

AGENDA

WORCESTER COUNTY COMMISSIONERS

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

December 18, 2018

Item

- 9:00 AM - Vote to Meet In Closed Session in Commissioners' Conference Room - Room 1103
Government Center, One West Market Street, Snow Hill, Maryland
- 9:01 - Closed Session: Discussion regarding posting to fill vacancies for three (3)
Communications Clerk Trainees and reviewing personnel changes in the Sheriff's Office;
receiving legal advice from Counsel; and performing administrative functions
- 10:00 - Call to Order, Prayer (Arlene Page), Pledge of Allegiance
- 10:01 - Report on Closed Session; Review and Approval of Minutes
- 10:10 - Presentation of Retirement Commendations to Emergency Services Director Fred Webster
Register of Wills Charlotte Cathell and Orphans Court Judge William Shockley 1-3
- 10:20 - Chief Administrative Officer: Administrative Matters 4-25
(Award of Bid for Housing Rehabilitation Project in Ocean Pines; Request for Proposals for Diakonia Shelter
Renovation Project; Approval of Tax Exempt Financing for Construction of Berlin Fire Company Station 3; Return
of Fire Engine to Ocean Pines Volunteer Fire Department; Acceptance of Ocean City Fire Safety House; Harris P25
Radio System Status Update and Disposal of EDACS Radio Equipment; Proposed Land and Water Conservation
Grant for Greys Creek Nature Park; Award of Bid for Public Landing Engineering Services; Maryland Agricultural
Land Preservation (MALPF) Re-certification; Coastal Bays Rural Legacy Easement Agreement of Sale- Porter Mill
Properties; Request for Design Proposals - Selsey Road Resiliency Project; Award of Proposal for Water and
Sewerage Plan Update; Clerk of Court's Request for a Bathroom; Proposed Tour and Discussion of Solid Waste
Operations; Request to Lease Storage Space at Former Liquor Control Warehouse; Strategic Planning Proposal;
Amendment to Personnel Rules and Regulations - Christmas Eve Holiday; Upcoming Board Appointments; Open
Meetings Compliance Board Opinion; FY20 Budget Hearing Location; Ocean City FY20 Tax Differential Request;
Proposed Bond Bills and Official Intent Resolution; and potentially other administrative matters)
- 10:30 - Public Hearing - Sectional Reclassification of the E-1 Estate and A-1 Agricultural Zoned
Properties North of Grays Corner Road and West of MD Route 589 (Racetrack Road) 26
- 10:40 -
- 10:50 -
- 11:00 - Legislative Session - Public Hearing on Bill 18-7 (Zoning - Campgrounds - RV Camping Areas) 27
- Introduction of Bills - Bond Authorization for Financing: New Showell Elementary School 28
- New Turf Athletic Field at Stephen Decatur High School, and 29
- Completion of Central Landfill Site Cell No. 5 Construction 30
- 11:10 - Public Hearing- Water & Sewerage Plan Amendment- Ocean Pines SSA- AGH Medical Center 31
- 11:20 - Chief Administrative Officer: Administrative Matters 4-25, continued
- 11:30 -
- 11:40 - C. Hall - TGM Group: FY18 Comprehensive Annual Financial Report (CAFR) 32
and Certificate of Achievement of Excellence in Financial Reporting for FY17 CAFR 33
- 11:50 -
- 12:00 - Questions from the Press

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!

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Minutes of the County Commissioners of Worcester County, Maryland

December 4, 2018

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

Commissioner Purnell called the meeting to order.

Susan R. Braniecki, Clerk of Court for Worcester County, swore in the seven newly-elected County Commissioners.

Commissioner Mitrecic thanked the voters for their support and reaffirmed his ongoing commitment to represent the Town of Ocean City and all of Worcester County.

Commissioner Church thanked his supporters for electing him for a fifth term, as a County Commissioner, and stated that he is just as excited today as he was at the beginning of his first term. He recognized the great staff at Worcester County and the great Commissioners who he looked forward to working with over the next four years.

Commissioner Elder thanked his constituents and County staff for their support over last four years, his family without whose support he would not be here, including his great grandson, Lincoln, and he pledged to continue to work even harder for the residents of Worcester County over the next four years.

Commissioner Bunting stated that in 2010 the voters gave him the privilege of representing them as a County Commissioner, and though he ran unopposed in 2018, it was humbling to see the high level of voters who turned out to continue to support him. He thanked the voters for their continued trust in him, County staff for their support, and most importantly for the support of his wife and love of his life, Beth.

Commissioner Bertino stated that he is humbled by the trust the Ocean Pines community has placed in him to represent them, and he reaffirmed his commitment to them to do just that. He also recognized and thanked his family and campaign supporters for all their efforts and support. He also congratulated newly-elected Sheriff Matt Crisafulli and stated that he looked forward to forging a new partnership with him.

Commissioner Nordstrom thanked his constituents for answering the door when he knocked and for offering their candid remarks about how the County can better meet community needs and then for exhibiting their confidence in him by electing him to office. He thanked former Commissioner Lockfaw for his service over the past eight years. He also thanked all who aided him in his bid for election, including his family and his wife, Donna, noting that campaigns do not run on smiles, but on hard work and endurance. He stated that he was grateful to the Commissioners for their support and for answering his questions. He committed to continue

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working hard for the residents of Pocomoke and the entire County, and he looked forward to working with the people and the staff.

Commissioner Purnell thanked former Commissioner Jim Purnell who trained her to step into his shoes in 2014 and the voters who came out on election day to support her even though she ran unopposed. She thanked her husband, Gabe, and road partners, Mary and Tosha, the Board of Education (BOE), County staff, and Berlin Mayor Gee Williams for partnering with the Commissioners and operating as a family to serve the needs of students and the community, and she upheld her commitment to continue working hard for the County. She reiterated her regular prayer for “all hearts and minds clear,” so the Commissioners can focus on the tasks before them and work together for the citizens of Worcester County, and she asked the citizens to pray for the Commissioners, for wisdom and guidance. She recognized each County Commissioner and key staff members and thanked them for doing their jobs, noting that each are part of the Worcester County family.

The Commissioners recessed to the third floor training room for a dessert reception to greet their constituents.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 11:00 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 (GP) Article of the Annotated Code of Maryland and to perform administrative functions permitted under the provisions of Section GP 3-104. Also present at the closed session were 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: temporarily promoting George Schoepf from Corporal to Sergeant within the County Jail; receiving legal advice from counsel regarding Commissioners’ procedures; and performing administrative functions, including: an update on hiring a Landfill Operator I, drawing for an outstanding County employee; acknowledging a lien release; discussing potential board appointments; scheduling County Commissioners’ portraits; and scheduling the 2019 strategic planning retreat.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Nordstrom, the Commissioners unanimously voted to adjourn their closed session.

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

The Commissioners reviewed and approved the open and closed session minutes of their November 20, 2018 meeting as presented.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously re-elected

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Commissioner Purnell to complete a second year as President until December 3, 2019.

Upon a motion by Commissioner Church, the Commissioners unanimously elected Commissioner Mitrecic to serve as Vice President until December 3, 2019.

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Church, the Commissioners unanimously awarded the low bid for a housing rehabilitation project in the West Ocean City area to Shoreman Construction, Co., Inc. of Delmar, Maryland at a cost of \$19,826.

Pursuant to the recommendation of Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign the Community Development Block Grant (CDBG) Homeless Initiative Grant Agreement and Sub-Recipient Agreement, awarding Diakonia funds of \$276,128 for a shelter renovation project, with Diakonia to pay the invoices directly and to be reimbursed by Worcester County from CDBG funds.

Pursuant to the recommendation of Ms. Reynolds and upon a motion by Commissioner Church, the Commissioners unanimously approved the Notice to Public of Intent to Request Release of Funds on December 21, 2018 from the Maryland Department of Housing and Community Development to release CDBG funds for the Diakonia Shelter Renovations project at 12747 Old Bridge Road in West Ocean City. Ms. Reynolds stated that Diakonia and the County have prepared an Environmental Review Record on the project, as described in the notice and has determined this project to be Categorical Excluded under the provisions of the National Environmental Policy Act of 1969 (NEPA), which makes the County eligible to apply to the State for the release of the reserved CDBG funding.

The Commissioners met with Public Works Director John Tustin and County Attorney Maureen Howarth to consider the revised Land Lease Agreement between the County Commissioners (Lessor) and Calvert Crossland, LLC (Lessee) to construct a tower on County-owned property at the Ocean Pines Wastewater Treatment Plant (WWTP). Mr. Tustin explained that the proposed lease was amended to reflect changes requested by the Commissioners on October 23, 2018 and now includes increasing the tower height from 127 feet to 160 feet to allow for co-location, reserving space at the top of the tower for County communications equipment at no cost, and amending the lessor from Verizon to Calvert, a Maryland company that Verizon has contracted to build, own, and maintain their antenna towers.

Commissioner Bunting stated that he will not vote for the lease, since he has received at least two dozen calls from area residents who are opposed to this proposal and that he could not support the new lease based on the amendments to transfer the lessor from Verizon to a third party, and the proposed 33-foot increase in tower height, which would require a special exception from the Board of Zoning Appeals (BZA) for height and distance from a residential area. He noted that, with 250 square feet of wind sail, space at the top of the tower would be useless to the County. He also stressed the need to identify how much other jurisdictions charge for tower leases. He concluded that Verizon should look for a tower site outside Ocean Pines. Commissioner Bertino concurred with Commissioner Bunting, stating that Ocean Pines does not

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want the tower, and he would not vote for it.

In response to a question by Commissioner Church, Mr. Tustin stated that additional cell coverage is needed along MD Rt. 90; however, he is not aware of any other sites within a quarter-mile that would be conducive for a tower. He further advised that the tree canopy in Ocean Pines reaches a maximum height of 150 feet, making approximately 10 feet of tower space available above the tree line. In response to a question by Commissioner Elder, Mr. Tustin stated that he could not speak to whether the proposed tower location is critical to Verizon; however, he noted that Verizon officials had approached the County to request this lease space. Commissioner Mitrecic stated that, based on constituents' concerns, the Isle of Wight might be a better location for the tower. In response to concerns by Commissioner Mitrecic, Ms. Howarth advised that staff established the height of the Ocean Pines canopy, while completing an analysis of the area as part of the P25 Radio System project, with Emergency Services officials having communicated to her that the average height of the trees in Ocean Pines is 130 feet, with a maximum height of 150 feet. She further advised that Calvert based the tower dimensions on specifications provided by the County, with regard to the height and weight for the heaviest pieces of communications equipment, which the County would install on said tower, so this tower would be satisfactory for County equipment.

Calvert Partner Barb Pivec advised that she worked as a tower consultant for Verizon from 2002 until five years ago when she formed Calvert and began contracting to build antenna towers for Verizon. She noted that it is extremely difficult to identify sites that are adequately buffered by tree lines and meet separation distances, and stated that this specific site has been in the works for over five years. She stated that the proposed tower height is based on co-location to limit the proliferation of towers, and the proposed site would be able to handle the needs of the private carrier and future broadband needs in the area. In response to concerns raised by Commissioner Church, Ms. Pivec stated that she would be happy to assess the possibility of erecting a tower in South Point to address lacking cell and broadband coverage in that area.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners voted 4-0-3, with Commissioners Bertino, Bunting, Mitrecic, and Purnell voting in favor of the motion, no Commissioners voting in opposition, and Commissioners Church, Elder, and Nordstrom abstaining from the vote, not to sign the Land Lease Agreement between the County Commissioners (Lessor) and Calvert Crossland, LLC (Lessee) for a tower at the Ocean Pines WWTP and not to look at this site for the location of a tower.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted the Findings of Fact and Resolution No. 18-26, establishing a Residential Planned Community (RPC) Floating Zone on an approximately 40-acre property located on the west side of MD Rt. 611 (Stephen Decatur Highway), north of Sinepuxent Road near West Ocean City, and more specifically identified on Worcester County Tax Map 26 as Parcel 274, Lot 3A, as conceptually approved on November 20, 2018.

Pursuant to the recommendation of Mr. Tudor and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted the Findings of Fact and Zoning Reclassification Resolution No. 18-04, changing the zoning classification of 2.22 acres of a 2.6-

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acre site located on the south side of St. Martins Neck Road, directly opposite the entrance to the Todd Industrial Park, and more specifically identified on Worcester County Tax Map 10 as Parcel 27, Lot 1, from E-1 Estate District to A-2 Agricultural District, as conceptually approved on November 20, 2018.

Pursuant to the request of Mr. Tudor and upon a motion by Commissioner Church, the Commissioners unanimously approved out-of-state travel for Zoning Administrator Jennifer Keener, AICP, to attend the American Planning Association (APA) National Conference in San Francisco, California from April 13-16, 2019 at a total cost for travel, hotel, and meals of \$3,000 for continuing education to maintain her Certified Planner status and further her professional knowledge.

The Commissioners reviewed their membership on County boards and commissions.

Upon a motion by Commissioner Bertino, the Commissioners unanimously nominated Commissioner Mitrecic as 1st Vice-Chair and Commissioner Elder as Secretary, and Commissioners Church, Nordstrom, and Purnell as voting members of the Board of Directors of the Tri-County Council (TCC) for the Lower Eastern Shore of Maryland.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously nominated Commissioner Bertino to serve as the primary Worcester County representative on the Maryland Association of Counties (MACo) Legislative Committee for the calendar year 2019, with Commissioner Bunting to serve as the alternate representative.

Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to reappoint County Commissioner representatives to the following boards and commissions: Commissioner Bunting to serve on the Commission on Aging; Commissioner Purnell to serve on the Drug and Alcohol Abuse Council and the Social Services Board; Commissioner Mitrecic to serve on the Local Emergency Planning Committee; Commissioner Elder to serve on the Local Health Improvement Coalition upon the request of the Health Officer; Commissioner Church to serve on the Salisbury-Wicomico-Ocean City Regional Airport Commission; and Commissioner Bertino to serve on the Wor-Wic Community College (WWCC) Board of Trustees.

The Commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Elder, the Commissioners unanimously agreed to reappoint Mark Bargar to the Building Code Appeals Board for an additional four-year term expiring December 31, 2022, and Thomas Babcock to the Board of Zoning Appeals for an additional three-year term expiring December 31, 2021.

Upon nominations by Commissioner Mitrecic, the Commissioners unanimously agreed to reappoint Lauren Mathias Williams to the Commission for Women and Jake Mitrecic to the Housing Review Board for additional three-year terms each expiring December 31, 2021, and John Gehrig to the Recreation Advisory Board for an additional four-year term expiring December 31, 2022.

Upon nominations by Commissioner Purnell, the Commissioners unanimously agreed to reappoint Eloise Henry Gordy to the Initiative to Preserve Families Board (Local Management Board), whose term expired on December 31, 2017, for an additional three-year term expiring on December 31, 2020; Teola Brittingham to the Commission for Women and Sharon Teagle to the

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Housing Review Board for additional three-year terms each expiring December 31, 2021; and Faith Mumford to the Ethics Board, Gregory Purnell to the Tourism Advisory Committee, and Alvin Handy to the Recreation Advisory Board for additional four-year terms each expiring December 31, 2022.

Upon nominations by Commissioner Bunting, the Commissioners unanimously agreed to reappoint Bess Cropper to the Commission for Women, Steve Kolarik to the Board of Electrical Examiners, and Robert M. Purcell to the Board of Zoning Appeals for additional three-year terms each expiring December 31, 2021.

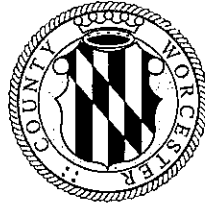
Upon nominations by Commissioner Bertino, the Commissioners unanimously agreed to reappoint Marlene E. Ott to the Planning Commission for an additional five-year term expiring December 31, 2023; and James Spicknall to the Water and Sewer Advisory Council for the Ocean Pines Sanitary Service Area (SSA) for an additional four-year term expiring December 31, 2022.

Pursuant to the request of Assistant Chief Administrative Officer Kelly Shannahan and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to revise an incorrect reference to the rental cost of the temporary kitchen at the County Jail from \$215,528 to the actual cost of \$21,528 in the open session minutes of October 23, 2018.

The Commissioners answered questions from the press, after which they adjourned to the atrium of the Worcester County Government Center where they assisted Worcester County Developmental Center clients in decorating the County Christmas Tree.

The Commissioners adjourned to meet again on December 18, 2018.

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CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

COMMENDATION

WHEREAS, Fred Webster has contributed 17 years of dedicated service to Worcester County Government, where he began his career in Emergency Services as the assistant director on July 17, 2002. In 2013 the Commissioners promoted him to direct the department; and

WHEREAS, Mr. Webster led the 911 Communications Center and Information Technology Division and directed all aspects of emergency management operations, including disaster planning and response and recovery. He was instrumental in instructing the National Academies of Emergency Dispatch Basic Telecommunicator classes and the Federal Emergency Management Agency (FEMA) Community Emergency Response Team program in Worcester County.

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

Executed under the Seal of the County of Worcester, State of Maryland, this 18th day of December, in the Year of Our Lord Two Thousand and Eighteen.



Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

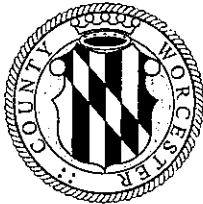
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CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
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COUNTY COMMISSIONERS

Worcester County

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

COMMENDATION

WHEREAS, Worcester County Register of Wills Charlotte Kerbin Cathell has contributed 20 years of dedicated service to the citizens of Worcester County, administering decedents' estates and providing for the safekeeping of wills of living persons; and

WHEREAS, since being elected in 1998, Ms. Cathell has devoted her career to guiding the Worcester County Register of Wills Office in its mission to protect vital information, serve the public, and, thereby, improve the quality of life of all residents.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby commend **Charlotte Kerbin Cathell** for her lasting contributions to Worcester County, and we wish her a long, happy, and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 18th day of December, in the Year of Our Lord Two Thousand and Eighteen.



Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

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

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
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COUNTY COMMISSIONERS

Worcester County

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

COMMENDATION

WHEREAS, Worcester County Orphans Court Judge William D. Shockley has contributed 32 years of dedicated service to Worcester County, serving 28 of those years as the chief judge; and

WHEREAS, since joining the Worcester County Orphans Court in December 1986, Judge Shockley has devoted his career to presiding over the administration of estates, thereby improving the quality of life of all residents.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby commend **Judge William D. Shockley** for his lasting contributions to Worcester County, and we wish him a long, happy, and healthy retirement.

Executed under the Seal of the County of Worcester, State of Maryland, this 18th day of December, in the Year of Our Lord Two Thousand and Eighteen.



Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

Competitive Bid Worksheet

Item: Housing Rehabilitation - Grisbach Property in Ocean Pines

Bid Deadline/Opening Date: 1:00 P.M., Monday, December 10, 2018

Bids Received by deadline = 5

Richard Grisbach Property
97 Martinique Circle
Ocean Pines, MD 21811
Total Quote

Contractor's Submitting Bids

Shoreman Construction Co., Inc.
606 East Pine Street
Delmar, MD 21875

* 34,485

Colossal Contractors, Inc.
4601 Sandy Spring Road
Burtonsville, MD 20866

* 91,585

Beach Construction Co.
P.O. Box 1758
Ocean Pines, MD 21811

* 50,400

Poseidon P& HS
12637 Sunset Ave; Ste. 1
Ocean City, MD 21842

* 57,165

Ocean Tower Construction, LLC
12905 Coastal Highway
Ocean City, MD 21842

* 40,649

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

BID FORM

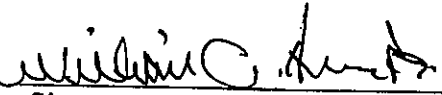
***must be signed to be valid**

**Property of Richard Grisbach
97 Martinique Circle
Berlin, MD 21811**

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

Total Quote : \$ 34,485.00

Date: 12-7-2018


Signature
WILLIAM C. HEENAN, JR
Typed Name
OWNER
Title
SHOREMAN CONSTRUCTION
Company Name
606 E. PINE ST.
Address
DELMAR, MD 21815
410-896-3200
Phone Number(s)
5859 10-11-2019
MHIC License # Expiration Date

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

SCOPE OF WORK

A: Prune and or trim any tree limbs and or plantings that are touching the roof or house siding. Remove all existing roof shingles, flashings, drip edge, roof fan, and any water damaged roof sheathing. Replace any water damaged roof sheathing with like sized sheathing. Install new peel and stick roof underlayment. Install white, wide aluminum drip edge, as well as new ice and water shield at all valleys and eaves. Install new plumbing vent boots, aluminum wall and step flashings as necessary. Install new thirty year architectural shingles and hip and ridge shingles as necessary. Install new roof ridge venting. Install new roof attic fan with thermostat control. Clean up and haul away all construction related debris including fallen and dropped roofing nails.

PRICE: ~~\$~~ 8,340.00

B: Obtain a plumbing permit for required repairs. Remove all existing water system polybutylene supply lines. Replace all water supply lines with CPVC water piping. Remove hall bathroom toilet. A new tall and elongated, builder grade toilet, with new seat, is to be installed. Toilet, with new shut off valve to be installed after floor repairs as noted are completed, with new wax ring seal. Install new ½ horse power, builder grade disposal. Install new exterior frost free, hose bibb. Vent dryer to exterior with metal ducting and exterior vent hood. Repair vinyl soffit at left side gable area.

PRICE: ~~\$~~ 3,700.00

C: Replace all existing smoke detectors with mandated 10 year battery life units per current County Code. Have existing electrical panel inspected by qualified electrician due to age, and make any necessary repairs or corrections. Install three (3) GFCI wall outlets in kitchen and bathrooms. The kitchen GFCI is to be interconnected, to any other wall outlets in proximity to kitchen sink per Code. Remove hall bathroom finish flooring and any water damaged subflooring. Install new ¾ inch subflooring where water damaged sub flooring was removed. Install new builder grade vinyl sheet goods over ¼ inch underlayment. Replace hall bathroom door with lauan door and new lockset to match existing as close as possible.

PRICE: ~~\$~~ 3,100.00

D: Pump out all standing water in crawlspace. Remove all existing crawlspace floor insulation, vapor barrier, and debris. Have the crawlspace inspected by a qualified mold remediation company, and any abatement completed as necessary. Have crawlspace inspected for possible termite activity, and serviced as necessary. Sister in new floor joists where there are existing water damaged joists, after any required fungi growth treatment is completed. Install new metal insulated, crawlspace access door, seal all foundation vents, and install a dehumidifier with condensation line to the exterior by gravity, or by pump if necessary. After

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

all abatements completed, install new R-19 Kraft faced fiberglass batt floor insulation and 6 mil poly vapor barrier. Remove all construction related debris.

PRICE: ~~7,500.00~~

E: Remove existing A/C system, including all ductwork. Install new builder grade, energy star, minimum 16 Seer, heat pump system, with a programmable thermostat. System to be designed to meet the requirements in accordance with the ACCA's manual J or other recognized methodology, and be capable of heating the interior to 78 F when exterior temperature is 0 degrees F. Data for heat load/loss calculations shall be based on post rehabilitation conditions. All ductwork is to be supported, sealed with mastic and insulated in unconditioned areas, minimum, 20 year life.

PRICE: ~~8,645.00~~

F: Remove existing stack washer and dryer in kitchen closet, units to be reinstalled after flooring replacement. Remove the vinyl flooring and underlayment in the kitchen area and kitchen closet. If the finish flooring and underlayment directly under the water heater are sound, leave it and make a clean square cut and bring new underlayment and finish flooring to it. Install new 1/4 inch lauan underlayment, fill and smooth all joints. Install medium grade vinyl sheet finish flooring per manufacturer's installation instructions. Install shoe moulding at base of kitchen cabinets and at all wall junctions. Shoe moulding to be stained or painted to match exiting trim.

PRICE: ~~3,200.00~~

TOTAL PRICE: ~~34,405~~
SIGNATURE: William C. Hearn, Jr.
PRINTED NAME: WILLIAM C. HEARN, JR.
TITLE: OWNER
COMPANY NAME: SHOREMAN CONSTRUCTION CO. INC.
ADDRESS: 608 E. PINE STREET
DELMAR, MD 21825
PHONE NUMBERS: OFFICE: 410-896-3200 CELL: 443-359-0095
MHIC#: 5859
DATE OF PROPOSAL: 12-7-2018 EXPIRATION DATE: 10-11-2019

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

Richard Grisbach 11-5-18
Owner Date

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

BID FORM


***must be signed to be valid**

**Property of Richard Grisbach
97 Martinique Circle
Berlin, MD 21811**

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

Total Quote : \$ 40,649.00

Date: 12/10/2018


Signature
OLEG SHAKIROV
Typed Name
PRESIDENT
Title
OCEAN TOWER CONSTRUCTION LLC
Company Name
12905 COASTAL HWY
Address
OCEAN CITY MD 21842
443-366-5556
Phone Number(s)
128811 11/30/2020
MHIC License # Expiration Date

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

SCOPE OF WORK

A: Prune and or trim any tree limbs and or plantings that are touching the roof or house siding. Remove all existing roof shingles, flashings, drip edge, roof fan, and any water damaged roof sheathing. Replace any water damaged roof sheathing with like sized sheathing. Install new peel and stick roof underlayment. Install white, wide aluminum drip edge, as well as new ice and water shield at all valleys and eaves. Install new plumbing vent boots, aluminum wall and step flashings as necessary. Install new thirty year architectural shingles and hip and ridge shingles as necessary. Install new roof ridge venting. Install new roof attic fan with thermostat control. Clean up and haul away all construction related debris including fallen and dropped roofing nails.

PRICE: 6868.00

B: Obtain a plumbing permit for required repairs. Remove all existing water system polybutylene supply lines. Replace all water supply lines with CPVC water piping. Remove hall bathroom toilet. A new tall and elongated, builder grade toilet, with new seat, is to be installed. Toilet, with new shut off valve to be installed after floor repairs as noted are completed, with new wax ring seal. Install new ½ horse power, builder grade disposal. Install new exterior frost free, hose bibb. Vent dryer to exterior with metal ducting and exterior vent hood. Repair vinyl soffit at left side gable area.

PRICE: 4289.06

C: Replace all existing smoke detectors with mandated 10 year battery life units per current County Code. Have existing electrical panel inspected by qualified electrician due to age, and make any necessary repairs or corrections. Install three (3) GFCI wall outlets in kitchen and bathrooms. The kitchen GFCI is to be interconnected, to any other wall outlets in proximity to kitchen sink per Code. Remove hall bathroom finish flooring and any water damaged subflooring. Install new ¾ inch subflooring where water damaged sub flooring was removed. Install new builder grade vinyl sheet goods over ¾ inch underlayment. Replace hall bathroom door with lauan door and new lockset to match existing as close as possible.

PRICE: 2977.11

D: Pump out all standing water in crawlspace. Remove all existing crawlspace floor insulation, vapor barrier, and debris. Have the crawlspace inspected by a qualified mold remediation company, and any abatement completed as necessary. Have crawlspace inspected for possible termite activity, and serviced as necessary. Sister in new floor joists where there are existing water damaged joists, after any required fungi growth treatment is completed. Install new metal insulated, crawlspace access door, seal all foundation vents, and install a dehumidifier with condensation line to the exterior by gravity, or by pump if necessary. After

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

all abatements completed, install new R-19 Kraft faced fiberglass batt floor insulation and 6 mil poly vapor barrier. Remove all construction related debris.

PRICE: 10,543.00

E: Remove existing A/C system, including all ductwork. Install new builder grade, energy star, minimum 16 Seer, heat pump system, with a programmable thermostat. System to be designed to meet the requirements in accordance with the ACCA's manual J or other recognized methodology, and be capable of heating the interior to 78 F when exterior temperature is 0 degrees F. Data for heat load/loss calculations shall be based on post rehabilitation conditions. All ductwork is to be supported, sealed with mastic and insulated in unconditioned areas, minimum, 20 year life.

PRICE: 13,742.06

F: Remove existing stack washer and dryer in kitchen closet, units to be reinstalled after flooring replacement. Remove the vinyl flooring and underlayment in the kitchen area and kitchen closet. If the finish flooring and underlayment directly under the water heater are sound, leave it and make a clean square cut and bring new underlayment and finish flooring to it. Install new 1/4 inch lauau underlayment, fill and smooth all joints. Install medium grade vinyl sheet finish flooring per manufacturer's installation instructions. Install shoe moulding at base of kitchen cabinets and at all wall junctions. Shoe moulding to be stained or painted to match exiting trim.

PRICE: 2229.52

TOTAL PRICE: 40,649.00

SIGNATURE: [Signature]

PRINTED NAME: OLEG SHAKIROV

TITLE: PRESIDENT

COMPANY NAME: OCEAN TOWER CONSTRUCTION LLC

ADDRESS: 12905 COASTAL HWY
OCEAN CITY MD 21842

PHONE NUMBERS: OFFICE: 443-366-5556

CELL: 443-373-7096

MHIC#: 128811

EXPIRATION DATE: 11/30/2020

DATE OF PROPOSAL: 12/10/18

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

[Signature]

Owner

11-5-18

Date



BID FORM

Property of Richard Grisbach

97 Martinique Circle

Berlin, MD 21811

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

Total Quote: \$ 50,400.00

Date: 12/08/18

A handwritten signature in black ink, appearing to read "Colleen Deptula".

Colleen Deptula

President

Beach Construction Co.

P.O. Box 1758

Ocean Pines, MD 21811

410-641-8590

MHIC #121721 exp. 01-24-19

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

SCOPE OF WORK

A: Prune and or trim any tree limbs and or plantings that are touching the roof or house siding. Remove all existing roof shingles, flashings, drip edge, roof fan, and any water damaged roof sheathing. Replace any water damaged roof sheathing with like sized sheathing. Install new peel and stick roof underlayment. Install white, wide aluminum drip edge, as well as new ice and water shield at all valleys and eaves. Install new plumbing vent boots, aluminum wall and step flashings as necessary. Install new thirty year architectural shingles and hip and ridge shingles as necessary. Install new roof ridge venting. Install new roof attic fan with thermostat control. Clean up and haul away all construction related debris including fallen and dropped roofing nails.

PRICE: \$9,500.00

B: Obtain a plumbing permit for required repairs. Remove all existing water system polybutylene supply lines. Replace all water supply lines with CPVC water piping. Remove hall bathroom toilet. A new tall and elongated, builder grade toilet, with new seat, is to be installed. Toilet, with new shut off valve to be installed after floor repairs as noted are completed, with new wax ring seal. Install new ½ horse power, builder grade disposal. Install new exterior frost free, hose bibb. Vent dryer to exterior with metal ducting and exterior vent hood. Repair vinyl soffit at left side gable area.

PRICE: \$8,600.00

C: Replace all existing smoke detectors with mandated 10 year battery life units per current County Code. Have existing electrical panel inspected by qualified electrician due to age, and make any necessary repairs or corrections. Install three (3) GFCI wall outlets in kitchen and bathrooms. The kitchen GFCI is to be interconnected, to any other wall outlets in proximity to kitchen sink per Code. Remove hall bathroom finish flooring and any water damaged subflooring. Install new ¾ inch subflooring where water damaged sub flooring was removed. Install new builder grade vinyl sheet goods over ¼ inch underlayment. Replace hall bathroom door with lauan door and new lockset to match existing as close as possible.

PRICE: \$3,600.00

D: Pump out all standing water in crawlspace. Remove all existing crawlspace floor insulation, vapor barrier, and debris. Have the crawlspace inspected by a qualified mold remediation company, and any abatement completed as necessary. Have crawlspace inspected for possible termite activity, and serviced as necessary. Sister in new floor joists where there are existing water damaged joists, after any required fungi growth treatment is completed. Install new metal insulated, crawlspace access door, seal all foundation vents, and install a dehumidifier with condensation line to the exterior by gravity, or by pump if necessary. After

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

all abatements completed, install new R-19 Kraft faced fiberglass batt floor insulation and 6 mil poly vapor barrier. Remove all construction related debris.

PRICE: \$12,000.00

E: Remove existing A/C system, including all ductwork. Install new builder grade, energy star, minimum 16 Seer, heat pump system, with a programmable thermostat. System to be designed to meet the requirements in accordance with the ACCA's manual J or other recognized methodology, and be capable of heating the interior to 78 F when exterior temperature is 0 degrees F. Data for heat load/loss calculations shall be based on post rehabilitation conditions. All ductwork is to be supported, sealed with mastic and insulated in unconditioned areas, minimum, 20 year life.

PRICE: \$11,500.00

F: Remove existing stack washer and dryer in kitchen closet, units to be reinstalled after flooring replacement. Remove the vinyl flooring and underlayment in the kitchen area and kitchen closet. If the finish flooring and underlayment directly under the water heater are sound, leave it and make a clean square cut and bring new underlayment and finish flooring to it. Install new 1/4 inch lauan underlayment, fill and smooth all joints. Install medium grade vinyl sheet finish flooring per manufacturer's installation instructions. Install shoe moulding at base of kitchen cabinets and at all wall junctions. Shoe moulding to be stained or painted to match exiting trim.

PRICE: \$5,200.00

TOTAL PRICE: \$50,400.00
SIGNATURE: Colleen Deptula
PRINTED NAME: Colleen Deptula
TITLE: President
COMPANY NAME: Beach Construction Co.
ADDRESS: P.O. Box 1758
Ocean Pines, MD 21811
PHONE NUMBERS: OFFICE: 410-641-8590 CELL: 443-880-3471
MHIC#: 121721 EXPIRATION DATE: 1-24-19
DATE OF PROPOSAL: 12-8-18

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

Richard Grisbach

Owner

11-5-18
Date



Property of Richard Grisbach
97 Martinique Circle
Berlin, MD 21811

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

Total Quote: \$ 57,165.00

Date: 12/10/18

[Signature]

Signature

Matt Stehr

Typed Name

Member

Title

Poseidon Plumbing and Home
Services, LLC

Company Name

12637 Sunset Ave #1

Address

Ocean City, MD 21842

410-251-1096

Phone Number(s)

~~5079464~~ 5079464 10-12-2019

MHIC License #

Expiration Date

12637 Sunset Avenue #1
Ocean City, MD 21842
(410)251-1096

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

SCOPE OF WORK

A: Prune and or trim any tree limbs and or plantings that are touching the roof or house siding. Remove all existing roof shingles, flashings, drip edge, roof fan, and any water damaged roof sheathing. Replace any water damaged roof sheathing with like sized sheathing. Install new peel and stick roof underlayment. Install white, wide aluminum drip edge, as well as new ice and water shield at all valleys and eaves. Install new plumbing vent boots, aluminum wall and step flashings as necessary. Install new thirty year architectural shingles and hip and ridge shingles as necessary. Install new roof ridge venting. Install new roof attic fan with thermostat control. Clean up and haul away all construction related debris including fallen and dropped roofing nails.

PRICE: \$14,100.00

B: Obtain a plumbing permit for required repairs. Remove all existing water system polybutylene supply lines. Replace all water supply lines with CPVC water piping. Remove hall bathroom toilet. A new tall and elongated, builder grade toilet, with new seat, is to be installed. Toilet, with new shut off valve to be installed after floor repairs as noted are completed, with new wax ring seal. Install new ½ horse power, builder grade disposal. Install new exterior frost free, hose bibb. Vent dryer to exterior with metal ducting and exterior vent hood. Repair vinyl soffit at left side gable area.

PRICE: \$5,200.00

C: Replace all existing smoke detectors with mandated 10 year battery life units per current County Code. Have existing electrical panel inspected by qualified electrician due to age, and make any necessary repairs or corrections. Install three (3) GFCI wall outlets in kitchen and bathrooms. The kitchen GFCI is to be interconnected, to any other wall outlets in proximity to kitchen sink per Code. Remove hall bathroom finish flooring and any water damaged subflooring. Install new ¾ inch subflooring where water damaged sub flooring was removed. Install new builder grade vinyl sheet goods over ¾ inch underlayment. Replace hall bathroom door with lauan door and new lockset to match existing as close as possible.

PRICE: \$7,050.00

D: Pump out all standing water in crawlspace. Remove all existing crawlspace floor insulation, vapor barrier, and debris. Have the crawlspace inspected by a qualified mold remediation company, and any abatement completed as necessary. Have crawlspace inspected for possible termite activity, and serviced as necessary. Sister in new floor joists where there are existing water damaged joists, after any required fungi growth treatment is completed. Install new metal insulated, crawlspace access door, seal all foundation vents, and install a dehumidifier with condensation line to the exterior by gravity, or by pump if necessary. After

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

all abatements completed, install new R-19 Kraft faced fiberglass batt floor insulation and 6 mil poly vapor barrier. Remove all construction related debris.

PRICE: \$11,700.00

E: Remove existing A/C system, including all ductwork. Install new builder grade, energy star, minimum 16 Seer, heat pump system, with a programmable thermostat. System to be designed to meet the requirements in accordance with the ACCA's manual J or other recognized methodology, and be capable of heating the interior to 78 F when exterior temperature is 0 degrees F. Data for heat load/loss calculations shall be based on post rehabilitation conditions. All ductwork is to be supported, sealed with mastic and insulated in unconditioned areas, minimum, 20 year life.

PRICE: \$15,800.00

F: Remove existing stack washer and dryer in kitchen closet, units to be reinstalled after flooring replacement. Remove the vinyl flooring and underlayment in the kitchen area and kitchen closet. If the finish flooring and underlayment directly under the water heater are sound, leave it and make a clean square cut and bring new underlayment and finish flooring to it. Install new 3/4 inch lauan underlayment, fill and smooth all joints. Install medium grade vinyl sheet finish flooring per manufacturer's installation instructions. Install shoe moulding at base of kitchen cabinets and at all wall junctions. Shoe moulding to be stained or painted to match exiting trim.

PRICE: \$3,315.00

TOTAL PRICE: \$57,165.00
SIGNATURE: [Signature]
PRINTED NAME: Matt Steehr
TITLE: member
COMPANY NAME: Perseidon Plumbing and Home Services, LLC
ADDRESS: 12637 Sunset Ave. Suite 1
Ocean City, MD 21842
PHONE NUMBERS: OFFICE: 410-251-1096 CELL: 239-560-2214
MHIC#: 5079464 EXPIRATION DATE: 10-12-2019
DATE OF PROPOSAL: 12/10/18

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

[Signature] 11-5-18
Owner Date

**RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383**

**09-24-2018
Revised 10/29/18**

SCOPE OF WORK

A: Prune and or trim any tree limbs and or plantings that are touching the roof or house siding. Remove all existing roof shingles, flashings, drip edge, roof fan, and any water damaged roof sheathing. Replace any water damaged roof sheathing with like sized sheathing. Install new peel and stick roof underlayment. Install white, wide aluminum drip edge, as well as new ice and water shield at all valleys and eaves. Install new plumbing vent boots, aluminum wall and step flashings as necessary. Install new thirty year architectural shingles and hip and ridge shingles as necessary. Install new roof ridge venting. Install new roof attic fan with thermostat control. Clean up and haul away all construction related debris including fallen and dropped roofing nails.

PRICE: \$13,000.00

B: Obtain a plumbing permit for required repairs. Remove all existing water system polybutylene supply lines. Replace all water supply lines with CPVC water piping. Remove hall bathroom toilet. A new tall and elongated, builder grade toilet, with new seat, is to be installed. Toilet, with new shut off valve to be installed after floor repairs as noted are completed, with new wax ring seal. Install new ½ horse power, builder grade disposal. Install new exterior frost free, hose bibb. Vent dryer to exterior with metal ducting and exterior vent hood. Repair vinyl soffit at left side gable area.

PRICE: \$26,000.00

C: Replace all existing smoke detectors with mandated 10 year battery life units per current County Code. Have existing electrical panel inspected by qualified electrician due to age, and make any necessary repairs or corrections. Install three (3) GFCI wall outlets in kitchen and bathrooms. The kitchen GFCI is to be interconnected, to any other wall outlets in proximity to kitchen sink per Code. Remove hall bathroom finish flooring and any water damaged subflooring. Install new ¾ inch subflooring where water damaged sub flooring was removed. Install new builder grade vinyl sheet goods over ¾ inch underlayment. Replace hall bathroom door with lauan door and new lockset to match existing as close as possible.

PRICE: \$8,580.00

D: Pump out all standing water in crawlspace. Remove all existing crawlspace floor insulation, vapor barrier, and debris. Have the crawlspace inspected by a qualified mold remediation company, and any abatement completed as necessary. Have crawlspace inspected for possible termite activity, and serviced as necessary. Sister in new floor joists where there are existing water damaged joists, after any required fungi growth treatment is completed. Install new metal insulated, crawlspace access door, seal all foundation vents, and install a dehumidifier with condensation line to the exterior by gravity, or by pump if necessary. After

RICHARD GRISBACH
97 MARTINIQUE CIRCLE
OCEAN PINES, MD 21811
443-397-4383

09-24-2018
Revised 10/29/18

all abatements completed, install new R-19 Kraft faced fiberglass batt floor insulation and 6 mil poly vapor barrier. Remove all construction related debris.

PRICE: \$4,550.00

E: Remove existing A/C system, including all ductwork. Install new builder grade, energy star, minimum 16 Seer, heat pump system, with a programmable thermostat. System to be designed to meet the requirements in accordance with the ACCA's manual J or other recognized methodology, and be capable of heating the interior to 78 F when exterior temperature is 0 degrees F. Data for heat load/loss calculations shall be based on post rehabilitation conditions. All ductwork is to be supported, sealed with mastic and insulated in unconditioned areas, minimum, 20 year life.

PRICE: \$32,500.00

F: Remove existing stack washer and dryer in kitchen closet, units to be reinstalled after flooring replacement. Remove the vinyl flooring and underlayment in the kitchen area and kitchen closet. If the finish flooring and underlayment directly under the water heater are sound, leave it and make a clean square cut and bring new underlayment and finish flooring to it. Install new 3/4 inch lauau underlayment, fill and smooth all joints. Install medium grade vinyl sheet finish flooring per manufacturer's installation instructions. Install shoe moulding at base of kitchen cabinets and at all wall junctions. Shoe moulding to be stained or painted to match exiting trim.

PRICE: \$6,955.00

TOTAL PRICE: \$91,585.00

SIGNATURE:

PRINTED NAME: Juan R. Navarro

TITLE: President

COMPANY NAME: Colossal Contractors, Inc.

ADDRESS: 4601 Sandy Spring Rd., Burtonsville MD 20866

PHONE NUMBERS: OFFICE: 301-476-9060

CELL: 301-943-9122

MHIC#: 122805

EXPIRATION DATE: 08/09/20

DATE OF PROPOSAL: 12/07/18

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



Owner

11-5-18

Date

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



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195


5

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

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

December 11, 2018

To: Harold Higgins, Chief Administrative Officer
Worcester County Commissioners

From: Kim Reynolds, Senior Budget Accountant 

Subject: Request for Proposal CDBG Grant: Diakonia Shelter Renovations

Attached please find a Request for Proposal package for the Diakonia, Inc. Shelter Renovation Project. This project is being funded by Community Development Block Grant # MD-19-HI-2. Please review these documents for approval to be advertised and placed into Worcester County's competitive bidding process.

DRAFT

NOTICE TO BIDDERS Request for Proposals

Diakonia, Inc. Shelter Renovations Worcester County, Maryland

The Worcester County Commissioners are seeking proposals from qualified contractors for shelter renovations at Diakonia, Inc. in which contractors will provide all labor, materials and permitting for a number of repairs outdoors including parking lot and driveway paving, siding and roofing, deck, ramps, steps and railing replacement. Repairs indoor include bathroom renovation, kitchenettes, flooring, laundry equipment, lockers and electrical work. Requests for Proposals (RFPs) are available from the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, obtained online under the "Bids" drop-down menu in the lower right hand side of the home page at www.co.worcester.md.us, or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. Interested contractors are encouraged to attend a **pre-proposal meeting on Wednesday, January 9, 2019 at 10:00 AM** onsite at **12747 Old Bridge Road, Ocean City, Maryland 21842**. For directions and details, contact Mr. Mike Diffendal, Board of Directors, Diakonia, Inc. mthomasdiffendal@comcast.net. **Sealed proposals will be accepted until 1:00 PM, Monday, February 4, 2019** 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 "**Proposal for Diakonia, Inc. Shelter Renovations**" in the lower left-hand corner. Email submissions will not be accepted.

The project is to be funded by the Community Development Block Grant (CDBG) Program and is thus subject to all applicable Davis Bacon Wage Rates, Equal Opportunity and Civil Rights guidelines. Bids will be reviewed by staff and awarded by the County Commissioners at a future meeting. In awarding the proposal, the Commissioners reserve the right to reject any and all proposals, waive formalities, informalities and technicalities therein, and to take whatever proposal they determine to be in the best interest of the County considering lowest or best proposal, proposal content, qualifications of the contractor, time of delivery or completion, responsibility of contractors is being considered, previous experience of contractors with County contracts, or any other factors they deem appropriate.

All inquiries regarding the proposal shall be directed to Diakonia, Inc. Board Member Mike Diffendal at 410-726-7016.

Bid Submission Checklist

- _____ Contractor Qualification Form
- _____ Section 3 Compliance Bid Form (if applicable)
- _____ Contractor Statement of Assurances and Certifications
- _____ Bid Form – on your company letterhead using Worcester County Government format
- _____ Scope of Work with Line Item Breakdown – all lines completed and total price
- _____ Signed Bid Submission Checklist

Signature

Date

Please check off items submitted above, sign and include this checklist with your submission package. Bids submitted with no Contractor Qualification form may not be considered.

**WORCESTER COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTOR
QUALIFICATION FORM**

Contractor _____

Address _____

Phone Number _____

Federal ID or DUNS # _____

Insurance Company, Agent & Coverage _____

List any Licenses Currently Held:

MHIC Number	Exp. Date
-------------	-----------

Other Licenses	Exp. Date
----------------	-----------

MDE Lead Cert	Exp. Date
---------------	-----------

EPA Lead Cert	Exp. Date
---------------	-----------

Trade Reference:

Name	Phone #
------	---------

Is contractor in a State of Bankruptcy? ___ Yes ___ No

Is contractor on HUD's Debarred list? ___ Yes ___ No

Is contractor any of the following? (Not required to qualify)

___ Minority Business Enterprise

___ Women's Business Enterprise

___ Disadvantaged Business Enterprise

___ Section 3 Employer

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

BID FORM

***must be signed to be valid**

**Property location: Diakonia, Inc.
12747 Old Bridge Road
West Ocean City, MD 21842**

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

Total Quote : \$ _____

Date: _____

Signature

Typed Name

Title

Company Name

Address

Phone Number(s)

MHIC License #

Expiration Date

REQUEST FOR PROPOSAL
FOR THE
DIAKONIA, INC. SHELTER RENOVATIONS

AT

DIAKONIA, INC.
12747 OLD BRIDGE ROAD
OCEAN CITY, MARYLAND 21842

1. INTRODUCTION: The County Commissioners of Worcester County, Maryland in conjunction with Diakonia, Inc. is seeking bids for critical building repairs in a design build scenario in which contractors will provide all of the labor, materials, permitting and inspection for a number of repairs to include storm water management facility upgrades, asphalt paving, a new exterior shed, new lighted exterior signage, upgraded security lighting, exterior door repairs, replacement of existing decks and handicapped ramps and railings, replacement of existing siding and roofing, upgraded laundry facilities, conversion of two small bathrooms into a handicapped bathroom, upgrades to life safety equipment, replacement of existing kitchenette's with new kitchenettes, replacement of various flooring and upgrades to interior lighting. This project must be completed by August 30, 2019.

Owner: Diakonia, Inc. 12747 Old Bridge Road, West Ocean City, MD 21842 will act as the construction manager/coordinator for this project which will be completed in one phase while the building is occupied. This Request for proposal will be used by the owner to select qualified and experienced contractors to work within the constraints of the owners 24/7 operating requirements.

2. PROJECT OBJECTIVES AND SCOPE: Diakonia, Inc. is seeking to upgrade two buildings, one of which was constructed in 1932 and the other in 2001. These buildings provide emergency housing for 40 men, women and children as well as dining and food preparation facilities and a heavily used food pantry for the community.

The scopes of the various items are noted below on an item by items basis:

A. PARKING LOT & DRIVEWAY PAVING:

- Regrade existing gravel parking lot and driveway to drain to existing storm water management facility.
- Add sub base as needed.
- Pave parking lot and driveway with a minimum of 3 to 3 % inches of asphalt.
- Stripe lot to Worcester County Parking Specifications.
- Please see Drawing A of existing site.

BID AMOUNT \$ _____

B. PROPERTY SITE SIGNAGE:

- Remove existing sign.
- Install new 48" x 32" sign on two white posts with ball tops
- Bid cans be either:
- Sandblasted cedar sign and painted with Diakonia Logo and address or Komacel UV Ink and laminated print with Diakonia Logo and address.
- Diakonia will be responsible for permits.

*Note: Sign will be lighted by project electrician.

BID AMOUNT \$ _____

C. SIDING AND ROOFING: BUILDING ONE

Siding:

- Remove all existing siding, soffit and fascia and replace any rotten or damaged wood.
- Install Tyvek house wrap to all sidewalls and gables and tape seams.
- Install Tamko moisture wrap around all windows and doors.
- Install all vinyl trim to accommodate new siding.
- Install White CertainTeed Insulated Siding on all sidewalls.
- Install White CertainTeed vented soffit in eaves and solid in gable overhangs.
- Install White aluminum trim coil to eave and gable fascia.
- Dispose of all debris.

