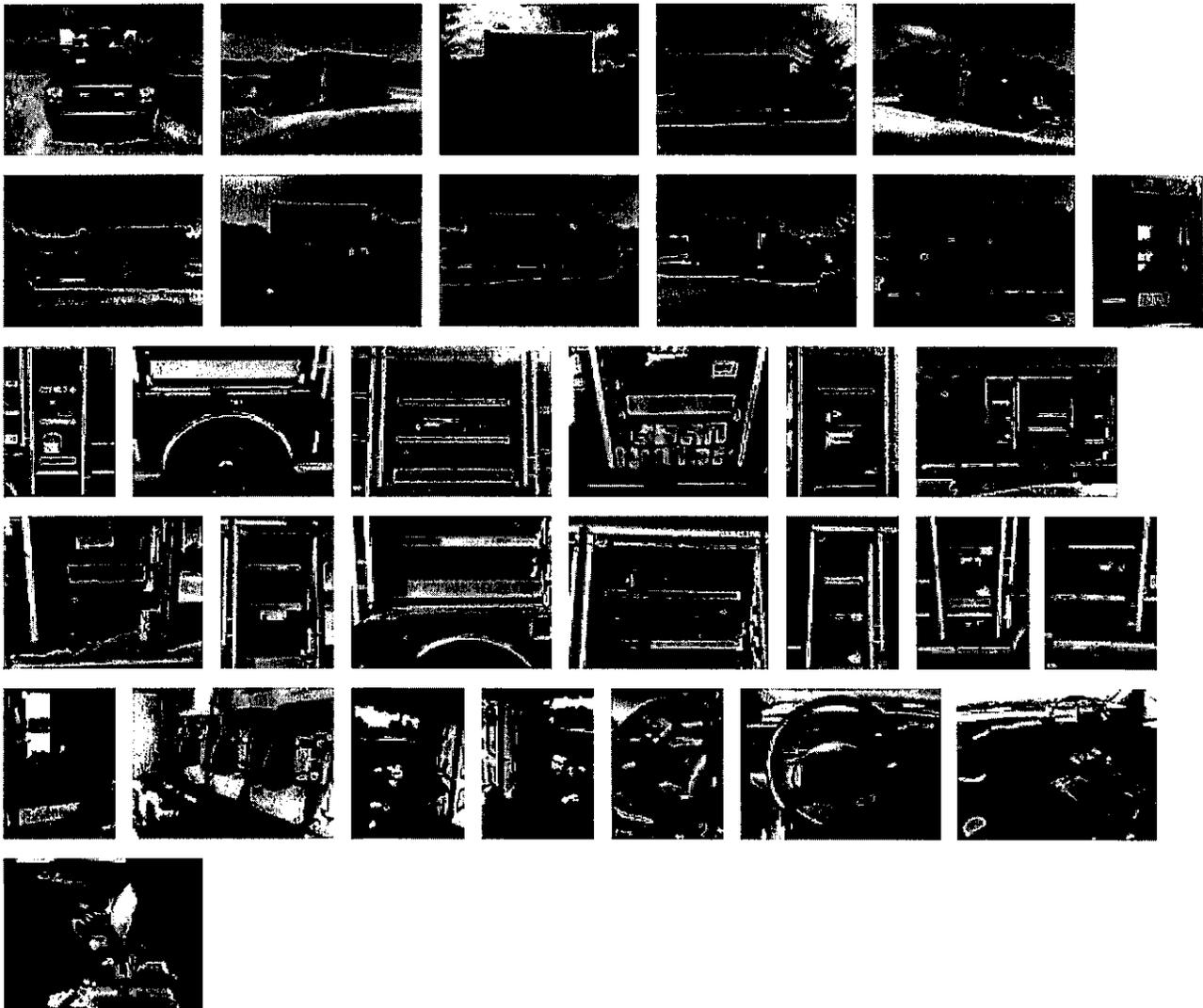


2003 Ford F-550

\$ TBD

VEHICLE 1

2003 Central States Ford F-550 Rescue 4x4



****Ask More Questions About This Truck****

2003 Central States Ford F-550 Rescue 4x4

Ford F-550 Chassis

Seating for 6; 4 SCBA seats

Walk-in Compartment in Box with 4 SCBA Seats

International 6.0L 325 HP Diesel Engine

Automatic Transmission

Redi-line 1600 Watt Generator

2 - Rear

Battery Charger

Air Conditioning

Front Bumper Winch Mount

Arrowstick Traffic Indicator

2 - 110v Telescoping Tripod Scene Lights

6 - 12v Scene Lights

Mileage: 7,724

1 - Warn Winch

1 - Bag of Rope

2 - Fire Extinguisher

1 - Bag of Rescue Chains on Straps

1 - Gas Detection Monitor

3 - Flashlights

2 - Air Bottles

3 - Safety Vests

3 - Traffic Sticks

2 - Rescue Struts

1 - Box of Chains

7 - Bags of Oil Dry

1 - Air Hammer Set

3 - Husrt Tool Hoses

3 - Hammers

1 - Mini Rescue Multi Tool

Additional equipment not included with purchase.

Length: 25' 2"

Height: 8'9"

Width: 9' 10"

GVRW: 17,500

Wheelbase: 189"

This fire truck has been well taken care of, and has very little use during its life. With very few miles, it should serve your fire department for years to come!

Seller's Information About this Truck:

Good truck, well laid out, with good storage for it's size!

Stock#: 06888

Call For Custom Quote

For Additional Information,
Contact Brindlee Mountain at

Toll free : 866.285.9305

Local : 256.498.0188 or

****Ask More Questions About This Truck****

[Print this page](#)

BRINDLEE MOUNTAIN FIRE APPARATUS, LLC

Search Trucks!



Toll Free: 866.285.9305

HOME

FIRE TRUCKS FOR SALE

RECENT DELIVERIES

TESTIMONIALS

SERVICE

ABOUT US

CONTACT



2006 Ford F-550

\$85,000

VEHICLE 2

2006 KME Ford F-550 Light Rescue



****Ask More Questions About This Truck****

2006 KME Ford F-550 Light Rescue

Ford F-550 Chassis

Seating for 5; 3 SCBA seats

Ford 6.0L Diesel Engine

10 KW Hydraulic Generator

Electric Reels

Federal Q Siren

Kussmaul

8,000 Pound Warn Winch

Slide Outs for Tools & Tilt Pull Outs

12' & 8' Poles, Pole Storage in Back Next to Ladder Storage

Engine Hours: 4,400

Arrowstick Traffic Indicator

Light Tower

Emergency Lighting

Mileage: 53,000

Additional equipment not included with purchase.

GVRW: 17,950

The light tower on this vehicle will provide excellent scene lighting on your response. Whether lighting a wreck scene, or making sure your fire fighters have the light needed to prepare for work, this truck can provide that.

KME and the Kovatch Organization are global leaders in the supply of customized specialty trucks and vehicles. Markets currently served include aviation, petro-chemical, industrial, energy, military, police, and fire-rescue. For over six decades, the Kovatch Organization has garnered a reputation for quality and reliable delivery. KME manufactures its own custom chassis, as well as distributes a wide variety of commercial chassis. KME is also a true sole source body builder that designs and manufactures a full range of bodies and related equipment. Operating as a privately held company since 1946, the Organization of over 700 employees puts the customer - and their needs - first. This customer-focused philosophy is why the Kovatch Organization has a reputation for delivering unprecedented value, custom options, dependable safety and stand-out customer service. The Organization's world headquarters is located in Nesquehoning, Pennsylvania and the location houses over 700 employees and is the central manufacturing center for all Kovatch vehicles.

<http://www.kovatch.com/about-kovatch>

Stock#: 07423

\$85,000

For Additional Information,
Contact Brindlee Mountain at

Toll free : 866.285.9305

Local : 256.498.0188 or

****Ask More Questions About This Truck****

[Print this page](#)



Search Trucks!



Toll Free: 866.285.9305

HOME

FIRE TRUCKS FOR SALE

RECENT DELIVERIES

TESTIMONIALS

SERVICE

ABOUT US

CONTACT

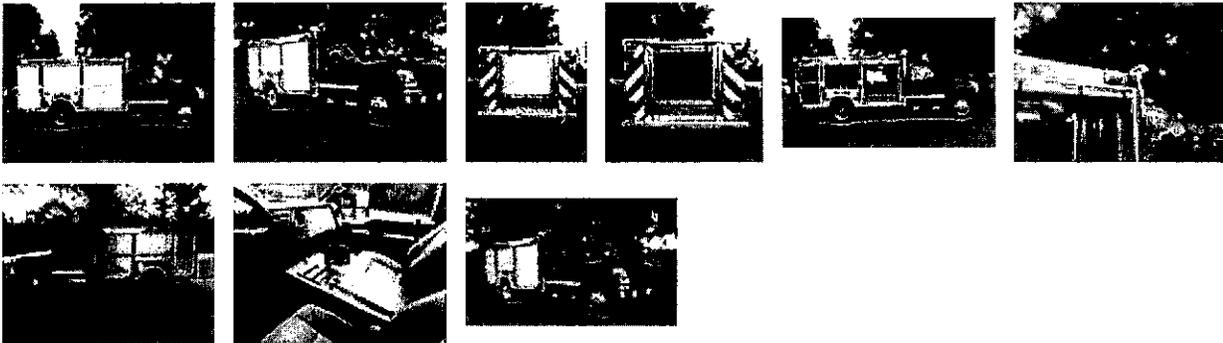


2015 Ford F-550

\$131,600

VEHICLE 3

2015 Anchor-Richey Ford F-550 Light Rescue



****Ask More Questions About This Truck****

2015 Anchor-Richey Ford F-550 Light Rescue

Ford Chassis

Ford 6.7L Diesel Engine

Ford 6 Speed Automatic Transmission

Large Storage Compartments with Roll-up Doors

Large Transverse Compartment Behind the cab with Roll-Up Doors

Chrome Bumper

XL Trim Package

XL Value Package

4.88 Ratio Limited Slip Axle

LED Lighting Package

12 Volt LED Extendable Scene Lights

Additional equipment not included with purchase.

This fire truck is a very new piece of apparatus, and rare on the used fire truck market today. Feel free to touch base with us to get the full history on this rig, and we will be glad to pass it along, but with minimal time passed since it was produced, this vehicle will have many years remaining to serve at its

next fire department!

Seller's Information About this Truck:

Beautiful demo unit, ready to be put into service!

Stock#: 05583

\$131,600

For Additional Information,
Contact Brindlee Mountain at

Toll free : 866.285.9305
Local : 256.498.0188 or

****Ask More Questions About This Truck****

[Print this page](#)

Don't like this one? Check out these other 4 options

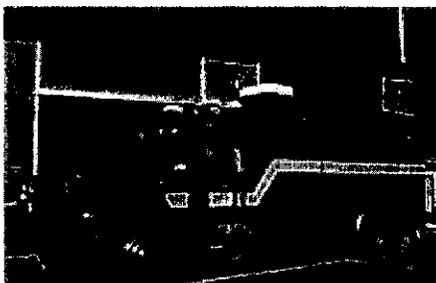
1996 SAULSBURY / FREIGHTLINER ...



Diesel, Automatic, Generator, 2 -
Light Towers, Winch

[Truck Detail](#)

1989 4-GUYS / FORD LIGHT AND AI...



6,000 psi Cascade System, Storage
for 56 air cylinders!

[Truck Detail](#)

1992 E-ONE / INTERNATIONAL WAL...

1995 FERRARA / MACK MEDIUM-D...



12

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008

BOARD OF APPEALS
PLANNING COMMISSION
AGRICULTURAL PRESERVATION

ELECTRICAL BOARD
SHORELINE COMMISSION
LICENSE COMMISSIONERS

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director 
DATE: March 8, 2016
RE: Rezoning Case No. 395 – Sun TRS Frontier, LLC

Attached please find the County Commissioners' Findings of Fact and Resolution the staff drafted relative to the above referenced rezoning case. As you are aware, the public hearing was held by the County Commissioners on March 1, 2016. Once the County Commissioners adopt and execute these Findings of Fact and Resolution please forward signed copies to me so that I may notify the appropriate parties.

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

phw
Attachment

IN THE MATTER OF *
THE REZONING APPLICATION OF * **REZONING CASE NO. 395**
SUN TRS FRONTIER, LLC *

FINDINGS OF FACT

Subsequent to a public hearing held on March 1, 2016 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 395: This case seeks to rezone approximately 36 acres of land (hereinafter referred to as the petitioned area) located to the east of MD Route 611 and north of MD Route 376 from C-2 General Commercial District to A-2 Agricultural District. The petitioned area is part of a larger parcel identified as Parcel 94 on Tax Map 33 which is commonly known as Frontier Town. This parcel in its entirety totals 209 acres in size. The petitioned area is the portion of the property currently developed with the stables, etc. for the Frontier Town western theme village and a forested area. The easterly portion of the subject property is developed as the Frontier Town campground while the most westerly portion, adjacent to MD Route 611, includes a western theme village, an existing water park and other commercial facilities.

Regarding the definition of the neighborhood: Mr. Cropper entered Exhibit No. 1 into the record. This exhibit is the Planning Commission's findings of fact and recommendation. He entered a large full color zoning map highlighting the petitioned area and showing the boundaries of the neighborhood as defined by the applicant as Applicant's Exhibit No. 2. Mr. Cropper stated that while the original application for rezoning was submitted based upon a mistake in existing zoning and a change in the character of the neighborhood since the comprehensive rezoning of 2009, he now wished to limit his argument to that of mistake in existing zoning. R. D. Hand, landscape architect of R. D. Hand and Associates, Inc., testified on behalf of the applicant and defined the neighborhood as being bound on the north by South Harbor Road and Sunset Avenue, on the west by MD Route 611, on the south by the southerly property line of Parcel 94, the subject property, and on the east by the Sinepuxent Bay. The Planning Commission concluded that this is an appropriate definition of the neighborhood because it contains similar uses, including other campgrounds, and while containing some residential

subdivisions and other residential uses, it is also agrarian in nature. The County Commissioners concur. As did the Planning Commission, the County Commissioners also agree with the applicant that the definition of the neighborhood should not extend any further south because that area is generally zoned E-1 Estate District, a much different zoning classification than those within the defined neighborhood. The County Commissioners find that the Planning Commission's definition of the neighborhood is appropriate and adopt it as their definition as well but also recognize that defining the neighborhood is now of lesser consequence since the applicant no longer bases a part of its argument on a change in the character of the neighborhood.

Regarding population change in the area: The County Commissioners concur with the Planning Commission's conclusion that there has not been a significant increase in the population of the neighborhood since the comprehensive rezoning of 2009. There has been infill development of single-family dwellings on existing lots within nearby residential subdivisions. Additionally, there has been an intensification of camping uses within the neighborhood, as evidenced by a recent 22 site expansion of the Castaways campground. The County Commissioners do not anticipate that development consistent with the requested A-2 Agricultural District will result in any significant population change in the neighborhood.

Regarding availability of public facilities: Based upon the Planning Commission's findings and the testimony of Mr. Hand, landscape architect, at the public hearing, the County Commissioners find that the petitioned area and the adjacent campground are not within an area which receives public sewer or water service at present. Instead these areas are served by an existing onsite septic system. The commercially developed portion of the subject property of which the petitioned area is a portion is currently served by public sewer from the Assateague Point Sanitary Service Area. The Planning Commission's findings of fact detail a recent sewer planning area designation to S-1 for the remainder of the campground to be included in the Mystic Harbour sewer planning area, including the petitioned area, has been approved and is part of the *Master Water and Sewerage Plan*. Robert J. Mitchell, Director of the Department of Environmental Programs, by memo included in the staff report attached to the Planning Commission's findings of fact, stated that the connection process will commence once engineering and permitting have been completed. He noted that the Frontier Town Campground will make their connection to a Mystic Harbour force main that exits Eagles Nest Road, north of the subject property on MD Route and all onsite septic systems will be abandoned during the connection process. Mr. Mitchell additionally commented that he expects that there will be excess capacity for additional commercial expansion or intensification on the front portion of the campground and the owner can make application for additional sanitary capacity to serve additional campsites. Based upon the Planning Commission's findings, including the comments of Mr. Mitchell, and the testimony of the applicant's representatives, the County Commissioners find that wastewater facilities currently being designed will be adequate to serve the petitioned area. As indicated in the Planning Commission's findings of fact, the

County Commissioners find that fire and ambulance service will be available from the Berlin Volunteer Fire Company's substation located on the opposite side of MD Route 611 from the subject property, within five minutes from the petitioned area. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately fifteen minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. Chief Deputy J. Dale Smack 3rd of the Worcester County Sheriff's Office by memo included in the staff report attached to the Planning Commission's findings of fact stated that he had reviewed the application and spoken with Sheriff Mason and Lt. Starner of the Maryland State Police relative to the rezoning case and they saw no issues with the proposed rezoning and concluded that it will not interfere with law enforcement activities. The petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. Joe Price, Facilities Planner for the Worcester County Board of Education (WCBOE), by memo included in the staff report attached to the Planning Commission's findings of fact, stated that the WCBOE does not anticipate an impact to the projected school enrollment for any of the schools serving the area by the proposed rezoning. The County Commissioners concur with this conclusion. In consideration of their review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the requested rezoning of the petitioned area from C-2 General Commercial District to A-2 Agricultural District.

Regarding present and future transportation patterns: The subject property of which the petitioned area is a part fronts on and currently has access to MD Route 611. That roadway is state-owned and -maintained and connects to both US Rt. 50 and MD Route 376. The County Commissioners note that the Planning Commission found that the Comprehensive Plan classifies MD Route 611 as a two-lane secondary highway/major collector highway. Donnie L. Drewer, District Engineer, for State Highway Administration District 1, by memo included in the staff report attached to the Planning Commission's findings of fact, stated that MD Route 611 is not identified in the State Highway Administration's current or long range planning documents for SHA's future needs in the area(s) noted in the application. He further stated that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration. He also commented that all future development of a site along this corridor will require the review and approval by his office and all access and entrance construction from a property onto the State highway shall be subject to the terms and conditions of an access permit to be issued by his office. R. D. Hand testified before the County Commissioners that traffic impacts will be significantly less under the proposed A-2 Agricultural District than they would be if the petitioned area were to be developed in accordance with its existing C-2 General Commercial District zoning classification. Based upon their review, the County Commissioners find that there will be no negative impact to the present or future transportation patterns arising from the proposed rezoning of the petitioned area.

Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The County Commissioners concur with the Planning Commission's conclusion that the neighborhood displays a mixture of land uses, with residential subdivisions and other stand-alone single-family dwellings, two campgrounds, the Ocean City Airport, a golf course, and the more suburban commercial and residential development of the northern portion of the MD Route 611 corridor at Sunset Avenue and at the MD Route 611/MD Route 376 junction. There are also areas of agricultural uses as well. Alex G. Dolgus, a retired US Army Corps of Engineers employee responsible for enforcement of tidal and nontidal wetland regulations, testified before both the Planning Commission and County Commissioners that he had thoroughly examined the petitioned area and it was his opinion that the proposed rezoning of the petitioned area and its anticipated use as a campground expansion is compatible with existing environmental conditions in the area. He noted that there are small pockets of wetlands on the site but substantial areas of uplands so there will be little to no impact if the property were rezoned. He further maintained that no archeological sites or endangered species were found on the site and that the proposed campground will not adversely impact any impaired waters or increase the Total Maximum Daily Loads (TMDLs). Based upon their review the County Commissioners find that the proposed rezoning of the petitioned area from C-2 General Commercial District to A-2 Agricultural District is compatible with existing and proposed development and existing environmental conditions in the area.

Regarding compatibility with the County's Comprehensive Plan: The County Commissioners find that according to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Existing Developed Area Land Use Category and the Agricultural Land Use Category. With regard to the Existing Developed Area (EDA) category, the Comprehensive Plan states that this category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained, that recognizing existing development and neighborhood character is the purpose of this designation, and that appropriate zoning providing for densities and uses consistent with this character should be instituted. The Plan furthermore states that the EDAs are anticipated to remain as mapped at least until the next plan review period and that this will provide for orderly infill development within EDAs and new community-scale growth in the growth areas. The Plan also states that, not designated as growth areas, these areas should be limited to infill development and that density, height, bulk and site design standards should also be consistent with the EDA's existing character. Mr. Hand testified to the County Commissioners that it is anticipated that if the petitioned area is rezoned to A-2 Agricultural District the site will be utilized for an expansion of the existing Frontier Town campground and this represents logical infill development and is indeed smart growth. With regard to the Agricultural Land Use Category, the Comprehensive Plan states that the importance of agriculture to the County cannot be overstated, that its significance is economic, cultural,

environmental, and aesthetic, and that agriculture is simply the bedrock of the County's way of life. The Plan goes on to say that the County must do all it can do to preserve farming as a viable industry, that this category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted, that large contiguous areas of productive farms and forest shall be maintained for agricultural uses, and that residential and other conflicting land uses, although permitted, are discouraged. The Planning Commission furthermore noted that certain pertinent objectives are also cited in the Land Use chapter of the Comprehensive Plan and state that the dominance of agriculture and forestry uses should be continued through the County's less developed regions, that the character of the County's existing population centers should be maintained, that new development should be located in or near existing population centers and within planned growth centers, and that existing population centers should be infilled without overwhelming their existing character. Other objectives state that development should be regulated to minimize consumption of land, while continuing the County's rural and coastal character, that the supply of commercially zoned land should be balanced with anticipated demand of year-round residents and seasonal visitors, that major commercial and all industrial development should be located in areas having adequate arterial road access or near such roads, and that rural development should be limited to uses compatible with agriculture and forestry. Based upon their review the County Commissioners adopt the finding of the Planning Commission that the proposed rezoning of the petitioned area from C-2 General Commercial District to A-2 Agricultural District is compatible with the Comprehensive Plan and in keeping with its goals and objectives and will allow logical infill expansion of the existing campground on the subject property.

Regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from C-2 General Commercial District to A-2 Agricultural District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

As a result of the testimony and evidence presented before the Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. The County Commissioners concur with the Planning Commission's conclusion that at the time zoning was initially established in the mid 1960s, it was anticipated that Assateague Island would be developed in much the same fashion as Ocean City, as would the South Point area, and that nearby commercial areas were necessary to provide services to those resort and residential areas. Thus a large portion of the subject property, including the petitioned area, was given a commercial classification at the time zoning was established, as were other areas along the MD Route 611 corridor. However, Assateague Island instead was protected as both a national and state park and the expected residential growth of the island and the nearby mainland did not occur. The extent of commercial zoning was thus rendered largely unnecessary and in fact excessive. Yet the commercial zoning of the subject property remained throughout the

1992 and 2009 comprehensive rezonings. Additionally, the County Commissioners note that Mitch Parker, former owner of Frontier Town facilities and campground, testified that camping has become much more popular in the last few years and the type of camping has evolved from one primarily characterized by tents and small pop up campers and recreational vehicles to one seeing much larger recreational vehicles as a norm. Mr. Parker also testified that the petitioned area is the perfect spot to put a campground in that it is immediately adjacent to an existing campground and able to utilize the existing amenities in that campground. The County Commissioners recognize that, if rezoned, the petitioned area could be put to any use permitted by the requested A-2 Agricultural District but conclude that the rezoning will permit what is essentially infill development by allowing the expansion of an existing campground. The County Commissioners find that this will be an appropriate form of growth for the area. In consideration of their findings the County Commissioners hereby approve Rezoning Case No. 395 and thus rezone the petitioned area, shown on Tax Map 33 as part of Parcel 94, from C-2 General Commercial District to A-2 Agricultural District.

Adopted as of March 1, 2016. Reduced to writing and signed
_____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell

ZONING RECLASSIFICATION RESOLUTION NO. 16-02

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO SECTION ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 33 AS PART OF PARCEL 94 FROM C-2 GENERAL COMMERCIAL DISTRICT TO A-2 AGRICULTURAL DISTRICT.

WHEREAS, pursuant to Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, Sun TRS Frontier, LLC, applicant, and Hugh Cropper, IV, applicant's attorney, filed a petition for the rezoning of approximately 36 acres of land shown on Tax Map 33 as part of Parcel 94, located to the east of MD Route 611 and north of MD Route 376, requesting a change in zoning classification thereof from C-2 General Commercial District to A-2 Agricultural District; and

WHEREAS, the Worcester County Planning Commission gave the said petition a favorable recommendation during its review on December 3, 2015; and

WHEREAS, subsequent to a public hearing held on March 1, 2016, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made findings of fact and found that there is a mistake in the existing zoning of the petitioned area and also made findings of fact relative to the other criteria as required by law;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by Sun TRS Frontier, LLC, applicant, and Hugh Cropper, IV, applicant's attorney, and shown on Tax Map 33 as part of Parcel 94, is hereby reclassified from C-2 General Commercial District to A-2 Agricultural District.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, March 1, 2016.

EXECUTED this _____ day of _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

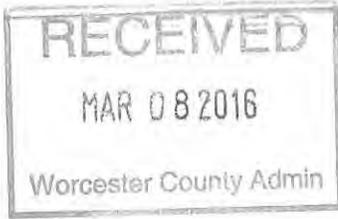
Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell



13

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008

BOARD OF APPEALS
PLANNING COMMISSION
AGRICULTURAL PRESERVATION

ELECTRICAL BOARD
SHORELINE COMMISSION
LICENSE COMMISSIONERS

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *[Signature]*
DATE: March 8, 2016
RE: Rezoning Case No. 396 - The Estate of Mildred L. Parsons/
Margaret P. Bunting, Personal Representative

Attached please find the County Commissioners' Findings of Fact and Resolution the staff drafted relative to the above referenced rezoning case. As you are aware, the public hearing was held by the County Commissioners on March 1, 2016. Once the County Commissioners adopt and execute these Findings of Fact and Resolution please forward signed copies to me so that I may notify the appropriate parties.

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

phw
Attachment

IN THE MATTER OF *
THE REZONING APPLICATION OF *
THE ESTATE OF MILDRED L. * **REZONING CASE NO. 396**
PARSONS, MARGARET P. BUNTING, *
PERSONAL REPRESENTATIVE *

FINDINGS OF FACT

Subsequent to a public hearing held on March 1, 2016 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 396: This case seeks to rezone approximately 11.5 acres of land (hereinafter referred to as the petitioned area) located on the easterly side of MD Route 589 to the north of Gum Point Road from A-1 Agricultural District to C-2 General Commercial District. The petitioned area is shown as Parcel 72 on Tax Map 21.

Regarding the definition of the neighborhood: Mr. Cropper entered that Planning Commission's findings of fact and recommendation on Rezoning Case No. 396 into the record as Applicant's Exhibit No. 1. He then entered into the record as Applicant's Exhibit No. 2 a large scale full color zoning map showing the petitioned area, the zoning of all properties and the limits of the neighborhood as defined by the applicant. The neighborhood was defined on behalf of the applicant by R. D. Hand, landscape architect for R. D. Hand and Associates, Inc., as being that area bound on the north by MD Route 90, on the east by the Isle of Wight Bay, on the south by US Route 50, and on the west by those properties on the westerly side of MD Route 589. As did the Planning Commission, the County Commissioners agree that this is an appropriate definition of the neighborhood because it contains similar uses and zoning, primarily residential and commercial in nature.

Regarding population change in the area: Mr. Hand testified before the Planning Commission and the County Commissioners that there had not been a substantial change in the neighborhood's population since the comprehensive rezoning of 2009, with most resulting from infill development of vacant lots in the neighborhood. The County

Commissioners concur with the Planning Commission's conclusion there has been a general increase, though not a substantial one, in the population of the neighborhood since the comprehensive rezoning of 2009 as vacant lots in residential subdivisions in the neighborhood have been constructed upon, leading to infill development. Additionally, the County Commissioners agree with the Planning Commission's finding that the population of visitors to the neighborhood has escalated as patrons at the Casino at Ocean Downs and at commercial facilities in the neighborhood have increased.

Regarding availability of public facilities: Based upon the Planning Commission's findings, the County Commissioners find that as it pertains to wastewater disposal and the provision of potable water, the petitioned area itself is not within an area which receives public sewer or water service at the present time. The County Commissioners find that Robert J. Mitchell, Director of the Department of Environmental Programs, by memo included in the staff report attached to the Planning Commission's findings of fact, stated that the petitioned area has a designation of Sewer Service Category S-6 (No Planned Service). Mr. Mitchell also stated that his department has no well or septic records or soil evaluation records in the property file indicating any onsite capacity exists to support construction that would require water and sewerage be supplied. Mr. Mitchell further noted that if the applicant is intending to utilize public water and sewer for the development of this property, there are currently 24 excess sewer Equivalent Dwelling Units (EDUs) remaining as of the date of his memo (November 17, 2015) in the Ocean Pines Sanitary Service Area. The County Commissioners find that Edward Launay, an environmental consultant with Environmental Resources, Inc., testified on behalf of the applicant that he had conducted a site evaluation of the petitioned area and performed soil borings. Applicant's Exhibit No. 3 was entered into the record and is comprised of a large full color aerial soils map and two smaller aerial maps showing elevation mapping. Mr. Launay testified that based upon his evaluation he had determined that the site is well drained, has good depth to groundwater and its soils are suitable for on-site septic disposal if need be. Based upon the comments of Mr. Mitchell and the testimony of Mr. Launay, the County Commissioners find that adequate wastewater disposal facilities of some type, be they on-site or public wastewater, may be available to serve the petitioned area if rezoned. The County Commissioners find that fire and ambulance service will be available from the Ocean Pines and Berlin Volunteer Fire Company, located approximately five and ten minutes away respectively while police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. Chief Deputy J. Dale Smack 3rd of the Worcester County Sheriff's Office by memo included in the staff report attached to the Planning Commission's findings of fact stated that he had reviewed the application and spoken with Sheriff Mason and with Lt. Starner of the State Police relative to the rezoning case and they saw no issues with the proposed rezoning and concluded that it will not interfere with law enforcement activities. The petitioned area is within the area served by the following schools: Ocean City

Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. Joe Price, Facilities Planner for the Worcester County Board of Education (WCBOE), by memo included in the staff report attached to the Planning Commission's findings of fact stated that the WCBOE does not anticipate an impact to the projected school enrollment for any of the schools serving the area by the proposed rezoning. In consideration of their review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the requested rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District.

Regarding present and future transportation patterns: The petitioned area fronts on and currently has access to MD Route 589. That roadway is state-owned and -maintained and connects to both US Rt. 50 and US Route 113. The Planning Commission found that the Comprehensive Plan classifies MD Route 589 as a two-lane secondary highway/major collector highway and recommends that development be limited in the corridor until capacity increases, that scenic and transportation corridor planning be conducted, that the roadway be dualized after the US Route 113 project is completed, that US Route 113 traffic continue to be deflected to MD Route 90 rather than MD Route 589, and interparcel connectors and service roads be introduced where feasible. Donnie L. Drewer, District Engineer for State Highway Administration District 1, stated in his memo included in the staff report attached to the Planning Commission's findings of fact that MD Route 589 is identified in the State Highway Administration's current or long range planning documents for SHA's future needs in the area(s) noted in the application. He stated that, specifically, the SHA Highway Needs Inventory (HNI) identified the need for 4.6 miles of a multi-lane reconstruct from US Route 50 to US Route 113 and is noted as a County priority. He also commented that this section of roadway is also identified in the SHA Consolidated Transportation Plan (CTP) for potential improvements to the existing MD Route 589 corridor to relieve traffic congestion and improve traffic safety and accommodate bicycle and pedestrian safety. Mr. Drewer further stated that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration. He expressed that all future development of a site along this corridor will require the review and approval by his office and all access and entrance construction from a property onto the State highway shall be subject to the terms and conditions of an access permit to be issued by his office. Mr. Hand stated that although there will be traffic impacts to MD Route 589 if the petitioned area is rezoned to C-2 General Commercial District from A-1 Agricultural District, they will be significantly less than those anticipated to arise from the rezoning from agricultural to commercial of the much larger Silver Fox parcel immediately to the north, in which the traffic study showed that a Level of Service C would be maintained if that property were rezoned to commercial. That rezoning to a C-2 General Commercial District was approved by the County Commissioners on September 4, 2012 and, although appealed to court, was subsequently upheld. Based upon their review, the County Commissioners concur with the applicant's testimony stated above and the Planning

Commission's finding and adopt said finding that although there will impacts to the present and future transportation patterns arising from the proposed rezoning of the 11.5 acre petitioned area, they will not be as substantial as those arising from the previously approved rezoning (Case No. 392) of 33 acres and will have to be dealt with at some future point.

Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The County Commissioners concur with the Planning Commission's conclusion that the neighborhood displays a mixture of land uses, with residential subdivisions and commercial uses being the predominant ones. The Casino at Ocean Downs is a predominant feature. Although the petitioned area and the adjoining property to the north are currently tilled cropland, there is virtually no other agricultural use in the neighborhood. It is essentially the agricultural use that is the blatant anomaly in the neighborhood, not commercial or residential use. The County Commissioners note that Edward Launay, professional wetlands scientist, testified that his examination of the petitioned area showed that there are no wetlands on the site, it is well-drained and has no archeological sites or endangered species. He also asserted that the proposed rezoning and anticipated development of the site will not have an adverse impact on impaired waters or increase the Total Maximum Daily Loads (TMDLs). Based upon their review the County Commissioners find that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

Regarding compatibility with the County's Comprehensive Plan: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Commercial Center and Existing Developed Area Land Use Categories. With regard to the Commercial Center Land Use Category, the Comprehensive Plan states that this category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. Retail, offices, cultural/entertainment, services, mixed uses, warehouses, civic, light manufacturing and wholesaling would locate in commercial centers. The Comprehensive Plan also states that commercial areas by their nature locate on prominent sites and can visually dominate a community. For this reason, special attention must be given to the volume, location and design of these uses. The Comprehensive Plan states that the first step is to balance supply with demand and that strip commercial centers are discouraged. Commercial areas provide important services but they should be developed to enhance community character, according to the Comprehensive Plan. With regard to the Existing Developed Area (EDA) category, the Comprehensive Plan states that this category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained, that recognizing existing development

and neighborhood character is the purpose of this designation, and that appropriate zoning providing for densities and uses consistent with this character should be instituted. The Plan furthermore states that the EDAs are anticipated to remain as mapped at least until the next plan review period and that this will provide for orderly infill development within EDAs and new community-scale growth in the growth areas. The Plan also states that, not designated as growth areas, these areas should be limited to infill development and that density, height, bulk and site design standards should also be consistent with the EDA's existing character. The Planning Commission found that certain pertinent objectives were also cited in the Land Use chapter of the Comprehensive Plan and state that the character of the County's existing population centers should be maintained, that the County should provide for appropriate residential, commercial, institutional, and industrial uses, that new development should be located in or near existing population centers and within planned growth centers, and that existing population centers should be infilled without overwhelming their existing character. Other objectives state that development should be regulated to minimize consumption of land, while continuing the County's rural and coastal character, that the supply of commercially zoned land should be balanced with anticipated demand of year-round residents and seasonal visitors, that major commercial and all industrial development should be located in areas having adequate arterial road access or near such roads, and that highway strip development should be discouraged to maintain roadway capacity, safety, and character. The Planning Commission found that the Transportation chapter of the Comprehensive Plan states that Worcester's roadways experience morning and evening commuter peaks; however, they are dwarfed by summer resort traffic and that resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90. The Plan further states that of special note is the fact that the MD Route 589 corridor has experienced significant development, has reached an unsatisfactory level-of-service and congestion has become a daily occurrence regardless of season. The Plan asserts that for this reason, MD Route 589 is considered impacted from a traffic standpoint. The Comprehensive Plan states that this implies that land use should not intensify in this area, that infill development of existing platted lots should be the extent of new development, and that this policy shall remain until road capacity is suitably improved. This chapter also states that commercial development will have a significant impact on future congestion levels and that commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintain road capacity. Additionally, the Planning Commission found that the Comprehensive Plan states that it is the Plan's policy that the minimal acceptable Level of Service (LOS) for all roadways be LOS C and that developers shall be responsible for maintaining this standard. Mr. Hand on behalf of the applicant testified that as part of the previous rezoning of the adjacent Silver Fox property in Case No. 392, at 33 acres approximately three times the size of the now petitioned area, a traffic study was submitted into evidence and upheld which indicated that although traffic impacts would arise after development of that site with commercial uses, a Level of Service C would still be maintained on MD Route 589, a level which the Comprehensive Plan considers acceptable.

As did the Planning Commission, the County Commissioners find that although there will most likely be adverse impacts to MD Route 589 arising from commercial development of the 11.5 acre petitioned area, they will be much less significant than those anticipated to arise from the previous rezoning and will have to be dealt with at the time of development. Based upon their review, the County Commissioners adopt the findings of the Planning Commission and find that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

Regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

As a result of the testimony and evidence presented before the Commissioners and the findings as set forth above, the County Commissioners find that there has been a change in the character of the neighborhood since the 2009 comprehensive rezoning. As did the Planning Commission, the County Commissioners concur with the applicant's assertion that the most predominant change is the approval of Rezoning Case No. 392 which reclassified the adjacent property to the north from A-1 Agricultural District to C-2 General Commercial District in 2012. That rezoning has left the petitioned area as an island of A-1 Agricultural District zoning. Other changes to the character of the neighborhood include the significant expansion of the Casino at Ocean Downs, its connection to public sewer service, and the expansion of the Ocean Pines wastewater and water service areas. Furthermore, the County Commissioners conclude that the proposed development of the adjacent property to the east into a residential subdivision constitutes a change to the character of the neighborhood because the granting of Atlantic Coastal Bays Critical Area growth allocation by the Worcester County Commissioners and the Critical Area Commission was necessary to allow the subdivision to occur. Additionally, the County Commissioners agree with the applicant's argument that although the Casino is located on an agriculturally zoned property, it is truly not an agricultural use and is in fact commercial in nature, given its size of approximately 10,000 square feet and the extensive expanse of parking lots associated with the use. Like the Planning Commission, the County Commissioners agree with the applicant's contention that because Rezoning Case No. 392 was upheld in court it is only equitable to give the petitioned area the same zoning. The County Commissioners find that the existing A-1 Agricultural District zoning is inconsistent with the Comprehensive Plan, particularly in regards to the Land Use Categories placed on the petitioned area, and with existing zoning and development in the area and that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is more desirable in terms of the Comprehensive Plan. In consideration of their findings the County Commissioners hereby approve Rezoning Case

No. 396 and thus rezone the petitioned area, shown on Tax Map 21 as Parcel 72, from A-1 Agricultural District to C-2 General Commercial District.

Adopted as of March 1, 2016. Reduced to writing and signed
_____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell

ZONING RECLASSIFICATION RESOLUTION NO. 16-01

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO SECTION ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 21 AS PARCEL 72 FROM A-1 AGRICULTURAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT.

WHEREAS, pursuant to Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, The Estate of Mildred L. Parsons, Margaret P. Bunting, Personal Representative, applicant, and Hugh Cropper, IV, applicant's attorney, filed a petition for the rezoning of approximately 11.5 acres of land shown on Tax Map 21 as Parcel 72, located on the easterly side of MD Route 589 to the north of Gum Point Road, requesting a change in zoning classification thereof from A-1 Agricultural District to C-2 General Commercial District; and

WHEREAS, the Worcester County Planning Commission gave said petition a favorable recommendation during its review on December 3, 2015; and

WHEREAS, subsequent to a public hearing held on March 1, 2016, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made findings of fact and found that there has been a substantial change in the character of the neighborhood of the petitioned area and also made findings of fact relative to the other criteria as required by law;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by The Estate of Mildred L. Parsons, Margaret P. Bunting, Personal Representative, applicant, and Hugh Cropper, IV, applicant's attorney, and shown on Tax Map 21 as Parcel 72, is hereby reclassified from A-1 Agricultural District to C-2 General Commercial District.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, March 1, 2016.

EXECUTED this _____ day of _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

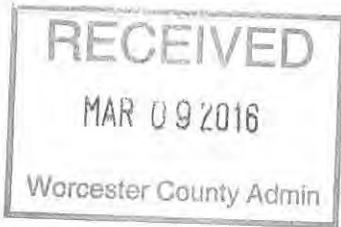
Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell



14

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

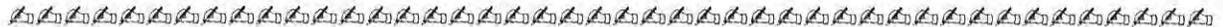
GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008

BOARD OF APPEALS
PLANNING COMMISSION
AGRICULTURAL PRESERVATION

ELECTRICAL BOARD
SHORELINE COMMISSION
LICENSE COMMISSIONERS

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director of Development Review and Permitting *EAT*
DATE: March 8, 2016
RE: Town of Berlin - Proposed Annexation



By virtue of my copy of the attached letter from Ms. Laura Allen, Berlin Town Administrator, I have been made aware of the Town's proposed annexation of the lands they recently acquired which are shown on Worcester County Tax Map 25 as Parcels 52, 57 and 410. The property is more commonly known as the old Tyson chicken plant. In anticipation of a request for my review and comment I have prepared this memorandum.

In the letter Ms. Allen states the Town's intent to zone the property upon annexation as R-1 Residential District under the Town's zoning ordinance and to develop the property as a public park and related recreational and cultural facilities. Although this proposed annexation is somewhat different than any I have reviewed in the past in that the Town is annexing land that it has acquired itself, the requirements of State law with regard to changes in zoning upon annexation still apply as well as those provisions in our duly adopted Comprehensive Plan.

State law regulates the zoning of annexed properties in the Local Government Article of the Annotated Code. Division II, Title 4, Subtitle 4, Section 4-416(b) states:

- (b) Different land use or density - Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of annexation.