*Contractor to obtain any necessary permits and responsible for inspections.

BID AMOUNT \$ _____

Roofing:

- Remove one layer of asphalt shingles.
- Install GAF Weather Watch Leak Barrier in all valleys, eave locations and all roof penetrations.
- Install GAF Tiger Paw underlayment on roof deck.
- Install white ODE drip edge.
- Install GAF Timberline American Harvest HD AR shingles.
- Install GAF Cobra Ridge Vent into existing locations.
- Install new pipe collars for all roof penetrations.
- Install GAF Seal A Ridge hip and ridge caps on all peaks and hips.
- Remove all debris from site.

*Contractor to obtain any required permits and responsible for inspections.

BID AMOUNT \$ _____

D. ROOF: BUILDING TWO

- Remove one layer of asphalt shingles.
- Install GAF Weather Watch Leak Barrier in all valley and eave locations.
- Install GAF Tiger Paw underlayment on roof deck.
- Install new white ODF Drip edge where necessary.
- Install GAF Timberline HD AR Shingles.
- Install one GAF thermostatic attic fan with humidistat.
- Install new pipe collars.
- Install GAF Seal a Ridge hip and ridge caps.
- Remove all debris from site.

*Contractor to obtain all necessary permits and responsible for inspections.

BID AMOUNT \$ _____

E. DECK, RAMPS, STEPS AND RAILING REPLACEMENT

- Remove and dispose of existing decks, ramps, steps and railings on both buildings.
- Replace decks, steps and railings with Trex Composite Decking and Vinyl White Railing.
- Decking Color is Clam Shell.
- Contractor to replace any deficient stringers on decks or ramps.
- All replacement decking, steps, ramps and railing will conform to Worcester County Building Code Requirements.
- Contractor to obtain any necessary permits Contractor is responsible for disposal of materials.

*Contractor to obtain any necessary permits and responsible for inspections.

BID AMOUNT \$ _____

F. SECOND FLOOR MENS BATHROOM RENOVATION: BUILDING ONE

- Demolish two existing bathrooms to convert into one ADA bathroom and reconstruct into one bathroom (to include framing and drywall, rough in and all plumbing).
- Install new ADA approved sinks, toilets, wall hung urinal and 60" tub or shower at the customer's option.
- Install one mirror above sink and install one exhaust fan.
- Paint Bathroom

*Flooring and electric to be installed by others.

*Contractor to obtain any necessary permits and responsible for inspections. All construction must be ADA compliant.

BID AMOUNT \$ _____

G. KITCHENETTES

- Remove existing Kitchenette if necessary.
- Supply and install new kitchenette consisting of two (2) base cabinets, two
- (2) wall cabinets, laminate counter top, faucet, sink and toe kick for five (5) units.
- Units to be of all plywood construction.
- Included in the bid will be re-plumbing sink and faucet and installing new laminate counter top.
- Colors to be selected by Diakonia, Inc.
- Disposal of existing kitchenette units.

*Contractor is to obtain any necessary Worcester County Permits.

BID AMOUNT \$ _____

H. FLOORING

FLOORING: BUILDING ONE

- Vinyl Flooring to be removed on existing stairs to second floor and all bedrooms, hallways and bathrooms on the second floor.
- New flooring will be equal to Supply LVP Coretec Pro Plus.
- All areas to be trimmed in white quarter round molding with coordinating transitions.
- Will include floor leveling where necessary.
- Will include the disposal of existing flooring, removal and replacement of furniture and resetting of one toilet.

BID AMOUNT \$ _____

FLOORING: BUILDING TWO

- Vinyl flooring, carpet and padding to be removed in common area, kitchen, back office, three (3) bathroom and three (3) bedrooms on the second floor.
- New flooring will be equal to Supply LVP Horizons.
- All areas to be trimmed in white quarter round molding with coordinating transitions.
- Will include floor leveling where necessary.
- Will include the disposal of existing flooring removal and replacement of furniture and resetting of three (3) toilets.

BID AMOUNT \$ _____

I. LAUNDRY EQUIPMENT UPGRADE

- One (1) Commercial white front load washer, ADA compliant, 120/60/1, stainless steel basket with front controls.
- One (1) Commercial white electric dryer, front load, 240/60/1, push start controls.
- Includes delivery & installation to existing utilities and disposal of existing washer/dryer.

BID AMOUNT \$ _____

J. LOCKERS

- Supply and install twenty-five (25) gray metal lockers for Building One and Building Two.
- Lockers to be 15" wide by 21" Deep by 72" High and lockable.

*Location to be determined

BID AMOUNT \$ _____

K. ELECTRICAL

Building One:

- Remove and replace four (4) existing coach light with four (4) commercial
- L.E.D. wall packs.
- Coordinate with Power Company to replace old service with new feed and one meter.
- Add service to feed power to new exterior site sign which will operate on a photo cell.
- Add life safety exit signage on interior of building.
- Disconnect power to second floor bath renovation and rewire new bathroom.
- Supply new second floor bathroom fan/light, new shower L.E.D. light and One (1) new GFI receptacle.

*Electrical Contractor to obtain all Worcester County Permits.

BID AMOUNT \$ _____

Building Two: Second Floor

- Remove existing florescent lights and install twelve (12) new L.E.D. can lights.
- Remove existing ceiling fans and install four (4) new ceiling fans with light kits.
- Install four (4) emergency battery pack exit signs with remote heads and emergency lights.
- Repair existing lights in storage area that have bad ballast.
- Remove two (2) flood lights and replace with two (2) new L.E.D. flood lights.

*Electrical Contractor to obtain all Worcester County Permits.

BID AMOUNT \$ _____

Building Two: First Floor

- Disconnect first floor water heater and run new 50 amp circuit for new electric insta-hot.
- Remove three (3) incandescent recess trim lights and install three (3) new incandescent recess trim lights.
- L.E.D. trim lights on the front porch.
- Add four (4) additional L.E.D trim lights on front porch for addition lighting.

*Electrical Contractor to obtain all Worcester County Permits.

BID AMOUNT \$ _____

Site Electric

- Remove existing dusk to dawn pole light and replace with a new L.E.D. exterior pole light with photocell.
- Electrical Contractor to remove and dispose of all debris.

*Electrical Contractor to obtain all Worcester County Permits.

BID AMOUNT \$ _____

3. FUNDING: This project has been funded through two funding sources consisting of a pass through grant to the County Commissioners of Worcester County, Maryland from The Department of Housing and Community Development in the amount of **Two Hundred Seventy Six Thousand One Hundred Twenty Eight Dollars (\$276,128.00)** and Diakonia, Inc. funds which have already been assigned.

Community Development Block Grant Program: The County Commissioners of Worcester County, Maryland has been awarded **Community Development Block Grant (CDBG – Federal)** funding for this project. The contractor and any subcontractors shall be responsible for compliance with federal regulations associated with the CDGB grant, including, but not limited to, Davis-Bacon wage requirements. The **Federal Labor Standards Compliance** information is included with and incorporated into this RFP in Appendix “A” of this RFP.

Appendix “A” includes:

- Federal Labor Standards Provisions – HUD Form 4010 (5 Pages)
- Section 3 Clause; Section 3 Bid Form; Certification Procedures; Sample (5 Pages)
- Contractor Statement of Assurance and Certifications (2 Pages)
- Wage Decision No. MD180024 Date 11/23/18 (5 Pages)

4. GENERAL DESCRIPTION OF PROPOSAL SUBMITTAL, EVALUATION, AND SELECTION PROCESS:

- The contractor shall carefully review and submit a proposal that is considered to be eligible and addresses the scope of work.
- Worcester County Government and Diakonia, Inc. will determine if the submittal meets the scope. Worcester County Government and Diakonia, Inc. may ask for further information if desired.
- The County Commissioners of Worcester County, Maryland will award the contracts.

5. PROPOSAL EVALUATION CRITERIA:

- The experience and qualifications of the contractor.
- Contractors schedule for commencing and completing the work.
- The lump sum cost.

6. FINANCIAL PROPOSAL: The contractor shall provide a fixed lump sum price for completion of the work.

7. TERMS AND CONDITIONS:

- Neither the RFP nor The County Commissioners of Worcester County, Maryland consideration of any proposal shall create a contractual obligation. The County Commissioners of Worcester County, Maryland makes no promise whether it will enter into an agreement with the contractor or the manner that it will consider proposals.
- The County Commissioners of Worcester County, Maryland reserves the right to accept or reject any or all proposals or to negotiate separately in any manner necessary to serve the best interests of the County Commissioners of Worcester County, Maryland and Diakonia, Inc.
- The County Commissioners of Worcester County, Maryland will not discriminate against any contractor because of race, religion, color, sex national origin, age, disability or any other basis prohibited by State or Federal law relating to discrimination in employment.

8. INSTRUCTIONS FOR PROPOSAL SUBMISSION:

- Proposals are to be submitted in sealed envelopes with contractor's name and address on the envelopes. Any questions concerning the requirements on the RFP should be directed via email to: mthomasdiffendal@comcast.net
- Original proposals must be delivered to: The County Commissioners of Worcester County, Maryland
Government Center 1 W Market Street, Room 1103
Snow Hill, Maryland 21863
- **A pre-proposal meeting will be held on January 9th, 10:00 AM at 12747 Old Bridge Road, Ocean City, Maryland 21842.** At this time the specific individual specifications will be reviewed and distributed in writing to interested contractors.
- **Sealed Bids will be accepted until 1:00 PM local time on Monday, February 4th, 2019.** Requests for extensions will not be granted.

APPENDIX A

Federal Labor Standards Provisions

U.S. Department of Housing
and Urban Development
Office of Labor Relations

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) **Minimum Wages.** All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

2. **Withholding.** HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract in the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) **Payrolls and basic records.** Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been

communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under 29 CFR 5.5 (a)(3)(ii), the appropriate information is being maintained under 29 CFR 5.5(a)(3)(i), and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(i) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who

is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) **Trainees.** Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by

the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(III) **Equal employment opportunity.** The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be

awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(II) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(III) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1010, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part: "Whoever, for the purpose of . . . influencing in any way the action of such Administration . . . makes, utters or publishes any statement knowing the same to be false . . . shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds \$100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) **Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) **Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in subparagraph (1) of this paragraph.

(3) **Withholding for unpaid wages and liquidated damages.** HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(4) **Subcontracts.** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable where the amount of the prime contract exceeds \$100,000.

(1) No laborer or mechanic shall be required to work in surroundings, or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

SECTION 3 CLAUSE

All Section 3 covered contracts shall include the following clause (referred to as the "Section 3 Clause"):

A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected by before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

SECTION 3 COMPLIANCE BID FORM

Name of Business: _____

Address of Business: _____

Type of Business: ___ Corporation ___ Partnership ___ Sole Proprietorship ___ Other

Business Activity: _____

_____ I am certified as a Section 3 Business. I have attached a Section 3 Business Certification.

OR

_____ I will subcontract 25% of the contract amount to one or more certified Section 3 Business. I have attached Section 3 Business Certifications for selected subcontractors.

OR

_____ I anticipate hiring _____ new employees under this contract, if awarded. I understand that if any new hires are required under this contract, I will need to comply with Section 3 hiring requirements.

I attest that the above information is true and correct.

Signature

Print Name

Title

Date

**SECTION 3 SELF-CERTIFICATION
Worcester County, Maryland**

Section 3 of the Housing and Urban Development Act of 1968 requires recipients of federal Community Development Block Grant (CDBG) funds to make efforts to provide employment and other economic opportunities for low and very low income persons living in the county where funds are awarded. Applicants for employment are required to complete this self-certification to determine if they qualify as a Section 3 Person.

Name: _____

Address: _____

Total number of persons living in your household: _____

Do you reside in public housing funded by the federal government? _____

Do you receive housing assistance funded by the federal government? _____

Annual Household Income:

Total gross annual household income associated with you and the combined members of your household includes:

- *All wages, salaries, tips, commissions, etc.: (except income from the employment of children, including foster children, under the age of 18; or full-time college students who may be over 18)*
- *Net Income from a business: including, self-employment, proprietorships and partnerships;*
- *Interest, dividends, net rental income, or income from estates or trusts;*
- *Supplemental Security Income (SSI), Aid to Families with Dependent Children, Temporary Assistance to Needy Families, or other public assistance or public welfare programs;*
- *Social Security, retirement income, pension income, survivor or disability income, insurance income; and*
- *Any other source of income received regularly, including but not limited to: Veterans' (VA) payments, unemployment and/or disability compensation, alimony, child support, etc.*

Based on the information provided above and using the 2018 HUD Income Limits for Worcester County, please circle the category that best describes the total income of your household.

2018 HUD Income Limits for Worcester County, Maryland

Household Size	1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
(0-30% of median)	15,200	17,400	19,550	21,700	23,450	25,200	26,950	28,650
(30-50% of median)	25,350	28,950	32,550	36,150	39,050	41,950	44,850	47,750
(80% of median)	40,500	46,300	52,100	57,850	62,500	67,150	71,750	76,400

Applicant Certification: *I certify that the information that I have given is accurate and complete to the best of my knowledge.*

Signature: _____

Date: _____

Section 3 Certification Procedures:

Employer is to submit completed Section 3 Self-Certification form for each person to be hired by _____ in Worcester County. Form must be submitted before person is hired.

The grantee's review has determined that the person to be hired qualifies as a Section 3 person based on:

- Verification that they reside in public housing
- Verification that they receive federal housing assistance
- A total gross household income less than 50% of the County's area median income

The grantee has determined that the person does not qualify as a Section 3 Person.

Additional Comments/Concerns:

Grantee Signature: _____ Date: _____

Maryland Community Development Block Grant Program
Contractor Statement of Assurances and Certifications

The contractor hereby assures and certifies that he/she will comply with the following requirements in the event that this bid is accepted. The contractor:

1. has reviewed the Federal Labor Standards Provisions, **Form HUD-4010**, and agrees to abide by all of the requirements, as they apply to the contract at hand;
2. will take reasonable steps to comply with the Section 3 provisions as they relate to hiring new workers and/or businesses for all contracts in excess of \$100,000 - 24 CFR § 135.32;
3. assures that if the contract exceeds \$10,000, reasonable steps will be taken to comply with the Equal Employment Opportunity provisions;
4. has not been declared ineligible from receiving Federal contracts during the past three years;
5. will comply with the Immigration Reform and Control Act of 1986 (IRCA) stipulating that the only persons who can be employed under the contract are persons that may legally work in the United States. The contractor is responsible for verifying the eligibility of all workers to be employed in the United States;
6. has no personal or business relationship with any employee, officer or elected official of the CDBG grant recipient, subrecipient or developer organization, which has the potential to result in a conflict of interest. Such relationships include marriage, domestic partnership or business or professional relationship with an employee, agent, consultant, officer, elected or appointed officer.
7. has not used federal funds to influence, or attempt to influence an officer or employee of any agency, Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement;
8. will provide access to the grantee, the State of Maryland, HUD, the subrecipient, developer, the Controller General of the U.S., or their duly authorized representative any books, documents, papers, or records for the purpose of audit or examination;
9. will comply with all environmental standards, orders, or requirements under Clean Air Act, Clean Water Act, EO 11738, and EPA regulations for contracts, subcontracts and subcontracts greater than \$100,000;

**Maryland Community Development Block Grant Program
Contractor Statement of Assurances and Certifications**

- 10. will comply with all other reporting requirements and regulations as provided in the contract; and
- 11. will require compliance with these assurances and certifications of any subcontractor procured under this contract.

Contractor Name

Contractor Signature

Date

Subcontractor Name

Subcontractor Signature

Date

General Decision Number: MD180024 11/23/2018 MD24

Superseded General Decision Number: MD20170024

State: Maryland

Construction Type: Building

Counties: Dorchester, Kent, Queen Anne's and Worcester Counties in Maryland.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.35 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/05/2018
1	02/02/2018
2	06/08/2018
3	06/22/2018
4	10/19/2018
5	11/23/2018

ASBE0024-007 10/01/2017

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR.....	\$ 35.13	16.22

Includes the application of all insulating materials, protective coverings, coatings and finishes to all types of mechanical systems

CARP0255-003 05/01/2018

DORCHESTER AND WORCESTER COUNTIES

	Rates	Fringes
CARPENTER (Drywall Hanging and Form work ONLY).....	\$ 25.13	18.64

CARP0255-005 05/01/2018

KENT AND QUEEN ANNE'S COUNTIES

	Rates	Fringes
CARPENTER (Drywall Hanging and Form work ONLY).....	\$ 31.94	23.24

ELEC0024-011 06/03/2018

	Rates	Fringes
ELECTRICIAN.....	\$ 25.00	5%+12.74

IRON0016-009 04/01/2016

	Rates	Fringes
IRONWORKER STRUCTURAL (Metal Building Erection Only).....	\$ 28.48	19.45

PAIN0051-016 06/01/2018

	Rates	Fringes
PAINTER (Brush, Roller, Drywall Finisher/Taper).....	\$ 25.06	9.76

PLUM0782-004 02/01/2013

	Rates	Fringes
PIPEFITTER (HVAC Pipe Installation Only).....	\$ 33.52	13.25

* SHEE0100-019 11/01/2018

	Rates	Fringes
SHEETMETAL WORKER, Including HVAC Duct Installation.....	\$ 33.06	20.35

SUMD2010-047 04/20/2010

	Rates	Fringes
BRICKLAYER (Excluding Pointing, Caulking, Cleaning)....	\$ 21.38	3.68
CARPENTER (Excluding Drywall Hanging and Form work).....	\$ 19.66	3.20
IRONWORKER, REINFORCING.....	\$ 17.69	2.02
LABORER: Mason Tender (for Pointing, Caulking, Cleaning)....	\$ 12.56	0.00
LABORER: Common or General.....	\$ 12.84	2.76
MASON TENDER, BRICK.....	\$ 12.84	2.76
OPERATOR: Backhoe.....	\$ 17.39	4.76

MD24

OPERATOR: Forklift.....	\$ 18.95	0.00
PIPEFITTER (Excluding HVAC Pipe Installation).....	\$ 24.75	7.63
PLUMBER.....	\$ 24.59	8.49
POINTER, CAULKER, CLEANER, Includes pointing, caulking, cleaning of existing masonry, brick, stone and cement structures (restoration work); excludes pointing, caulking, cleaning of new or replacement masonry, brick, stone or cement.....	\$ 19.79	0.00

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

=====
Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

MD24

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

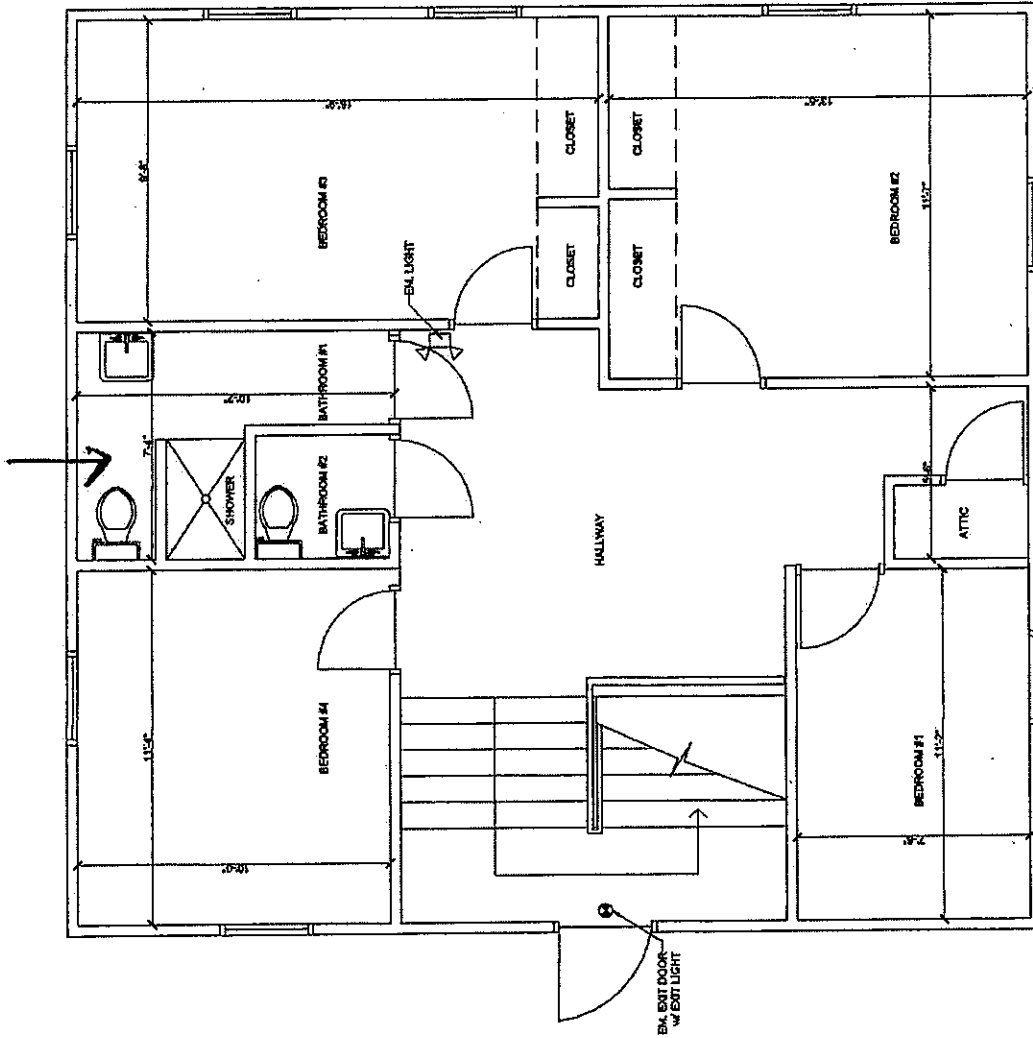
3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

BATHROOM REMODEL

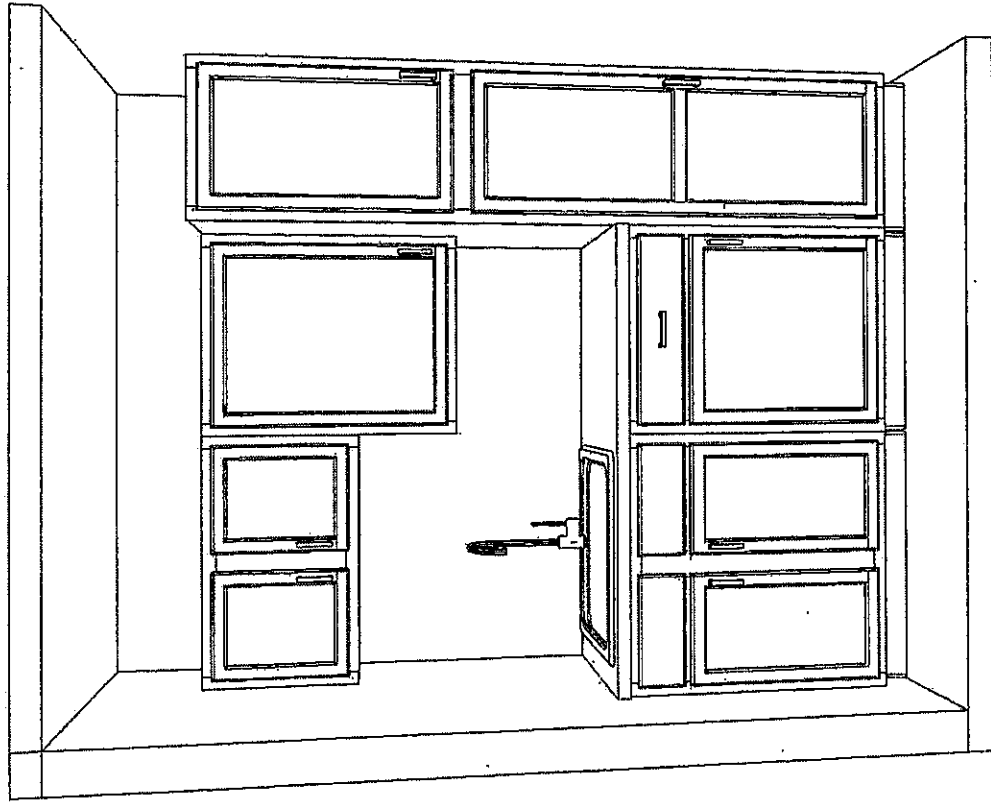


DIAKONIA MAIN BUILDING
SECOND FLOOR AS BUILT

3/8"=1'-0"



BUILDING ONE
SECOND FLOOR



Note: This drawing is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition.

Designed: 8/23/2018
Printed: 8/23/2018

2020

Diakonia

All

Drawing #: 1

Proposed Kitchenette

ROOFING

Tecta America
302 South Division Street
Fruitland, MD 21826

Spicer Brothers Roofing
32221 Beaver Run Drive
Salisbury, MD 21804

All States Construction Co
11935 Hammer Road
Bishopville, MD 21813

Cole Roofing Company
3915 Coolidge Avenue
Baltimore, MD 21229

*ANA General Contractors, LLC
11615-1/2 Coastal Highway
Office "H"
Ocean City, MD 21842

*Apex Business Solutions, LLC
12650 Sunset Ave, Suite 7
Ocean City, MD 21842

*Apostle Expert Exteriors, Inc.
P.O. Box 485
Salisbury, MD 21803

ELECTRICAL

Toomey Electric
5430 Handley Road
Cambridge, MD 21613

Nickle Electric
540 S. Bedford Street
Georgetown, DE 19947

Lywood Electric
301 Bloomingdale Ave
Federalsburg, MD 21632

Rommel Electric Company
28410 S Crown Rd, Ste#1
Eden, MD 21822

Royal Plus Electric
9939 Jerry Mack Road
Suite 400
Ocean City, MD 21842

*Tieder Electric, LLC
309A High Street
Cambridge, MD 21613

*Baptiste Electric, LLC
108 Montleav Avenue
Salisbury, MD 21804

*Daniel G. Bebee, Inc.
Tri-Electrical Services
32363 Cobbs Crock Road
Laurel, DE 19956

*Simmons Electrical
Service, LLC
2213 Northwood Drive,
Unit #7
Salisbury, MD 21801

GENERAL TRADE

KB Coldiron
36546 Dupont Blvd
Selbyville, DE 19975

Royal Plus, Inc.
201 Belt Street
Snow Hill, MD 21863

Colossal Contractors
Attn: Kim Crawford
4601 Sandy Spring Road
Burtonsville, MD 20866

Curtis Mercer Remodeling, Inc.
9937 Hotel Road
Bishopville, MD 21813

J & G Maintenance & Repair
10446 Dinges Road
Berlin, MD 21811

Mallard Home Improvements
P.O. Box 28
Quantico, MD 21856

*Barmar Construction, LLC
714 Hills Point Road
Cambridge, MD 21613

*Hebrew Quality
Construction, Inc.
P.O. Box 4501
Salisbury, MD 21803

PAVING

Chesapeake Paving & Sealing
2445 N. Zion Road
Salisbury, MD 21801

N.R. Harrison Paving
7530 Stanton Avenue
Salisbury, MD 21801

American Paving Corp
28101 Old Eden Road
Eden, MD 21822

*Russell Paving Company, Inc.
P.O. Box 186
Church Creek, MD 21622

SIGNS

Superior Signs
500 Saddler Road
Gransonville, MD 21638

Sun Signs
8621 Stephen Decatur Hwy
Berlin, MD 21811

READ Signs
223 Leonard Lane
Salisbury, MD 21801

FLOORING

Value Carpet One & Home
1530 N Salisbury Blvd
Salisbury, MD 21801

LeClaire Flooring & Design
9935 Stephen Decatur Highway
Unit#130
Ocean City, Maryland 21842

Scott Frye's Floor Covering LLC
100 Megan Ave
Seaford, DE 19973

*Global Home Improvement
231 Ohio Avenue
Salisbury, MD 21801

*Sea Ray Commercial Flooring,
LLC
118 East Main Street
Salisbury, MD 21801

KITCHEN

Kitchen Designs & Millwork, Inc.
307A Civic Avenue
Salisbury, Maryland 21804

Fenwick Kitchen and Bath
Design
1204 Coastal Highway
Fenwick Island, DE 19944

Kitchen Concepts Plus
1001 Eastern Shore Dr.
Salisbury, MD 21804

DECK WORK

Newport Bay Construction &
Boatlifts, LLC
6118 South Point Road
Berlin, MD 21811

United Fence and Deck
4575 American Corner Rd
Federalsburg, MD 21862

Breakwater Fence & Deck
11412 Holly Tree Road
Lincoln, DE 19960

APPLIANCES

Hynes Waller, Inc.
16000 Trade Zone Avenue
Building 403-404-404-B
Upper Marlboro, MD 20774

Palmer's Appliances
121 N Main Street
Berlin, MD 21811

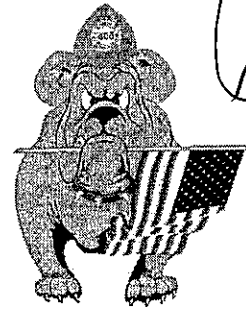
Shore Appliance Connection
307a Civic Avenue
Salisbury, MD 21804

BERLIN FIRE COMPANY, Inc.

214 North Main Street, Berlin, Maryland 21811

410-641-1977 • 410-641-2494 FAX

"UNITED WE STAND"



November 20, 2018

Worcester County Commissioners
1 West Market Street, Room 1103
Snow Hill, MD 21863

Dear Commissioners:

Berlin Fire Company is requesting your consideration to sign the required IRS Section 147f resolution for our loan to be tax-exempt from Taylor Bank. The loan is for costs associated with building a substation of Berlin Fire Company—Berlin Fire Company Station 3. No financial obligation is required by the County Commissioners by signing the resolution.

We are pleased to continue to provide Worcester County fire services as we have done since 1910. The additional substation in the eastern portion of our fire district will assist us in accomplishing our public safety mission. This area has grown both residentially and commercially and is close to Stephen Decatur High and Middle Schools.

We appreciate the support of the Commissioners with the continued grant funding provided each year to support fire, rescue, and emergency medical services.

We have submitted to County Attorney Howarth the required information indicating our corporation status, non-profit status, required resolution, proof of public hearing advertisement and minutes.

Thank you for your consideration. If any additional information is needed, feel free to contact myself, our attorney Joe Moore, our accountant Jay Bergey, or Taylor Bank President Ray Thompson.

Sincerely, In Service for Others,

David A. Fitzgerald

David A. Fitzgerald, President

CC: Joe Moore, Esq
Jay Bergey, CPA
Ray Thompson

"SERVICE FOR OTHERS"

Section 147(f) Approval and Written Agreement

The undersigned Official of Worcester County (hereinafter referred to as "County") pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (the "code"), hereby approves the entering into by Berlin Fire Company, Inc, of an Agreement in an aggregate principal amount not to exceed \$800,000 to finance construction of a new fire station to be located at 10845 Ocean Gateway, Berlin, MD 21811

This approval is given following a public hearing held at Berlin Fire Company, Inc, Headquarters, 214 North Main Street, Berlin, MD on Monday, November 12, 2018 at 5:30 pm local time and is solely for the purpose of satisfying the requirements of Section 147(f) of the code. **This approval does not in any way constitute any financial involvement or obligation of the County.**

Furthermore, this document acknowledges that for consideration, the receipt and sufficiency of which are hereby acknowledged, the Berlin Fire Company, Inc has provided firefighting and other services for Worcester County for many years and Berlin Fire Company, Inc hereby agrees to meet the requirement to continue to provide firefighting and other services for Worcester County.

Dated as of December 4, 2018

[Name of Department]

Municipality

Signature

Signature of Member of County

David A Fitzgerald, President
Typed Name and Title

Diana Purnell, President, Worcester County Commissioners
Typed Name and Title

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

LIBER 41 PAGE 585

APPROVED FOR RECORD

1987 MAR 30 BERLIN FIRE COMPANY, INC. at 9:40 A.M.

ARTICLES OF AMENDMENT

BERLIN FIRE COMPANY, INC., having its principal offices at 214 North Main Street, Berlin, Worcester County, Maryland 21811, hereinafter called "Corporation", hereby certifies to the State Department of Assessments and Taxation that:

FIRST: The charter of the Corporation is hereby further amended by the addition of the following two paragraphs, the same being designated as paragraph SEVENTH and paragraph EIGHTH as follows:

"SEVENTH: No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Second above. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a Corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue Law) or (b) by a Corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue Law)."

"EIGHTH: Upon dissolution of the Corporation, the Board of Directors/Trustees shall, after paying or making provision for the payment of liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization(s) organized and operated exclusively for charitable, educational, religious, or scientific purposes as at the time shall qualify as an exempt organization(s) under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provisions of any United States Internal Revenue Law), as the Board of Directors/Trustees shall determine. Any such assets not so disposed

REC FEE 5.45
37284328 8.45
5.45

2907 0687

70775021

ENTS AND TAXATION

OCK A.M. AS IN CONFORMITY

SPECIAL FEE PAID

WITH ALL ENDORSEMENTS, JUDICIAL AND TAXATION OF MARYLAND.

A 228098

OF THE ASSESSMENTS

AND IN LIBER FORM

of shall be disposed of by the Court of Common Pleas of the County in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization(s), as said Court shall determine, which are organized and operated exclusively for such purposes."

SECOND: The Board of Directors of the Corporation at a meeting duly convened and held on February 16, 1987 at 6:30pm adopted a resolution in which was set forth the foregoing amendments to the charter, declaring that the said amendments of the charter were advisable and direct that same be submitted for action thereon at a regular meeting of the members of the Corporation to be held on February 16, 1987 at 7:00 p.m.

THIRD: The amendments to the charter of the Corporation as hereinabove set forth was approved by the members of the Corporation at said meeting by the affirmative vote of two-thirds of all voted entitled to be cast thereon.

FOURTH: The amendments to the charter of the Corporation as hereinabove set forth have been duly advised by the Board of Directors and approved by the members of the Corporation.

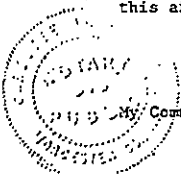
IN WITNESS WHEREOF, BERLIN FIRE COMPANY, INC., has caused these presents to be signed in its name and on its behalf by its President and attested by its Secretary on the 16th day of February, 1987.

ATTEST: BERLIN FIRE COMPANY, INC.
By Herman W. Hickman Jr.
Secretary President

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY that on this 16th day of February, 1987, before me the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Herman Hickman, President of Berlin Fire Company, Inc., a Maryland Corporation, and in the name of and on behalf of said Corporation, he did acknowledge the foregoing Articles of Amendment to be the Corporate act of said Corporation, and he further made oath in due form of law that the matters and facts set forth in said Articles of Amendment, with respect to the approval thereof, are true to the best of his knowledge, information and belief, and he did further make oath in due form of law that he is the duly authorized officer of said Corporation for the purpose of making this affidavit.

AS WITNESS my hand and official seal.



Christie L. Cannon
Notary Public 2907 0688



STATE OF MARYLAND
State Department of Assessments and Taxation
 Geno L. Duiner, Director

FORM 41 PAGE 587

DOCUMENT CODE 09 BUSINESS CODE _____ COUNTY _____

05062836 P.A. _____ Religious _____ Close _____ Stock _____ Nonstock _____

Merging (transferor) _____ Surviving (Transferee) _____

CODE	AMOUNT	FEE REMITTED	
20	_____	Organ. & Capitalization	Name Change
61	_____	Rec. Fee (Arts. of Inc.)	(New Name) _____
62	<u>20</u>	Rec. Fee (Amendment)	_____
63	_____	Rec. Fee (Merger or Consolidation)	_____
64	_____	Rec. Fee (Transfer)	_____
65	_____	Rec. Fee (Dissolution)	_____
66	_____	Rec. Fee (Revival)	_____ Change of Name
52	_____	Foreign Qualification	_____ Change of Principal Office
50	_____	Cert. of Qual. or Reg.	_____ Change of Resident Agent
51	_____	Foreign Name Registration	_____ Change of Resident Agent Address
13	_____	Certified Copy	_____
56	_____	Foreign Penalty	_____
54	_____	For. Supplemental Cert.	_____
73	_____	Cert. of Conveyance	_____
75	_____	Special Fee	_____
80	_____	For. Limited Partnership	_____
83	_____	Cert. Limited Partnership	_____
84	_____	Amendment to Limited Partnership	Code _____
85	_____	Termination of Limited Partnership	ATTENTION: _____
21	_____	Recordation Tax	_____
22	_____	State Transfer Tax	_____
23	_____	Local Transfer Tax	_____
31	_____	Corp. Good Standing	_____
NA	_____	Foreign Corporation Registration	_____
_____	_____	Other	MAIL TO ADDRESS: _____
_____	_____	Other	<u>WILLIAMS, HARRISON, MOORE,</u>
			<u>STOCKLEY & HARRISON, P.A.</u>
			<u>3509 COASTAL HWY, P.O. BOX 739</u>
			<u>OCEAN CITY, MD 21842</u>

TOTAL FEES 20 Check _____ Cash _____

Documents on 1 checks

APPROVED BY: MR

NOTE:

LIBER 41 PAGE 588

ARTICLES OF AMENDMENT
OF
THE BERLIN FIRE COMPANY

APPROVED AND RECEIVED FOR RECORD BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION
OF MARYLAND April 7, 1987 AT 9:40 O'CLOCK A.M. AS IN CONFORMITY
WITH LAW AND ORDERED RECORDED.

ORGANIZATION AND
CAPITALIZATION FEE PAID:

RECORDING
FEE PAID:

SPECIAL
FEE PAID:

\$ _____

\$20.00

\$ _____

TO THE CLERK OF THE COURT OF Worcester County

IT IS HEREBY CERTIFIED, THAT THE WITHIN INSTRUMENT, TOGETHER WITH ALL ENDORSEMENTS THEREON, HAS
BEEN RECEIVED, APPROVED AND RECORDED BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND.



FILED

JUL 17 11 17 AM '87

RECORDED BY
LIBER AS FOLIO
WARNE C. GITTLETON,
CLERK OF COURT
BY 65

588 Apr 588

A 228124

RECORDED IN THE RECORDS OF THE

STATE DEPARTMENT OF ASSESSMENTS

AND TAXATION OF MARYLAND IN LIBER, FOLIO 2907 PAGE 588

Recorded in Liber 62, folio 480, one of the Charter Records of the State Tax Commission of Maryland.

To the Clerk of the Circuit Court for Worcester County.

IT IS HEREBY CERTIFIED, that the within instrument, together with all endorsements thereon, is a true copy, as received, approved and recorded by the State Tax Commission of Maryland.

AS WITNESS my hand and seal of the said Commission at Baltimore.
(Seal of State Tax Commission) Thomas A. Murray, Jr.
Secretary.

Capital) \$ 25 shares Bonus tax paid \$20.00 Recording fee paid \$10.00
common stock no par value.

1926, July 20th, The foregoing Certificate filed and forthwith recorded in Incorporation Record S. H. C. No. 1, folios 32, 33 & 34.

TEST: *Lucas D. Collins*, Clerk.

CERTIFICATE OF INCORPORATION) This is to certify that the subscribers,
OF) Theodore M. Purnell, Norman E. Peters and Charles
THE BERLIN FIRE COMPANY) R. Law, the Post Office address of each of whom
is Berlin, Worcester County, Maryland, under and
by virtue of the Public General Laws of the State of Maryland governing corporations,
do hereby associate themselves for the purpose of forming a corporation.

First, Name: The name of the corporation hereby formed, hereinafter called "the corporation", is The Berlin Fire Company.

Second, Purpose: The purpose for which the corporation is formed and the objects to be carried out and promoted by it are as follows:

- (a) To protect property and life from fire.
- (b) To purchase, lease or otherwise acquire any property, real, personal or mixed, suitable or convenient for any of the purposes of the corporation; and to sell, lease or otherwise dispose of any such property no longer required for the purposes of the corporation.
- (c) To borrow or raise money for any of the purposes of the corporation and to issue bonds, debentures, notes or other obligations of any nature, and in any manner permitted by law, for money so borrowed, or in payment of property purchased or for any other lawful consideration, and to secure the payment thereof and of the interest thereon, by mortgage upon, or pledge or conveyance or assignment in trust of the whole or any part of the property of the corporation, real, personal or mixed, including contract rights, whether at the time owned or thereafter acquired; and to sell, pledge, discount or otherwise dispose of such bonds, notes or other obligations.

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for any of the purposes of the corporation.

(d) It is the intention that none of the powers defined in any of the foregoing clauses of this article shall be in any way limited or restricted by reference to or by inference from the terms of any other clause, but that the powers defined in each such clause shall be regarded as independent of the others. It is also the intention that the corporation shall be authorized to exercise and enjoy all other powers, rights and privileges granted to or conferred upon corporations of this character by the laws of the State of Maryland, and that the assumption of certain powers as herein defined is not intended as exclusive of nor as a waiver of any other powers, rights and privileges granted or conveyed by the laws of said State of Maryland, now or hereafter in force, except as in this article expressly limited or restricted.

Third, Principal Office and Resident Agent: The principal office of the corporation will be at Berlin, Worcester County, Maryland, and the name of the resident agent of the corporation is William D. Pitts, whose Post Office address is Berlin, Worcester County, Maryland, said resident agent is a citizen of Maryland, actually residing therein.

Fourth, Capital Stock: The corporation will have no capital stock but may assess dues and fines upon its members, according to its by-laws, may receive and accept contributions and funds receivable from any source whatever and may apply and use the same as the Officers, Board of Directors and Members of the corporation may direct.

Fifth, Membership, Constitution and By-laws: The members of the corporation shall be the incorporators and directors herein named and all other persons who may be duly elected to membership in the corporation. The said members shall have power to adopt a constitution and by-laws and such rules and regulations as in their judgment may be advisable, and which are not in conflict with the Law of the Land.

Sixth, Directors: The corporation will have five directors and Theodore M. Funnell, Thomas E. Taylor, William D. Pitts, Thomas D. Marshall and Charles R. Law will act as such until the first annual meeting or until their successors have been duly elected and have qualified.

In testimony whereof we have hereunto subscribed our names and affixed our seals this 6th day of April, in the year nineteen hundred and twenty-six.

	Theodore M. Funnell	(Seal)
Witness:	Norman M. Peters	(Seal)
C. Wilbur Keas.	Charles R. Law	(Seal)

STATE OF MARYLAND, WORCESTER COUNTY, to-wit:

I hereby certify that on this 6th day of April, in the year nineteen hundred and twenty-six, before me, the subscriber, a Notary Public of the State of Maryland, residing in Berlin, in said Worcester County, personally appeared Theodore M. Funnell, Norman M. Peters and Charles R. Law and did each acknowledge the foregoing certificate of incorporation to be their respective act.

In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year last above written.

C. Wilbur Keas,
Notary Public.

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Certificate of Incorporation) of The Berlin Fire Company.
 received for record April 10, 1926 at 9 o'clock A. M., and approved by the State
 Tax Commission of Maryland April 10, 1926 as in conformity with law and ordered recorded.

Joseph D. Price
 J. Enos Ray,
 Commissioners.

Recorded in Liber 64, folio 192, one of the Charter Records of the State Tax
 Commission of Maryland.

To the Clerk of the Circuit Court for Worcester County.
 IT IS HEREBY CERTIFIED, that the within instrument, together with all endorsements
 thereon, is a true copy, as received, approved and recorded by the State Tax Commission
 of Maryland.

AS WITNESS my hand and seal of the said Commission at Baltimore,
 (Seal of State Tax Commission) Thomas A. Murray, Jr.
 Secretary.

Capital \$ None Bonus tax paid \$ None Recording fee paid \$10.00

1926, July 20th, The foregoing Certificate filed and forthwith recorded in Incorporation
 Record S. M. C. No. 1, folios 34, 35 & 36.

TEST: Jack M. Collins, Clerk.

CERTIFICATE OF INCORPORATION) This is to certify:
 OF) 1. That we, the subscribers,
 THE SOUTH OCEAN CITY DEVELOPMENT) William B. S. Powell, whose post-office
 COMPANY.) address is Ocean City, Worcester County,
 Maryland, W. Arthur Wise, whose post-
 office address is Ocean City, Worcester County, Maryland, and Clarence W. Whealton,
 whose post-office address is Salisbury, Wicomico County, Maryland, all being of
 full legal age, do, under and by virtue of the laws of the State of Maryland author-
 izing the formation of corporations, associate ourselves with the intention of form-
 ing a corporation.
 2. NAME. The name of the corporation, which is hereinafter called "corporation"
 is The South Ocean City Development Company.
 3. PURPOSE. The purposes for which the corporation is formed and the business
 or objects to be carried on and promoted by it are, as follows:
 (a) To take, own, hold, deal in, mortgage or otherwise lien, and to lease,
 sell, exchange, transfer, or in any manner whatever dispose of real property, within
 or without the State of Maryland, wherever situated.

(b) To build, own, operate, lease
 cottages and dwellings of every kind
 (c) To manufacture, purchase or a
 mortgage, pledge, sell, transfer, or in
 in goods, wares, merchandise and propert
 wherever situated.
 (d) To acquire the good will, right
 or any part of the assets or liability
 portion, to pay for the same in cash,
 to hold or in any manner to dispose of
 chased; to conduct in any lawful mann
 and to exercise all the powers neces
 duct and management of such business.
 (e) To guarantee, purcha se, hold
 otherwise dispose of the shares of th
 evidences of indebtedness created by
 State, or any other State, country, no
 stock may exercise all rights, powers
 to vote thereon to the same extent as
 (f) To enter into, make and perf
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 government or colony or dependency th
 make, accept endorse, discount, exch
 exchange, warrants, bonds, debenture
 and evidence of indebtedness wheth
 secure the same by mortgage or other
 portion, so far as may be permitted
 (g) To maintain offices and o
 Maryland, District of Columbia, terr
 foreign countries, without restricti
 (h) To purchase, hold, cancel
 (i) To do any or all of the th
 natural persons might or could do, i
 contractors, trustees or otherwise,
 with others.
 (j) IN GENERAL to carry on any
 forbidden by the Laws of the State
 corporations by the laws of the Sta
 4. PRINCIPAL OFFICE AND RESID
 which the principal office of the co
 City, Worcester County, Maryland.
 W. B. S. Powell, whose post office add
 said resident agent is a citizen of
 5. DIRECTORS. The corporati
 twenty directors and the following
 Martin, Phillip C. Dennis, Wm. B.

Internal Revenue Service
District Director

Department of the Treasury

Date: March 6, 1987

Employer Identification Number:

526073074

Accounting Period Ending:

December 31

Form 990 Required: Yes No

▶ Berlin Fire Company, Inc.
214 North Main Street
Berlin, MD 21811

Person to Contact:

G. Whittle

Contact Telephone Number:

301 962 4757

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(1) & 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

The box checked in the heading of this letter shows whether you must file Form 990, Return of Organization Exempt from Income Tax. If Yes is checked, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

(over)

31 Hopkins Plaza, Baltimore, MD 21201

Letter 947(DO) (Rev. 10-83)



BERLIN, MD
 21811
 PO BOX 467
 Berlin, MD 21811

LEGAL NOTICE Invoice

Date	Invoice #
10/26/2018	114158

Bill To

BERLIN FIRE DEPARTMENT
 214 N. MAIN STREET
 BERLIN, MD 21811

DUE UPON RECEIPT

We appreciate your business! Thank you for prompt payment. For billing questions, call Janell at 410-641-4561 or email business@mdcoastdispatch.com

Item	NAME / ESTATE #	RUN DATE	Amount
LEGAL	Legal Advertisement NOTICE OF PUBLIC HEARING	10/26	182.44

<i>We now accept VISA / MASTERCARD / DISCOVER. Please call us today with your credit card payment!</i>	Total	\$182.44
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Maryland Coast Dispatch, Inc.
P.O. Box 467
Berlin, MD. 21811

OCTOBER 26, 2018

CERTIFICATE OF PUBLICATION

This is to certify that the attached LEGAL NOTICE has been published in the Maryland Coast Dispatch; a weekly newspaper published in Worcester County, MD. NOTICE has been displayed once in each of the following consecutive issue date:

OCTOBER 26, 2018

SIGNED:



Pamela L. Green
For Maryland Coast Dispatch

REFERENCE: BERLIN FIRE NOTICE OF PUBLIC HEARING

THE DISPATCH
P.O. Box 467
Berlin, MD. 21811
Physical Address: 10012 Old Ocean City Blvd., Berlin, MD. 21811
Telephone: 410-641-4561
Fax: 410-641-0966

The Dispatch Legal Notices

LEGAL RATES: Legal advertising rate is \$7 per column inch. Deadline for all legal advertising is Tuesday at noon. For more information, call 410-641-4563 or fax 410-641-0966.

the notice. Any claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

Name of Newspaper:
Maryland Coast Dispatch
Date of Publication
OCTOBER 26, 2018

CHRISTINE ANN CHECCHIA
Personal Representative

True Test Copy
CHARLOTTE K. CATHELL
Register of Wills for Worcester County
Room 102 - Court House
One W. Market Street
Snow Hill, MD 21863-1074
3x 10-26, 11-02, 11-09

FIRST INSERTION

**NOTICE OF APPOINTMENT
NOTICE TO CREDITORS
NOTICE TO UNKNOWN HEIRS**

ESTATE NO. 17589

To all persons interested in the estate of **MARTHA N. FULTON**. ESTATE NO.

17589. Notice is given that **SUSAN A. NACHMAN, MANUFACTURES AND TRADES TRUST CO., ONE LIGHT STREET, 15TH FLOOR, BALTIMORE, MD 21202** and **JENNIE FULTON OWEN, 5306 NASSAWANGO ROAD, SNOW HILL, MD 21863** was on **OCTOBER 16, 2018**, appointed Personal Representatives of the estate of **MARTHA N. FULTON**, who died on **OCTOBER 01, 2018** with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative or the attorney. All persons having any objection to the appointment (or to the probate of the decedent's will) shall file their objections with the Register of Wills on or before the 16TH Day of APRIL, 2019.

Any person having a claim against the decedent must present the claim to the undersigned personal representative or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death; or

(2) Two months after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditor that the claims will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. Any claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

Name of Newspaper:
Maryland Coast Dispatch
Date of Publication
OCTOBER 26, 2018

**SUSAN A. NACHMAN
JENNIE FULTON OWEN**
Personal Representative

True Test Copy
CHARLOTTE K. CATHELL
Register of Wills for Worcester County
Room 102 - Court House
One W. Market Street
Snow Hill, MD 21863-1074
3x 10-26, 11-02, 11-09

FIRST INSERTION

**SMALL ESTATE
NOTICE OF APPOINTMENT
NOTICE TO CREDITORS
NOTICE TO UNKNOWN**

**NOTICE OF PUBLIC HEARING
ON THE PROPOSED FINANCING
BY BERLIN FIRE COMPANY, INC**

NOTICE IS HEREBY GIVEN that the Berlin Fire Company, Inc. located at 214 North Main Street, Berlin, Worcester, Maryland and Calvin B. Taylor Banking Company will meet on Monday, November 12, 2018, 5:30 pm at Berlin Fire Company, Inc., 214 North Main Street, Berlin, Maryland, 21811 for the purpose of holding a public hearing pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, on a proposal that the Issuer enter into an agreement to finance the construction of a new fire station to be located at 10837 Ocean Gateway, Berlin, MD 21811.

To finance the costs of such property and to pay costs and expenses incidental to the financing, the Issuer proposes to enter into a loan agreement in the maximum aggregate principal amount not to exceed \$800,000. The payments due pursuant to the loan agreement will be secured by a mortgage on the property.

All persons interested may appear and be heard at said time and place or may file written comments with the Berlin Fire Company prior to the date of hearing set forth heretofore.

Name of Newspaper:
Maryland Coast Dispatch
Date of Publication
OCTOBER 26, 2018

BY ORDER OF
BERLIN FIRE COMPANY, INC
DAVID A. FITZGERALD
PRESIDENT
1x 10-26



**NOTICE OF ELECTION
Town of Ocean City
2018 Municipal Election**

The Town of Ocean City is holding the Municipal Election in conjunction with the National Election. Registered Ocean City voters are able to vote in both elections at the Roland E. Powell Convention Center, 4001 Coastal Highway, on Tuesday, November 6, 2018, from 7:00 a.m. to 8:00 p.m. The Municipal Election will be held in Hall A; the National Election will be held in Hall B.

The Mayor and City Council approved free bus service on Election Day. ADA service requests require a 24-hour advanced trip reservation. The building is handicap accessible.

Below is a sample ballot for the 2018 Ocean City Municipal Election which includes mayoral candidates, council candidates and a referendum question.

FOR MAYOR	VOTE FOR ONE (1)
Joseph T. Hall II	<input type="checkbox"/>
Rick Meehan	<input type="checkbox"/>
FOR COUNCIL	VOTE FOR UP TO THREE (3)
Matthew James	<input type="checkbox"/>
Lloyd Martin	<input type="checkbox"/>
Emily F. Nock	<input type="checkbox"/>
Mark L. Paddack	<input type="checkbox"/>
Christopher M. Rudolf	<input type="checkbox"/>

Referendum:

A fair summary of said question is that Section C-1003(C) of the Town Charter will be amended to allow Town employees who are represented by the Union for certain employees of the emergency medical services division of the Ocean City Department of Emergency Services, and the Ocean City Fire Marshal's Department, to have binding interest arbitration by an outside arbitrator in collective bargaining matters where the Union and the Town are in disagreement. Binding interest arbitration is defined as the process through which parties negotiating a collective bargaining agreement upon reaching any impasse on one or more terms, call upon a single person acting as an outside third party to resolve the impasse and create the terms of the collective bargaining agreement to which both parties are thereafter bound.

A vote for the Union Referendum Question supports allowing a single person acting as an outside third party to resolve an impasse in labor negotiations between the Town and the Union by creating the terms of the collective bargaining agreement to which both sides are thereafter bound.

A vote against the Union Referendum Question maintains that Town and Union collective bargaining impasses will continue to be resolved by your elected officials and not by a single person acting as an outside third party.

Please contact City Clerk Diana Chavis at 410-289-8842 if you have any questions.

Thank you,
Local Board of Supervisors of Elections

Name of Newspaper:
Maryland Coast Dispatch
Date of Publication
OCTOBER 26, 2018
2X 10-26, 11-02

HEIRS

ESTATE NO. 17601

To all persons interested in the estate of **HENRY MICHAEL HEATH**. Notice is given that **DIANE C. HEATH, 360 OCEAN PKWY., BERLIN, MD 21811**, was on **OCTOBER 18, 2018**, appointed Personal Representative of the **SMALL ESTATE** of: **HENRY MICHAEL HEATH**, who died on **SEPTEMBER 20, 2018** with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative or the attorney. All persons having any objection to the appointment shall file their objections with the Register of Wills within 30 days after the date of publication of this Notice. All persons having any objection to the appointment shall file their objections with the Register of Wills within 30 days after the date of publication of this Notice.

All persons having claims against the decedent must serve their claims on the undersigned personal representative or file them with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death; or

(2) Thirty days after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditor that the claims will be barred unless the creditor presents the claim within thirty days from the mailing or other delivery of the notice. Any claim not served or filed within that time, or any extension provided by law, is unenforceable thereafter.

Name of Newspaper:
Maryland Coast Dispatch
Date of Publication
OCTOBER 26, 2018

DIANE C. HEATH
Personal Representative
True Test Copy

CHARLOTTE K. CATHELL
Register of Wills for Worcester County
Room 102 - Court House
One W. Market Street
Snow Hill, MD 21863-1074
1x 10-26

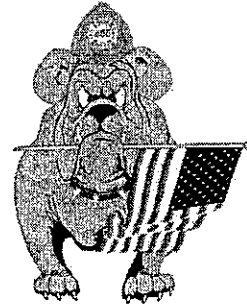
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BERLIN FIRE COMPANY, Inc.

214 North Main Street, Berlin, Maryland 21811

410-641-1977 • 410-641-2494 FAX

"UNITED WE STAND"



IRS Section 147F Public Hearing Minutes

Date: Monday, November 12, 2018

Time: 5:30pm Local Time

Location: Berlin Fire Company, Inc. Headquarters-214 North Main Street, Berlin, MD 21811

Attendees: Berlin Fire Company President David A. Fitzgerald
Fire Company Accountant Jay Bergey
Member of Public Dee Whittington

President Fitzgerald stated the purpose of the meeting was for any public comment relating to Berlin Fire Company obtaining a loan at Taylor Bank for the purpose of a sub-station at 10845 Ocean Gateway, Berlin, MD 21811—Berlin Fire Company Station 3. This is next door to the current leased facility. A copy of the drawings were on the white board stand. The loan amount is not to exceed \$800,000 and the fire company is still receiving donations, pledges, grants to the building fund. The loan would be paid back principal and interest by donations, pledges, grants, and use of the Worcester County Commissioners out of town runs grant funding. Mr. Bergey had no comments. Ms. Whittington came to present the fire company with another building fund pledge donation in memory of the late Mr. Whittington.

"SERVICE FOR OTHERS"



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: December 10, 2018
TO: Harold Higgins, Chief Administrative Officer
FROM: Jeff McMahon, Fire Marshal 
RE: County's Special Hazard Response Team – Fire Engine

In 2008 the Ocean Pines Volunteer Fire Department donated a 1985 Ford/Peirce fire engine to the County to be used with the Special Hazards Response Team (Hazmat), the Technical High School's cadet vocational program and as a reserve engine for the County's Fire Service. During the past 10 years the donated OPVFD's Engine was used by the vocational training program and used once as a reserve engine by one of the county volunteer fire companies.

During recent routine scheduled maintenance it was discovered the fire engine has mechanical engine problems. Due to the age of the truck, the lack of usage and the estimated cost associated with the repairs we have decided to decommission the 1985 fire engine from Hazmat duties. As part of the agreement with the OPVFD, if the County's Special Hazard Response Team decided to take the engine out of service Ocean Pines would be offered the opportunity to take the fire engine back. I have discussed with Chief Grunwald of the Ocean Pines Volunteer Fire Department the decommissioning of the 1985 donated fire engine and his company has decided they would like to take possession of their old truck.

Can you advised the procedure to give OPVFD the donated fire engine back? I have checked with Fleet Maintenance and they have the title available for your signature.



Jeffrey A. McMahon
Fire Marshal

Matthew W. Owens
Chief Deputy Fire Marshal

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.



8

OFFICE OF THE FIRE MARSHAL
Worcester County

Jeffrey A. McMahon
Fire Marshal
Matthew W. Owens
Chief Deputy Fire Marshal

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: December 11, 2018
TO: Harold Higgins, Chief Administrative Officer
FROM: Jeff McMahon, Fire Marshal 
RE: Ocean City Fire Safety House

The Ocean City Volunteer Fire Company is in the process of terminating their fire safety house fire prevention trailer program. The fire company has offered the trailer to the Worcester County Fire Service at no cost. The fire safety house has been used regional throughout the County and other local areas for many years. The Fire Chief's committee agreed at their September meeting they would like the fire safety house to remain local and asked if it could be stored at the Fire Training Center. There would be a minimal cost associated with maintenance of the trailer in the form of an annual DOT inspection which I would include in either the FY20 FMO or Fire Training Center budget. I don't anticipated the cost being over \$500 annually. The trailer does not require inside storage as it is currently kept outside at the Keyser Point Station 5 location.

With that said, the Fire Chiefs have asked me to include the fire safety house within the vehicle and trailer fleet associated with the Fire Marshal's Office and the Special Hazards Response Team equipment. I therefore respectfully request you, or the Commissioners approve the acquisition and addition of the Ocean City Fire Safety House for the County. I have the funds to cover the title and tag transfer within the FMO budget. There will be no further cost to the County for FY19. *



9

BILLY BIRCH
DIRECTOR

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

December 12, 2018

TO: Harold Higgins, Chief Administrative Officer
FROM: Billy Birch, Director of Emergency Services
RE: Project 25 Radio System Update

The Department of Emergency Services continues to work with Harris, Federal Engineering, the Town of Ocean City and end users on completion of acceptance of the Project 25 radio system. No issues of note have been reported since our last update and the project is continuing to move toward satisfactory completion. Harris has completed necessary changes to the Mystic Harbour tower site to resolve issues related to cable entry over the last two weeks.

(1)

During the week of December 16th, Harris contractors will be replacing the existing generators at the Pocomoke and Mystic Harbour sites with new larger units to overcome issues discovered during system acceptance. This work is being provided at no cost to the County. Over the next several weeks DES staff will begin performing an additional touch of each radio to facilitate revisions to programming information and to update radio firmware. This is being performed to ensure readiness for the Town of Ocean City's transition to the new system as well as to provide additional interoperability for users placing "individual calls" when roaming between Town of Ocean City and Worcester County tower sites.

Staff are also continuing to work toward disposition of surplus mobile and portable radio equipment from the legacy EDACS radio system. While certain models of radios that have some value for reuse have been upgraded and retained, a large number of radios that were purchased as part of the initial EDACS radio system in 2001 must be disposed of. These radios were discontinued by the manufacturer between 2003 and 2004 and haven't had repair parts support from the manufacturer in approximately ten years. Staff have reviewed GovDeals to find that these radios, sold in bulk, have a value as little as \$2.50 each with accessories. In order to prepare this equipment for sale, each radio must be "wiped clean" of programming and encryption keys. The expense incurred to prepare the equipment for such a sale is expected to far outweigh the anticipated revenue. As such, the Department requests concurrence from the County Commissioners for the determination that such equipment has de minimus value and may be disposed of by physical destruction at the Worcester County Landfill.

(2)



DEC 12 2018
Worcester County Admin

10

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
Kelly Shannahan, Assistant Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: December 11, 2018
SUBJECT: Land and Water Conservation Fund Grant (LWCF)

Attached to this document is a pre-application for a *Land and Water Conservation Grant (LWCF)* for Commissioner Review on December 18, 2018. We are requesting permission to submit the application in order to seek external funding for the development of Greys Creek Nature Park’s passive recreational components. The LWCF Grant, if awarded, would match any County Program Open Space (POS) allocation towards Greys Creek and enable the Department to sufficiently fund a solution consistent with the County’s 2006 Memorandum of Understanding (MOU) with the State. As indicated in the pre application, the requested grant amount is \$175,000 or 50% of the total project cost which is estimated to be \$350,000. Furthermore, the Department is confident in its ability to furnish ‘in kind services’ in order to satisfy the stipulated 10% development cost share associated with POS development projects.

To date, several public meetings have been conducted in order to ascertain the thoughts and concerns of community members most impacted by potential development of the site. The Department is also in the process of developing a proposal consistent with community feedback, county responsibilities as defined in our agreement with the State and as reflected in LWCF Grant pre application request presently before the Commissioners. We fully expect to have that formal proposal before the Commissioners in late January 2019.

Please let me know if you have any questions. Thank you for your time.

Attachment

cc: Bill Rodriguez



MARYLAND
 DEPARTMENT OF
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 STATE OF MARYLAND
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GRANT ROUND FEDERAL FY18



Please read the competitive grant information packet before completing this form. Municipalities and counties that intend to apply for Land and Water Conservation Fund assistance, under Grant Round Federal FY19 must complete this form. Maryland Department of Natural Resources will review all preliminary application forms for project eligibility and scoring. Once a project is determined eligible, the Department of Natural Resources will invite those applicants with the highest grant score to apply for Land and Water Conservation Fund assistance. Failure to complete all sections will result in rejection of this application.

The **maximum** Land and Water Conservation Fund assistance grant request is \$800,000 (\$1,600,000 minimum total project cost).

Preliminary application forms are due by 4 p.m., December 18, 2018. Please email this preliminary application form to the contact below.

Submit electronic form to: Ingrid.brofman@maryland.gov

Applicant Information

Applicant Entity: Worcester County Government		
Authorized Contact Name: Thomas Perlozzo		
Address: 1 West Market Street		
City/Town: Snow Hill	9 Digit Zip: 21863	
Daytime Phone: 410-632-2144	Email: tperlozzo@co.worcester.md.us	County: Worcester

Project Information

Project Type: <input checked="" type="checkbox"/> Development <input type="checkbox"/> Acquisition		
Project Title: Greys Creek Nature Park Development		
Estimated Total Project Cost: \$350,000	Estimated Total Grant Request: \$175,000	
*Match Fund Source and Total: Program Open Space \$175,000		
*Match Fund Source and Total (if more than one):		
Has the applicant previously received Land and Water Conservation Fund assistance?	Yes	No √
Has the project site previously been assisted by Land and Water Conservation Fund?	Yes	No √
If yes, list Project # and Title of Project:		

* Program Open Space Local funds may be used as the match. If using Program Open Space Local funds as match for a development project, please note that county match requirements will apply.



STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
LAND AND WATER CONSERVATION FUND
GRANT ROUND FEDERAL FY18



Project Narrative:

Provide enough information to convey the work you are proposing to accomplish and be specific about the proposed acquisition or development project. Insert an extra page, if necessary.

For acquisitions please make sure to include the following: what future recreational developments will occur on the property and which of those developments will be open to the public within three years of acquisition; is the acquisition a new area for recreation or an addition to an existing area.

For both acquisition and development projects please include: any potential conflicts or 'noncompatible' uses with Land and Water Conservation Fund; the total acreage and location of property; what population the project will be serving; current land use; is this a phase of a larger project or its own stand alone project; listing of any structures on the property and how they will be used for recreation; and any other information you feel is necessary to explain the project and convince approving agencies that it is worthwhile and consistent with the goals and objectives of the Land and Water Conservation Fund and Department of Natural Resources.

The Greys Creek development project goal is to develop the passive recreational aspects of the site in order to foster environmental education, promote sustainable principals, and enhance public access to an array of nature based recreational opportunities. These will occur all while tangibly demonstrating a commitment to the preservation ecosystem benefits for local communities.

The proposed Greys Creek Nature Park property, a 574-acre parcel located in the northeast section of Worcester County Maryland was acquired by the state and transferred to the county in 2006. The tract is sufficiently capable of promoting both environmental education and passive recreational opportunities to the public. It is partially bounded by the Delaware State line and Sussex County. To the west are the Bay View Estates subdivision and the 'Hidden Harbor' subdivision. Together, these developments account for more than 1,000 home sites. To the south and east, the property is bounded by several estuaries and inlets eventually opening onto the Assawoman Bay. Ocean City, Maryland is an easy drive of less than three miles, with a permanent population of about 8,000 and a yearly tourist influx of well over seven million visitors.

The property is comprised of several large adjoining parcels and numerous small islands just off shore. The main parcels can be accessed either by land via Williamsville Road and Rollie Road East or by shallow draft boats from Assawomen Bay. The site offers an exemplary coastal environment with a few small beach areas, low marsh lands, higher inlands and an assortment of woodlands. The elevation of the site ranges from sea level to just over seven (7') feet. There is an existing single story, single family house, currently unoccupied in the southwest portion of the site which is at an elevation of seven point three four (7.34') feet above sea level. Immediately south of the house is a manmade inlet and boat dock allowing shallow water access directly to the Greys Creek home site.

As a nature park, the property offers great potential. The site can provide a range of wonderful recreational and educational experiences through a structured activities program and serve as unique passive recreational outlet for locals and visitors alike. Additionally, due to its largely undisturbed and riparian nature, ecotourism, a growing market segment, can be served in a variety of way as the property can offer space for hiking, birding, coastal canoeing, paddle boarding, small craft sailing and kayaking. Furthermore, educational programs which explore the ecology of wetlands, marsh lands



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Project Narrative - continued

and coastal woodlands are easily accommodated here. Finally, because of the relatively low elevations of the site, the study of shallow water aquatic life can be brought to the public.

Since 2009, Worcester County, through its Department of Recreation & Parks, has pursued a solution which would maximize the potential of the site. In 2014 the Department entered into a Memorandum of Understanding (MOU) to partner with Maryland Coastal Bays Program (MCBP). The intent of the agreement pertained to the management of Greys Creek Nature Park, where the rationale was to leverage MCBP's expertise in site restoration and management and to promote environmental education in a manner consistent with Worcester County's 2006 MOU with the State of Maryland.

As a result of the partnership with MCBP, the site has been used to host a number of activities including a variety of orienteering and birding opportunities, trail development and maintenance efforts, and two Discover Your Watershed events which involved community based 'in water' and upland site cleanups. Also, from 2011 to 2014, monthly water quality monitoring occurred on site, and in fall of 2018, a wetland rapid assessment was conducted. Finally, since 2015, several Stewardship committee meetings, which focused on educating the local community as to the direction and potential of park development, have been held on the property.

In 2011, the Maryland Department of Natural Resources (DNR) worked to address the failing bulkhead associated with the home site's man made inlet. Upon completion of the project, approximately 800 linear feet of bulkhead had been replaced with a soft shoreline. The new living shoreline was stabilized through a planting effort coordinated through the MCBP. Additionally, in July of 2017, a request for technical assistance from (DNR) was signed by the County Commissioners. The purpose of the request is to have DNR evaluate the feasibility of creating water access and water trails. The initial site visit yielded promising potential and several subsequent visits have crystallized the viability for the creation of non- motorized water craft launches and water trail routes included in the attached DNR conceptual analysis entitled *Potential Water Access and Water Trail Connections*.

Finally, in 2018, a Forrest Management Plan for the site was completed by Park Forestry Service, Inc., which confirmed the potential of the site to 'afford excellent recreational opportunities including canoeing, kayaking, fishing, bird watching and hiking'.

To date, DNR has compiled data which confirms the potential of the site to accommodate water access, water trails and points of interest for the boating public. Additionally, Worcester County and Maryland Coastal Bays Program have identified three (3) sections of upland trails totaling over two (2) miles as well as several recreational based site features. A cost estimate for the development of the passive recreational elements has been created and presently, we are working with MCBP and DNR to formalize a proposal to go before the Worcester County Commissioners in early 2019.

Attached is a plan entitled *Greys Creek Nature Park Development Scope*, which provides a detailed account of the functional elements that we are proposing.



STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
LAND AND WATER CONSERVATION FUND
GRANT ROUND FEDERAL FY18



Statement of Need:

Provide enough information to explain how this project addresses a local recreation need for your community, the general public, and how it is tied into the 2017 County Land Preservation, Parks, and Recreation Plan and the Maryland Land Preservation and Recreation Plan; Insert an extra page, if necessary.

Greys Creek Nature Park will be unique to Worcester County providing passive recreational opportunities such as birding, water access, hiking, and formal nature program opportunities. The environmental education aspect will focus on collecting and disseminating scientific data, and serve to provide a hands-on classroom for nature study in order to promote a larger understanding of natural systems and environmental stewardship. In addition, by emphasizing sustainable techniques, the project will yield a host of beneficial demonstration projects for public consumption, while significantly reducing the long term cost of maintenance. As the large site remains relatively undisturbed, the passive park aspect would offer a true historical perspective, serving as a great example of 'what once was' in the midst of present day residential and commercial development.

The proposed development and usage also relates extremely well to both the present Maryland Land Preservation and Recreation Plan and the 2017 Worcester County Land Preservation, Parks and Recreation Plan, as the creation of trails and water access emerged as top focuses in both. From the local perspective, creating spaces which promote passive recreational opportunities is especially important when considering the unique demographics associated with Worcester County, where the median age of County citizens is 49.4 versus 37.2 nationally. Furthermore, when one considers the residential and commercial development pressures associated with our geographic location and appeal of Worcester County as a travel destination, a strong 'quality of life' argument emerges for the preservation of natural spaces such as Greys Creek. Finally, by virtue of its specific location and relatively undisturbed nature, the inherent potential of the site to promote truly meaningful conservation, educational, and recreational outcomes for locals and visitors alike is enormous.



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Proposed Timeline:

Provide a timeline for your project from start to finish. The project start date will be established when the National Park Service approves the project. Please write up the timeline by estimating how many months for each major part of the project. Please provide the earliest calendar date your project could start.

The anticipated time line for development is approximately 25 months from start to finish. The following identifies the major components of the development program;

- Presently - The Department and MCBP, with technical support from DNR, are currently in the process of completing our proposal for Greys Creek. We anticipate it will go before the County Commissioners for approval in January of 2019.
- Late spring and summer 2019 - Bid request will be prepared for contracted items/services and any required permits will be secured.
- Early fall 2019 - The Department will begin clearing upland trails.
- Early winter 2019 - The Department will surface upland trails with wood chips.
- Early winter 2019 through the Summer of 2020 - Park structures and amenities will be installed
- Summer 2020 through winter 2021 - Maryland Department of Natural Resources will develop water access points.
- Late summer/Early fall 2020 – Access points and parking will be developed and landscaped.
- June 2021- Greys Creek will officially open to the public.

Greys Creek Development Program	2019												2020						2021			
	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	June
Professional Services /Permitting																						
Upland Trail Clearing																						
Upland Trail Creation																						
* Park Infrastructure																						
Water Access Development																						
Entrance and Parking																						
Official Opening																						

*Includes the placement of permanent structures (pavilions, observation decks, restrooms, water crossings, and signage, etc.)



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Itemized Detailed Cost Estimate for Development Projects (insert more lines as necessary, be specific):

Below is an itemized cost estimate for the passive park development project. Items such as trail clearing and creation, parking lot construction, entrance landscaping, driveway enhancements and signage installation were estimated with consideration for 'in kind' services the County and its' partners are able to provide throughout the development process.

Greys Creek Passive Park Development Estimate

Development Item	Cost/acre	Cost/c.y.	Flat Cost	Unit Qty.	Item Cost
Parking/Trail Clearing	\$ 2,500			3	\$ 7,500
Trail Creation/Wood Chips		\$ 12.00		2,000	\$ 24,000
Pavilion Construction			\$ 37,000	2	\$ 74,000
Storm Shelter Construction			\$ 10,000	2	\$ 20,000
Boat House Renovation			\$ 25,000	1	\$ 25,000
Parking Lot Construction			\$ 35,000	1	\$ 35,000
Educational information Boards			\$ 1,000	2	\$ 2,000
Picnic Site Amenities			\$ 5,000	1	\$ 5,000
Water Station			\$ 1,200	1	\$ 1,200
Entrance Gate			\$ 1,500	2	\$ 3,000
Existing Driveway Enhancement			\$ 6,000	1	\$ 6,000
Check Dam/Stream Crossing Construction			\$ 6,000	2	\$ 12,000
Lookout Platform Construction			\$ 15,000	2	\$ 30,000
Entrance Landscaping			\$ 2,500	2	\$ 5,000
General Signage			\$ 3,500	1	\$ 3,500
Interpretive Signage			\$ 5,000	1	\$ 5,000
Rest Rooms/Composting			\$ 20,000	2	\$ 40,000
Professional services/permitting			\$ 20,000	1	\$ 20,000
Estimated Development Cost					\$ 318,200
*Estimated Cost with 10% Contingency					\$ 350,020

* Contingencies include future transportation and item cost increases



STATE OF MARYLAND
 DEPARTMENT OF NATURAL RESOURCES
 LAND AND WATER CONSERVATION FUND
 GRANT ROUND FEDERAL FY18



Required Attachments:

- Location map** (indicating the location of the property within the state/region)
- Boundary 6(f) site map** (indicating park property boundary in red, project area, and public access points on an aerial image)

Local Government Authorization:

As the authorized representative of this local jurisdiction, I read the Land and Water Conservation Fund Manual and the Federal FY19 Land and Water Conservation Fund Grant Application Information document and I agree to perform all work in accordance with the Land and Water Conservation Fund Act of 1965 and Manual. Some of these agreed to terms include items such as:

- Understanding that land assisted with Land and Water Conservation Fund {6(f)}, either through acquisition or development, is to be protected and maintained in public outdoor recreation in perpetuity.
- No agricultural leases or profit from agriculture of any kind may exist on the 6(f) property.
- Structures not in direct support of public outdoor recreation are not allowed on the 6(f) property.
- All development and acquisition projects must be completed within three years from the provided start date. Only expenditures incurred within the approved Land and Water Conservation Fund project period are eligible for reimbursement. Grantees do not receive funds at the time of approval. The applicant must incur 100 percent of the total project cost; submit evidence of eligible expenditures throughout project implementation and payment thereof; and request reimbursement from Maryland Department of Natural Resources after the project has been completed and National Park Service has officially closed the grant.

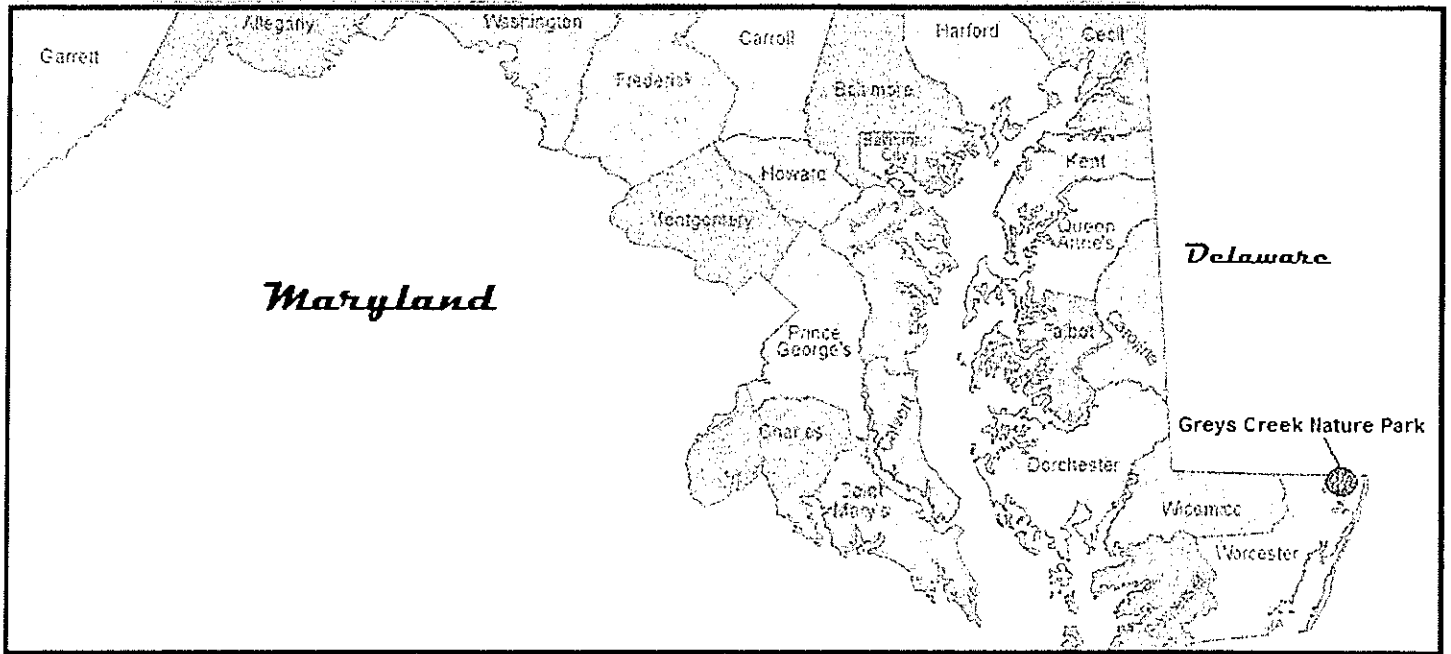
Signature of Authorized Contact

Date

Print Name

Print Title

Location Map (Required):



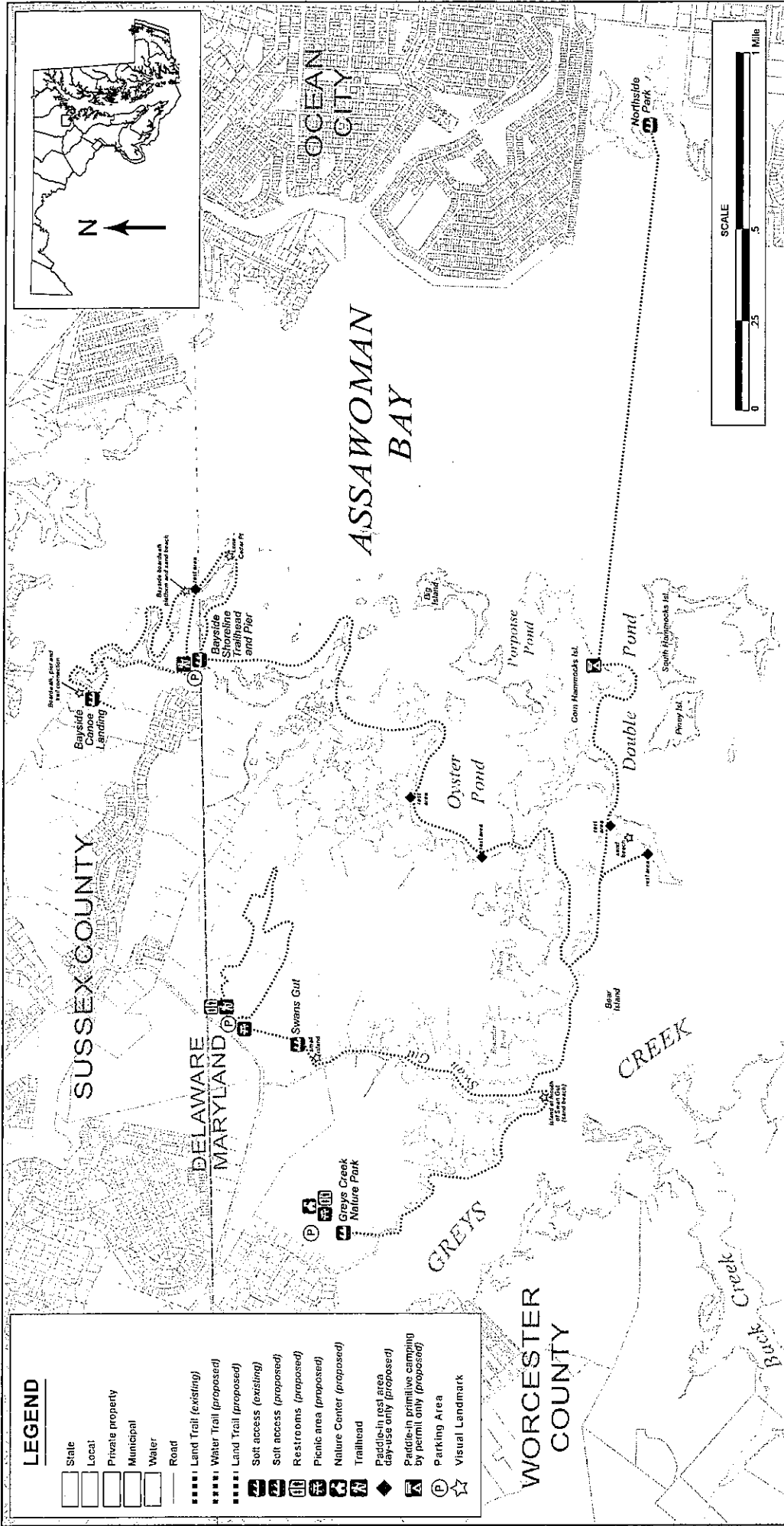
Greys Creek Nature Park Boundary Site Map

UNIVERSITY OF CALIFORNIA
SOUTHERN CALIFORNIA



Legend

- Public Water Access
- Public Vehicular Access
- Property Boundary
- General Area of Development



Potential Water Access and Water Trail Connections Greys Creek Nature Park, Worcester County, Maryland

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DEPARTMENT OF
NATURAL RESOURCES

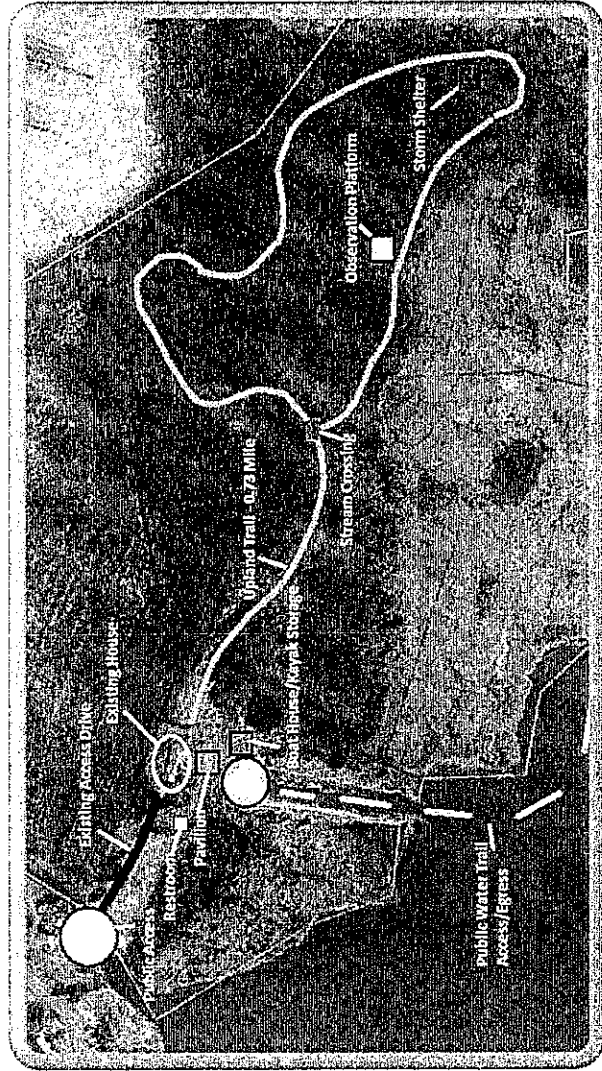
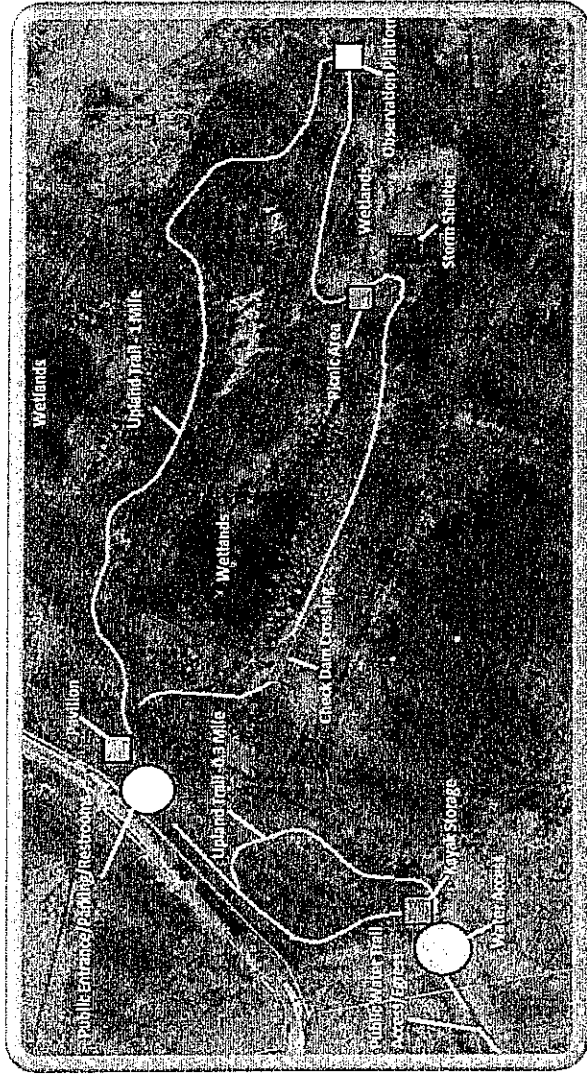
MARYLAND
PUBLIC ACCESS AND WATER TRAILS

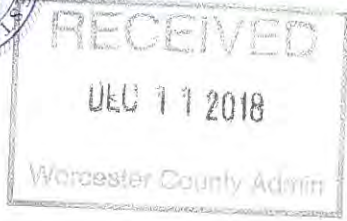
This map was produced by the Maryland Dept. of Natural Resources
Public Access, Water Trails and Recreation Planning Program
with assistance from GDOT revised August 20, 2018

worcester county



Greys Creek Nature Park Development Scope





MEMORANDUM

11

TO: Harold L. Higgins, Chief Administrative Officer
Kelly Shannahan, Assistant Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: December 4, 2018
SUBJECT: Request Approval for Public Landing Engineering Bids

The Recreation and Parks Department is requesting permission to award the bid for the Public Landing Engineering Project. We have reviewed the bids below:

Bay Land Consultants & Designers, Inc. Hanover, MD	\$44,000	
J. Stacey Hart & Associates, Inc. Snow Hill, MD	\$35,000	- p. 4
Davis, Brown & Friedel, Inc. Salisbury, MD	\$40,800	
Three Chord CEM, LLC Frankford, DE	\$26,700	- p. 22
George, Miles & Buhr, LLC Salisbury, MD	\$42,988	

Based on the recommendation from David Bradford, Deputy Director, Environmental Programs, and the Department of Natural Resources, **we recommend J. Stacey Hart & Associates, Inc.** J. Stacey Hart is based out of Snow Hill and is considered to provide improved efficiency for this type of project. In addition, they have worked successfully with Environmental Programs in the past and they are familiar with our local and state regulations and permitting process. The bids were also reviewed and recommended by the DNR.

Cost Summary:

FY 19 Allocation: \$35,000 – 100% Reimbursed from our revised Land and Water Conservation Grant
Account Number: 100.1204.265.7180

Thank you for your time and please let me know if there are any questions.

- cc: Dave Bradford
- John Tustin
- Bill Rodriguez
- Isaac Wilding
- Sandi Pepe
- Lisa Gutierrez

Competitive Bid Worksheet

Item: Design of Public Landing Dredging Project

Bid Deadline/Opening Date: 1:00 P.M., Monday, November 26, 2018

Bids Received by deadline = 5

Vendor's Submitting Bids

Base Bid

Bay Land Consultants & Designers, Inc.
7455 New Ridge Road, Suite T
Hanover, MD 21076

\$44,000

J. Stacey Hart & Associates, Inc.
P.O. Box 6
Snow Hill, MD 21863

\$35,000

Davis, Bowen & Friedel, Inc.
601 East Main Street
Salisbury, MD 21804

\$40,800

Three Chord CEM, LLC
32133 Omar Rd.
Frankford, DE 19945

\$26,700

George, Miles & Buhr, LLC
206 West Main Street
Salisbury, MD 21801

\$42,988



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

10 December 2018

Mr. Tom Perlozzo
Director of Recreation & Parks
Worcester County
Recreation & Parks Department
6030 Public Landing Rd
Snow Hill, MD 21863

RE: Concurrence Request to Award for Design and Engineering Services
Public Landing Dredging & Marina Improvements
Grant Nos. LG-2304K-17

Dear Mr. Perlozzo,

This letter is to acknowledge Worcester County's recommendation to award design and engineering services for the Public Landing Dredging project to J. Stacey Hart & Associates in the amount of \$35,000.00. Worcester County's procurement guidelines and the Request for Proposal allows for award of engineering contracts based on a combination of experience and cost. The County evaluation finds the second low bidder, J. Stacey Hart & Associates' proposal and experience to be better qualified for this Maryland coastal bay dredging and shoreline project. Our office has reviewed the proposals and concurs with the County's recommendation.

Your cooperation is appreciated in meeting the terms and conditions of our grant process. Please provide our office with a copy of the contract award when approved by the County and all major submittals of the plans/specifications for the Public Landing Dredging Project so that we can comment on them accordingly. Also, change orders for contracts/purchase orders must be approved in advance by our office. Should additional funding be needed to complete this project, Maryland DNR cannot guarantee that supplementary State Waterway Improvement Funding will be available.

We look forward to working closely with you on your various dredging projects. If you have any questions or comments, please contact me at 410-260-8443 or isaac.wilding@maryland.gov.

Sincerely,

Isaac Wilding
Dredging Coordinator

Cc: Sandi Pepe, Eastern Regional Coordinator
Fred Bedell, Technical Review

WORCESTER COUNTY BID FORM

WORCESTER COUNTY, MD
1 WEST MARKET STREET
SNOW HILL, MD 21863

**TITLE: ENGINEERING SERVICES TO DREDGE AN ENTRANCE CHANNEL AND
THE BOAT BASIN CHANNEL AT PUBLIC LANDING WORCESTER COUNTY, MD**

OPENING: As Specified in the "Notice to Bidders" Announcement

Proposal of J. Stacey Hart & Associates, Inc.
(Hereinafter called "BIDDER", organized and existing under the laws of the State of
Maryland, doing business as (* a corporation)

BIDDER hereby submits proposal for the above titled project. Having carefully examined the qualifications and site information for the named project and having received clarification on all items of conflict or upon which any doubt arose, the undersigned hereby agrees to furnish all labor, material and equipment required for complete work in strict accordance with the contract documents. BIDDER also understands that the right to delete any portion of the specification herein described is that of Worcester County, and BIDDER shall perform all other items of the contract accordingly.

BIDDER acknowledges receipt of the following addendum(s):

n/a (DNR soundings)

BIDDER hereby agrees to supply all items described in the specifications for the stipulated sum of: thirty-five thousand DOLLARS (\$ 35,000.00)

The base bid shall be the controlling factor for determining the value of the proposal; however, the base bid shall not be the only basis for awarding the contract.

J. Stacey Hart
(Signature)

* Insert " a corporation ", " a partnership ", or " an individual " as applicable



BID FORM
Page 2 of 5

It is understood that the bid price shall remain firm for a period of ninety (90) calendar days from the bid opening date and that if the BIDDER is notified of the acceptance of this proposal within this time period, he/she agrees to execute a contract for the above stated compensation and to supply all bonds, insurance forms, workman's compensation forms, and other related or requested documents within ten (10) calendar days of the notification, and to guarantee the completion of the contract within 120 calendar days.

Affidavit I and Affidavit II are to be submitted by all BIDDERS with the forms as provided. Any additional or alternative documents called for in the contract must be submitted herewith.

47688 (PE Firm) 11/2017 _____
(License number) (Date issued) (Place issued)

Federal Employer ID number 20-3507952 or, if not an employer,
Social Security number _____.

22798 (PE License) 09/1997

AFFIDAVIT I

WORCESTER COUNTY, MD
1 WEST MARKET STREET
SNOW HILL, MD 21863

COUNTY OF: Wicomico

STATE OF: Maryland

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, J. Stacey Hart personally appeared and made oath in due form of the law that the Proposer herein, his Agents, servants and/or employees, to the best of his/her knowledge and belief, have not in any way colluded with any one for and on the behalf of the Proposer, or themselves, to obtain information that would give the Proposer an unfair advantage over others, nor have they colluded with anyone for or on behalf of the Proposer, or themselves, to gain any favoritism in the award of the Contract herein.

Notary Public Susan Vincent



AFFIDAVIT II

WORCESTER COUNTY, MD
1 WEST MARKET STREET
SNOW HILL, MD 21863

DISCLOSURE OF INTEREST BY PERSONS DOING BUSINESS WITH WORCESTER COUNTY.

The undersigned does hereby declare that no officer or employee of Worcester County, whether elected or appointed has in any manner whatsoever any interest in or has received prior to hereto or will receive subsequent hereto any benefit, monetary or material consideration from the profits or emoluments of this contract, job, work or service for the County, and that no officer or employee has accepted or received or will receive directly or indirectly, any part of any fee, commission or other compensation paid or payable by the County in connection with the contracts, job, work, or service for the County, excepting, the receipt of dividends or corporation stock.

I, We, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my knowledge, information, and belief.

DATE: 11/24/2018

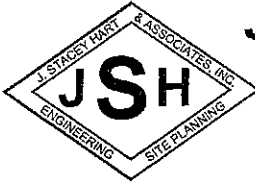
SIGNATURE: J. Stacey Hart

TITLE: President

FIRM: J. Stacey Hart & Associates, Inc.

ADDRESS: PO Box 6

Snow Hill, MD 21863



J. STACEY HART & ASSOCIATES, INC.

POST OFFICE BOX 6
SNOW HILL, MD 21863
PHONE: 410-390-8096
FAX: 877-646-4365

November 23, 2018

Office of the County Commissioners
Worcester County Government Center
One West Market Street – Room 1103
Snow Hill, MD 21863

Re: Request for Proposals
Public Landing Dredging Engineering Services
JSH Proposal # 2018-085

Dear Sir/Madam:

In response to Worcester County's request, we have prepared the following proposal. As outlined in the RFP, we propose the following:

Pre - Surveys – bathymetric and topographic

We will perform the pre-construction bathymetric survey data for the approximate 30x2200 area as outlined in the RFP. This includes the boat basin area and the approximate 750 feet distance leading into the boat basin/canal. We will perform the topographic survey on the beach area designated as the proposed spoil site, which is to include bathymetric surveys extending 100 feet past the MHW line. We will locate the existing debris, including the concrete, Phragmites australis, etc. All work will be done by GPS equipment and be tied to Maryland State Plane coordinates and in mean low water (MLW) datum. We will use the existing PK nails at the boat ramp as the designated +4.0 MLW benchmark. We will prepare the Base Map in an AutoCAD drawing format.

Collect and analyze sediment samples

We propose to collect four (4) sediment samples at the same time as performing the field data at a depth of -5.0 MLW. The samples will be collected and taken to the labs to perform testing for sieves, limits and/or organic content, moisture content, along with the TCLP for metals, organochlorine pesticides, chlorinated herbicides, volatile organic, semi volatile organic, etc.

Prepare preliminary permit and construction documents

Using the Base Map, we will prepare preliminary plans for review by the agencies. The plans will reflect the data obtained from the field work, noting the soil boring locations. The plans will detail the existing site conditions with the proposed limits of dredging, defined as a 30' wide channel leading from the boat ramp to the Chincoteague Bay, approximately 2,200 feet. The plans will show the existing spoil site area; noting the limits of placement. If requested; we can include a plan for the eradication of the Phragmites australis. We will include the County and



DNR instructions and conditions as provided by each entity. Five (5) sets of the plans and PDF files will be submitted to the County for review and comment.