As stated in Ms. Allen's letter the property is currently zoned I-2 Heavy Industrial

District under the terms of the Worcester County Zoning Ordinance and Maps. The property is shown on the Worcester County Land Use Map as a Growth Area. The Town of Berlin proposes to place the land in its R-1 Residential District which obviously allows for residential development as well as a number of other uses, including those proposed by the Town. The County's industrial designation does not allow for any residential development at all and the uses permitted are diametrically opposed to those permitted by the Town's proposed district. It is my opinion that without the express approval of the County Commissioners of the proposed rezoning upon annexation in this case, the Town would be required to wait for a period of five years before making the change.

With regard to the County's Comprehensive Plan, as previously stated the subject property is located in a designated growth area adjacent to the existing Town boundaries and as such would be expected to be annexed by the Town. In Chapter Two of our Comprehensive Plan, beginning at the bottom of Page 10, it states: "The County has designated growth areas adjacent to or in close proximity to the towns but has also established growth limitations for those areas. Growth areas should be annexed into the town prior to or at the time of development and at that time limitations shall be established on the development. Those limitations along with other appropriate matters should be the subject of an annexation agreement to which the town, the County, and the developer are parties." Given that this proposed annexation is not for residential or commercial development but rather the annexation of municipal land for a public purpose, I see no need for the County and town to enter into an annexation agreement.

With respect to the Town's Comprehensive Plan, it appears that the proposed uses for the property are consistent with the provisions of the municipal growth element section of the Town's 2010 Comprehensive Plan which discusses the need for additional areas for parks and recreation.

Based upon all of the information contained above, it is my recommendation that the County Commissioners concur with the Town of Berlin's proposed zoning upon annexation of the subject property.

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

EAT/phw

cc: Phyllis H. Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator
Kelly L. Henry, Technical Services Administrator



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316



March 4, 2016

Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Thomas Gulyas

Lisa Hall

Troy Purnell

Town Attorney

David Gaskill

Town Administrator

Laura Allen

Worcester County Commissioners
One West Market Street
First Floor, Room 1103
Snow Hill, MD 21863

Dear Commissioners:

RE: Annexation of Properties Owned by the Town of Berlin, MD

The purpose of this letter is to act as an Annexation Petition for the property owned by the Town of Berlin, MD, being located on the northerly side of Maryland Route 346 (Old Ocean City Boulevard) which properties are designated as Parcels 52, 57, and 410 on Worcester County Tax Map 25.

The parcels are currently in the I-2 Heavy Industrial District of Worcester County. Upon annexation the Town would designate the parcels to be R-1 Residential Zoning District. The Zoning Ordinance of the Town of Berlin, Division 2, R-1 Residence District, Section 108-325, Permitted Uses, Item 7, allows Principal Permitted Uses for publically owned areas and buildings, such as parks, playgrounds, community centers, and buildings or properties of a cultural or conservative nature. The Town has recently purchased the properties with the intent to create a public park and related recreational and cultural facilities.

I have attached the proposed annexation plat, and a draft copy of the Annexation Resolution of the Mayor and Council of the Town of Berlin.

Sincerely,

Laura Allen
Town Administrator

Enclosures

cc: Mr. Ed Tudor
Mayor Wm G. Williams, III



ANNEXATION RESOLUTION NO. 2016-__

DRAFT

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, PROPOSING THE ANNEXATION TO THE TOWN OF A CERTAIN AREA OF LAND SITUATED AND CONTIGUOUS TO AND ADJOINING UPON THE CORPORATE LIMITS OF THE TOWN OF BERLIN AND PROVIDING FOR THE CONDITIONS AND CIRCUMSTANCES APPLICABLE TO THE PROPOSED CHANGES IN THE BOUNDARY OF THE TOWN OF BERLIN OF THE TOWN OF BERLIN

WHEREAS, The Town, as owner, has petitioned the Worcester County Commissioners to annex certain property parcels known as Worcester County Tax Map Number 25, Parcel 52, Parcel 57, and Parcel 410.

WHEREAS, Upon annexation the properties are to be zoned **R-1 Residential District**.

WHEREAS, The Town will serve the properties with municipal water, sewer, trash collection, police protection and all other related services afforded to properties within the corporate limits of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berlin as follows:

The above described property shall be added to the Town, subject to the provisions of the Berlin Municipal Charter and the conditions referred to herein.

Approved this _____ day of _____, 2016 by the Mayor and the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham Sr, Vice President

ATTEST:

Wm. Gee Williams, III, Mayor

Laura Allen, Town Administrator



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

March 10, 2016

16

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

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

Worcester County Commissioners
One West Market Street
County Government Center - Room 1103
Snow Hill, MD 21863

See also - Enterprise Fund
Requested Budget Summaries
on page 16

RE: **Requested** FY2017 Operating Budget

Commissioners:

In accordance with Section 4-201 of the County Government Article of the Code of Public Local Laws of Worcester County, Maryland, enclosed are the Worcester County Departmental Operating Budget Requests for Fiscal Year 2017.

General Fund revenues based on current tax rates are estimated to be \$187,404,247. Requested general fund operating expenditures total \$193,946,906. This leaves a **shortfall** of \$6,542,659 which must be reconciled, either with reductions in expenditures, additional revenues or a combination of the two.

Anticipated General Fund Revenues

The estimated revenues for FY2017 total \$187,404,247 which is an **increase** of \$4,954,138 or 2.7% more than the current year. Since the State budget is not finalized, the County could be further burdened by State cuts, continued unfunded mandates and/or the transfer of State responsibilities. Listed below are significant budget variances as compared to the current year:

- Net Property Tax Revenues increase by \$2,274,817, primarily as a result of increased assessments and Homeowner Tax Credits. These estimates are based on the current tax rate of \$0.835 per \$100 of the assessed value for the real property.
- Income Tax revenues are anticipated to increase by \$3,400,000 from the current year based upon actual receipts and increased estimates. The income tax estimate is based on the recently increased tax rate of 1.75%, which became effective January 1, 2016.
- Other Local Taxes increased by \$287,500 and includes an increase of \$250,000 in Transfer Taxes and an increase in Room Tax of \$97,500 based on current year estimates.
- State Shared Revenues increased by \$22,061 due to a slight increase in Highway User Taxes.

- Federal grants project an overall **decrease** of \$30,800. This account category includes a decrease in funding of \$31,990 for the Emergency Shelter Grant.
- State grants increased \$278,608; the primary increase is due to additional funds of \$199,000 for Waterway Improvement requests and \$87,324 from Program Open Space for park improvements, with decreases to grants for the State Aid for Bridges, Septic system Bay Restoration Fund grant and water system monitoring grant.
- Licenses and Permits increased \$2,250; significant changes include increased estimates for liquor licenses of \$25,000 at the current fees, and decreases to the biannual Occupational licenses of \$28,000.
- Charges for Services **decreased** by \$50,918 mainly due to decreases for Jail use fees.
- Fines & Forfeits increased \$15,000 due to increased estimates for Court fines.
- Interest on Investments **decreased** \$50,000 due to lower outstanding note balances and rates of return below 1%.
- Sale of Assets/Other Revenues **decreased** \$34,000 due to decreased estimates for reimbursements
- Transfer in Other Funds **decreased** by \$1,147,279 based on the transfer in of bond premium proceeds that occurred in the current year FY2016.
- Planned use of Casino/Local Impact Grant Funds **decreased** by \$13,101 for the debt payment for the Worcester Career and Technical High School in FY17.

Major Requested General Fund Expenditures

The **Requested expenditures** for FY2017 total \$193,946,906 which is an increase of \$11,496,797 or 6.3% more than the current year. Significant budget variances are listed below:

County Departments and Agencies

- Sheriff's department increased \$914,202
 - Increased by \$407,269 for 6 new deputies and overtime for the department
 - Increased by \$32,195 for new computers for office staff, road patrol and new hires
 - Increased by \$57,172 for law enforcement equipment and uniforms
 - Increased by \$47,890 for law enforcement training and education for new hires
 - Increased by \$287,441 for 5 replacement patrol vehicles and 6 new vehicles for new hires
 - Increased by \$103,970 for electronic equipment for new vehicles
 - **Decreased** by \$31,000 for animal control building improvements to be completed in the current year
- Emergency Services increased \$136,385
 - **Decreased** by \$8,237 in personnel due to turnover savings and includes one new position
 - Increased by \$109,317 for maintenance contracts, radio supplies and new computers
 - Increased by \$24,000 for 1 new vehicle for new position
- Jail increased \$353,372
 - Increased by \$87,340 for 2 new Correctional Officers for inmate coverage and regulating agencies
 - Increased by \$140,712 for the inmate medical contract with additional medical coverage
 - Increased by \$38,000 to purchase a transportation vehicle to take the place of 2 vehicles that do not meet transporting needs of the Jail
 - Increased by \$75,000 to replace the current camera system
 - Increased by \$23,185 for replacement equipment for the sprinkler system
- Ambulance Grants increased \$14,828
 - Increased based on revisions to the funding formulas enhanced in the current year
- Fire Training Center increased by \$100,000 to replace the 1982 Hazmat Response Vehicle

- Roads increased \$962,723
 - Increased by \$1,000,000 for road paving
 - **Decreased** by \$90,296 to replace one bridge; the current year replaces two bridges all of which will be reimbursed 80% by the State
 - Increased by \$61,110 to remove and replace overhead doors at Snow Hill facility
 - Increased by \$16,936 for two dump trucks with snow plows
 - **Decreased** by \$23,404 over the current year for tractors and equipment
- Boat Landings increased \$171,700
 - Increased by \$149,000 to cover Public Landing parking lot improvements and boat slip construction and \$50,000 for Shell Mill parking lot resurfacing, both to be reimbursed by Maryland Department of Natural Resources at 100% to the County
 - **Decreased** \$30,000 due to current year funding for Taylor Landing crabbing pier
- Health Department increased \$194,717
 - Increased by \$77,557 to expand Safe Schools Initiative
 - Increased by \$37,218 for State health benefit cost
 - Increased by \$27,462 to cover State Core Funding Reduction
 - **Decreased** \$80,746 in personnel turnover savings
 - Increased by \$28,162 for building maintenance increases
 - Increased by \$105,064 to cover one step increment and 2% COLA by the State
- Wor-Wic Community College increased \$143,719
 - Increased by \$143,719, Worcester County local funding allocation is 29.2%
- Parks increased \$100,569
 - Increased by \$91,740 for Park improvements of which State Program Open Space funds reimburse 80% to the County.
- Libraries increased \$239,583
 - Increased \$43,765 in salaries due to personnel changes to the library organization
 - Increased \$25,000 in library book purchases for children's and large print books
 - Increased \$135,327 in building property improvements mainly for Ocean Pines carpeting
 - Increased \$21,600 in capital equipment for new phone system for the libraries
- Taxes shared with Towns increased \$343,500 to cover income taxes passed through to Towns
- Grants to Towns increased \$1,032,164
 - Increased by \$414,664 for Town requests which were presented to the County Commissioners on March 1, 2016
 - Increased by \$671,500 for Ocean Pines Association request for Police Aid, Roads, Tourism and Recreational Program support
- Salary, Insurance & Benefits increased by \$2,860,279
 - Increased by \$614,580 for salaries for County employees which includes a 2.5% step and longevity for those eligible
 - Increased by \$658,188 based on an estimated increase of 10.5% for health benefits
 - Increased by \$1,000,000 for transfer to Other Post Employment Benefits
 - Increased by \$339,194 for Retirement contributions due to increased State rates
 - Increased by \$158,598 for Workers Compensation insurance
 - Increased by \$26,714 in property & liability insurance due to a 7% increase in premium
- Debt Service increased \$221,013
 - Increased due to 2015 bond for County projects and existing debt
- Interfund Charges increased \$39,429
 - Increased by \$684,720 for Transfers Out to Recycling for the Enterprise Fund
 - Increased by \$504,505 for Transfers Out to Convenience Centers for the Enterprise Fund
 - Increased by \$336,787 for Transfer to Reserve to maintain the current 10% reserve
 - **Decreased** by \$1,486,583 for Transfer to Budget Stabilization Fund in the current year.

Board of Education

- The Board of Education has requested \$82,583,680 from the County, an increase of \$3,412,046 over the **current** year adopted budget as shown below. School construction debt is paid by the County on behalf of the Board of Education. It is not reflected in the Board’s budget; however it is included in the County’s operating budget. The Board’s operating budget request is \$82,583,680 plus debt of \$10,765,450 which totals \$93,349,130 or 49.8% of the County’s total estimated revenue.

| | FY2017 Requested Budget | FY2016 Approved Budget | Dollar Variance +/- FY2016 |
|---|-------------------------------|------------------------------|----------------------------------|
| County Appropriation | \$82,127,343* | \$76,766,472 | +5,360,871 |
| County Appropriation -Retirement Expense for Non Teachers | 456,337 | 452,674 | 3,663 |
| County Appropriation – County Share of Teacher Pension | 0* | 1,952,488 | -1,952,488 |
| Sub-Total County Appropriation | <u>\$82,583,680</u> | <u>\$79,171,634</u> | <u>+3,412,046</u> |
| State and Other Funding Sources | 19,759,725 | 19,795,178 | -35,453 |
| Sub-Total Unrestricted Budget | <u>\$102,343,405</u> | <u>\$98,966,812</u> | <u>+3,376,593</u> |
| Restricted: State and Federal Programs | 5,865,000 | 6,087,000 | -222,000 |
| Restricted: State funded Teachers Retirement & Pensions | 6,937,419 | 6,863,885 | +73,534 |
| Total | <u>\$115,145,824</u> | <u>\$111,917,697</u> | <u>+3,228,127</u> |

*Fiscal 2017 Maintenance of Effort (MOE) level of \$79,480,752 is affected by two changes:

1. MOE calculated under Section 5-202(d) of the Education Article must be based on the total per pupil appropriation for FY16 including the amount added into FY16 for the Local Share of Teacher pension, enacted as Section 18 of BRFA of 2012, special session #1.
2. An MOE escalator provision will take effect in FY17. This provision was enacted as part of Senate Bill 848 of 2012, Section 5-202(d)(ii)2. Although the escalator was set to take effect in FY15, the statewide average was negative for FY15 and FY16.

Board of Education Requested Salary Increase:

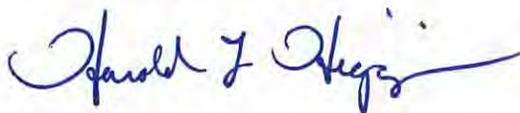
The Board of Education submission includes the following salary request:

- The salary package for the Board of Education reflects a payroll increase of 2.3%, which includes a step, longevity step for those eligible and 1% for those beyond steps.
- The bus contracts account increase over FY16 is \$40,132 and reflects a 1% increase to bus contractor’s hourly rate and mileage rate effective July 1, 2016. An additional \$56,064 is included for contractors purchasing 7 new buses.
- Starting Teacher pay would increase 2.2% from \$42,433 to \$43,384. In FY17 step 1 will be increased by \$951 to be the same pay as step 2.

Budget Adoption Schedule

The first budget review session with selected County Departments and Agencies is scheduled for March 22nd and another is scheduled for April 12th. These sessions provide the opportunity for your detailed review of the various budget requests. The Public Hearing on the Requested Operating Budget is scheduled for Tuesday, May 3, 2016 at 7:00 p.m. at Snow Hill High School. Additional budget work sessions are scheduled for May 10, and May 18. May 24, 2016 is also scheduled if needed. The FY2016/2017 General Fund Operating Budget must be adopted on June 7, 2016.

Respectfully Submitted,



Harold L. Higgins
Chief Administrative Officer

HLH:kjw

H:\FY17 Budget\FY17 Budget March 15 2017\FY17 budget request to comm.doc

Attachments: FY17 Requested Summary – Pages 6-11

FY17 Revenue by Account Classification – Pages 12-18

WORCESTER COUNTY
Summary
FY2017 Revenue Estimate

| | FY2017 Estimate | FY2016 Estimate | (\$) Difference (%) | |
|--|--------------------|--------------------|---------------------|-------------|
| Property Taxes | 129,317,116 | 127,042,299 | 2,274,817 | 1.8% |
| Income Taxes | 18,300,000 | 14,900,000 | 3,400,000 | 22.8% |
| Other Local Taxes | 23,512,583 | 23,225,083 | 287,500 | 1.2% |
| State Shared | 969,513 | 947,452 | 22,061 | 2.3% |
| Federal Grants | 509,160 | 539,960 | (30,800) | -5.7% |
| State Grants | 3,373,363 | 3,094,755 | 278,608 | 9.0% |
| Licenses & Permits | 1,819,475 | 1,817,225 | 2,250 | 0.1% |
| Charges for Services | 6,188,736 | 6,239,654 | (50,918) | -0.8% |
| Fines & Forfeits | 57,500 | 42,500 | 15,000 | 35.3% |
| Interest on Investments | 100,000 | 150,000 | (50,000) | -33.3% |
| Misc./Sale of Assets/Other Revenue | 413,384 | 447,384 | (34,000) | -7.6% |
| Transfers In - Other Funds | 354,605 | 1,501,884 | (1,147,279) | -76.4% |
| Transfers In - Casino/Local Impact Grant | 2,488,812 | 2,501,913 | (13,101) | -0.5% |
| TOTAL REVENUES | 187,404,247 | 182,450,109 | 4,954,138 | 2.7% |

FY 2017 Requested General Fund Budget

| | FY2017 Request | FY2016 Approved | (\$) Difference (%) | |
|--|-------------------|--------------------|---------------------|-------|
| County Commissioners & Admin. | | | | |
| Personnel Services | 885,629 | 913,736 | (28,107) | -3.1% |
| Supplies & Materials | 35,648 | 36,443 | (795) | -2.2% |
| Maintenance & Services | 31,665 | 29,200 | 2,465 | 8.4% |
| Other Charges | 40,805 | 32,848 | 7,957 | 24.2% |
| Interfund Charges | (113,476) | (119,096) | 5,620 | -4.7% |
| Capital Equipment | 38,000 | 0 | 38,000 | N/A |
| | 918,271 | 893,131 | 25,140 | 2.8% |
| Circuit Court | | | | |
| Personnel Services | 867,707 | 870,411 | (2,704) | -0.3% |
| Supplies & Materials | 183,344 | 169,306 | 14,038 | 8.3% |
| Maintenance & Services | 133,098 | 133,098 | 0 | 0.0% |
| Other Charges | 11,175 | 11,175 | 0 | 0.0% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 1,195,324 | 1,183,990 | 11,334 | 1.0% |
| Orphan's Court | | | | |
| Personnel Services | 21,000 | 21,000 | 0 | 0.0% |
| Supplies & Materials | 0 | 0 | 0 | N/A |
| Other Charges | 7,294 | 7,294 | 0 | 0.0% |
| | 28,294 | 28,294 | 0 | 0.0% |

| | FY2017 Request | FY2016 Approved | (\$) Difference (%) | |
|--|-------------------|--------------------|---------------------|---------|
| State's Attorney | | | | |
| Personnel Services | 1,212,525 | 1,182,719 | 29,806 | 2.5% |
| Supplies & Materials | 46,064 | 48,924 | (2,860) | -5.8% |
| Maintenance & Services | 31,300 | 31,300 | 0 | 0.0% |
| Other Charges | 33,500 | 33,500 | 0 | 0.0% |
| Interfund Charges | 0 | 0 | 0 | N/A |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 1,323,389 | 1,296,443 | 26,946 | 2.1% |
| Treasurer | | | | |
| Personnel Services | 1,102,916 | 1,095,886 | 7,030 | 0.6% |
| Supplies & Materials | 121,398 | 65,256 | 56,142 | 86.0% |
| Maintenance & Services | 18,000 | 17,500 | 500 | 2.9% |
| Other Charges | 6,300 | 6,200 | 100 | 1.6% |
| Interfund Charges | (306,927) | (306,927) | 0 | 0.0% |
| Capital Equipment | 0 | 50,000 | (50,000) | -100.0% |
| | 941,687 | 927,915 | 13,772 | 1.5% |
| Elections Office | | | | |
| Personnel Services | 398,831 | 398,793 | 38 | 0.0% |
| Supplies & Materials | 467,057 | 413,894 | 53,163 | 12.8% |
| Maintenance & Services | 38,234 | 35,230 | 3,004 | 8.5% |
| Other Charges | 10,241 | 5,710 | 4,531 | 79.4% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 914,363 | 853,627 | 60,736 | 7.1% |
| Human Resources | | | | |
| Personnel Services | 325,415 | 326,511 | (1,096) | -0.3% |
| Supplies & Materials | 21,649 | 20,013 | 1,636 | 8.2% |
| Maintenance & Services | 27,250 | 22,050 | 5,200 | 23.6% |
| Other Charges | 1,705 | 1,705 | 0 | 0.0% |
| Interfund Charges | (71,591) | (71,832) | 241 | -0.3% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 304,428 | 298,447 | 5,981 | 2.0% |
| Development Review & Permitting | | | | |
| Personnel Services | 1,221,812 | 1,247,900 | (26,088) | -2.1% |
| Supplies & Materials | 263,507 | 262,683 | 824 | 0.3% |
| Maintenance & Services | 64,625 | 65,410 | (785) | -1.2% |
| Other Charges | 17,440 | 15,490 | 1,950 | 12.6% |
| Interfund Charges | (68,295) | (76,896) | 8,601 | -11.2% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 1,499,089 | 1,514,587 | (15,498) | -1.0% |
| Environmental Programs | | | | |
| Personnel Services | 894,296 | 904,550 | (10,254) | -1.1% |
| Supplies & Materials | 258,484 | 283,293 | (24,809) | -8.8% |
| Maintenance & Services | 72,708 | 79,738 | (7,030) | -8.8% |
| Other Charges | 3,305 | 9,605 | (6,300) | -65.6% |
| Interfund Charges | (21,498) | (21,498) | 0 | 0.0% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 1,207,295 | 1,255,688 | (48,393) | -3.9% |

| | FY2017 Request | FY2016 Approved | (\$) Difference (%) | |
|---------------------------------------|-------------------|--------------------|---------------------|--------|
| Other General Government | | | | |
| Supplies & Materials | 714,369 | 679,498 | 34,871 | 5.1% |
| Maintenance & Services | 775,015 | 798,079 | (23,064) | -2.9% |
| Other Charges | 1,167,824 | 1,084,867 | 82,957 | 7.6% |
| Capital Equipment | 172,345 | 200,000 | (27,655) | -13.8% |
| | 2,829,553 | 2,762,444 | 67,109 | 2.4% |
| Sheriff's Department | | | | |
| Personnel Services | 5,772,438 | 5,365,169 | 407,269 | 7.6% |
| Supplies & Materials | 694,212 | 625,686 | 68,526 | 11.0% |
| Maintenance & Services | 518,265 | 488,159 | 30,106 | 6.2% |
| Other Charges | 97,994 | 50,104 | 47,890 | 95.6% |
| Capital Equipment | 556,816 | 196,405 | 360,411 | 183.5% |
| | 7,639,725 | 6,725,523 | 914,202 | 13.6% |
| Emergency Services | | | | |
| Personnel Services | 1,606,803 | 1,615,040 | (8,237) | -0.5% |
| Supplies & Materials | 646,909 | 529,588 | 117,321 | 22.2% |
| Maintenance & Services | 201,551 | 198,250 | 3,301 | 1.7% |
| Other Charges | 12,750 | 12,750 | 0 | 0.0% |
| Interfund Charges | (33,269) | (33,269) | 0 | 0.0% |
| Capital Equipment | 24,000 | 0 | 24,000 | N/A |
| | 2,458,744 | 2,322,359 | 136,385 | 5.9% |
| County Jail | | | | |
| Personnel Services | 5,400,694 | 5,313,354 | 87,340 | 1.6% |
| Supplies & Materials | 1,274,375 | 1,287,240 | (12,865) | -1.0% |
| Maintenance & Services | 1,937,054 | 1,796,342 | 140,712 | 7.8% |
| Other Charges | 15,350 | 13,350 | 2,000 | 15.0% |
| Capital Equipment | 136,185 | 0 | 136,185 | N/A |
| | 8,763,658 | 8,410,286 | 353,372 | 4.2% |
| Fire Marshal's Office | | | | |
| Personnel Services | 362,671 | 349,193 | 13,478 | 3.9% |
| Supplies & Materials | 33,275 | 40,478 | (7,203) | -17.8% |
| Maintenance & Services | 23,583 | 28,625 | (5,042) | -17.6% |
| Other Charges | 22,635 | 23,150 | (515) | -2.2% |
| Capital Equipment | 34,500 | 34,100 | 400 | 1.2% |
| | 476,664 | 475,546 | 1,118 | 0.2% |
| Volunteer Fire & Ambulance | | | | |
| Maintenance & Services | 25,850 | 17,390 | 8,460 | 48.6% |
| Other Charges | 6,442,034 | 6,402,247 | 39,787 | 0.6% |
| Capital Equipment | 100,000 | 0 | 100,000 | N/A |
| | 6,567,884 | 6,419,637 | 148,247 | 2.3% |
| Public Works Department | | | | |
| Personnel Services | 504,500 | 502,857 | 1,643 | 0.3% |
| Supplies & Materials | 21,385 | 19,645 | 1,740 | 8.9% |
| Maintenance & Services | 46,076 | 45,876 | 200 | 0.4% |
| Other Charges | 2,385 | 2,385 | 0 | 0.0% |
| Interfund Charges | (149,651) | (149,651) | 0 | 0.0% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 424,695 | 421,112 | 3,583 | 0.9% |

| | FY2017 Request | FY2016 Approved | (\$) Difference (%) | |
|----------------------------------|-------------------|--------------------|---------------------|---------|
| Maintenance Division | | | | |
| Personnel Services | 741,944 | 670,714 | 71,230 | 10.6% |
| Supplies & Materials | 75,271 | 44,804 | 30,467 | 68.0% |
| Maintenance & Services | 71,847 | 72,597 | (750) | -1.0% |
| Other Charges | 3,000 | 1,500 | 1,500 | 100.0% |
| Capital Equipment | 0 | 127,400 | (127,400) | -100.0% |
| | 892,062 | 917,015 | (24,953) | -2.7% |
| Roads Division | | | | |
| Personnel Services | 1,224,683 | 1,227,554 | (2,871) | -0.2% |
| Supplies & Materials | 2,160,710 | 1,153,583 | 1,007,127 | 87.3% |
| Maintenance & Services | 862,963 | 959,578 | (96,615) | -10.1% |
| Other Charges | 1,045 | 605 | 440 | 72.7% |
| Capital Equipment | 568,884 | 514,242 | 54,642 | 10.6% |
| | 4,818,285 | 3,855,562 | 962,723 | 25.0% |
| Boat Landings | | | | |
| Supplies & Materials | 199,000 | 0 | 199,000 | N/A |
| Maintenance & Services | 20,242 | 17,542 | 2,700 | 15.4% |
| Capital Equipment | 0 | 30,000 | (30,000) | -100.0% |
| | 219,242 | 47,542 | 171,700 | 361.2% |
| Mosquito Control Division | | | | |
| Personnel Services | 38,355 | 38,355 | 0 | 0.0% |
| Supplies & Materials | 1,956 | 1,456 | 500 | 34.3% |
| Maintenance & Services | 19,050 | 21,050 | (2,000) | -9.5% |
| Other Charges | 90,000 | 90,000 | 0 | 0.0% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 149,361 | 150,861 | (1,500) | -1.0% |
| Health Department | | | | |
| Supplies & Materials | 3,000 | 3,000 | 0 | 0.0% |
| Maintenance & Services | 416,152 | 387,990 | 28,162 | 7.3% |
| Other Charges | 5,365,720 | 5,199,165 | 166,555 | 3.2% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 5,784,872 | 5,590,155 | 194,717 | 3.5% |
| Commission on Aging | | | | |
| Supplies & Materials | 28,500 | 4,950 | 23,550 | 475.8% |
| Maintenance & Services | 238,350 | 238,450 | (100) | 0.0% |
| Other Charges | 725,900 | 759,585 | (33,685) | -4.4% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 992,750 | 1,002,985 | (10,235) | -1.0% |
| Social Service Groups | | | | |
| Personnel Services | 0 | 0 | 0 | N/A |
| Other Charges | 851,881 | 784,135 | 67,746 | 8.6% |
| | 851,881 | 784,135 | 67,746 | 8.6% |

| | FY2017 Request | FY2016 Approved | (\$) Difference (%) | |
|----------------------------------|-------------------|--------------------|---------------------|-------|
| Board of Education | | | | |
| Personnel Services | 63,466,113 | 62,017,443 | 1,448,670 | 2.3% |
| Supplies & Materials | 3,055,833 | 2,855,833 | 200,000 | 7.0% |
| Maintenance & Services | 7,392,145 | 7,295,949 | 96,196 | 1.3% |
| Other Charges | 27,934,772 | 26,303,045 | 1,631,727 | 6.2% |
| Interfund Charges | (19,759,725) | (19,795,178) | 35,453 | -0.2% |
| Capital Equipment | 494,542 | 494,542 | 0 | 0.0% |
| Total Operating Budget | 82,583,680 | 79,171,634 | 3,412,046 | 4.3% |
| School Debt Service | 10,765,450 | 10,927,474 | (162,024) | -1.5% |
| Total Operating & Debt Service | 93,349,130 | 90,099,108 | 3,250,022 | 3.6% |
| Wor-Wic Community College | | | | |
| Other Charges | 1,781,798 | 1,638,079 | 143,719 | 8.8% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 1,781,798 | 1,638,079 | 143,719 | 8.8% |
| Recreation Department | | | | |
| Personnel Services | 644,923 | 592,665 | 52,258 | 8.8% |
| Supplies & Materials | 176,880 | 194,082 | (17,202) | -8.9% |
| Maintenance & Services | 166,698 | 165,194 | 1,504 | 0.9% |
| Other Charges | 7,300 | 7,300 | 0 | 0.0% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 995,801 | 959,241 | 36,560 | 3.8% |
| Parks Department | | | | |
| Personnel Services | 261,737 | 253,320 | 8,417 | 3.3% |
| Supplies & Materials | 536,702 | 443,341 | 93,361 | 21.1% |
| Maintenance & Services | 93,671 | 94,890 | (1,219) | -1.3% |
| Other Charges | 280 | 270 | 10 | 3.7% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 892,390 | 791,821 | 100,569 | 12.7% |
| Library | | | | |
| Personnel Services | 1,553,274 | 1,509,509 | 43,765 | 2.9% |
| Supplies & Materials | 464,834 | 439,075 | 25,759 | 5.9% |
| Maintenance & Services | 475,454 | 326,995 | 148,459 | 45.4% |
| Other Charges | 9,000 | 9,000 | 0 | 0.0% |
| Capital Equipment | 21,600 | 0 | 21,600 | N/A |
| | 2,524,162 | 2,284,579 | 239,583 | 10.5% |
| Recreation & Culture | | | | |
| Other Charges | 110,001 | 100,000 | 10,001 | 10.0% |
| | 110,001 | 100,000 | 10,001 | 10.0% |

| | FY2017 Request | FY2016 Approved | (\$) Difference (%) | |
|---------------------------------|--------------------|--------------------|---------------------|-------------|
| Extension Service | | | | |
| Personnel Services | 0 | 0 | 0 | N/A |
| Supplies & Materials | 24,173 | 24,699 | (526) | -2.1% |
| Maintenance & Services | 10,850 | 23,772 | (12,922) | -54.4% |
| Other Charges | 144,850 | 140,117 | 4,733 | 3.4% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 179,873 | 188,588 | (8,715) | -4.6% |
| Natural Resources | | | | |
| Supplies & Materials | 1,500 | 1,500 | 0 | 0.0% |
| Other Charges | 265,950 | 293,615 | (27,665) | -9.4% |
| | 267,450 | 295,115 | (27,665) | -9.4% |
| Economic Dev. Department | | | | |
| Personnel Services | 145,924 | 167,005 | (21,081) | -12.6% |
| Supplies & Materials | 101,751 | 103,390 | (1,639) | -1.6% |
| Maintenance & Services | 78,500 | 78,500 | 0 | 0.0% |
| Other Charges | 12,725 | 14,000 | (1,275) | -9.1% |
| Capital Equipment | 0 | 23,000 | (23,000) | -100.0% |
| | 338,900 | 385,895 | (46,995) | -12.2% |
| Tourism Department | | | | |
| Personnel Services | 227,851 | 209,642 | 18,209 | 8.7% |
| Supplies & Materials | 200,556 | 181,348 | 19,208 | 10.6% |
| Maintenance & Services | 730,580 | 690,870 | 39,710 | 5.7% |
| Other Charges | 4,800 | 4,850 | (50) | -1.0% |
| Capital Equipment | 0 | 0 | 0 | N/A |
| | 1,163,787 | 1,086,710 | 77,077 | 7.1% |
| Taxes Shared W/Towns | | | | |
| Other Charges | 15,339,853 | 14,996,353 | 343,500 | 2.3% |
| | 15,339,853 | 14,996,353 | 343,500 | 2.3% |
| Grants to Towns | | | | |
| Other Charges | 6,359,620 | 5,327,456 | 1,032,164 | 19.4% |
| | 6,359,620 | 5,327,456 | 1,032,164 | 19.4% |
| Insurance & Benefits | | | | |
| Maintenance & Services | 5,000 | 5,000 | 0 | 0.0% |
| Health, OPEB & Other | 16,727,638 | 13,867,359 | 2,860,279 | 20.6% |
| | 16,732,638 | 13,872,359 | 2,860,279 | 20.6% |
| Debt Service | | | | |
| Interfund Charges | 11,949,425 | 11,728,412 | 221,013 | 1.9% |
| Less: Alloc. Brd of Ed Debt | (10,765,450) | (10,927,474) | 162,024 | -1.5% |
| | 1,183,975 | 800,938 | 383,037 | 47.8% |
| Interfund | | | | |
| Interfund Charges | 1,526,012 | 1,486,583 | 39,429 | 2.7% |
| | 1,526,012 | 1,486,583 | 39,429 | 2.7% |
| TOTAL EXPENDITURES | 193,946,906 | 182,450,109 | 11,496,797 | 6.3% |

FY2017 General Fund Estimated Revenue by Account Classification

| | Account Number | Account Description | 2017 Department Requested | 2016 Adopted Budget | \$ Variance | % Variance |
|--|----------------|--------------------------------------|---------------------------|-------------------------|-----------------------|-------------|
| Fund: 100 - General Fund | | | | | | |
| REVENUES | | | | | | |
| <i>PROP TAX - Property Taxes</i> | | | | | | |
| | 4000 | Full Year Real Property Taxes | 123,645,696.00 | 120,998,180.00 | 2,647,516.00 | 2% |
| | 4010 | Personal Property Taxes | 327,623.00 | 342,343.00 | (14,720.00) | -4% |
| | 4020 | Corporation Property Taxes | 4,040,680.00 | 4,222,227.00 | (181,547.00) | -4% |
| | 4030 | Railroad & Utility Property Tax | 2,747,693.00 | 2,513,997.00 | 233,696.00 | 9% |
| | 4035 | Railroad Real Property | 5,361.00 | 5,361.00 | 0.00 | 0% |
| | 4040 | Half Year Real Property Taxes | 167,000.00 | 167,000.00 | 0.00 | 0% |
| | 4050 | Tax Additions & Abatements | (358,200.00) | (358,200.00) | 0.00 | 0% |
| | 4060 | Interest on Delinquent Taxes | 750,000.00 | 800,000.00 | (50,000.00) | -6% |
| | 4070 | Discounts Allowed on Taxes | (400,000.00) | (400,000.00) | 0.00 | 0% |
| | 4080 | Tax Credits For Assessment I | (1,608,737.00) | (1,248,609.00) | (360,128.00) | 29% |
| <i>Account Classification Total: PROP TAX - Property Taxes</i> | | | \$129,317,116.00 | \$127,042,299.00 | \$2,274,817.00 | 2% |
| <i>INC TAX - Income Tax</i> | | | | | | |
| | 4100 | Income Tax | 18,300,000.00 | 14,900,000.00 | 3,400,000.00 | 23% |
| <i>Account Classification Total: INC TAX - Income Tax</i> | | | \$18,300,000.00 | \$14,900,000.00 | \$3,400,000.00 | 23% |
| <i>OTHER TAX - Other Taxes</i> | | | | | | |
| | 4200 | Admission & Amusement Taxes | 500,000.00 | 560,000.00 | (60,000.00) | -11% |
| | 4210 | Recordation Taxes | 5,500,000.00 | 5,500,000.00 | 0.00 | 0% |
| | 4230 | Trailer Park Excise Tax | 100,000.00 | 100,000.00 | 0.00 | 0% |
| | 4240 | Food Tax | 50,000.00 | 50,000.00 | 0.00 | 0% |
| | 4240.010 | Food Tax Food Tax Due to Ocean City | 1,000,000.00 | 1,000,000.00 | 0.00 | 0% |
| | 4250.010 | Room Tax Due To Ocean City | 12,500,000.00 | 12,500,000.00 | 0.00 | 0% |
| | 4250.020 | Room Tax Due to Pocomoke | 114,109.00 | 114,109.00 | 0.00 | 0% |
| | 4250.030 | Room Tax Due to Snow Hill | 4,347.00 | 4,347.00 | 0.00 | 0% |
| | 4250.040 | Room Tax Due to Unincorporated Areas | 480,000.00 | 382,500.00 | 97,500.00 | 25% |
| | 4250.050 | Room Tax Due to Berlin | 14,127.00 | 14,127.00 | 0.00 | 0% |
| | 4340 | Transfer Tax | 3,250,000.00 | 3,000,000.00 | 250,000.00 | 8% |
| <i>Account Classification Total: OTHER TAX - Other Taxes</i> | | | \$23,512,583.00 | \$23,225,083.00 | \$287,500.00 | 1% |
| <i>ST SHRD - State Shared</i> | | | | | | |
| | 4300 | Highway Users Taxes | 519,513.00 | 497,452.00 | 22,061.00 | 4% |
| | 4310 | 911 Fees | 450,000.00 | 450,000.00 | 0.00 | 0% |
| <i>Account Classification Total: ST SHRD - State Shared</i> | | | \$969,513.00 | \$947,452.00 | \$22,061.00 | 2% |
| <i>FRNCH - Franchise Fees</i> | | | | | | |
| | 4400 | Franchise Fees | 22,500.00 | 25,000.00 | (2,500.00) | -10% |
| <i>Account Classification Total: FRNCH - Franchise Fees</i> | | | \$22,500.00 | \$25,000.00 | (2,500.00) | -10% |
| <i>LOSS DSP ASTS - Gain/Loss on Disposal of Assets</i> | | | | | | |
| | 4600 | Sale Of Fixed Assets | 25,000.00 | 25,000.00 | 0.00 | 0% |
| <i>Classification Total: LOSS DSP ASTS - Gain/Loss on Disposal of Assets</i> | | | \$25,000.00 | \$25,000.00 | \$0.00 | 0% |
| <i>LIC/PRMT - Licenses and Permits</i> | | | | | | |
| | 4900 | Liquor Licenses | 775,000.00 | 750,000.00 | 25,000.00 | 3% |
| | 4905 | Vending Machine Licenses | 116,000.00 | 116,000.00 | 0.00 | 0% |
| | 4910 | Traders Licenses | 85,000.00 | 85,000.00 | 0.00 | 0% |
| | 4915 | Occupational Licenses | 4,000.00 | 32,000.00 | (28,000.00) | -88% |
| | 4920 | Bingo Permits | 16,000.00 | 16,000.00 | 0.00 | 0% |
| | 4925 | Tourist & Trailer Park Permits | 9,000.00 | 9,000.00 | 0.00 | 0% |
| | 4930 | Building Permits | 200,000.00 | 200,000.00 | 0.00 | 0% |
| | 4932 | Electrical Permits | 16,000.00 | 14,000.00 | 2,000.00 | 14% |
| | 4933 | Commercial Plumbing Plan Review | 2,500.00 | 2,500.00 | 0.00 | 0% |
| | 4935 | Marriage Licenses | 24,000.00 | 24,000.00 | 0.00 | 0% |
| | 4936 | Civil Ceremony | 1,500.00 | 1,500.00 | 0.00 | 0% |