Prepare and submit pre-final permit and construction documents

We will incorporate all comments and complete the drawings and MDE/ACOE. This project will be considered one application with a request for a six (6) year maintenance dredge permit. The construction documents will include Preliminary/Draft Erosion and Sediment Control Plans for the proposed spoil site on the beach. The debris to be removed will be shown to be taken to the Worcester County Landfill. Pre-final plans will include the proposed cross-section for the dredge spoil area as well as for the spoil site. The spoil site will be detailed with proposed contours based on the volume of material to be removed. Project Specifications will include General Terms and Conditions, Mechanical Dredging, Beach Replenishment, Instructions to Bidders, Bid Proposal Forms, etc. We will provide a cost estimate based on the dredge spoil volume and proposed placement of the dredge spoil on the beach. Five (5) sets of plans and PDF files will be submitted to the County for review and comment.

Final Permit and Construction/Bid Documents

We will address any comments and make revisions as provided by the County and DNR from the pre-final submission. We will prepare the MDE/ACOE submission package and mail to MDE in accordance with their requirements. It is assumed that Worcester County will be signing the MDE/ACOE application for the package and that will be provided to us to include with the plans for submission. The construction bid documents, to include the plans and specifications will be finalized and sealed. We will complete processing and approval of the Stormwater Management Waiver and Erosion and Sediment Control Plans. It is assumed that Worcester County will pay review fees, if any. Twenty (2) sets of plans and Specifications will be provided to Worcester County, along with digital copies of the Plans (AutoCAD 2006) and Specifications (Microsoft Word).

Bidding & Construction Administration

We will assist during the bid process, to include providing a RFP for advertisement by the County. We will attend the pre-bid meeting, answer questions and prepare any addenda that may be necessary. We will further assist the County upon receipt of the bids, with review of pricing, completeness, etc. and provide a written recommendation.

We will attend the pre-construction meeting with the contractor selected any clarify any questions. We will also provide the contractor with copies of the final approved permits, which must remain on-site during all construction. We will attend two (2) progress meetings and two (2) on-site inspections as directed by the County. We will make ourselves available by phone to the contractor for any questions or clarifications during the construction phase.



Stakeout

We will perform a single stake-out of the proposed dredge area using PVC pipes. We will set PVC pipes at an offset at 50' stations with cut-sheets provided to the contractor.

Post - Surveys – bathymetric and topographic

We will perform a post-construction survey of the dredged channel to confirm its conformity with the construction documents and permits. We will also perform a final topographic survey of the spoil site, showing the final contours and conditions.

If additional services are deemed necessary, we can provide the County with addendums to our Contract. Our Standard Terms and Conditions provides hourly fees. We will work with and provide the County with a written contract should services outside this proposal arise. For example, we can provide the County with a fixed fee/lump sum contract for weekly inspections, etc.

We propose to perform the above Scope of Services for the lump sum price of \$35,000. All work is to be performed in accordance with our *Standard Terms and Conditions* which are attached to this proposal and incorporated into this contract. The attached were marked-up previously by the County attorney for another contract we have performed. If you find this proposal acceptable, please sign and return to us which will serve as our notice to proceed. If you have any questions or desire revisions, please do not hesitate to contact us.

Sincerely,

J. STACEY HART & ASSOCIATES, INC.

J. Stacey Hart, P.E.
President

SIGNED AND ACCEPTED

Name: _____

Title: _____

Date: _____

GENERAL TERMS AND CONDITIONS

1. SCOPE OF WORK

J. Stacey Hart & Associates, Inc. (JSH) shall perform the services described in the attached letter. The price shown is valid for fourteen (14) days unless otherwise stated. All fees are subject to renegotiations if the original scope of service is changed or if services are not completed within one (1) year of the date of the original contract.

JSH will provide services beyond those outlined in the Scope of Work, if requested by the Client, and invoice the Client for those additional services in accordance with the hourly rates or at a cost negotiated at the time of the request for the additional services. Services not expressly set forth in writing in the contract are excluded from JSH's scope of work and JSH assumes no duty to the Client to perform such services.

2. HOURLY RATE SCHEDULE

Compensation for services will be billed in accordance with the following fee schedule:

Principal Engineer	\$100-150/hour	CADD I	\$60/hour
Licensed Surveyor	\$125/hour	Survey Crew	\$135/hour
Project Mgr./Engineer	\$100/hour	Expert Witness	\$250/hour
Designer	\$85/hour	Project Support	\$65/hour

3. INVOICES

JSH invoices monthly in accordance with the fee schedule or compensation as outlined in the contract. Hourly projects will be billed for the hours accumulated for the month. Fixed fee projects will be billed based on the percentage of work complete. Payment is due upon receipt. All outstanding balances beyond 30 (thirty) days will have interest charged at the rate of 1.5% per month, with a minimum of \$25. JSH will not issue drawings for any phase of the project where payment for prior service is past due.

JSH reserves the right to stop work on the project upon ten (10) days written notice to the Client for non-payment. JSH's stoppage of work shall be without liability for consequential or other damages resulting from the stoppage.

4. DELAYS IN WORK

JSH will pursue the work in an efficient and expeditious manner consistent with good quality practices. JSH will not be responsible for delays in the work caused by the Client or its agents, consultants, government entities, contractors, or subcontractors.

5. REPRODUCTION EXPENSES

In-house reproduction expenses incurred will be billed in accordance to the following:

CAD Plots	<i>Regular</i>	<i>Color</i>	
	11x17	\$ 2.00	\$ 5.00
	18x24	\$ 5.00	\$ 15.00
	24x36	\$ 10.00	\$ 20.00
Photocopies	8½ x 11	\$ 0.25	\$ 2.50
	8½ x 14	\$ 0.35	\$ 3.00
	11x17	\$ 0.50	\$ 4.00
Blueprints	18x24	\$ 3.00	
	24x36	\$ 4.00	
Mylars	18x24	\$ 10.00	
	24x36	\$ 12.50	

6. REIMBURSABLE EXPENSES

Expenses incurred in the interest of the project, including but not limited to, mileage, postage, overnight deliveries, tolls, reproduction, communications, other consultants, parking, etc. will be billed at cost plus 10 percent.

7. GOVERNMENT AGENCY AND REVIEW FEES

This contract does not include fees imposed by other agencies, such as application fees, review fees, tap-in fees, permit fees, recording fees, Impact fees, front foot assessments, bonds, etc. The Client shall pay directly the cost of these and any other fees at the direction of JSH.

8. OWNERSHIP OF DOCUMENTS

All documents (plans, reports, specifications and other related items) prepared by JSH are Instruments of Professional Service to which JSH retains the exclusive common law and statutory copyright. The documents resulting from JSH's services are intended for the sole use by the Client. Electronic format documents will not be released without the appropriate Release Forms being signed. The Client may provide the documents generated by JSH to outside parties; however, the contents thereof may not be used or relied upon by any other party, without the express written consent and authorization of JSH. So long as the Client is not in breach of its obligations pursuant to this contract, JSH grants to Client a nonexclusive license to use such Instruments of Professional Service for the project for which the services are rendered and for no other project. ~~The Client will indemnify JSH for any claims arising from the improper use of the documents.~~

Should the Client solicit proposals from contractors utilizing preliminary drawings or plans which have not received approval from the pertinent governmental agencies, he does so at his own risk. The Client shall inform the bidding parties that the documents are preliminary and incomplete.

Client may furnish JSH data, studies, plans, specifications, documents, and other information necessary for proper performance of JSH's services. JSH may rely upon documents provided by the Client or other third parties in performing the services under this contract; however, JSH will not conduct an independent evaluation of the accuracy or completeness of such information, and shall not be responsible for any errors or omissions contained in such information. JSH will retain copies of all documents and information provided by the Client.

Normal distribution is two (2) copies of the plans to the Client for their use. There will be a charge if additional copies are requested, either at the original time of completion or after. These costs will be billed in accordance with this contract. The distribution of plans to a party other than the Client does not infer reliance on the plans by that third party, unless expressed in writing by JSH.

9. INSURANCE/GENERAL LIABILITY

JSH represents and warrants that it and its staff are protected by workers' compensation insurance and that JSH has such coverage under public liability and property damage insurance policies which JSH deems to be adequate. Certificates for all such policies of insurance shall be provided to the Client upon request in writing. ~~Liability of JSH for any service performed under this agreement is limited to the amount of the fee charged.~~

JSH will not be responsible for any loss, damage or liability arising from acts by the Client, its agents, staff and other consultants employed by the Client.

10. STANDARD OF CARE

JSH will perform our services as an independent engineering and surveying consultant and will be responsible for the means and methods of providing our services. Services performed by JSH under this contract will be conducted in accordance with industry standards and generally accepted professional practices in the same or similar localities related to the nature of the work accomplished at the time the services are performed. No other warranty, express or implied, is made.

11. COLLECTION

~~If it is necessary to enforce collection on any amount past due under this contract, JSH shall be reimbursed for all costs, legal or otherwise, related thereto, plus 25 percent.~~

12. FORCE MAJEURE

Neither party to this contract will be liable to the other party in performing the services nor for the direct or indirect cost resulting from such delays that may result from labor strikes, riots, war, acts of governmental authorities, extraordinary weather conditions or other natural catastrophe or any other cause beyond the reasonable control or contemplation of either party.

13. CONFLICTS

Should any element of these General Terms and Conditions be deemed in conflict with any element of the contract, unless the contract clearly voids the conflicting element in the General Terms and Conditions, wording of the General Terms and Conditions shall govern. Any element of this agreement later held to violate a law or regulation shall be deemed void, but all remaining provisions shall continue in force.

14. DISPUTE RESOLUTION

Claims, disputes or other matters in questions between the parties arising out of or relating to this agreement or breach thereof which involve, either individually or in the aggregate, monetary claims less than twenty-five thousand dollars (\$25,000) shall be subject to and decided by the Maryland Court System. ~~Additionally, claims, disputes or other matters in questions between the parties arising out of or relating to this agreement or breach thereof which involve, either individually or in the aggregate, monetary claims greater than twenty-five thousand dollars (\$25,000) shall be subject to and decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association currently in effect.~~

15. ASSIGNMENT

Neither the Client nor JSH may delegate, assign, sublet or transfer its duties or interest in this contract without the written consent of the other party.

16. TERMINATION

Either party may terminate this contract upon seven (7) days written notice in the event of substantial failure to the other party through no fault of the terminating party. If this contract is terminated, it is agreed that JSH shall be paid for total charges for labor performed to the termination notice date plus reimbursable charges.

17. GOVERNING LAW

The terms and conditions of this contract are to be governed by the laws of the State of Maryland, unless otherwise noted.

18. FRIVOLOUS SUIT

~~If the Client asserts a claim against JSH but fails to prove such claim, the Client shall pay all costs incurred by JSH, legal or otherwise, in the defense of such action. Any liability on the part of JSH with others shall be joint and not several.~~

19. STATUTE OF LIMITATIONS

Any cause of action between the parties pertaining to acts or failure to act, whether based on breach of contract, negligence or otherwise, shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the last date on which JSH provides services pursuant to this proposal or agreement.

July 2016
J. Stacey Hart & Associates, Inc.

J. Stacey Hart, P.E.
President

EDUCATION

B.S. Civil Engineering, 1992
University of Maryland

M.B.A. 1996
Wilmington College

REGISTRATIONS

- P.E. MD # 22798
- P.E. DE # 10755
- P.E. VA # 32967
- P.E. NCEES # 16066
- MD E&S Certification #27241
- MBE #15-151

MEMBERSHIPS

- American Society of Civil Engineers

CIVIC ORGANIZATIONS

- Wor-Wic Community Foundation

PROFESSIONAL SUMMARY

Ms. Hart has over 26 years of experience in site design and civil engineering. Major areas of responsibility have included the design and management of engineering projects on the Eastern Shore. Design responsibilities have included all aspects of site development, including stormwater management, grading, sediment control, utilities, marine engineering, structural, drainage, roads and parking lots.

SPECIAL PROJECT EXPERIENCE

- **White Marlin Marina, Ocean City, MD** – base mapping, including bathymetric survey for the permitting, bidding and construction documents for dredging and the proposed overall repairs/reconstruction of the marina. Bidding and construction administration of the new bulkhead installation.
- **Town of Ocean City, Phase V Canal Dredging** – bathymetric survey of canals for permitting and bid/construction documents.
- **James C. Motsko Residence, Ocean City, MD** – design and permitting of failed steel bulkhead with new steel bulkhead.
- **Gullway Condominiums, Ocean City, MD** – analysis of existing bulkhead condition with recommendations with design and permitting for replacement. Bidding and construction administration of the new bulkhead installation.
- **Macky's Bayside Restaurant, Ocean City, MD** - permitting of dredging of the canal and rehabilitation of the existing living shoreline.
- **Pam & Macky Stansell, Berlin, MD** – permitting and design of dredging of personal boat basin and new marine vinyl bulkhead.
- **Whitehorse Park, Berlin, MD** – permitting and design of marine repairs, including living shoreline, dredging, piers and bulkheading. Bidding and construction administration and oversight during re-construction phase.
- **Fish Tales, Ocean City, MD** – repair design of deteriorated bulkhead using C-Loc vinyl sheeting and concrete backfill in various locations.

Experience & References:

We have worked on numerous projects that have components that will be necessary to complete the scope of services, including bathymetric surveys, marine permitting and design in the Coastal Bays and its canals. Some of these projects include:

1. Client: Town of Ocean City
301 Baltimore Avenue, Room 118
Ocean City, Maryland
410-289-8790, Paul B. Mauser, P.E.

Project: Phase V Canal Dredging
Description: Bathymetric surveying, permitting and bid documents of sixteen (16) canals

Project: Reedy Island (currently on-going)
Description: Preparation of permit drawings for the placement of hydraulic dredge spoil

2. Client: Walter "Macky" and Pam Stansell
5311 Coastal Highway
Ocean City, Maryland
443-614-3535, Macky

Project: Macky's Bayside Bar & Grill
Description: Dredge permitting
Marsh Creation/Living Shoreline

Project: Private Residence - 11708 Gum Point Road
Description: Bulkhead/Boathouse Repair Design
Description: Pier and lifts

3. Client: White Marlin Marina, Inc.
205 Somerset Street
Ocean City, Maryland
610-496-4023, James Miller
410-289-6156, Igor Conev or Buck Mann (Mann Properties)

Project: White Marlin Marina
Description: Marina repairs - dredge, bulkhead, piers & other permitting
Development of construction documents, bid documents, bidding, selection and construction administration and oversight

4. Client: Harbor Lights Condominiums
Old Bridge Road
West Ocean City, Maryland
410-298-2600, Scott Dorsey

- 410-289-6156, Igor Conev or Buck Mann (Mann Properties)
 Project: Shoreline Stabilization
 Description: Coordinate topographic and hydrographic surveys for the permitting and design documents for the rip rap slope failure and new steel bulkhead.
5. Client: de Lazy Lizard
 305 N 1st Street
 Ocean City, Maryland
 443-823-1832, Wayne Odachowski
 Project: de Lazy Lizard
 Description: Dredge, bulkhead & pier permitting
 Bulkhead repairs
6. Client: Gordon Shellfish, LLC
 George Island Landing Road
 Stockton, Maryland
 410-726-1202, Steve Gordon
 Project: George Island Landing Aquaculture Facilities
 Description: Dredge, bulkhead, pier, rip rap, shoreline stabilization permits
7. Client: Brittingham Construction & Landscaping/Fisher Marine Construction
 Hopetown Road
 West Ocean City, Maryland
 443-235-6446, Bill Brittingham
 443-497-2170, Mike Daisey
 Project: Marsh Harbor Dredging
 Description: Pre & post dredge soundings/survey
- Project: Friendship Road Spoil Site
 Description: Topographic survey, stormwater and erosion control plans & permits
- Project: Willards Spoil Site
 Description: Topographic survey and erosion control plans and permits
8. Client: Robert Johnson
 6801 Needwood Road
 Derwood, Maryland
 240-731-5443, Robert Johnson
 Project: 316 Blue Heron
 Description: Dredge permit

9. Client: Creekside Harbor
7604 East Side Road
Chincoteague, Virginia
973-714-2926, Ken Hunter
Project: Creekside Harbor Townhomes
Description: Dredge Permit
10. Client: Sunset Bay Condominiums/Ocean Point Ltd
Main Street
Chincoteague, Virginia
Connor Braniff, 410-524-0390
Project: Sunset Bay Condominiums
Description: Dredge permitting
11. Client: Tom's Cove Park
8128 Beebe Road
Chincoteague, Virginia
410-251-4223, Dean Fisher (Fisher Marine Construction)
Project: Tom's Cove Campground
Description: Dredge permitting - boat basin

STATE BOARD FOR PROFESSIONAL ENGINEERS

23 07 47688
MESSAGE(S):

J. STACEY HART & ASSOCIATES, INC.

37 09-14-2017



LICENSE * REGISTRATION * CERTIFICATION * PERMIT

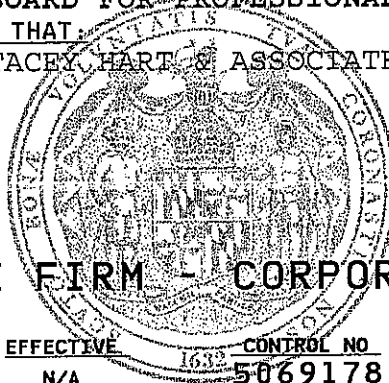
Lawrence J. Hogan, Jr.
Governor
Boyd K. Rutherford
Lt. Governor
Kelly M. Schulz
Secretary

STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION

STATE BOARD FOR PROFESSIONAL ENGINEERS
CERTIFIES THAT:

J. STACEY HART & ASSOCIATES, INC.



IS AN AUTHORIZED: 07 - PE FIRM - CORPORATION

LIC/REG/CERT	EXPIRATION	EFFECTIVE	CONTROL NO
47688	11-03-2019	N/A	5069178

J. Stacey Hart
Signature of Bearer

Kelly M. Schulz
Secretary DLLR

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

23 07 47688

5,069,178

STATE BOARD FOR PROFESSIONAL ENGINEERS
500 N. CALVERT STREET
BALTIMORE, MD 21202-3651

J. STACEY HART & ASSOCIATES, INC.
PO BOX 6

SNOW HILL

MD 21863

LICENSE * REGISTRATION * CERTIFICATION * PERMIT

STATE OF MARYLAND
DEPARTMENT OF LABOR, LICENSING AND REGULATION

STATE BOARD FOR PROFESSIONAL ENGINEERS
CERTIFIES THAT:
J. STACEY HART & ASSOCIATES, INC.

IS AN AUTHORIZED: 07 - PE FIRM - CORPORATION

LIC/REG/CERT	EXPIRATION	EFFECTIVE	CONTROL NO
47688	11-03-2019	N/A	5069178

J. Stacey Hart
Signature of Bearer

Kelly M. Schulz
Secretary DLLR

STATE BOARD FOR PROFESSIONAL ENGINEERS

23 05 22798 J. STACEY HART

6360 06-25-2018

MESSAGE(S):

JUST A REMINDER. EFFECTIVE 1/15/2018 THE NUMBER OF REQUIRED PDH'S HAS BEEN REDUCED FROM 24 TO 16. ALSO THERE IS NO CATEGORY A OR B. TECHNICAL, RESEARCH, ANALYTICAL, OR DESIGN ASPECTS OF ENGINEERING; LAWS AND REGULATIONS APPLICABLE TO THE PRACTICE OF ENGINEERING IN MARYLAND; ENGINEERING-RELATED COMPUTER HARDWARE AND SOFTWARE TOPICS; STANDARDS OF PRACTICE OR CARE; PROFESSIONAL ENGINEERING ETHICS; PROJECT MANAGEMENT, RISK ASSESSMENT AND MANAGEMENT, OR EMERGENCY AND DISASTER MANAGEMENT; OR SIMILAR TOPICS AIMED TO MAINTAIN, IMPROVE, OR EXPAND THE SKILLS AND KNOWLEDGE RELEVANT TO THE LICENSEES FIELD OF PRACTICE. A MINIMUM OF 1 PDH IN EACH BIENNIAL LICENSING TERM SHALL BE EARNED FROM THE PARTICIPATION IN THE COMPLETION OF QUALIFYING PROGRAMS WITH CONTENT RELATED TO THE FOLLOWING: ETHICAL CONCERNS AND CONFLICTS RELATED TO ENGINEERING FAMILIARITY WITH CODE OF CONDUCT, STANDARDS OF PRACTICE OR MARYLAND LAW



LICENSE * REGISTRATION * CERTIFICATION * PERMIT

Lawrence J. Hogan, Jr. Governor
Boyd K. Rutherford Lt. Governor
Kelly M. Schulz Secretary

STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION

STATE BOARD FOR PROFESSIONAL ENGINEERS
CERTIFIES THAT:

J. STACEY HART

IS AN AUTHORIZED: 05 - PROFESSIONAL ENGINEER

LIC/REG/CERT 22798, EXPIRATION 08-10-2020, EFFECTIVE N/A, CONTROL NO 5205855

J. Stacey Hart
Signature of Bearer

Kelly M. Schulz
Secretary DLLR

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

23 05 22798

5,205,855

STATE BOARD FOR PROFESSIONAL ENGINEERS
500 N. CALVERT STREET
BALTIMORE, MD 21202-3651

J. STACEY HART
P.O. BOX 6

SNOW HILL MD 21863

Stamp containing DLLR logo, license details (LIC/REG/CERT 22798, EXPIRATION 08-10-2020, EFFECTIVE N/A, CONTROL NO 5205855), and signatures of J. Stacey Hart and Kelly M. Schulz.



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary

April 11, 2018

J. STACEY HART
J. STACEY HART & ASSOCIATES, INC.
PO BOX 6
SNOW HILL, MD 21863

Re: ANNUAL REVIEW

Dear J. STACEY HART (Cert # 15-151):

We are pleased to inform you that your company is eligible to continue participation in the programs and services on the attached Programs and Services List.

Your current certification status can be found in the Maryland Department of Transportation's (MDOT) Directory of certified firms available online at <http://mbe.mdot.state.md.us/directory>. MDOT's online Directory is the official record of your firm's certification status. It is important that you review the accuracy of your listing in the Directory.

If you wish to expand the area(s) of work for which your firm is currently certified, you may request an expansion of services. The application for an expansion of services can be found at <http://www.mdot.maryland.gov/Office of Minority Business Enterprise/ExpansionCover.html> Please submit your expansion application to:

Maryland Department of Transportation
Office of Minority Business Enterprise
7201 Corporate Center Drive
Hanover, MD 21076
410-865-1309 (fax)

Your firm must complete the annual review to maintain its certification. The OMBE will provide notification when it is time to begin the next annual review. If you have any questions regarding your certification status please contact the OMBE at 410-865-1269 or 1-800-544-6056.

Please review the attached Minority Business Resources. If you are not already registered with Maryland's Small Business Reserve Program and **eMarylandMarketplace**, I strongly encourage you to learn more about these programs and complete the free, online registration at your earliest convenience.

The Governor's Office of Small, Minority & Women Business Affairs has oversight of the State's Minority Business Enterprise (MBE) Program. As a coordinating office under Governor Larry Hogan, they connect small businesses to greater economic opportunities. Visit their website at www.goMDsmallbiz.maryland.gov for information on business development and training events, and to access a wide range of small business resources.

Sincerely,

Sabrina Bass
Director, Office of Minority Business Enterprise
April 11, 2018



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary

J. STACEY HART & ASSOCIATES, INC.
PO BOX 6
SNOW HILL, MD 21863

CERTIFICATION NUMBER: 15-151

PROGRAMS AND SERVICES LIST

Your firm is currently certified in the below programs and services. If you have any questions or concerns regarding the below information please contact the Maryland Department of Transportation's Office of Minority Business Enterprise at 410-865-1269 or 1-800-544-6056.

CERTIFICATION: MBE/DBE/SBE
NAICS CODE: 237110
SERVICE(S): WATER AND SEWER LINE AND RELATED
STRUCTURES CONSTRUCTION

CERTIFICATION: MBE/DBE/SBE
NAICS CODE: 237990
SERVICE(S): OTHER HEAVY AND CIVIL ENGINEERING
CONSTRUCTION

CERTIFICATION: MBE/DBE/SBE
NAICS CODE: 541330
SERVICE(S): ENGINEERING SERVICES

CERTIFICATION: MBE/DBE/SBE
NAICS CODE: 541370
SERVICE(S): SURVEYING AND MAPPING (EXCEPT
GEOPHYSICAL) SERVICES

BID FORM
Page 2 of 5

It is understood that the bid price shall remain firm for a period of ninety (90) calendar days from the bid opening date and that if the BIDDER is notified of the acceptance of this proposal within this time period, he/she agrees to execute a contract for the above stated compensation and to supply all bonds, insurance forms, workman's compensation forms, and other related or requested documents within ten (10) calendar days of the notification, and to guarantee the completion of the contract within 120 calendar days.

Affidavit I and Affidavit II are to be submitted by all BIDDERS with the forms as provided. Any additional or alternative documents called for in the contract must be submitted herewith.

<u>Eng Firm Auth #50632</u>	<u>2/26/18</u>	<u>State of Maryland</u>
(License number)	(Date issued)	(Place issued)

Federal Employer ID number 81-2808928 or, if not an employer,
Social Security number _____.

AFFIDAVIT I

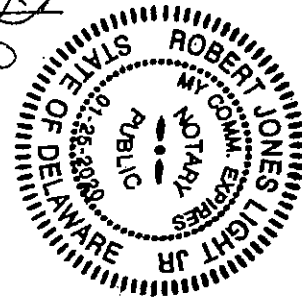
WORCESTER COUNTY, MD
1 WEST MARKET STREET
SNOW HILL, MD 21863

COUNTY OF: Sussex

STATE OF: Delaware

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Rob Plith personally appeared and made oath in due form of the law that the Proposer herein, his Agents, servants and/or employees, to the best of his/her knowledge and belief, have not in any way colluded with any one for and on the behalf of the Proposer, or themselves, to obtain information that would give the Proposer an unfair advantage over others, nor have they colluded with anyone for or on behalf of the Proposer, or themselves, to gain any favoritism in the award of the Contract herein.

Notary Public Robert Jones Light, Jr.
EXPIRES: 01-25-2020



AFFIDAVIT II

WORCESTER COUNTY, MD
1 WEST MARKET STREET
SNOW HILL, MD 21863

DISCLOSURE OF INTEREST BY PERSONS DOING BUSINESS WITH WORCESTER COUNTY.

The undersigned does hereby declare that no officer or employee of Worcester County, whether elected or appointed has in any manner whatsoever any interest in or has received prior to hereto or will receive subsequent hereto any benefit, monetary or material consideration from the profits or emoluments of this contract, job, work or service for the County, and that no officer or employee has accepted or received or will receive directly or indirectly, any part of any fee, commission or other compensation paid or payable by the County in connection with the contracts, job, work, or service for the County, excepting, the receipt of dividends or corporation stock.

I, We, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my knowledge, information, and belief.

DATE: 11/26/18

SIGNATURE: 

TITLE: Principal

FIRM: Three Chord C.E.M., LLC

ADDRESS: 32133 Omar Road

Frankford, DE 19945

SUBCONTRACTOR LISTING

The following subcontractor(s) will be employed under this contract:

	TYPE OF WORK	NAME, ADDRESS, PHONE #	% WORK
1.	<u>Design Review</u> <u>Federal Permit</u> <u>Assistance</u>	<u>AquaTerra Consulting Intl.</u> <u>534 28th St West Palm Beach, FL 33407</u> <u>(561) 703-5230</u>	<u>15</u>
2.	_____	_____	_____
	_____	_____	_____
3.	_____	_____	_____
	_____	_____	_____
4.	_____	_____	_____
	_____	_____	_____
5.	_____	_____	_____
	_____	_____	_____

"TYPE OF WORK" not listed indicates that contractor will perform the work with his/her own forces.

THREE CHORD C.E.M., LLC

Civil • Environmental • Marine

November 26, 2018

Commissioners of Worcester County
Attn: Mr. Tom Perlozzo, Recreation and Parks Director
Worcester County Government Center
One West Market Street. Room 1103
Snow Hill, Maryland 21863

RE: Proposal for Public Landing Dredging Engineering Services

Dear Mr. Perlozzo,

Three Chord C.E.M., LLC is pleased to present this proposal for engineering services in support of the dredging at Public Landing in accordance with the Commissioners' request for proposal. Three Chord C.E.M., LLC (Three Chord), is a small business providing engineering services based in Frankford, Delaware. We are dedicated to providing our clients with exceptional engineering services. Our firm is able to respond quickly to our clients' needs and focus resources appropriately to complete projects ahead of schedule. We are very selective in our clientele which allows us to focus our core expertise on our clients' needs. We would be honored to support the Commissioners with this effort.

Key Personnel

Key personnel assigned to the project will be Rob Plitko Jr., P.E. and Michael Giovannozzi, P.E.

Rob Plitko, Jr., P.E. is a principal at Three Chord. Mr. Plitko graduated from the University of Delaware in 1999 with a Bachelor's of Science in Civil Engineering and has over 19 years of experience in civil and environmental consulting engineering. Mr. Plitko is a licensed professional engineer in Delaware, Maryland and Virginia. His extensive experience includes topographic surveying, hydrographic surveying, grading and site design, storm water design, sediment and erosion control, flood studies and other professional engineering services in support of land development and waterway management projects. The most recent projects Mr. Plitko has worked on over the last two years which are relevant to this project are:

- Pre/Post Dredge - Twitch Cove and Big Thorofare Maintenance Dredging, Smith Island, MD
- Swann Island Beach Fill Survey, Smith Island, MD
- Army Corp Quality Control Manager – Twitch Cove/Big Thorofare Maintenance Dredging, Smith Island, MD
- Pre and Post Dredge - Indian River Coast Guard Station, Rehoboth, DE
- Pre Dredge - Malones Bayside Marina, Long Neck, DE
- Pre Dredge - Boat Hole Marina, Love Creek, DE
- Pre Dredge - Lighthouse Cove, Fenwick Island, DE
- Pre Dredge - Cannon Marina, Fenwick Island, DE
- Pre Dredge - Old Mill Bridge Marina, Fenwick Island, DE

Michael Giovannozzi, P.E. is the Senior Coastal Engineer at AquaTerra Consulting International. Mr. Giovannozzi graduated from the University of Delaware in 1999 with a Bachelor's of Science in Civil Engineering and in 2001 with a Master's of Science in Civil Engineering with a concentration in Coastal Engineering. Mr. Giovannozzi has over 16 years of experience in coastal engineering with the most recent projects relevant to this scope being:

- Engineer of Record for Wagner Creek channel dredging in Miami, FL. The scope of work included dredge plans, post survey drawings, and dredge calculations for the most contaminated waterway in Florida.
- Kings Bay Entrance Channel, GA where he was the dredge engineer for a large scale sediment transport study to assess potential dredge alternatives for the long-term dredge management plan for the naval base and entrance channel.
- Panama Canal where he was the dredge engineer developing long-term storage strategies at dredge placement areas for 6 different sites along the Pacific Coast entrance to Panama Canal.

Jeremy Kalmbacher, P.E. is also a principal at Three Chord. Mr. Kalmbacher graduated from the University of Delaware in 1999 with a Bachelor's of Science in Civil Engineering and has over 19 years of experience in civil and environmental engineering. Mr. Kalmbacher is a licensed engineer in Delaware, Maryland, New Jersey, and Florida. His area of practice has predominantly been in the water and wastewater utility sector providing long-term capital planning, project financial analysis, engineering, and construction management of water and wastewater infrastructure for regulated utilities and municipalities. Mr. Kalmbacher has extensive experience in preparing construction documents, permitting, specifications, bidding, cost estimating, rate analysis, construction management, contractor relations, and inspections.

Relevant Equipment to Support the Work Effort

Unabara Ecosounder 200 kHz
Unabara Hydro bar – Sound Velocity/Bar Check
Syqwest Echosounder 200 kHz
Hypack Max Software
Hydromagic Software
iGage IG8 RTK GPS
Trimble DGPS
AutoCAD Civil 3D
22' Survey Boat

Three Chord proposes to provide engineering services in accordance with the scope of work outlined in the Request for Proposal. Three Chord has the capacity and expertise to perform this work in accordance with the timeline described in the RFP. This proposal may be amended at the discretion of the Commissioners to extend the performance period of any project phase as required to insure continuity of engineering services.

Proposal Fee Schedule

We propose to perform this work on a lump sum basis. Billing will be based upon the actual percentage of work completed during the previous billing cycle for each task. All work is to be performed in accordance with our *Schedule of Rates & General Conditions* which are attached to this proposal and incorporated into this contract.

Total proposed fee for this project is **\$26,700.00**.

Should you find this proposal acceptable, please execute below and return a copy to our office or a PDF via e-mail to rplitko@threechordcem.com. We appreciate the opportunity to assist you with this project. Should you have any questions or need additional information, please call my cell phone at (302) 222-2075.

Sincerely,



Robert Plitko, Jr., P.E.
Principal

SIGNED AND ACCEPTED

Authorized Signature: _____

Printed Name & Title: _____

Date: _____

Project Name Public Landing Dredge Design
 Client Name Worcester County
 Contact

Item	Units	Quantity	Unit Cost	Ext Cost	Notes
Pre dredge Survey	HR	8	\$ 125.00	\$ 1,000.00	
Post Dredge Survey	HR	20	\$ 125.00	\$ 2,500.00	
Topo Survey	HR	8	\$ 125.00	\$ 1,000.00	
Topo As-built Survey	HR	8	\$ 125.00	\$ 1,000.00	
Construction Stakeout	HR	8	\$ 125.00	\$ 1,000.00	
Design Drawings	HR	40	\$ 125.00	\$ 5,000.00	
Permitting	HR	20	\$ 150.00	\$ 3,000.00	
Construction Cost Estimates	HR	20	\$ 150.00	\$ 3,000.00	
Meetings	HR	8	\$ 150.00	\$ 1,200.00	
Core Samples	EA	4	\$ 1,200.00	\$ 4,800.00	
Specifications	HR	20	\$ 150.00	\$ 3,000.00	
20 Copies of Bid Package	Ea	20	\$ 10.00	\$ 200.00	
		180	Subtotal	\$ 26,700.00	
Contingency	LS	1	0.0%	\$ -	
Total				\$ 26,700.00	

Rob Plitko, Jr. P.E.

32133 Omar Road
Frankford, DE 19945
Home: 302-732-3796; Cell: 302-222-2075
rplitko@hotmail.com

SKILLS SUMMARY: Professional Civil Engineer with 17 years of experience in site development and surveying. Skilled in securing state and regulatory construction permit approvals. Experienced in civil site design, bathymetric surveying and data processing, pre and post dredge surveys, construction drawings and specs, scheduling, and construction administration.

EDUCATION: **B.S. Civil Engineering**
University of Delaware, May 1999

CERTIFICATES & LICENSES: **Virginia Professional Engineer # 0402 043398 Exp. 03/31/2019**
Maryland Professional Engineer # 34115 Exp. 02/13/2019
Delaware Professional Engineer # 14093 Exp. 6/30/2020
NCEES Record Certification # 30055

EXPERIENCE: **THREE CHORD,LLC;** Providing Hydrographic Surveying, topographic land surveying / construction stakeout and Civil Engineering services for land development.

Hydrographic Survey Experience

- Twitch Cove-Big Thorofare Maintenance Dredging – Pre & Post Dredge Surveys – Smith Island, MD
- Swann Island Beach Fill Survey – Smith Island, MD
- Indian River Coast Guard Station, DE – Pre & Post Dredge Survey
- Love Creek Boat Hole Marina, DE – Bathymetric Survey
- Malone Bayside Marina, DE – Bathymetric Survey

Past Hydrographic work with Gahagan & Bryant, Inc.; Duties included: Project setup, Boat operation/maintenance, Navigation to and from site, Tide gauge readings/calibration, Bar check, Hydro Survey in support of dredging operations, Post processing data, and pre-post dredge quantity calculations.

Port of Long Beach, CA Expansion Experience with GBA

- West Basin Pre and Post Single Beam Dredge Surveys
- Pier E Pre-Dredge Single Beam Survey
- Channel 2 Pre-Dredge Multibeam Survey
- Pier G Pre and Post Single Beam Dredge Surveys
- Pier J Pre and Post Single Beam Dredge Surveys
- Offshore Spoil Area Single Beam Survey

QC EXPERIENCE: 12 years of experience in managing Civil Engineering and Surveying projects including the oversight of field survey quality control as well as managing a team of engineers/surveyors for Civil/Survey plan production. Typical Army Corps Projects involving QC control include; Indian River Coast Guard Station, Port of Long Beach Expansion, and Army Corp permitting for marina dredging. Other clients include Charles County, MD Water Quality Retrofit projects, WMATA Union Station existing conditions survey, U.S. Secret Service Rowley Training Center existing conditions survey, and DC Water existing conditions survey.

EQUIPMENT: Unabara Hydrobook Echo sounder
Unabara Hydrobar SVP/Bar Check
SYQWEST Hydrobox Echo sounder
200 Khz Transducer
Hydromagic & Hypack Max Software
iGage IG8 RTK
22' Concord – 225hp
AutoCAD Civil3D 2018

MEMBERSHIPS: Christian
Army Corp Quality Control Manager Certification
National Eagle Scout Association
PADI – Open Water & Advanced Open Water Diver

Michael A. Giovannozzi, PE
Principal Coastal Engineer



534 28th St, West Palm Beach, FL 33407 · 561-703-5230 · mike@aquaterraci.com

EXPERIENCE SUMMARY

Mr. Giovannozzi is a coastal engineer with 17 years of experience in engineering and project management. His wide-ranging expertise includes dredging and navigation studies, marina planning and design, wave and hydrodynamic studies, beach nourishments, physical and numerical modeling, feasibility studies, the design of traditional and innovative shore protection structures, and coastal flood plain mapping.

He has considerable experience in the planning and design of coastal and marine structures, ports and harbors, navigable waterways, marinas, and waterfront developments; and he has managed multi-discipline teams in the planning and design of high-profile international waterfront development projects.

Mr. Giovannozzi's expertise includes wave and hydrodynamic studies, beach nourishments, physical and numerical modeling, dredge management plans, feasibility studies, coastal and marine structures, and innovative shore protection structures. His field experience includes data collection, coastal damage assessments and construction inspections/oversight.

Mr Giovannozzi is highly capable in an array of numerical modeling techniques (including wave, hydrodynamic and sediment transport) and is well-versed in the latest coastal design manuals such as the Army Corps of Engineers' Coastal Engineering Manual (CEM) the international CIRIA Rock Manual.

Mr. Giovannozzi is an active participant in international coastal engineering conferences and workshops and has published several conference papers. He is currently serving as Vice-Chair of the Americas for PIANC's Young Professionals Commission (YP-Com).

AREAS OF SPECIALIZATION

- Marine and Coastal Engineering
- Coastal Structures
- Innovative Shore Protection Structures
- Concrete Armor and Rubble Mound Structures
- Dredging / Navigation
- Beach Nourishment Design
- Wave & Hydrodynamic Modeling
- Sediment Transport Modeling
- FEMA Flood Mapping and Map Revisions
- Project Management
- Construction Oversight
- Sand Retention Structures
- Coastal Damage Assessment
- Estuarine and Coastal Processes Analysis

EDUCATION

Master of Civil Engineering - Coastal Engineering Concentration, University of Delaware, Center for Applied Coastal Research, Newark, DE, 2001

Bachelor of Civil Engineering University of Delaware, Newark, DE, 1999

Registrations

Professional Engineer: Florida, Washington, Connecticut, Alabama, Texas, South Carolina, Georgia, New Jersey, Maryland, Delaware

SCUBA: PADI, Open Water, 2006

Affiliations

PIANC (World Assoc. for Waterborne Transport Infrastructure)
Association of Coastal Engineers
American Society of Civil Engineers
Coasts, Oceans, Ports and Rivers Institute
American Shore and Beach Preservation Society

Michael A. Giovannozzi, PE

Principal Coastal Engineer

PROFESSIONAL EXPERIENCE

USACE Baltimore District/North Atlantic Division (via USACE Jacksonville District Water Resources Engineering IDC) North Atlantic Coast Comprehensive Study (NACCS), 2013-2015, H&H Engineer. Mr Giovannozzi provided hydraulic engineering evaluation for the development of 6 focus area reports (reconnaissance level analyses) for coastal areas in NY, NJ, DE, MD and DC, utilizing the USACE plan formulation process. The focus area reports identified problems, needs, and opportunities and, with stakeholder input, recommended projects. Mr. Giovannozzi focused on the assessment of existing and potential flood hazards including the effects of long-term erosion, accelerated sea level rise and developmental constraints and provided an evaluation of storm risk management measures including structural, non-structural, and natural/nature based

USACE Mobile District/South Atlantic Division Bayou Caddy Ecosystem Restoration Project, 2014, H&H Engineer. Mr. Giovannozzi performed an Independent Technical Review (ITR) of the analysis and conceptual design of a breakwater for the Bayou Caddy restoration site. The breakwater is intended to protect a wetlands habitat that was created through the beneficial placement of dredge material from a nearby navigation project. The ITR focused on the coastal engineering analysis and design, specifically on the historical shoreline change analysis, geotechnical data collection, dredging history, wave modeling, breakwater performance, and breakwater structural stability.

17 years of experience in coastal engineer, shore protection, navigation and dredging projects including planning, modeling, design and construction.

Has been reviewed, applied, and/or directed hydrodynamic, wave and sediment transport model applications including ADCIRC, CMS-Flow, CMS-Wave, SWAN, BOUSS-2D, CGWAVE, Mike 21, FIDIC, SWAN, GENESIS, SBEACH.

Designed innovative shore protection structures for several coastal sites for the USACE Section 227 Demonstration Program.

- Vice-Chair of PIANC YP-Com (Young Professionals Commission) for the Americas
- Secretary for PIANC Rec-Com Work Group 149 "Design for Marina Design" and author for marina perimeter protection chapter.
- Performed over 75 FEMA Letters of Map Revision (LOMRs) and several FEMA Flood Insurance Rate Map (FIRM) appeals within 5 coastal states

Senior Project Engineer, Cruise Terminal H Dredging Design and Post Design Services, PortMiami, Miami-Dade County, Florida, 2013. This project included design services for a maintenance dredging program as required to accommodate the berthing of the Bimini Superfast vessel along Cruise Terminal H. Mr. Giovannozzi was the senior project engineer in charge of the activities related to this project. His duties included the overall execution of the project that included the following activities among others: marine resources and seagrass survey, bathymetric survey, preparation of permit sketches suitable for submittal to the regulatory agencies to initiate the environmental permit application process by Port Miami, and preparation of opinion of probable construction cost and assistance during the environmental permit phase. He also was responsible for leading the effort during the preparation of contract documents (plans and technical specifications) defining dredging limits.

Coastal Engineer, Guyana Sea Defence, Ministry of Public Works, Georgetown, Guyana, 2013-2014 – Coastal Engineer for coastal and riverine flood damage reduction projects. The project included the rehabilitation/replacement of degraded coastal defence sea walls along the Atlantic Coast and riverine shorelines in Guyana. Mr Giovannozzi provided full designs for the projects, including wave and hydraulic stability calculations, wave runup and overtopping, scour assessment and the detailed designs for armor stone revetment and sheet pile bulkheads.

Coastal Engineer, Shoalwater Flood Damage Reduction Project, Tokeland, WA, 2011 – This project included the design and construction of a beach nourishment and sand dune placement for the protection of a sensitive marine habitat and to provide flood damage reduction to upland infrastructure. Mr. Giovannozzi designed the construction sequencing and temporary berm design for dewatering of hydraulically dredge sand material for the construction of a beach fill and dune creation.

Jeremy M. Kalmbacher, P.E.

738 E Pebworth Dr
Magnolia, Delaware 19962
Cell: (302)740-4442
jkalmbacher@threechordcem.com

OBJECTIVE

To further the development of sustainable infrastructure solutions, technically and financially, thereby enhancing the economic growth, quality of life, and security of the Delmarva Peninsula by focusing on core industries such as energy, agriculture, and water resources. To effectively and efficiently implement these solutions through leadership and consensus building of key stakeholders by leveraging engineering problem solving, entrepreneurial creativity, and financially conservative thought processes.

EXPERIENCE

2017 - Present Councilman, Delaware Association of Professional Engineers

2017 Fellow, Leadership Delaware 2017 Fellowship Program

2016 - Present Principal, Three Chord C.E.M., LLC

- Three Chord CEM provides professional engineering services in Delaware and Maryland through three divisions:
 - Civil / Environmental / Marine
 - Construction and Engineering Management
 - Christian Engineering Ministry

2015 - Present Founder/Director/President, Diamond State Sustainability Corporation

- DSSC is a 501C(3) nonprofit water and wastewater utility corporation dedicated to environmental stewardship and infrastructure sustainability through creative financial solutions to meet the needs of low-income and under-resourced communities located in unincorporated areas of the State of Delaware.

2006 - 2018 Director of Engineering, Tidewater Utilities, Inc.

- Develop innovative engineering and financial solutions to solve infrastructure funding deficiencies for utility companies, municipalities, private developers, and business owners.
- Develop and implement over \$200 million capital improvement program including strategic investments in water and wastewater infrastructure to support economic growth, sustainability, and emergency management
- Direct engineers, environmental scientists, and construction inspectors during the analysis, planning, design, and installation of critical environmental and public health infrastructure

2004 - 2006 Manager of Engineering, Tidewater Utilities, Inc.

2002 - 2004 Staff Engineer, Tidewater Utilities, Inc.

EDUCATION

1999-2002 Graduate Research Assistant, Center for Applied Coastal Research,
University of Delaware

1995-1999 Bachelor of Civil Engineering, University of Delaware

1991-1995 Salesianum High School, Wilmington, DE



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Worcester County
Department of Environmental Programs

FYI

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: Maryland Agricultural Land Preservation (MALPF) Re-Certification

Date: November 27, 2018

Attached you will find a letter from the Maryland Departments of Planning and Agriculture confirming the re-certification of our Agricultural Land Preservation Program through June 30, 2021. This was in response to our re-certification application that the County Commissioners approved at their meeting on September 28, 2018. As a certified county, we are able to retain 75% of the Agricultural Transfer Tax collected instead of 33% and this designation also makes Worcester eligible for 60% additional matching funds from the State when those funds become available for the purchase of agricultural easements.

The Certification Program lets counties keep more locally generated agricultural land transfer tax in exchange for creating effective local land preservation programs and continually evaluating and supporting them. These conservation and protection efforts are a key component in ensuring our planned agricultural areas stay rural, and for the agricultural entities to remain viable and productive.

A draft press release on this re-certification has been submitted to County Administration for review. We will be available to discuss with you and the County Commissioners at your convenience.

Attachment

cc: Katherine Munson

Citizens and Government Working Together



Robert S. McCord, Secretary

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Maryland Department
of Agriculture

Joseph Bartenfelder, Secretary
Julie Oberg, Deputy Secretary

November 26, 2018

Hon. Diana W. Purnell
President, Worcester County Commissioners
Worcester County Government
1 West Market Street, Snow Hill, MD 21863

Re: Recertification of Worcester County's Agricultural Land Preservation Program

Dear Commissioner Purnell:

The Maryland Department of Planning and the Maryland Agricultural Land Preservation Foundation would like to thank you for submitting Worcester County's application for recertification of its agricultural land preservation program. We are pleased to inform you that the county's program has been recertified for July 1, 2018 through June 30, 2021.

Worcester County has experienced a low rate of land conversion compared to other Maryland Counties: just 8,203 acres have been subject to agricultural land transfer tax since 1990, compared to a Maryland County average of 13,523. Over the past five years the county preserved 2,571 acres while only 386 agricultural acres were converted to development. This is a preserved-to-developed ratio of almost 7:1.

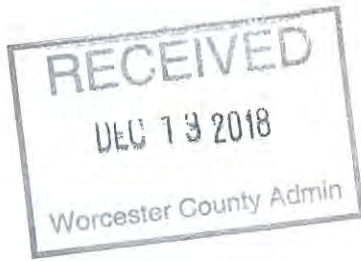
We appreciate your efforts to preserve agricultural land and look forward to working with Worcester County in the future.

Sincerely,

Jason Dubow, Manager
Resource Conservation & Management
Maryland Department of Planning

Michelle Cable, Executive Director
Maryland Agricultural Land Preservation Foundation

cc: Robert McCord, Secretary, Maryland Department of Planning
Joseph Bartenfelder, Secretary, Maryland Department of Agriculture
Robert Mitchell, Director, Worcester County Department of Environmental Programs
Katherine Munson, Worcester County Land Preservation Program Administrator
Worcester County Agricultural Land Preservation Advisory Board
Pat Keller, Chuck Boyd, Tracey Gordy, Keith Lackie: Maryland Department of Planning



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Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: **Rural Legacy Area Easement Agreement of Sale**
Porter Mill Properties, LLC
Stockton, Maryland
Tax Map 94 Parcel 175

Date: December 11, 2018

Attached you will find a memorandum from Katherine Munson, of my staff with an application for requested funding for the Coastal Bays Rural Legacy Area (RLA) for approval by the Commissioners. The easement totals \$127,000.00, this price was derived using two separate appraisal values. The funding will be used to purchase a voluntary conservation easement for this property and also funds incidental and administrative costs.

Attached you will find a memorandum from Katherine Munson and a conservation easement agreement of sale. This property consists of 58.62 acres (after deduction of the Railroad Right-of-Way) located on the eastern side of Snow Hill Road, south of the intersection with Twin Oaks Lane.