FY2017 General Fund Estimated Revenue by Account Classification

| Account Number | Account Description | 2017 Department Requested | 2016 Adopted Budget | \$ Variance | % Variance |
|--|--|---------------------------|-----------------------|-------------------|------------|
| 4941 | Shoreline Construction Permit | 13,000.00 | 11,250.00 | 1,750.00 | 16% |
| 4942 | Timber Harvest Permit | 2,000.00 | 1,000.00 | 1,000.00 | 100% |
| 4943 | SEC/SWM Permit | 15,000.00 | 12,500.00 | 2,500.00 | 20% |
| 4945.010 | Environmental Permits Burn Permit | 600.00 | 600.00 | 0.00 | 0% |
| 4945.020 | Environmental Permits Campground Permit | 3,325.00 | 3,325.00 | 0.00 | 0% |
| 4945.030 | Environmental Permits Septic Permit | 23,500.00 | 23,500.00 | 0.00 | 0% |
| 4945.040 | Environmental Permits Waste Hauler Permit | 2,250.00 | 2,250.00 | 0.00 | 0% |
| 4945.050 | Environmental Permits Well Permit | 32,000.00 | 32,000.00 | 0.00 | 0% |
| 4945.060 | Environmental Permits Other | 300.00 | 300.00 | 0.00 | 0% |
| 4950 | Health Permits | 380,000.00 | 380,000.00 | 0.00 | 0% |
| 4955 | Raffle Permits | 1,800.00 | 1,800.00 | 0.00 | 0% |
| 4960 | Plumbing Permits | 40,000.00 | 40,000.00 | 0.00 | 0% |
| 4965 | Gas Permits | 18,000.00 | 18,000.00 | 0.00 | 0% |
| 4970 | Forestry Conservation Review Fees | 3,000.00 | 3,000.00 | 0.00 | 0% |
| 5060.100 | Licenses and Permits Board of Zoning Appeal Fee | 16,000.00 | 15,000.00 | 1,000.00 | 7% |
| 5060.300 | Licenses and Permits Site Plan Review | 6,000.00 | 9,000.00 | (3,000.00) | -33% |
| 5060.400 | Licenses and Permits Rezoning Fee | 1,000.00 | 2,000.00 | (1,000.00) | -50% |
| 5060.500 | Licenses and Permits Subdivision Review Fee | 12,000.00 | 11,000.00 | 1,000.00 | 9% |
| 5060.600 | Licenses and Permits Text Amendment Application Fee | 700.00 | 700.00 | 0.00 | 0% |
| Account Classification Total: LIC/PRMT - Licenses and Permits | | \$1,819,475.00 | \$1,817,225.00 | \$2,250.00 | 0% |
| CHG SVC - Charges for Services | | | | | |
| 4940 | Shoreline Construction Application Fee | 11,000.00 | 12,000.00 | (1,000.00) | -8% |
| 5045 | EDU Transfer/Application Fee | 2,000.00 | 2,000.00 | 0.00 | 0% |
| 5047 | Stormwater Management Review Fee | 42,000.00 | 42,000.00 | 0.00 | 0% |
| 5065.100 | Sheriff Fees Sheriff Fees - Paper Service | 40,000.00 | 40,000.00 | 0.00 | 0% |
| 5065.200 | Sheriff Fees Sheriff Fees - Peddler's License | 500.00 | 500.00 | 0.00 | 0% |
| 5065.300 | Sheriff Fees Sheriff Fees - Parking Fines | 1,000.00 | 1,000.00 | 0.00 | 0% |
| 5065.400 | Sheriff Fees Animal Control Fees | 8,000.00 | 8,000.00 | 0.00 | 0% |
| 5065.405 | Sheriff Fees Spay & Neuter Fees | 25,000.00 | 25,000.00 | 0.00 | 0% |
| 5065.700 | Sheriff Fees Contractual Services | 7,000.00 | 7,000.00 | 0.00 | 0% |
| 5070.100 | Sale of Publications & Copies Commissioners | 500.00 | 1,000.00 | (500.00) | -50% |
| 5070.300 | Sale of Publications & Copies Dev. Review & Permitting | 1,000.00 | 1,000.00 | 0.00 | 0% |
| 5070.400 | Sale of Publications & Copies 911 Recordings | 100.00 | 200.00 | (100.00) | -50% |
| 5070.600 | Sale of Publications & Copies Elections | 2,000.00 | 1,500.00 | 500.00 | 33% |
| 5070.700 | Sale of Publications & Copies Circuit Court | 100.00 | 25.00 | 75.00 | 300% |
| 5070.801 | Sale of Publications & Copies Tourism Coupon Books | 0.00 | 100.00 | (100.00) | -100% |
| 5070.900 | Sale of Publications & Copies Environmental Programs | 2,000.00 | 2,000.00 | 0.00 | 0% |
| 5075 | Library Use Charges | 35,000.00 | 35,000.00 | 0.00 | 0% |
| 5076 | Library Erate Reimbursement | 12,500.00 | 12,000.00 | 500.00 | 4% |
| 5080 | County Share Vehicle Tag Fee | 4,500.00 | 4,500.00 | 0.00 | 0% |
| 5085 | Liquor Advertising Fees | 2,500.00 | 2,500.00 | 0.00 | 0% |
| 5086 | Tourism Co-Op Advertising | 0.00 | 2,000.00 | (2,000.00) | -100% |
| 5090 | Firearms Training Center Fee | 3,000.00 | 3,000.00 | 0.00 | 0% |
| 5095.100 | Payments For Jail Use Work Release | 40,000.00 | 25,000.00 | 15,000.00 | 60% |
| 5095.200 | Payments For Jail Use ICE Housing | 5,200,000.00 | 5,200,000.00 | 0.00 | 0% |
| 5095.400 | Payments For Jail Use State Housing | 50,000.00 | 50,000.00 | 0.00 | 0% |
| 5095.500 | Payments For Jail Use Weekenders | 5,000.00 | 5,000.00 | 0.00 | 0% |
| 5095.600 | Payments For Jail Use Social Security | 8,000.00 | 7,000.00 | 1,000.00 | 14% |
| 5095.700 | Payments For Jail Use State Medical Records Reimb. | 20,000.00 | 20,000.00 | 0.00 | 0% |
| 5100.100 | Fire Inspection Fees Plan Review Fee | 25,000.00 | 25,000.00 | 0.00 | 0% |

FY2017 General Fund Estimated Revenue by Account Classification

| Account Number | Account Description | 2017 Department Requested | 2016 Adopted Budget | \$ Variance | % Variance |
|---|---|---------------------------|-----------------------|----------------------|-------------|
| 5100.200 | Fire Inspection Fees Fire Safety Fee | 25,000.00 | 25,000.00 | 0.00 | 0% |
| 5105.100 | Public Works Revenues Pipe Sales | 10,000.00 | 10,000.00 | 0.00 | 0% |
| 5107 | Roads Department Fees | 35,000.00 | 30,000.00 | 5,000.00 | 17% |
| 5110 | Recreation Fees | 50,000.00 | 50,000.00 | 0.00 | 0% |
| 5115 | Mosquito Control Charges | 50,000.00 | 48,293.00 | 1,707.00 | 4% |
| 5120 | Circuit Court Bar Library | 5,000.00 | 5,000.00 | 0.00 | 0% |
| 5125 | Recreation Center Fees | 90,000.00 | 75,000.00 | 15,000.00 | 20% |
| 5135 | Library Special Projects | 0.00 | 2,000.00 | (2,000.00) | -100% |
| 5142 | Election Filing Fee | 0.00 | 200.00 | (200.00) | -100% |
| 5155 | CommunityService Fees | 65,000.00 | 88,000.00 | (23,000.00) | -26% |
| 5160 | Family Services Legal Fees Other | 3,000.00 | 3,000.00 | 0.00 | 0% |
| 5161 | Casino Security | 15,000.00 | 15,000.00 | 0.00 | 0% |
| 5162 | Seacrets Security | 97,696.00 | 97,696.00 | 0.00 | 0% |
| 5165 | Critical Area Review Fees | 20,000.00 | 20,000.00 | 0.00 | 0% |
| 5167 | Water/Sewer Plan Amendment Fee | 2,000.00 | 2,000.00 | 0.00 | 0% |
| 5175.200 | Donations Sponsorship Program Recreation | 400.00 | 1,200.00 | (800.00) | -67% |
| 5175.205 | Donations Sponsorship Program Youth Scholarship Donations | 4,000.00 | 4,000.00 | 0.00 | 0% |
| 5181 | First Offender Program Fees | 10,000.00 | 75,000.00 | (65,000.00) | -87% |
| 5215 | Motor Coach Fees | 28,000.00 | 25,000.00 | 3,000.00 | 12% |
| 5220.010 | Park Fees Field Rental | 25,000.00 | 20,000.00 | 5,000.00 | 25% |
| 5220.020 | Park Fees Pavilion Rental | 3,000.00 | 2,500.00 | 500.00 | 20% |
| 5220.030 | Park Fees Tree of Life | 400.00 | 400.00 | 0.00 | 0% |
| 5220.040 | Park Fees User Fees | 240.00 | 240.00 | 0.00 | 0% |
| 5225 | Concession Stand Fees | 20,000.00 | 20,000.00 | 0.00 | 0% |
| 5230.010 | Environmental Fees Perk Test Fee | 9,900.00 | 9,900.00 | 0.00 | 0% |
| 5230.020 | Environmental Fees Plat Review Fee | 8,000.00 | 8,000.00 | 0.00 | 0% |
| 5230.030 | Environmental Fees Water Sample Fee | 400.00 | 400.00 | 0.00 | 0% |
| 5240 | Shared Facility/Service Area Fee | 500.00 | 500.00 | 0.00 | 0% |
| 5245 | Solar Renewable Energy Credits | 10,000.00 | 10,000.00 | 0.00 | 0% |
| 5330 | Economic Development Programs and Events | 10,000.00 | 10,000.00 | 0.00 | 0% |
| 5435 | BRF Admin Fee | 20,500.00 | 20,500.00 | 0.00 | 0% |
| Account Classification Total: CHG SVC - Charges for Services | | \$6,165,736.00 | \$6,213,154.00 | (\$47,418.00) | -1% |
| INT/PEN - Interest & Penalties | | | | | |
| 4700 | Interest On Investments | 100,000.00 | 150,000.00 | (50,000.00) | -33% |
| Account Classification Total: INT/PEN - Interest & Penalties | | \$100,000.00 | \$150,000.00 | (\$50,000.00) | -33% |
| FINES - Fines & Forfeitures | | | | | |
| 5300 | Court Fines | 55,000.00 | 40,000.00 | 15,000.00 | 38% |
| 5310 | Civil Infraction Fines | 2,500.00 | 2,500.00 | 0.00 | 0% |
| Account Classification Total: FINES - Fines & Forfeitures | | \$57,500.00 | \$42,500.00 | \$15,000.00 | 35% |
| MISC - Miscellaneous | | | | | |
| 4260 | Rents/State Revenue | 91,464.00 | 91,464.00 | 0.00 | 0% |
| 4270 | Rents-Tower Site/Contrib & Donat | 20,920.00 | 20,920.00 | 0.00 | 0% |
| 4800 | Other Miscellaneous Revenue | 50,000.00 | 50,000.00 | 0.00 | 0% |
| 5420 | Retiree Drug Subsidy | 226,000.00 | 260,000.00 | (34,000.00) | -13% |
| Account Classification Total: MISC - Miscellaneous | | \$388,384.00 | \$422,384.00 | (\$34,000.00) | -8% |
| INTGOV FED - Intergovernmental - Federal Revenues | | | | | |
| 5541 | Traffic Safety SHA | 720.00 | 720.00 | 0.00 | 0% |
| 5600 | Federal Payments In Lieu of Taxe | 18,690.00 | 17,500.00 | 1,190.00 | 7% |
| 5625 | CDBG Housing Rehab Grant | 150,000.00 | 150,000.00 | 0.00 | 0% |
| 5675 | Child Support Enforcement Grant | 7,000.00 | 7,000.00 | 0.00 | 0% |
| 5745.300 | Homeland Security Grant SHSGP | 79,890.00 | 79,890.00 | 0.00 | 0% |
| 5745.600 | Homeland Security Grant EMPG | 150,000.00 | 150,000.00 | 0.00 | 0% |

FY2017 General Fund Estimated Revenue by Account Classification

| Account Number | Account Description | 2017 Department Requested | 2016 Adopted Budget | \$ Variance | % Variance |
|--|--|---------------------------|-------------------------|-------------------------|-------------|
| 5770 | Bulletproof Vest Program | 4,000.00 | 4,000.00 | 0.00 | 0% |
| 5780 | Emergency Shelter Grant | 95,760.00 | 127,750.00 | (31,990.00) | -25% |
| 5785 | MDE Beach Monitoring Grant | 3,100.00 | 3,100.00 | 0.00 | 0% |
| Classification Total: INTGOV FED - Intergovernmental - Federal Revenues | | \$509,160.00 | \$539,960.00 | (\$30,800.00) | -6% |
| INTGOV ST - Intergovernmental - State Revenues | | | | | |
| 5515 | DHCD Housing Administration Fee | 7,000.00 | 7,000.00 | 0.00 | 0% |
| 5517 | Other Housing Rehab Income | 2,500.00 | 2,500.00 | 0.00 | 0% |
| 5525 | Conservation Easement Administrative Fee | 20,000.00 | 20,000.00 | 0.00 | 0% |
| 5530 | Eastern Shore Library Grant | 75,000.00 | 75,000.00 | 0.00 | 0% |
| 5543 | Dental Program Reimbursement | 22,220.00 | 26,915.00 | (4,695.00) | -17% |
| 5608 | VOLT Administration Income | 17,010.00 | 17,010.00 | 0.00 | 0% |
| 5615 | Maryland Coastal Bays | 10,000.00 | 0.00 | 10,000.00 | N/A |
| 5630 | Water System Monitoring Grant | 17,560.00 | 55,100.00 | (37,540.00) | -68% |
| 5635 | Police Protection Grant | 166,108.00 | 166,108.00 | 0.00 | 0% |
| 5640 | State Library Aid | 150,271.00 | 147,323.00 | 2,948.00 | 2% |
| 5645 | Share of State Park Receipts | 399,442.00 | 399,442.00 | 0.00 | 0% |
| 5650 | State Aid for Fire Companies | 344,034.00 | 343,303.00 | 731.00 | 0% |
| 5655 | Program Open Space Grant - Parks | 494,444.00 | 362,434.00 | 132,010.00 | 36% |
| 5656 | Program Open Space Grant - Recreation | 0.00 | 44,686.00 | (44,686.00) | -100% |
| 5660 | Waterway Improvement Grants | 199,000.00 | 0.00 | 199,000.00 | N/A |
| 5662 | BRF Operations & Maintenance Grant | 50,000.00 | 0.00 | 50,000.00 | N/A |
| 5663 | Share of State Forest Land | 75,000.00 | 48,000.00 | 27,000.00 | 56% |
| 5665 | State Aid for Bridges | 293,917.00 | 366,154.00 | (72,237.00) | -20% |
| 5680 | State Grant for Critical Areas | 13,000.00 | 13,000.00 | 0.00 | 0% |
| 5688 | MD Dept of Aging Grant | 25,000.00 | 0.00 | 25,000.00 | N/A |
| 5705 | State Grant for Tourism | 140,127.00 | 116,794.00 | 23,333.00 | 20% |
| 5725 | Family Support Grant | 184,820.00 | 175,405.00 | 9,415.00 | 5% |
| 5726 | Family Support Services MACRO Grant | 13,800.00 | 13,824.00 | (24.00) | 0% |
| 5730 | Septic System BRF Grant Program | 240,000.00 | 280,350.00 | (40,350.00) | -14% |
| 5732 | Conservation Easements Reimbursements | 60,000.00 | 60,000.00 | 0.00 | 0% |
| 5757 | Trial Jury Reimbursement | 54,000.00 | 54,000.00 | 0.00 | 0% |
| 5760 | Drug Court Grant | 218,109.00 | 209,070.00 | 9,039.00 | 4% |
| 5890 | Homeless Women Grant | 24,557.00 | 24,557.00 | 0.00 | 0% |
| 5905 | Sheriff-Sex Offender Grant | 9,444.00 | 9,000.00 | 444.00 | 5% |
| 5912 | Sher-Health Underage Drinking | 2,000.00 | 2,000.00 | 0.00 | 0% |
| 5915.020 | CREP Program Parks | 0.00 | 11,324.00 | (11,324.00) | -100% |
| 5915.030 | CREP Program Environmental Programs | 0.00 | 1,456.00 | (1,456.00) | -100% |
| 5925 | MALPF Admin Fee | 5,000.00 | 3,000.00 | 2,000.00 | 67% |
| 5930 | Rental Assistance Program Grant | 40,000.00 | 40,000.00 | 0.00 | 0% |
| Classification Total: INTGOV ST - Intergovernmental - State Revenues | | \$3,373,363.00 | \$3,094,755.00 | \$278,608.00 | 9% |
| OTH REV - Other Revenue | | | | | |
| 5845 | Salary Reimbursement | 500.00 | 1,500.00 | (1,000.00) | -67% |
| Account Classification Total: OTH REV - Other Revenue | | \$500.00 | \$1,500.00 | (\$1,000.00) | -67% |
| TRNS IN - Transfers In | | | | | |
| 5510 | Transfers From Other Funds | 354,605.00 | 1,501,884.00 | (1,147,279.00) | -76% |
| 5511 | Casino/Local Impact Grant Funds | 2,488,812.00 | 2,501,913.00 | (13,101.00) | -1% |
| Account Classification Total: TRNS IN - Transfers In | | \$2,843,417.00 | \$4,003,797.00 | (\$1,160,380.00) | -29% |
| REVENUES Total | | \$187,404,247.00 | \$182,450,109.00 | \$4,954,138.00 | 3% |

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
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

March 9, 2016

Worcester County Commissioners
One West Market Street
County Government Center - Room 1103
Snow Hill, MD 21863

RE: **Requested** FY2017 Enterprise Fund Operating Budgets

Commissioners:

In accordance with the County Government Article of the Code of Public Local Laws of Worcester County, Maryland, the Worcester County Enterprise Fund Operating Budget Requests for Fiscal Year 2017 are included in your Budget Books.

Enterprise Funds

Enterprise Funds are used to account for functions of the County in which user charges are collected to cover the cost of the service being provided. The County uses enterprise funds to account for its water and wastewater, solid waste, and liquor control operations.

Water and Wastewater Enterprise Fund

The proposed budget contains rate adjustments for Edgewater Acres, Mystic Harbor-South Point Village & Sunset Village, and Ocean Pines- White Horse Park. These adjustments are necessary in order to provide a revenue stream sufficient to support the water and wastewater operations.

Solid Waste Enterprise Fund

The tipping fees of \$70 per ton for refuse and \$80 per ton for construction/demolition are proposed to remain at current year rates. The proposed budget contains rate adjustments for the following materials: asbestos, clean concrete, dirt, grit, house trailers, red ash, sludge, stumps, tires disposed of at the landfill, and yard waste.

The permit fees are proposed to remain at current year rates with the exception of adding a \$15 commercial permit fee for local governments. A write-up has been included in your budget packet.

As previously directed by the County Commissioners, recycling and homeowner convenience centers will be funded by the General Fund beginning in FY17. Therefore, the department is requesting the following transfers from the General Fund to prevent increased rates for the customers and continual losses for the Solid Waste Enterprise Fund:

- \$684,720 for Transfers In to Recycling for the Solid Waste Enterprise Fund
- \$504,505 for Transfers In to Convenience Centers for the Solid Waste Enterprise Fund

Liquor Control Enterprise Fund

The department has been instructed to implement an exit strategy in FY2017. The budget reflects discontinuing wholesale operations by September 30, 2016 and discontinuing retail operations by June 30, 2017.

Budget Adoption Schedule

The budget review session with the Enterprise Fund Departments is scheduled for April 12. This session provides the opportunity for your detailed review of the various budget requests. Additional budget work sessions are scheduled for May 10, and May 18. May 24, 2016 is also scheduled if needed. The Public Hearings on the Requested Enterprise Fund Operating Budgets are scheduled for Tuesday, June 7, 2016 at the Government Center. The FY2017 Enterprise Fund Operating Budget will be adopted on Tuesday, June 21, 2016.

Respectfully Submitted,



Harold L. Higgins
Chief Administrative Officer

HLH:jr

AGENDA

WORCESTER COUNTY COMMISSIONERS

FISCAL YEAR 2017
Budget Meetings

DRAFT

Budget Work Session - Tuesday, March 22, 2016

| | <u>Department #</u> |
|---|---------------------|
| 9:00 a.m. Circuit Court, Judge Groton | 1002 |
| 9:15 a.m. Elections Board, Patti Jackson | 1006 |
| 9:30 a.m. Board of Education, Dr. Jerry Wilson | 1505 |
| 10:00 a.m. Recreation, Paige Hurley | 1601 |
| 10:15 a.m. Parks | 1602 |
| 10:30 a.m. Sheriff's Department, Sheriff Mason | 1101 |
| 11:30 a.m. Development, Review & Permitting, Ed Tudor | 1008 |
| 12:00 p.m. Lunch | |
| 1:00 p.m. Human Resources, Stacey Norton | 1007 |
| Benefits | 1950 |
| 1:30 p.m. Economic Development, Merry Mears | 1801 |
| 1:45 p.m. Commission on Aging, Rob Hart | 1401 |
| 2:00p.m. States Attorney, Beau Oglesby | 1004 |
| 2:15 p.m. Treasurer, Phil Thompson | 1005 |
| Debt Service | 1975 |
| Other General Government – Mgmt Information Systems | 1090.025 |

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

Hearing Assistance Unites Available – See Kelly Shannahan, Asst. CAO

Please be thoughtful and considerate of others.
Turn off your cell phones & pagers during the meeting!

AGENDA

WORCESTER COUNTY COMMISSIONERS

FISCAL YEAR 2017
Budget Meetings

DRAFT

Budget Work Session - Tuesday, April 12, 2016

| | <u>Department #</u> |
|---|---------------------|
| 9:00 a.m. Fire Marshal, Jeff McMahon | 1104 |
| Fire Training Center | 1105.197 |
| 9:25 a.m. Volunteer Fire & Ambulance, Fred Webster & Jeff McMahon | 1105 |
| Emergency Services, Fred Webster | 1102 |
| Other General Government, Information Technology | 1090.020 |
| 10:00 a.m. Public Works, John Tustin | |
| Public Works Admin | 1203 |
| Maintenance, Ken Whited | 1201 |
| Boat Landings, Ken Whited | 1204 |
| Roads, Frank Adkins | 1202 |
| Solid Waste Enterprise Fund, Mike Mitchell & Jessica Ramsay | 680 |
| Water & Wastewater Enterprise Fund, John Ross & Jessica Ramsay | 5xx |
| 11:30 a.m. Library Board of Trustees, Jennifer Ranck | 1603 |
| 12:00 p.m. Lunch | |
| 1:00 p.m. Health Dept., Debbie Goeller | 1301 |
| 1:20 p.m. Jail, Warden Garry Mumford | 1103 |
| 1:40 p.m. Tourism, Lisa Challenger | 1803 |
| 1:55 p.m. Environmental Programs, Robert Mitchell | 1010 |
| 2:10 p.m. Liquor Control Department, Enterprise Fund, Bobby Cowger & Jessica Ramsay | 400 |
| 2:20 p.m. Wor-Wic Community College, Dr. Ray Hoy -Economic Impact Scholarship Proposal | |
| 2:50 p.m. County Administration, Harold Higgins | 1001 |
| Orphans Court | 1003 |
| Other General Government | 1090.070-.080 |
| Social Service Groups | 1402 |
| Wor-Wic Community College | 1502 |
| Recreation & Culture | 1604 |
| Extension Service | 1701 |
| Natural Resources | 1702 |
| Taxes Shared w/Towns | 1901 |
| Grants to Towns | 1902 |
| Interfund | 1985 |

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

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

Please be thoughtful and considerate of others.
Turn off your cell phones & pagers during the meeting!



17

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
JOHN E. "SONNY" BLOXOM
COUNTY ATTORNEY

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND
21863-1195

February 17, 2016

RECEIVED
2/17/16 @ 4:26pm

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

Please print the attached Notice of Introduction of Bill 16-1 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on February 25, 2016 and March 10, 2016. Thank you.

NOTICE OF INTRODUCTION OF BILL 16-1 WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 16-1 (Zoning - Commercial Marine Yards in the CA Commercial Airport District) was introduced by Commissioners Bertino, Church, Elder and Mitrecic on February 16, 2016.

A fair summary of the bill is as follows:

§ ZS 1-303(a). (Repeals and reenacts this section regarding the purpose and intent of the CA Commercial Airport District to add "and other permitted uses" to the intent statement. The proposed revised intent statement reads "This district is intended to provide for areas of adequate size and in appropriate locations for the development of municipal or County airports, and other permitted uses, by or with the approval of the County of municipal governing body.")

§ ZS 1-303(c)(7) to (c)(8). (Repeals and reenacts and renumbers this subsection as Subsection ZS 1-303(c)(8) regarding permitted principal uses and structures in the CA Commercial Airport District to remove marinas and boat landings from the list of governmental and other public buildings, structures and uses of a public-service type that are not permitted in the CA Commercial Airport District.)

§ ZS 1-303(c)(7). (Adds this new subsection regarding permitted principal uses and structures in the CA Commercial Airport District to permit commercial marine yards, including fueling, boat launching and recovery, interior and exterior dry storage or seaworthy boats in operable condition, maintenance facilities for all types of hull, deck, interior and exterior repairs, painting, and boat construction.)

§ ZS 1-305(n)(2)(E). (Adds a new subparagraph E to Section ZS 1-305(n)(2) - Lot Requirements - to provide that any building or structure allowed as a permitted principal use or structure in the CA

1a

Commercial Airport District shall not be subject to the district height regulations and does not require approval by the Board of Zoning Appeals except as otherwise provided.)

A Public Hearing

will be held on Bill 16-1 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on **Tuesday, March 15, 2016 at 11:00 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at <http://www.co.worcester.md.us/commissioners/legsltn.aspx> .

THE WORCESTER COUNTY COMMISSIONERS

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 16-1

BY: Commissioners Bertino, Church, Elder and Mitrecic
INTRODUCED: February 16, 2016

A BILL ENTITLED

AN ACT Concerning

Zoning - Commercial Marine Yards in the CA Commercial Airport District

For the purpose of amending the Zoning and Subdivision Control Article to allow marine yards and associated uses in the CA Commercial Airport District.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-303(a) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (a) Purpose and intent. This district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports, and other permitted uses, by or with the approval of the County or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-303(c)(7) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted and renumbered as Subsection § ZS 1-303(c)(8) to read as follows:

- (8) Governmental and other public buildings, structures and uses of a public-service type but not including recreational facilities such as tennis courts, swimming pools, parks, playgrounds, golf courses, including driving ranges, and other similar activities.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Subsection § ZS 1-303(c)(7) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

- (7) Commercial marine yards, including fueling, boat launching and recovery, interior and exterior dry storage of seaworthy boats in operable condition, maintenance facilities for all types of hull, deck, interior and exterior repairs, painting, and boat construction.

Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-305(n)(2) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-305(n)(2)E to read as follows:

E. Any building or structure allowed by Subsection § ZS 1-303(c).

Section 5. 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 _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

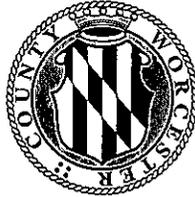
Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell



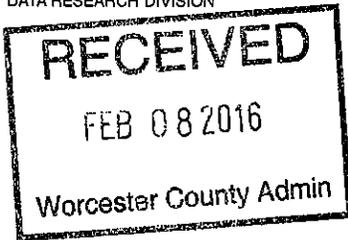
DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

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

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION



MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: February 8, 2016
RE: Text Amendment Application - Commercial Marine
Yards in the CA Commercial Airport District

The Department is in receipt of a text amendment application submitted by Mr. Mark Cropper seeking to amend various sections of the CA Commercial Airport District regulations to permit commercial marine yards and associated uses and to modify the district height regulations.

A detailed memorandum prepared by Phyllis H. Wimbrow, Deputy Director, outlining the proposed amendment and the Planning Commission's favorable recommendation is attached herewith. Also included are copies of the original application package and a draft copy of the amendment in Bill form. An electronic copy of the draft Bill has been forwarded to your office for your convenience should the County Commissioners wish to introduce the amendment at their upcoming legislative session.

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

Attachments

cc: Phyllis H. Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator

APPROVED
Worcester County Commissioners
Date HH 2/16/16



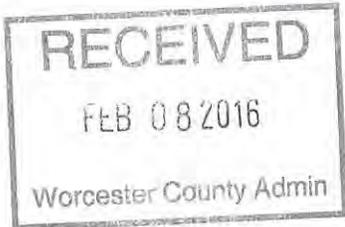
DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION



MEMORANDUM

TO: Edward A. Tudor, Director
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: February 8, 2016
RE: Planning Commission Recommendation - Text Amendment
Application - Commercial Marine Yards in the CA Commercial Airport District



The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding the above referenced text amendment application. The Planning Commission reviewed this application at its meeting on February 4, 2016. This application was submitted by Mark Cropper and seeks to amend various sections of the CA Commercial Airport District regulations of the Zoning and Subdivision Control Article to permit commercial marine yards and associated uses. Because the CA Airport District is not a district that is utilized very often and in fact is only applicable at present to the lands of the Ocean City Municipal Airport, a brief description of the district may be helpful. As stated in § ZS 1-303(a), this district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports by or with the approval of the county or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein. The CA Commercial Airport District is a floating zone and is permitted in the A-1 and A-2 Agricultural Districts and the I-1 and I-2 Industrial Districts. Land zoned RP Resource Protection District which is within the boundaries of the property subjected to a CA District may be included within the CA District boundaries. A copy of the CA Commercial Airport District regulations is attached as part of the staff report.

The text amendment application as submitted by Mr. Cropper seeks to amend several subsections of existing § ZS 1-303 to permit the proposed commercial marine yard use as well as a portion of existing § ZS 1-305(n)(2) to clarify height restrictions. Specifically, the requested amendments are as follows, showing proposed new language in SMALL CAPS font and language proposed to be deleted in ~~strikeout~~ font:

AMENDMENT TO EXISTING § ZS 1-303(a) to add reference to other permitted uses:

- (a) Purpose and intent. This district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports, AND OTHER PERMITTED USES, by or with the approval of the County or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein.

AMENDMENT TO EXISTING § ZS 1-303(c)(7) to remove reference to marinas and boat landings:

- (7) Governmental and other public buildings, structures and uses of a public-service type but not including recreational facilities such as tennis courts, swimming pools, ~~marinas and boat landings~~, parks, playgrounds, golf courses, including driving ranges, and other similar activities.

RENUMBER EXISTING § ZS 1-303(c)(7) as § ZS 1-303(c)(8) and CREATE NEW § ZS 1-303(c)(7) to add commercial marine yards, etc. to uses allowed in CA Commercial Airport District:

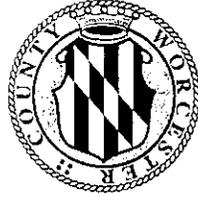
- (7) COMMERCIAL MARINE YARDS, INCLUDING FUELING, BOAT LAUNCHING AND RECOVERY, INTERIOR AND EXTERIOR DRY STORAGE OF SEAWORTHY BOATS IN OPERABLE CONDITION, MAINTENANCE FACILITIES FOR ALL TYPES OF HULL, DECK, INTERIOR AND EXTERIOR REPAIRS, PAINTING, AND BOAT CONSTRUCTION.

AMEND EXISTING § ZS 1-305(n)(2) to add a new Subsection § ZS 1-305(n)(2)E to include uses permitted within the CA Commercial Airport District to those structures which are not subject to the district height regulations, except for the AP District:

- E. ANY BUILDING OR STRUCTURE ALLOWED BY SUBSECTION § ZS 1-303(c).

As you know, the staff formulated this draft language in conjunction with Mr. Cropper after discussions about his client's proposed use and we worked with him to meet those needs. Please note that along with uses typically associated with an airport, the CA Commercial Airport District also permits general offices, general warehousing and storage, and governmental and other public buildings, structures and uses of a public-service type. Given the types of uses permitted by the CA Commercial Airport District and in light of the fact that industrial parks are often found either within or in close proximity to airports, the Planning Commission concluded that the proposed use is compatible with the existing uses at the airport and with those allowed by the CA Commercial Airport District. Following the discussion the Planning Commission gave a favorable recommendation to the text amendment application as submitted by the applicant.

A copy of a draft bill is attached, as is a copy of the staff report which includes the application. Should you have any questions or require additional information, please do not hesitate to contact me.



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/drpd/index.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Worcester County Planning Commission
FROM: Edward A. Tudor, Director
Phyllis H. Wimbrow, Deputy Director
DATE: January 14, 2016
RE: Text Amendment Application - Commercial Marine
Yards in the CA Commercial Airport District

The attached text amendment application was submitted by Mark Cropper and seeks to amend various sections of the CA Commercial Airport District regulations of the Zoning and Subdivision Control Article to permit commercial marine yards and associated uses. Because the CA Airport District is not a district that is utilized very often and in fact is only applicable at present to the lands of the Ocean City Municipal Airport, a brief description of the district may be helpful. As stated in § ZS 1-303(a), this district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports by or with the approval of the county or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein. The CA Commercial Airport District is a floating zone and is permitted in the A-1 and A-2 Agricultural Districts and the I-1 and I-2 Industrial Districts. Land zoned RP Resource Protection District which is within the boundaries of the property subjected to a CA District may be included within the CA District boundaries. A copy of the CA Commercial Airport District regulations are attached for your reference.

The text amendment application as submitted by Mr. Cropper seeks to amend several subsections of existing § ZS 1-303 to permit the proposed commercial marine yard use as well as a portion of existing § ZS 1-305(n)(2) to clarify height restrictions. Specifically, the requested amendments are as follows, showing proposed new language in SMALL CAPS font and language proposed to be deleted in ~~strikeout~~ font:

AMENDMENT TO EXISTING § ZS 1-303(a) to add reference to other permitted uses:

- (a) Purpose and intent. This district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports, AND OTHER PERMITTED USES, by or with the approval of the County or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein.

AMENDMENT TO EXISTING § ZS 1-303(c)(7) to remove reference to marinas and boat landings:

- (7) Governmental and other public buildings, structures and uses of a public-service type but not including recreational facilities such as tennis courts, swimming pools, ~~marinas and boat landings~~, parks, playgrounds, golf courses, including driving ranges, and other similar activities.

RENUMBER EXISTING § ZS 1-303(c)(7) as § ZS 1-303(c)(8) and CREATE NEW § ZS 1-303(c)(7) to add commercial marine yards, etc. to uses allowed in CA Commercial Airport District:

- (7) COMMERCIAL MARINE YARDS, INCLUDING FUELING, BOAT LAUNCHING AND RECOVERY, INTERIOR AND EXTERIOR DRY STORAGE OF SEAWORTHY BOATS IN OPERABLE CONDITION, MAINTENANCE FACILITIES FOR ALL TYPES OF HULL, DECK, INTERIOR AND EXTERIOR REPAIRS, PAINTING, AND BOAT CONSTRUCTION.

AMEND EXISTING § ZS 1-305(n)(2) to add a new Subsection § ZS 1-305(n)(2)E to include uses permitted within the CA Commercial Airport District to those structures which are not subject to the district height regulations, except for the AP District:

- E. ANY BUILDING OR STRUCTURE ALLOWED BY SUBSECTION § ZS 1-303(C).

We formulated this draft language after discussions with Mr. Cropper about his client's proposed use and we worked with him to meet those needs. Although she typically reviews and comments on proposed text amendments, Jennifer Keener is on maternity leave and therefore did not participate in this particular application review. Mr. Cropper also met with representatives of the Mayor and Council of Ocean City relative to the matter and it appears that they concur with the proposed use. We note that along with uses typically associated with an airport, the CA Commercial Airport District also permits general offices, general warehousing and storage, and governmental and other public buildings, structures and uses of a public-service type. We conclude that the proposed use is compatible with the other uses permitted by the District.

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

cc: Jennifer Keener



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

Please Type or
Print in Ink

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

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

Date Received by Office of the County Commissioners: _____

Date Received by Development Review and Permitting 1/12/2016

Date Reviewed by Planning Commission: _____

I. Application - Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

A. Resident of Worcester County. X

B. Taxpayer of Worcester County. X

C. Governmental Agency _____

(Name of Agency)

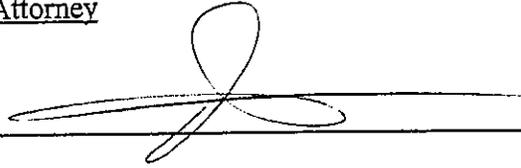
II. Proposed Change to Text of the Zoning and Subdivision Control Article.

A. Section Number: ZS 1-303(a), ZS 1-303(c)(7), ZS 1-303(c)(8) and ZS 1-305(n)(2)

B. Page Number: ZS 1:III:7 and ZS 1:III:21

IV. Signature of Attorney

Signature



Printed Name of Attorney:

Mark Spencer Cropper

Mailing Address: 6200 Coastal Highway, Suite 200, Ocean City, MD 21842

Phone Number: 410-723-1400 E-Mail: mcropper@ajgalaw.com

Date: 1/7/16

V. General Information Relating to the Text Change Process.

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

EXHIBIT "A"

AMENDMENT TO EXISTING § ZS 1-303(a) to add reference to other permitted uses:

- (a) **Purpose and intent.** This district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports, and other permitted uses, by or with the approval of the County or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein.

AMENDMENT TO EXISTING § ZS 1-303(c)(7) to remove reference to marinas and boat landings:

- (7) Governmental and other public buildings, structures and uses of a public-service type but not including recreational facilities such as tennis courts, swimming pools, parks, playgrounds, golf courses, including driving ranges, and other similar activities.

RENUMBER EXISTING § ZS 1-303(c)(7) as § ZS 1-303(c)(8) and CREATE NEW § ZS 1-303(c)(7) to add commercial marine yards, etc. to uses allowed in CA Commercial Airport District:

- (7) Commercial marine yards, including fueling, boat launching and recovery, interior and exterior dry storage of seaworthy boats in operable condition, maintenance facilities for all types of hull, deck, interior and exterior repairs, painting, and boat construction.

AMEND EXISTING § ZS 1-305(n)(2) to add a new Subsection § ZS 1-305(n)(2)E to include uses permitted within the CA Commercial Airport District to those structures which are not subject to the district height regulations, except for the AP District:

- E. Any building or structure allowed by Subsection § ZS 1-303(c).

SUPPLEMENTARY DISTRICTS AND DISTRICT
REGULATIONS

§ ZS 1-302

§ ZS 1-303

- (f) Height regulations. The following height regulations shall apply to the AP District: Notwithstanding any other provisions of this Title, no building, structure, tree or any object of natural growth shall be erected, altered, allowed to grow or maintained to a height which would penetrate the approach, horizontal, transitional or conical surfaces as referenced herein.

§ ZS 1-303. CA Commercial Airport District.

- (a) Purpose and intent. This district is intended to provide for areas of adequate size in appropriate locations for the development of municipal or County airports by or with the approval of the County or municipal governing body. It is the purpose of this district to recognize the municipal or County airports as commercial operations and land uses, to protect the users of the airports and to prevent any unreasonable limitation or impairment of the use and expansion of the airports and the public investment therein.
- (b) Location and area requirements. The CA Commercial Airport District is hereby established as a floating zone and may be permitted in accordance with the provisions hereof, upon review of the Planning Commission and approval by the County Commissioners, in the A-1, A-2, I-1 and I-2 Districts. Land zoned RP District which is within the boundaries of the property subjected to a CA District may be included within the CA District boundaries. The minimum required land area shall be fifty acres, exclusive of any lands zoned RP District. In siting new CA Districts, consideration shall be given to the surrounding land uses and conditions may be placed on the approval in order to better provide for the safety of the neighboring residents.
- (c) Permitted principal uses and structures. The following principal uses and structures shall be permitted in the CA Commercial Airport District:
- (1) Municipal or County airports, including runways, taxiways, aircraft parking areas, hangars, terminals and support buildings.
 - (2) Buildings and structures necessary for communications, navigation or the collection and dissemination of weather and other flight information.
 - (3) Restaurants, lounges and gift shops incidental and subordinate to the operation of the airport and intended primarily for the use and enjoyment of airport patrons.
 - (4) General offices.
 - (5) General warehousing and storage.
 - (6) Signs (except billboards), including all types and classifications of signs as defined and regulated in § ZS 1-324 hereof.
 - (7) Governmental and other public buildings, structures and uses of a public-service type but not including recreational facilities such as tennis courts, swimming pools, marinas and boat landings, parks, playgrounds, golf courses, including driving ranges, and other similar activities.

- (d) Special exceptions. The following principal uses and structures may be permitted by special exception in the CA Commercial Airport District in accordance with the provisions of § ZS 1-116(c) hereof:
- (1) Any use or structure which is determined by the Board of Zoning Appeals to be of the same general character as an above-permitted use and compatible with the general character and intent of the CA Commercial Airport District.
- (e) Accessory uses and structures. The following accessory uses and structures shall be permitted in the CA Commercial Airport District:
- (1) One accessory apartment for persons primarily engaged on the premises, subject to the provisions of § ZS 1-338 hereof.
 - (2) Temporary buildings and structures, subject to the provisions of § ZS 1-334 hereof.
 - (3) Generally, accessory structures and uses customarily associated with and directly incidental to the permitted principal uses and structures.
- (f) Additional provisions. The following additional provisions shall apply to all uses and structures in the CA Commercial Airport District:
- (1) All uses and structures shall be subject to the provisions of § ZS 1-302 hereof.
 - (2) All facilities and uses shall be subject to the provisions of § ZS 1-325 hereof.
- (g) Other regulations.
- (1) All airports and facilities shall be designed, constructed, maintained and utilized so that they shall comply with all federal and state regulations pertaining to such operations, and the same shall be utilized in accordance therewith.
 - (2) The uses and structures permitted in the CA Commercial Airport District shall be subject to the applicable regulations contained in Subtitle ZS1:I, General Provisions, and Subtitle ZS1:III, Supplementary Districts and District Regulations, of this Title.
- (h) Lot, road and parking requirements. For individual structures, there shall be no minimum lot area, setback, bulk, lot width, road frontage, landscaping or buffering requirements. Such standards shall be as approved by the Planning Commission in approving the site plan under the provisions of § ZS 1-325 hereof. No structure or group of structures shall be erected within ten feet of any other structure or group of structures. All roads, parking areas and access points shall meet County standards.
- (i) Review and approval procedure. Review and approval of the CA Commercial Airport District designation shall be as follows:
- (1) Step I: Concept plan and district designation. In this step the applicant shall submit adequate plans and other pertinent documents sufficiently addressing the required elements for review by the Technical Review Committee, Planning Commission and the County Commissioners. Review and approval shall take place in three sequential steps. Each step must be completed in its entirety, including the

obtaining of all necessary approvals, prior to initiating the next step. The County Commissioners shall have the authority to either approve or disapprove the concept development plan and the establishment of the CA Commercial Airport District.

A. The concept plan and application for district designation shall include the following:

1. A sketch plan at a readable scale. The submitted plan shall show contours at five-foot intervals, except where the average slope is less than three percent, in which case two-foot contours are required, all existing natural and man-made features, existing zoning, a vicinity map, and the Chesapeake or Atlantic Coastal Bays Critical Area boundary and designation, if applicable.
2. A preliminary determination of sensitive areas, including but not limited to a preliminary delineation of any tidal or nontidal wetlands, a delineation of the one-hundred-year floodplain, and a forest stand delineation.
3. A conceptual schematic plan generally identifying the type, location, acreage, and proposed phasing, if any, of all proposed land uses.
4. A schematic plan generally identifying the zoning, as well as the existing and any proposed land use for which approval has been granted, for all properties within one mile of the boundaries of the proposed CA District.
5. A schematic plan generally identifying the proposed drainage pattern and potential stormwater management and minimization of impervious surfaces.
6. A preliminary capacity and availability analysis of water and wastewater facilities for projects proposed to be served by existing public utilities or, where new facilities are proposed to serve the project, a preliminary feasibility analysis of wastewater disposal capabilities and potable water production.
7. Such other information as the Technical Review Committee, Planning Commission or County Commissioners may require.
8. A written statement covering the considerations listed under Subsection (i)(1)B hereof.

B. The following items shall be considered in the reviews by the Technical Review Committee, Planning Commission and County Commissioners:

1. The commercial airport's conformance with the goals, objectives and recommendations of the Comprehensive Plan, compliance with the zoning regulations and other established development policy guidelines.

2. The general location of the site, a description of existing and anticipated land use in the immediate vicinity and the commercial airport's compatibility with those land uses.
 3. The availability and adequacy of public facilities and services to meet the needs of the commercial airport and the long-term implications the project would have on subsequent local development patterns and demand for public facilities and services.
 4. The relationship of the commercial airport's proposed construction schedule, including any phasing, and the demand for and timely provision of public facilities and services necessary to serve the project.
 5. The relationship of the proposed method of wastewater disposal and provision of potable water service with the goals, objectives and recommendations of the Comprehensive Plan, Comprehensive Water and Sewer Plan, and other established policy guidelines.
 6. The availability and suitability of vehicular access.
- C. The applicant shall meet first with the Technical Review Committee, then with the Planning Commission and then with the County Commissioners.
1. The Technical Review Committee shall meet with the applicant and shall review the applicant's submission. The Technical Review Committee shall, subsequent to the meeting and review, identify areas of concern and issues to be addressed by the Planning Commission. It shall report its recommendations to the applicant and to the Planning Commission. Its findings and recommendations shall be reduced to writing in a report known as the "Technical Review Committee Report." The Technical Review Committee may solicit other agency comments prior to making its report and may require additional information, studies or reports. The Technical Review Committee shall review the submission and present its report within sixty days after receipt of the applicant's submission and complete application.
 2. The Planning Commission shall meet with the applicant to review the applicant's submission and review the Technical Review Committee Report. Such meeting shall be open to the public. The Planning Commission shall produce findings based on the items considered under Subsection (i)(1)B hereof. The Planning Commission shall also produce a recommendation to the County Commissioners as to approval or disapproval of the CA Commercial Airport Floating District application, which may address the areas identified in the Technical Review Committee Report and such other areas of concern and such requirements as the Planning Commission may deem necessary and appropriate to advise the County Commissioners. The Planning Commission shall meet with the applicant, review the Technical Review Committee Report and submit its recommendation within sixty days after receipt of the Technical Review Committee Report, unless it is

determined that additional time is needed to adequately review the submission.

3. The County Commissioners shall consider the application and recommendation and hold a public hearing. The hearing shall have the same procedural formalities and notice requirements as a rezoning (map amendment) hearing. The County Commissioners shall review the Technical Review Committee Report and Planning Commission's recommendation and shall, following the public hearing, approve or disapprove the application and, if approved, establish the CA Commercial Airport Floating Zone. Failure of the County Commissioners to reach a formal decision to approve or disapprove the application within six months of the public hearing shall constitute a denial of the application. In granting an approval, the County Commissioners may impose conditions which shall become a part of the approval regulating the CA Commercial Airport District. In addition, the Commissioners may require independent reports of consultants, at the expense of the applicant, prior to approval. The County Commissioners shall review the Technical Review Committee Report and Planning Commission's recommendation and hold a public hearing within ninety days of receipt of the Planning Commission's recommendation. Failure, however, to meet such time limits shall not constitute an approval.

D. The Department shall delineate and designate approved CA Commercial Airport Districts on the Official County Zoning Maps for informational and reference purposes.

E. Step I approval by the County Commissioners shall be considered a reclassification and subject to appeal as such.

- (2) Step II: Site plan review. Upon completion of Step I, an applicant shall develop and submit to the Technical Review Committee and the Planning Commission site plans for any or all portions of the proposed development, in accordance with the provisions of § ZS 1-325 hereof and subject to any conditions specified in conjunction with Step I approval. No grading permits, building permits or use of land permits shall be issued by the Department prior to site plan approval for such activity.

§ ZS 1-304. HCA Historical; Cultural; Agricultural Floating Zone.

- (a) Purpose. The purpose of this section is to provide for attractions and facilities which are re-creations of historic, cultural or agricultural periods that would be of interest to residents and tourists by utilizing the natural rural setting, crafts, culture and history of Worcester County and to provide for the establishment of such uses that will attract tourism to the County without impacting negatively on the rural character of the agricultural areas of the County.

- (8) Amendments or changes to the approved HCA development plan may not require an additional public hearing but shall require the review and approval of both the Planning Commission and the County Commissioners. Such plan amendments and additions will be signed and retained in the same manner as the original development plan.

§ ZS 1-305. Lot requirements generally.

- (a) Definitions. For the purposes of this Title, the following definitions shall apply:

DENSITY, MAXIMUM — The maximum number of dwelling units or manufactured homes permitted per given unit of lot area as prescribed for residential development in each zoning district. Maximum yield shall be computed as the total net lot area multiplied by the maximum density permitted.

DENSITY, PROPOSED — Computed as the total number of dwelling units or manufactured homes proposed for the entire project divided by the total net lot area of the project.

LOT AREA — Refers to "net lot area" unless specifically stated otherwise.

LOT AREA, BUILDABLE — That portion of the net lot area remaining for building purposes once adjusted to subtract out the area of all easements, required yard setbacks, septic disposal areas, private wetlands and nontidal wetlands and their buffers. Every lot must have a buildable area of not less than two thousand five hundred square feet of contiguous area with usable access.

LOT AREA, GROSS — The gross area of a lot, parcel or other piece of land shall be calculated as the area bounded by the property lines.

LOT AREA, NET — The net area of a lot, parcel or other piece of land shall be calculated as the area bounded by the property lines, except that the area of public and private rights-of-way and state wetlands and the area of the strip connecting to the road in the case of a flag lot shall not be included as part of the net lot area unless specifically permitted for the structure or use involved. Easements other than required road widening strips may be included in the lot area, and private wetlands and easements may be included as part of any yard setback unless otherwise prohibited.

LOT, CORNER — A lot abutting two or more public or approved private roads at their intersection or two parts of the same road and in either case forming an interior angle of less than one hundred thirty-five degrees. A corner lot shall provide a front yard along all property lines abutting a public or approved private road. A corner lot need not provide a rear yard but must provide side yards along all other lot lines.

LOT, FRONT OF — The side or sides of a lot which abut a public road, approved private road, or right-of-way or, in the case of a rural cluster subdivision or landlocked parcel, an access easement established to serve the subdivision or landlocked parcel.

the Environmental Programs Division and in compliance with the Worcester County Groundwater Protection Report.

(2) Lot width: one hundred feet.

(m) Extension of uses and structures to wetlands boundary line and beyond. In any district, the Board of Zoning Appeals may permit as a special exception principal or accessory uses and structures to be located up to the wetlands boundary line and over adjacent wetlands or water areas (including otherwise required yard setbacks) where it is demonstrated that such uses or structures are reasonably necessary to the function of the uses and structures on the abutting fastland. Such uses and structures shall be limited to permitted special exceptions and accessory uses and structures specified for the district in which the abutting fastland is located.

(n) Structures permitted above height limit.

(1) The Board of Zoning Appeals may, as a special exception in the case of a nonresidential structure, increase the permitted height or number of stories to the maximum prescribed in each district if, in the view of the Board, such increase is reasonably necessary for the proposed purpose and no neighborhood adverse effects or safety hazards will be created. In the case of structures other than buildings, such as radio towers, which, by the nature of the structures and their function, are required to be of great height, the Board may, by special exception, permit such structures to exceed the maximum permitted height.

(2) The following structures are not subject to the district height regulations, except for the AP District, and do not require Board approval, except as otherwise provided:

- A. Farm buildings and structures, except dwelling units.
- B. Fire walls, cupolas, steeples, flagpoles, silos, smokestacks, masts, water tanks or other nonhabitable roof superstructures.
- C. Roof structures for housing elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, provided that all such structures above the height otherwise permitted in the district shall not occupy more than twenty-five percent of the ground area of the building.
- D. Any building or structure in an I District if more than two hundred feet distant from any A, E, V, R or RP District, provided that, for each three feet by which the height of such building or structure exceeds the maximum height otherwise permitted in the district, its front, side and rear yard setbacks shall be increased in width or depth by an additional one foot over the yard setbacks required for the highest building otherwise permitted in the district and provided that the height of such building or structure shall not exceed four hundred feet.

Add E.

(o) Distance between structures.

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



18

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

OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
JOHN E. "SONNY" BLOXOM
COUNTY ATTORNEY

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

February 17, 2016

See letter of
Support - page 7

~~DANNO~~
2/17/16 @ 4:26 pm

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

Please print the attached Notice of Introduction of Emergency Bill 16-2 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on February 25, 2016 and March 10, 2016. Thank you.

NOTICE OF INTRODUCTION OF EMERGENCY BILL 16-2 WORCESTER COUNTY COMMISSIONERS

Take Notice that **Emergency Bill 16-2 (Public Safety - Townhouse Fire Sprinkler Systems)** was introduced by Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell on February 16, 2016.

A fair summary of the bill is as follows:

§ PS 1-410(e)(2). (Repeals and reenacts this subsection regarding changes and additions to the State Code with respect to additional regulations regulating automatic fire sprinkler systems in townhouse units to specify that a group of three or more townhouse units shall be considered as a multifamily structure for the purposes of determining the applicable automatic fire sprinkler requirements unless the structure is provided with an automatic audible flow enunciator and an approved exterior fire department connection in which case the townhouse units shall be considered as a one- and two-family dwelling for the purpose of determining the applicable automatic fire sprinkler requirements.)

A **Public Hearing**

will be held on Emergency Bill 16-2 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on **Tuesday, March 15, 2016 at 11:00 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at <http://www.co.worcester.md.us/commissioners/legsltn.aspx>.

THE WORCESTER COUNTY COMMISSIONERS

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

EMERGENCY BILL 16-2

BY: Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell
INTRODUCED: February 16, 2016

AN EMERGENCY BILL ENTITLED

AN ACT Concerning

Public Safety - Townhouse Fire Sprinkler Systems

For the purpose of amending the Public Safety Article to modify the requirements with regard to automatic fire sprinklers in townhouse units.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § PS 1-410(e)(2) of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (2) Notwithstanding the provisions of any other applicable code or regulation, any group of three or more townhouse units shall be considered as a multifamily structure for the purposes of determining the applicable automatic fire sprinkler requirements unless the structure is provided with an automatic audible flow enunciator and an approved exterior fire department connection in which case the townhouse units shall be considered as a one- and two-family dwelling for the purpose of determining the applicable automatic fire sprinkler requirements.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill, having been declared an Emergency Bill, shall take effect immediately upon its passage.

PASSED this _____ day of _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell

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



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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

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

February 10, 2016

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
SUBJECT: Emergency Bill Regarding Townhouse Fire Sprinkler Systems

At the request of Commissioner Church, the attached bill has been drafted to provide some level of relief from the current County requirements for the type of automatic fire sprinkler systems required in a group of three or more townhouse units in Worcester County where an automatic audible enunciator and exterior fire department connection is provided. The bill was drafted by Fire Marshal Jeff McMahon with assistance from Development Review & Permitting Director Ed Tudor. In effect, the amendment will allow such townhouse units to be equipped with automatic fire sprinkler systems compliant with a National Fire Protection Association (NFPA) 13D system (for one and two-family dwellings and manufactured homes), rather than a NFPA 13R system (for low-rise residential, multi-family occupancies). The bill has been drafted as emergency legislation in order to become effective upon the date of adoption. If introduced on February 16, the Commissioners could hold their public hearing and adopt the bill at the next scheduled legislative session on Tuesday, March 15, 2016.

I have asked Mr. McMahon and Mr. Tudor to attend the Commissioners' meeting on Tuesday, February 16 to answer any technical questions the Commissioners may have regarding this draft bill. If you should have any questions or concerns with regard to this matter, please feel free to contact me.

APPROVED
Worcester County Commissioners
Date *HH* 2/16/16

EMERGENCY BILL 16-

BY:

INTRODUCED:

AN EMERGENCY BILL ENTITLED

AN ACT Concerning

Public Safety - Townhouse Fire Sprinkler Systems

For the purpose of amending the Public Safety Article to modify the requirements with regard to automatic fire sprinklers in townhouse units.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § PS 1-410(e)(2) of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (2) Notwithstanding the provisions of any other applicable code or regulation, any group of three or more townhouse units shall be considered as a multifamily structure for the purposes of determining the applicable automatic fire sprinkler requirements unless the structure is provided with an automatic audible flow enunciator and an approved exterior fire department connection in which case the townhouse units shall be considered as a one- and two-family dwelling for the purpose of determining the applicable automatic fire sprinkler requirements.

New

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill, having been declared an Emergency Bill, shall take effect immediately upon its passage.

PASSED this _____ day of _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell

Worcester County. Any act or actions which are contrary to any provision or requirement of and any and all failures to comply with any provisions or requirements of this Fire Prevention Code or any such notice, order or decision shall constitute a violation of this Fire Prevention Code.

- (b) Violations. Any person who violates the provisions of this Subtitle shall be guilty of a civil infraction. [Amended 11-10-1987 by Bill No. 87-5]
- (c) Violation types. The following categories of Fire Prevention Code violations shall be determined by resolution of the County Commissioners. [Added 6-16-2009 by Bill No. 09-2]
- (1) Minor infractions.
 - (2) Intermediate infractions.
 - (3) Major infractions.

§ PS 1-408. State Fire Prevention Code adopted.

The State Fire Prevention Code, as adopted by the State Fire Prevention Commission, together with all rules, regulations and resolutions adopted thereunder, as the same may be from time to time amended, repealed, promulgated or supplanted, are hereby adopted as a part of the Fire Prevention Code of Worcester County and enforceable pursuant to this Subtitle in Worcester County.

§ PS 1-409. Authorization for additions and changes to State Code.

The Worcester County Commissioners and the Worcester County Fire Marshal shall have all rights, powers, duties and authorities prescribed by the Public General Laws of the State of Maryland and all Public Local Laws of Worcester County, Maryland. The County Commissioners shall have the power and authority to make changes in and additions to the State Fire Prevention Code for enforcement within Worcester County. Such changes shall be made by Public Local Law.

§ PS 1-410. Changes and additions to State Code.

- (a) Additional regulations regulating buildings for the use and occupancy of nurseries, convalescent homes and homes for the aged.

- (1) For the purpose of this Subtitle, the terms "nursery," "convalescent home" and "homes for the aged" shall be defined as follows:

CONVALESCENT HOME — A privately operated establishment devoted to the care of persons during the recuperative stage of an illness or in which persons may be cared for during an illness.

exposed composite walls and roof of either structure are without opening and constructed of materials which will provide a one-hour fire rating or the structures are separated by a one-hour fire-rated barrier.

- B. Provided that any mobile home legally located but in violation of such setbacks on the effective date hereof shall be allowed to remain so located for a period of one year from the effective date hereof, after which date all mobile homes shall fully comply with the provisions of this subsection.

(d) Additional regulations prohibiting certain fireworks. [Added 6-4-2002 by Bill No. 02-8]

- (1) In addition to fireworks prohibited by state law, the possession of ground-based sparkling devices, including without limitation, cylindrical or cone fountains, whether aerial or non-aerial and whether explosive or non-explosive, shall be prohibited in Worcester County, except and limited as follows:

A. It shall be legal to possess ground-based sparkling devices that are non-aerial and nonexplosive, provided they are labeled in accordance with the requirements of the U.S. Consumer Product Safety Commission and produce a visual effect of no more than twelve feet in height.

B. Such ground-based sparkling devices referenced in Subsection (d)(1)A hereof, may only be sold in fully enclosed retail establishments upon the approval of the Worcester County Fire Marshal upon the filing of the appropriate application and payment of application fees as from time to time established by resolution of the County Commissioners. No ground-based sparkling devices shall be sold from a roadside stand or other temporary sales outlet in the County.

(e) Additional regulations regulating automatic fire sprinkler systems in townhouse units. [Added 10-21-2014 by Bill No. 14-8]

- (1) For the purposes of this Subtitle the term "townhouse" shall be defined as follows:

TOWNHOUSE — A single-family dwelling unit that is constructed in a horizontal series of attached units with property lines separating the units.

- (2) Notwithstanding the provisions of any other applicable code or regulation, any group of three or more townhouse units shall be considered as a multifamily structure for the purposes of determining the applicable automatic fire sprinkler requirements.

§ PS 1-411. Nuisance alarms. [Added 6-16-2009 by Bill No. 09-3]

- (a) Definitions. For the purpose of this Subtitle, the following definitions shall apply:

ALARM — The use of any equipment, device, appliance and/or system that produces an alarm, either audible, visual, a combination of both, or via electronic equipment to a system or person who reports the alarm as an emergency. An alarm system includes systems that produce a similarity to smoke, or flame or combination thereof, such as, but



NATIONAL FIRE PROTECTION ASSOCIATION

The leading information and knowledge resource on fire, electrical and related hazards

[Sign In](#) [Cert \(0\)](#)

Search

- [Sign-In](#)
 - [Join / Renew](#)
 - [My Profile](#)
 - [Catalog](#)
 - [News & Publications](#)
 - [About NFPA](#)
 - [Careers](#)
 - [Press Room](#)
-
- [CODES & STANDARDS](#)
 - [SAFETY INFORMATION](#)
 - [TRAINING](#)
 - [RESEARCH](#)
 - [MEMBER ACCESS](#)

Home > Codes and Standards > Document Information pages (list of NFPA codes & standards) > NFPA 13D

NFPA 13D: STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND MANUFACTURED HOMES

Free access to the 2016 edition of NFPA 13D

Alerts: [Receive e-mail updates on this document](#)

Find a code or standard

By document number/title

By cycle

- [About](#)
- [Current & Prior Editions](#)
- [Next Edition](#)
- [Technical Committee](#)
- [Technical Questions](#)
- [Products & Training](#)

BUY THIS EDITION



NFPA 13D: Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2016 Edition

[Click to Buy](#)



The next edition of this standard is now open for Public Input.

What is NFPA 13D?

NFPA 13D is a residential sprinkler design standard focused on one- and two- family dwellings and manufactured homes. The intent is to provide an affordable sprinkler system in homes while maintaining a high level of life safety. [Official document scope](#)

What does NFPA 13D address?

Requirements address automatic sprinkler system design, installation, and maintenance including numerous issues such as component listing, hydrostatic tests, sprinkler temperature ratings, design documentation, and hydraulic calculations.

Additional Information

- [Safety Alert regarding Antifreeze in Sprinkler Systems](#)
- [Fire Sprinkler Initiative](#)

Articles and Reports

- [U.S. Experience with Sprinklers](#)
- [Disaster Resiliency and NFPA Codes and Standards](#)
- [Home Fire Sprinkler Cost Assessment](#)
- [Addressing the Performance of Sprinkler Systems: NFPA 25 and Other Strategies](#)

News about NFPA codes and standards

- [Comments sought on proposed Tentative Interim Amendments \(TIAs\) to NFPA 101 and 5000](#)
- [Review the Second Draft Reports for 23 NFPA Standards in the Annual 2016 revision cycle](#)
- [New NFPA online community, Xchange, keeps you up-to-date on latest codes & standards information](#)
- [Deadly fire in cluttered home draws attention to dangers of hoarding](#)

[Subscribe to this Feed](#)

- [Documents accepting Public Input](#)
- [Documents accepting Public Comment](#)
- [Documents accepting NITMAM](#)

RELATED PRODUCTS



NFPA 13D: Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, Prior Years

Item #: NFPA_13D_PRIOR

[Click to Buy](#)



NFPA 13D and NFPA 13R: Automatic Sprinkler Systems for Residential Occupancies Handbook, 2016 Edition

Item #: 13DRH16

[Click to Buy](#)



NFPA 13D, NFPA 13R, and Automatic Sprinkler



NATIONAL FIRE PROTECTION ASSOCIATION

The leading information and knowledge resource on fire, electrical and related hazards

Sign In Cart (0)

Search

- Sign-In
- Join / Renew
- My Profile
- Catalog
- News & Publications
- About NFPA
- Careers
- Press Room

- CODES & STANDARDS
- SAFETY INFORMATION
- TRAINING
- RESEARCH
- MEMBER ACCESS

Home > Codes and Standards > Document Information pages (list of NFPA codes & standards) > NFPA 13R

NFPA 13R: STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS IN LOW-RISE RESIDENTIAL OCCUPANCIES

Free access to the 2016 edition of NFPA 13R

Alerts: [Receive e-mail updates on this document](#)

Find a code or standard

By document number/title

 By cycle

- About
- Current & Prior Editions
- Next Edition
- Technical Committee
- Technical Questions
- Products & Training

BUY THIS EDITION



NFPA 13R: Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2016 Edition

[Click to Buy](#)



The next edition of this standard is now open for Public Input.

What is NFPA 13R?

NFPA 13R is a residential sprinkler design standard focused on low-rise residential occupancies. The Standard's intent is to provide a sprinkler system that aids in the control of residential fires and provides improved protection against injury and life loss in multi-family dwellings. [Official document scope](#)

What does NFPA 13R address?

Requirements concern automatic sprinkler system design, installation, and maintenance including component listing, hydrostatic tests, sprinkler temperature ratings, design documentation, aboveground pipe and equipment, underground pipe, pre-engineered systems, water supply sources, multipurpose piping systems, and hydraulic calculations.

Additional Information

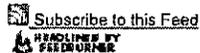
- [Safety Alert regarding Antifreeze in Residential Sprinklers](#)
- [Fire Sprinkler Initiative](#)

Articles and Reports

- [Disaster Resiliency and NFPA Codes and Standards](#)
- [Home Fire Sprinkler Cost Assessment](#)
- [Addressing the Performance of Sprinkler Systems: NFPA 25 and Other Strategies](#)
- [Area of Origin in Reported Apartment or Multi-Family Housing Fires Excluding Properties under Construction](#) (PDF, 906 KB)
- [Area of Origin in Reported Hotel or Motel Fires Excluding Properties under Construction](#) (PDF, 938 KB)
- [U.S. Experience with Sprinklers](#)

News about NFPA codes and standards

- [Comments sought on proposed Tentative Interim Amendments \(TIAs\) to NFPA 101 and 5000](#)
- [Review the Second Draft Reports for 23 NFPA Standards in the Annual 2016 revision cycle](#)
- [New NFPA online community, Xchange, keeps you up-to-date on latest codes & standards information](#)
- [Deadly fire in cluttered home draws attention to dangers of hoarding](#)



Subscribe to this Feed
 HEADLINES BY FEEDWRITER

- [Documents accepting Public Input](#)
- [Documents accepting Public Comment](#)
- [Documents accepting NITMAM](#)

RELATED PRODUCTS



NFPA 13R: Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, Prior Years

Item #: NFPA_13R_PRIOR

[Click to Buy](#)



NFPA 13D and NFPA 13R: Automatic Sprinkler Systems for Residential Occupancies Handbook, 2016 Edition

Item #: 13DRH16

[Click to Buy](#)



NFPA 13D, NFPA 13R, and Automatic Sprinkler Systems for Residential Occupancies Handbook Set

6



LOCAL
ACCURATE
TRUSTED

March 8th, 2016

Worcester County Commissioners
Worcester County Government Center
1 West Market Street
Room #1103
Snow Hill, Md. 21863

Dear Worcester County Commissioners,

The Coastal Association of REALTORS® would like to express its support for Emergency Bill 16, Public Safety – Townhouse Fire Sprinkler Systems, as means to provide some relief from the cost of installing fire sprinklers in banks of three or more townhomes.

Since the enactment of House Bill 366, which prohibits local opt out from the single family home sprinkler mandate, local builders have experienced significant cost increases. This of course trickles down to our membership and makes it more difficult for local REALTORS® to sell these homes. This requirement impacts the affordability of housing, limits consumer choice and infringes on property rights.

The Coastal Association of REALTORS® is not opposed to sprinkler requirements for newly constructed multifamily buildings, as the need is clear when there are several people occupying a single building, in multiple units. However, some sort of relief from surmounting costs that are ultimately passed down to the consumer, is sorely needed.

There are over 1,000 members of the Coastal Association of REALTORS®, consisting of both REALTOR® and affiliate members, and all of them depend on the health and vitality of the local real estate industry in order to make a living. Also the real estate industry touches almost every element of the local economy. We'd appreciate your support of this legislation, and all legislation that serves to kick start the local economy.

Thank you.

Joseph Wilson
Chair, Government Affairs Committee
Coastal Association of REALTORS®

Serving Somerset, Wicomico and Worcester Counties on the Eastern Shore of Maryland
314 Franklin Avenue | Suite 106 | Berlin, MD 21811
www.coastalrealtors.org

19



Worcester County
Department of Environmental Programs

RECEIVED
MAR 07 2016
Worcester County

If Introduced
Bill 16-3
Public Hearing - April 19, 2016

Memorandum

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

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

Subject: Text Amendment Application – Natural Resources Article, Atlantic Coastal Bays Critical Area
Permit Nonprofit Environmental Conservation and Land Preservation Offices in Resource Conservation Areas (RCA)

Date: March 7, 2016

The Department is in receipt of a text amendment application submitted by Mr. Hugh Cropper seeking to amend the Natural Resources Article to add an additional land use within the Resource Conservation Area (RCA) of the Atlantic Coastal Bays Critical Area located at § NR 3-108. Specifically, the proposed amendment seeks to add an additional land use definition, located at § NR 3-108 (d), by adding subsection (d) (9) to include the requested use.

Mr. Cropper's original request was reviewed internally, and with staff at the Maryland Critical Areas Commission (CAC). We have made changes to the originally requested language which met the applicant's needs and satisfies the intentions and accordance of the RCA in providing this land use opportunity to property owners within this district category.

As indicated, in the attached memorandum from David Bradford, Deputy Director, staff has reviewed the proposed amendment and completed a minor revision in communications with the applicant and the CAC.

The amendment is designed to provide for offices and/or establishments located within the RCA that serve environmental, conservation, land preservation, and other similar natural resource-based non-profit organizations. As these organizations directly work to support, conserve, and restore resource conservation areas in Worcester County, their location within the RCA, should such facilities become available, needs to be provided for within the Natural Resources Article. As noted in Mr. Bradford's memorandum, the RCA is the most restrictive designation within the

Citizens and Government Working Together

Critical Area program and is characterized by wetlands, forests, agricultural lands and various other nature dominated environments. These organizations work for the betterment of these areas and their presence within these environments should be supported.

As presented, staff gives this amendment a favorable recommendation and finds that the text change is consistent with the intentions and harmony of the RCA while providing for this additional use within the designated RCA portions of Worcester County.

Attached you will find a copy of the entire application package and a draft paper copy of the proposed amendment in Bill form. An electronic version of the draft legislation has been transmitted to your office for your convenience should one of the County Commissioners wish to introduce the amendment at the upcoming legislative session on March 15, 2016.

As always, I will be available to discuss the proposal with you and the County Commissioners at your convenience. In the interim please do not hesitate to contact me should you have any questions or require additional information.

Attachments

cc: David Bradford
Katherine Munson

BY:

INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

DRAFT

Natural Resources - Nonprofit Offices in Resource Conservation Area

For the purpose of authorizing the offices or establishments utilized by nonprofit environmental conservation and land preservation organizations within Resource Conservation Areas in the Atlantic Coastal Bays Critical Area.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Subparagraph 9 be added to Subsection NR 3-108(d) of the Natural Resources Article of the Code of Public Local Laws of Worcester County, Maryland to read as follows:

- (9) An office and/or establishment utilized by a nonprofit environmental conservation and land preservation organization, subject to the following:
 - 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.

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 _____, 2016.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Merrill W. Lockfaw, Jr., Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Joseph M. Mitrecic

Diana Purnell

DRAFT

1. The additional dwelling unit is located within the primary dwelling unit or its entire perimeter is within one hundred feet of the primary dwelling unit, it does not exceed nine hundred 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 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 are limited to twenty thousand square feet or 15% of the site, whichever is less;
- (4) A bed-and-breakfast facility located in a residential structure existing as of June 1, 2002, 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 day-care 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.

§ 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 one-hundred-foot buffer, area of impervious surface, area of forest cover, area of steep slopes, location of tidal or non-tidal wetlands and their buffers, and the mitigation plan if required.



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1306
SNOW HILL, MARYLAND 21863
TEL: 410.632.1220 / FAX: 410.632.2012

LAND PRESERVATION PROGRAMS
STORMWATER MANAGEMENT
SEDIMENT AND EROSION CONTROL
SHORELINE COMMISSION
CRITICAL AREA PROGRAMS
FOREST CONSERVATION

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
COMMUNITY HYGIENE
AGRICULTURAL PRESERVATION
ADVISORY BOARD

MEMORANDUM

TO: Bob Mitchell, Director
FROM: David M. Bradford, Deputy Director *DMB*
DATE: March 3, 2016
SUBJECT: Text Amendment for Natural Resources Article – Atlantic Coastal Bays Critical Area

We have received a text amendment request from Mr. Hugh Cropper IV of the law offices of Booth, Booth, Cropper, & Marriner on behalf of Ayres Creek Family Farm, LLC which seeks to amend the Natural Resources Article of the Worcester County Code. The particular portion of the Article of which is the interest of the amendment, is specifically pertaining to the allowable land uses within the Resource Conservation Area (RCA) of the Atlantic Coastal Bays Critical Area located at § NR 3-108. This specific purpose of this amendment proposes to revise and add an additional land use category located at § NR 3-108 (d), Worcester County Code page NR 3:32.

A. Proposed revised text, addition, or deletion:

Add subsection (d)(9) to read:

“(9) Offices and/or establishments utilized by environmental, conservation, land preservation, and other similar natural resource based non-profit organizations.

A. Organizations shall maintain a non-profit and/or tax-exempt status.

B. Use area shall not exceed 20,000 square feet in size. 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.”

B. Reasons as to why the text amendment or text change is necessary and therefore requested:

To permit nonprofit environmental conservation and land preservation offices within the Resource Conservation Areas located in the Atlantic Coastal Bays Critical Area. The applicant believes that nonprofit environmental and conservation groups are actually supportive of the spirit and intent of

the Resource Conservation Areas, and their location within these Resource Conservation Areas should be promoted.

As you are aware, the Resource Conservation Area (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.

Upon original receipt of this request, staff conducted a thorough review of the amendment as well as forwarding to the State Critical Area Commission (CAC) staff for review and comment. Upon receipt of CAC comments which recommended some minor language additions and modifications, staff has since worked diligently with the applicant to further tailor this request to arrive at an amicable amendment as to which version has been presently provided.

Staff gives a favorable recommendation to this current version of the text amendment as it is consistent with the intentions and harmony of the RCA while also providing educational benefits to the community by allowing the establishment of these nonprofit groups within this designation.

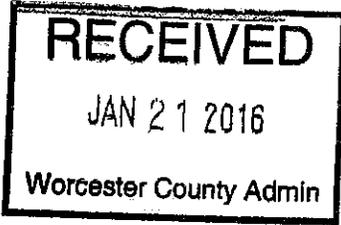
As per NR 3-110, proposals for all amendments and refinements other than those for growth allocation shall be reviewed and acted upon by the County Commissioners but shall first be referred to the Department for review and subsequent recommendation. It is important to mention that these types of amendments and refinements are not required to go before the Planning Commission prior to going to the County Commissioners. This amendment will require a minimum of one public hearing to be held as well as circulation of the proposed hearing time and location within local newspapers. Upon approval of the bill associated with this amendment, it will then be forwarded to the CAC for final determination and approval.

If you have any further questions please let me know. I will make myself available the day that this will be presented to the Commissioners in the event any questions are raised.

Attachments: Text Amendment Request dated December 9, 2015 from Hugh Cropper IV, esquire on behalf of Ayres Creek Family Farm, LLC.

Letter from Critical Area Commission Staff dated March 7, 2016.

Cc: Joy Barrs, Natural Resources Planner
File.



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

Please Type or
Print in Ink

Copy: Bob Mitchell ✓
for processing

PETITION FOR AMENDMENT OR REFINEMENT TO OFFICIAL TEXT
OF THE NATURAL RESOURCE ARTICLE

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

Date Received by Office of the County Commissioners: _____

Date Received by ENV. PROGRAMS : 1/21/16

I. Application - 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 governmental agency of the County. Check applicable status below:

A. Resident of Worcester County. _____

B. Taxpayer of Worcester County. XXX

C. Governmental Agency _____

(Name of Agency)

II. Proposed Change to Text of the Natural Resources Article.

A. Section Number: NR 3-108(d)

B. Page Number: 302.3

C. Proposed revised text, addition or deletion:

Please See Attached

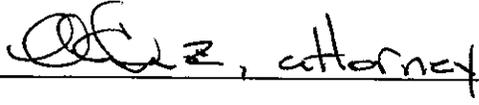
III. Reasons for Requesting Text Change:

A. Please list reasons or other information as to why the proposed text change is

necessary and therefore requested:

Please See Attached

IV. Signature of Applicants

Signature:  , attorney

Printed Name of Applicant: Ayres Creek Family Farm, LLC

Mailing Address: 9428 Stephen Decatur Highway, Berlin, Maryland 21811

Phone Number: 410-213-1900 E-Mail: tburbage@burbageproperties.com

Date: December 9, 2015

V. Signature of Attorney

Signature: 

Printed Name of Attorney: Hugh Cropper IV

Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, Maryland 21842

Phone Number: 410-313-2681 E-Mail: hcropper@bbcmlaw.com

Date: December 9, 2015

VI. General Information Relating to the Text Change Request.

- A. Applications for text amendments or refinements shall be addressed to and filed with the Office of the County Commissioners. Applications shall only be accepted from January 1 to January 30 and July 1 to July 31 of each calendar year. The required filing fee must accompany the application.
- B. Procedure for Text Amendments – All amendments other than requests for growth allocation shall be received and acted upon by the County Commissioners but shall first be referred to the Department for review. The Department shall review the application in a reasonable period of time as determined by the County Commissioners. If after receipt of the Department's recommendation, no County

Commissioner is willing to introduce the proposed amendment as a bill, it need not be considered. If one or more County Commissioners does introduce the proposed amendment as a bill, 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 Section ZS1-114 of the Worcester County Zoning Ordinance.

ATTACHMENT TO PETITION FOR AMENDMENT
OF THE NATURAL RESOURCES ARTICLE

LAND AND RESOURCES ARTICLE, SUBTITLE I, Atlantic Coastal Bays Critical

Area Law, Section NR3-108(d)(9) should be added:

(9) Offices and/or establishments utilized by environmental, conservation, land Preservation, and other similar natural resource based non-profit and/or governmental organizations.

- A. Organizations shall maintain a non-profit and/or tax exempt status.
- B. Use area shall not exceed 20,000 square feet in size. Areas of passive recreation such as walking, hiking, bicycle paths and trails, wildlife observation areas, and picnic areas are excluded from the use area.
- C. Lot coverage shall be limited to 15% of the site.

REASONS FOR REQUESTING TEXT CHANGE

Ayres Creek Family Farm, LLC, a Maryland Limited Liability Company, by its attorney, Hugh Cropper, IV, respectfully submits the following in support of its requested text change: The proposed text amendment will permit "nonprofit environmental conservation and land preservation organization offices" in Resource Conservation Areas located in the Atlantic Coastal Bays Critical Area. The applicant believes that nonprofit environmental and conservation groups are actually supportive of the spirit and intent of Resource Conservation Areas, and their location within these Resource Conservation Areas should be promoted. For example, non-industrial activities which support surface mining, agriculture, and forestry, as well as the expansion of those services, are already permitted in a Resource Conservation Area. Agricultural and conservation easements are encouraged in Resource Conservation Areas.

As such, it is important to locate nonprofit environmental and conservation organizations, such as the Coastal Bays Program, Lower Shore Land Trust, and Assateague Coastal Trust (and possibly The Nature Conservancy) within those areas.

Respectfully Submitted,



Hugh Cropper IV
Attorney for Ayres Creek Family Farm, LLC



**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

March 7, 2016

Mr. David M. Bradford, Jr.
Natural Resources Administrator
Dept. of Environmental Programs
Worcester County Government
1 West Market St., Room 1306
Snow Hill, MD 21863

Re: Worcester County-Proposed RCA Uses Amendment – Non-profit Organizations

Dear Mr. Bradford:

Thank you for consulting with us on the County's proposed RCA uses amendment to allow non-profit offices in the RCA in certain situations. We appreciate getting involved early in the process.

From our emails and discussions, it is my understanding that the language to be put forward is as follows:

9) Offices and/or establishments utilized by environmental, conservation, land preservation, and other similar natural resource based non-profit organizations.

A. Organizations shall maintain a non-profit and/or tax-exempt status.

B. Use area shall not exceed 20,000 square feet in size. 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.

Critical Area Commission staff has reviewed the language and we do not foresee any problems. However, be aware the Critical Area Commission during their review may have questions, additions and/ or revisions.

If you have any questions, do not hesitate to contact me at 410-260-3482.

Sincerely,

M. Claudia Jones
Natural Resources Planner

cc: Ms. Joy Barrs

**NOTICE
OF
PROPOSED CHANGE
IN ZONING**

20

SOUTH SIDE OF ST. MARTINS NECK ROAD
WEST SIDE OF SALT GRASS POINT ROAD

FIFTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, **Rezoning Case No. 398** * has been filed by Hugh Cropper, IV, attorney, on behalf of Salt Grass Bali Hi, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 24.031 acres of land located on the south side of St. Martins Neck Road and west side of Salt Grass Point Road, in the Fifth Tax District of Worcester County, Maryland, from E-1 Estate District to A-2 Agricultural District. The Planning Commission has given a favorable recommendation to the rezoning application.

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

PUBLIC HEARING
on
TUESDAY, MARCH 15, 2016
at 11:10 A.M.

in the
COUNTY COMMISSIONERS' MEETING ROOM
ROOM 1101, WORCESTER COUNTY GOVERNMENT CENTER
ONE WEST MARKET STREET, SNOW HILL, MARYLAND 21863-1072

At said public hearing, the Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 398 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 398 and the Planning Commission's recommendation which will be entered into the record of the public hearing are on file and are available for inspection at the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863-1070.

Madison J. Bunting, Jr., President

1a

RESOLUTION NO. 04 - 7

RESOLUTION ADOPTING RULES & PROCEDURES IN REZONING CASES

WHEREAS, Subsection ZS 1-113(c) of the Zoning and Subdivision Control Article of the Code of Public local Laws of Worcester County, Maryland establishes application procedures for amendment of the Official Zoning Maps of Worcester County, Maryland; and

WHEREAS, these application procedures provide that the County Commissioners shall hold a public hearing in reference to any such officially filed map amendment application in order that parties of interest and citizens shall have an opportunity to be heard; and

WHEREAS, the County Commissioners wish to establish formal rules and procedures for conducting such rezoning hearings.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that Rules and Procedures in Rezoning Cases are hereby established as follows:

**County Commissioners of Worcester County, Maryland
Rules & Procedures in Rezoning Cases**

1. Preliminary Matters
 - A. Explanation of procedures
 - B. Determination of parties and taking of attendance roster
 - C. Witnesses shall be sworn. Attorneys will be sworn if testifying as a factual witness.
2. Evidence
 - A. Report of Planning Commission and/or Staff
(The entire record including background studies, maps, plans and references thereto and recommendations of the Planning Commission and/or Staff will be entered in the record of the hearing and considered as evidence.)
 - B. Applicant's Presentation
 - C. Protestant's Presentation
 - D. Presentation of Interested Parties
 - E. Applicant's Rebuttal
 - F. Explanatory or additional evidence requested by Commissioners related to the presentations of Applicant, Protestants or Interested Parties
3. Argument
 - A. Closing Statement by Interested Parties
 - B. Closing Statement by Protestants
 - C. Closing Statement by Applicant
4. Closing Summation by Planning Staff
5. The Decision of the Commissioners may be made at the close of the hearing or at a later date. A poll may be taken of the Commissioners to assist the staff in preparing a written Finding of Fact, but the final vote and decision shall not be made until a Finding of Fact is adopted. In preparing the written Finding of Fact, staff shall be guided by the poll, but may use any matters contained in the record if adopted in the Finding by Commissioners. Parties desiring copies of the Finding of Fact and decision should so indicate on the attendance roster.