Rural Legacy pays landowners for permanent conservation easements on their properties. In some cases landowners who are not in but near the RLA boundaries may be eligible for the program. The program is funded through a combination of state Program Open Space and general obligation bonds from the state's capital budget. There are two (2) approved legacy areas in Worcester County – the Dividing Creek RLA (approved 2008) and the Coastal Bays RLA (approved 1999).

With respect to this particular property, the land is within the Chincoteague Bay watershed, is adjacent to 200 acres of protected forest land, and contains two (2) pre-1967 items that would allow two sets of agricultural subdivision rights to the property. The owner is surrendering all subdivision and development rights save one (1) residence.

Citizens and Government Working Together

These agreements were reviewed by the County Attorney. We would respectfully request the approval of the County Commissioners on this easement. The signature pages are marked for endorsement and should be signed by President Purnell, Mr. Higgins, and Ms. Howarth.

If you have any questions or need additional information please let me know. Both Katherine and I will be available to discuss this matter.

Enclosures

cc: Katherine Munson



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

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

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE CONSTRUCTION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

TO: Robert Mitchell, Director

FROM: Katherine Munson, Planner V *KM*

SUBJECT: Coastal Bays Rural Legacy Area Easement Agreement of Sale—
Porter Mill Properties, LLC TM 94, P 175; 58.62 acres

DATE: December 11, 2018

This project is to be funded by FY17 Coastal Bays Rural Legacy Area grant and was identified in the grant agreement as a priority. An aerial and a location map are attached.

The property is within the Maryland Coastal Bays watershed (Chincoteague Bay) and adjacent to 200 acres of forest land permanently protected by MD DNR. The property consists of 2 pre-1967 items; two sets of minor subdivision rights are potentially available. 50% of the property contains prime farmland. The property has half a mile of frontage on Route 12; protection of the property therefore protects the rural scenic view from the road.

The appraised easement values are: \$117,000 and \$137,000

The summary sheets are attached.

The attached Agreement of Sale is for an easement purchase price of \$2,166.50 per acre (\$127,000.00). A drafted survey is already available for the property.

Please note that an agreement was signed in 2016. At that time, the RR ROW was included in the deed of easement, which is now excluded. We feel it is best to exclude the ROW as it does not contribute to the agricultural or natural resource value of the property and also so that it is un-encumbered should a rails-to-trails project emerge in the future. In addition, in 2016, there were over a dozen uninhabited

and dilapidated shacks on the property that have since been removed. In 2016 there was also a question about a boundary that has been resolved.

I have indicated on each contract where signature is required. Please let me know of any questions you have.

Attachment

SUMMARY OF IMPORTANT DATA AND CONCLUSIONS

REPORT TYPE:	Appraisal File No. CC14150
REPORT DATE:	December 13, 2018
LOCATION:	Snow Hill Road Stockton, Maryland 21864 Map 94 Grid 15 Parcel 175
OWNER OF RECORD:	Porter Mill Properties, LLC
LAND AREA:	58.62 +- acres
IMPROVEMENTS:	No contributory value
ZONING:	A-1 - Agricultural District
CENSUS TRACT:	#9514.00
FLOOD MAP STATUS:	Zone X (Not a flood hazard area) Map # 24047C0370H Dated 7/16/2015
HIGHEST AND BEST USE BEFORE:	up to 10 home sites
HIGHEST AND BEST USE AFTER:	Homesite/Agriculture/hunting
PROPERTY RIGHTS APPRAISED:	Fee Simple
OPINION OF VALUES:	
BEFORE VALUE:	\$292,000
AFTER VALUE:	\$155,000
VALUE OF EASEMENT/ DIFFERENCE:	\$137,000
EFFECTIVE DATE:	September 12, 2018
APPRAISERS:	William R. McCain, MAI, MBA F. Lee Gosnell

SUMMARY OF SALIENT FACTS

EFFECTIVE DATE: October 10, 2018 (Supplemental Update)
REPORT DATE: November 13, 2018
ORIGINAL APPRAISAL: Lefort Appraisal & Consulting, Inc. File No. 216c0108
Effective Date: May 17, 2016
IDENTIFICATION: **58.62 +/- Acres (Revised per Survey)**
East Side Snow Hill Road (#1108)
@ abandoned Rail Line
South of Stockton, Worcester Co, Maryland 21864
TAX MAP REFERENCE: Worcester Tax Map 94, Grid 15, Parcel 175
CENSUS TRACT: 9514
OWNER OF RECORD: Porter Mill Properties, LLC
DEED REFERENCE: Liber 5175, Folio 403 (Item THIRD as described therein)
Liber 5335, Folio 136 (Boundary Line Agreement w/ adjacent)
SITE SIZE: **58.62 +/- Acres (Per Plat and Assessment Data)**
29.4 +/- Acres Tillable/Cleared (50.2%)
2.3 +/- Acres Improvements Area (3.6%)
30.0 +/- Acres residual Woodlands (48.4%)
IMPROVEMENTS: Three dilapidated cottage residences and storage garage
(Improvements Excluded from Analysis)
ZONING: A-1; Agricultural District
UTILITIES: Private Well and Septic Systems required
POTENTIAL DEV. RIGHTS: Up to Ten (10) minor subdivision rights
FLOOD PLAIN MAP: FEMA Community Maps #24047C-0370-H, dated July 16,
2015, entirely Zone C – Property lies outside of flood plain.
SOIL CLASSIFICATIONS: Mixture of Compositions: Woodstown sandy loam; Klej
loamy sand; Hurlock loamy sand; Hambrook sandy loam;
Sassafras sandy loam; Zekiah sandy loam.
HIGHEST AND BEST USE:
(Before Easement): Agricultural and Recreational with Minor Residential
Development Potential in the Future
(After Easement): Agricultural/Recreational Use with One Development Right

VALUE CONCLUSIONS:

“AS IS” MARKET VALUE (BEFORE) -	\$5,200 per Acre	\$ 305,000
VALUE ENCUMBERED BY CONSERVATION EASEMENT (AFTER)	\$ 188,000	
<i>(Estimate of Unit Value)</i>	<i>- \$3,200 per Acre</i>	
CONCLUDED VALUE OF EASEMENT:		\$ 117,000
<i>(Extracted Unit Value Conclusion)</i>	<i>~ \$2,000 per Acre</i>	

AGREEMENT OF SALE

THIS AGREEMENT OF SALE ("Agreement"), dated as of the _____ day of _____, 201_ is made by and between PORTER MILL PROPERTIES, LLC, ("Sellers"), and the County Commissioners of Worcester County, Maryland ("Buyer").

1. The Sellers are the owners of that property ("Property") located in the Eighth tax district of Worcester County, Maryland; which is one (1) parcel, 62.11 acres total, more or less, and located at 1108 Snow Hill Road, Stockton, MD 21864, having tax ID number of 08-008094; Tax Map 94, Parcel 175.
2. The Buyer desires to purchase a conservation easement from the Sellers over and across the Property on the terms and conditions set forth in this Agreement. The conservation easement will exclude the 3.49-acre abandoned railroad right of way as shown on Exhibit A, thus the total acreage is 58.62.
3. The Sellers are willing to grant to Buyer and/or its assigns for the hereinafter price, a conservation easement in perpetuity, on, over, and across the Property.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree as follows:

SECTION 1. PURCHASE AND SALE.

Subject to the terms and conditions set forth in this Agreement, Sellers hereby agree to sell to Buyer and Buyer hereby agrees to purchase from Sellers a Conservation Easement on, over and across the Property: attached is **Exhibit A** which is a written description of the property.

SECTION 2. PURCHASE PRICE AND PAYMENT.

2.1. The purchase price (Purchase Price) to be paid for the Rural Legacy Program Easement (as defined below) shall be, One Hundred Twenty-Seven Thousand Dollars (\$127,000.00), or Two Thousand One Hundred Sixty-Six Dollars and Fifty Cents (\$2,166.50) per acre, of which \$1.00 has been paid upon signing.

2.2. At Closing (as defined below), the entire Purchase Price shall be payable by Buyer to Sellers by cash or County check.

2.3. The payment of the Purchase Price for the Deed of Conservation Easement is complete payment for the status and quality of the title to the Property required to be conveyed under this Agreement.

SECTION 3. CLOSING.

The consummation of the transaction contemplated in this Agreement ("Closing") shall take place on or before June 28, 2019 at a date, time and at a place as set by Buyer, unless extended in writing for an additional 90 days by Buyer in order to obtain the approvals required by the Rural Legacy Board and Board of Public Works.

SECTION 4. CONVEYANCE OF THE EASEMENT.

4.1. At Closing, Seller shall convey to Buyer, and/or its assigns the Deed of Conservation Easement ("Easement") to the Property in the same form and containing those restrictions and conditions set forth in the Easement attached hereto as **Exhibit B**, and made a part hereof. Title shall be good and marketable and free and clear of any and all encumbrances, exceptions, limitations, leases and liens whatsoever, except that any mortgages shall be subordinate to the Easement at Closing if they are to remain as a lien. Title to the Property shall be insurable at regular rates by Buyer's title insurance company without any exception for mechanic's liens or rights of persons in possession. In the event a lien holder fails to execute a required subordination at or prior to Closing to the satisfaction of the Buyer, the Buyer at its sole option, may terminate this Agreement and the parties shall have no further obligation to each other.

4.2. Sellers shall not mortgage, lease, encumber or otherwise dispose of the Property, or any part thereof, prior to Closing or the termination of this Agreement without first having obtained the prior written consent of the Buyer.

SECTION 5. CONDITION OF THE PROPERTY AND RISK OF LOSS.

5.1. If prior to or through Closing, all or a substantial part of the Property is destroyed or damaged, without fault of the Buyer, then this Agreement, at the option of the Buyer, upon written notice to Sellers, shall be null and void and of no further effect and the parties shall have no further obligation to each other, in which event the Deposit and any interest accrued thereon shall be returned to the Buyer.

5.2. Sellers covenant that at Closing, the Property shall be in the following condition:

i) No major alterations or construction that would be inconsistent with the terms of the Easement will be made to the Property from and after the effective date of this Agreement.

5.3. From and after the effective date of this Agreement, Sellers grant permission to the Buyer and its contractors and subcontractors to enter upon the Property for the purpose of making tests, surveys and inspections of the Property and the improvements thereon. Without limiting the generality of the foregoing, Buyer shall have the right to inspect the Property, one or more times prior to Closing, for the purpose of determining whether the Property is in the condition, status and quality required under this Agreement.

5.4. The Sellers are responsible for the removal of dumps of materials including but not limited to soil, rock, other earth materials, trash, ashes, garbage, waste, abandoned vehicles, appliances, machinery or other material on the Property to the satisfaction of the Buyer. Soil, rock, other earth materials and vegetative matter may remain stored on the Property for reasonable agriculture and silviculture purposes or for construction or maintenance of structures or means of access ongoing at the time of this Agreement and permitted under the Easement, as determined by the Buyer.

SECTION 6. CLOSING COSTS.

6.1. Buyer shall pay the following costs associated with the consummation of the transaction contemplated in this Agreement:

- i) any state or county recordation and transfer taxes or fees or other costs imposed upon the recordation of the Easement.
- ii) all expenses for examination of title and the premium for any title insurance obtained by it.

6.2. Sellers shall pay the following costs associated with the consummation of the transaction contemplated in this Agreement:

- i) all taxes and fees relating to the recordation of any release or subordination of a mortgage, deed of trust, or other lien or encumbrance affecting the Property which is to be released, subordinated or discharged at Closing;
- ii) any attorney's fees incurred by the Sellers, and
- iii) all real estate taxes and personal property taxes owing for the then current year levied or assessed with respect to the Property. All taxes and other assessments against said property shall be in and remain the exclusive responsibility of the Sellers, including but not limited to the payment of real estate taxes.

SECTION 7. SELLERS' REPRESENTATIONS.

7.1. Sellers make the following representations and warranties as of the date of this Agreement and as of Closing.

7.2. Sellers represent and warrant that:

- i) no hazardous material of any kind, nor storage tanks have been deposited, stored, treated, disposed of, managed, generated, manufactured, produced, released, emitted or discharged on, onto, in, into, from or under the Property by the Sellers, its agents, employees, officers, invitees, contractors, subcontractors, and any person in possession or use of the Property under it, and to the best of its knowledge, information and belief, any other person, which could expose a landowner to liability under federal law,
- ii) neither Sellers nor any of their agents, employees, officers, invitees, contractors, subcontractors, and any person in possession or use of the Property under it, and to the best of its knowledge, information and belief, any other person, have brought to the Property as materials or waste materials, or used on the Property or generated therein as a product or by-product of activities on the Property, or otherwise placed, handled, stored or released on the Property any (1) polychlorinated biphenyls ("PCBs"), (2) asbestos, (3) lead paint, (4) petroleum products, distillates, or by-products, (5) radioactive materials, chemicals known to cause cancer or reproductive toxicity, (6) waste, materials, or substances which would qualify as hazardous waste, hazardous substances, hazardous materials, toxic waste, toxic materials or toxic substances under any "Environmental Laws", which shall mean under the following: the Resource Conservation and Recovery Act, the Comprehensive Environmental Response Compensation and Liability Act, the Toxic Substance Control Act, the Superfund Amendments and Reauthorization Act, the

Occupational Safety and Health Act, the Consumer Product Safety Act, the Federal Water Pollution Control Act, the Clean Water Act, the Clean Air Act, the National Environmental Policy, or any amendments thereto, or any similar or successor laws, whether federal state or local, or any regulations adopted or incorporated thereunder (Hereinafter referred to collectively as "Environmental Laws"),

iii) as of Closing, the status and condition of the Property or any portion thereof, including by way of example, the soil, paint or tiles, although then not in violation of the Environmental Laws is such that disturbance, removal or relocation thereof shall not create or result in a condition or status which is, or with the passage of time may become, unlawful under the Environmental Laws,

iv) no governmental or private action, suit or proceeding to enforce or impose liability under any Environmental Laws has been instituted or threatened concerning the Property and no lien has been created under any applicable Environmental Laws,

v) Sellers have no notice or knowledge of conditions or circumstances at the Property which pose a risk to the environment or to the health and safety of persons,

vi) no work shall have been done or materials provided for or about any of the Property within one hundred eighty (180) days ending on the day of the Closing or which the person performing the work or providing the materials has not acknowledged in writing that is has been paid in full at or before Closing.

7.3. The Sellers' representations and warranties set forth above shall not merge with or into the Easement and shall survive delivery of the Easement at Closing.

SECTION 8. OBLIGATIONS OF SELLERS AT CLOSING.

8.1. At Closing, Sellers shall execute and deliver the Easement to the Buyer.

8.2. At Closing, Sellers shall execute and deliver to the Buyer's title insurance company or Buyer such affidavits and writings reasonably requested from a seller in connection with the settlement of like property.

SECTION 9. OBLIGATIONS OF BUYER AT CLOSING.

At Closing, Buyer shall deliver the Purchase Price in accordance with the terms and conditions of this Agreement.

SECTION 10. DEFAULT.

10.1. In the event that Sellers cannot convey to Buyer the easement on the Property as required under this Agreement, Buyer shall:

i) permit Sellers to take any action necessary to perfect their title and remove any and all legal, equitable and beneficial grounds of objection to or defect of the title, at Sellers' sole cost and expense, and

ii) extend Closing until such action is completed, but not longer than one hundred twenty (120) days from the Sellers' receipt of notice from Buyer of such defect or defects to the title.

In the event that Sellers fail to cure the defect or defects to title within that one hundred twenty (120) day period, then and only then shall Sellers be in default of their obligations to convey the easement on the Property under this Agreement.

10.2. Subject to Section 10.1, in the event that Sellers default in any of the terms, provisions, covenants or agreements to be performed by the Sellers under this Agreement, Buyer shall be entitled, after such default, to:

- i) waive any failure to perform in writing;
- ii) terminate this Agreement, in which event the parties hereto shall thereafter be relieved of any and all further rights, liabilities and obligation under or pertaining to this Agreement, other than those which by the express terms of this Agreement are intended to survive termination, in which event the Deposit and any interest accrued thereon shall be returned to the Buyer provided Sellers must then pay to Buyer an amount equal to all Buyer's survey costs and
- iii) exercise any and all rights and seek any and all remedies which Buyer may have or to which Buyer may be entitled at law or in equity, including, without limitation, seeking damages or specific performance.

10.3. In the event Buyer defaults in any of the terms, provisions, covenants or agreement to be performed by Buyer under this Agreement, Sellers shall be entitled, after such default, to:

- i) waive any failure of performance in writing,
- ii) terminate this Agreement in entirety, in which event the parties hereto shall thereafter be relieved of any and all further rights, liabilities and obligations, other than those, which by the express terms of this Agreement are intended to survive such termination, or
- iii) institute such actions or proceedings for monetary damages and/or equitable relief as are authorized by applicable law.

SECTION 11. GENERAL PROVISIONS.

11.1. This Agreement is the full agreement among the parties on the matters set forth herein. This Agreement can only be amended by written amendment executed by the parties hereto.

11.2 The parties hereto further agree that this Agreement is expressly contingent upon the approval by the Maryland Rural Legacy Board and the Maryland State Board of Public Works. In the event the Maryland Rural Legacy Board or the Board of Public Works fails to approve this Agreement, the Buyer, at its sole option, may terminate this Agreement by written notice to Sellers, and the parties shall have no further obligation to each other.

SECTION 12. SURVEY PROVISION

12.1 The parties acknowledge that they believe and estimate in good faith that the area of easement is 58.62 acres. The purchase price of the easement shall be \$2106.79 per acre. Buyer, at Buyer's expense, will cause a survey to be completed by a professional land

surveyor or property line surveyor, selected by Buyer, to determine the exact lines of the area of the easement and acreage thereof. In the event that the acreage is found to be ten (10) percent smaller or larger than 58.62 acres, updated appraisals will be required and a new purchase price may be determined, in which case a new Agreement will be required based upon the updated purchase price, and this Agreement will be void. In the event the Seller may void this Agreement and/or not enter a new Agreement all sums paid hereunder shall be returned to Buyer and Seller shall reimburse Buyer for Buyer's out of pocket costs for the survey.

12.2 The parties shall cooperate with, and assist, the surveyor who shall be permitted all necessary access to the property. Buyer shall, upon request of Seller, extend settlement a period of 120 days to permit Seller to contest any survey results.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered, the day and year first written above.

Witness/Attest:

Katharine D. Munson

SELLERS

By: Harold Scrimgeour (Seal)
Harold Scrimgeour, Managing Agent, Porter Mill Properties, LLC

BUYER

County Commissioners of Worcester County, Maryland

Harold L. Higgins
Chief Administrative Officer

By: _____ (Seal)
Diana Purnell
President

Approved as to legal form and sufficiency.

Maureen Howarth
Worcester County Attorney

NOTICE: THIS DEED OF CONSERVATION EASEMENT CONTAINS COVENANTS THAT INCLUDE RESTRICTIONS ON USE, SUBDIVISION, AND SALE OF LAND AND REQUIRES SPECIFIC REFERENCE IN A SEPARATE PARAGRAPH OF ANY SUBSEQUENT DEED OR OTHER LEGAL INSTRUMENT BY WHICH ANY INTEREST IN THE PROPERTY IS CONVEYED.

DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT ("Conservation Easement") made this _____ day of _____, 20__, by and between PORTER MILL PROPERTIES, LLC, having an address at 5728 George Island Landing Road; Stockton, MD 21864-2002 ("Grantor") and THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND ("Grantees").

WHEREAS, this Conservation Easement is based upon a form that assumes there are multiple Grantors and multiple Grantees. In the event that this assumption is wrong for this Conservation Easement, then, as appropriate, any Provision assuming multiple Grantors or Grantees shall be interpreted to mean only one Grantor or Grantee, as the case may be. In addition, Art. VI. D shall be disregarded when there is only one Grantee.

WHEREAS, the Department of Natural Resources is a body corporate and an instrumentality of the state of Maryland created pursuant to the Natural Resources Article of the Annotated Code of Maryland (2000 Replacement Volume as amended) for the purpose generally of preserving and maintaining the natural resources of the State;

WHEREAS, the Grantor owns in fee simple 58.62 acres, more or less, of certain real property in Worcester County, Maryland, and more particularly described in Exhibit A attached hereto, which was conveyed to the Grantor by Ward Farms, LLC by Deed dated June 26, 2006 and recorded among the Land Records of Worcester County, Maryland in Liber 4734, Folio 310, and confirmatory Deed dated November 21, 2008 recorded among the Land Records of Worcester County, Maryland in Liber 5175, Folio 403 (the "Property"). The address of the Property is 1108 Snow Hill Road. The Property is identified on tax map 94, parcel 175;

WHEREAS, the Property includes _____ acres of agricultural land, _____ acres of woodland; ; a portion of an unnamed stream and ditch; and scenic value of significant public benefit along Snow Hill Road/Maryland Route 12.

WHEREAS, in recognition of the Conservation Attributes defined below, Grantor intends hereby to grant a perpetual Conservation Easement over the Property, thereby restricting and limiting the use of the Property as provided in this Conservation Easement for the purposes set forth below.

ARTICLE I. GRANT AND DURATION OF EASEMENT

The above paragraphs are incorporated as if more fully set forth herein.

WHEREAS, the Rural Legacy Board established in the Department of Natural Resources has been authorized under Title 5, Subtitle 9A, Natural Resources Article of the Annotated Code of Maryland, to provide grants to Sponsors of Rural Legacy Areas to acquire conservation easements in designated Rural Legacy Areas, and has agreed, with the approval of the Maryland Board of Public Works, to pay the sum of One Hundred Twenty-Three Thousand and Five Hundred Dollars (\$123,500.00) to Grantor as full monetary consideration for granting this Conservation Easement.

NOW, THEREFORE, in consideration One Hundred Twenty-Three Thousand and Five Hundred Dollars (\$123,500.00), the facts stated in the above paragraphs and the covenants, terms, conditions and restrictions (the "Terms") hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged by the parties, Grantor unconditionally and irrevocably hereby grants and conveys unto Grantees, their successors and assigns, forever and in perpetuity a Conservation Easement of the nature and character and to the extent hereinafter set forth, with respect to the Property;

This Conservation Easement shall be perpetual. It is an easement in gross and as such it is inheritable and assignable in accordance with Article XI, runs with the land as an incorporeal interest in the Property, and is enforceable with respect to the Property by Grantees and by the State of Maryland, acting by and through the Rural Legacy Board ("RLB") or the Office of the Attorney General ("OAG") against Grantor and their personal representatives, heirs, successors and assigns.

ARTICLE II. CONSERVATION PURPOSE

The conservation of the Property will protect the following Conservation Attributes, as further set forth in Exhibit B and which include certain natural, agricultural, forestry, environmental, scenic, cultural, rural, historical, archeological, woodland and wetland characteristics of the Property, and which seek to maintain viable resource-based land use and proper management of tillable and wooded areas of the Property, and, to the extent hereinafter provided, prevent the use or development of the Property for any purpose or in any manner that would conflict with the maintenance of the Property in its open-space condition: 1) the protection of relatively natural habitat of fish, wildlife or plants, or similar ecosystems; (2) the preservation of open space for the scenic enjoyment of the general public and which yields a significant public benefit, or pursuant to a clearly delineated Federal, State, or local governmental conservation policy and which yields a significant public benefit.

The purpose of this Conservation Easement is to preserve and protect in perpetuity the Conservation Attributes of the Property identified above and further described in Exhibit B, and to prevent the use or further development of the Property in any manner that would conflict with these Conservation Attributes (“Conservation Purpose”). The Conservation Attributes are not likely to be adversely affected to any substantial extent by the continued use of the Property as authorized herein or by the use, maintenance or construction of those Structures (as defined below) that exist on the Property or are permitted herein.

ARTICLE III. LAND USE AND STRUCTURES

A. General. This Article sets forth certain specific restrictions, prohibitions, and permitted activities, uses, and Structures under this Conservation Easement. Other than the specifically enumerated Provisions described below, any activity on or use of the Property that is otherwise consistent with the Conservation Purpose of this Conservation Easement is permitted. All manner of industrial activities and uses is prohibited. If Grantor believes or reasonably should believe that an activity not expressly prohibited by this Conservation Easement may have a significant adverse effect on the Conservation Purpose of this Conservation Easement, Grantor shall notify Grantees in writing before undertaking such activity.

B. Agricultural Uses and Activities. “Agriculture,” or “Agricultural” as the context requires, means production and/or management of products such as livestock, poultry, crops, trees, shrubs, plants and other vegetation, and aquaculture, but not surface, sub-surface, or spring water. This includes, by way of example and not limitation, the related activities of tillage, fertilization, application of pesticides, herbicides and other chemicals, harvesting and mowing, and the feeding, housing, breeding, raising, boarding, training and maintaining of animals such as horses, ponies, cattle, sheep, goats, hogs, and poultry.

Agricultural uses and activities are permitted on the Property on a Commercial (as defined below) or non-Commercial basis.

C. Commercial Uses and Activities. “Commercial” means any use or activity conducted by Grantor or a third party for the purpose of realizing a profit or other benefit to Grantor, their designees, or such third party from the exchange of goods or services by sale, barter, or trade. In instances in which the Grantor is a nonprofit corporation, Grantor may conduct only those Commercial uses or activities that are (i) directly related to Grantor’s mission and (ii) do not harm the Conservation Attributes. Commercial activities and uses that are permitted shall be limited in scale to those appropriate to the size and location of the Property. The following Commercial activities and uses are permitted:

- (1) Commercial activities within Dwelling Units (as defined below) (for example:

ongoing activities such as a professional office, at-home child day care, or, subject to Grantees' approval, bed and breakfast; or occasional activities such as fundraisers or benefits);

(2) Commercial activities related to Agriculture inside of structures used for Agriculture (for example: farm machine repair shop or seed and mineral shop);

(3) seasonal or occasional outdoor Commercial activities that are accessory to the Agricultural uses of the Property (for example: hay rides, corn maze, farm animal petting zoo, pick your own produce) and sale of Agricultural products produced off of the Property but associated with such seasonal or occasional activities (for example, the sale of apple cider on a hay ride);

(4) production/processing (within a permitted Structure (as that term is defined below)) of Agricultural products (as listed in Article III.B above), a majority of which are produced on the Property or another property owned by Grantor, into derivatives thereof.

(5) the Commercial retail and/or non-retail sale of (i) Agricultural products (as listed in Article III.B above), a majority of which are produced on the Property or on a property owned by Grantor; or (ii) derivatives produced pursuant to III.C.(4) above;

(6) Commercial services related to Agriculture limited to equestrian sports, events, and shows, boarding, the training of horses/ponies and riders, and the provision of recreational or therapeutic riding opportunities; and

(7) Commercial Passive Recreational (as defined below) uses operated by a resident of a Dwelling Unit on the Property, or by the Grantor. Structures associated with these uses must be permitted according to Article III.E (3) below

D. Private Passive Recreational Uses and Activities. "Private" means the intensity of activity that could reasonably be expected in proportion to the number of residents that would typically occupy the permitted Dwelling Units (as defined below) on the Property. "Passive Recreation," or "Passive Recreational" as the context may require, means low-impact activities conducted outdoors, including, by way of example and not by way of limitation, nature study, orienteering, hunting, fishing, hiking, kayaking, canoeing, sailing, boating, horseback riding, camping, and cross country skiing.

Private Passive Recreational uses are permitted on the Property but shall be limited in scale to those appropriate to the size and location of the Property. Athletic fields, golf courses, motor cross courses, all terrain vehicle ("ATV") courses, off road vehicle ("ORV") courses, and off highway vehicle ("OHV") courses are prohibited on the Property.

E. Structures, Buildings, Dwelling Units, and Means of Access. "Structure" means

anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. "Building" means any Structure which is designed, built, or occupied as a shelter for persons, animals, or personal property. "Dwelling Unit" means one or more rooms in a Building arranged for independent housekeeping purposes with: (i) furnishing for eating, living, and sleeping; (ii) the provisions for cooking; and, (iii) the provisions for sanitation. "Means of Access" means gravel or paved driveways, lanes, farm roads, and parking areas meant to carry vehicular traffic to permitted uses and Structures.

Structures, Buildings, Dwelling Units, and Means of Access are prohibited on the Property, except the following, which include those listed in Exhibit C:

(1) One (1) single-family detached Dwelling Unit ("Primary Dwelling Unit"). The permitted Primary Dwelling Unit may be remodeled, renovated, replaced, enlarged, or maintained without the prior written approval of Grantees. The relocation of the Primary Dwelling Unit, or the conversion of any previously non-residential Structure to the Primary Dwelling Unit shall be subject to Grantees' approval as further set forth in Article V below. The Primary Dwelling Unit may not exceed a gross floor area of four thousand (4,000) square feet, calculated by first multiplying the exterior footprint of the portions of the Structure with multiple stories by the number of stories with windows and then adding the exterior footprint of any portions of the Structure with one story, including, but not limited to, porches and garages, but excluding unenclosed decks, basements, and attics.

(2) One (1) Dwelling Unit accessory in nature to the Primary Dwelling Unit and limited to the following types: detached guest house, detached caretaker residence, detached farm manager's or employee's house, detached pool house or detached boat house if either Structure meets the definition of Dwelling Unit herein, apartment within a barn, or accessory apartment located within the Primary Dwelling Unit described in paragraph (1) above ("Accessory Dwelling Unit"). An apartment within a barn or an accessory apartment located within a Primary Dwelling Unit must be fully contained within its Structure and may not be replaced by a detached Dwelling Unit of any kind.

The Accessory Dwelling Unit may not exceed a gross floor area of one thousand five hundred (1,500) square feet, calculated by first multiplying the exterior footprint of the portions of the Structure with multiple stories by the number of stories with windows and then adding the exterior footprint of any portions of the Structure with one story, including, but not limited to, porches and garages, but excluding unenclosed decks, basements and attics. The location or relocation of the Accessory Dwelling Unit or the conversion of any previously non-residential Structure to the Accessory Dwelling Unit shall be subject to Grantees' approval as further set forth in Article V below.

The total number of all Dwelling Units on the Property shall never exceed two (2). The location of any new Structure containing a Dwelling Unit shall be subject to Grantees' approval

as further set forth in Article V below.

(3) Non-residential accessory Structures designed, constructed and utilized for the purpose of serving the Primary Dwelling Unit (for example: detached garage; well house; boat house; pool house; swimming pool; pier; Structures related to hunting such as deer stands or waterfowl blinds);

(4) Non-residential Structures designed, constructed and utilized in connection with the Agricultural uses of the Property. This Provision shall not be construed to permit what is otherwise defined herein as a Dwelling Unit, even if the structure is designed, constructed or utilized for dwelling or residential purposes associated or in conjunction with the Agricultural uses of the Property;

(5) Reasonable Means of Access serving the Structures set forth above in III.E and other permitted uses; provided, however, that reasonable Means of Access to a Structure or use permitted by Art. III.C (3) and/or Art. III.E (1) and (2) is subject to Grantees' approval in accordance with the provisions of Article V below; and

(6) Fencing, fences, and gates, which may be constructed, maintained, improved, removed, or replaced to mark boundaries, to secure the Property, or as needed in carrying out activities permitted by this Conservation Easement.

The total Impervious Surface on the Property shall never exceed one percent (1%) of the Property, or 0.58 acres. "Impervious Surface" means any surface composed of man-made materials that significantly impedes or prevents natural infiltration of water into the soil, such as rooftops, concrete, and asphalt.

F. Utilities. Grantor may repair and replace existing Utilities (as defined below) and may install new Utilities as set forth herein. Utilities must be sized and designed to serve the Property and shall not be installed for the purpose of facilitating development, use, or activities on an adjacent or other property. "Utilities" includes, but is not limited to, satellite dishes, electric power lines and facilities, sanitary and storm sewers, septic systems, cisterns, wells, water storage and delivery systems, telephone and communication systems and renewable energy systems (including but not limited to solar energy devices on a Structure; geothermal heating and cooling systems, also known as ground source heat pump; wind energy devices; systems based on the use of Agricultural byproducts and waste products from the Property to the extent not prohibited by governmental regulations; and other renewable energy systems that are not prohibited by governmental regulations), but does not include cellular communication structures and systems. To the extent allowed by law, any net excess generation produced by such renewable energy installation(s) may be credited to the Grantor's utility bill or sold to the utility and shall not constitute Commercial activity.

G. Access Across the Property. No right-of-way for utilities or roadways shall be granted across the Property in conjunction with any industrial, commercial, or residential use or development of an adjacent or other property not protected by this Conservation Easement without the prior written approval of Grantees, as per Article V.

H. Subdivision. The division, partition or subdivision (“Division”) of the Property, including the lease of any portion less than one hundred percent (100%) of the Property for a term in excess of twenty (20) years, into more than the one (1) parcel of land that constitutes the Property, for any purpose, is prohibited. The Property may not be consolidated into a larger parcel, and the boundary lines of the Property may not be adjusted.

I. Buffer Requirements. A one-hundred (100) foot vegetative buffer strip along each side of any stream is required on the Property. Grantors shall maintain such buffer strip if it currently exists, or allow it to naturally revegetate or plant such buffer strip with native species. Once established, Grantors shall not disturb such buffer, except when reasonably required for: (1) erosion control; (2) Passive Recreational uses which require water access, subject to Grantees’ approval, per Article V; (3) access to the water for irrigation of the Property; (4) control of non-native and invasive species or removal of dead, diseased, or infected trees as provided for in Article III.L below; (5) access to portions of the Property which are accessible only by crossing said water body; (6) livestock stream crossings in accordance with an approved Soil and Water Conservation Plan prepared by the Soil Conservation District; (7) enhancement of Wetlands (as defined below), wildlife habitat or water quality. Grantors shall not store manure or compost nor use or deposit pesticides, insecticides, herbicides or fertilizers (except for revegetation or planting of native species, or control of invasive or diseased species) within the buffer strip.

J. Wetlands. “Wetlands” means portions of the Property defined by Maryland state law or federal law as wetlands at the time of the proposed activity. Other than the creation and maintenance of man-made ponds with all necessary and appropriate permits, and the maintenance of Agricultural drainage ditches, the diking, draining, filling, dredging or removal of Wetlands is prohibited.

K. Soil Conservation and Water Quality Plan Within one (1) year of the date of this Conservation Easement, Grantor shall have a Soil Conservation and Water Quality Plan (the “Soil and Water Plan”) prepared and approved by the local Soil Conservation District which lists soil erosion and water quality problems on the land and shall include a schedule of implementation to address the problems identified. Revisions to the Soil and Water Plan, including the schedule of implementation, may be made by Grantor and the local Soil Conservation District as land use practices or management changes, however, Grantor shall be in full compliance with the Soil and Water Plan within six (6) years of the date of this Conservation Easement. Exceptions may be considered by Grantees on a case by case basis. Grantor shall

provide a copy of the Soil and Water Plan and any revisions to the Soil and Water Plan to Grantees.

L. Forest Management.

The Grantor shall implement a Forest Stewardship Plan (“the Plan”) in the Woodland Areas (as hereinafter defined), prepared by a licensed, registered forester and approved by the Maryland Department of Natural Resources, in accordance with the Management Practice Schedule of the Plan, within three (3) years of the date of this Conservation Easement, or prior to any timber harvest, whichever occurs first. Revisions to the Plan, including the schedule of implementation, may be made by Grantors and a licensed, registered forester, as land use practices or management changes, however, Grantors shall be in full compliance with the Plan within six (6) years of the date of this Conservation Easement. Exceptions may be considered by Grantees on a case by case basis. Grantors shall provide a copy of the Plan and any revisions to the Plan to Grantees.

The Plan’s primary objective is timber production. At a minimum, the Plan shall include:

- (1) an inventory of any physical and natural features of the land (including wetlands, streams, water bodies, roads, trails, public use areas, special plant and wildlife habitats, rare or unique species and communities, and other environmentally sensitive features) including any features identified in this Conservation Easement;
 - (2) a vegetation map, a soils map and a topographic map;
 - (3) an access plan for the Property, including all areas to be commercially managed;
 - (4) erosion control measures, specifically addressing water bodies and wetland areas; and
 - (5) management strategies for sensitive habitats such as riparian areas (including the need to leave cover over streams and water bodies), endangered or threatened species habitat, steep slopes, and the features identified in the inventory described in (1) above;
- [Optional: (6) strategies to minimize the effects of structures in the Forest Area.]

“Woodland Areas” is hereby defined as land Grantee determines, in its discretion, one (1) acre in size or greater that is at least ten percent (10%) stocked with trees of any size, or that had such tree cover prior to a recent harvest and is not currently developed for a non-forest use.

In the Woodland Areas, there shall be no burning, mowing, cutting, removal, grazing, livestock access, plowing, tilling or destruction of trees, shrubs grasses or other vegetation (collectively, “Vegetation”) unless: (i) Grantor and said activity are in full compliance with the Plan; (ii) said activity is in compliance with the Soil Erosion and Sediment Control Guidelines for Forest Harvest Operations in Maryland, prepared by the Maryland Department of Environment, as they may be amended from time to time (the “Guidelines”), or comparable provisions of any guidelines, regulations or other requirements which may replace the Guidelines in the future.

In no event is conversion of a Woodland to non-Woodland permitted in the Woodland Areas. Notwithstanding this prohibition 1-2 acres for a permitted residence or other limited clearing as appropriate. Clear-cutting may be permitted in order to regenerate a forest pursuant to the Forest Stewardship Plan.

M. Dumping. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, ashes, garbage, waste, abandoned vehicles, appliances, machinery, hazardous or toxic substances, dredge spoils, industrial and commercial byproducts, effluent and other materials on the Property is prohibited, whether by Grantor or third parties. Soil, rock, other earth materials, vegetative matter, or compost may not be placed except when reasonably required for: (1) Agriculture or other permitted uses on the Property; or (2) the construction and/or maintenance of Structures, Buildings, Dwelling Units, and Means of Access permitted under this Conservation Easement. This Conservation Easement does not permit or require Grantees to become an operator or to control any use of the Property that may result in the treatment, storage, disposal, or release of hazardous materials within the meaning of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended.

N. Excavation; Surface and Sub-surface Extraction. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, sand, surface or sub-surface water or other material substance in a manner as to affect the surface or otherwise alter the topography of the Property is prohibited, whether by Grantor or third parties, except for: (1) the purpose of combating erosion or flooding, (2) Agriculture or other permitted uses on the Property, (3) Wetlands or stream bank restoration, or (4) the construction and/or maintenance of permitted Structures and associated Utilities, Means of Access, man-made ponds and wildlife habitat. Grantor shall not sell, transfer, lease, or otherwise separate any mineral rights, currently owned or later acquired, from the surface of the Property. All manner of mining is prohibited.

O. Signage. Display of billboards, signs or advertisements is prohibited on or over the Property, except to: (1) state solely the name and/or address of the Property and/or the owners; (2) advertise the sale or lease of the Property; (3) advertise the Agricultural uses of the Property; (4) advertise the goods or services sold or produced in accordance with permitted Commercial uses of the Property; (5) commemorate the history of the Property, its recognition under local, state or federal historical registers, or its protection under this Conservation Easement or federal, state or local environmental or game laws; (6) provide directions to permitted uses and Structures on the Property; and/or (7) address hunting, fishing, or trespassing (including signs or blazes on trees, the latter of which may be unlimited in number, for the purpose of delineating Property boundaries, which Grantees encourage in order to prevent encroachments). No billboard, sign, or advertisement on or over the Property shall exceed four (4) feet by four (4) feet. Multiple signs shall be limited to a reasonable number, shall be placed at least five hundred (500) feet apart, and shall be placed in accordance with applicable local regulations, except that signs

permitted under exceptions (5) and (7) may be placed the lesser of one hundred (100) feet apart or the distance required by law.

P. Reserved Rights Exercised to Minimize Damage. All rights reserved by Grantor or activities not prohibited by this Conservation Easement shall be exercised so as to prevent or to minimize damage to the Conservation Attributes identified above and water quality, air quality, land/soil stability and productivity, wildlife habitat, scenic and cultural values, and the natural topographic and open space character of the Property.

Q. Authorization. Grantor authorizes the Soil Conservation District and any other entities or government agencies to release to Grantees information contained in Grantor's Soil Conservation and Water Quality Plan, Forest Stewardship Plan, Forest Management Plan or any other information applicable to the Terms of this Conservation Easement.

ARTICLE IV. GRANT OF UNRESERVED PROPERTY RIGHTS

Grantor retains the right to sell, devise, transfer, lease, mortgage or otherwise encumber the Property subject to the provisions of this Conservation Easement. Grantor retains the right to sell, trade, or exchange credits allocated to Agricultural products produced on the Property. Grantor hereby grants to Grantees all rights (except as specifically reserved herein) that are now or hereafter allocated to, implied, reserved or inherent in the Property, and the parties agree that such rights are terminated and extinguished and may not be used or transferred to any other property adjacent or otherwise, and may not be used for the purpose of calculating permissible lot yield of the Property or any other property. Grantor further agrees that the Property shall not be used to provide required open space for the development or subdivision of another property, nor shall it be used in determining any other permissible residential, commercial or agricultural uses of another property.

ARTICLE V. GRANTEE APPROVAL PROCESS

A. This Conservation Easement provides that, in specified circumstances, before Grantor can take certain actions Grantees must first give their permission, consent or approval. These specified circumstances include, but are not limited to:

- operation of a bed and breakfast, as per Article III.C(1);
- location of any new Structure containing a Dwelling Unit, as per Article III.E(1) and (2);
- location of any replacement Dwelling Unit if different from the location of the replaced Dwelling Unit, as per Article III.E(1) and (2);
- conversion of any previously non-residential Structure to be or include a Dwelling Unit, as per Article III.E(1) and (2);
- location of a new Means of Access to a Dwelling Unit, as per Article III.E(5);

- size of a parking area and Means of Access for a small-scale seasonal or occasional outdoor Commercial use or activity accessory to Agriculture, as per Article III.E(5); and
- access across the Property for utilities or roadways serving another property, as per Article III.G.

B. Whenever the Provisions of this Conservation Easement require the permission, consent or approval of Grantees, Grantor shall submit to Grantees a written and visual description of the request for which approval is sought, accompanied by such plats, maps, drawings, photographs, written specifications, or other materials as Grantees may need to consider the request. Said materials shall be submitted prior to any start of construction and in advance of, or concurrent with, application for permits from federal, state, or local governments. Grantees shall evaluate the submission for completion and may require of Grantor additional information necessary for a complete submission. When Grantees deem the submission complete ("Request"), Grantees shall act on the Request within the timeframe provided for in Article V.C below.

In evaluating the Request, Grantees shall consider the specific Provision of this Conservation Easement requiring the approval, and said approval shall be granted or denied based on such Grantees' sole discretion as to whether the Request conforms to the Conservation Attributes listed in Article II and Exhibit B of this Conservation Easement and the Conservation Purpose of this Conservation Easement.

If Grantor, with the support of a state or local government, is seeking approval of access across the Property for utilities or roadways as referenced in Article III.G, Grantees shall consider, in addition to the Conservation Attributes listed in Article II and Exhibit B of this Conservation Easement and the Conservation Purpose of this Conservation Easement, the following:

1. Does the project serve a valid public purpose, promote the public interest, or provide a public benefit;
2. Can the project be located in an alternative site without significant expense to a public agency;
3. Has the project received the written support of a state or local government;
4. Does the project maximize the use of concealment methods, if applicable;
5. Is the location of the project acceptable to Grantees;
6. Will the project provide a private benefit to Grantor;
7. Will the party making the Request compensate Grantees for Grantees' actual administrative costs and/or attorneys' fees (including but not limited to outside counsel fees) related to its review of the Request (whether or not such Request is approved), and, if approved, inspection of installation of the project, monitoring for violations and enforcement related to the project;

8. Has the party making the Request proffered acceptable mitigation, on or off the Property, to address the adverse impacts of the project and provide a net gain in Conservation Attributes, if feasible (for example, additional plantings, the grant of additional land, or a monetary payment).

If Grantor is seeking location approval for a permitted Dwelling Unit, all owners who have a real property interest in the portion of the Property at issue must join in the submission before it will be deemed a Request.

C. Grantees shall each provide to Grantor a written decision regarding the Request within ninety (90) days after receipt of the Request, unless the time for consideration is extended by mutual agreement of the parties. Failure of either Grantee to act within the time provided shall be deemed an approval by such Grantee.

D. If an expert within the Maryland Department of Natural Resources advises Grantees of an occurrence of a rare, threatened, or endangered species that was not previously recognized on the Property, and that the habitat, survivability, or fitness for such species could be enhanced by a practice or activity which would otherwise result in a violation of a Provision of this Conservation Easement, Grantees, in their sole discretion, may approve of such a practice or activity.

ARTICLE VI. ENFORCEMENT AND REMEDIES

A. Grantees or the RLB or the OAG (“Enforcers”), and their employees and agents, shall have the right to enter the Property at reasonable times for the purpose of inspecting and surveying the Property to determine whether Grantor is complying with the Provisions of this Conservation Easement. Enforcers shall provide prior notice to Grantor at their last known address, unless Enforcers determine that immediate entry is required to prevent, terminate, or mitigate a suspected or actual violation of this Conservation Easement which poses a serious or potentially permanent threat to Conservation Attributes, in which latter case prior reasonable notice is not required.

In the course of such inspection, Enforcers may inspect the interior of Buildings and Structures permitted by Article III.E (3) and III.E (4) for the purpose of determining compliance with this Conservation Easement. In the event that a dispute arises between Enforcers and Grantor as to whether a Building or Structure is a Dwelling Unit which would not otherwise be permitted by this Conservation Easement, such Building or Structure shall be deemed to contain a Dwelling Unit unless proven otherwise by the Grantor.

B. Upon any breach of a Provision of this Conservation Easement by Grantor, Enforcers may institute suit to enjoin any such breach or enforce any Provision by temporary, *ex parte* and/or permanent injunction, either prohibitive or mandatory, including a temporary restraining

order, whether by in rem, quasi in rem or in personam jurisdiction; and require that the Property be restored promptly to the condition required by this Conservation Easement at the expense of Grantor. Before instituting such suit, Enforcers shall give notice to Grantor and provide a reasonable time for cure; provided, however, that Enforcers need not provide such notice and cure period if Enforcers determine that immediate action is required to prevent, terminate or mitigate a suspected or actual breach of this Conservation Easement.

Enforcers' remedies shall be cumulative and shall be in addition to all appropriate legal proceedings and any other rights and remedies available to Enforcers at law or equity. If Grantor is found to have breached any of Grantor's obligations under this Conservation Easement, Grantor shall reimburse Enforcers for any costs or expenses incurred by Enforcers, including court costs and reasonable attorneys' fees.

C. No failure or delay on the part of Enforcers to enforce any Provision of this Conservation Easement shall discharge or invalidate such Provision or any other Provision or affect the right of Enforcers to enforce the same in the event of a subsequent breach or default.

D. Each Enforcer has independent authority to enforce the Provisions of this Conservation Easement. In the event that the Enforcers do not agree as to whether the Grantor is complying with the Provisions, each Enforcer may proceed with enforcement actions without the consent of any other Enforcer.

ARTICLE VII. PUBLIC ACCESS

Although this Conservation Easement will benefit the public in the ways recited above, the granting of this Conservation Easement does not convey to the public the right to enter the Property for any purpose whatsoever.

ARTICLE VIII. BASELINE DOCUMENTATION

The parties acknowledge that Exhibits A – E (collectively, the "Baseline Documentation") reflect the legal description of the Property, existing uses, location, Conservation Attributes and Structures, Buildings, and Dwelling Units on the Property as of the date of this Conservation Easement. Grantors hereby certify that the attached Exhibits are sufficient to establish the condition of the Property at the time of the granting of this Conservation Easement. All Exhibits are hereby made a part of this Conservation Easement:

A. Exhibit A: Boundary Description and Property Reference is attached hereto and made a part hereof. Exhibit A consists of () pages.

B. Exhibit B: Conservation Attributes is attached hereto and made a part hereof. Exhibit B consists of one (1) page.

C. Exhibit C: Inventory of Existing Structures is attached hereto and made a part hereof. Exhibit C consists of one (1) page.

D. Exhibit D: Color Digital Images of the Property are not recorded herewith but are kept on file at the principal office of Worcester County Department of Environmental Programs and are fully and completely incorporated into this Conservation Easement as though attached hereto and made a part hereof. A list of the vantage points, image captions, and image numbers is recorded herewith. Exhibit D consists of color digital images and () pages.

E. Exhibit E: Aerial Photograph of the Property is not recorded herewith but kept on file at the principal office of the Worcester County Department of Environmental Programs and is fully and completely incorporated into this Conservation Easement as though attached hereto and made a part hereof. Exhibit E consists of one (1) page.

F. Exhibit F: Tax Map Showing Approximate Location of Property is attached hereto. This is to be used only by Grantees as an aid for locating the Property. It is not a plat or legal description of the Property. Exhibit F consists of one (1) page.

ARTICLE IX. DUTIES AND WARRANTIES OF GRANTOR

A. Change of Ownership. In order to provide Grantees with notice of a change in ownership or other transfer of an interest in the Property, Grantor agrees to notify Grantees in writing of the names and addresses of any party to whom the Property, or any part thereof, is transferred in accordance with Section 10-705 of Real Property Article, Ann. Code of Maryland, or such other comparable provision as it may be amended from time to time. Grantor, their personal representatives, heirs, successors and assigns further agree to make specific reference to this Conservation Easement in a separate paragraph of any subsequent deed or other legal instrument by which any interest in the Property is conveyed.