6. Parties may file with the staff proposed written a Finding of Fact reflecting facts to be presented at the hearing. Where requested by staff proposed Findings of Fact shall be provided. Any proposed Finding of Fact shall be provided to all parties before or at the commencement of the hearing. Proposed Findings of Fact shall not include any statement or evidence not included in the presentation at the hearing. Proposed Findings of Fact shall not be considered as evidence and shall only serve as guides to the Commissioners in formulating its findings. Proposed Findings of Fact, when required, shall be provided to staff and all known parties at least five days in advance of the hearing.
7. General Rules relative to the conduct of the Public Hearing
 - A. The Commissioners may interrupt the proceedings at any time to question witnesses or attorneys.
 - B. All witnesses are subject to cross-examination, however, if a party is represented by an Attorney-At-Law, such cross-examination must be by the Attorney. Only one party may cross-examine at a time.
 - C. If a party is not represented by an Attorney-At-Law, he may testify as a witness in narrative form.
 - D. At their discretion, the Commissioners may require additional expert testimony or investigation and the hearing may be continued until such testimony has been heard, or the record may be held open by the Commissioners pending the receipt of such testimony.
 - E. Staff members are pre-qualified as experts in the field in which they work. Any such staff presentation shall be considered expert testimony.
 - F. All witnesses will identify themselves by name, address and interest in the matter.
 - G. Persons in attendance at the hearing shall not be permitted to speak out of turn, interrupt the proceedings or otherwise inject themselves into the proceedings with the intent or effect of disrupting the hearing.
 - H. The Commissioners shall have the right, on their own initiative, to call additional witnesses.
 - I. Witnesses representing or purporting to represent groups of any kind, are subject to examination regarding the composition of the group, the date of the last meeting, the authorization of the individual to speak for the group, the knowledge and interest of the group members in the subject of the hearing.
 - J. Parties with similar interests should attempt to select a spokesperson or spokes people to expedite the hearing procedures. This applies to witnesses and also to parties questioning other witnesses. Expert witnesses, other than staff members, will be required to qualify themselves as such.
 - K. The Commissioners may require substantiation of testimony.
 - L. Written statements and petitions will be admitted for consideration, provided, however, that they will be treated as hearsay and given appropriate weight.
 - M. The Commissioners may take legislative notice of matters and facts of general knowledge, their own experience and knowledge of the subject matter, including a site visit, and other appropriate matters.
 - N. The burden of proof is upon the applicant.
 - O. Time limits may be imposed by the Commissioners.
 - P. A Commissioner not present at the hearing may, if present at the time of the vote, vote on an application provided he or she has reviewed the record or transcript of testimony and evidence presented at the hearing.
 - Q. Applications and exhibits shall have been submitted to the department in accordance with law.

8. Effect of Rules

- A. The above rules are directory and not mandatory.
- B. The rules may be waived or modified at the Commissioners' discretion.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect on March 3, 2004.

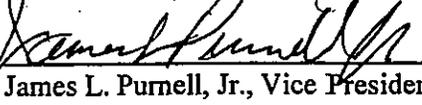
PASSED AND ADOPTED this 2nd day of March, 2004.

ATTEST:

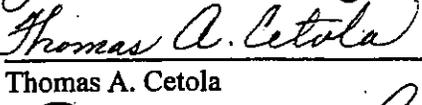

Gerald T. Mason
Chief Administrative Officer

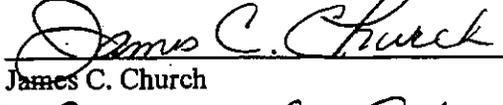
WORCESTER COUNTY COMMISSIONERS

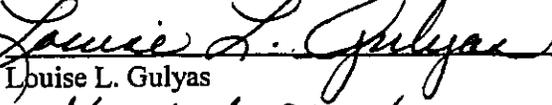

John E. Bloxom, President

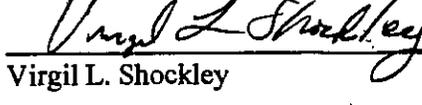

James L. Purnell, Jr., Vice President


Judith O. Boggs


Thomas A. Cetola


James C. Church


Louise L. Gulyas


Virgil L. Shockley

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 398

APPLICANT:

**Salt Grass Bali Hi, LLC
616 Williams Street
Berlin, Maryland 21811**

ATTORNEY FOR THE APPLICANT:

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

January 7, 2016

WORCESTER COUNTY PLANNING COMMISSION

TABLE OF CONTENTS

| | | |
|-------------|--|----------------------|
| I. | Introductory Data | Pages 3 - 4 |
| II. | Testimony Before the Planning Commission | Pages 4 - 7 |
| III. | Findings and Conclusions | Pages 7 - 10 |
| IV. | Planning Commission Recommendation | Page 11 |
| V. | Related Material and Attachments | |
| A. | Copy of Written Staff Report | Pages 12 - 18 |
| B. | Attachments to the Staff Report: | |
| 1. | Application for Amendment of Official Zoning Map | Pages 19 - 23 |
| 2. | Attachment in Support of Rezoning Application, Salt Grass Bali Hi, LLC, submitted by Hugh Cropper, IV, including map of neighborhood, letter dated October 29, 2015, and plat of petitioned area | Pages 24 - 30 |
| 3. | Comments of Robert J. Mitchell, Worcester County Director of Environmental Programs, including map | Pages 31 - 33 |
| 4. | Comments of Donnie L. Drewer, District Engineer, Maryland State Highway Administration | Page 34 |
| 5. | Comments of Frank J. Adkins, Worcester County Roads Superintendent | Page 35 |
| 6. | Memo requesting comments | Pages 36 - 37 |
| 7. | Maps of Petitioned Area | Pages 38 - 45 |

I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 398, originally filed on September 30, 2015, amended November 20, 2015.

B. APPLICANT: Salt Grass Bali Hi, LLC
616 Williams Street
Berlin, Maryland 21811

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

C. TAX MAP/PARCEL: Tax Map 10 - Part of Parcel 314 - Outparcel 1 - Tax District 5

D. SIZE: The petitioned area is 24.031 acres in size.

E. LOCATION: The petitioned area is located on the westerly side of Salt Grass Point Road and southerly side of St. Martins Neck Road.

F. CURRENT USE OF PETITIONED AREA: The petitioned area is tilled cropland and forested.

G. CURRENT ZONING CLASSIFICATION: E-1 Estate District

H. REQUESTED ZONING CLASSIFICATION: A-2 Agricultural District.

I. ZONING HISTORY: The petitioned area was given an E-1 Estate District zoning classification by the 2009 comprehensive rezoning. It was initially given that designation in the 1992 comprehensive rezoning. Its original zoning classification, given at the time zoning was first established in Worcester County in the mid-1960s, was A-1 Agricultural District, a classification retained until 1992.

J. SURROUNDING ZONING: The properties immediately to the south and west of the petitioned area are zoned E-1 Estate District while the more sensitive areas along the St. Martins River are zoned RP Resource Protection District. The properties on the easterly side of Salt Grass Point Road, immediately opposite the petitioned area, are zoned A-2 Agricultural District and are developed as the Bali Hi Campground. There is also a small area of C-1 Neighborhood Commercial District zoning on the southerly side of St. Martins Neck Road at the entrance to this campground. Properties to the east of Bali Hi are zoned R-1 Rural Residential District. Properties on the northerly side of St. Martins Neck Road to

the west of Back Creek Road are zoned A-1 Agricultural District while those to the east of that roadway are zoned A-2 Agricultural District and RP Resource Protection District. The Todd Industrial Park is located on the northerly side of St. Martins Neck Road to the west of the petitioned area and is zoned I-1 Light Industrial District.

- K. **COMPREHENSIVE PLAN:** According to the 2006 Comprehensive Plan and associated land use map, the petitioned area is within the Agricultural Land Use Category.
- L. **WATER AND WASTEWATER:** With regards to wastewater disposal and the provision of potable water, according to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the petitioned area is located within the boundaries of the Lighthouse Sound sewer planning area.
- M. **ROAD ACCESS:** The petitioned area fronts on and currently has access to both St. Martins Neck Road and Salt Grass Point Road. Both of these roadways are County-owned and -maintained. The Comprehensive Plan identifies St. Martins Neck Road as a two-lane secondary highway/minor collector highway. Salt Grass Point Road is not specifically mentioned in the Comprehensive Plan.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. As the basis for the rezoning request from E-1 Estate District to A-2 Agricultural District Mr. Cropper, attorney for the applicant, contended that there is a mistake in the existing zoning classification of the petitioned area and that there has been a substantial change in the character of the neighborhood since the last comprehensive rezoning, adopted by the County Commissioners on November 3, 2009.

Mr. Cropper introduced Applicant's Exhibit No. 1, a large format zoning map of the area, showing the St. Martins Neck Road corridor in the vicinity of the petitioned area. Mr. Cropper pointed out the petitioned area on this map, identified as a hatched area, and the dashed line that represents the neighborhood for the petitioned area. He called R. D. Hand, landscape architect, of R. D. Hand and Associate, as a witness. Mr. Hand described the neighborhood as being bound on the north by St. Martins Neck Road and extending along a creek in an easterly direction to the Assawoman Bay, on the east by the Assawoman Bay, on the south by St. Martins River but not including the Isle of Wight, and on the west by Harry Creek. He asserted that all of the boundaries cited are natural features. Mr. Cropper noted that the Aramis subdivision, though not yet developed, is located at the westerly limits of the neighborhood and represents a natural boundary, in that most everything to the west of that subdivision is largely

agricultural in nature. He maintained that any area within a five to ten minute drive of the petitioned area and all of the properties served by the Lighthouse Sound wastewater treatment facility should be considered as being within the neighborhood. Mr. Cropper introduced Applicant's Exhibit No. 2, a plat of the petitioned area identifying it as Outparcel 1 and marked by hatching, which illustrates that a small portion of the petitioned area falls within the Atlantic Coastal Bays Critical Area (Critical Area). He stated that the petition for rezoning does not include that portion of the petitioned area which lies within the Critical Area, the proposed zoning boundary is intended to follow the Critical Area line, and that in the event the proposed rezoning is granted, the property owner will create a boundary line adjustment to remove the Critical Area portion of the subject property from the boundaries of Outparcel 1. He maintained that that portion of the subject property which falls within the confines of the Critical Area should remain zoned E-1 Estate District and RP Resource Protection District.

Mr. Hand asserted that the existing E-1 Estate District zoning on the petitioned area is a mistake, for several reasons. First of all, the petitioned area is shown by the Comprehensive Plan as being within the Agricultural Land Use Category, as is most of the St. Martins Neck Road corridor. Additionally, sensitive areas, including a creek and wooded nontidal wetlands, are located on the westerly portion of the petitioned area and are thus not conducive to residential development. The soils on the site are poorly drained and would most likely not pass seasonal testing for onsite septic disposal systems. Finally, the petitioned area is located at the junction of St. Martins Neck Road and Salt Grass Point Road. This roadside location is not suitable for the peaceful enjoyment of a residential subdivision. While not appropriate to residential development, the site could be utilized for purposes allowed by the A-2 Agricultural District. Thus the petitioned area should not be zoned E-1 Estate District. Even more importantly, the E-1 Estate District has not accomplished what it was intended to do. While it functions to lower density it does so by consuming large swaths of land and therefore actually becomes sprawl. It is thus the antithesis of smart growth that the Comprehensive Plan calls for. Mr. Hand noted that a single family residential subdivision in accordance with the E-1 Estate District regulations was previously planned for the property of which the petitioned area is an outparcel. However, when weighing the cost of development, including the installation of infrastructure such as roads, stormwater management facilities, sewer and the like, against the projected value of the lots, it was determined that the costs were out of proportion and the project was abandoned. Mr. Cropper introduced Applicant's Exhibit No. 3, an excerpt from § ZS 1-203 which is the E-1 Estate District regulations as contained in the Zoning and Subdivision Control Article. He specifically cited a portion of § ZS 1-203(a), the purpose and intent statement, which states "(I) it is further the intent of this Section that no additional lands shall be included in this zoning district either by a comprehensive rezoning or individual application and that the district shall be eliminated subsequent to the next State-mandated review

of the Comprehensive Plan.” Mr. Hand and Mr. Cropper asserted that the County intends to do away with the E-1 Estate District because it has been discerned that the district is not beneficial and instead promotes sprawl and thus the ineffective and inefficient provision of services. The existing E-1 Estate District on the petitioned area is consequently a mistake. Mr. Hand stated that if the petitioned area was rezoned to A-2 Agricultural District it would permit a natural expansion of the existing Bali Hi campground located on the easterly side of Salt Grass Point Road, opposite the petitioned area. This use would have no year-round impacts because such a campground is required to be closed for a portion of the year and there would be less impervious surfaces. Noting that the A-2 Agricultural District allows a variety of agricultural uses, including crop land, Mr. Hand stated that a campground is a special exception use in the A-2 Agricultural District which would necessitate review and approval by the Board of Zoning Appeals and is subject to a public hearing.

Acknowledging that Robert Mitchell, Environmental Programs Director, stated in his response memo that adequate sewer capacity is not available from the Lighthouse Sound wastewater system to serve a campground, Mr. Hand stated that this is an opportunity for a public/private partnership to upgrade those facilities. He maintained that the developer providing funds to upgrade the facility would be better environmentally than having on-site septic for residences. He noted that the soils on the petitioned area would most likely not pass the required seasonal testing for such on-site septic systems.

Relative to change in the character of the neighborhood, Mr. Cropper asserted that the major change is the realization that the E-1 Estate District zoning classification does not work as it was intended. He cited the Aramis and Grand View subdivisions as evidence of this. In the case of the Aramis subdivision, located a short distance to the west of the petitioned area, the lots are not selling, while the Grand View subdivision, located at Public Landing, has had all of its lots reconsolidated by means of a new plat and all roads and other infrastructure removed.

Raising the question of whether the requested A-2 Agricultural District zoning is more desirable in terms of the Comprehensive Plan, Mr. Cropper introduced Applicant’s Exhibit No. 4, an excerpt from Chapter Two Land Use of the Comprehensive Plan, with portions of sentences highlighted (Page 10 of the Comprehensive Plan). He asserted that, as indicated by this exhibit, the Comprehensive Plan calls for concentrating development and locating planned development in growth areas. Yet the existing E-1 Estate District regulations do not concentrate development, instead sprawling it over larger areas, frequently removed from the more developed areas of Worcester County. Mr. Cropper contended that the requested A-2 Agricultural District was more in keeping with the objectives of the Comprehensive Plan.

Mr. Cropper summarized his presentation by reviewing the definition of the neighborhood, stating that there had been no change of any significance to the neighborhood's population since the comprehensive rezoning of 2009, that public wastewater facilities may be available via connection to Lighthouse Sound's wastewater system, and that there will be no change to present or future transportation patterns arising from the proposed rezoning. He maintained that the requested rezoning to A-2 Agricultural District is compatible with the existing agricultural and low density residential uses to the west and the existing Bali Hi campground to the east and that there will be no environmental impact. He noted that the petitioned area is classified as being within the Agricultural Land Use Category according to the Comprehensive Plan and that that Plan calls for getting rid of the E-1 Estate District zoning classification. However, the existing E-1 Estate District classification on the petitioned area is essentially a residential zoning district. He stated that the requested A-2 Agricultural District is consequently compatible with the Comprehensive Plan. Mr. Cropper asserted that it is a mistake to have the property placed within the Agricultural Land Use Category but zoned E-1 Estate District. He maintained that the soils on the site are poorly drained and will most likely not pass testing for on-site septic disposal. Additionally, sensitive areas, including a creek and wetlands, are located on the westerly portion of the petitioned area. Mr. Cropper asserted that the petitioned area should therefore not be developed residentially. He contended that infrastructure for a subdivision on the petitioned area would have a disproportionate impact. He reiterated that the E-1 Estate District is in hindsight not a suitable zoning classification. He finished his presentation by stating that if the petitioned area was rezoned to A-2 Agricultural District, all of the uses allowed by that district would be available to the petitioned area, including campground uses. He asserted that such a use would constitute a logical expansion of the existing Bali Hi Campground and would truly be smart growth.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The neighborhood was defined by the applicant as being bound on the north by St. Martins Neck Road and extending along a creek in an easterly direction to the Assawoman Bay, on the east by the Assawoman Bay, on the south by St. Martins River but not including the Isle of Wight, and on the west by Harry Creek. The Planning Commission concurred that this is an appropriate definition of the neighborhood because the neighborhood is largely agrarian and rural in nature, including agricultural uses and scattered, low density residential uses, as well as the Bali Hi Campground across Salt Grass Point Road from the petitioned area. The Planning Commission concluded that the boundaries proffered by the applicant are easily identifiable features that make natural boundaries. The Planning Commission thus accepted that applicant's definition of the neighborhood.

- B. Regarding population change: The Planning Commission concluded that there has not been a significant increase in the population of the neighborhood since the comprehensive rezoning of 2009. Any increase has been due to infill development of existing lots of record but has been minimal.**
- C. Regarding availability of public facilities: The Planning Commission found that according to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the petitioned area is located within the boundaries of the Lighthouse Sound sewer planning area. He stated in his memo that a sewer planning area designation of S-1 for the property to be included in the Lighthouse Sound sewer planning area was approved under County Commissioners' Resolution 06-27 and is a part of the *Master Water and Sewerage Plan*. He noted that this was done as a part of the Salt Grass Road Farms planning amendment relative to connection of that proposed subdivision that was to be built on the subject property. Mr. Mitchell stated that there have been examinations of varying degrees on the potential to expand the capacity of the Lighthouse Sound Wastewater Treatment plant and that while the amendment he referenced did provide capacity for the proposed residential subdivision on the subject property, it would not provide near enough capacity to service the rental campground use mentioned by Mr. Cropper in his attachment in support of the Rezoning Application. He continued by stating that he expects that there will be future investigations and findings on just what that capacity will be and decisions on what can be approved by local and state agencies and that the capacity potentially exists to expand but that is a complicated question as the answer lies in providing solutions to both treatment and land application concerns. Mr. Mitchell furthermore stated that providing sufficient answers to regulatory concerns with capacity evaluations and site investigations will fall on the shoulders of the owners of the subject property and their development partners if it is their intent to proceed with a rental campground should this rezoning be approved. No comments were received from John H. Tustin, P. E., Director of Public Works. The Planning Commission noted that Mr. Hand had testified that the soils on the petitioned area were unlikely to support on-site septic systems and, in acknowledgment of Mr. Mitchell's comments, had stated that this is an opportunity for a public/private partnership to upgrade the Lighthouse Sound facilities. He maintained that the developer providing funds to upgrade the facility would be better environmentally than having on-site septic for residences. Based upon the comments of Mr. Mitchell and the testimony of the applicant's representatives, the Planning Commission found that disposal of wastewater may be available through the Lighthouse Sound system once adequate examination and improvements are made in conjunction with the developer of any use on the petitioned area if rezoned. The Planning Commission determined that fire and ambulance service will be available from the Bishopville Volunteer Fire Company, located approximately ten minutes from the petitioned area. No**

comments were received from the BVFC with regard to this particular review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks. Chief Deputy J. Dale Smack 3rd of the Worcester County Sheriff's Office by phone stated that he had reviewed the application and spoken with Sheriff Mason relative to the rezoning case and they saw no issues with the propose rezoning and concluded that it will not interfere with law enforcement activities. The petitioned area is within the area served by the following schools: Showell Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education. In consideration of its review and in light of the fact that the A-2 Agricultural District is a less intense district than is the existing E-1 Estate District, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning of the petitioned area and that the applicant will most likely need to address the adequacy of public wastewater facilities.

- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on and currently has access to both St. Martins Neck Road and Salt Grass Point Road. Both of these roadways are County-owned and -maintained. St. Martins Neck Road provides access to MD Route 90 and to MD Route 367 (Bishopville Road). The Comprehensive Plan identifies St. Martins Neck Road as a two lane County Road/Minor Collector Highway. It states that this minor collector links MD Route 90 at its south end to MD Route 367 (Bishopville Road) and provides a secondary link from Ocean City to US Route 113, northeastern Worcester County and the Delaware beaches and that this roadway's current configuration should be adequate for the planning period. Salt Grass Point Road terminates in a dead end and is not specifically mentioned by the Comprehensive Plan. It is considered to be a minor local road. Donnie L. Drewer, District Engineer, for State Highway Administration District 1, stated in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, and that St. Martins Neck Road in the area of Salt Grass Point Road is not a state highway and therefore the SHA had no comment regarding the case. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments relative to this rezoning application. The applicant's representatives testified that traffic impacts would be less under the proposed A-2 Agricultural District than they could potentially be if the petitioned area were to be developed in accordance with its existing E-1 Estate District zoning classification. Based upon its review, the Planning Commission found that there will be no negative impact to the transportation patterns arising from the proposed

rezoning of the petitioned area.

- E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission concluded that the neighborhood displays a largely agricultural/rural character, with agricultural and scattered single-family dwellings being the predominant features along with the Bali Hi Campground. The Planning Commission noted that Mr. Hand testified that sensitive areas, including a creek and wooded nontidal wetlands, are located on the westerly portion of the petitioned area. Additionally, Mr. Hand testified that the soils on the petitioned area are poorly drained and not conducive to on-site septic disposal. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from C-2 General Commercial District to A-2 Agricultural District is compatible with existing and proposed development and existing environmental conditions in the area and will lessen the potential for adverse impacts on environmental conditions.
- F. Regarding compatibility with the Comprehensive Plan: The Planning Commission found that according to the Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural Land Use Category. With regard to this Land Use Category, the Comprehensive Plan states that the importance of agriculture to the County cannot be overstated, that its significance is economic, cultural, environmental, and aesthetic, and that agriculture is simply the bedrock of the County's way of life. The Plan goes on to say that the County must do all it can do to preserve farming as a viable industry, that this category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted, that large contiguous areas of productive farms and forest shall be maintained for agricultural uses, and that residential and other conflicting land uses, although permitted, are discouraged. Furthermore, the Planning Commission noted that certain pertinent objectives were also cited in the Land Use chapter of the Comprehensive Plan and state that the dominance of agriculture and forestry uses should be continued through the County's less developed regions, that the character of the County's existing population centers should be maintained, that new development should be located in or near existing population centers and within planned growth centers, and that existing population centers should be infilled without overwhelming their existing character. Other objectives state that development should be regulated to minimize consumption of land and that rural development should be limited to uses compatible with agriculture and forestry. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from E-1 Estate District to A-2 Agricultural District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. The Planning Commission found that the petitioned area is shown by the Comprehensive Plan as being within the Agricultural Land Use Category, as is most of the St. Martins Neck Road corridor. Additionally, sensitive areas, poorly drained soils and a roadside location make residential development of the petitioned area difficult and inappropriate. Thus the petitioned area should not be zoned E-1 Estate District. However, the Planning Commission concurred with the applicant's argument that of even more importance is the fact that the E-1 Estate District does not function as intended. Originally meant to beneficially lower density and thus crowding, the E-1 Estate District has now been shown to ineffectively and inefficiently consume large amounts of land and therefore actually results in undesirable sprawl. The Planning Commission found that the zoning district is consequently diametrically opposed to the smart growth called for in the Comprehensive Plan. The Planning Commission agreed with the applicant's assertion that the existing E-1 Estate District on the petitioned area is therefore a mistake. The Planning Commission recognized that, if rezoned, the petitioned area could be put to any use permitted by the proposed A-2 Agricultural District but concluded that the proposed rezoning would permit what is essentially a logical expansion of an existing campground and that this would be an appropriate form of smart growth for the area. Based upon its review, the Planning Commission concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 398, seeking a rezoning of the petitioned area from E-1 Estate District to A-2 Agricultural District.**

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT

REZONING CASE NO. 398

PROPERTY OWNER: Salt Grass Bali Hi LLC
616 Williams Street
Berlin, Maryland 21811

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

TAX MAP/PARCEL INFO: Tax Map 10 - Part of Parcel 314 - Outparcel 1 - Tax District 5

SIZE: The petitioned area is 24.031 acres in size.

LOCATION: The petitioned area is located on the westerly side of Salt Grass Point Road and southerly side of St. Martins Neck Road.

CURRENT USE OF PETITIONED AREA: The petitioned area is tilled cropland and forested.

CURRENT ZONING CLASSIFICATION: E-1 Estate District

REQUESTED ZONING CLASSIFICATION: A-2 Agricultural District

APPLICANT'S BASIS FOR REZONING: According to the application, the request for rezoning is based on a mistake in the existing zoning classification and a substantial change in the character of the neighborhood since the last comprehensive rezoning (November 3, 2009).

ZONING HISTORY: The petitioned area was given an E-1 Estate District zoning classification by the 2009 comprehensive rezoning. It was initially given that designation in the 1992 comprehensive rezoning. Its original zoning classification, given at the time zoning was first established in Worcester County in the 1960s, was A-1 Agricultural District.

SURROUNDING ZONING: The property immediately to the south and west of the petitioned area are zoned E-1 Estate District while the more sensitive areas along the St. Martins River are zoned RP Resource Protection District. The properties on the easterly side of Salt Grass Point Road, immediately opposite the petitioned area, are zoned A-2 Agricultural District and are developed as the Bali Hi Campground. There is also a small area of C-1 Neighborhood Commercial District zoning on the southerly side of St. Martins Neck Road at the entrance to this campground. Properties to the east of Bali Hi are zoned R-1 Rural Residential District. Properties on the northerly side of St. Martins Neck Road to the west of Back Creek Road are zoned A-1 Agricultural District while those to the east of that roadway are zoned A-2 Agricultural District and RP Resource Protection District. The Todd Industrial Park is located on

the northerly side of St. Martins Neck Road to the west of the petitioned area and is zoned I-1 Light Industrial District.

COMPREHENSIVE PLAN:

According to Chapter 2 - Land Use of the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Agricultural Land Use Category. With regard to the Agricultural Land Use Category, the Comprehensive Plan states the following:

"The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county's way of life. The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses and residential and other conflicting land uses, although permitted, are discouraged. " (Page 18)

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

-
 - 2. Continue the dominance of agriculture and forestry uses through the county's less developed regions.
 - 3. Maintain the character of the county's existing population centers.
 - 4. Locate new development in or near existing population centers and within planned growth centers.
 -
 - 6. Infill existing population centers without overwhelming their existing character.
 -
 - 8. Regulate development to minimize consumption of land, while continuing the county's rural and coastal character.
 -
 - 19. Limit rural development to uses compatible with agriculture and forestry.
 -
- (Pages 12, 13)

In Chapter 4 - Economy, the Comprehensive Plan provides a number of objectives related to Tourism. Certain of these state the following:

- "1. Support the traditional resort industry while diversifying this offering with a broader range of high caliber recreational/cultural facilities.
- 2. Encourage the development of sports, cultural or other large attractions to reinforce the county's traditional attractions.
-
- 4. Work with the towns to support their tourism efforts.

5. **Expand eco-tourism opportunities through environmental, heritage and cultural attractions.**
6. **Accommodate the location of year-round recreational and resort oriented land uses.**
7. **Develop facilities and attractions that continue full operation in the non-peak seasons.**
8. **Recognize and provide for the needs of the hunting, fishing, and boating sectors.” (Pages 58, 59)**

This chapter also includes objectives related to Agriculture and Forestry. Included among these are the following:

- “1. Work to preserve farming and increase its economic viability.**
- 2. Provide for sufficient agricultural support services.**
- 3. Reduce farm area fragmentation through agricultural zoning permitting only minor subdivisions, the state’s agricultural preservation program, the Rural Legacy program and explore the use of a transfer of development rights and other preservation mechanisms.**
- (Page 60)**

In Chapter Five - Housing, the Comprehensive Plan addresses campgrounds. The Plan states the following:

“Campgrounds provide temporary recreational housing and they have been part of the county’s resort tradition. The county has enacted a variety of site, design, and occupancy standards for campgrounds and should continue to monitor their development, operation, and use for compliance. While suitable for temporary accommodations, these uses should not be permitted to evolve into permanent housing due to health and safety issues.” (Page 69)

In Chapter Six - Public Infrastructure, the Comprehensive Plan includes several objectives, including the following:

- “1. Meet existing public facility and service needs as a first priority. Health and safety shall take precedence.**
- 2. Permit development to occur only as rapidly as services can be provided.**
- 3. Ensure adequate public facilities are available to new development.**
- 4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demand it creates.**
-” (Page70)**

Chapter Seven - Transportation of the Comprehensive Plan states that “Worcester’s roadways experience morning and evening commuter peaks; however, they are dwarfed by summer resort traffic.Resort traffic causes the most noticeable congestion on US 50, US 113, US 13,

MD 528, MD 589, MD 611, and MD 90. " (Page 79)

In this chapter St. Martins Neck Road is identified as a two lane County Road/Minor Collector Highway. It states that this minor collector links MD Route 90 at its south end to MD Route 367 (Bishopville Road) and provides a secondary link from Ocean City to US Route 113, northeastern Worcester County and the Delaware beaches and that this roadway's current configuration should be adequate for the planning period. (Page 86)

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

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

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the petitioned area is located within the boundaries of the Lighthouse Sound sewer planning area. He states that a sewer planning area designation of S-1 for the property to be included in the Lighthouse Sound sewer planning area was approved under County Commissioners' Resolution 06-27 and is a part of the *Master Water and Sewerage Plan*. He notes that this was done as a part of the Salt Grass Road Farms planning amendment, that the original amendment was to connect a proposed subdivision that was to be built on the subject property, and that he attached a map of that amendment to his memo. Mr. Mitchell states that there have been examinations of varying degrees on the potential to expand the capacity of the Lighthouse Sound Wastewater Treatment plant and that while the amendment he references did provide capacity for a proposed residential subdivision on the subject property, it would not provide near enough capacity to service the rental campground use mentioned by Mr. Cropper in his attachment in support of the Rezoning Application. He states that he expects that there will be future investigations and findings on just what that capacity will be and decisions on what can be approved by local and state agencies, and that the capacity potentially exists to expand but that is a complicated question as the answer lies in providing solutions to both treatment and land application concerns. Mr. Mitchell furthermore states that providing sufficient answers to regulatory concerns with capacity evaluations and site investigations will fall on the shoulders

of the owners of the subject property and their development partners if it is their intent to proceed with a rental campground should this rezoning be approved. No comments were received from John H. Tustin, P. E., Director of Public Works.

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

Fa - Fallsington Sandy Loam - severe limitations to on-site wastewater disposal

MpA - Mattapex Fine Sandy Loam - severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Bishopville Volunteer Fire Department. The BVFD facilities are located approximately ten minutes away. No comments were received from the fire company with regard to this particular review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or the Worcester County Sheriff's Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on both St. Martins Neck Road and Salt Grass Point Road. Both of these roadways are County-owned and -maintained. St. Martins Neck Road provides access to MD Route 90 and to MD Route 367 (Bishopville Road). The Comprehensive Plan identifies St. Martins Neck Road as a two lane County Road/Minor Collector Highway. It states that this minor collector links MD Route 90 at its south end to MD Route 367 (Bishopville Road) and provides a secondary link from Ocean City to US Route 113, northeastern Worcester County and the Delaware beaches and that this roadway's current configuration should be adequate for the planning period. Salt Grass Point Road terminates in a dead end and is not specifically mentioned by the Comprehensive Plan. It is considered to be a minor local road. Donnie L. Drewer, District Engineer, for State Highway Administration District 1, states in his response memo (copy attached) that that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, and that St. Martins Neck Road in the area of Salt Grass Point Road is not a state highway and therefore the SHA has no comment regarding the case. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments relative to this rezoning application.

SCHOOLS: No comments were received from the Worcester County Board of Education.

CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS: According to the response memo of Robert J. Mitchell, the petitioned area lies outside of the Atlantic Coastal Bays Critical Area. He states that if the subject property is enjoined with adjacent lands to the south (which apparently do lay within the Atlantic Coastal Bays Critical Area) in development of a rental campground, all proposed development activities conducted inside the Critical Area boundaries must meet the requirements of Title 3 (Land and Water Resources), Subtitle I (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Local Laws, as from

time to time amended, in effect at the time of the proposed development activities.

FLOOD ZONE: The FIRM map indicates that a small part of the petitioned area is within Zone X (area of minimal flooding) while part is within Zone X (0.2% Annual Chance Flood) and part is within Zone AE (100 Year Flood with Base Flood Elevation).

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

INCORPORATED TOWNS: The site is not within one mile of the corporate limits of any town.

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

No additional comments received.

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

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

- 1) What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
- 2) Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
- 3) Relating to population change.
- 4) Relating to availability of public facilities.
- 5) Relating to present and future transportation patterns.
- 6) Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
- 7) Relating to compatibility with the Comprehensive Plan.
- 8) Has there been a substantial change in the character of the neighborhood where the

property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?

- 9) Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

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

PLEASE TYPE
OR PRINT IN
INK

AMENDED

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

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

Rezoning Case No. 398

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/30/15 / Amended 11/20/15

Date Reviewed by Planning Commission: 1/7/16

I. Application

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

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

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 10
- B. Parcel Number(s): P/O 314
- C. Lot Number(s), if applicable: Outparcel 1
- D. Tax District Number: 05

III. Physical Description of Property

- A. Located on the West side of Salt Grass Point Road approximately _____ to the _____ of _____.
- B. Consisting of a total of 24.031 acres of land.

- C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:

Outparcel 1, reserved lands of developer, 24.031 acres, as shown on the subdivision plat recorded in Plat Book SVH 234, Folios 8-17.

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

IV. **Requested Change to Zoning Classification(s)**

- A. Existing zoning classification(s): **E-1, Estate District**
(Name and Zoning District)
- B. Acreage of zoning classification(s) in "A" above: **24.031 acres**
- C. Requested zoning classification(s): **A-2, Agricultural**
(Name and Zoning District)
- D. Acreage of zoning classification(s) in "C" above: **24.031 acres**

V. **Reasons for Requested Change**

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

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

Please see attached

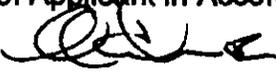
IV. **Filing Information and Required Signatures**

- A. Every application shall contain the following information:
1. If the application is made by a person other than the property

owner, the application shall be co-signed by the property owner or the property owner's attorney.

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

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

Signature: 

Printed Name of Applicant:

Hugh Cropper, IV, Attorney for Salt Grass Ball HI, LLC

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

E-Mail: hcropper@bbcmlaw.com

Date: _____

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

Mailing Address: _____

Phone Number: _____

E-Mail: _____

Date: _____

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

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January

31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.

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

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

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

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

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

more desirable in terms of the objectives of the Comprehensive Plan.

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

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

ATTACHMENT IN SUPPORT OF REZONING APPLICATION,
SALT GRASS BALL-HI, LLC

INTRODUCTION

Salt Grass Ball-Hi, LLC, a Maryland Limited Liability Company, by its attorney, Hugh Cropper, IV, respectfully submits the following in support of its rezoning application:

This is an application for a Map Amendment to rezone approximately 24.031 acres of land, located on the south side of St. Martins Neck Road, and the west side of Salt Grass Point Road, from E-1, Estate District, to A-2, Agricultural District.

DEFINITION OF THE NEIGHBORHOOD

The proposed neighborhood is set forth on the exhibit attached hereto, and incorporated herein by reference.

MISTAKE

The applicant contends there was a mistake, albeit a good faith mistake, in the March 3, 2009 Comprehensive Rezoning process.

Outparcel 1 is a separate subdivided parcel, by virtue of the plat recorded in Plat Book SVH 234, Folios 8-17. The majority of Outparcel 1 is located **outside the Atlantic Coastal Bays Critical Area.** There is a small remnant of Outparcel 1 located in the Critical Area.

As a condition of the rezoning application, the applicant would be willing to submit a Boundary Line Adjustment Plat, so that the southerly boundary line of Parcel 1 aligned with the Critical Area Boundary. This would become the new zoning boundary.

In hindsight, the property should have been zoned Agricultural District.

The property is designated Agricultural by virtue of the Worcester County Land Use Map dated March 7, 2006. The easterly portion of the property is currently under cultivation as agricultural fields.

The westerly portion of Outparcel 1 is primarily wooded non-tidal wetlands, and is not suitable for any type of use or development.

The property is not currently allocated any EDU's, and the soils are such

that on-site septic systems would be difficult, if not impossible, to permit. Also, the desirability of such systems would be limited.

It is neither desirable, nor is the property adequately suited, for an estate type development, with two acre residential lots.

There is absolutely no market for such lots, and the cost of infrastructure would outweigh the value of such a development.

By contrast, the subject property is the suitable for agriculture; the majority of the property is currently under cultivation for corn and soybeans. The remainder of the property is wooded non-tidal wetlands, which is also in accord with the proposed agricultural zoning district.

If the property is rezoned to agricultural district, the property owner could apply for a special exception to operate a rental campground. This would be the highest and best utilization of the property. Also, a rental campground would justify a connection to the Lighthouse Sound Sanitary Service Area, so the property could be served by a municipal septic facility. This is far more desirable than on-site septic systems, which would have to be installed in an estate type development.

There are other agricultural and campground uses in the area, so the agricultural zoning district would be more consistent with the character of the neighborhood.

**SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD
SINCE THE LAST COMPREHENSIVE REZONING**

The primary basis for this rezoning is a mistake; however, there have been substantial changes in the character of the neighborhood.

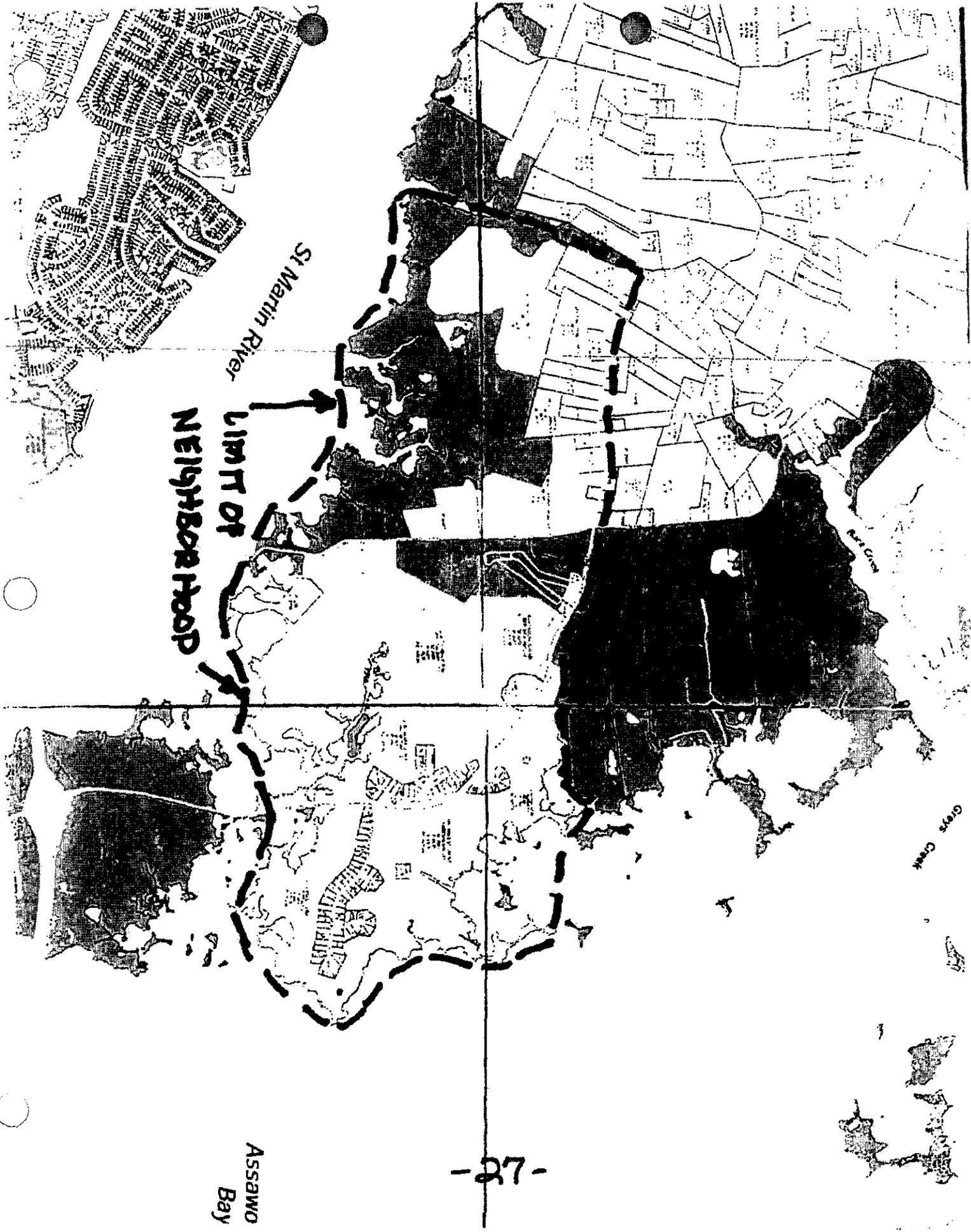
Specifically, there have been upgrades to the Lighthouse Sound Wastewater Treatment Facility, and proposed upgrades, which could possibly permit the subject property to connect to that Facility. This opportunity was not available on November 3, 2009. If this is the case, it will allow the property owner to utilize this property as its highest and best use, which is probably a special exception for a rental campground. The Bali-Hi Campground, which has existed for many, many years, is located just east of this property.

The opportunity to connect this property to a public sewer system is truly a substantial change to the character of the neighborhood, and should justify the requested rezoning.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hugh Cropper IV", written over a horizontal line.

Hugh Cropper IV, Attorney for
Applicant



LIMIT OF
NEIGHBORHOOD

Assawo
Bay

CURTIS H. BOOTH
BRYNJA MCDIVITT BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
ROY B. COWDREY, JR. **

* ADMITTED IN MD & DC
** OF COUNSEL

LAW OFFICES
**BOOTH BOOTH
CROPPER & MARRINER P.C.**

9923 STEPHEN DECATUR HIGHWAY, #D-2
OCEAN CITY, MARYLAND 21842
(410) 213-2681
EMAIL: hcropper@bbcmllaw.com

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

WEBSITE
www.bbcmllaw.com

October 29, 2015

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

RE: **Salt Grass Bali-Hi, LLC Rezoning**

Dear Phyllis:

Regarding the above referenced rezoning application, I am requesting to rezone that portion of Worcester County Tax Map 10, Parcel 31, located on the west side of Salt Grass Point Road, and outside the Atlantic Coastal Bays Critical Area geographical boundary, which is estimated to be 31.67 acres of land, more or less. In other words, it is all those properties located west of Salt Grass Point Road, and south of St. Martins Neck Road, owned by my client, outside the 1,000 foot Critical Area line.

If the rezoning is granted, the Critical Area line will become the Zoning District Boundary.

If you will let me know the fee based upon this amount of acreage, I am happy to get you a check right away.

Bob Hand is working on a plat for the hearing, but as soon as it is done, I will have him send it to you directly.

Mrs. Phyllis H. Wimbrow
October 29, 2015
Page Two

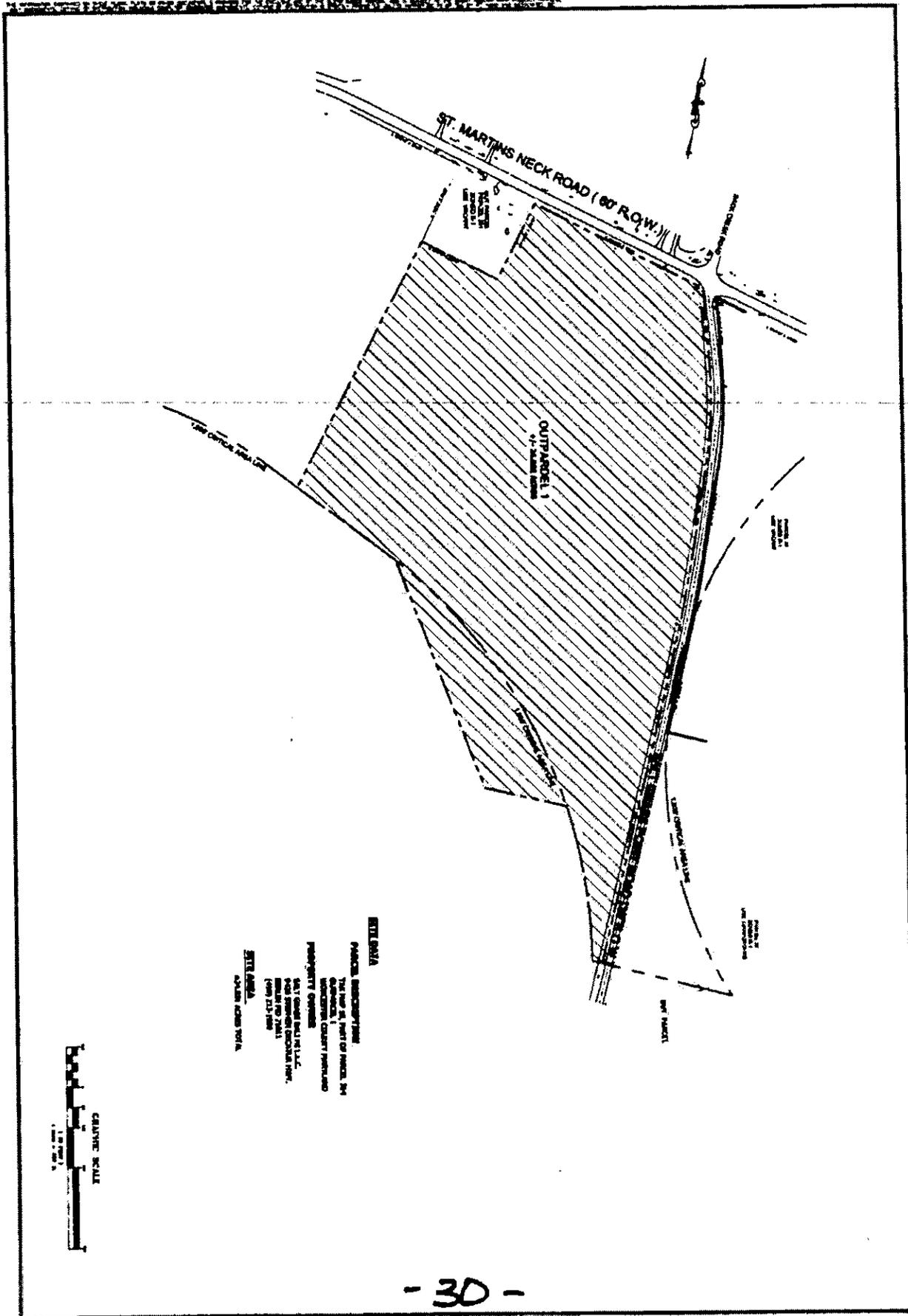
Thank you, and have a great day.

Very truly yours,



Hugh Cropper IV

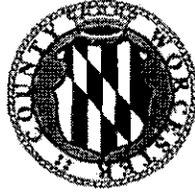
HC/tgb
CC: Robert Hand
James R. Bergey, CPA



SITE DATA
PARCEL DESCRIPTION:
 THE PART OF PARCEL 314
 OUTPARCEL 1
 WASHINGTON COUNTY MARYLAND
 PARCEL 314
 54.7 ACRES MORE OR LESS
 AS SHOWN ON THE
 RECORD MAP
 1000 1237800
SITE AREA:
 0.41 ACRES MORE OR LESS



- 30 -



Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, DDRP

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

Subject: Comments on Rezoning Case No. 398

Date: 12/16/15

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

Referring to the *Comprehensive Plan*, there is only one land use designation for the area of the subject property included in this rezoning request. The area is designated Agriculture in the *Plan*. This district is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. It is expected that residential and other conflicting land uses although permitted, are discouraged within this district. The areas adjacent to this property are all in either the Agricultural or Existing Developed land use districts, with the exception of the shoreline portions of the adjacent properties to the west of the subject property that border the St. Martins River and are designated Green Infrastructure in the *Plan*.

The property is similarly surrounded by different zoning designations of estate, agricultural and resource protection. The surrounding zoning and uses are compatible with their corresponding land use designations in the *Comprehensive Plan*.

-31-

Citizens and Government Working Together

The Department of Environmental Programs has the following specific comments:

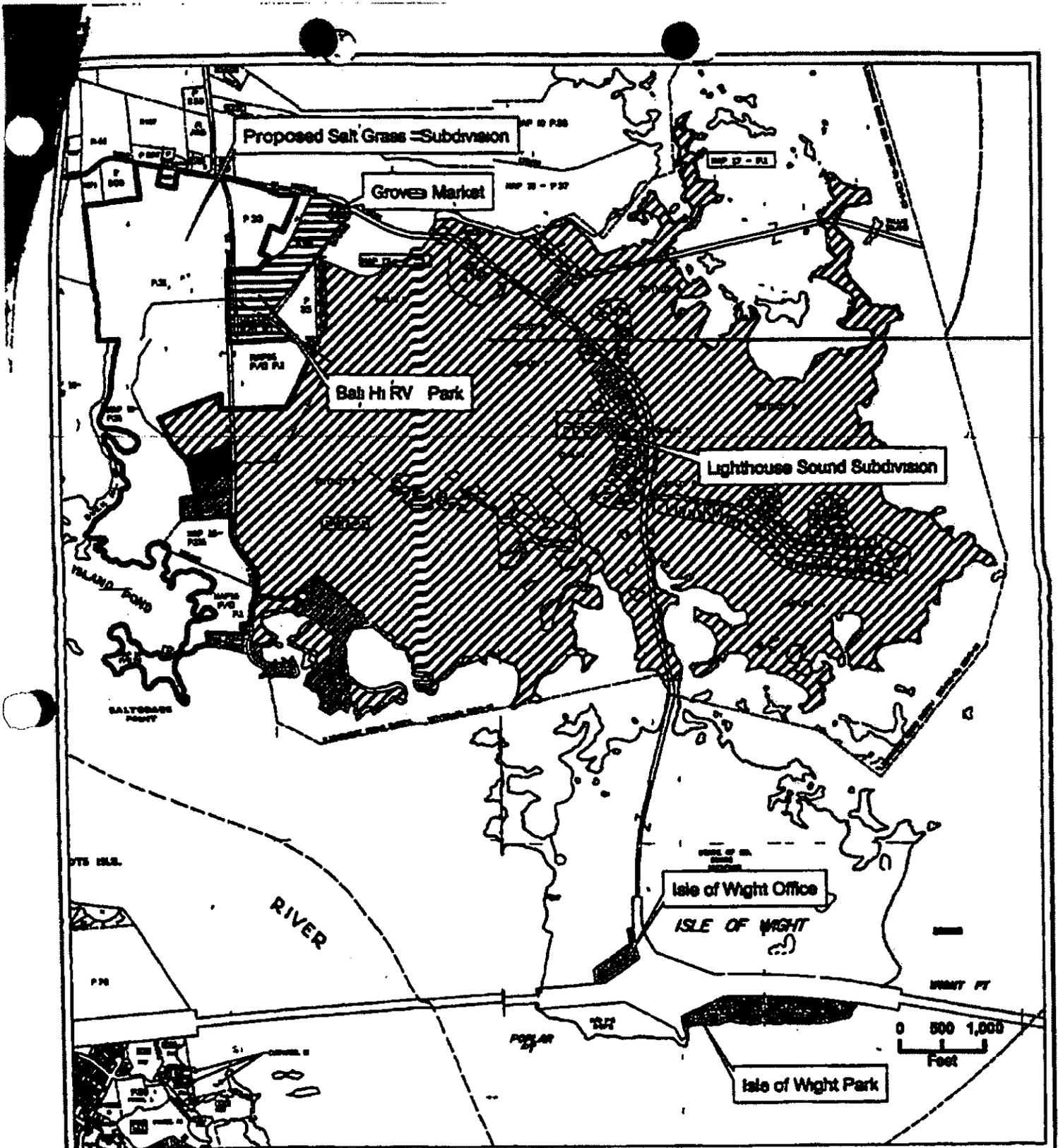
1. The subject property is located within the boundaries of the Lighthouse Sound sewer planning area. A sewer planning area designation of S-1 for the property to be included in the Lighthouse Sound sewer planning area was approved under County Commissioner Resolution 06-27 and is a part of the *Master Water and Sewerage Plan*. This was done as a part of the Salt Grass Road Farms planning amendment. The original amendment was to connect a proposed subdivision that was to be built on the subject property. I have enclosed a map of that amendment to this memo.
2. There have been examinations of varying degrees on the potential to expand the capacity of the Lighthouse Sound Wastewater Treatment plant. While the amendment referenced above did provide capacity for a proposed residential subdivision on the subject property, it would not provide near enough capacity to service the rental campground use mentioned by Mr. Cropper in his attachment in Support of the Rezoning Application. We expect that there will be future investigations and findings on just what that capacity will be and decisions on what can be approved by local and state agencies. The capacity potentially exists to expand, but that is a complicated questions as the answer lies in in providing solutions to both treatment and land application concerns. Providing sufficient answers to regulatory concerns with capacity evaluations and site investigations will fall on the shoulders of the owners of the subject property and their development partners if it is their intent to proceed with a rental campground should this rezoning be approved.
3. The subject property lies outside the Worcester County Atlantic Coastal Bays Critical Area. If the subject property is enjoined with adjacent lands to the south in development of a rental campground, all proposed development activities conducted inside critical area boundaries must meet the requirements of Title 3 (Land and Water Resources), Subtitle I (Atlantic Coastal Bays Bay Critical Area) of the Worcester County Code of Public Local Laws, as from time to time amended, in effect at the time of the proposed development activities.

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

Attachment

-32-

Citizens and Government Working Together



-  Proposed S-1 - Salt Grass Sub division
-  Proposed S-1- Septic Connections
-  S1- Present-2 years
-  Private System

Water and Sewer Plan Amendment
Lighthouse Sound
S-1 Proposed
Case 2006-1



Prepared by Worcester County Department of Comprehensive Planning, July 2006 Source: Water and Sewer Plan with Amendments, Worcester County Commissioners



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

November 30, 2015

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

RE: Worcester County
Rezoning Application Case No: 398
GCR Development, LLC
Tax Map 10; Parcel P/O 314; Lot Outparcel 1

Dear Ms. Wimbrow:

Thank you for the opportunity to review the Rezoning Application for Case No: 398 in Worcester County. The State Highway Administration (SHA) has reviewed the application and associated documents. We are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the SHA. Saint Martians Neck Road in the area of Salt Grass Point Road is identified as County Road 220 and not a state highway. Therefore the SHA has no comment regarding the case.

Thank you again for the opportunity to provide a response. If you have any questions regarding our response, please feel free to contact Ms. Rochelle Outten, District 1 Regional Engineer for Access Management via email routten@sha.state.md.us or by calling her directly 410-677-4098.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donnie L. Drewer", written over a horizontal line.

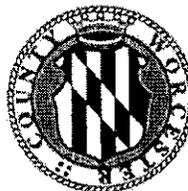
Donnie L. Drewer,
District Engineer

Cc:
Ms. Rochelle Outten, Regional Engineer- D-1 SHA

My telephone number/toll-free number is 1-800-825-4742
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 660 West Road, P. O. Box 2679 • Salisbury, Maryland 21802 • Phone: 410-677-4000 • FAX: 410-543-6598
www.roads.maryland.gov

-34-



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

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: November 24, 2015
RE: Rezoning Case No. 398

DIVISIONS

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

 410-632-2244
FAX: 410-632-0020

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

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

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

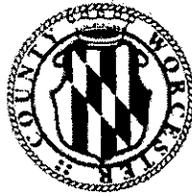
.....
Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 398: No comments at this time.

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

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

FJA/ll
H:\Rezoning\Rezoning Case 398.doc



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
 Fred Webster, Director, Worcester County Emergency Services
 Reggie Mason, Sheriff, Worcester County Sheriff's Office
 John H. Tustin, P. E., Director, Worcester County Public Works Department
 John Ross, P. E., Deputy Director, Worcester County Public Works Department
 Frank Adkins, Roads Superintendent, Worcester County Public Works
 Department
 Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
 Dr. Jerry Wilson, Superintendent, Worcester County Board of Education
 Donnie L. Drewer, District Engineer, Maryland State Highway Administration
 Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police
 Debbie Goeller, Health Officer, Worcester County Health Department
 Rob Clarke, State Forester, Maryland Forest Services
 Nelson D. Brice, District Conservationist, Worcester County Natural Resources
 Conservation Service
 David Collins, Fire Chief, Bishopville Volunteer Fire Company

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

DATE: November 20, 2015

RE: Rezoning Case No. 398

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at its meeting on January 7, 2016. This application seeks to rezone approximately 24.031 acres of land from E-1 Estate District to A-2 Agricultural District. Uses allowed in the proposed zoning district include, but are not limited to, agriculture, single-family dwellings, rural cluster subdivisions, telecommunication towers, small and medium wind

energy conversion systems, spray irrigation fields and storage lagoons, large solar energy systems, agricultural processing plants, agritainment facilities, wineries, golf courses, and campgrounds. With regard to residential uses, only minor subdivisions consisting of a maximum of five lots out of what was one parcel in 1967 are permitted. An additional lot may be feasible if clustering is utilized. In campgrounds, the density ranges from one tent site per 2,000 square feet of lot area to one recreational vehicle site per 3,000 square feet of lot area. Please note that other considerations such as sewage disposal, placement of roads serving the development, and open space requirements affect maximum permitted density to some degree.

For your reference I have attached a copy of the rezoning application and associated documents and a series of maps showing the property petitioned for rezoning. These maps include an aerial photo as well as maps showing the floodplain, hydric soils, Comprehensive Plan Land Use Classifications, the location, soils, and zoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on the plans, facilities or services for which your agency is responsible. If no response is received by *December 16, 2015 at the latest*, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners.

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

Attachments

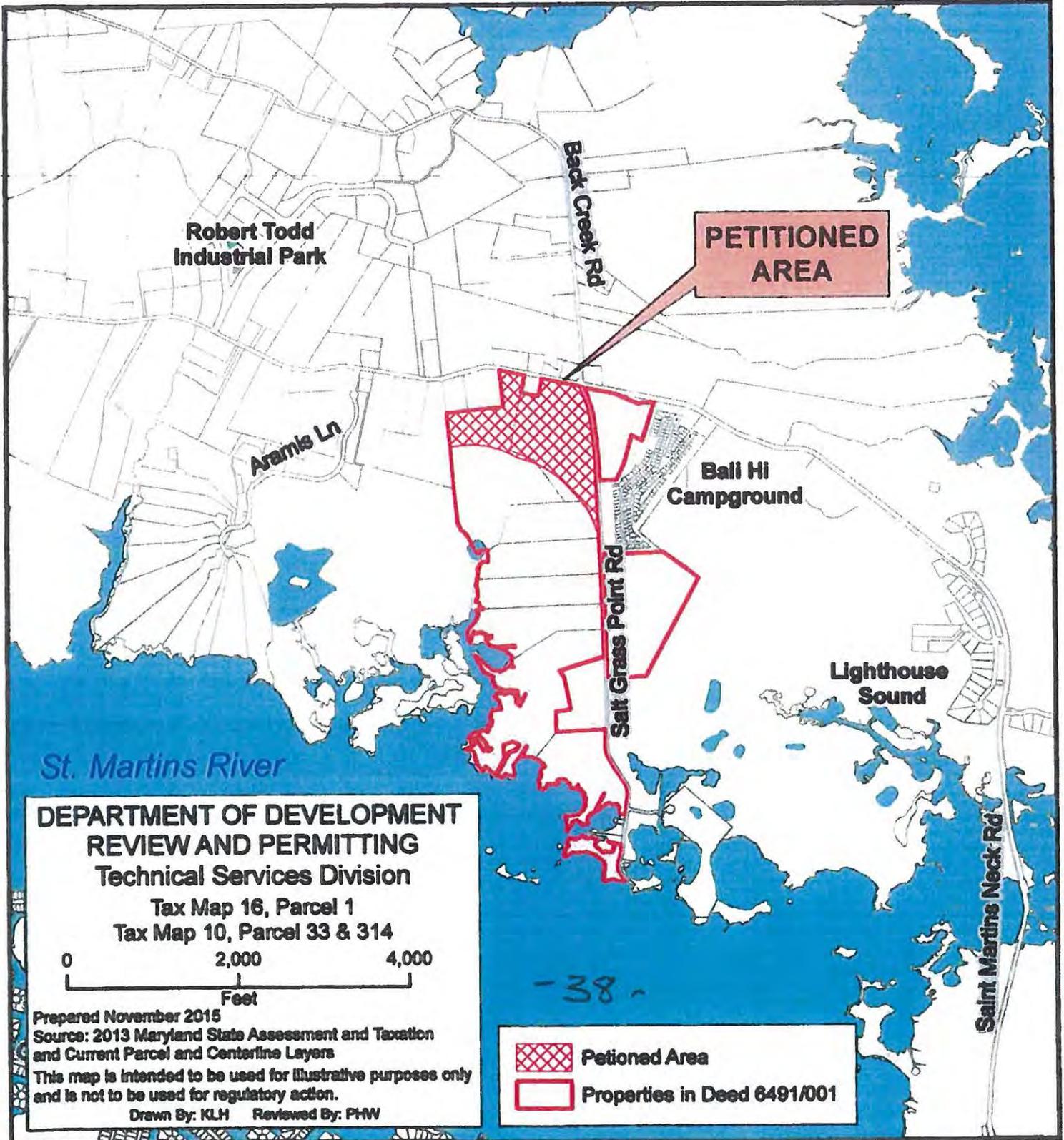
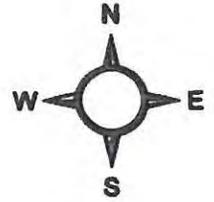


WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST
E-1 Estatel District to A-2 Agricultural District

LOCATION MAP



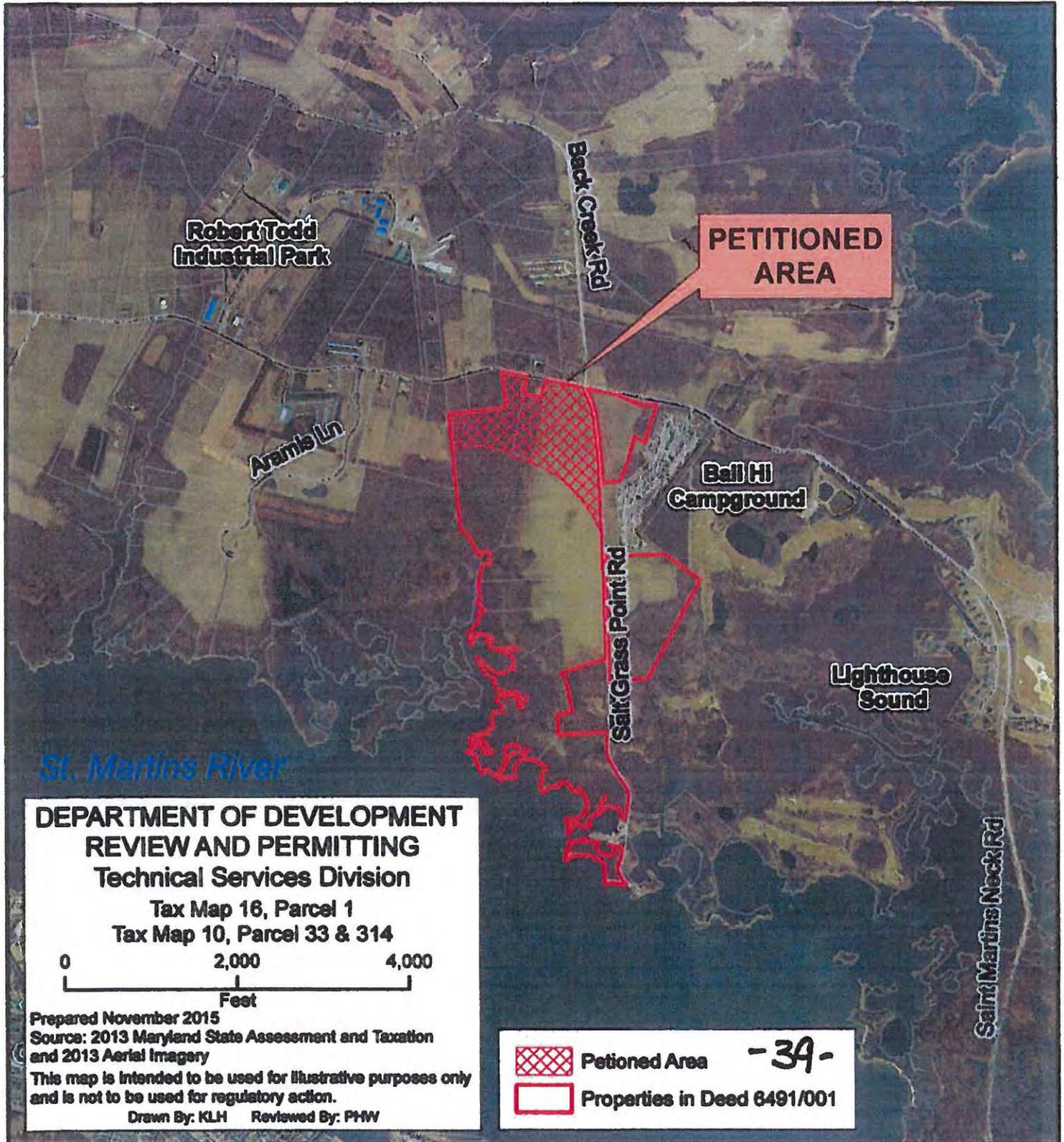
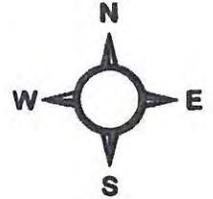


WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST
E-1 Estatel District to A-2 Agricultural District

AERIAL MAP





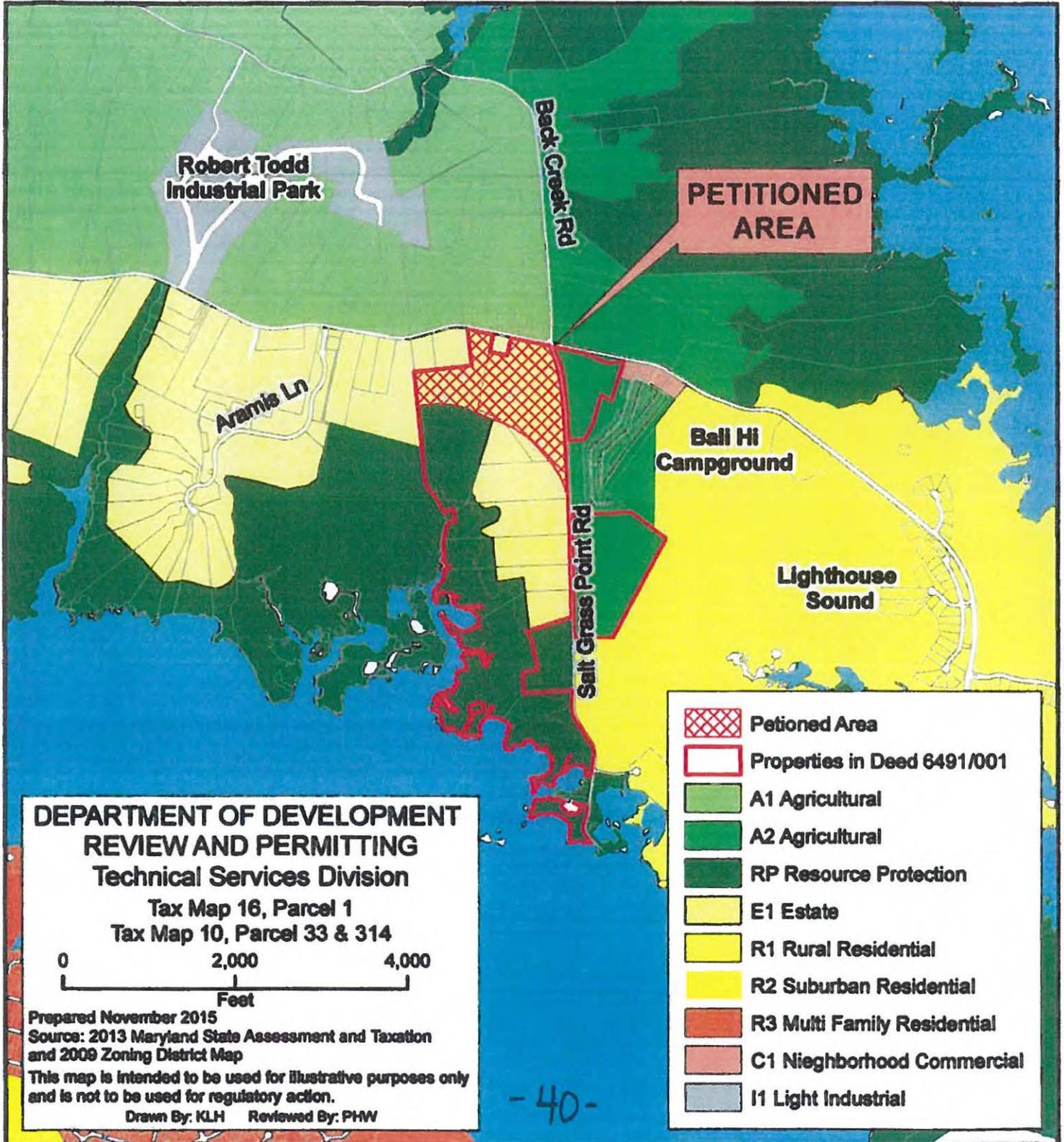
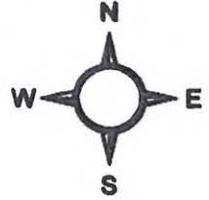
WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST

E-1 Estatel District to A-2 Agricultural District

ZONING MAP



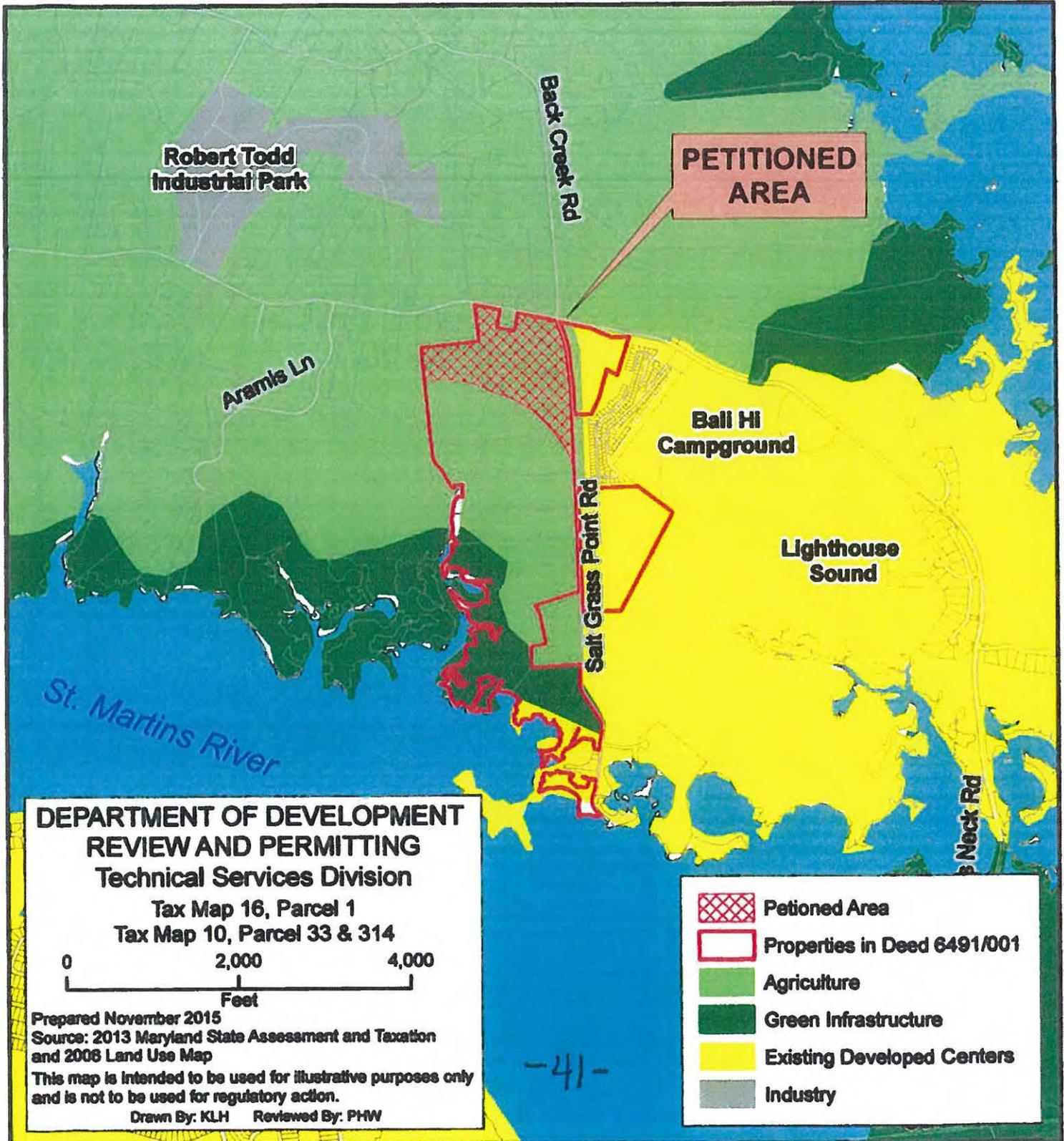
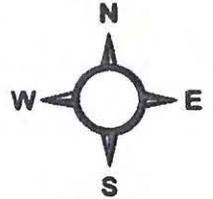


WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST
E-1 Estatel District to A-2 Agricultural District

LAND USE MAP





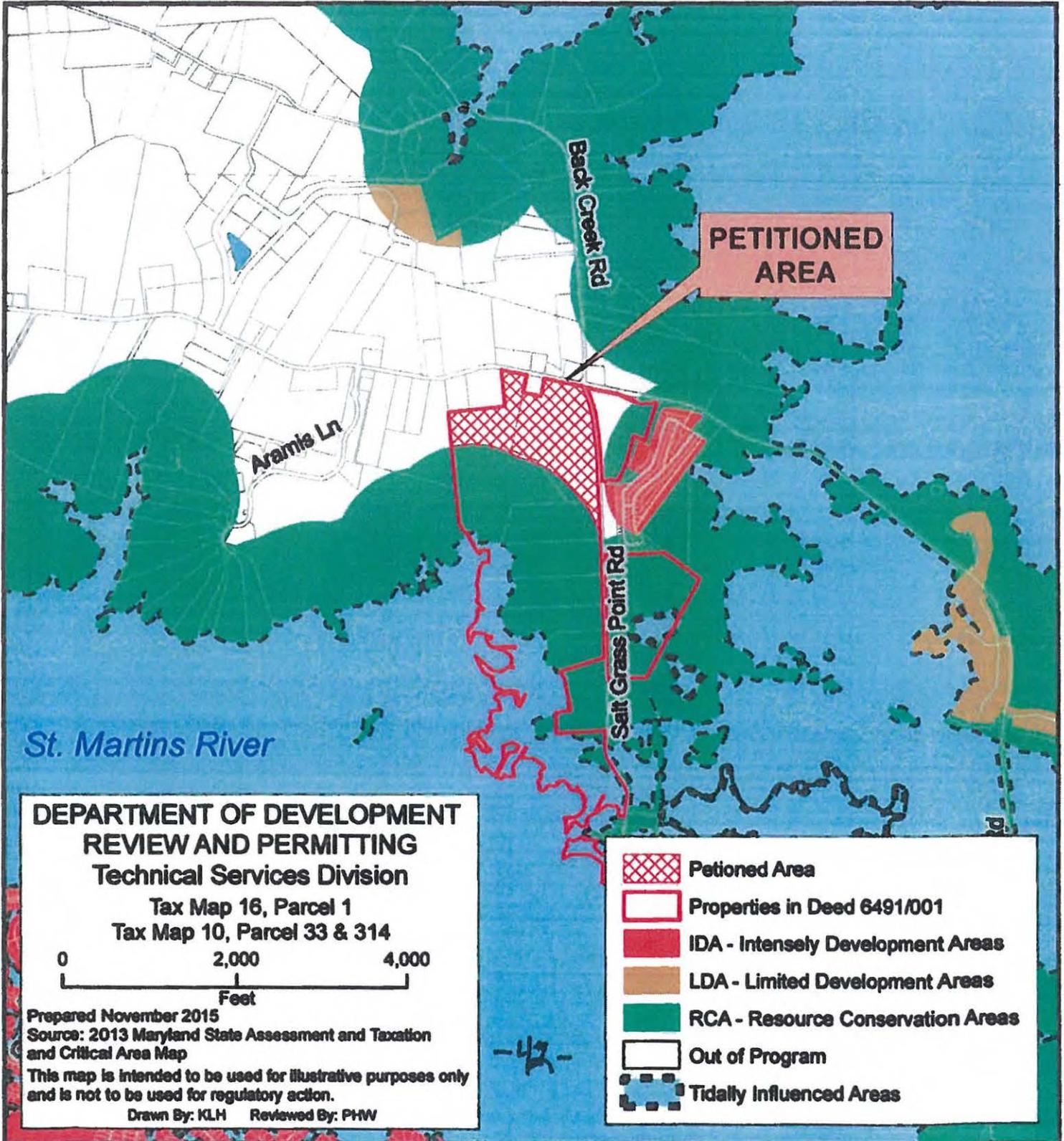
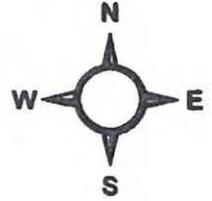
WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST

E-1 Estatel District to A-2 Agricultural District

CRITICAL AREA MAP





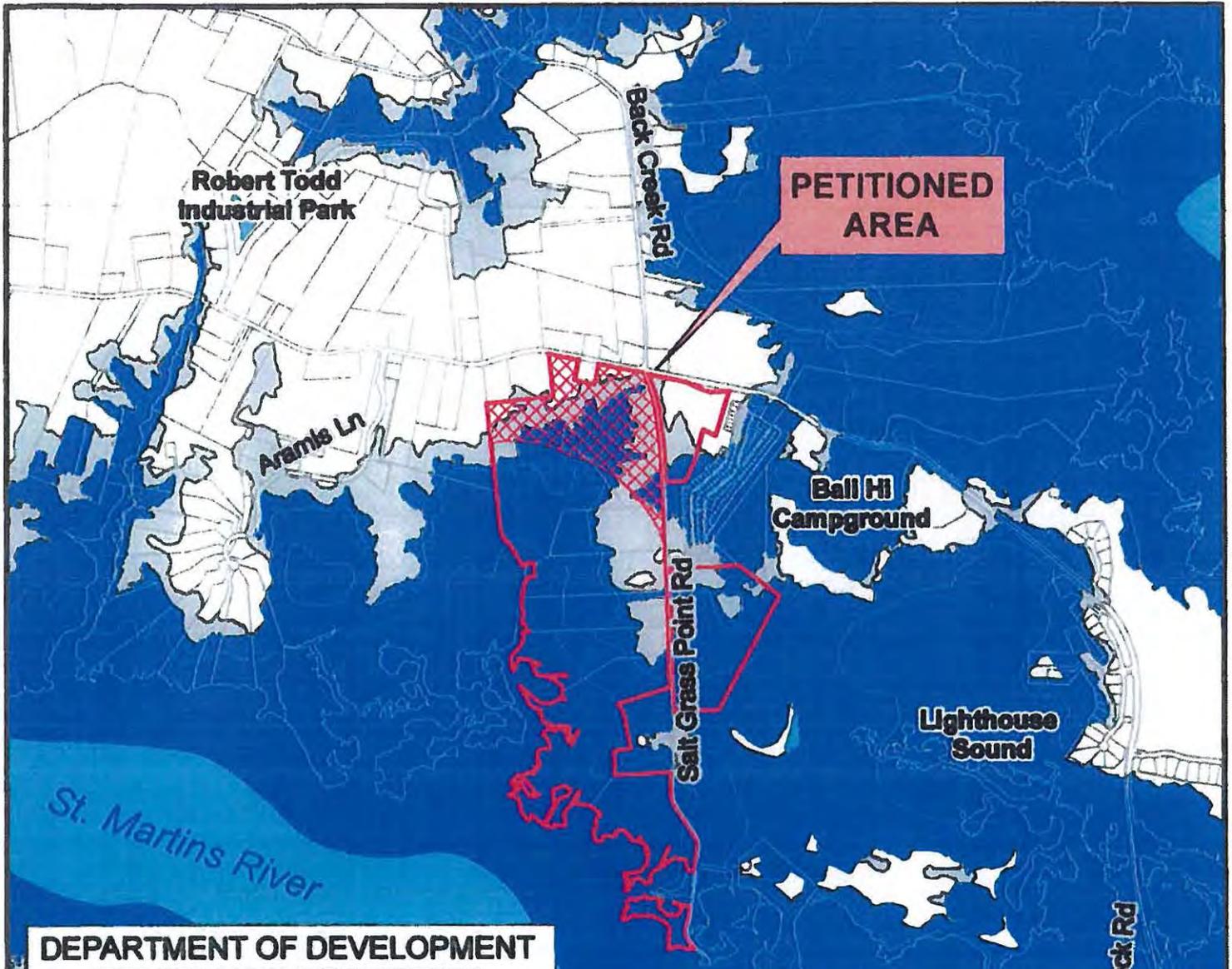
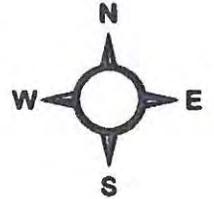
WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST

E-1 Estatel District to A-2 Agricultural District

FLOOD MAP



PETITIONED AREA

Robert Todd Industrial Park

Aramis Ln

Ball HI Campground

Lighthouse Sound

St. Martins River

Back Creek Rd

Salt Grass Point Rd

Back Rd

**DEPARTMENT OF DEVELOPMENT
REVIEW AND PERMITTING
Technical Services Division**

Tax Map 16, Parcel 1
Tax Map 10, Parcel 33 & 314

0 2,000 4,000
Feet

Prepared November 2015
Source: 2013 Maryland State Assessment and Taxation
and 2015 FEMA FIRM Maps
This map is intended to be used for illustrative purposes only
and is not to be used for regulatory action.
Drawn By: KLH Reviewed By: PHW

- Petioned Area
- Properties in Deed 6491/001
- AE - 100 Year w/ Base Flood Elevation
- A - 100 Year w/o Base Flood Elevation
- VE - 100 Year w/ Coastal Wave Velocity
- X - 0.2% Annual Chance Flood
- X - Area of Minimal Flooding