B. Subordination. Grantor certifies that all mortgages, deeds of trust, or other liens (collectively "Liens"), if any, affecting the Property are subordinate to, or shall at time of recordation become subordinate to, the rights of Grantees under this Conservation Easement. Grantor has provided, or shall provide, a copy of this Conservation Easement to all mortgagees of mortgages and to all beneficiaries and/or trustees of deeds of trust (collectively "Lienholders") already affecting the Property or which will affect the Property prior to the recording of this Conservation Easement, and shall also provide notice to Grantees of all such Liens. Each of the Lienholders has subordinated, or shall subordinate prior to recordation of this Conservation Easement, its Lien to this Conservation Easement either by signing a subordination instrument contained at the end of this Conservation Easement which shall become a part of this Conservation Easement and recorded with it, or by recording a separate subordination agreement

pertaining to any such Lien.

C. Real Property Taxes. Except to the extent provided for by State or local law, nothing in this Conservation Easement shall relieve Grantor of the obligation to pay taxes in connection with the ownership or transfer of the Property.

D. Warranties. The Grantor who signed this Conservation Easement on the date set forth above ("Original Grantor") are the sole owner(s) of the Property in fee simple and have the right and ability to convey this Conservation Easement to Grantees. The Original Grantor warrants that the Property is free and clear of all rights, restrictions, and encumbrances other than those subordinated to this Conservation Easement or otherwise specifically agreed to in writing by the Grantees. The Original Grantor warrants that they have no actual knowledge of any use or release of hazardous waste or toxic substances on the Property that is in violation of a federal, state, or local environmental law and will defend, indemnify, and hold Grantees harmless against any claims of contamination from such substances. The Original Grantor warrants that Exhibit C is an exhaustive list of all Dwelling Units on the Property.

E. Continuing Duties of Grantor. For purposes of this Conservation Easement, "Grantor" shall mean only, at any given time, the then current fee simple owner(s) of the Property and shall not include the Original Grantor or other successor owners preceding the current fee simple owner(s) of the Property, except that if any such preceding owners have violated any term of this Conservation Easement, they shall continue to be liable therefor.

ARTICLE X. CONDEMNATION

By acceptance of this Conservation Easement by Grantees and the Maryland Board of Public Works, the purposes of the Property as restricted for Agricultural, natural and cultural resource preservation are hereby considered to be the highest public use of the Property. Whenever all or part of the Property is taken in the exercise of eminent domain, so as to abrogate, in whole or in part, the restrictions imposed by this Conservation Easement, or this Conservation Easement is extinguished, in whole or in part, by other judicial proceeding, Grantor and Grantees shall be entitled to proceeds payable in connection with the condemnation or other judicial proceedings in an amount equal to the current fair market value of their relative real estate interests. In the event Grantees did not contribute funds to the purchase of this Conservation Easement, then the Rural Legacy Board shall be entitled to the aforementioned proceeds. Any costs of a judicial proceeding allocated by a court to Grantor and Grantees shall be allocated in the same manner as the proceeds are allocated.

ARTICLE XI. MISCELLANEOUS

A. Assignment. Each Grantee may assign, upon prior written notice to Grantor, its rights under this Conservation Easement to any "qualified organization" within the meaning of Section 170(h)(3) of the IRC or the comparable provision in any subsequent revision of the IRC and only

with assurances that the Conservation Purpose will be maintained. If any such assignee shall be dissolved or shall abandon this Conservation Easement or the rights and duties of enforcement herein set forth, or if proceedings are instituted for condemnation of this Conservation Easement, this Conservation Easement and rights of enforcement shall revert to the assigning Grantee. If said assigning Grantee shall be dissolved and if the terms of the dissolution fail to provide a successor, and if there are no other Grantees in place, then Grantor shall institute in a court of competent jurisdiction a proceeding to appoint an appropriate successor as Grantee. Any such successor shall be a "qualified organization" within the meaning of Section 170(h)(3) of the Internal Revenue Code ("IRC") or the comparable provision in any subsequent revision of the IRC. No assignment may be made by any Grantee of its rights under this Conservation Easement unless Grantee, as a condition of such assignment, requires the assignee to carry out the Conservation Purpose.

B. Amendment. Grantor and Grantees recognize that circumstances could arise that justify an amendment of certain of the Provisions contained in this Conservation Easement. To this end, and subject to approval by the Rural Legacy Board, Grantor and Grantees have the right to agree to amendments to this Conservation Easement; provided, however, that:

(1) The amendment must be approved in writing by the Rural Legacy Board, and such approval shall accompany or be attached to the recorded amendment.

(2) No amendment shall be allowed if it would create an impermissible private inurement or private benefit;

(3) Proposed amendments will not be approved unless, in the opinion of each Grantee, the requested amendment satisfies the more stringent of the following: (A) (i) the amendment either enhances or has no adverse effect on the Conservation Purpose protected by this Conservation Easement and (ii) the amendment upholds the intent of the original Grantor and the fiduciary obligation of the Grantees to protect the Property for the benefit of the public in perpetuity; or (B) the amendment complies with such Grantees' amendment policy at the time that the amendment is requested.

(4) The amendment must be in conformity with all of each Grantees' policies in effect at the time of the amendment;

(5) The amendment is subject to and dependent upon approval of the Maryland Board of Public Works; and

(6) The amendment must be recorded among the Land Records in the county or counties where this Conservation Easement is recorded.

Grantor and Grantees may agree to an amendment in lieu of engaging in full condemnation proceedings; provided that Grantees determine that the exercise of condemnation would be lawful, the best interest of all parties would be better served by negotiating a settlement with the condemning authority, and the Grantees receive and use compensation as set forth in Art. X. above. In such event, an amendment shall only be required to satisfy Art. XI.B(5) and (6).

C. Compliance with Other Laws. The Provisions of this Conservation Easement do not replace, abrogate or otherwise set aside any local, state or federal laws, requirements or restrictions imposing limitations on the use of the Property.

In the event that any applicable state or federal law imposes affirmative obligations on owners of land which if complied with by Grantor would be a violation of a Provision of this Conservation Easement, Grantor shall: (i) if said law requires a specific act without any discretion on the part of Grantor, comply with said law and give Grantees written notice of Grantor's compliance as soon as reasonably possible, but in no event more than thirty (30) days from the time Grantor begins to comply; or (ii) if said law leaves to Grantor's discretion how to comply with said law, use the method most protective of the Conservation Attributes of the Property listed herein and in Exhibit B and give Grantees written notice of Grantor's compliance as soon as reasonably possible, but in no event more than thirty (30) days from the time Grantor begins to comply.

D. Construction. This Conservation Easement shall be construed to promote the purposes of the statutes creating and governing the Rural Legacy Program, the purposes of Section 2-118 of Real Property Article, Ann. Code of Maryland, and the Conservation Purpose, including such purposes as are defined in Section 170(h)(4)(A) of the IRC. This Conservation Easement shall be interpreted under the laws of the State of Maryland, resolving any ambiguities and questions of the validity of specific provisions in a manner consistent with the Conservation Purpose.

E. Entire Agreement and Severability. This instrument sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to this Conservation Easement. If any Provision is found to be invalid, the remainder of the Provisions of this Conservation Easement, and the application of such Provision to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

F. Joint and Several. If Grantor at any time owns the Property in joint tenancy, tenancy by the entireties or tenancy in common, all such tenants shall be jointly and severally liable for all obligations set forth in this Conservation Easement.

G. Recordation. Grantees shall record this instrument in a timely fashion among the

Land Records of Worcester County, Maryland, and may re-record it at any time as may be required to preserve their rights under this Conservation Easement.

H. Notice to Grantees. Any notices by Grantor to Grantees pursuant to any Provision hereof shall be sent by registered or certified mail, return receipt requested, addressed to:

County Commissioners of Worcester County, Maryland
Worcester County Government Center, Room 1103
1 West Market Street
Snow Hill, MD 21863

or to such other addresses as Grantees may establish in writing on notification to Grantor, or to such other address as Grantor know to be the actual location(s) of Grantees.

I. Counterpart Signatures. The parties may execute this Conservation Easement in two or more counterparts, which shall, in the aggregate, be signed by all parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

J. Captions. The captions in this Conservation Easement have been inserted solely for convenience of reference and are not a part of this instrument. Accordingly, the captions shall have no effect upon the construction or interpretation of the Provisions of this Conservation Easement.

TO HAVE AND TO HOLD unto the County Commissioners of Worcester County, their successors and assigns, forever. The covenants agreed to and the terms, conditions, and restrictions imposed as aforesaid shall be binding upon Grantor, their survivors, agents, personal representatives, heirs, assigns and all other successors to them in interest, and shall continue as a servitude running in perpetuity with the Property.

AND Grantor covenants that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the interest in the Property hereby conveyed; that they will warrant specially the Property granted and that they will execute such further assurances of the same as may be requisite.

IN WITNESS WHEREOF, Grantor and Grantees have hereunto set their hands and seals the day and year above written.

GRANTOR:
Porter Mill Properties, LLC

_____(SEAL)

Harold Scrimgeour

STATE OF MARYLAND, _____ of _____, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 20__, before me the subscriber, a Notary Public of the State aforesaid, personally appeared Alan Glenmore Figs, known to me (or satisfactorily proven) to be a Grantor of the foregoing Deed of Conservation Easement and acknowledged that he/she/it executed the same for the purposes therein contained and in my presence signed and sealed the same.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: _____

ACCEPTED BY GRANTEES:

County Commissioners of Worcester County, Maryland

By: _____(SEAL)

Diana Purnell, President

COUNTY ATTY:

I hereby certify this deed was prepared by or under the supervision of _____, an attorney admitted to practice by the Court of Appeals of Maryland

Exhibit A
Boundary Description and Property Reference
Page 1 of 2

All that tract or parcel of land lying on the southeasterly side of Snow Hill Road/Maryland Route 12 in the Eight Election District of Worcester County; conveyed to the Grantor by Ward Farms, LLC by Deed dated June 26, 2006, and recorded among the Land Records of Worcester County, Maryland in Liber 4734, Folio 310 and by Ward Farms, LLC by Confirmatory Deed dated November 21, 2008, and recorded among the Land Records of Worcester County, Maryland in Liber 5175, Folio 403; having tax ID number of 08-008094; Tax Map 94, Parcel 175; as depicted on a plat entitled "Boundary Line Revision and Rural Legacy Easement Survey for Lands of Porter Mill Properties, LLC "Mac Ward Farm East" by Chris D. Custis, dated _____, recorded in Land Records of Worcester County, Maryland in Book ___, Page ___, a copy of which is attached hereto, except for the abandoned railroad right of way.

Exhibit A

Boundary Description and Property Reference; Page 2 of 2

Exhibit B: Summary of Conservation Values

Deed of Conservation Easement
Porter Mill Properties, LLC

Page 1 of 1

1. The Property is within the Coastal Bays Rural Legacy Area.
2. The Property is of priority for acquisition of a conservation easement by the Rural Legacy Program because of its agricultural, natural resource and water quality protection values, and scenic value from Snow Hill Road/Route 12.
3. The property is part of an ____ acre block of contiguous protected land, contributing to the agricultural and natural resource vitality and scenic nature of the area.
4. Minimization of impervious surface contributes to water quality of the Chincoteague Bay.
5. This Conservation Easement is consistent with the 2006 Worcester County Comprehensive Plan and the 2012 Worcester County Land Preservation and Recreation Plan.

Exhibit C

Inventory of Existing Structures

Page 1 of 1

To be completed

Exhibit D
Color Digital Images
Page 1 of 1

These images are kept on file at the principal office of the Worcester County Department of Development Review and Permitting and are fully and completely incorporated into this Conservation Easement as though attached hereto and made a part hereof.

Index Number	Image Taken From	Image Description
1		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12		

Exhibit E

Aerial/Satellite Image

Page 1 of 1

This image is kept on file at the principal office of the Worcester County Department of Development Review and Permitting and are fully and completely incorporated into this Conservation Easement as though attached hereto and made a part hereof. Exhibit E consists of one page.

Exhibit F
Tax Map Showing Approximate Location of Property
Page 1 of 1

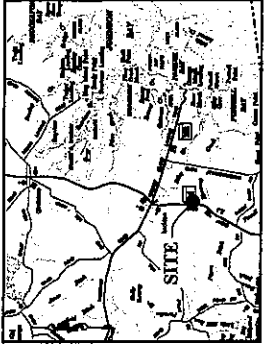
Exhibit A. Agreement of Sale by and between PORTER MILL PROPERTIES, LLC, ("Seller") and the County Commissioners of Worcester County, Maryland ("Buyer").



REVISIONS	DATE	ISSUED FOR:

**Boundary Line Revision
& Rural Legacy Easement Survey**
For Land Of
Porter Mill Properties, LLC
"Mac Ward Farm East"
Eighth District, Worcester County Maryland
Tax Map: 94, Parcel: 15, Parcel: 175

Map: 94	Parcel: 15
Grid: 15	Parcel: 175
Property Owner: Porter Mill Properties, LLC 17218 Scrippswood 5728 Scrimpswood Chestnut Hill Stockton, MD 21154	DATE: 05/08/2017
DRAWN BY: A.M.V.	JOB NUMBER: 06117
SCALE: 1"=200'	1 OF 1



VICINITY MAP
NOT TO SCALE.

Tax Map: 94, Parcel 1
NFF Heartwood Forestland
Parcel IV Limited Partnership
"McKernan P. Selby Estate"
Deed Ref: SVH 163660
Plat Ref: 685

Tax Map 94, Parcel 12
NFF Richard E. & Valerie L. Eblevin
Deed Ref: SVH 0438147
Plat Ref: 1995

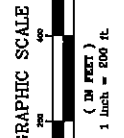
Tax Map: 94, Parcel 1
NFF Heartwood Forestland
Parcel IV Limited Partnership
"McKernan P. Selby Estate"
Deed Ref: SVH 163660
Plat Ref: 685

Tax Map: 94, Parcel 196
NFF Charles C. Filstead III & Anne Kimberly
Deed Ref: FWR 030075

Tax Map 94, Parcel 175
Porter Mill Properties LLC
Deed Ref: 4737210 & 5335136
62.11 Acres

LEGEND

- = Iron Rod with Cap Set
- = Iron Rod with Cap Found
- = Iron Pipe Found
- = Iron Ache Found
- = Concrete Monument Found
- = Stone Found
- = Point
- = Ditch
- = Railroad RW
- = Rural Legacy Easement



Line #	Bearing	Distance
L-1	N73°01'09"W	141.05'
L-2	N49°34'55"W	76.02'
L-3	N54°06'34"W	63.05'
L-4	N69°33'16"W	121.19'
L-5	N52°50'07"W	133.60'
L-6	N39°15'47"W	85.85'
L-7	N59°12'34"W	62.38'
L-8	N13°41'38"E	66.12'
L-9	N65°33'37"W	199.79'

Curve #	Asc Length	Radius	Chord Bearing	Chord Length
C-1	612.04'	1592.00'	N15°34'58"E	607.81'
C-2	499.30'	5765.00'	N1°43'34"E	493.19'

Rural Legacy Easement
Total Area of Parcel: 62.11 Acres
Rural Legacy Easement: 58.62 Acres (Total)
Area #1: 12.55 Acres
Area #2: 46.07 Acres

SURVEYORS CERTIFICATION
I certify that the requirements of Part 1 of the Surveying and Mapping Code of the Annotated Code of Maryland have been met. I have personally supervised the field work and the setting of markers hereon. I have also personally checked the computations and the drawing of this plan and the setting of markers hereon. I have also personally checked the computations and the drawing of this plan and the setting of markers hereon. This plan was prepared under my direct control and supervision.

Chris D. Quirk, #529
License Expires: 4/1/2021

Date: _____

Porter Mill Properties
Map 94, Parcel 175
Total area: 62.11 acres
Easement area: 58.62 acres

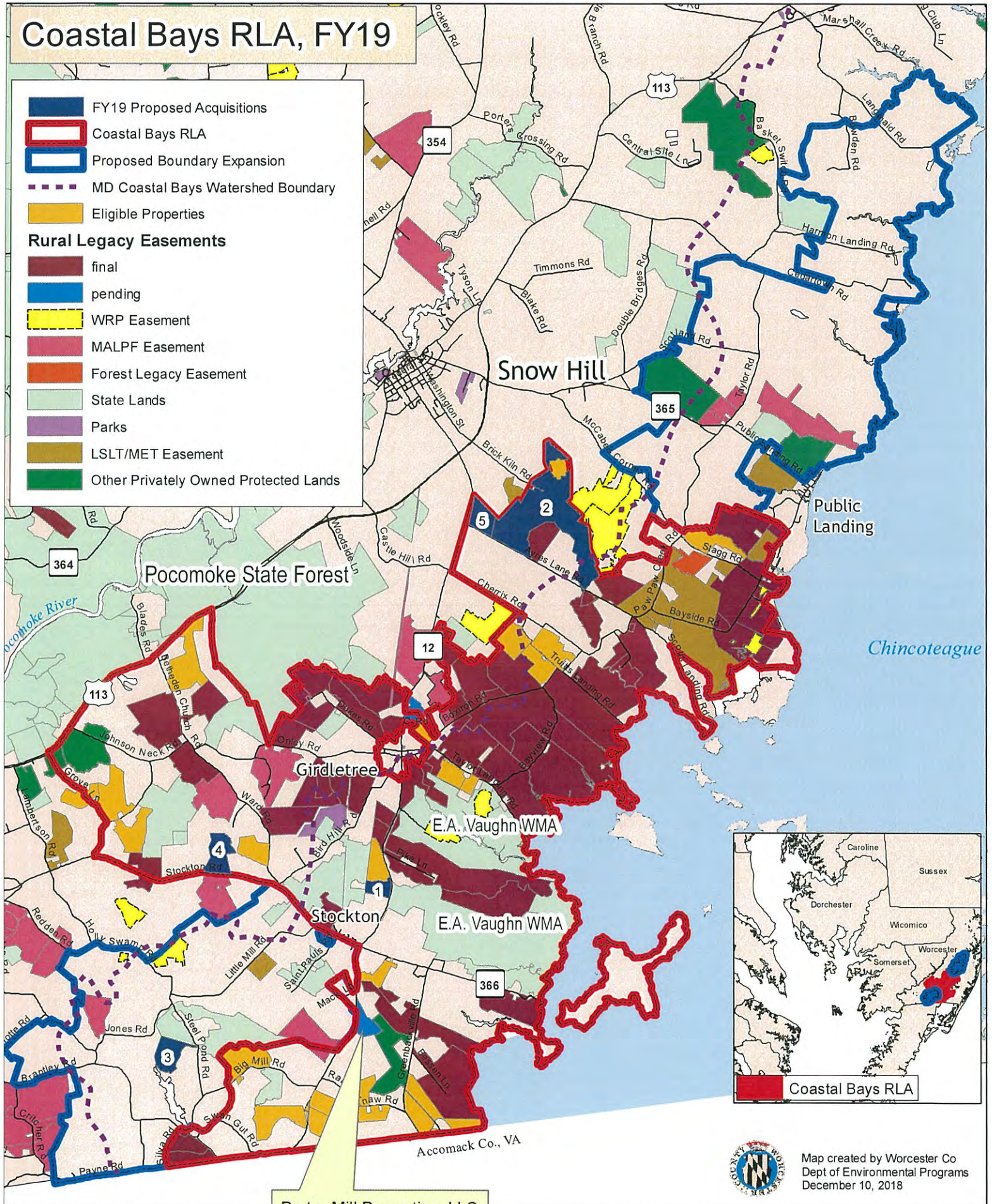


December 11, 2018
Aerial image: March 2016

0 0.03 0.06 0.12 Miles
|-----|-----|-----|-----|

Coastal Bays RLA, FY19

-  FY19 Proposed Acquisitions
-  Coastal Bays RLA
-  Proposed Boundary Expansion
-  MD Coastal Bays Watershed Boundary
-  Eligible Properties
- Rural Legacy Easements**
-  final
-  pending
-  WRP Easement
-  MALPF Easement
-  Forest Legacy Easement
-  State Lands
-  Parks
-  LSLT/MET Easement
-  Other Privately Owned Protected Lands



Porter Mill Properties, LLC



Map created by Worcester Co
 Dept of Environmental Programs
 December 10, 2018


2.5 1.25 0 2.5 Miles



14

Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer
From: Robert J. Mitchell, LEHS 
Director, Environmental Programs
Subject: Request for Design Proposals
Selsey Road Resiliency Project
Date: December 11, 2018

We are writing to request the County Commissioners approval to distribute the attached RFP to interested consultants. The design and permitting of this restoration will give the County a shovel-ready project eligible for construction costs which will be covered in the next round of funding.

As the attached memo from Katherine Munson asserts, the County Commissioners previously entered into a grant agreement with the Maryland Department of Natural Resources (DNR) to fund the design and permitting of this project. While the stabilization and enhancement activities will primarily be done on the private property of an interested landowner, the restoration effort will benefit the entire Cape Isle of Wight community.

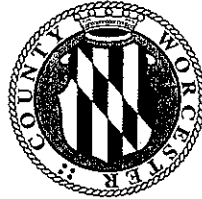
We would respectfully request the County Commissioners authorize us to advertise for this RFP so we may be able to start on this beneficial project. We will have a mandatory pre-bid on January 9, 2019, and proposals are due on January 28, 2019.

Environmental Programs staff will be available for questions on this request.

Attachments

cc: David Bradford
Katherine Munson

Citizens and Government Working Together



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

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

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE COMMISSION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

TO: Robert Mitchell, Director

FROM: Katherine Munson, Planner V *KM*

SUBJECT: Selsey Road Resiliency Project—Request for Design Proposals

DATE: December 6, 2018

Attached please find a bid package for the Selsey Road Resiliency Project.

In September 2018, the county commissioners entered a grant agreement, for \$50,000.00, with MD Department of Natural Resources for funding of the design and permit acquisition for a shoreline stabilization and marsh restoration project using natural features, adjacent to Selsey Road in Cape Isle of Wight community. The goal of the project is to minimize recurrent road and community flooding and flood damage, and to incorporate local dredged material.

Historically about 7.5 acres of privately owned marsh, beach and upland, directly north of the road, provided flood protection. Over the last 20 years this has eroded, leading to more frequent and severe flooding of the road and community during storm events. The project will serve as a demonstration of the use of nature-based systems for protection of infrastructure and beneficial use of dredge material.

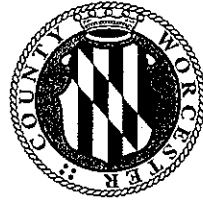
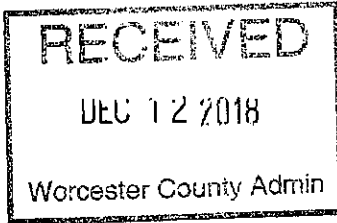
The work will be conducted primarily on private land; the landowner is interested in participating in this restoration project.

Following successful completion of a feasible and permitted design, we will apply for construction funds.

The list of the firms that will be contacted is attached. Proposals will be due January 28 2019.

Please do not hesitate to contact me for any further information.

cc: David Bradford, Deputy Director
Attachments



Worcester County
Department of Environmental Programs

December 18, 2018

RE: Selsey Road Resiliency Project
Worcester County
Project No.: CRP 05-19
REQUEST FOR DESIGN PROPOSAL

To Whom It May Concern:

Worcester County is seeking proposals for provide design engineering services for the above-referenced project. We hope that your firm will submit a price proposal for this work.

It is our goal to design a climate-resilient living shoreline and marsh restoration project to protect residential infrastructure and reduce road flooding. The project is located at the end of Selsey Road on the Isle of Wight Bay as shown on the attached aerial photo. We anticipate hiring a firm that has significant experience in designing successful living shoreline projects and can provide quality work in a timely fashion for a reasonable cost. A copy of the "Scope of Work for Coastal Resiliency Project" is enclosed detailing the requirements of the project including the proposed performance schedule and the proposed project start date.

To help facilitate the preparation of your firm's proposal, a MANDATORY site meeting has been scheduled at the end of Selsey Road on: Wednesday, January 9, 2019 at 10 a.m. (In the event of inclement weather the meeting will be moved to Jan 16, 2019).

Your firm's proposal will be due on January 28, 2019 at 1 p.m. at Worcester County Administration Office (1 West Market St, Suite 1103, Worcester County Government Center, Snow Hill, MD 21863; Attn: Katherine Munson, Project Manager).

Please note that you must provide a statement of qualifications and a Concept Plan, along with the "Proposal for Design Engineering Services" when you submit your proposal. The successful bid will be awarded based on cost, feasibility, firm experience.

Thank you for your cooperation in this matter. If you have any questions or concerns, please contact me by telephone (410.632.1220 ext 1302) or email (kmunson@co.worcester.md.us).

Sincerely,

Katherine Munson (handwritten signature)

Katherine Munson
Planner V

Citizens and Government Working Together

SCOPE OF WORK FOR COASTAL RESILIENCY PROJECT

IDENTIFICATION:

Project Name: SELSEY ROAD RESILIENCY PROJECT- DESIGN

Project Number: CRP 05-19

County: WORCESTER

PURPOSE: To design a coastal practice that replicates and enhances natural features to provide resiliency and long-term protection of Selsey Road, a county-owned and maintained road, and adjacent private properties, served by the road, from tidal flooding damage. The design and eventual construction shall produce a complete, functional and economic coastal resilient living shoreline and marsh restoration type project, having a life expectancy of a minimum of 15 years. The project design shall incorporate scientifically-accepted sea-level rise and storm predictions for Maryland.

DESCRIPTION:

Duties & Responsibilities: Design of the project, attainment of all necessary permits and approvals, and preparation of Project Drawings and Specifications and related bid documents.

Supervision and Acceptance of Work: The work shall be accomplished under contract with the County Commissioners of Worcester County and the supervision of Worcester County Department of Environmental Programs, or their assigns. The work shall be complete in all its parts and ready for use in the time specified and in strict accordance with the terms and conditions of the Contract. Any deviation shall be subject to approval of Worcester County Department of Environmental Programs and Maryland Department of Natural Resources.

Project Funding and Sponsorship: This project is being funded by the Maryland Department of Natural Resources, Coastal Resiliency Program (CRP).

Location: Tidal marsh, beach and open water of the Isle of Wight Bay, adjacent to Selsey Road, Cape Isle of Wight/West Ocean City, Worcester County, Maryland (approximately 38o21'32.3454" N, -75. The work will be primarily conducted on private land adjacent to the road: Map 21, Parcel 28.

Suggested Project Type: A nature-based, climate-resilient project that incorporates living shorelines, beach and tidal marsh restoration to provide enhanced protection for Selsey Road and adjacent community. The design will incorporate local sandy dredged material to demonstrate cost-savings by integrating local dredged material into restoration efforts. The successful bidder will provide a concept plan that incorporates climate resiliency and habitat enhancement while providing stability to the shoreline which maximizes environmental benefits.

Estimated Construction Cost: \$600,000 - \$ 1,000,000 (*subject to budget approvals*)

Ranking Criteria: The successful bid will be awarded based on ranking criteria - Cost (50%), Innovation (20%), Feasibility (20%) and Experience (10%). This Ranking Criteria shall be used in evaluating the proposals and shall be the basis for the Award of the Contract.

Timing: All work associated with this phase of the project shall be completed by July 31, 2020.

PROJECT SPECIFICS and CONSIDERATIONS:

The conditions below may be modified as part of the contract for the purpose of providing a complete and functional project.

1. An investigation of opportunities to identify and treat stormwater runoff at the site is recommended for this project.
2. Topography and bathymetry survey have been completed for this project. However, it is the responsibility of the Design Firm to verify the accuracy of those surveys.
3. Standard soil borings, as necessary, will be required channelward of the mean high water.
4. The Design Firm's evaluation of the existing project site should include consideration of, but not be limited to, the following factors: fetch, seasonal wind patterns, wave climate, tidal range, storms frequency, storm tides and surges, near-shore and off-shore depths, sea level rise predictions for the area, erosion history and patterns, natural shoreline profiles, and access.
5. The shoreline should be largely vegetated with the appropriate species of native vegetation.
6. The dredged sand for this project shall conform to the following minimum specification:

Sand material shall contain less than 10% passing the number 100 sieve, not more than 10% by weight retained on a number 4 sieve, with no stone having a diameter greater than one-half inch. The material shall consist of rounded or semi-rounded grains with a median diameter of 0.6 mm (+/- 0.25 mm). No frozen material, trash, roots or other organic material will be permitted in the fill.
7. The Design Firm shall determine the finished grade elevations and appropriate slope for the sand fill placement. In general, sand fill should be placed on a gentle slope, such as a 10-ft. horizontal to 1-ft. vertical slope (10:1), and no slope shall be steeper than an 8-ft. horizontal to 1-ft. vertical (8:1) unless otherwise the Firm could provide sound reasoning to the project partners.
8. The Design Firm shall investigate the project area for construction access, staging and stockpile areas, which will minimize the need for disturbance of existing vegetation and other improvements.
9. The Design Firm shall provide "Key Project Data" from the plan on the first (Title) page (i.e.: sq. ft. of marsh created, area of disturbance, etc).
10. The Design Firm shall also provide details on their plans as to how they have incorporated Climate Resiliency within the proposed project. The project design shall incorporate scientifically-accepted sea-level rise and storm predictions for Maryland

11. The Design Firm shall provide an overlay of the most recent SAV's map on the design plan (*if SAVs are present in the project area*)
12. Property lines, right-of-ways, easements and community boundaries shall be shown on the Project Drawings for orientation only. A complete property line survey is not required.
13. The Design Firm shall coordinate all phases of this project with the Worcester County Department of Environmental Programs and the project partners.
14. Prior to submitting the Joint Federal/State Permit Application, a pre-application meeting shall be held on-site with the MDE Tidal Wetlands Division Agent, US Army Corps of Engineers, MD Department of Natural Resources, State Critical Area Commission, and Worcester County Department of Environmental Programs to discuss the proposed project.
15. Community feedback on a preliminary design shall be obtained through a community meeting convened by Worcester County Department of Environmental Programs. Community feedback will be integrated into the project design as deemed reasonable and possible.
16. The Design Firm shall provide the necessary design computations for the proposed project and a detailed construction cost estimate, which quantitatively breaks-out labor and material costs for the individual items of work being proposed.
17. All other conditions that may become evident during the course of the work shall also be considered. Any proposed changes to the overall intent of the project shall be discussed with the project partners.

Guidelines for Project Drawings and Specifications

For living shoreline projects, it is required that a topographic survey in sufficient detail be conducted so that cross sections of the shoreline can be plotted at approximately 50 foot intervals. The survey notes will be plotted and project Drawings developed to include:

- a) The location of all surveyed elevations in feet relative to 0' Mean Low Water (MLW). The Mean High Water (MHW) line will be shown on the Drawings. The survey will locate any property lines within 50 feet of the site.
- b) The proposed work shall be drawn to scale and shown in the plan view labeled to show: limit of contract; top and bottom of existing bank; existing vegetated areas; area to be vegetated; limit of planting; area of contractor's access; area for stockpiling fill, timber and brush; offshore bottom contours; areas of cut and fill; and location of any proposed fill containment measures, other protective devices, and sediment control practices.
- c) The Drawings (2' x 3' standard size sheets) shall also include the following information: the mean tidal range in feet; the method used to establish horizontal control; the method used to establish vertical control; and the date on which topographic and hydrographic information was collected.
- d) Cross sectional views and profiles, drawn to scale (same scale horizontally and vertically), of any proposed fill containment measures, other protective devices, and sediment control practices.
- e) Typical shoreline cross sections, drawn to scale (same scale horizontally and vertically), showing existing ground and shoreline; limit of fill and grading; limits of proposed marsh plantings; limits of tree clearing and pruning; reseeding and/or stabilization of disturbed areas; any sediment control and stormwater management practices; and the limit of contract.

ENDORSEMENTS: Approvals and concurrence must be obtained from the following entities:

U.S. Army Corps of Engineers	X
MDE Tidal Wetlands Division	X
MDE Non-Tidal Wetlands Division	
MDE-Water Quality Certification	X
MDE-Sediment & Stormwater Admin.	X
State Critical Area Comm. Approval	X
Maryland Historical Trust	
DNR-Shoreline Conservation Service	X
DNR-Heritage Service	
DOT-Maryland Port Administration	
Soil Conservation District	X
County Permit (s)	X
Local Critical Area Certification	
City/Town Permit Division	
Community Association	
Project Property Owners	X
Adjacent Property Owner (s)	X
Other: Selsey Road Community	X

LOCATION MAP



**ISLE OF WIGHT BAY
WORCESTER COUNTY
MARYLAND**

GENERAL WORK SCHEDULE

The following items of work shall be accomplished within the assigned time periods. Based on this general timeframe, a formal work plan and schedule showing exact dates for completing work items will be developed for the project by the Design Firm.

This schedule will be subject to the approval of the Worcester County Department of Environmental Programs

- | | | |
|----|---|---------------|
| 1. | Design Contract issued | February 2019 |
| 2. | Verify survey, perform geotechnical work, prepare preliminary plans and specs; hold Pre-App meeting, hold preliminary community meeting | April 2019 |
| 3. | Submit for State license, Federal permit and Shoreline Approvals /Critical Areas Buffer Management Plan | June 2019 |
| 4. | Obtain State and Federal permits | June 2020 |
| 5. | Submit for Local permits and approvals | June 2020 |
| 6. | Obtain Local permits and approvals | July 2020 |

**BID FORM
PROPOSAL FOR DESIGN ENGINEERING SERVICES**

DATE: _____, 201__

RE: NAME: Selsey Road Resiliency Project

COUNTY: Worcester

PROJECT NO: CRP 05-19

Worcester County Department of Environmental Programs
Attn: Katherine Munson, Project Manager
1 West Market St, Suite 1306,
Worcester County Government Center,
Snow Hill, MD 21863;

Dear Ms. Munson:

We hereby submit our **Design Engineering Services** proposal for the following:

Proposed **CLIMATE RESILIENCY PROJECT at Selsey Road, Worcester County, Maryland**, along approximately 900 linear feet (L.F.) of shoreline, involving the construction of a living shoreline type project.

In accordance with your written request, we are pleased to submit a proposal in connection with the design of the necessary climate resiliency project for the above-referenced property.

Based on an inspection of the project site, having carefully reviewed the Scope of Work together with the General Work Schedule, and other supporting documents, and having received clarification on any conflicting item, it is proposed to provide the required design/build services for the stipulated sum of...

BID MUST BE SIGNED TO BE VALID

DESIGN/BUILD LUMP SUM FEE

_____ DOLLARS (\$ _____)
(Words) (Numbers)

(Sign for Identification)

Printed Name

Other conditions of this Proposal are as follows:

1. This Proposal does not include construction stakeout.
2. Formal progress reports will be made to Worcester County Department of Environmental Programs on a monthly basis up to the Final Submittal.
3. The Design Firm will be required to provide a formal presentation to the Worcester County Department of Environmental Programs and the adjacent Community on the proposed preliminary plans, specifications and permits application submittal, as well as submitting for local, state and federal permits.
4. Performance bond is required.

It is understood that the bid price will be firm for a time period of ninety (90) calendar days from the bid opening date and that if the undersigned is notified of the acceptance of this proposal within this time period, he/she agrees to execute a contract for the above stated compensation and supply all required documents within ten (10) calendar days of notification, and to guarantee the completion of this work in _____ calendar days.

Professional Engineer's License Number

Date Issued

Place of Issuance

Construction Firm License Number

Date Issued

Place of Issuance

Identification: (Enter Applicable Number)

Federal Employer Identification Number: _____

or if not an employer, Social Security Number: _____

Contract Representative: (List individual with authority to act for firm)

Name: _____ Telephone No. () _____

Address: _____

(Sign for Identification)

Printed Name



Key Personnel: (List two individuals essential to the design/build services)

1. _____
2. _____
3. _____
4. _____

INDIVIDUAL PRINCIPAL

NAME: _____

FIRM: _____

SIGNED: _____

In Presence of Witness:

ADDRESS: _____

TELEPHONE: _____

CO-PARTNERSHIP PRINCIPAL (as necessary)

NAME: _____

FIRM: _____

SIGNED: _____

In Presence of Witness:

ADDRESS: _____

TELEPHONE: _____

BIDDERS LIST

Bayland Consultants & Designers, Inc.

7455 New Ridge Road, Suite T
Hanover, MD 21076
bayland@baylandinc.com

Biohabitats, Inc.

2081 Clipper Park Road
Baltimore, MD 21211
emorgereth@biohabitats.com

Coastline Design, PC

P.O. Box 157
Achilles, VA 23001
scott@coastlinedesignpc.com

Davis, Bowen and Friedel, Inc.

601 E. Main Street #100
Salisbury, Md. 21804
info@dbfinc.com

Environmental Systems Analysis, Inc.

2141 Priest Bridge Drive, Suite 1
Crofton, MD 21114
lwood@esatoday.com

George, Miles and Buhr, LLC

206 W. Main Street
Salisbury, Md. 21804
410-742-3115
Salisbury@gmbnet.com

J. Stacey Hart, P.E.

P.O. Box 6
Snow Hill, Md. 21863
410-390-8096
(410) 430-4169 cell
stacey@jstaceyhart.com

J.W. Salm Engineering, Inc

9842 Main Street, Ste. 3
Berlin, Md. 21811
(410) 641-0126
jsalm@jwse.com

Shoreline Design, LLC

637 Shore Drive
Edgewater, MD 21037
shoredesign@verizon.net

Sustainable Science, LLC

410 S. 2nd Street
Denton, MD 21629
albert@sustainable-science.com

Underwood and Associates

901-A Commerce Road
Annapolis, MD 21401
chris@ecosystemrestoration.com

Unity Landscape Design/Build, Inc.

3621 Church Hill Rd.
Church Hill, MD 21623
michael@unitylandscape.com

Vista Design, Inc

11634 Worcester Highway
Showell, Md. 21862
410-352-5604
sengel@vistadesigninc.com



15



Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer
From: Robert J. Mitchell, LEHS *RM*
Director, Environmental Programs
Subject: **Consultant Award Recommendation**
Master Water and Sewerage Plan
Date: December 11, 2018

At their meeting on October 2, 2018, the Worcester County Commissioners approved the release of a Request for Proposals (RFP) for the above referenced project. Within that request was a due date for proposals of November 19, 2018. The due date was revised to November 26, 2018 by the issuance of Addendum #1 to the RFP distribution list. Worcester County received three (3) proposals from consulting firms that were opened by Kelly Shannahan on that date and were turned over to Environmental Programs for a detailed review. The proposal price, estimated hours, and proposal evaluation scores are summarized below:

FIRM	PROPOSAL PRICE	TOTAL HOURS	EVALUATION SCORE
Davis, Bowen & Friedel, Inc.	\$124,095.40	1,331	90
George, Miles & Buhr, LLC	\$175,210.00	1,790	83
J. W. Salm Engineering, Inc.	\$119,644.91	1,265	52

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- 5
- 42
- 68
- 90

In accordance with the RFP, an initial review was done and assembled for the required proposal responses that were to be included in the offers submitted by the interested consultants. This information was shared with the members of the Water and Sewer Committee for feedback. Within the RFP schedule, a County review committee was tasked to conduct consultant interviews and those meetings were to be held the week of December 10th. Each of the three

responding firms were interviewed by staff on Monday, December 10, 2018. I participated in these interviews along with Kelly Shannahan, John Tustin, and John Ross. Our review committee examined the proposals thoroughly and questioned each firm on the evaluation criteria listed in the RFP. The firms were queried on specifics regarding experience, project teams, schedule, ongoing work that could impact this contract, and their proposal price to deliver this plan. After the interviews were concluded, the review committee scored the proposals according to the criteria weighting in the RFP and that matrix is included as an attachment to this memorandum.

While we did receive outstanding proposals that were accompanied by compelling interviews, Davis, Bowen and Friedel (DBF) received the highest score from the reviewing committee. Our committee unanimously agreed that DBF offers the County the background, capability, and project team experience to complete this work scope in the timeframe specified in the RFP. We would respectfully recommend that the County Commissioners award this contract to DBF.

As always, if you have any questions or require additional information, please do not hesitate to contact me. Our review committee will be available for any questions the Commissioners may have regarding our award recommendation.

Attachment

cc: Kelly Shannahan
John Tustin
John Ross

Competitive Bid Worksheet

Item: Proposals for Water and Sewerage Plan Update

Bid Deadline/Opening Date: 1:00 P.M., Monday, November 26, 2018

Bids Received by deadline = 3

<u>Vendor's Submitting Bids</u>	<u>Total Lump Sum Cost</u>	<u>Estimated Hours</u>
Davis, Bowen & Friedel, Inc. 601 East Main Street Salisbury, MD 21804	<u>124,095.40</u>	<u>1,331</u>
J.W. Salm Engineering, Inc. P.O. Box 397 Berlin, MD 21811	<u>119,644.91</u>	<u>1,265</u>
George, Miles & Buhr, LLC 206 West Main Street Salisbury, MD 21801	<u>175,210</u>	<u>1,790</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Rating Factor	Weight	Score		
		GMB	Salm	DBF
	Score	Score	Score	Score
Demonstrated ability to provide required services	15	15	10	15
Consultant's team and ability to complete the project	35	25	20	30
Past experiences with Water and Sewerage Plans in MD Counties	30	25	15	25
Current workload and ability to complete the work in timely manner	10	10	5	10
Responsiveness of consultant to formal instructions in Sections 9 and 10	10	8	2	10
	100	83	52	90

- 11.1 Scope and quality of services provided and the demonstrated ability of the Consultant to provide all services identified in this RFP. This includes the Consultant's ability to accurately produce Plan documents in accordance with State and County requirements. (15 points)
- 11.2 Demonstration of the Consultant's ability to successfully complete the project and deliver a Plan acceptable to the County and State approval bodies as reflected in projects of a similar nature to the requirements identified in this RFP. This includes professional staff credentials (i.e. planner/environmental planner on staff) and division of project responsibilities (35 points)
- 11.3 Past experience updating water and sewerage plans for other Maryland counties. (30 points)
- 11.4 Consultant's current total workload and capacity to complete the work in a timely manner. (10 points)
- 11.5 The responsiveness of the firm to the submittal format instructions contained in Section 9 (RFP Process) and Section 10 (Proposal Content). This also includes submission of the correct number of copies of the proposal; Signature Sheet; Cost Proposal, and acknowledgement of addendums, as may be applicable. (10 points)



WORCESTER COUNTY WATER AND SEWERAGE PLAN UPDATE

Worcester County, Maryland

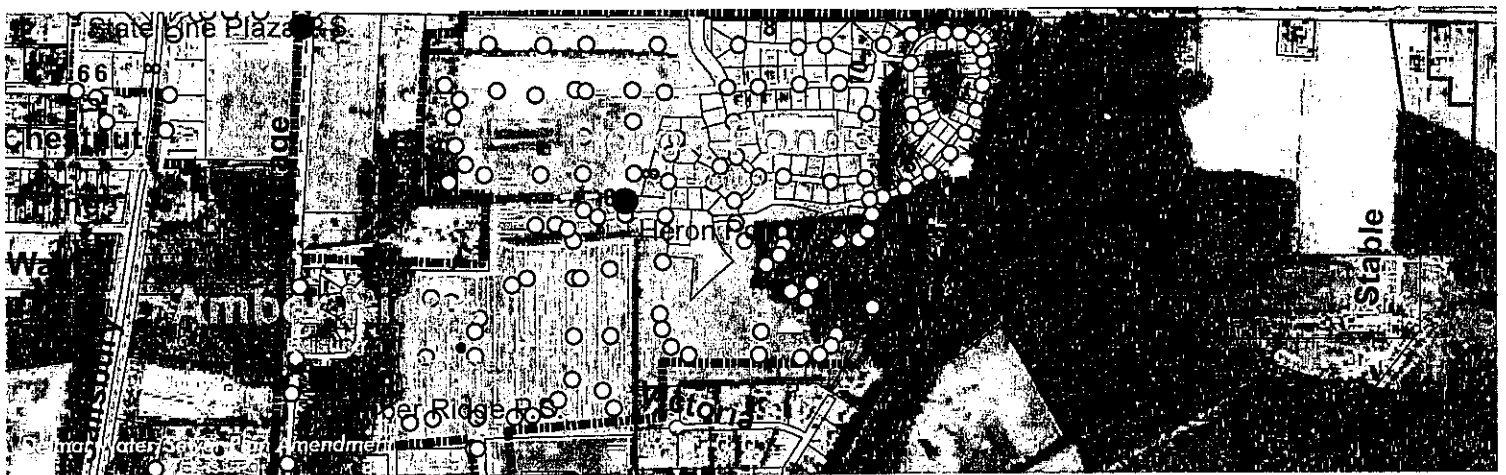


Office of the County Commissioners, Room 1103
Worcester County Government Center
One West Market Street
Snow Hill, Maryland 21863

dbf DAVIS BOWEN & FRIEDEL, INC. ⁵
ARCHITECTS • ENGINEERS • SURVEYORS

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November 26, 2018

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

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.

ATTN: Robert Mitchell
Director of Environmental Programs

RE: Proposal for Worcester County Water and Sewerage Plan Update
DBF #P0085D18.005

Dear Mr. Mitchell:

Davis, Bowen & Friedel, Inc. (DBF), is pleased to present this response to your request for proposals for Worcester Counties Water and Sewerage Plan Update. Enclosed please find one original and four copies of our qualifications package.

During the course of our firm's thirty-five years of providing engineering, planning, architecture and surveying services on the Eastern Shore, DBF has cultivated a solid Municipal engineering reputation throughout the region. Within the past fiscal year alone, we have performed services for forty cities, towns, and counties on Delmarva. These services have included planning services for Berlin, Snow Hill, Sharptown, Secretary, Princess Anne, Hurlock, Fruitland, Delmar, Chestertown, and Frostburg. We have also worked with the Worcester County Public Works Department to provide engineering services for Water and Wastewater throughout Worcester County further strengthening our understanding of the scope of this project.

We have assembled a project team with members who not only have significant experience with providing a full range of engineering and planning services, but who specifically have experience successfully completing projects for municipalities on the Eastern Shore, including towns in Worcester County. We have teamed with Jakubiak Town + City to reinforce our planning expertise throughout the state of Maryland. With the skills and knowledge of our project team as a whole, we are uniquely qualified to provide Worcester County with exceptional and timely professional engineering services required for this project.

Should you have any questions, comments, concerns, or if you would like to discuss our proposal further, please call at your convenience. On behalf of DBF, we appreciate the opportunity to continue to provide professional services to Worcester County as our firm continually strives to *improve our communities, shape the world around us, and Create Value by Design.*

Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.

Joshua J. Taylor, P.E.
Project Manager / Senior Municipal Engineer

Enclosures

**Request for Proposals
Worcester County Water and Sewerage Plan Update**

Signature Sheet

My signature certifies that the proposal as submitted complies with all Terms and Conditions set forth in this RFP.

My signature also certifies that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with another person or company engaged in the same line of business or commerce.

My signature also certifies that this Consultant has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest to the County, and that there are no principals, officers, agents, employees, or representatives of this Consultant that have any business or personal relationships with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to the County, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the County.

PROPOSAL MUST BE SIGNED TO BE VALID

I hereby certify that I am authorized to sign as a Representative for the Consultant:

Date: Nov. 26, 2018

Signature: _____

Typed Name: Jason P. Loar, P.E.

Title: Principal Civil Engineer

Firm: Davis, Bowen & Friedel, Inc.

Address: 601 E. Main Street, Suite 100

Salisbury, Maryland 21804

Phone: 410-543-9091

FIRM PROFILE

Davis, Bowen & Friedel, Inc. (DBF) has been improving our communities, shaping the world around us, and creating value by design since 1983. Our broad range of services in the Architecture, Engineering, Planning, and Surveying disciplines provides clients throughout the Delmarva Peninsula and Mid-Atlantic region with comprehensive industry expertise under one roof. The firm creates a specialized team approach for every project, meeting the needs of our clients with a staff approaching 100 uniquely qualified professionals in our Milford, DE; Easton and Salisbury, MD offices.

With a strong commitment to improving the quality of life in our communities, DBF's projects range in size and type from designing whole neighborhoods, providing on-call services for entire towns, and restoring ecosystems to sketching ideas for a new home, creating a state-of-the-art medical facility, or designing public safety and transportation-related structures and infrastructure.

"Contributing to quality of life in our communities is important to us; DBF is committed to that goal and it is rewarding to see the positive impact we have had."

Jason P. Loar, P.E. - Principal

The dedication DBF provides is evidenced by our long standing clients - municipalities, businesses, institutions - who have entrusted DBF for over 35 years to provide high quality design documents with a commitment to making our communities better places to live. This commitment begins with a thorough understanding of our clients' needs, wishes, and concerns. From project inception through construction we are committed to providing you with quality professional consulting services.

ORGANIZATION'S NAME

Davis, Bowen & Friedel, Inc. (DBF)

OFFICE ADDRESS

601 East Main Street, Suite 100
Salisbury, Maryland 21804

PHONE

410.543.9091 PHONE

CONTACT NAME & TITLE

Jason P. Loar, P.E.
Principal-in-Charge

CONTACT EMAIL ADDRESS

jpl@dbfinc.com

WEBSITE

www.dbfinc.com

**Improving our communities.
Shaping the world around us.
Creating value by design.**



IN-HOUSE SERVICES

ARCHITECTURAL SERVICES

- Feasibility Studies
- Renovations & Additions
- New Facility Design
- Construction Phase Services
- Land Planning
- Programing
- Sustainable Design

CIVIL/ON-CALL SERVICES

- Development & Stormwater Management
- Plan Reviews
- Utility & Construction Standards
- Annexation Reviews
- Assistance on Water, Wastewater, & Stormwater Issues
- Studies and/or Designs
- Development and/or Review of Public Works & Developer Agreements
- Improvements of Public Areas & Streets
- Architectural & Structural Plan Reviews
- Town Hall Programming
- Plan Reviews Associated with Issuing Building Permits
- Code Review, Recommendations, and/or Revisions
- Zoning Code Plan Review Comments
- Structural Evaluation & Inspection
- Surveying Services
- Construction Phase/RPR Inspection Services
- Planning Services
- Funding Assistance

BRIDGES & STRUCTURES

- Structural Evaluations
- Surveying
- Structural Design
- Hydraulic Analysis
- Culvert Design
- Construction Phase Services

ROADS & PAVEMENTS

- Surveying
- Traffic Impact & Signalization Studies
- Layout & Reconstruction Design
- Storm Drain Management & Design
- Erosion & Sediment Control Plans
- Landscape Architecture
- Construction Inspection

SURVEYING SERVICES

- Boundary Surveys
- Topographic Surveys
- Bathymetric Surveys
- Construction Stakeout
- Corridor/Route/Highway Surveys
- Surveys for Traffic Signalization
- Utility Surveys & Aerial mapping
- Archaeological easements
- Annexation
- Condemnation Surveys
- Wetland Mapping

WASTEWATER COLLECTION, TREATMENT & DISPOSAL

- *Wastewater Treatment Facilities*
 - Feasibility & User Rate Studies
 - Pretreatment Coordination
 - Public Hearings & Presentations
 - Permit Assistance
 - Consent Order Negotiations
 - Treatment Plant Design
 - Construction Administration & Inspection
 - Operator Training/ Assistance
 - O&M Manual Preparation
- *Sewer Collection Systems*
 - Sewer System Evaluations
 - Infiltration/Inflow Studies
 - User Rate Studies
 - Ordinance & Standard Preparation
 - New System Designs
 - Collection Replacement Design
 - Pump Station Rehabilitation
 - Regulatory Assistance
 - Construction Administration & Inspection

WATER SUPPLY, TREATMENT, STORAGE, & TRANSMISSION

- *Water Distribution Systems*
 - System Analysis
 - Computer Modeling
 - Fire Flow Studies
 - Rate Analyses
 - Water Main Design
 - Rehabilitation Design
 - Construction Administration & Inspection
- *Water Supply and Treatment*
 - Hydrogeologic Studies & Test Well Programs
 - Well & Treatment Design
 - Construction Administration & Inspection
 - Plant Start-up & Training Services
 - Operations & Maintenance (O&M) Manual Preparation
- *Elevated Tanks*
 - Inspection Coordination
 - Tank Rehabilitation & Painting Design
 - New Tank & Foundation Design
 - Construction Administration
 - Construction Inspection & Coordination with Weld & Paint Inspectors

FINANCIAL SERVICES

- Grant/Loan Funding Application Preparation
- Grant Management
- Financing Options Review
- Financial Data Compilation

HYDROLOGY, HYDRAULICS & WATER QUALITY MODELING

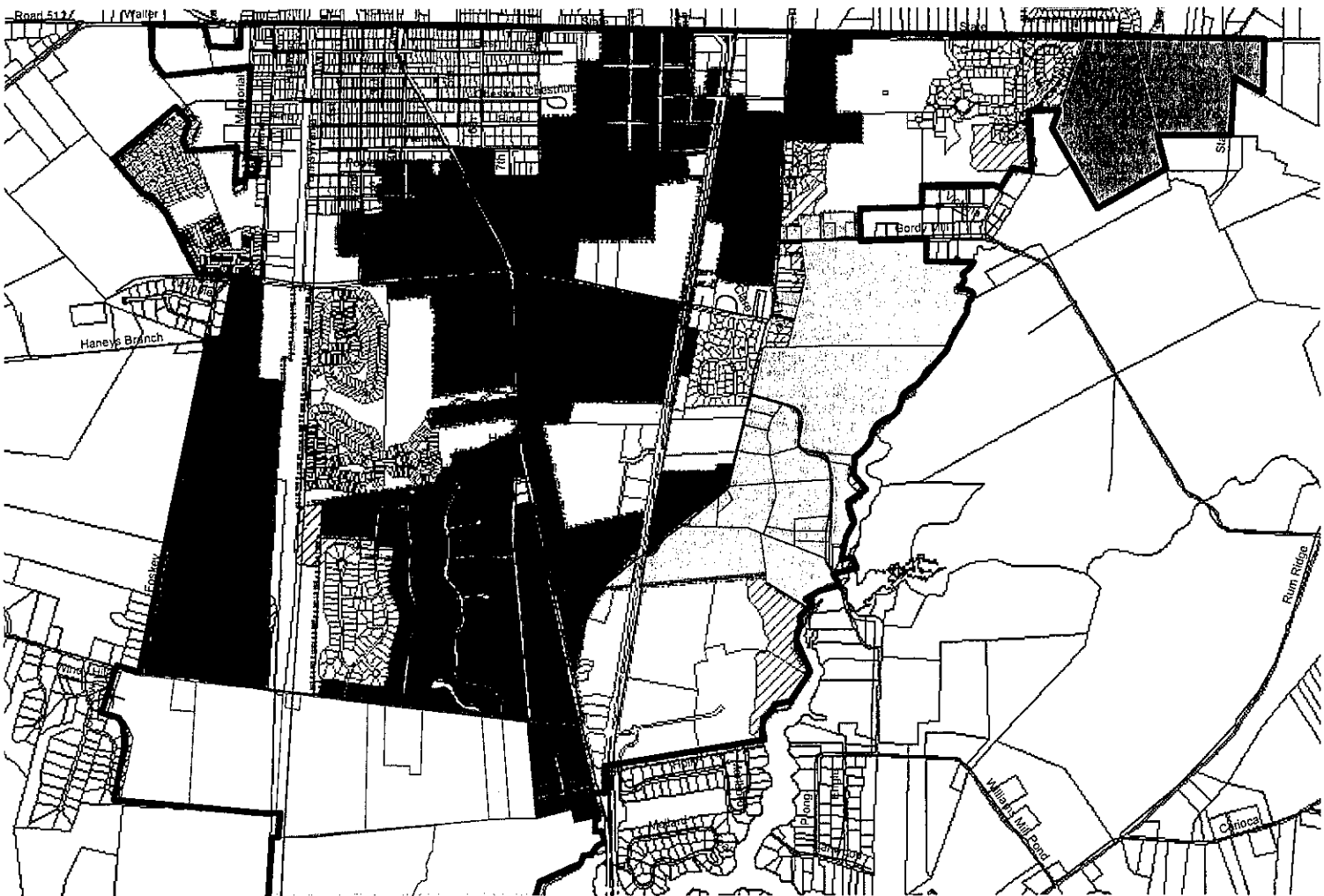
- Ecosystem Investigations
- Wetlands
- Drainage
- Stormwater & Sedimentation Management
- Hydrologic Modeling
- Hydraulics, Coastal, Scour & Water Quality Modeling



MUNICIPAL PLANNING SERVICES

While we offer a wide range of in-house services, the below are specific to municipal planning providing us with an in depth understanding of Worcester Counties needs for this particular project.

- Municipal Comprehensive Plan Assistance
- Municipal Water and Sewerage Plan Assistance
- Feasibility Studies
- Land Planning
- Development and/or Review of Public Works & Developer Agreements
- Code Review, Recommendations, and/or Revisions
- Zoning Code Plan Review Comments
- Traffic Impact & Signalization Studies
- User Rate Studies
- Water System Analysis
- Water System Computer Modeling
- Fire Flow Studies



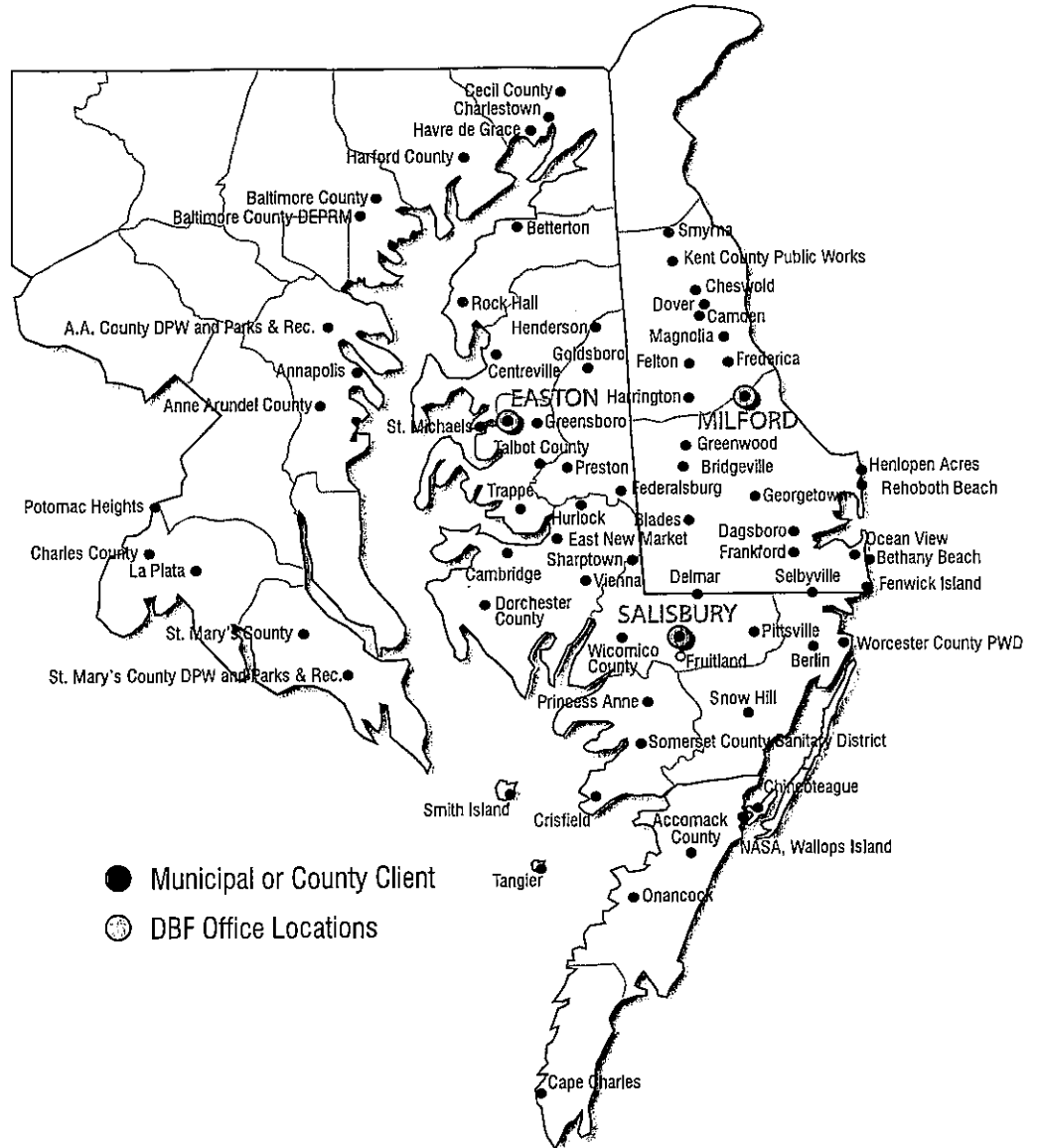
MUNICIPAL EXPERIENCE

DBF offers high-quality professional services for a wide variety of project types and sizes, including water and wastewater planning. We have an excellent reputation for providing quality service to municipal governments and offer regular assistance to more than 40 municipal and government clients on the Delmarva Peninsula and Western Shore. Our wastewater/water, civil, site, traffic, marine and structural engineers, wastewater/water operators, architects, landscape architects, designers, surveyors, and construction inspectors actively provide on-call engineering services to local governments. With three offices conveniently located in Easton and Salisbury, MD, and Milford, DE, we are able to respond to your needs quickly and effectively.

Our experience includes a wide range of new and upgraded wastewater and water infrastructure projects:

- Water/Wastewater Planning Services
- Water/Wastewater Feasibility Studies
- Wastewater Treatment Facilities
- Test Well Programs
- Groundwater Wells
- Water Treatment Facilities
- Elevated Storage Tanks
- Water Distribution Lines
- Sanitary Sewer Collection Systems
- Sewer Pump Stations
- Various Effluent Disposal Methods
- Process Controls
- Supervisory Control and Data Acquisition (SCADA) Systems
- Performance Testing
- Permitting
- Wastewater/Water Operational Assistance

Engineering Services for
40+ MUNICIPALITIES
per year



Our wastewater/water services range from planning stages through preliminary engineering, funding acquisitions, design, permitting, bidding, construction services and on-going operational assistance utilizing our licensed on-staff operator.



MARYLAND MUNICIPALITY/COUNTY EXPERIENCE

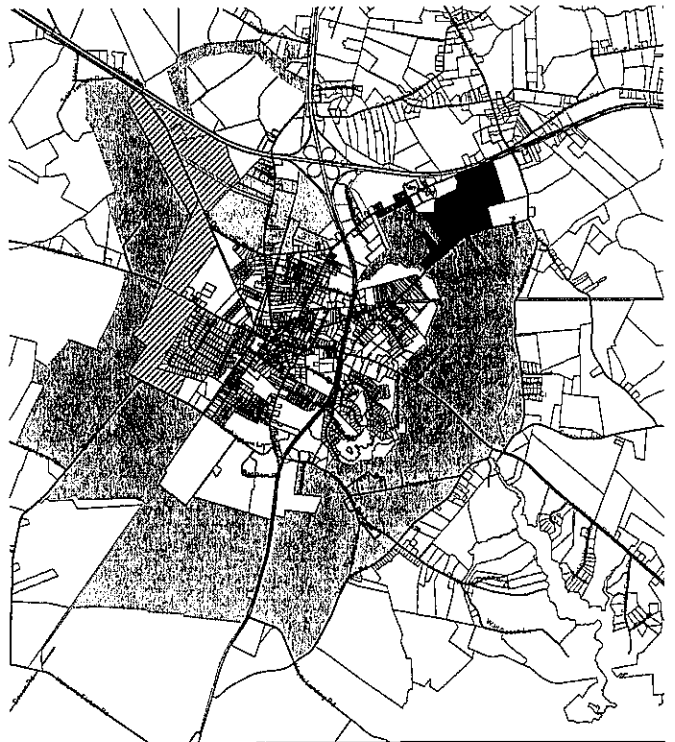
	Previous On-Call Engineering and/or Architecture	Drainage Systems Evaluations & Design	Stormwater Management	Flood Studies	Roadway or Parking Lot Designs	Traffic Engineering	Bridge Analysis, Rehabilitation & Design	Erosion and Sediment Control Plans	Structural Evaluations & Design	Water & Wastewater Treatment Facilities Design	Municipal Potable Water Well Design & Assessment	Water Collection System Analysis & Design	Water Distribution System Analysis & Design	Geographic Information System	Planning	SWM Review for Code	Town Hall, Safety & Public Buildings	Funding Assistance	Inspection	Contract Administration	Shoreline & Marine Engineering	Dam Inspection	Building Evaluations	Renewable Energy
Anne Arundel County, MD	■	■	■	■	■	□	■													■	■			
Berlin, MD	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■		■	
Betterton, MD	■	■	■				■	■	■	■*	■*							■						
Cambridge, MD	■											■	■	■										
Charles County, MD			■				■	■	■	■														
Crisfield, MD	■	■	■	■	■		■	■	■	■	■	■	■	■				■	■	■	■			■
Delmar, MD/DE	■	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■			■
Dorchester County, MD																								
Easton, MD	■	■	■	■	■	■	■					■	■	■				■	■	■				
Federsburg, MD	■	■	■		■	■	■	■	■	■	■	■					■	■	■	■				
Fruitland, MD												■	■				■							
Goldsboro, MD	■																							
Greensboro, MD	■	■					■	■*	■	■*	■*			■										
Harford County, MD	■	■	■				■																	
Hurlock, MD	■	■	■	■	■		■	■	■	■	■	■	■	■			■	■	■	■	■			
LaPlato, MD	■				■			■	■	■														
Pittsville, MD	■							■	■	■*	■*							■	■	■				
Potomac Height Mutual, MD	■	■	■	■	■		■	■	■	■	■	■								■				
Preston, MD					■		■	■	■	■	■													
Princess Anne, MD		■	■		■					■	■	■	■											
Rock Hall, MD										■														
St. Mary's County, MD	■	■	■	■	■		■	■																
St. Michaels, MD	■	■			■		■	■	■					■				■	■	■	■	■		■
Salisbury, MD	■	■	■	■	■	□	■	■	■	■	■	■					■	■	■	■				
Sharptown, MD	■		■				■	■	■	■	■	■	■	■						■	■	■		
Rhodes Point, Smith Island, MD										■	■									■	■	■		
Snow Hill, MD	■	■	■		■	■	■	■	■	■	■	■	■	■			■	■	■	■	■			■
Somerset County, MD	■	□	□		■	□	■	■	■	■	■	■	■	■			■	■	■	■	■	■		
Sudlersville, MD								□*	□*	□*	□*													
Talbot County, MD																					■		■	■
Trappe, MD	■	■*	■		■		■	■	■	■	■	■	■	■		■								
Vienna, MD	■	■					■	■	■	■	■	■	■	■			■	■	■	■				
Wicomico County, MD		■	■	□	□	□*	■	□	■		□	□	■							□	□	■	■	□
Worcester County, MD		□	□	□	□	□			■	□		■									■			

- Indicates work completed/work in progress
- Indicates work completed for private client within jurisdiction
- * Study only

PLANNING EXPERIENCE

Davis, Bowen & Friedel, Inc. (DBF) has completed comprehensive plans for the following communities. Plan project the vision of the community and meet the requirements of Article 66B:

Municipality	Comprehensive Planning	Zoning Ordinance	Municipal Ordinance	Public Participation	Mapping Services	Infrastructure	Water Resources Element
Maryland:							
Aberdeen							
Berlin	■	■	■	■	■	■	■
Chestertown			■				
Delmar	■	■	■	■	■	■	■
Frostburg	■						
Fruitland	■	■			■		
Hurlock	■	■				■	
Preston							■
Princess Anne	■				■		■
Secretary	■						
Sharptown	■		■		■	■	■
Snow Hill	■		■	■	■	■	■
Delaware:							
Bethany Beach							■
Bridgeville	■	■	■				■
Camden	■	■	■				■
Cheswold	■	■	■	■	■	■	■
Dover					■		
Felton	■	■					■
Georgetown			■		■	■	■
Greenwood	■				■		■
Harrington	■						
Lewes						■	■
Milford	■				■		■
Ocean View							■
Selbyville			■				■
Smyrna					■		■
Virginia:							
Accomack-Northampton							
Planning District							
Commission (A-NPDC)	■						
Eastern Shore Soil & Water							
Conservation District	■						



Map 5
Town of Berlin, Maryland
Growth Areas and Urban Growth Boundary
Draft

Legend
 Potential Development Area
 Growth Area 1
 Growth Area 2
 Growth Area 3
 Growth Area 4
 In Town
 Permanent Boundary District

www.dbfinc.com



APPROACH/WORK PLAN

The Approach that Davis, Bowen & Friedel, Inc. (DBF) would employ for providing Water and Sewerage Plan update services in cooperation with the Worcester County Department of Environmental Programs, Department of Public Works, and the County Commissioners, would include:

PROJECT KICKOFF

Upon the notice of award, DBF will immediately assemble the project team for an internal review of the project. A list of data requirements will be developed, as well as any initial questions that need to be raised. This list will be sent to Worcester County prior to the initial meeting with all relevant staff from the County. The initial meeting will result in a refined list of tasks, priorities, discussion points, deliverables, and approval of the project schedule. The initial meeting will also serve to introduce our team to the County personnel who will be working on the project in various capacities.

PLAN AMENDMENTS

The 1994 Water and Sewerage Comprehensive Plan will be updated to include all (approximately 80) Plan amendments that have been adopted. We will update all text, charts, tables, maps, and any other information that has been officially amended by the Worcester County Commissioners since 1994. References to the County Comprehensive Plan shall also be updated to reflect the most recent Comprehensive Plan updates and amendments. This effort will result in a current base plan to begin Chapter updates.

PLAN CHAPTER UPDATES

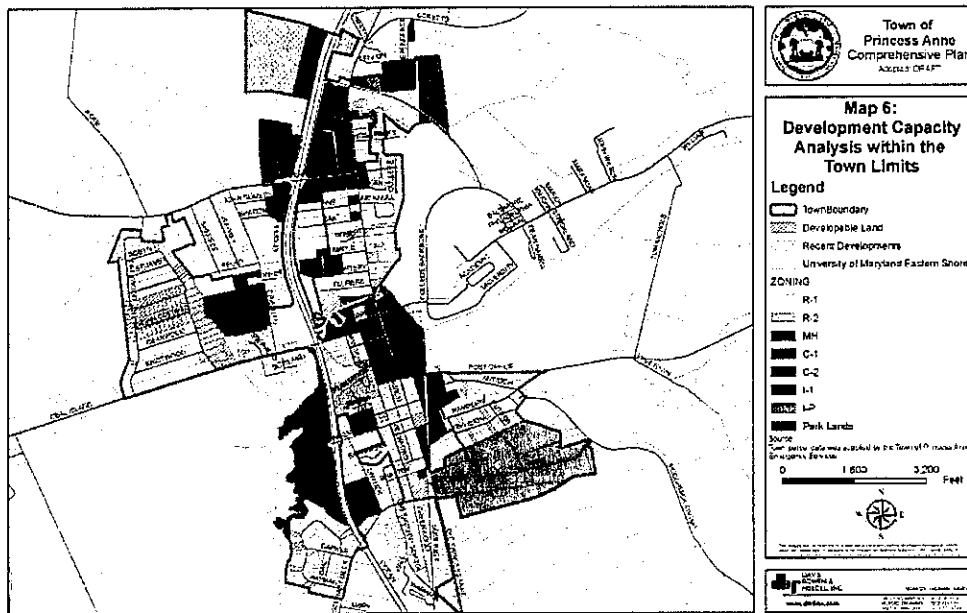
The information gathered at the initial meeting will be analyzed and strategies will be developed for each Chapter of the Water and Sewerage Plan. County goals and policies related to water and sewerage systems will be reviewed for consistency with the County Comprehensive Plan.

The DBF team, including our municipal planner, will review each Chapter and coordinate with the County staff to obtain all comments and desired revisions from County agencies. The DBF team will implement these revisions and review each Chapter individually, to make sure maps, tables, charts, graphs, and any other graphic tools are prepared to supplement the narratives. The DBF team will also review the Plan as a whole, for continuity and consistency.



Revised Chapters will be made available for County review and comment as they are developed according to the project schedule. Appropriate members of the DBF team will attend approximately 15 meetings with County and State staff as requested and required to review or present progress throughout the Plan update process. The Chapters will be revised based on County feedback and resubmitted for final approval. Specifically, the following Chapters shall be reviewed and updated:

Chapter 2 – General Background Data: The DBF team will review general background data that is relevant to water and sewer planning and the protection of environmental resources. The DBF team will coordinate with the County staff regarding updates to: demographics, development trends,



APPROACH/WORK PLAN

population projections, existing land use and zoning, and major public institutions. Environmental data will be updated including: aquifers, soils, watersheds, water quality, drainage and topography. Narratives, maps, tables, charts, graphs, and other descriptive data shall be reviewed and updated as required.

Chapter 3 – Water: The Plan update will include evaluation of existing, planned and future water demands for each of the water system service areas within the County. For each of the service areas the water system owner/operator shall be contacted to obtain all data necessary for a complete evaluation of the water supply, treatment, storage and distribution systems. These systems will be reviewed and analyzed with regards to well inventories, water quality, potential contaminant sources, current and anticipated capacities through 2030, operation and maintenance costs, potential future supplies, potential future system interconnectivity, and other water system concerns. The appropriate narratives, maps, tables, charts, and graphs will be updated accordingly. The immediate, 5- and 10-year water system improvement priorities will be evaluated with recommendations and options for long-term project financing.

Chapter 4 - Sewerage: The Plan update will include evaluation of existing, planned and community and multi-use systems for each of the County's sewer service areas. Once the service areas are confirmed, the on-site treatment systems, sewer collection/transmission, and wastewater treatment systems for each service area will be evaluated for average/peak daily flows, existing and anticipated capacities through 2030, permitted effluent discharge limits, groundwater protection, sludge disposal plans, operation and maintenance costs, and environmental concerns. The appropriate text, maps, tables, charts, and graphs will be updated accordingly. The immediate, 5- and 10-year water system improvement priorities will be evaluated with recommendations and options for long-term project financing.

Chapter 5 - Financial Implementation Plan: We will work with the County to finalize the working draft to clearly communicate the County's options, intentions, programs and processes with regards to financing infrastructure projects and Capital Improvements.

FINAL DRAFT PLAN FOR COUNTY REVIEW

DBF will confirm that all maps, tables, charts and graphs required by COMAR are included in the report. The Chapters will be consolidated and prepared for submission to County Staff for review and comment. The narrative will be again reviewed to assure that the plan is readily understood, and consistent with the County Comprehensive Plan, as well as individual Comprehensive Plans for the municipalities within the County. The end product will be a final draft plan (complete electronic and hard copy) for in-depth review by County staff. The final draft shall be prepared in a standard 8.5" x 11" three-ring binder in accordance with the County's requirements. Electronic files will be provided in Microsoft Word, Excel, and ArcGIS programs, or as required by the County. Review comments from the County staff will be addressed and the plan will be prepared for submission and review by other outside agencies.

DRAFT PLAN FOR AGENCY REVIEW

The plan, as revised to reflect comments from the County staff, will be compiled and twenty (20) draft copies will be sent to the County for distribution to other County and State review agencies.

DRAFT PLAN FOR PUBLIC REVIEW

After allowing adequate time for review comments from MDE, MDP and other required agencies, public hearings will be conducted. The comments from the public will be recorded, compiled, discussed with the County Staff, and implemented as deemed appropriate by the County.

FINALIZATION OF THE PLANS

All review comments will be addressed in cooperation and as approved by the Worcester County Departments of Environmental Programs and Public Works. Resolutions of approval by Worcester County will be added to the document and thirty-two (32) final color and bound copies of the report will be sent to Worcester County for distribution and use as needed. A complete copy of the plan will be provided in digital format that will be prepared using Microsoft Word, Excel and ArcGIS for mapping.



ITEMIZED BREAKDOWN OF LUMP SUM COST

LABOR CATEGORY DESCRIPTION	HOURS	DIRECT HOURLY RATE	TOTAL LABOR COST
Principal Engineer	32	\$57.00	\$ 1,824.00
Senior Engineer	780	\$37.00	\$ 28,860.00
GIS Specialist	216	\$27.00	\$ 5,832.00
CADD I	16	\$24.00	\$ 384.00
Clerical	92	\$15.00	\$ 1,380.00
		Direct Labor Cost Subtotal	\$ 38,280.00
		Multiplier	2.13
		Total Labor Cost	\$ 81,536.40
SUBCONTRACTOR EXPENSES			
DESCRIPTION	DIRECT COST	MARK-UP (%)	TOTAL COST
Jakubiak Town + City Planning	\$ 38,690.00	1.1	\$ 42,559.00
		Total Subcontractor Expenses	\$ 42,559.00

TOTAL PRICE \$ 124,095.40

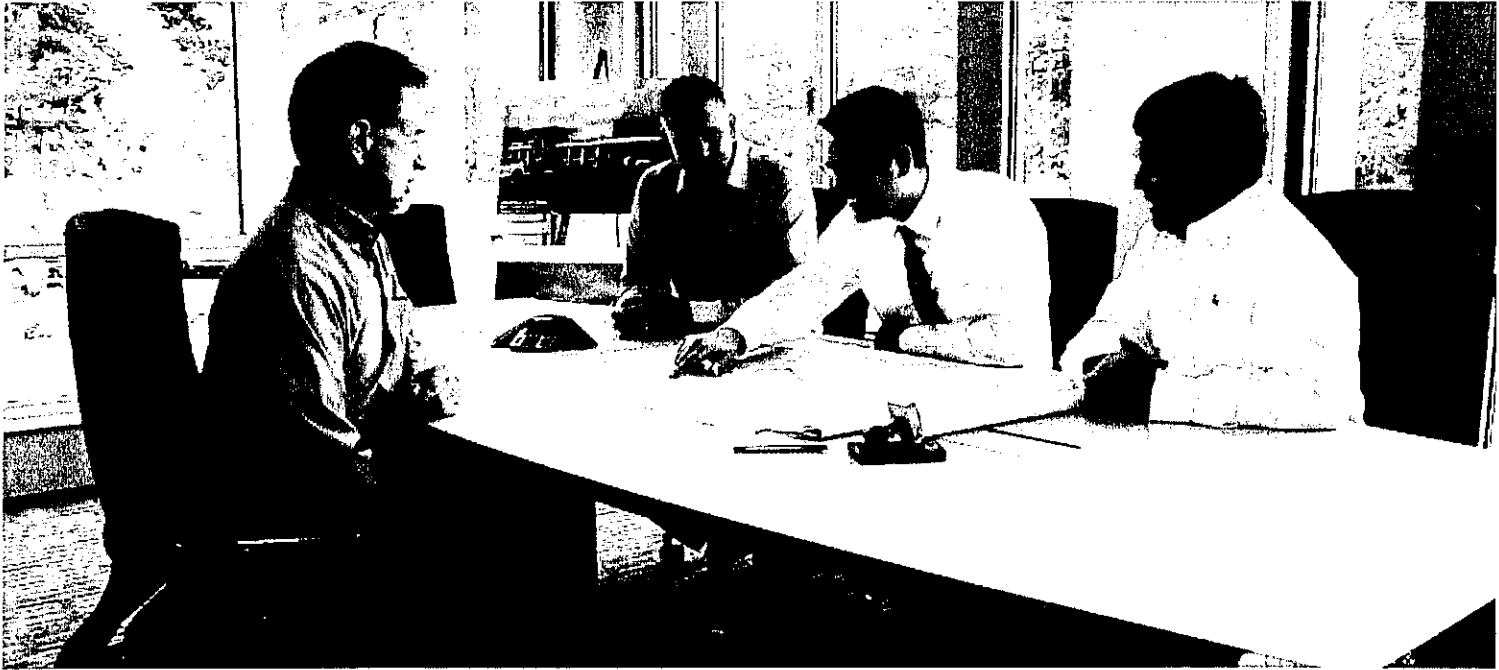
BREAKDOWN OF HOURS

		PRINCIPAL	SENIOR	GIS	PLANNER	CADD I	CLERICAL	TOTAL
1	Meeting with County Staff and Data Acquisition	8	60	40	24		4	136
2	Chapter 1		40		8		4	52
3	Chapter 2		80		16	16		112
4	County Review / Edits		16	16				32
5	Chapter 3		160	60	40		24	284
6	Chapter 4		200	60	40		24	324
7	County Review / Edits		16	16				32
8	Chapter 5		40		24			64
9	Appendices		8				4	12
10	County Review / Edits		16					16
11	Assemble Draft Plan	8	24	16	8		8	64
12	Meeting with County Staff about Drafts & Maps		16		8			24
13	Public Listening Session		8					8
14	Work Session with County Staff		16		4			20
15	Presentation to County Commissioners		8		4			12
16	Final Edits and Changes	8	24	8	8		8	56
17	Final Approval	8	16				8	32
18	Submission of Final Plan		8		4		8	20
19	Meet with MDE and Present Plan		24		7			31
	TOTAL	32	780	216	195	16	92	1331



WORKLOAD/CAPACITY

Our staff, quickly approaching 100 employees, includes a variety of specialties. Architects, civil engineers, structural engineers, surveyors, GIS specialists, traffic engineers, landscape architects, computer graphics specialists, and various other technical and administrative personnel work together for the betterment of our built environment. The principals of our firm bring over two decades of experience in each project along with a strong commitment to improving the quality of life in our communities.



Our firm has the ability, skill, and capacity to provide the services required within the specified time. We guide clients in determining project vision and incorporating design elements that preserve and enhance the natural features of the project's site. Our staff includes experience planners who are committed to performing a variety of cost-effective planning functions in direction response to the individual needs of our local government clients. Whether short-term project-based or continuing planning services are required, every assignment is given the unique attention it deserved. We are committed to successful sustainable design solutions that are both economical and attractive.

JAKUBIAK

TOWN + CITY PLANNING

For this particular project, we have also teamed with Jakubiak Town + City Planning bringing the experience of over two-dozen completed comprehensive plans, multiple comprehensive zoning codes, and numerous land use, zoning, and market studies. Founded in 2000, Chris Jakubiak finds that great towns and cities are centrally important to both smart economic growth and the

enjoyment of the places we live. They have been recognized with two American Planning Association Outstanding Plan Awards with a passion to help make towns and cities great.

Our firm has the financial capacity to provide the services requested within this RFP by Worcester County. With billings and receipts exceeding \$12M annually and working cash available averaging \$600,000 at any given time, the firm can easily provide the services without a financial burden. We also hold measures of protection against errors and omissions.

TEAM ORGANIZATION CHART



Davis, Bowen & Friedel, Inc.



Jason P. Loar, P.E.
Principal-in-Charge
jloar@dbfi.com



Joshua J. Taylor, P.E.
Project Manager
jtaylor@dbfi.com

Aaron K. Goller, P.E.
Senior Municipal Engineer

Robert J. Duma, P.E.
Senior Municipal Engineer

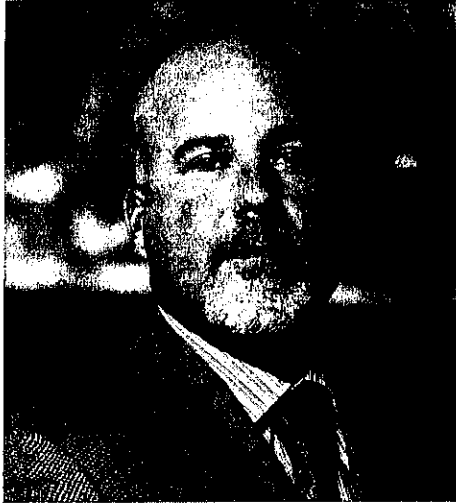
Gannon H. Neubert
Civil Engineering Designer / GIS Specialist

PLANNER

Jakubiak Town + City Planning

Christopher N. Jakubiak, AICP
Planner





JASON P. LOAR, P.E.

Principal-in-Charge

Mr. Loar has over twenty years of experience in project planning, design, and contract administration. He is responsible for oversight of municipal engineering throughout the company as well as the day-to-day operations of the firm's Easton office. His background primarily consists of providing water, wastewater, renewable energy, and site engineering services to various clients in both Maryland, Delaware, and Virginia. These services have consisted of planning services, engineering studies, designs, treatment plant upgrades, permitting, contract/construction administration, funding assistance/oversight, project management, and plan reviews. He serves as on-call engineer to several municipalities, offering administrative, financial, design, and project construction phase services. He works regularly with multiple funding programs, is well versed on all requirements associated with each, and coordinates the processing and reimbursement from such funds for several clients. Mr. Loar takes a hands-on approach to all projects and ensures that the client, both field personnel and management, are kept up to date from the preliminary planning stages through construction and operations.

EDUCATION

Bachelor of Science,
Bio-Systems & Agricultural
Bio-Environmental Engineering
University of Kentucky
1997

REGISTRATIONS

Professional Engineer: MD, DE, VA

EXPERIENCE

2010 - Present, Principal
Davis, Bowen & Friedel, Inc.

2004 - 2010, Project Manager
Davis, Bowen & Friedel, Inc.

1999 - 2004, Sr. Project Engineer
Rothberg, Tamburini & Winsor, Inc.

1998 - 1999, Project Engineer
QK4 (f.k.a. The Presnell Group)

REPRESENTATIVE PROJECTS

- On-Call Engineering Services
 - Maryland: Berlin, Betterton, Sharptown, Delmar, St. Michaels, Crisfield, Trappe, Snow Hill, Hurlock, Pittsville, Somerset County Sanitary District, Easton, Talbot County
 - Delaware: Delmar, Blades, Bridgeville, Rehoboth Beach
 - Virginia: Onancock, Accomack County
- Wastewater Treatment Plant Upgrades - Planning, Design, Funding, Construction, and Operational Services
 - Maryland: Crisfield, Snow Hill, Federalsburg, Betterton, Vienna, Greensboro, Princess Anne, Somerset County Sanitary District, Fairmount
 - Delaware: Delmar, Bridgeville
- Bridgeville Water & Wastewater Facility Plan Update
Bridgeville, Delaware
- Betterton Wastewater Treatment Plant Engineering Study
Betterton, Maryland
- Crisfield Wastewater Treatment Plant Modifications
Crisfield, Maryland
- Delmar Wastewater Treatment Plant Design - Contract Administration
Delmar, Delaware/Maryland
- Hurlock Wastewater Treatment Plant SWPP & Permit
Hurlock, Maryland
- Lynch Well & Water Treatment - Facility Plan & Presentation
Rehoboth Beach, Delaware
- Betterton New Wastewater Treatment Plant Design
Betterton, Maryland



JOSHUA J. TAYLOR, P.E.

Project Manager / Senior Municipal Engineer

Mr. Taylor has nineteen years of experience providing water and wastewater engineering services to various clients in both Maryland and Delaware. These services have included on-call engineering services, planning, preliminary engineering evaluations, funding acquisition, project design, permitting, funding administration, construction administration, and field inspection. Mr. Taylor's areas of expertise include wastewater collection, conveyance and disposal systems; water supply, treatment, storage and distribution systems; roadway design and stormwater collection systems.

REPRESENTATIVE PROJECTS

- On-Call Engineering Services
Maryland: Berlin, Somerset County Sanitary District, Delmar, Snow Hill
- Berlin, MD Infrastructure Projects
 - North Main Street Waster and Sewer System
 - Route 346 West Pump Station Evaluation
 - Branch Street Sidewalks
 - Berlin Street Reconstruction (Graham, Grace, & Vine)
 - Stephen Decatur Park Tennis Court Improvements
 - Baker Street Roadway Improvements
 - Gay Street Watermain Upgrades
- Castaways Sewer Transmission System Evaluation & Design
Berlin, Maryland
- Frontier Town Sewer Project
Worcester County, Maryland
- Fairmount WWTP Preliminary Engineering Study
Somerset County, Maryland
- Westover Sewer Service Project
Somerset County, Maryland
- North Princess Anne Sewer Upgrades
Somerset County, Maryland
- Princess Anne Sub-district Expansion - Water and Sewer Service
Somerset County, Maryland
- Crisfield Lane Sewer System Evaluation
Princess Anne, Maryland
- Janes Island Sewer Service Project
Somerset County, Maryland
- Wastewater & Spray Irrigation Facility Expansion
Georgetown, Delaware

EDUCATION

Bachelor's of Applied Science,
Engineering Technology
University of Delaware
1999

REGISTRATIONS

Professional Engineer: MD, DE
DE On-site Class B & C Designer
DE On-site Class H Inspector
MDE Certified On-site Systems Inspector

EXPERIENCE

1999 - Present, Associate, Senior Engineer
Davis, Bowen & Friedel, Inc.

AFFILIATIONS

Delaware Association of Professional
Engineers

Somerset County Economic
Development Commission

Delaware On-site Wastewater
Recycling Association

Maryland On-site Wastewater
Professionals Association

American Society of Civil Engineers





AARON K. GOLLER, P.E.

Senior Municipal Engineer

Mr. Goller has thirteen years of experience in providing water and wastewater engineering services to various clients in both Delaware and Maryland. These services have included on-call engineering, preliminary engineering, project design, construction administration, funding administration, field inspection, wastewater collection and conveyance systems, water supply, treatment, storage and distribution systems as well as stormwater collection systems. Prior to his employment with Davis, Bowen and Friedel, Inc.

EDUCATION

Bachelor of Science in Civil
Engineering Technology
University of Pittsburgh at Johnstown
2005

REGISTRATIONS

Professional Engineer: MD, DE, PA

EXPERIENCE

2005-Present, Project Manager/Senior
Engineer
Davis, Bowen & Friedel, Inc.

2004 - 2005, Engineer Intern
Mid-Atlantic GeoSciences

AFFILIATIONS

Delaware Association of Professional
Engineers

American Society of Civil Engineers,
President of the Eastern Shore Branch

REPRESENTATIVE PROJECTS

- On-Call Engineering Services
Maryland: Delmar, Crisfield, Snow Hill, Sharptown, Berlin, Somerset
County Sanitary District, Trappe, Easton, Talbot County
Delaware: Delmar, Blades, Milford, Rehoboth Beach
Virginia: Onancock
- Snow Hill Comprehensive Plan Update
Worcester County, Maryland
- Milford South East Water
Milford, Delaware
- Crisfield Peripheral Areas Water Study
Somerset County, Maryland
- Crisfield Streets
Crisfield, Maryland
- Wicomico County Water & Sewer Plan Update
Sharptown, Maryland
- Milford Water System Computer Modeling
Milford, Delaware
- Cambridge Water System Model Scenarios Analysis
Cambridge, Maryland
- Snow Hill Water Model
Snow Hill, Maryland
- Sharptown Wastewater/Water Capacity Management Plans
Sharptown, Maryland
- Martingham Ground Storage Tanks
Martingham, Maryland
- Westover Sewer System
Somerset County, Maryland
- Princess Anne Subdistrict Expansion
Somerset County, Maryland

ROBERT J. DUMA, P.E.

Associate / Senior Municipal Engineer

Mr. Duma has been with Davis, Bowen & Friedel, Inc. for thirteen years and has worked on all aspects of engineering projects. He has experience in providing water and wastewater engineering services to clients including on-call engineering, preliminary engineering, project design, construction administration, and field inspection. Mr. Duma is currently the Pretreatment Coordinator for Hurlock, MD and Bridgeville, DE where he monitors industrial users for the EPA's Pretreatment Program.

REPRESENTATIVE PROJECTS

- On-Call Engineering Services
Maryland: Delmar, Crisfield, Snow Hill, Hurlock, Pittsville, Berlin, Somerset County Sanitary District, Henderson
Delaware: Delmar, Blades, Bridgeville, Rehoboth Beach, Milford, Selbyville, Georgetown
- Snow Hill Wastewater Treatment Plant BNR/ENR Upgrade
Snow Hill, Maryland
- Bridgeville Wastewater Treatment Plant Upgrade Study
Bridgeville, Delaware
- Somerset County Sanitary District - Princess Anne Wastewater Treatment Plant ENR Upgrade Study
Princess Anne, Maryland
- Somerset County Sanitary District - Fairmount Wastewater Treatment Plant Upgrade Study
Fairmount, Maryland
- King Street Water Treatment Facility Upgrade
Georgetown, Delaware
- Selbyville Water Treatment Facility Upgrade
Selbyville, Delaware
- North Main Street Water & Sewer System Extension
Berlin, Maryland
- Hurlock WWTP Influent Forcemain Replacement
Hurlock, Maryland
- Berlin Water & Sewer User Rate Study Report
Berlin, Maryland
- Dorchester County Sewer Rate Study Report
Dorchester County, Maryland
- Henderson Water System Improvement
Henderson, Maryland
- Pittsville Systemwide Water Pressure Reduction Project
Pittsville, Maryland



EDUCATION

Bachelor of Science, Civil Engineering with Minor in Project Management
University of Maryland at College Park
2010

REGISTRATIONS

Professional Engineer: MD, DE

EXPERIENCE

2010 - Present, Associate/Sr. Engineer
Davis, Bowen & Friedel, Inc.

2005 - 2009, Engineer Intern
Davis, Bowen & Friedel, Inc.

AFFILIATIONS

American Society of Civil Engineers





GANNON H. NEUBERT

Civil Engineering Designer / GIS Specialist

Mr. Neubert has more than twenty-five years of experience in CAD drafting and design. He is proficient in digital computer design & mapping, spatial analysis & cartographic design aspects using CAD and Geographic Information Systems. Mr. Neubert has done extensive design and mapping for the towns on Delmarva and is experienced with ArcView 9.3.1, SSPS (Statistical Processor), ArcScene, Applied Imagery - Quick Terrain, AutoCAD Map 3D, Arc Globe and LIDAR Imaging.

REPRESENTATIVE PROJECTS

- Berlin Roadway Evaluation
Berlin, Maryland
- Bridgeville Town-wide Street Assessment
Bridgeville, Delaware
- Ocean Pines On-Call Roadway Assessment
Ocean Pines, Maryland
- Blades Sanitary Sewer District - Concord Road Expansion
Blades, Delaware
- Walnut Street Reconstruction
Delmar, Delaware/Maryland
- Graham Avenue Street Reconstruction
Berlin, Maryland
- Jewell Street Paving Rehabilitation
Delmar, Delaware/Maryland
- Martin Street Pavement Surface & Drainage Evaluation
Snow Hill, Maryland
- Municipal Street Inventory & Evaluation
Greensboro, Maryland
- Baker Street Roadway Improvements
Berlin, Maryland
- Hurlock Main Street Water Main Replacement - PER/ER
Hurlock, Maryland
- Westover Water Service Project - PER/ER
Westover, Maryland
- Delmar Asset Management - Grant Assistance
Delmar, Delaware
- Henderson Water System Improvements Project - Phase II
Henderson, Maryland

EDUCATION

Pittsburgh Technical Institute, Pittsburgh, PA - Associate in Specialized Technology Degree

EXPERIENCE

2014 - Present, Designer/GIS Specialist
Davis, Bowen & Friedel, Inc.

2009 - 2014, Designer
DMW

1995 - 2009, Civil Engineering CADD
Designer/GIS Specialist
Davis, Bowen & Friedel, Inc.

1993 - 1995, Greiner Engineering
Structural Engineering CADD
Operator



CHRISTOPHER N. JAKUBIAK, AICP
Planner

JAKUBIAK
PLANNING & ASSOCIATES, INC.

Mr. Jakubiak has practiced professionally for 26 years working with communities seeking expertise in town land use planning and zoning. He specializes in land use and comprehensive planning, master planning, and zoning. He has provided on-call planning expertise in multiple jurisdictions throughout Maryland including Salisbury, Westminster, and the Towns of Centreville, Church Hill, Chesapeake Beach, Church Hill, Emmitsburg, Mount Airy, and Thurmont. Mr. Jakubiak has led Jakubiak & Associates, Inc. since 2000 and completing dozens of comprehensive plans. He is routinely called upon as an expert witness in Maryland land use and zoning cases. His clients' projects have received the Outstanding Plan Award from the American Planning Association, MD Chapter. He has served on the Annapolis Board of Appeals, been an instructor in the Graduate School of Architecture and Planning at Catholic University in Washington, D.C. in urban design, and served and/or advised pro-bono governmental and non-profit boards, committees, commissions in the area of land use.

EDUCATION

Masters in Urban and Regional
Planning
University of Illinois
1992

Bachelor of Arts in Political Science
University of Maryland, Baltimore
County
1990

Executive Certificate Program in
Advanced Public Sector Negotiation
John F. Kennedy School of
Government, Harvard University
2005

CERTIFICATIONS

American Institute of Certified
Planners (AICP)

Certificate in Advanced Public Sector
Negotiation from Harvard University

AFFILIATIONS

American Planning Association

REPRESENTATIVE PROJECTS

- Comprehensive Plans
Maryland: Princess Anne, Pocomoke City, Crisfield
- Land Use Economic Studies & Plans
Maryland: Salisbury, Snow Hill, Easton, Oxford, Greensboro, Church Hill, Queenstown, and Centreville
- Hampstead Municipal Growth Element Update
Hampstead, Maryland
- Sewer Allocation Plan, Comprehensive Plan & Water Resources Element
Church Hill, Maryland
- Hampstead Municipal Growth Element Update
Hampstead, Maryland
- Water Allocation Management
Westminster, Maryland
- City Dock Master Plan
Annapolis, Maryland
- Comprehensive Plan
Chesapeake Beach, Maryland
- Master Planning & Zoning
Cambridge, Maryland
- Downtown Planning - Building Back Downtown
La Plata, Maryland
- Main Street Maryland
Mt. Airy & Thurmont, Maryland
- Consolidated Development Ordinance
Town of Chesapeake City, Maryland



SOMERSET COUNTY - WATER & SEWER SERVICE AREA MAPPING

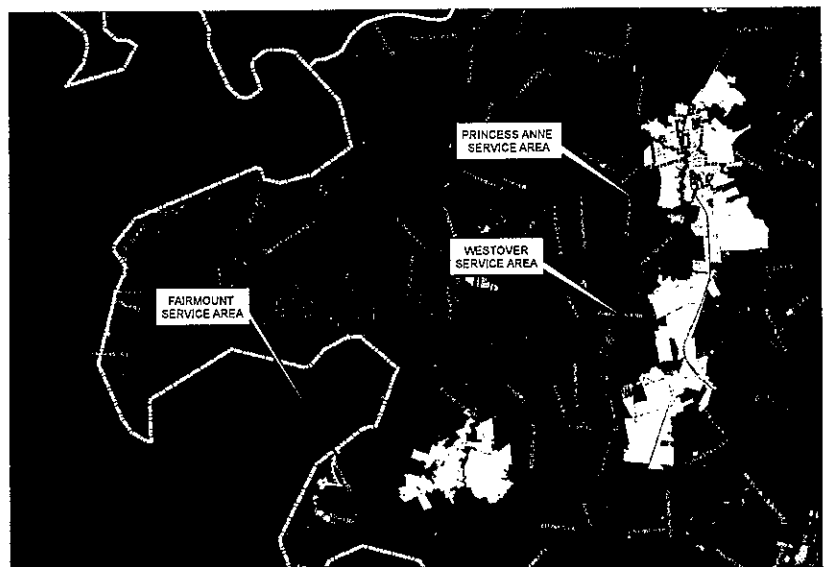
Somerset County, Maryland

Somerset County Sanitary District
Anthony J. Stockus
District Manager
410-651-3831
astockus@somersetmd.us

In 2018 Davis, Bowen & Friedel, Inc. (DBF) provide engineering planning services associated with updating the Somerset County Sanitary District's (SCSD) Water and Sewer Service Area Maps. We coordinated with SCSD, Somerset County Department of Technical and Community Services (DTCS), Somerset County Commissioners, and Maryland Department of the Environment (MDE) to prepare maps for each of the County's Water and Sewer Service Areas, including: Princess Anne Service Area, Crisfield Peripheral Service Area, Fairmount-Frenchtown-Rumbley Service Area, Westover Service Area, and the Smith Island Service Area.