-43-

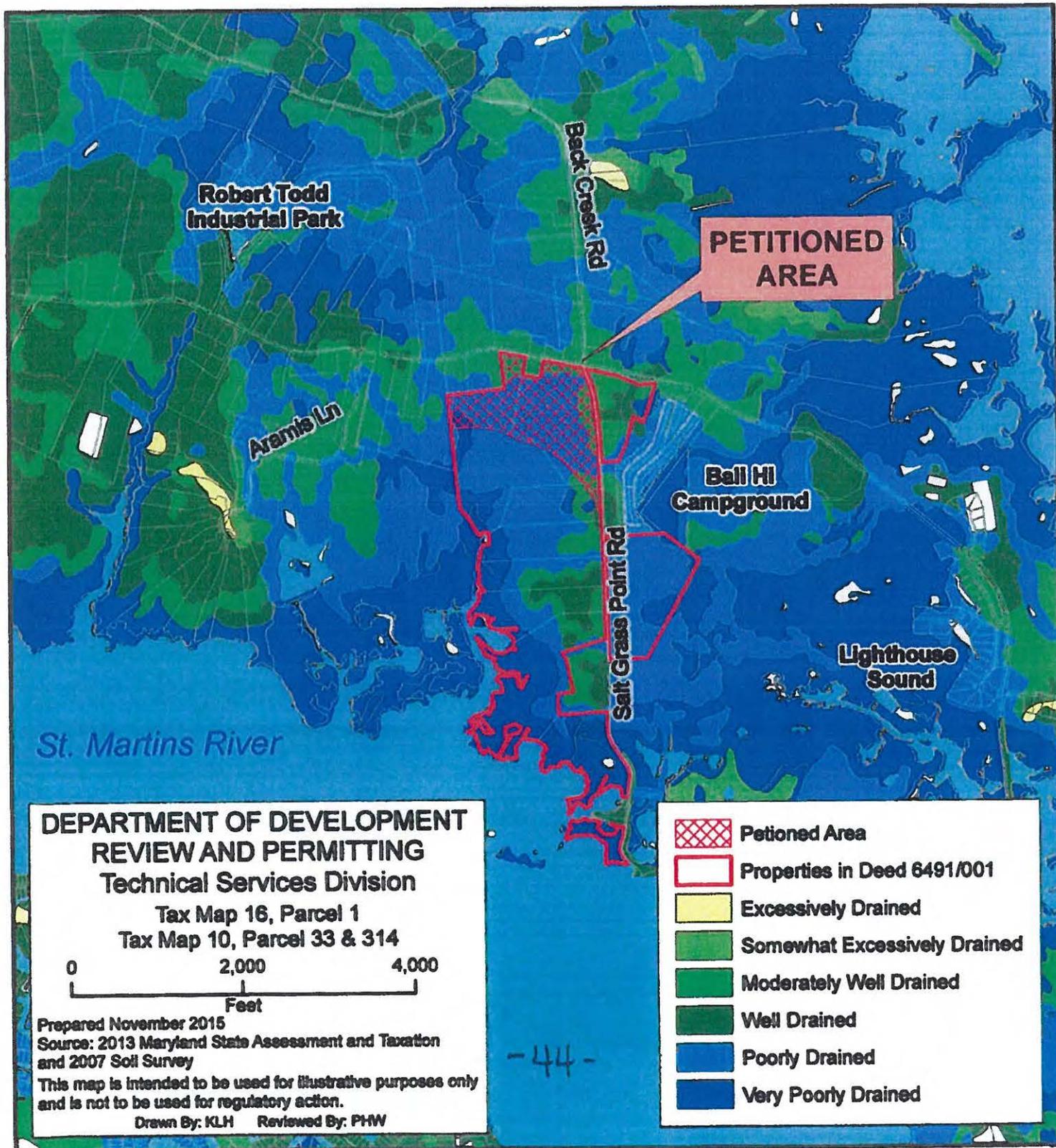
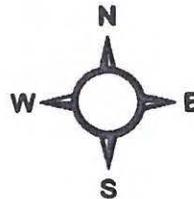


WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

MAP AMENDMENT REQUEST
E-1 Estatel District to A-2 Agricultural District

SOILS MAP



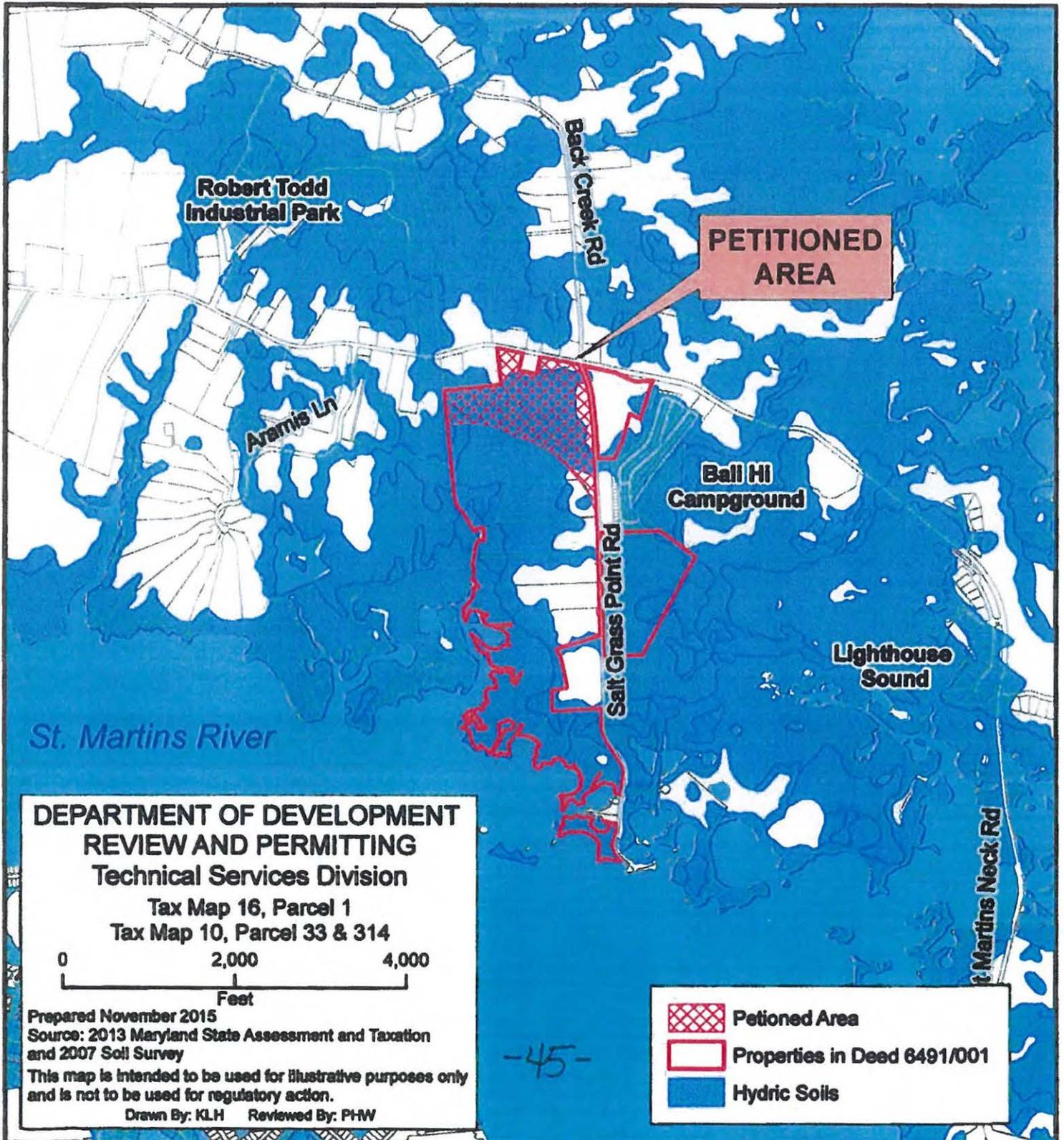
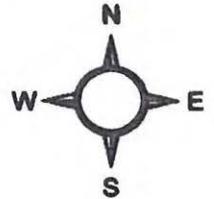


WORCESTER COUNTY, MARYLAND

REZONING CASE NO. 398

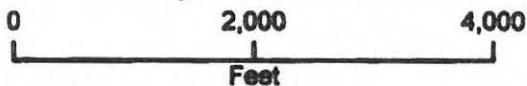
MAP AMENDMENT REQUEST
E-1 Estatel District to A-2 Agricultural District

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT
REVIEW AND PERMITTING
Technical Services Division

Tax Map 16, Parcel 1
Tax Map 10, Parcel 33 & 314



Prepared November 2015
Source: 2013 Maryland State Assessment and Taxation
and 2007 Soil Survey
This map is intended to be used for illustrative purposes only
and is not to be used for regulatory action.
Drawn By: KLH Reviewed By: PHW

-  Petitioned Area
-  Properties in Deed 6491/001
-  Hydric Soils

21

NOTICE OF PUBLIC HEARING

**TO CONSIDER COUNTY POLICY ON UTILIZATION OF NEW MYSTIC HARBOUR
SANITARY CAPACITY IN THE MYSTIC/WEST OCEAN CITY OVERLAY DISTRICT
AND
REQUESTS FOR ESTABLISHMENT OF A POLICY TO PERMIT THE
PRIVATE TRANSFER OF EQUIVALENT DWELLING UNITS OF SANITARY CAPACITY
IN THE MYSTIC HARBOUR SANITARY SERVICE AREA**

Renovations and expansion of the Mystic Harbour Wastewater Treatment Plant (WWTP) were completed in July 2014 at a total cost of \$12.8 million of which \$8.1 million was secured through loan funding. Expansion of the WWTP resulted in the creation of 666 new equivalent dwelling units (EDUs) of sanitary sewer capacity being available for sale throughout the Mystic Harbour Service Area to help offset a substantial portion of the new debt for the WWTP. Approximately 331 of those new EDUs are planned to be used for infill development and redevelopment within the Mystic Harbour and West Ocean City Overlay Area (Mystic/WOC Overlay Area). The Worcester County Water & Sewer Committee has developed a utilization plan for the sale and use of these 331 EDUs of sewer capacity within the Mystic/WOC Overlay Area which will be presented to the County Commissioners for their endorsement at this public hearing.

The Worcester County Commissioners have also received requests from local attorneys Hugh Cropper and Mark Cropper, on behalf of their clients, to establish a policy to allow for the transfer of privately owned EDUs of public sewer and public water capacity within the Mystic Harbour Sanitary Service Area. The Worcester County Water & Sewer Committee has recommended against adoption of such a policy.

The Worcester County Commissioners will hold a

PUBLIC HEARING
on
TUESDAY, MARCH 15, 2016
at 1:30 P.M. in the

COUNTY COMMISSIONERS MEETING ROOM
Room 1101- Government Center
One West Market Street, Snow Hill, MD 21863

at which time the utilization plan for the sale and use of the new Mystic Harbour sanitary capacity will be reviewed and the request to establish an EDU Transfer Policy in the Mystic Harbour Sanitary Service Area will be considered. The staff report on both of these issues is available for review in advance of the public hearing and can be found on the County website at www.co.worcester.md.us. Questions should be directed to Robert Mitchell, Director of Environmental Programs, at 410-632-1220, extension 1601. All interested citizens are encouraged to attend the hearing and express their views on these matters. Both written and oral testimony will be accepted.

WORCESTER COUNTY COMMISSIONERS

1a



Worcester County

Water & Sewer Committee

To: Harold L. Higgins, Chief Administrative Officer
From: Robert J. Mitchell, LEHS, REHS, Chairman *RJM*
Worcester County Water & Sewer Committee
Subject: Utilization of New Mystic Harbour Sanitary Capacity
Date: February 10, 2016

Following the recent completion of the new Mystic Harbour Wastewater Treatment Plant (WWTP), the Worcester County Water & Sewer Committee (hereafter "the Committee") has developed an implementation policy for the sale, allocation and use of the additional sewage treatment capacity in the Mystic Harbour Sanitary Service Area (hereafter "Mystic Sanitary Area"), and specifically within the overlay area of the Mystic Sanitary Area and the West Ocean City Sanitary Service Area (hereafter "Mystic/WOC Overlay Area") as adopted in the Worcester County Water and Sewerage Master Plan (hereafter "the Plan"). This memo serves to explain the implementation policy agreed upon by the Committee.

Furthermore, the Committee recently reviewed correspondence from attorneys Hugh Cropper and Mark Cropper (copies attached) on behalf of their clients requesting that the Commissioners adopt a policy to allow the private sale and transfer of Equivalent Dwelling Units (EDUs) of sanitary sewer and water capacity within the Mystic Sanitary Area similar to that which has been permitted in the West Ocean City Sanitary Service Area since 1997. The Committee strongly recommends against adoption of such an EDU Transfer policy in the Mystic Sanitary Area due to conflicts such a policy would create with the orderly sale, allocation and use of the additional sewage treatment capacity as adopted in the Plan and as projected to meet the financial obligations of debt service to repay the Mystic Harbour WWTP upgrade and expansion project. This memo shall also serve to address the Committee's concerns with regard to the proposed Mystic EDU transfer policy concept.

Background

The Mystic Harbour WWTP was recently upgraded to provide additional sanitary treatment capability to serve the residential and commercial needs of properties within the Mystic Sanitary Area. This original WWTP was constructed by the former developer of the Mystic Harbour residential community and turned over to the County by the managing entities (Mystic Harbour Water and Wastewater Services, Inc. and Mystic Harbour Utilities Corporation) in 1995. After

Citizens and Government Working Together

that turnover, significant infrastructure improvements and expansions for the Mystic Sanitary Area were completed by the Worcester County Department of Public Works in July 2014, including the aforementioned WWTP upgrade.

Construction of the new Mystic Harbour WWTP has resulted in a total of 666 new sewer EDUs becoming available. The planning documents included in the latest approved Water and Sewerage Master Plan amendment regarding the Mystic Sanitary Area identified a number of goals for the additional capacity with highest priority to infill lots, followed by expansion of existing facilities, then the replacement of septic tanks, and finally for new developments. Infill was envisioned to enhance the commercial development along the US Route 50 commercial corridor in West Ocean City and the northern MD Route 611 commercial corridor, which falls within the Mystic/WOC Overlay Area. There are approximately 331 sewer EDUs that could be utilized in the Mystic/WOC Overlay Area as shown on the attached map and table and as designated in the Mystic Harbour Environmental report prepared in support of the most recent amendment to the Plan, which was subsequently adopted as part of the Plan.

Page 6-7

Using sewer capacity in the Mystic Harbour WWTP within the Mystic/WOC Overlay Area presents certain challenges in that the commercial properties along US Route 50 are served by pipelines from the West Ocean City Sanitary Service Area (WOC Sanitary Area), rather than the Mystic Sanitary Area. Requiring the extension of sewage collection lines from the Mystic Harbour WWTP to the Route 50 commercial properties would create an onerous and unnecessary financial burden on those properties. As an alternative, the Committee has determined that Pump Station Number 4 in West Ocean City can be easily modified to direct sewage flow for treatment by either the Ocean City WWTP (as it currently does) or to the Mystic Harbour WWTP. This pump station could therefore be used to transfer an equivalent amount of wastewater generated in the WOC Sanitary Area to the Mystic WWTP for treatment to offset the additional flow created by any new customers in the Mystic/WOC Overlay Area who purchase sewer EDUs from the Mystic Sanitary Area to serve their projects. In addition to sewer capacity, these infill properties in the Mystic/WOC Overlay Area would also be required to purchase a corresponding number of water EDUs from the Mystic Sanitary Area in order to become customers of a single service area for billing purposes. Any remaining West Ocean City sewer EDUs, if any, on these infill properties could be sold and transferred to other properties in the WOC Sanitary Area in accordance with the WOC EDU Transfer Policy.

Financial Issues

Construction of the upgrade and expansion of the Mystic Harbour WWTP required a significant capital expense by the Mystic Sanitary Area. While the total cost was decreased by \$4.7 million in federal grants, the balance of \$8,134,000 is an ongoing financial obligation of the current and future customers within the Mystic Sanitary Area. In accordance with our projections for financing this new debt, the Enterprise Fund Controller has estimated that the service area will need to sell at least 30 EDUs each year. EDUs are currently sold for \$7,292 (equity contribution) for each sewer EDU, with quarterly debt service payments of \$48 per EDU thereafter until the debt is paid in full at the conclusion of the 40-year term. Therefore, the total income derived by the County for each sewer EDU is approximately \$14,000 over the course of the bond repayment. Financial viability of the service area depends on new customers to purchase the additional capacity which was created by the upgrade and expansion of the Mystic Harbour WWTP.

Furthermore, the Mystic Sanitary Area is in the process of developing a spray irrigation system on the Eagle's Landing Golf Course for disposal of treated effluent from the new Mystic Harbour WWTP. The estimated cost of this project is \$3.2 million of which \$2.45 million which will be financed after a \$750,000 grant which will add to the debt service obligation for Mystic Harbour customers. Additional customers will be needed to help offset a portion of this new debt.

The new WWTP resulted in the availability of a total of 666 EDUs. In our most recent Plan amendment, this additional capacity was projected to serve several projects and properties south of the Mystic Harbour subdivision, with 331 EDUs of sewer service available for infill, septic connections, and redevelopment projects in the Mystic/WOC Overlay Area (see attached map).

Transfer Policy Not Recommended

On January 27, 2016 we received a letter from Hugh Cropper on behalf of his clients, Kelly Farm Associates, requesting that the County adopt an EDU Transfer Policy in the Mystic Sanitary Area similar to the current EDU Transfer policy in the WOC Sanitary Area so that his client could transfer 40 Mystic sewer EDUs to a property in the Mystic/WOC Overlay Area. That request was followed by a letter received on February 3, 2016 from Mark Cropper requesting such a policy to allow his clients (Showell Entities) to sell up to 84 sewer EDUs and up to 78 water EDUs of Mystic Sanitary Area capacity to serve properties in the WOC Sanitary Area. Most recently, we received a second letter by email from Hugh Cropper on February 3, 2016 requesting that Kelly Farm Associates also be able to transfer 40 water EDUs to the Food Lion Shopping Center in the Mystic/WOC Overlay Area. The Committee recommends against the adoption of such an EDU Transfer policy in the Mystic Sanitary Area.

Page 8

Page 14

Page 16

The Committee recognizes that EDU transfers are currently permitted in the WOC Sanitary Area under the provisions of Resolution 97-1 which was adopted by the County Commissioners on January 7, 1997 under a specific set of circumstances that the Commissioners in 1997 felt applied to the WOC Sanitary Area. The original intent of this policy was to transfer growth away from the critical areas and promote growth outside the 100 year floodplain and environmentally sensitive areas. As an unintended consequence of that policy, sewer EDUs were essentially traded as commodities and quickly escalated in price as the demand increased and supply diminished. A quick review of our records indicates that sewer EDUs that sold for \$6,500 per EDU in 2000 were sold for \$50,000 at the peak of the "market" in 2004. They have since returned to a cost of \$20,000 per EDU based upon the most recent WOC EDU transfer recorded in 2015. Overly-inflated prices for EDUs create unnecessary barriers to infill development and the orderly redevelopment of properties in West Ocean City and therefore thwarts our efforts to promote economic development in Worcester County. Our proposal will ensure a stable price for EDUs, increasing each year only by the additional cost of debt service for the remaining EDUs.

The Committee believes that the available sewage treatment capacity in the Mystic Harbour WWTP is a public asset that should be allocated by the County to further the goals and objectives of the Worcester County Comprehensive Development Plan, rather than a commodity to be traded by property owners. Furthermore, creating a market for the sale of sewer and/or water EDUs in the Mystic Sanitary Area would act against our financing plan for the repayment of debt on the Mystic Harbour WWTP which relies on the sale of at least 30 EDUs each year to cover debt service. Our planning and financial evaluations for the new WWTP and the spray irrigation

system did not anticipate that the transfer of existing EDU's would be permitted. EDU transfers would directly compete with the financial needs of the Mystic Sanitary Area to allocate capacity to new customers. Therefore adoption of an EDU Transfer policy in the Mystic Sanitary Area could jeopardize the financial viability of the Mystic Sanitary Area as planned and would likely lead to increased rates for all customers to satisfy the debt service.

Instead, the Committee believes that the implementation policy we have established for the sale, allocation and use of the additional sewage treatment capacity in the Mystic Sanitary Area for use in the Mystic/WOC Overlay Area will be sufficient to serve the needs for infill development and redevelopment of properties in the Mystic/WOC Overlay Area as envisioned.

Implementation Policy

Because the target area for use of the available sewer EDUs from the Mystic Sanitary Area are commercial in nature, the primary focus of the implementation policy will be commercial accounts, however, this policy could be adapted to residential accounts if needed.

Given that part of the current Mystic Harbour Sanitary Service Area overlays the West Ocean City Sanitary Service Area, Mystic Harbour customers can and do currently reside in both service areas. This is the result of Mystic Harbour providing public water service within the West Ocean City Service Area and a prior Mystic Harbour planning amendment designating the Mystic Sanitary Area as a non-exclusive district, expecting that parts of the service area may receive service from another sanitary district.

Under this policy, customers requesting Mystic Harbour sewer EDUs would be required to connect to the Mystic Harbour Water System in order to become customers of a single service area for billing purposes. No customer could have a mixture of West Ocean City sewer EDUs and Mystic Harbour sewer EDUs serving a single account. Any West Ocean City sewer EDUs currently assigned to a property requesting Mystic Harbour sewer EDUs could be disposed of by the customer in accordance with the current West Ocean City EDU Transfer Policy.

The basic tenets of this policy for utilization of the available sewer EDUs from the Mystic Sanitary Area in the Mystic/WOC Overlay Area are as follows:

1. The allocation of Mystic Harbour sewer capacity will only be approved for properties with an existing demonstrated need and in connection with either a permit or plat approval specifying how and where the capacity will be allocated.
2. There will be no transfers of sewer allocations allowed in the Mystic Sanitary Area by private property owners who have excess capacity allocated to their properties.
3. A formal document demonstrating how the equitable amount of sewage will be transferred and accounted for between the West Ocean City Sanitary Service Area and the Mystic Harbour Sanitary Service Area will be prepared by the Worcester County Department of Public Works and accepted by the Enterprise Fund Controller.
4. The current equity contribution for each Mystic Harbour sewer EDU is \$7,292, with quarterly debt service payments of \$48 per EDU thereafter until the debt is paid in full.

The following example illustrates how this policy would be implemented:

A current commercial customer located in the Mystic/WOC Overlay Area has 2 West Ocean City sewer EDUs in service and is connected to the West Ocean City Sewer System. They want to redevelop and expand their commercial use of the property which will require an additional 8 EDUs thereby requiring a total of 10 EDUs .

The customer would purchase 10 Mystic Harbour sewer EDUs from the County from the pool of 331 EDUs available for infill development in the Mystic/WOC Overlay Area. The customer could dispose of their 2 West Ocean City EDUs in accordance with the EDU transfer policy, or the West Ocean City EDUs could remain on the property but they would essentially be inactive. Alternatively, the property owner could return their excess West Ocean City EDUs to the West Ocean City Service Area, but they would have no cash value at that time.

If the property is not already connected to Mystic Harbour Water System, they would be required to connect. Once connected, the property would be a Mystic Harbour customer in every way except that the wastewater generated on the property would be conveyed through the West Ocean City system for treatment at the Ocean City WWTP, to be offset by an equivalent diversion of WOC Sanitary Area flow to the Mystic Harbour WWTP.

In order to account for the wastewater generated by these Mystic Harbour customers in the Mystic/WOC Overlay Area processed by the Ocean City WWTP, operators would transfer a volume of wastewater from the West Ocean City sewage collection system to the Mystic Harbour WWTP by way of Pump Station Number 4 equivalent to the estimated wastewater generated from those Mystic Harbour customers.

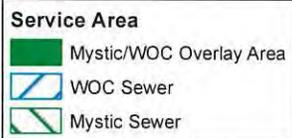
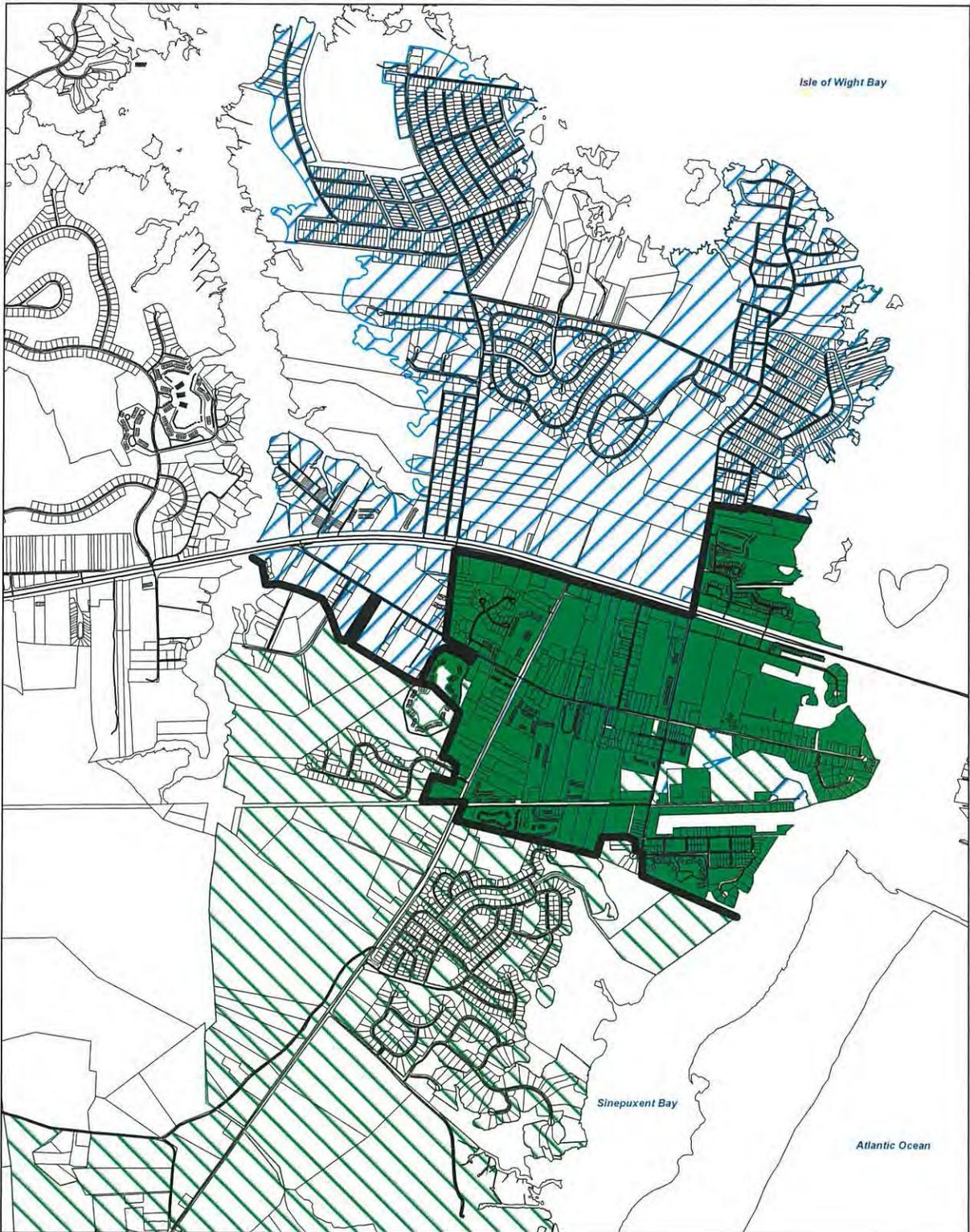
The following billing quarter, as a part of the quarterly billing cycle, the Worcester County Treasurer's Office would report how much actual Mystic Harbour wastewater was processed by way of the West Ocean City collection area using water meter readings. Throughout the following quarter, adjustments will be made (positive or negative) to the volume transferred to the Mystic Harbour WWTP through Pump Station Number 4 in addition to transferring the estimated volumes for the current quarter.

Please note that implementation of this policy would not be possible until structural changes are made to Pump Station Number 4 in West Ocean City to allow it to pump to either facility and to meter those flows.

Summary and Recommendation

The Committee recommends endorsement of the implementation policy for the sale, allocation and use of the additional sewage treatment capacity in the Mystic Sanitary Area. We further recommend that the request for adoption of an EDU Transfer policy in the Mystic Sanitary Area be declined.

As always, the Water & Sewer Committee members will be available to answer any questions you or the County Commissioners may have with regard to this matter.



Development Review
and Permitting
Technical Services Division
West Ocean City and Mystic Harbor
Sewer and Water Service Areas

Drawn By: MDD Reviewed By: KLH

0 500 1,000 1,500
Feet
1 inch = 1,500 feet

Map prepared for the Worcester County Environmental Programs Department, February 03, 2016.

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

WOC HGIS Data\Sanitary Services\SSA Analysis\Mystic-WOC Sewer SSA Analysis-11x17.mxd

New Mystic Harbour Sanitary Area Capacity

| EDUs in MYSTIC HARBOUR SANITARY SERVICE AREA | |
|---|---|
| North of Airport, North of Antique Road, East and West of Rt 611 | |
| 80 | Vacant or Multi-lot Properties |
| 80 | Commercial Properties |
| 17 | SF Dwellings |
| 154 | Infill and intensification of existing properties |
| 331 | Subtotal EDUs |
| Airport and South of Airport, East of Rt 611 | |
| 4 | Vacant or multi-lot properties |
| 6 | Assateague Greens Executive Golf Course/Range - 9 holes |
| 5 | Church |
| 20 | SF Dwellings |
| 32 | Airport/Clubhouse/Humane Society |
| 88 | Castaways Campground |
| 130 | Frontier Town Campground |
| 30 | Commercial Portion of Frontier Town |
| 20 | Additional Commercial Infill South of Airport |
| 335 | Subtotal EDUs |
| 666 | TOTAL |

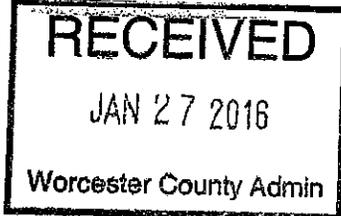
Note: Included in Environmental Report submitted to the Maryland Department of Environment in support of the most recent Water and Sewerage Plan amendment for the Mystic Sanitary Area.

LAW OFFICES

**BOOTH BOOTH
CROPPER & MARRINER P.C.**

CURTIS H. BOOTH
BRYNJA MCDIVITT BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
ROY B. COWDREY, JR. **

*ADMITTED IN MD & DC
** OF COUNSEL



9923 STEPHEN DECATUR HIGHWAY, #D-2
OCEAN CITY, MARYLAND 21842
(410) 213-2681
EMAIL: hcropper@bbcmlaw.com

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

WEBSITE
www.bbcmlaw.com

January 22, 2016

Worcester County Commissioners
Attention: Mr. Madison J. Bunting, President
One West Market Street, Room 1103
Snow Hill, Maryland 21863

copy: Bob Mitchell ✓
For review and
recommendation
- Sewer Committee ✓

RE: *Proposed Mystic EDU Transfers*

Dear President Bunting and Commissioners:

Back in 2006, I represented Messrs. Spencer F. Rowe and Geo. Bert Cropper regarding the transfer/re-allocation of EDU's in the West Ocean City Sanitary Service Area. As a result of my request, the Worcester County Commissioners adopted Resolution 97-1 authorizing the transfer/re-allocation of EDU's within the West Ocean City Sanitary Service Area, subject to certain restrictions.

The EDU transfer business was robust over the next few years, and it was a boost to the West Ocean City economy. There are many, many businesses in West Ocean City that could not have been built without EDU transfers.

At this point, the vast majority of the eligible EDU's have already been transferred within the West Ocean City Sanitary Service Area.

I represent Kelly Farm Associates, owners of a property located in the Mystic Harbor Service Area. The property is described as 39.672 acres, located on the west side of Maryland Route 611, and is described in the attached EDU invoice from Worcester County.

My clients have been paying the sum of \$ 5,920.00 per quarter, for the availability of these EDU's, over the past several years.

Worcester County Commissioners
January 22, 2016
Page Two

My clients have agreed to transfer the EDU's to the property of GTF, LLC, Worcester County Tax Map 27, Parcel 144. This is the property known as The Wheels of Yesteryear, located on the south side of U.S. Route 50 in West Ocean City. The Wheels of Yesteryear property is located in the Mystic Harbor Service Area, and it is eligible for service from Mystic Harbor, according to the Worcester County Comprehensive Water and Sewer Plan.

I would like to request that the County Commissioners pass a Resolution authorizing the sale and the transfer of EDU's within the Mystic Harbor Service Area. ✂

As an example, the transfer that I have just described will be a huge boost to economic development in Worcester County. Kelly Farm Associates property is designated as Agriculture/Green Infrastructure/Existing Developed Area in the Worcester County Comprehensive Land Use Plan.

By contrast, The Wheels of Yesteryear property is designated as Commercial Center in the Worcester County Land Use Plan.

This certainly represents smart growth.

The development of the Kelly Farm Associates property into 40 single family lots could certainly be considered sprawl, whereas the consolidation of those EDU's for a use consistent with the Worcester County Comprehensive Land Use Plan would certainly be considered smart growth. This would be in keeping with the intent and objectives of the Comprehensive Land Use Plan, as well as the State of Maryland Smart Growth Initiative.

My client would be responsible for all infrastructure, i.e. the design and installation of the conveyance pipe, required pump stations, etc.

The Wheels of Yesteryear property would also purchase water from Mystic Harbor, so that there would be one unified bill. The entire property would be served by Mystic Harbor, so that there would be no separate invoices or bills.

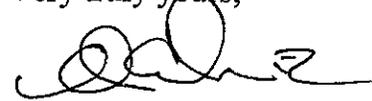
Worcester County Commissioners
January 22, 2016
Page Three

I have represented clients in both the expansion of the West Ocean City Sanitary Service Area and the Mystic Harbor Service Area in the past. In those instances, property owners have designed and installed the infrastructure, and turned it over to Worcester County. This would work the exact same way.

This will be a positive for Worcester County. I cannot imagine any downside. It will promote economic growth, allow the development and utilization of appropriately zoned properties, and it is smart and sustainable growth. It will allow the utilization of EDU's which are otherwise sitting idle. This will be more user fees for the Mystic Harbor Facility, which will reduce the costs for everyone.

Please give this request your very kind consideration.

Very truly yours,



Hugh Cropper IV

HC/tgb
Enclosure

CC: Robert J. Mitchell, LEHS, REHS
Mitchell Parker
Gene Parker
John W. Salm, III, P.E.
Khadija Akter



WORCESTER COUNTY
 Office of the Treasurer
 Water & Wastewater Services Collection
 P.O. Box 349
 Snow Hill, MD 21863-0349
 410-832-1630

Account No: 10296900-001
Service Address: STEPHEN DECATUR HWY PAR 3A-My

Service Period: 10/1/2015 - 12/31/2015
Meter Readings:

Previous Balance: 5,920.00
Penalties: 0.00
Adjustments: 0.00
Payments Received: (5,920.00)
Balance at Billing: 0.00
Current Billing:

| Charge Code | Amount |
|--------------------|----------|
| Water and/or Sewer | 4,000.00 |
| MYH - EDU | 1,920.00 |

DUE UPON RECEIPT

Interest Charges: 5,920.00
Balance Due: 5,920.00

Penalty Date: 2/9/2016

After Penalty Date: 6,102.60

Legal Description:

IMPSPAR 3A 39.672 ACS R-611 RESUB
 PAR 3 SOUTH POINT SUBDIV

Please retain this portion for your records

| Account No | Penalty Date | Amount Due | After Penalty Date |
|--------------|--------------|------------|--------------------|
| 10296900-001 | 2/9/2016 | 5,920.00 | 6,102.60 |



Service Address:
 STEPHEN DECATUR HWY PAR 3A
 Mystic Harbour

Mailing Address:

Please return this portion with your payment

TAYLOR ROBERT J & ETAL
 C/O PARKER EUGENE R JR
 P O BOX 307
 OCEAN CITY, MD 21843

0001029690000100059200011

Real Property Data Search (w3)

Guide to searching the database

Search Result for WORCESTER COUNTY

| | | | | | |
|---|----------------------------------|---|-----------------------------|--|---|
| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
| Account Identifier: | | District - 10 Account Number - 015340 | | | |
| Owner Information | | | | | |
| Owner Name: | | G T F LLC | | Use: COMMERCIAL Principal Residence: NO | |
| Mailing Address: | | 9635 STEPHEN DECATUR HWY OCEAN CITY MD 21842-9311 | | Deed Reference: /00000/ 00000 | |
| Location & Structure Information | | | | | |
| Premises Address: | | 12708 OCEAN GATEWAY HWY OCEAN CITY 21842-0000 | | Legal Description: LOTS 9 10 11 S SIDE R-50 PL 2 ELLIOTTS DEV | |
| Map: | Grid: | Parcel: | Sub District: | Subdivision: | Section: Block: Lot: Assessment Year: Plat No: Plat Ref: |
| 0027 | 0007 | 0144 | | 72S0 | 9 2016 |
| Special Tax Areas: | | | Town: NONE | | |
| | | | Ad Valorem: | | |
| | | | Tax Class: | | |
| Primary Structure Built | Above Grade Enclosed Area | Finished Basement Area | Property Land Area | County Use | |
| 1950 | 10,500 SF | | 32,250 SF | | |
| Stories | Basement | Type | Exterior | Full/Half Bath | Garage Last Major Renovation |
| | | RETAIL STORE | | | |
| Value Information | | | | | |
| | Base Value | Value As of 01/01/2016 | Phase-in Assessments | | |
| | | | As of 07/01/2015 | As of 07/01/2016 | |
| Land: | 608,000 | 598,000 | | | |
| Improvements | 59,600 | 36,400 | | | |
| Total: | 667,600 | 634,400 | 667,600 | 634,400 | |
| Preferential Land: | 0 | | | 0 | |
| Transfer Information | | | | | |
| Seller: I VILLANI & SONS INC | | Date: 09/20/1996 | | Price: \$672,000 | |
| Type: ARMS LENGTH MULTIPLE | | Deed1: /00000/ 00000 | | Deed2: | |
| Seller: GARDNER DAVID X VIOLET C EWELL 10 | | Date: | | Price: \$0 | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: RHO /02315/ 00001 | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Exemption Information | | | | | |
| Partial Exempt Assessments: | Class | 07/01/2015 | | 07/01/2016 | |
| County: | 000 | 0.00 | | | |
| State: | 000 | 0.00 | | | |
| Municipal: | 000 | 0.00 0.00 | | 0.00 0.00 | |
| Tax Exempt: | | Special Tax Recapture: | | | |
| Exempt Class: | | NONE | | | |
| Homestead Application Information | | | | | |
| Homestead Application Status: No Application | | | | | |

Real Property Data Search (w3)

Guide to searching the database

Search Result for WORCESTER COUNTY

| | | | | | |
|--|--|--|-----------------------------|--|--|
| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
| Account Identifier: | | District - 10 Account Number - 296900 | | | |
| Owner Information | | | | | |
| Owner Name: | TAYLOR ROBERT J & OTHERS T/A KELLY FARMS ASSOCIATES | | Use: | COMMERCIAL NO | |
| Mailing Address: | C/O EUGENE R. PARKER JR. PO BOX 307 OCEAN CITY MD 21843-0307 | | Principal Residence: | | |
| | | | Deed Reference: | /01185/ 00284 | |
| Location & Structure Information | | | | | |
| Premises Address: | | STEPHEN DECATUR HWY OCEAN CITY 21842-0000 | | Legal Description: | PAR 3A 39.672 ACS R-611 RESUB PAR 3 SOUTH POINT SUBDIV |
| Map: | Grid: | Parcel: | Sub District: | Subdivision: | Section: |
| 0026 | 0018 | 0274 | | 0000 | |
| | | | | | Block: |
| | | | | | 3A |
| | | | | | Lot: |
| | | | | | 3A |
| | | | | | Assessment Year: |
| | | | | | 2016 |
| | | | | | Plat No: |
| | | | | | |
| | | | | | Plat Ref: |
| | | | | | 106008 |
| Special Tax Areas: | | | Town: | NONE | |
| | | | Ad Valorem: | | |
| | | | Tax Class: | | |
| Primary Structure Built | Above Grade Enclosed Area | Finished Basement Area | Property Land Area | County Use | |
| | | | 39.6700 AC | | |
| Stories | Basement | Type | Exterior | Full/Half Bath | Garage |
| | | | | | Last Major Renovation |
| Value Information | | | | | |
| | | Base Value | Value | Phase-in Assessments | |
| | | | As of | As of | As of |
| | | | 01/01/2016 | 07/01/2015 | 07/01/2016 |
| Land: | | 958,200 | 729,100 | | |
| Improvements | | 0 | 0 | | |
| Total: | | 958,200 | 729,100 | 958,200 | 729,100 |
| Preferential Land: | | 0 | | | 0 |
| Transfer Information | | | | | |
| Seller: PARKER EUGENE R JR & BRUCE A MOORE | | Date: 06/16/1986 | | Price: \$185,000 | |
| Type: ARMS LENGTH IMPROVED | | Deed1: WCL /01185/ 00284 | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Exemption Information | | | | | |
| Partial Exempt Assessments: | Class | | 07/01/2015 | 07/01/2016 | |
| County: | 000 | | 0.00 | | |
| State: | 000 | | 0.00 | | |
| Municipal: | 000 | | 0.00 0.00 | 0.00 0.00 | |
| Tax Exempt: | | Special Tax Recapture: | | | |
| Exempt Class: | | NONE | | | |
| Homestead Application Information | | | | | |
| Homestead Application Status: No Application | | | | | |

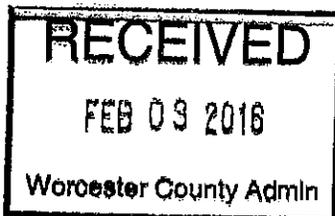
Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.
6200 COASTAL HIGHWAY, SUITE 200
OCEAN CITY, MARYLAND 21842

GUY R. AYRES III
M. DEAN JENKINS
JAMES W. ALMAND
WILLIAM E. ESHAM, III
MARK SPENCER CROPPER
BRUCE F. BRIGHT
HEATHER E. STANSBURY
JON P. BULKELEY

OF COUNSEL
HAROLD B. GORDY, JR.

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

OCEAN PINES OFFICE
11047 RACETRACK ROAD
BERLIN, MARYLAND 21811
(410) 641-5033
FAX (410) 641-6926



Reply to Ocean City Office

Copy: Sewer Committee ✓

February 2, 2016

Worcester County Commissioners
Attn: Madison J. Bunting, Jr. – President
One West Market Street, Room 1103
Snow Hill, MD 21863

Re: Mystic Harbor EDU Transfers

Dear President Bunting:

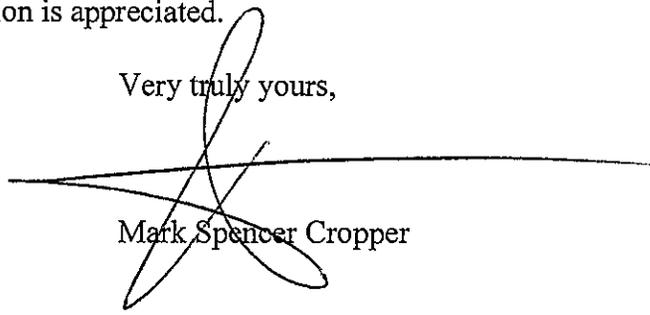
I represent Ann's Landing, LLC and Adam Showell (hereinafter collectively referred to as the "Showell Entities"). Pursuant to various documents, the Showell Entities have the right to pursue the appropriate regulatory consents and approvals to transfer and assign up to 84 Equivalent Dwelling Units ("EDUs") of wastewater (the "Sewer EDUs") and 78 EDUs of water (the "Water EDUs") from that property located at the eastern terminus of Sunset Avenue (on which the Showell Hotel was once approved) and then known as Tax Map 27, Grid 8, Parcel 487 (Tax Account # 10-371694), subsequently re-subdivided (hereinafter the "Property").

Very recently, the Showell Entities have been contacted by various property owners in west Ocean City, most of which are in the Mystic Harbor Service Area, desiring to purchase some of my clients' Sewer EDUs. However, due to the position of the Worcester County Commissioners over the years, such transfers of EDUs within the Mystic Harbor Service Area have only been permitted in very rare and special circumstances. As a result, many development opportunities have been lost. There are simply too few EDUs remaining and available in the West Ocean City Sanitary Service Area to meet the existing and future development demands in west Ocean City. Moreover, not allowing the Showell Entities to sell its Sewer EDUs and Water EDUs will mean that a significant portion of EDU capacity from the Mystic Harbor Wastewater Plant will forever be unused. I respectfully submit that not allowing the utilization of such a significant volume of EDU capacity is not in the best interests of Worcester County.

Accordingly, please reconsider the policy of Worcester County and allow my clients to sell the Sewer EDUs and Water EDUs in west Ocean City. Should you have any questions about

this letter, do not hesitate to give me a call. I will also make myself available if a meeting is desired. Your anticipated cooperation is appreciated.

Very truly yours,



Mark Spencer Cropper

MSC:lbs

cc: Adam Showell

LAW OFFICES

**BOOTH BOOTH
CROPPER & MARRINER P.C.**

CURTIS H. BOOTH
BRYNIA MCDIVITT BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
ROY B. COWDREY, JR. **

* ADMITTED IN MD & DC
** OF COUNSEL

9923 STEPHEN DECATUR HIGHWAY, #D-2

OCEAN CITY, MARYLAND 21842

(410) 213-2681

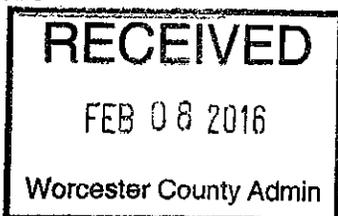
EMAIL: hcropper@bbcmlaw.com

EASTON OFFICE

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

WEBSITE

www.bbcmlaw.com



February 3, 2016

Copy: Sewer Committee ✓

Worcester County Commissioners
Attention: Mr. Madison J. Bunting, President
One West Market Street, Room 1103
Snow Hill, Maryland 21863

RE: *Proposed Mystic Water EDU Transfers*

Dear President Bunting and Commissioners:

On January 22, 2016, I wrote you a letter requesting a Resolution authorizing the transfer of forty (40) Mystic wastewater EDU's from the property of Kelly Farm Associates, approximately 39.62 acres, located on the west side of Maryland Route 611, to the property known as The Wheels of Yesteryear, located on the south side of U.S. Route 50 in West Ocean City.

The Kelly Farm Associates property is also allocated forty (40) water EDU's in the Mystic Harbor Service Area.

My clients would like to request permission to transfer the forty (40) water EDU's to Worcester County Tax Map 27, Parcel 150, lands of Ocean City Market Place, LLC, which is the Food Lion Shopping Center located on the west side of Stephen Decatur Highway.

The primary partners in Kelly Farm Associates are also the primary members of Ocean City Market Place, LLC (i.e. Gene and Mitch Parker).

This will allow the Food Lion Shopping Center to remove its existing infrastructure, such as the large water tower/bladder tank to increase water pressure.

Worcester County Commissioners
February 3, 2016
Page Two

It is estimated that the Food Lion Shopping Center will require approximately fifty (50) EDU's, so my clients will need to purchase about another ten (10) EDU's from Worcester County.

This is smart growth, and in-fill development. The Kelly Farm Associates property is designated as a mixture of agriculture and green infrastructure in the Worcester County Comprehensive Land Use Plan. The Ocean City Market Place, LLC property is zoned commercial, and it is designated as Commercial Center in the Worcester County Land Use Plan. It is an existing shopping center, and it is desirous to connect that shopping center to the public water system.

Thank you for your very kind consideration.

Very truly yours,



Hugh Cropper IV

HC/tgb

CC: Robert J. Mitchell, LEHS, REHS
Mitchell Parker
Gene Parker

WORCESTER COUNTY
POLICY ON UTILIZATION OF NEW MYSTIC HARBOUR
SANITARY CAPACITY
AND
REQUESTS FOR ESTABLISHMENT OF A POLICY FOR
PRIVATE TRANSFERS OF SANITARY CAPACITY

Mystic Harbour Sanitary Service Area

PUBLIC HEARING: 3/15/16



PURPOSE OF THIS HEARING

To consider County policy on utilization of new Mystic Harbour sanitary capacity in the Mystic/West Ocean City overlay district.

To consider requests for establishment of a policy to permit the private transfer of equivalent dwelling units (EDU's) of sanitary capacity in the Mystic Harbour Sanitary Service Area.

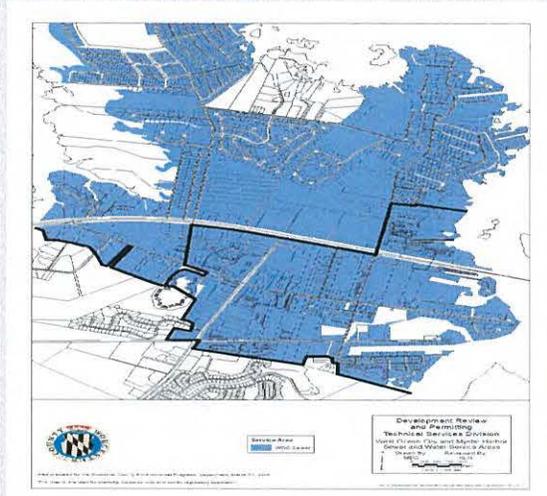
BACKGROUND

- The Mystic Harbour Wastewater Treatment Plant (WWTP) was recently upgraded and expanded at a cost of \$12.8 million.
- After grant funding, the remaining cost of \$8.1 million will be paid by the current and future ratepayers within the Mystic Harbour Service Area.
- A significant portion of this funding will be derived from the sale of the additional 666 Equivalent Dwelling Units (EDU's) of capacity
- 331 of those EDU's are expected to be sold to new customers in the Mystic-WOC Overlay area

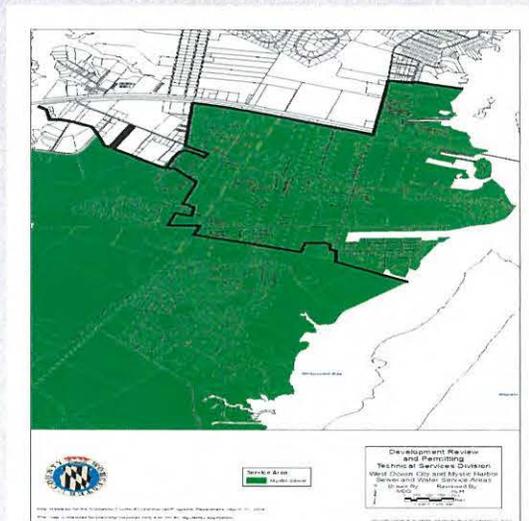
FINANCIAL SUMMARY

- In addition to the \$8.1 million debt for the new and expanded WWTP, \$3.2 million in additional improvements are required for land disposal/spray irrigation for reuse of treated effluent
- EDU's are currently sold to new customers at a cost of \$7,292 (equity contribution), plus \$48 per quarter for debt service
- Our financing plan relies on the sale of roughly 30 EDU's each year in order to cover the debt service. Otherwise, rates will increase for existing customers to pay the debt obligation.

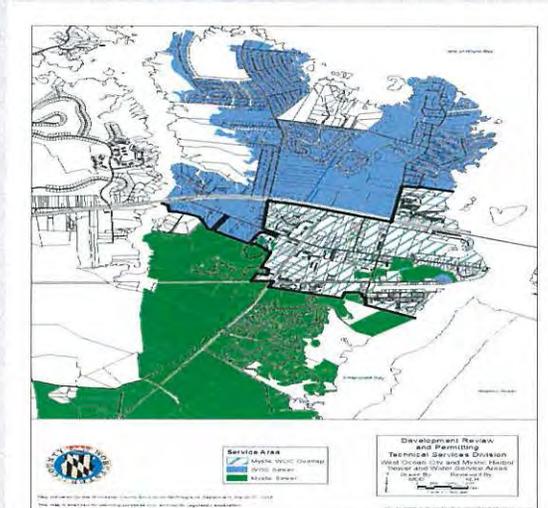
WEST OCEAN CITY SERVICE AREA



MYSTIC SERVICE AREA



MYSTIC-WEST OCEAN CITY OVERLAY

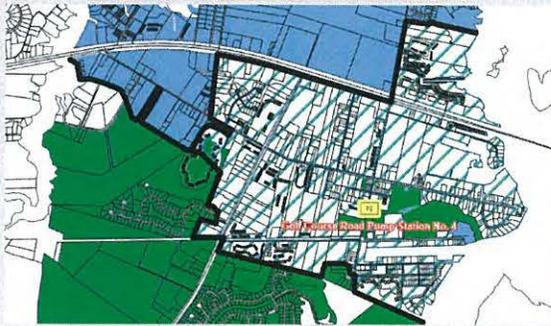


INFRASTRUCTURE

The overlay area presents an infrastructure challenge since we have two separate sewage collection systems – one for the West Ocean City (WOC) service area, and a second for the Mystic Harbour (MH) service area

Staff has determined that WOC Pump Station #4 can be retrofitted to convey flow to either wastewater treatment plant as necessary to accommodate the customers in each service area

WEST OCEAN CITY PUMP STATION 4



The Connection

A connection will be made between the WOC Pump Station #4 and Mystic Pump Station #7 for the transfer of flow



HOW WILL THIS BE ACCOMPLISHED

- New customers in the Mystic/WOC Overlay District would connect to the sewage collection system in the WOC service area and also extend metered public water service from Mystic Harbour.
- In order to account for the wastewater generated by these new Mystic customers, operators would transfer an equivalent volume of wastewater from the WOC sewage collection system to the Mystic Harbour WWTP by way of the connection to Pump Station 4.
- Each quarter, the actual metered flow from these Mystic Harbour customers will be determined and adjustments will be made to the volume transferred to the Mystic WWTP through Pump Station 4 to the WOC collection system. An equitable amount of sewage will be redirected from WOC to the Mystic WWTP in addition to transferring the estimated volumes for the current quarter.

BASIC TENETS OF UTILIZATION POLICY

- Allocations of Mystic Harbour sewer capacity will only be approved for properties with an existing demonstrated need and in connection with either a permit or plat approval specifying how and where the capacity will be allocated.
- There will be no transfers of sewer allocation allowed in the Mystic Sanitary Area by private property owners who have excess capacity allocated to their properties.
- A formal document demonstrating how the equitable amount of sewage will be transferred and accounted for between the WOC Sanitary Service Area and the Mystic Harbour Sanitary Service Area will be prepared by the Worcester County Department of Public Works and accepted by the Enterprise Fund Controller.
- The current equity contribution for each Mystic Harbour sewer EDU is \$7,292, with quarterly debt service payments of \$48 per EDU thereafter until the debt is paid in full.

STAFF RECOMMENDATION ON UTILIZATION POLICY

- The Worcester County Water & Sewer Committee recommends endorsement of the implementation policy for the sale, allocation and use of the additional sewage treatment capacity in the Mystic Harbour Sanitary Service Area.

REQUESTS FOR POLICY ALLOWING PRIVATE TRANSFER OF SANITARY CAPACITY IN MYSTIC HARBOUR

- County has received requests from two local attorneys on behalf of their clients to allow for the transfer of privately owned EDU's of public sewer and water capacity in the Mystic Harbour Service Area
- These requests have identified 40 EDU's of unconnected sewer and water capacity allocated to the Sea Oaks property and a similar total of 84 sewer and 78 water EDU's that have not been placed in service on the former Showell property.

COUNTY EXPERIENCE WITH EDU TRANSFERS IN WEST OCEAN CITY

- EDU transfers have been permitted in the West Ocean City Service Area since 1997 when the County Commissioners established such a policy to transfer growth away from the critical areas and promote growth outside the 100-year floodplain and other environmentally sensitive areas.
- EDU's were traded as commodities with prices around \$6,500 per EDU in 2000 escalating to over \$50,000 per EDU in 2004.
- Overly-inflated prices for EDU's create unnecessary barriers to infill development and redevelopment and thwart County efforts to promote economic development.
- If the County is unable to sell 30 EDU's each year, the financial system will not generate adequate funding to pay the debt service. Mystic Harbour ratepayers will be required to cover the remaining debt through increased rates.

STAFF RECOMMENDATION ON REQUESTED EDU TRANSFER POLICY

- The Worcester County Water & Sewer Committee recommends that the request for adoption of an EDU Transfer policy in the Mystic Harbour Sanitary Service Area be declined.
- Staff cautions against creating such a market for the private transfer of EDU's in the Mystic Harbour Service Area which will directly compete with the County sale of EDU's which are critical to the Mystic WWTP financing plan

Minutes of the County Commissioners of Worcester County, Maryland

March 1, 2016

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

Following a motion by Commissioner Lockfaw, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; and Stacey Norton, Human Resources Director. Topics discussed and actions taken included hiring Keri Tinker as a part-time Document Imager II within the Management Information Systems (MIS) Division of the Treasurer's Office; receiving legal advice from counsel; and performing administrative functions.

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

The Commissioners reviewed and approved the minutes of their February 16, 2016 open session and administrative session meetings as presented and closed session meeting as amended.

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Purnell, the Commissioners unanimously approved bid specifications for the rehabilitation of a single-family home in the Stockton area, which will be funded through the County's current Community Development Block Grant (CDBG) Housing Rehabilitation Grant and the Lead Hazard Reduction Grant Program.

The Commissioners met with Human Resources Director Stacey Norton to review the revised Trustee list for the Nationwide Pension Plan, which serves the 19 active County employees on the Worcester County Sanitary District Pension Plan (referred to as the Worcester County Supplemental Pension Plan and created April 1, 1968). Ms. Norton reviewed the proposed list of positions to be added as Trustees, which include the Worcester County Commission President and Vice President, Chief Administrative Officer, Treasurer, and Human Resources Director. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously

adopted Resolution No. 16-5 revising the Trustees for the Supplemental Pension Plan with Nationwide for former Sanitary Commission employees.

Pursuant to the request of Tourism Director Lisa Challenger and upon a motion by Commissioner Lockfaw, the Commissioners unanimously authorized Commission President Bunting to sign the FY16 Destination Marketing Organization Grant Agreement between the Maryland Department of Commerce (Commerce), Maryland Tourism Development Board (MTDB) and the County Commissioners of Worcester County, Maryland for a grant of \$140,127.

Pursuant to the recommendation of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Church, the Commissioners unanimously authorized Commission President Bunting to sign the Agreement of Sale between Michael C. and Linda C. Stevens (Seller) and the County Commissioners of Worcester County, Maryland (Buyer) for the purchase of a Rural Legacy easement at a cost of \$1,514.50 per acre for a total purchase cost of \$237,000 on approximately 156.49 acres located on Ward Road and identified on Tax Map 78 as Parcel 44. Mr. Mitchell stated that the easement purchase is fully funded by the State, including administrative costs to the County. He further stated that no County match is required. In response to a question by Commissioner Elder, Katherine Munson, Land Planner IV within Environmental Programs, advised that administrative fees account for 3% of the overall program cost.

The Commissioners met with Mr. Mitchell and Ms. Munson to review and discuss the approved minimum soils requirements to become part of Maryland Agricultural Land Preservation Foundation (MALPF) Application Criteria beginning March 1, 2016. Ms. Munson stated that on December 15, 2015 the Commissioners approved the inclusion of minimum soil requirements as part of three criteria proposed by the Worcester County Agricultural Land Preservation Advisory Board when accepting MALPF applications, after which it met with unanimous approval from the MALPF Board in Annapolis. Specifically, applicants will now be required to meet a minimum Land Evaluation (LE) score of 25 to be eligible to apply to sell an easement to MALPF. Commissioner Bunting thanked staff, stating that this new requirement is a step toward accepting only farmland with premium soils for conservation.

Pursuant to the recommendation of County Engineer Bill Bradshaw and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the bid for the addition of a shelter roof on the rear of the Animal Control building in Snow Hill to Hazard Construction Company of Ocean City, Maryland at a base bid cost of \$33,560, plus an additional \$3,456 for Alternate 1 to add side wall enclosures on both ends of the building and \$12,670 for Alternate 2 to include overhead garage doors and a personnel door on the rear of the building for a total project cost of \$49,686. Additional costs above the \$31,000 project budget will be derived from savings in the Sheriff's Office fuel budget. The total project cost is estimated at \$60,000, including professional services, electrical, fire alarm modifications and contingency.

Pursuant to the recommendation of Recreation and Parks Director Paige Hurley and upon

a motion by Commissioner Lockfaw, the Commissioners unanimously awarded the low bid to repair the pavilion at Newtown Park in Pocomoke to J & L Services, Inc. of Seaford, Delaware at a total cost of \$14,185. In response to a question by Commissioner Elder, Assistant Chief Administrative Officer Kelly Shannahan advised that only two of the seven contractors on the bidders list submitted bids for this project. Additional bidders are always encouraged to bid or to request to be added to the bidders lists.

Department of Liquor Control (DLC) Director Bobby Cowger presented the Commissioners with a proposal to liquidate 31 non-moving inventory items at the DLC warehouse in Snow Hill by discounting the cost at which licensees may purchase them for the upcoming summer season. Mr. Cowger stated that these are products the DLC has in the warehouse at volumes that are not likely to be completely sold at standard pricing. Therefore, lowering the prices on this excess inventory will enable the DLC to liquidate inventory to wind down wholesale operations on September 30, 2016 at a minimal loss to the County. He advised that the proposed prices would allow the products to sell at prices below the Beverage Journal prices to encourage licensees to buy. Commissioner Lockfaw stated his concern as to whether the DLC can wrap up operations within the time frames of September 30, 2016 for wholesale operations and June 30, 2017 for retail operations established within the Exit Strategy without incurring substantial losses. Commissioner Church concurred. In response to questions by Commissioner Lockfaw, Mr. Cowger stated that he believes inventory liquidation alone will cost the County around \$2 million, and given other estimated losses for outstanding debt the total cost of the Exit Strategy under the current time frame will be in excess of \$4 million by his estimates. He suggested extending the time frame to three years to enable the current debt to be paid off and, thereby, reduce losses. Commissioner Bunting stated that the time frame for the Exit Strategy has already been set, and the Commissioners are not here to debate that issue. Upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved the proposed liquidation of non-moving inventory within the DLC as requested. Commissioner Lockfaw further stated that it is the Commissioners' responsibility to watch out for the taxpayers and minimize the losses due to the Exit Strategy as much as possible.

The Commissioners presented a proclamation recognizing March as Women's History Month to Commission for Women Chair Eloise Henry-Gordy and other members. Ms. Henry-Gordy invited the Commissioners to attend the Women's History Month luncheon on March 16, 2016 at the Clarion Resort Fontainebleau Hotel in Ocean City, at which time former County Commissioner Louise L. Gulyas will be honored posthumously as the Woman in History, and current County Commissioner Diana Purnell will be honored as the Woman of the Year for 2016, along with six young women in Worcester County public middle and high schools who will be honored as Women of Tomorrow.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the Commissioners unanimously agreed to appoint Helen Whaley to the Commission on Aging for the remainder of a three-year term expiring September 30, 2018 to replace Gloria Blake who resigned.

Commissioner Elder temporarily left the meeting.

The Commissioners met with County Attorney Maureen Howarth to discuss a request to support Senate Bill 729 (SB 729) and companion House Bill 1097 (HB 1097) - Maryland Income Tax Refunds - Eastern Shore Counties - Warrant Intercept Program, which would expand the warrant intercept program to include Eastern Shore counties to the list of Maryland counties with the ability to request that the State Comptroller withhold any tax refund to which an individual is entitled if said individual has an outstanding warrant. Ms. Howarth reviewed the bill. Commissioner Purnell stated that SB 729 is too invasive; therefore, she could not support it. Upon a motion by Commissioner Bertino, the Commissioners voted 5-1, with Commissioner Elder temporarily absent and Commissioner Purnell voting in opposition, to authorize Commission President Bunting to sign a letter of support for SB 729/HB 1097.

Commissioner Elder returned to the meeting.

The Commissioners met with Chief Administrative Officer Harold Higgins to review a letter from Superintendent of Schools Dr. Jerry Wilson advising that the Board of Education (BOE) Maintenance of Effort (MOE) funding will increase by \$761,792 for a total MOE funding level of \$79,480,752 for FY17. Mr. Higgins advised that the MOE level increased due to the following two changes in the State Education Article: Section 5-202(d), which states that the MOE must be based on the total per pupil appropriation for FY16, including the amount added in that fiscal year for the local share of Teacher Retirement; and Section 5-202(d)(ii)2, which includes an MOE escalator provision that requires counties that are below the statewide five-year moving average education effort level to increase their annual per pupil MOE amounts by the lesser of the following: a county's increase in the local wealth per pupil, or the statewide average increase in local wealth per pupil, or 2.5%. Mr. Higgins stated that County staff verified the MOE increase is correct according to State law. In response to a question by Commissioner Bunting, Mr. Higgins confirmed that the \$761,792 increase in MOE costs would be borne entirely by the County. Commissioner Bunting expressed concern that Worcester County has the highest per student cost in the State, yet continues to be required to increase the level of school funding. He stated that the rising MOE is like a snowball that will continue to grow bigger and bigger until it rolls over and crushes the County. Commissioner Bertino expressed concern that the State wealth formula is inherently unfair, and the County seems to have no recourse.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners voted 5-2, with Commissioners Church and Mitrecic voting in opposition, to contact the Eastern Shore Delegation expressing their concerns regarding the level of funding that the County is required to allocate to Worcester County public schools, which is based on the existing State wealth formula, and the new MOE Escalator provision, which requires an additional 1% in funding per pupil, at a time when revenues are still down and the County is still struggling to recover from the economic downturn since 2008.

The Commissioners reviewed a letter from Dr. Wilson advising that the BOE's proposed FY17 Operating Budget adopted on February 16, 2016 does not include any items identified as non-recurring costs.

The Commissioners met with representatives from the towns of Pocomoke City, Snow Hill and Berlin, as well as the Ocean Pines Association (OPA) regarding their Fiscal Year 2017 grant requests from the County.

The Commissioners met with Pocomoke City Mayor Bruce Morrison, Council member George Tasker and City Manager Ernie Crofoot. Mayor Morrison stated that Pocomoke is witnessing renewed economic growth with the groundbreaking of Cobb Industries and new businesses opening in the downtown area. He advised that following a meeting he had with the Secretary of Transportation during the recent Maryland Municipal League conference the State has agreed to replace the lighting on the MD Rt. 13 bridge in Pocomoke. Mr. Crofoot thanked the Commissioners for their ongoing support of Pocomoke City and the nonprofit organizations serving their residents, and advised that they are requesting that the County maintain its current level of funding to Pocomoke City in all categories for FY17. These include continuing categorical funding, and special projects and services which have regional benefit and interest. He asked for continued categorical funding and pass-through grants as follows: \$450,000 for an unrestricted grant; Liquor License Fees; \$449,980 in support for the city's ambulance services based on the County formula; fire department funding; and marketing/promotional assistance of \$4,500; shared revenues for income and room tax; and state pass-through aid for a grand total of \$1,534,189.

The Commissioners met with Snow Hill Mayor Charles Dorman and Council members Alison Cook and Michael Pruitt. Mayor Dorman thanked the Commissioners for their past support, and he asked them to reconsider their earlier denial of his request to redistribute Local Impact Grant (LIG) funds from the Casino at Ocean Downs to include funding to Pocomoke and Snow Hill. He stated that the annual Snow Hill budget has grown, and the town is in dire need of funding to complete infrastructure improvements to revitalize, repair and/or renovate vacant properties and provide space for interested businesses, and LIG funds would be allocated for such projects. He also asked the Commissioners to continue to support the development of an excursion train that would run from Berlin to Snow Hill to boost economic growth and tourism in both towns. Mayor Dorman advised that Snow Hill currently has 92 tax exempt properties, 23 of which are owned by Worcester County. He thanked the County for providing \$100,000 to the town in lieu of taxes each year, but noted that the actual total of taxes the town would receive from these properties if they were not tax exempt would be \$320,209.82, funding that would greatly assist the town with infrastructure projects. In closing, he requested a total of \$750,000 from the County in grant funding, which includes an unrestricted grant of \$450,000 and a payment in lieu of taxes of \$300,000 to help maintain current services and implement revitalization efforts. Together with ambulance and fire department funding and other shared revenues and State aid pass throughs, the grand total request is \$1,620,445.

The Commissioners met with Berlin Mayor Wm. Gee Williams, III. Mayor Williams thanked the Commissioners for partnering with the town to fund the excursion train feasibility study, noting that Berlin officials are working closely with Snow Hill and Worcester County Economic Development officials to attract the right private entity to bring the project to fruition. He stated that great potential exists in small towns, like Snow Hill and Berlin, to grow the economy and bring in revenues to help fund education. He thanked the Commissioners for their prior support and asked the County to award the town an unrestricted grant in the amount of \$450,000 for FY17, noting that the bulk of the funding would be used to construct a new facility

to house the Berlin Police Department. He stated that the town first recognized the need to update the existing facility 25 years ago, and the ground breaking for the new facility is expected to take place no later than fall 2016. Together with ambulance and fire department funding and other shared revenues and State aid pass throughs, the grand total request for Berlin is \$1,794,333.

The Commissioners met with Ocean Pines Association (OPA) Board President Pat Renaud and Vice President Cheryl Jacobs to discuss their FY17 grant requests from the County. Mr. Renaud advised that Ocean Pines is home to 11,700 year-round residents or 23% of the County's residents, and that number increases to 24,000 residents each summer. However, despite having the largest year-round population, the OPA continues to receive the minimum level of funding. He and Ms. Jacobs reviewed the services and amenities the OPA provides to the community and all Worcester County residents, including recreation and parks and public safety, and he asked the Commissioners to provide funding for four distinct needs as follows: a minimum public safety grant of \$625,000 for police services; a \$295,000 grant for the restoration of roads and bridges; a grant of \$10,000 for tourism to partially offset the cost of 4th of July fireworks; and \$200,000 for Recreation and Parks programs. Ms. Jacobs stated that 35% of participants using Ocean Pines Recreation and Parks programs are from outside Ocean Pines. She further stated that, though the OPA spends in excess of \$1.6 million annually for recreational activities and programs, they ask the County to cover less than 10% of those costs. In total, including fire and ambulance funding, the OPA requests \$1,844,971 in funding from the County in FY17.

Commissioner Bunting thanked town and OPA officials for meeting with them.

The Commissioners met with Ocean City Mayor Rick Meehan, City Council member Tony Deluca, Finance Officer Martha Bennett and new City Manager Doug Miller to further discuss their request for a property tax setoff in the form of a tax differential for Ocean City taxpayers for FY17 or to discuss their alternate proposal to enter into a Memorandum of Understanding (MOU) between the Mayor and City Council of Ocean City and the County Commissioners of Worcester County, Maryland that establishes a multi-year funding formula and predictable methodology that would result in predictable incremental annual increases in the town's unrestricted grant award from the County. He stated that Ocean City officials recently updated the town's Strategic Plan, and the top priority for 2015 was to obtain a tax differential for town property owners. He stated that 59% of the County's assessable base is located on the resort island, and these revenues have helped make Worcester County strong and able to provide exceptional educational opportunities and a great quality of life to residents and visitors alike. He thanked Mr. Higgins in advance for meeting with the town later in the week to talk about a possible tax differential and advised that the County's decision to award a contract to a private entity to perform a tax differential study is a good first step toward addressing the town's request for funding relief. He pointed out that the County's annual grant to Ocean City actually decreased by 0.8 percent last year, even though Ocean City taxpayers paid \$4.9 million more in taxes for FY16 than they did the prior year. He stated that town officials can relate to Commissioner Bunting's earlier comments about education costs snowballing out of the County's control due to the State's wealth formula because town officials feel much the same way about the County's existing grant funding formula. He pointed out that there is a huge disparity between the revenues

paid to the County and the grant funds paid to each of the towns annually and noted that Berlin receives back 21.96% of the total property and income taxes paid to the County by their citizens, Snow Hill receives back 71.22%, Pocomoke receives back 24.7%, but Ocean City receives back only 4.46% despite accounting for 59% of the County's Net Assessable Real Property Tax Base. He stated that Ocean City taxes help subsidize lower taxes in West Ocean City, where the business climate is now competing directly against Ocean City. He pointed out that Ocean City provides round trip bus service from May through September annually to the WOC Park and Ride and the outlet shopping stores, a benefit to those in the WOC area that costs the town \$80,000 annually to maintain, which he asked the Commissioners to share equally with the town. He further noted that the town provides many such services to WOC, including fire and ambulance services. He concluded that he looks forward to continuing to work with County officials to address the need for a tax differential. In closing, Mayor Meehan invited the Commissioners and all in attendance to join town officials, as they celebrate St. Patrick's Day with a parade down Coastal Highway on March 12, 2016 with about 100,000 of their closest friends.

Commissioner Bunting thanked Ocean City officials for their presentation.

The Commissioners recessed for 10 minutes.

The Commissioners conducted a public hearing on Rezoning Case No. 392, for an application submitted by Attorney Hugh Cropper, IV on behalf of the estate of Mildred L. Parsons/Margaret P. Bunting, Personal Representative, which seeks to rezone approximately 11.5 acres of land located on the east side of MD Rt. 589 north of Gum Point Road, and more specifically identified on Tax Map 21 as Parcel 72 in the Third Tax District of Worcester County, Maryland, from A-1 Agricultural District to C-2 General Commercial District. Staff members present at the hearing were Development Review and Permitting Director Ed Tudor and Deputy Director Phyllis Wimbrow. County Attorney Maureen Howarth informed the public of the procedures in rezoning cases. She then swore in those individuals who planned to give testimony during the hearing. Mr. Tudor reviewed the application. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record and stated that, according to the application for rezoning, the applicants' claim as the basis for their rezoning request was that the zoning was first established in the mid 1960s, and that reclassification was retained in both the 1992 and 2009 comprehensive rezonings; however, there has been a substantial change in the character of the neighborhood since the last comprehensive rezoning adopted by the Commissioners on November 3, 2009. She stated that the petitioned area is defined as being bound on the north by MD Rt. 90, on the east by the Isle of Wight Bay, on the south by U.S. Rt. 50, and on the west by those properties on the westerly side of MD Rt. 589. She stated that Mr. Cropper previously represented Silver Fox, LLC as the applicant in Rezoning Case No. 392 in which the property immediately to the north of the now petitioned area was rezoned from A-1 to C-2 in 2012. She stated that this same definition of the neighborhood was utilized in that case. Ms. Wimbrow advised that the application received a favorable recommendation from the County Planning Commission, which had concluded that there has been a general increase, though not a substantial one, in the population of the neighborhood since the 2009 comprehensive rezoning and concurred with the applicant's assertion that the most predominant change is the approval of

Rezoning Case No. 392, which reclassified the adjacent property to the north from A-1 to C-2. Furthermore, the Planning Commission concluded that the proposed development of the adjacent property to the east into a 17-lot residential subdivision constitutes a change to the character of the neighborhood because the granting of Atlantic Coastal Bays Critical Area growth allocation by the Commissioners and the Critical Area Commission was necessary to allow the subdivision to occur. She further stated that the Planning Commission agreed with Mr. Cropper's argument that, although the Casino at Ocean Downs is located on agriculturally zoned property, it is truly not an agricultural use and is in fact commercial in nature, given its size of approximately 10,000 square feet and the extensive expanse of parking lots associated with the use. She stated that the Planning Commission further agrees with the applicant's contention that because Rezoning Case No. 392 was upheld in court it is only equitable to give the petitioned area the same zoning; therefore, the Planning Commission gave a favorable recommendation to Rezoning Case No. 396, seeking a rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District.

Commissioner Bunting opened the floor to receive public comment.

Mr. Cropper, attorney for the applicant, concurred with staff's assessment and advised that the basis for the proposed change in zoning from A-1 to C-2 is that there has been a change in the character of the neighborhood since the 2009 Comprehensive Rezoning. He cited the following developments since 2009 to support his conclusion: the opening of the Ocean Downs Casino, an amendment to the Comprehensive Water and Sewerage Plan to extend sewer service to the casino; and the proposed development of a 17-lot residential subdivision, which was awarded a growth allocation. He then identified the neighborhood as defined by the applicant and identified on the zoning maps, and he pointed out the various commercial entities located in and around the neighborhood. He asked the Commissioners to accept the Planning Commission's findings of fact with regard to the proposed rezoning.

In response to questions by Mr. Cropper, Land Planner and Landscape Architect Bob Hand stated that the definition of the neighborhood is appropriate, as it is the same used in the Silver Fox rezoning of the adjacent property immediately to the north, which was accepted by the Planning Commission, the County Commissioners, and the Courts due to a change in the character of the neighborhood, since the last comprehensive rezoning and extension of public sewer service from the Ocean Pines Sanitary Service Area (SSA) to the casino via a force main bored under Turville Creek and the associated Master Water and Sewerage Plan amendments. He maintained that the casino's clubhouse represents a substantial change in the character of the neighborhood as well. He noted that the petitioned area's soils are capable of providing adequate on-site septic disposal, though connection to the Ocean Pines SSA would be preferable. With regard to transportation impacts, Mr. Hand stated that, while no traffic study has been prepared relative to this site, he believes the impact would be minimal based on the findings of a similar study completed for Rezoning Case No. 392.

In response to questions by Mr. Cropper, Wetlands Scientist Edward Launay stated that the proposed rezoning is consistent with existing and proposed development and existing environmental conditions. Mr. Launay stated that he has analyzed this property and the Silver Fox site immediately to the north and concluded there would be no impact from either. He stated that the petitioned area is well elevated, well drained, has good depth to groundwater, and its soils are suitable for on-site septic if need be. He concluded that the soils and elevation of the

petitioned area are better than the Silver Fox property and most sites along the MD Rt. 589 corridor; therefore, rezoning the petitioned site to C-2 would have no adverse impact on impaired waters of the State and that no trees, archeological sites or endangered species are known to be on the site.

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

Upon a motion by Commissioner Church, the Commissioners unanimously adopted the Planning Commission's Findings of Fact and approved the rezoning based on a change in the character of the neighborhood since the last comprehensive rezoning on November 3, 2009.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to support Senate Bill 767 (SB 767) and House Bill 1349 (HB 1349) - Education - Beginning of School Year - After Labor Day, which would require local school systems in Maryland to establish a post-Labor Day start date for students beginning with the 2016-2017 school year. This legislation would extend the summer tourism season in Ocean City, Worcester County and enable local businesses to employ high school students throughout the state through the Labor Day weekend. Commissioner Mitrecic stated that findings of a recent parent survey conducted by the Board of Education (BOE) showed that 79% of parents support postponing the start of the school year until after Labor Day. Commissioner Elder stated that the bus contractors support SB 767 as well.

The Commissioners adjourned for lunch.

The Commissioners conducted a public hearing on Rezoning Case No. 395, for an application submitted by Attorney Hugh Cropper, IV on behalf of Sun TRS Frontier, LLC which seeks to rezone approximately 36 acres of land located to the east of MD Rt. 611 north of MD Rt. 376, and more specifically identified on Tax Map 33 as part of Parcel 94 in the Tenth Tax District of Worcester County, Maryland, from C-2 General Commercial District to A-2 Agricultural District. Staff members present at the hearing were Mr. Tudor and Ms. Wimbrow. Ms. Howarth informed the public of the procedures in rezoning cases. She then swore in those individuals who planned to give testimony during the hearing. Mr. Tudor reviewed the application. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record and stated that, according to the application for rezoning, the applicants' claim as the basis for their rezoning request was that there is a mistake in the existing zoning of the petitioned area, since when it was initially zoned C-2 in the mid 1960s when it was anticipated that Assateague Island would be developed in much the same fashion as Ocean City, as would the South Point area, and that nearby commercial areas were necessary to provide services to those resort and residential areas. However, Assateague Island instead was protected as both a national and state park and the expected residential growth of the island and nearby mainland did not occur, thus rendering the commercial zoning largely unnecessary and in fact excessive. She stated that the Planning Commission found that the proposed A-2 zoning would permit what is essentially infill development by allowing the expansion of an existing campground and that this would be an appropriate form of smart growth for the area; therefore, the Planning Commission had concluded that a change in the zoning would be more desirable in terms of the objectives of the

Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 395.

Mr. Cropper concurred with staff's assessment and maintained that the abundance of commercial zoning in this portion of MD Rt. 611 is no longer needed and is in fact antiquated given Assateague Island's status as a preserved area. He claimed that there is, therefore, a mistake in the existing zoning of the petitioned area, albeit one made in good faith many years ago, and he asked the Commissioners to support the Planning Commission's Findings of Fact.

In response to questioning by Mr. Cropper, Land Planner and Landscape Architect Bob Hand advised that the commercially zoned portion of the subject property, which is located along the roadway frontage, is appropriately developed; however, the C-2 zoning on the petitioned area is inappropriate and a mistake because it is too far removed from the main corridor for a successful commercial venture. He concluded that rezoning the property to A-2 is consistent with the Comprehensive Plan, which shows the petitioned area as being within the Existing Developed Area (EDA) land use category, an area where the Comprehensive Plan calls for orderly infill development consistent with the existing character in the area, which in this case is the campground. He concluded that this low impact use is more desirable than the commercial zoning designation.

In response to questioning by Mr. Cropper, Alex Dolgus, a retired U.S. Army Corps of Engineers employee who previously enforced tidal and nontidal wetland regulations and is now an environmental consultant, testified that he had thoroughly examined the petitioned area, and its subsequent use as a campground expansion is compatible with existing environmental conditions in the area. He noted that there are small pockets of wetlands on the site, but substantial areas of uplands, so there will be little or no impact if the property is rezoned. He further maintained that no archeological sites or endangered species were found on the site, and the proposed campground would not adversely impact any impaired waters or increase the Total Maximum Daily Loads (TMDLs).

Frontier Town owner Mitch Parker advised that camping in Worcester County has seen steady growth in the last few years and contended that there is an unmet need for camping facilities here. Furthermore, the petitioned area is a natural site for expansion of an existing campground. He asserted that the petitioned area is not appropriate for commercial development, and pointed out that a campground is a low impact use with mostly pervious surfaces, whereas commercial development would entail roads, parking, stormwater management and other more severe impacts. He also advised that access to the bay would be provided by existing facilities. In response to a question by Commissioner Elder, Mr. Parker stated that he planned to add no more than 200 campsites to the petitioned area if rezoned from C-2 to A-2.

Commissioner Bunting closed the public hearing.

Upon a motion by Commissioner Church, the Commissioners unanimously adopted the Findings of Fact of the Planning Commission and approved the rezoning based on the contention that there is a mistake in the existing zoning classification of the petitioned area.

The Commissioners answered questions from the press, after which they adjourned to meet again on March 15, 2016.