Westover Service Area, and the Smith Island Service Area.

DBF coordinated the effort between the County agencies to determine which properties were currently served and which properties are planned to be served in accordance with the water and sewer service categories defined in the Somerset County Comprehensive Water and Sewerage Plan. DBF developed GIS based property maps for each of the service areas and prepared an overall map of the County showing the boundaries of all five service areas. We met and coordinated with the County Agencies to review and make revisions and ultimately presented the maps to the County Commissioners for review and approval.



DELMAR/WICOMICO COUNTY ANNEXATION AGREEMENT PLANNING SERVICES

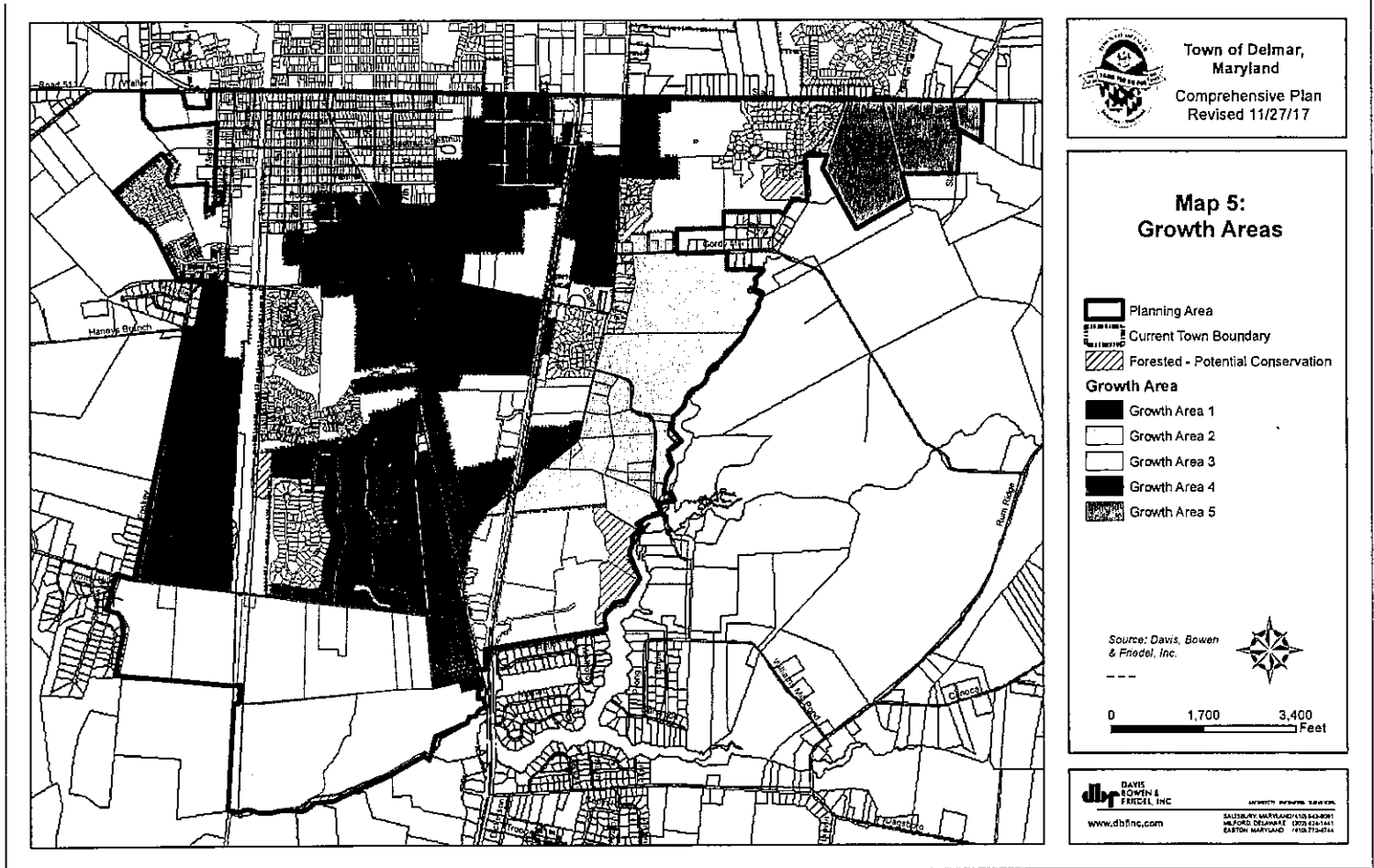
Delmar, Maryland

Town of Delmar
 Sara Bynum-King
 Town Manager
 410-896-2777
 townmgr.delmar@verizon.net

In 2017 Davis, Bowen & Friedel, Inc. (DBF) began the process of assisting the Town of Delmar and the property owner of an Assisted Living facility located outside the Town Limits (in Wicomico County) with engineering and planning services associated with Annexing into the Town of Delmar, Maryland. DBF had worked with the Town of Delmar and Wicomico County on numerous water and sewer projects and planning efforts, and we were well qualified to assist with those planning efforts.

We assisted the Town and property owner with preparing new mapping, as well as preparation of the application for Water and Sewer Plan Amendment, modifications to the Water and Sewer Plan mapping, modifications to the Comprehensive Plan mapping, and review of the infrastructure associated with serving the subject property. We are currently worked in cooperation with the Town and Wicomico County staff where applicable to obtain County and State approval and will continue to provide modifications to mapping and various planning documents, as required.

We attended coordination meetings, reviewed submittals, and provided annexation planning submissions to the Wicomico County Public Works Department, Wicomico County Planning, Zoning & Community Development, Maryland Department of the Environment (MDE) and Maryland Department of Planning (MDP) and we will continue to coordinate with the Town to ensure all comments are adequately addressed and all County and State approvals are granted.



SHARPTOWN/WICOMICO COUNTY - WATER & SEWER COMPREHENSIVE PLAN SERVICES

Sharptown, Maryland

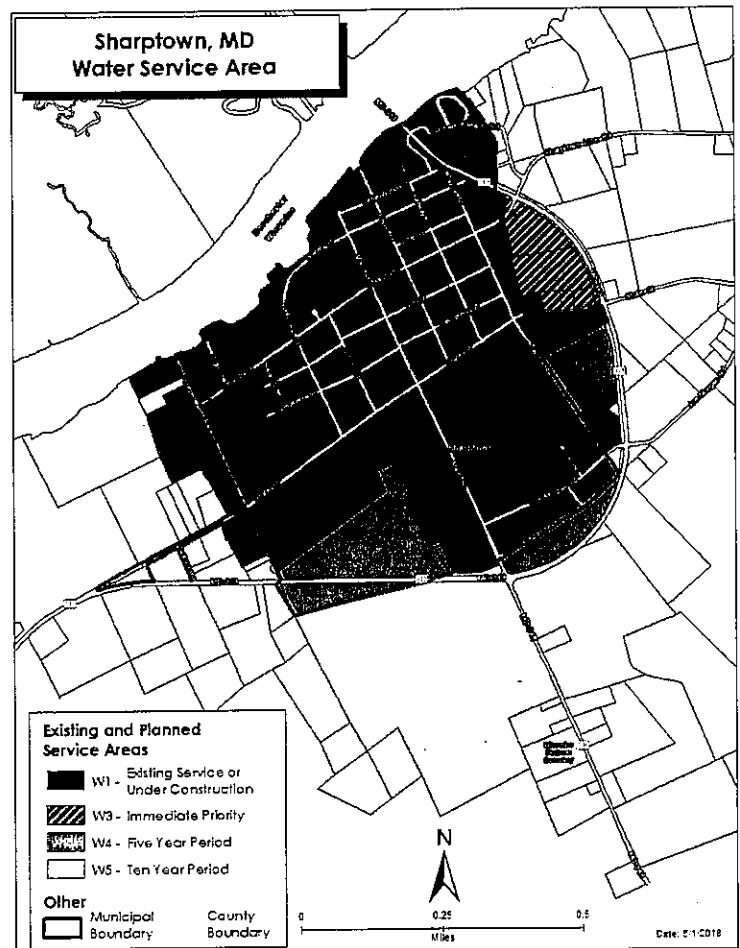
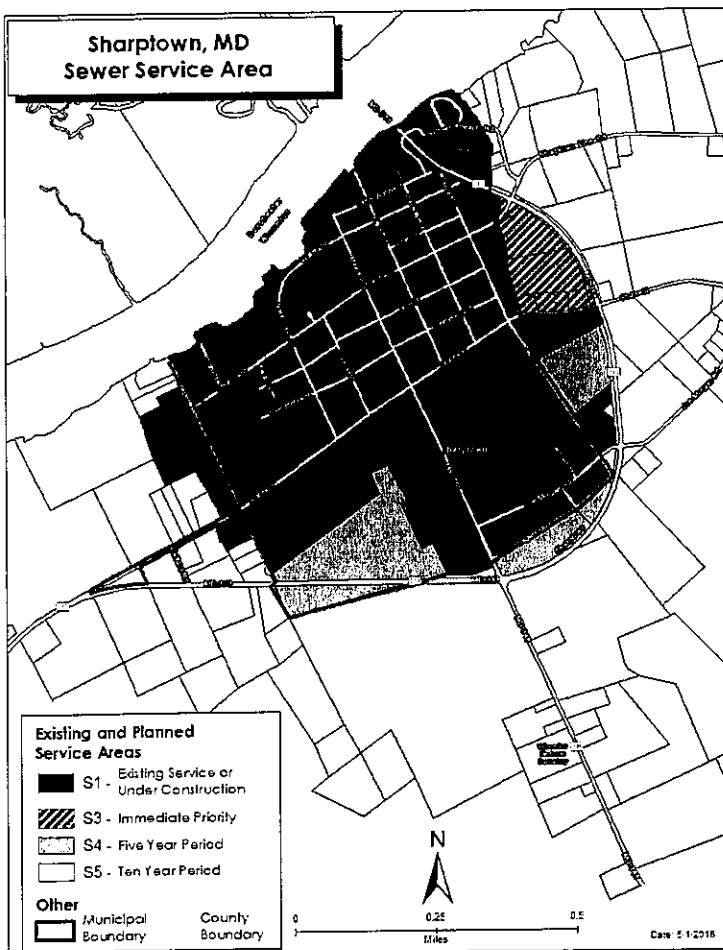
Town of Sharptown
 P. Douglas Gosnell
 President of the Commission
 410-883-3767
 sharptown@comcast.net

In 2014 and 2015, Davis, Bowen & Friedel, Inc., (DBF) had the opportunity to assist the Town of Sharptown and Wicomico County with engineering and planning services associated with updates to the Wicomico County's Water and Sewer Plan. DBF had worked with the Town on numerous water and sewer projects and planning efforts over the decade, and we were uniquely qualified to assist with those planning efforts.

We assisted the Wicomico County, the Town of Sharptown, and the Maryland Department of Planning with preparing new mapping, as well as addressing comments

from MDP and MDE including: Review and modifications of GIS based mapping; updated Allocation Table; updated water and sewer demand projections; modification of the text narratives regarding growth; and updating the Water and Sewer Service Area maps. We worked in cooperation with the Wicomico County and the Town of Sharptown staff where applicable to obtain user property data, anticipated allocation information, population data, existing maps, GIS data, and various planning documents.

We attended coordination meetings, submittals, and provided follow-up submissions to verify all comments were adequately addressed and all State approvals granted.



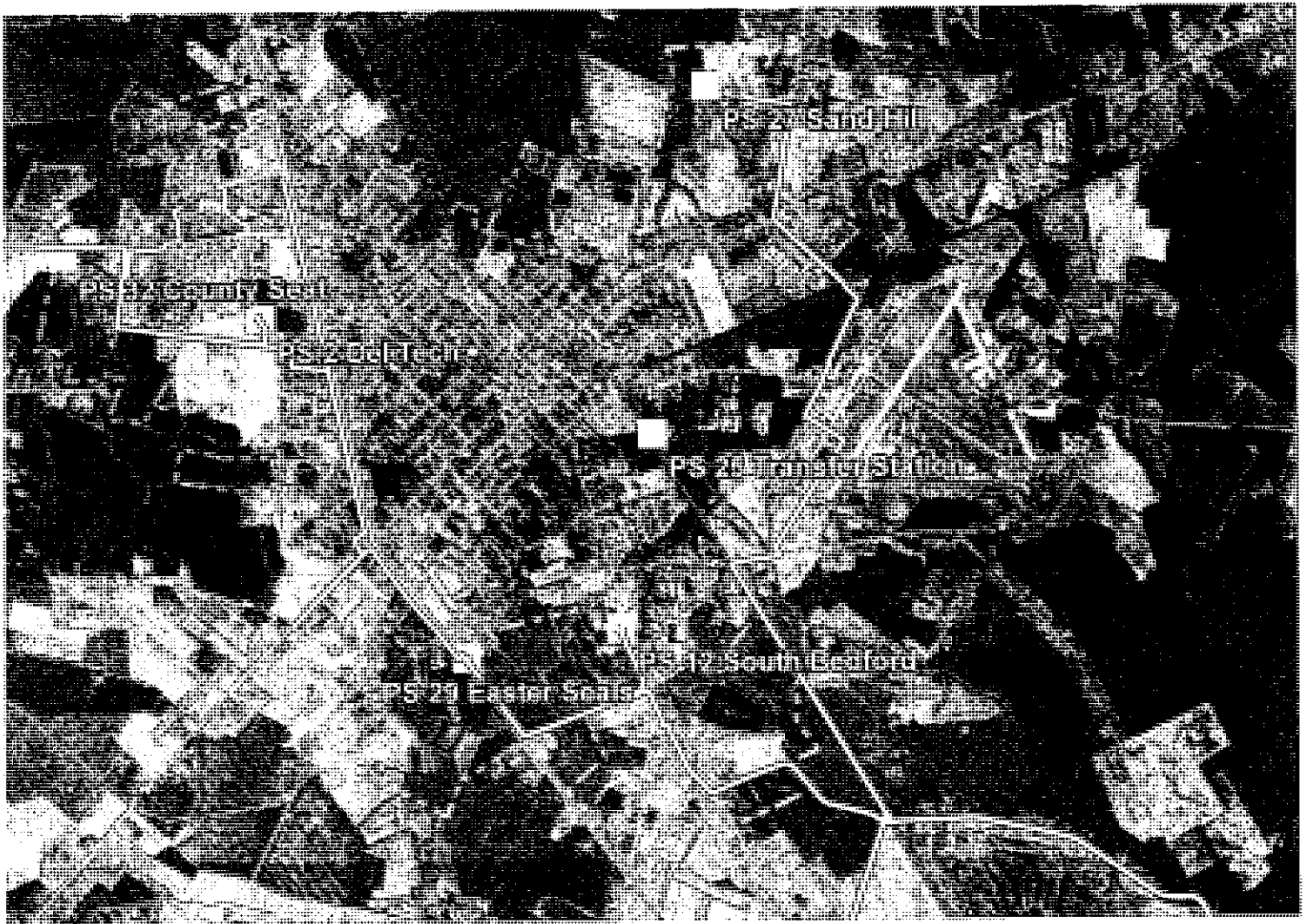
GEORGETOWN - REGIONAL PUMPING SYSTEM PLANNING

Georgetown, Delaware

Town of Georgetown
Gene Dvornick
Town Manager
302-856-7391
gdvornick@georgetowndel.com

On behalf of the Town of Georgetown, Davis, Bowen, & Friedel, Inc., provided engineering and technical support services in regard to addressing capacity issues within the Town's sanitary sewer collection system. As part of the relocation of the Town's wastewater treatment facility, a new wastewater pump station and force main was constructed to transfer the sewage from the previous location to the new remote site. As the Town grew, the capacity of existing sanitary sewer infrastructure in the downtown area was quickly depleted. To accommodate further growth within the

Town, we reviewed available flow data, existing and proposed land use, developed a hydraulic model, and developed options for alleviating the issue. Ultimately we developed a plan for serving proposed expansions while at the same time alleviating the burden on the existing wastewater collection system. We designed a transmission system with regional wastewater pumping stations and a force main manifold located at the perimeter of the Town. We continue to review the force main manifold hydraulic model in an effort to evaluate existing and proposed design conditions as it relates to any system expansion.



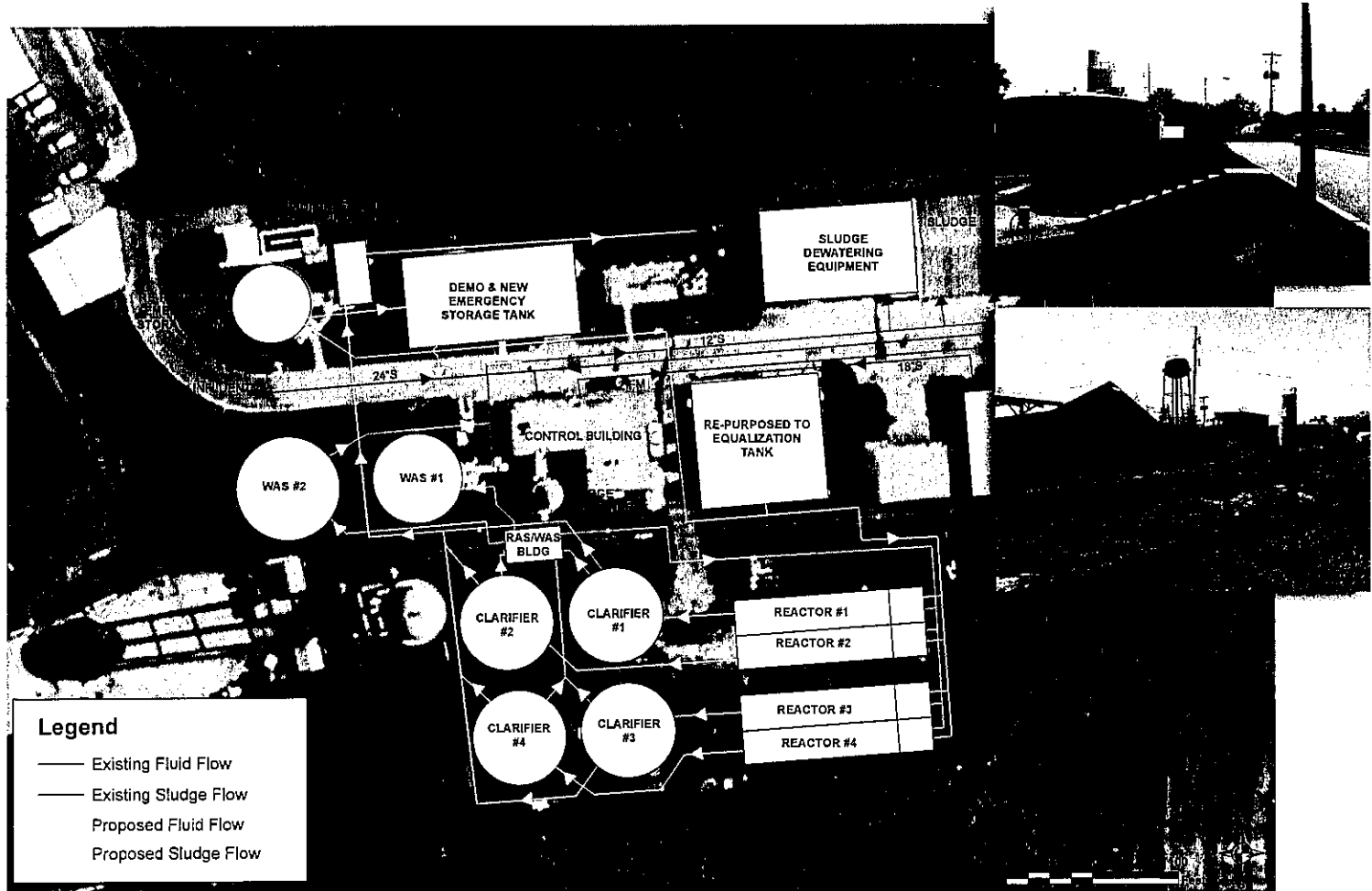
BRIDGEVILLE - WATER & WASTEWATER FACILITY PLAN

Bridgeville, Delaware

Town of Bridgeville
 Jesse Savage
 Town Manager
 302-337-7135
 jsavage@townofbridgevillede.us

The Town of Bridgeville is located at a prime location within Sussex County, intersection of Route 13 and 404, and due to this location has been the targeted for significant growth. Davis, Bowen & Friedel, Inc., assisted the Town in preparing for this growth by updating the Town Code, Comprehensive Plan update, design and construction standards update, and completion of water and wastewater facility plans. The facility plans were necessary to evaluate the Town's existing infrastructure and evaluate the effects several possible annexations would have on the infrastructure. The plans

included analysis of existing and proposed water and wastewater flows, review of existing and proposed land uses, treatment capacity, collection, distribution including a detailed hydraulic models, and cost estimates to assist the Town on determination of impact fees. Recommendations included additional looping of the water distribution system, new wells and treatment, new elevated storage tank, additional sanitary sewer pump stations and collection system upgrades as well as an expansion of the existing wastewater treatment plant in order to provide the necessary wastewater treatment capacity. The new elevated water storage tank, wells, and pumping station has been implemented with looping of the water distribution system and upgrades to the wastewater treatment plant and effluent disposal methods forthcoming. The Town has us update these plans every few years in order to stay abreast of growth and costs with the last updates being completed in 2013.



PRINCESS ANNE - COMPREHENSIVE PLAN

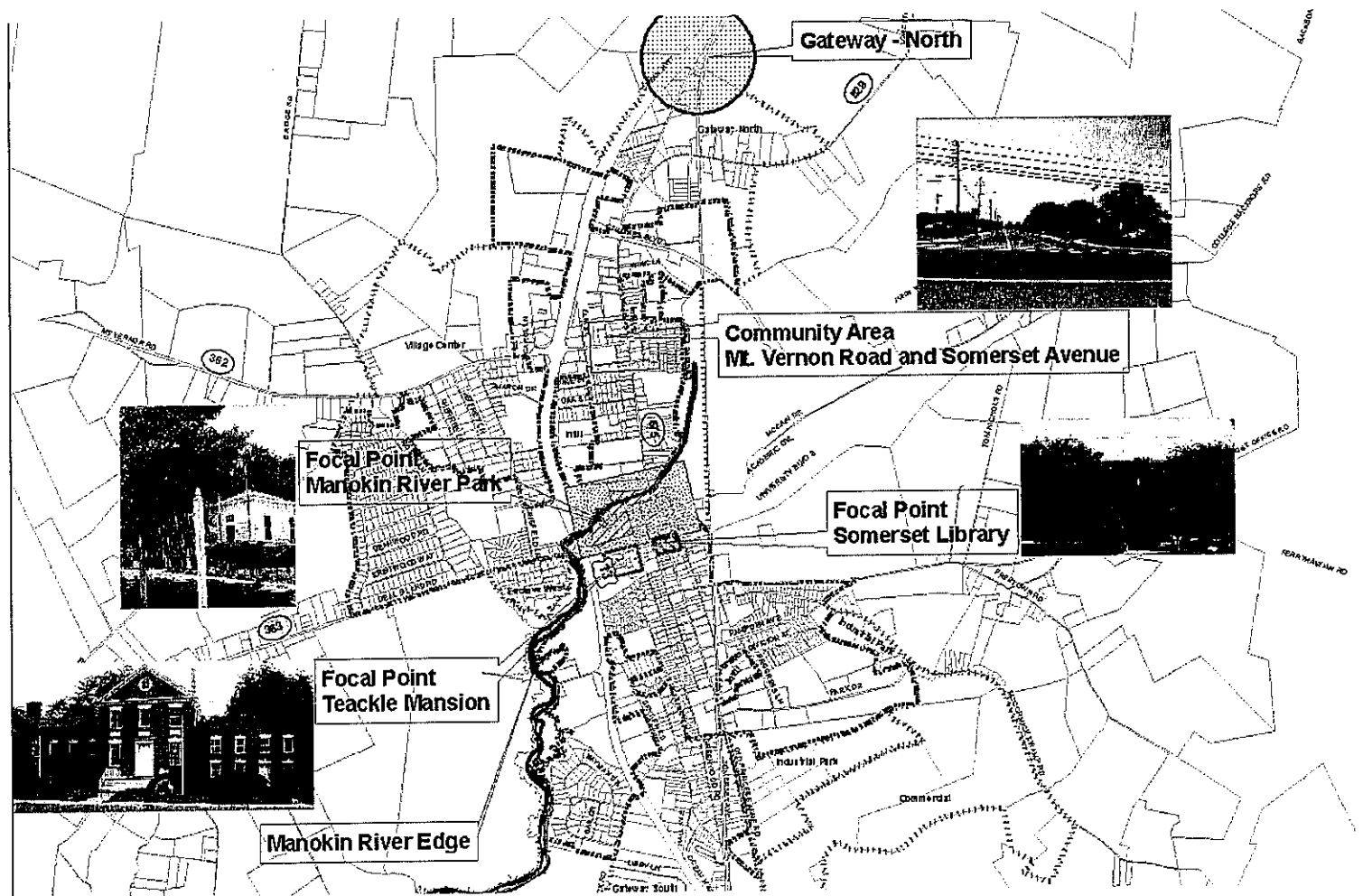
Princess Anne, Maryland

Town of Princess Anne
Tracy Grangier
Public Works Director
410-651-1818
tgrangier@townofprincessanne.com

Davis Bowen & Friedel, Inc., was selected to assist the Town of Princess Anne in re-visiting the draft Comprehensive Plan to meet the Article 66B and House Bill 1141 requirements. Princess Anne is the Somerset County seat and is located south of City of Salisbury. The University of Maryland Eastern Shore (UMES) is adjacent to the Town boundaries and many of its students reside in the Town of Princess Anne and utilize the Town services. The Town gets water and sewer services from the Somerset County Sanitary District and hence its growth potential depends on the availability of

these services. Water has been a major issue for the recent developments and some of the developments are on hold for this very reason.

Based on the Town Planning Commission input, future growth vision and growth areas were created. After determining the growth areas, Our staff analyzed the impacts of future growth on the existing infrastructure and proposed upgrades to adequately meet the future needs. The plan also determined non-point source loading based on new growth and the beneficial affect of connecting residents on private well and septic systems to public utilities. The plan was deemed to be consistent with the House Bill 1141 requirements by the Maryland Department of the Environment.



SHARPTOWN - COMPREHENSIVE PLAN

Sharptown, Maryland


Town of Sharptown
 P. Douglas Gosnell
 President of the Commission
 410-883-3767
 sharptown@comcast.net

Davis, Bowen & Friedel, Inc., was selected to revamp Sharptown's Comprehensive Plan to meet the changing needs of the community and to bring the plan in compliance with the newly passed House Bill 1141 legislation.

Having adopted its Comprehensive Plan in August 2008, Sharptown is one of the first municipalities in the State to be consistent with the requirements of House Bill 1141.









As part of the Comprehensive Plan process, Davis, Bowen & Friedel, Inc., facilitated the public participation sessions. Public participation for the Comprehensive Plan went above the required "public hearings" process, but also sought out people from the community to discuss issues of growth and the future vision for Sharptown. The public participation process did not end at the public workshops; comment forms, paper surveys, internet surveys and an online forum were also available for citizens to provide real-time discussion and feedback as part of the process. A draft of the Comprehensive Plan was also available on the internet for review by the Town's residents and business owners prior to adoption by the Town Council.




 **Town of Sharptown**
 Comprehensive Plan
 Adopted DRAFT


Map 3:
Development Capacity
Analysis

Legend:

-  Nanticoke River
-  Town Boundary
- Zoning District**
-  Prime Residential
-  Conservation
-  Highway Commercial
-  Town Center
-  General Residential
-  Developable Land

Source:
 Development Capacity Analysis
 data provided by Maryland
 Department of Planning

0 500 1,000 Feet 

 **DAVIS**
BOWEN &
FRIEDEL, INC.

www.dbfri.com

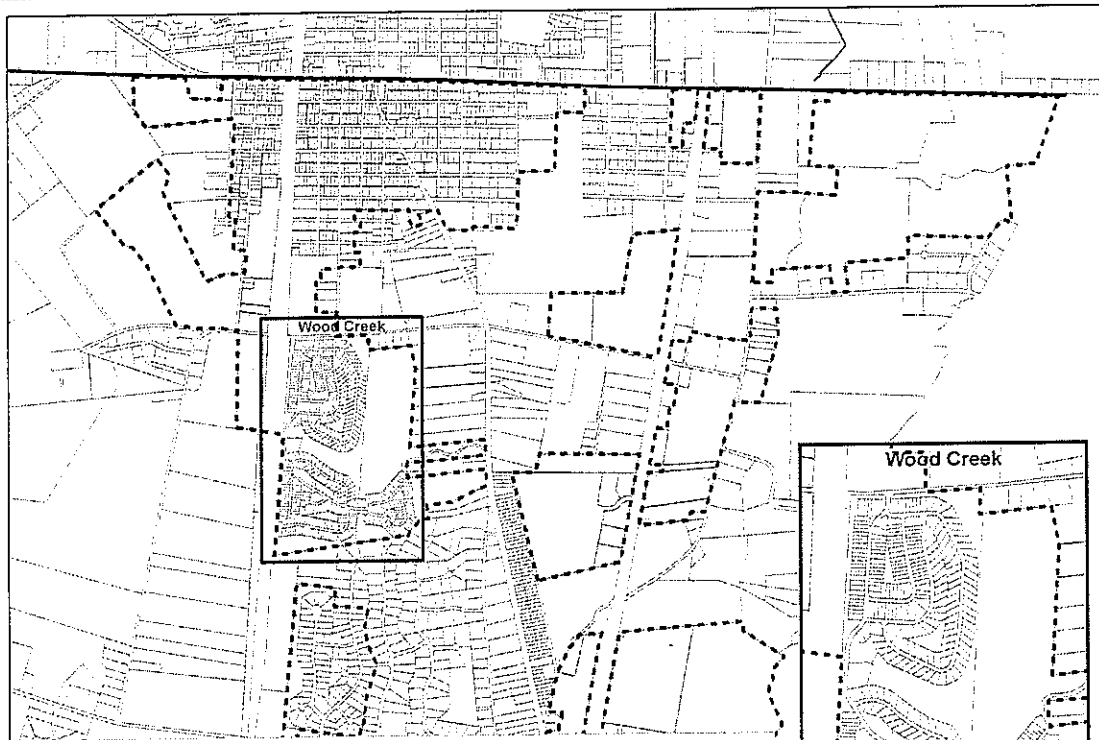
DELMAR - ZONING CODE DEVELOPMENT

Delmar, Delaware/Maryland

Town of Delmar
 Sara Bynum-King
 Town Manager
 410-896-2777
 townmgr.delmar@verizon.net

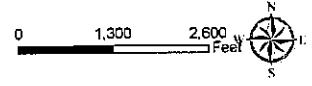
The Town of Delmar recently revised and updated their zoning ordinance. The Town's modernized zoning ordinance better regulates new development without placing a burden on in-fill housing and the on-going revitalization efforts in the community.

Davis, Bowen & Friedel, Inc. (DBF) was asked to assist the Planning Commission in reviewing the draft ordinance and in providing recommendations that would help ensure the needs of the community and the best planning principals were being adopted as part of the revisions.



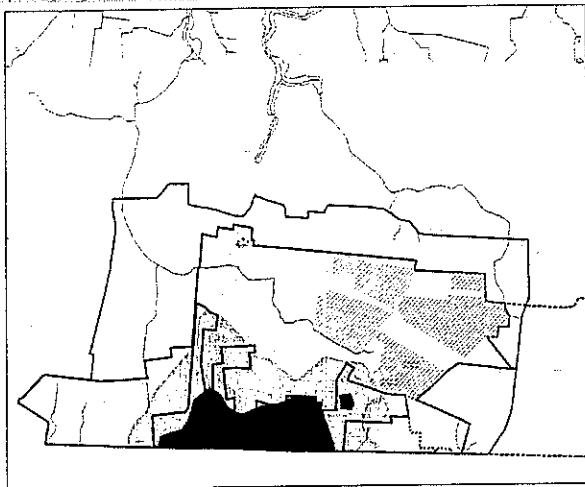
Town of Delmar, Maryland Zoning

- MUNICIPAL BOUNDARY
- R-1 RESIDENTIAL
- R-2 RESIDENTIAL
- R-3 RESIDENTIAL
- R-4 RESIDENTIAL
- CENTRAL BUSINESS
- COMMERCIAL BUSINESS
- COMMUNITY BUSINESS
- HIGHWAY/REGIONAL COMMERCIAL
- LIGHT INDUSTRIAL
- INDUSTRIAL



This drawing has been prepared, in part, based on public domain information furnished by others. While the preparer has endeavored to be accurate in all matters, DBF cannot accept any liability, and therefore assumes no responsibility for any errors or omissions or for any consequences arising therefrom.

dbf DAVIS BOWEN & FRIEDEL, INC.
 ARCHITECTS, ENGINEERS, PLANNERS
 1000 W. 10TH STREET, SUITE 200
 DELMAR, DELAWARE 19702
 410-896-2777
 www.dbfinc.com



**Town of Delmar, Delaware
Annexation Plan of Services**

- 2005 Town Boundary
- Updated Town Boundary
- 5 Year Growth Area
- Proposed 5 Year Growth Area
- Proposed 2 Area of Study
- Area of Study

Priority Funding

- Level 1
- Level 2
- Level 3

Notes:
 Priority Funding was provided to
 Delaware State Planning Council
 Annual Report on Progress
 (October 2007 - 2008)

FRUITLAND - ZONING CODE DEVELOPMENT

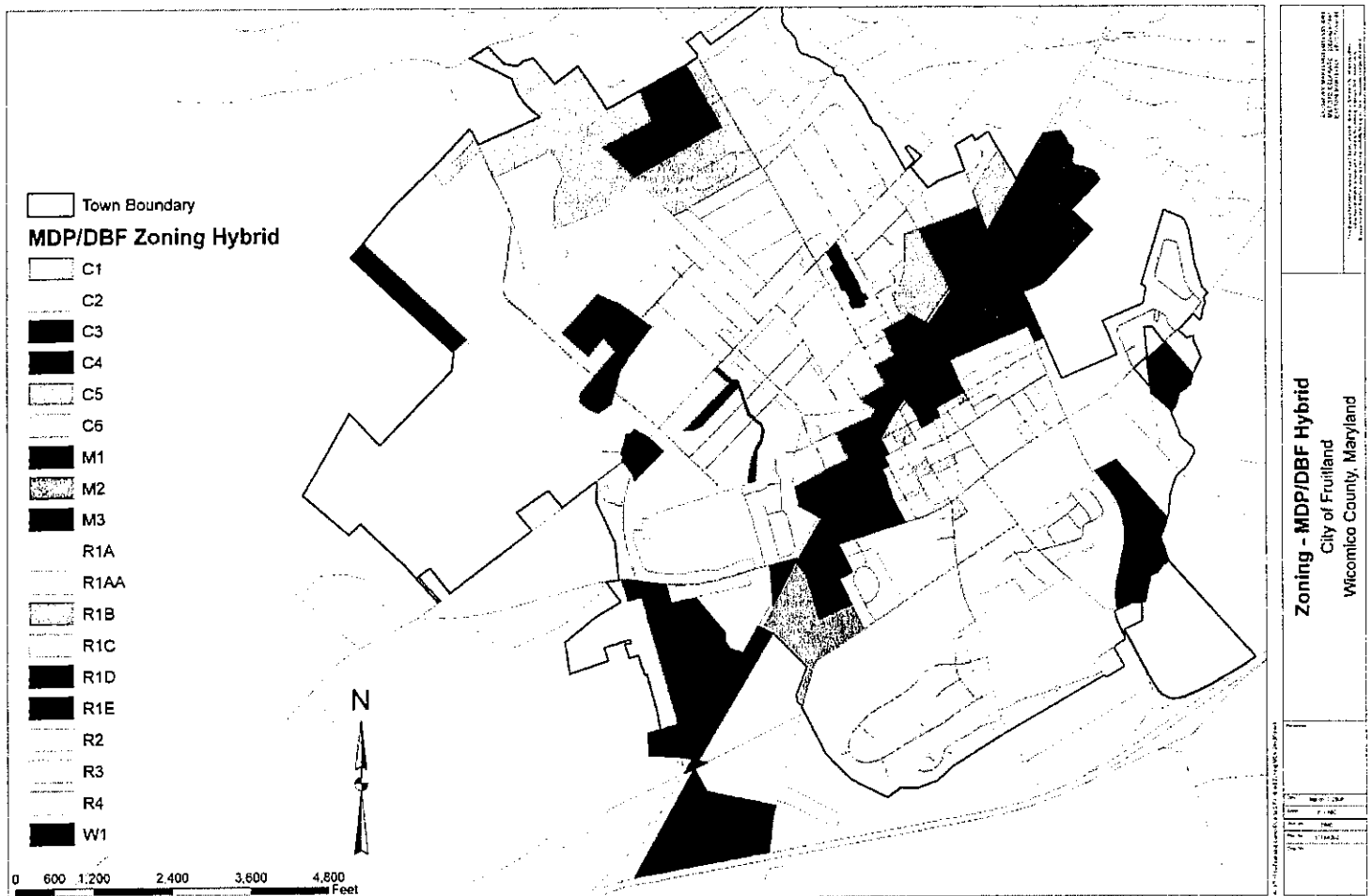
Fruitland, Maryland

City of Fruitland
 John D. Psota
 City Manager
 410-548-2809
 jpsota@cityoffruitland.com

Davis, Bowen & Friedel, Inc., was contracted with the City of Fruitland to revise its zoning ordinance. The zoning ordinance revisions will take place as part of a larger comprehensive rezoning process. In early 2009, the City of Fruitland adopted its 20-year Comprehensive Plan for growth developed in coordination with the Planning staff at Davis, Bowen & Friedel, Inc.

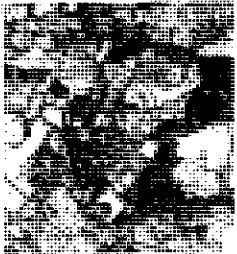
The goal of the comprehensive rezoning process for Fruitland will focus on implementing live/work units along Main Street, decrease the overall number of residential zoning districts and separate permitted uses in highway commercial districts from those allowed on Main Street. Several workshops are planned to allow input from the public, as well as from the City's elected and appointed officials.

The comprehensive zoning process will result in resolving conflicts between existing land uses, future land uses and current zoning districts through the use of GIS analysis; separate allowable commercial uses downtown and in highway commercial areas to promote business downtown, and; easy to understand illustrations and guidelines.



JAKUBIAK TOWN + PLANNING REPRESENTATIVE PROJECTS

JAKUBIAK Several representative projects undertaken by Jakubiak Town + Planning are summarized below. The firm TOWN + CITY PLANNING has completed well over two-dozen comprehensive plans in Maryland, multiple comprehensive zoning codes and many special land use planning, zoning, and economic studies since our founding in 2000. Our professional peers in Maryland have recognized Jakubiak and our clients with two American Planning Association (APA) Outstanding Planning Awards. The Eastern Shore Land Conservancy has recognized our work in Cambridge, Maryland with its Excellence in Urban Planning Award. Our plans are guiding the future growth, development, and conservation of towns and cities throughout Maryland.

- **HAMPSTEAD MUNICIPAL GROWTH ELEMENT UPDATE** - In light of multiple developers' interest in annexation, Hampstead retained Jakubiak & Associates, Inc. to guide the expansion of its planned growth area, including projecting water and sewer demands and conducting a consultation process with Carroll County, the owner/operator of the WWTP. Jakubiak conducted a land use assessment of the expanded growth areas, projected households, commercial and industrial square footage and water and sewer demands and developed land use scenarios for the optimal balance between service demand, existing MDE water appropriations and planned capacity within each service area. Jakubiak then wrote the amended comprehensive plan and guided the Town through the official approval process.
- **CHURCH HILL SEWER ALLOCATION PLAN/COMPREHENSIVE PLAN AND WATER RESOURCES ELEMENT** - The Town of Church Hill in Queen Anne's County retained Jakubiak to prepare a sewer allocation plan which, during a period of substantial development activity, guided local officials in balancing development approvals with available capacity. The Town has followed the strategy for nearly 12 years and has remained well within its margin of safety. Among other things, Jakubiak's planning work led to the discovery of a substantial I&I problem which the Town quickly investigated and fixed. Later as part of its comprehensive planning work, Jakubiak & Associates, Inc. led a study of the feasibility of expanding the WWTP with enhanced nutrient removal and developing a municipal water supply system. As part of that effort, Jakubiak assisted the Town in retaining a civil engineering firm and preparing the land use plan and service demand assumptions used by those engineers to estimate the size and scope of both systems leading to MDE's adoption of a higher discharge limit. Jakubiak also prepared the Town's Water Resources Element required under the 2006 State planning legislation. 
- **CITY OF WESTMINSTER WATER ALLOCATION MANAGEMENT** - During the year of 2015, Jakubiak was retained by the City to act as the community development and planning director and lead the agency during a critical time following the departure of its full-time director. Of critical import was (1) the precise management of available water allocations given the effects of unprecedented drought conditions and (2) revising the City's allocation policy in anticipation of limited capacity becoming available to developers. Jakubiak played an important role in that process especially in crafting the roles and responsibilities of the planning director in allocating capacity among development projects and recommending and building consensus on the strategy and priorities for allocating water supplies as new wells came on-line. This work required extensive and thorough understanding of land use development and the real time tracking of supply and use. Jakubiak assisted the City in hiring new planning staff and successfully handed over the reins to the City's new full-time planning director.
- **MASTER PLAN FOR CITY DOCK ANNAPOLIS**
- **TOWN OF CHESAPEAKE BEACH**
- **CAMBRIDGE MASTER PLANNING AND ZONING**
- **LA PLATA DOWNTOWN PLANNING BUILDING BACK**
- **MOUNT AIRY AND THURMONT MAIN STREET**
- **TOWN OF CHESAPEAKE CITY CONSOLIDATED DEVELOPMENT ORDINANCE**
- **MONTGOMERY COUNTY DESIGN COMPATIBILITY STUDIES AND REGULATIONS**
- **BETHESDA COMMONS PARK AND URBAN DESIGN PLAN**



LAWSUITS/REFERENCES

Over the thirty-five years of the firm's existence, there have been no lawsuits filed to our knowledge claiming malfeasance and only two for misfeasance (one of which we were ultimately dismissed). The remaining lawsuit (Case # 2018-0747-SG in the Court of Chancery of the State of Delaware) is currently in discovery, from which we too are seeking dismissal. It involves a disagreement in the Milford, Delaware area over a singular notation on a drawing and the plaintiff's belief that it has caused a loss of revenue due to traffic flow inconvenience. Under no circumstance, past or present, have any claims been brought against the firms affecting the life, safety or health of the public.

We welcome you to contact the references noted below who can attest to the quality of services we provide.



SOMERSET COUNTY SANITARY DISTRICT

Tony Stockus, General Manager
11916 Somerset Avenue, Room 216
Princess Anne, Maryland 21853
410-651-3831
astockus@somersetmd.us



TOWN OF SNOW HILL

Kelly Pruitt, Town Manager
103 Bank Street
Snow Hill, Maryland 21863
410-632-2080
kpruitt@snowhillmd.com



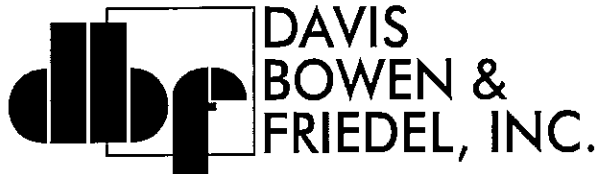
TOWN OF BETTERTON

Don Sutton, Mayor
100 Main Street
Betterton, Maryland 21610
410-348-5522
dsutton@townofbetterton.com



TOWN OF DELMAR

Sara Bynum-King, Town Manager
100 South Pennsylvania Avenue
Delmar, Maryland 21875
410-896-3368
townmgr.delmar@verizon.net



DAVIS
BOWEN &
FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

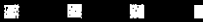
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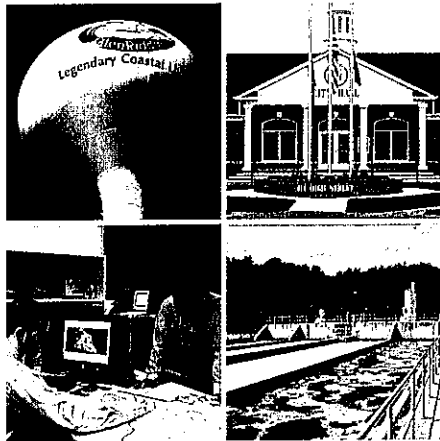
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GMB

ARCHITECTS / ENGINEERS



**Proposal for Consulting
Services**

**WORCESTER COUNTY
WATER AND SEWERAGE
PLAN UPDATE**



Worcester County, Maryland

**Presented by:
George, Miles & Buhr, LLC**

November 26, 2018

42

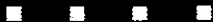


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- Cost Proposal
- Key Staff & Resumes
- Relevant Project Experience
- Legal Statement / Capacity to Perform
- Signature Page



GEORGE, MILES & BUHR, LLC

■ ■ ■ ■

ARCHITECTS
ENGINEERS

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■ ■ ■ ■

JAMES H. WILLEY, JR., PE
PETER A. BOZICK, JR., PE
JUDY A. SCHWARTZ, PE
CHARLES M. O'DONNELL, III, PE
W. BRICE FOXWELL, PE
A. REGGIE MARINER, JR., PE
JAMES C. HOAGESON, PE
STEPHEN L. MARSH, PE
DAVID A. VANOERBEEK, PE
ROLAND E. HOLLAND, PE
JASON M. LYTLE, PE
CHRIS B. DERBYSHIRE, PE
W. MARK GARDOCKY, PE
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, PE

JOHN E. BURNSWORTH, PE
MICHAEL G. KOBIN, PE
VINCENT A. LUCIANI, PE
ANDREW J. LYONS, JR., PE
W. NICHOLAS LLOYD
AUTUMN J. WILLIS

November 26, 2018

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

Re: Request for Proposals
Water and Sewerage Plan Update
Worcester County, Maryland

Dear Commissioners:

George, Miles & Buhr, LLC (GMB) is pleased to submit our qualifications and proposal to assist Worcester County with engineering services for the update of the Worcester County Water and Sewerage Plan to ensure the provision of safe and adequate drinking water and wastewater systems meeting the existing and future demands for Worcester County, Maryland.


GMB is a recognized leader in water and wastewater engineering design. Our engineers specialize in municipal engineering, water and wastewater treatment, sustainable development, and structural engineering. In addition to planning studies, we provide final design, construction contract administration and inspection services on our projects through an in-house construction services division. The planning/engineering project work will be managed by GMB from our office in Salisbury.

Water and Sewerage Comprehensive Plans in Maryland go back to the late 1960's and early 1970's. The basic format and methodology hasn't significantly changed since the beginning, aside from emphasis on water resources management and inclusion of more financial management information. GMB's experience and history with Water and Sewerage Plans go back to September 1969. Our firm prepared the first water and sewerage plan for Worcester County, as well as for Wicomico County. In 1975, GMB was involved in the first update to the Worcester County Water and Sewerage Plan. Through the ensuing years, GMB has been involved in various updates for lower shore counties. Our most recent experience was the update to the Wicomico W & S Plan, which has been under review since 2010.

GMB has been involved in numerous water and sewerage projects throughout Worcester County, all of which needed to be included in the County Water and Sewerage Plan. We have an excellent background with County projects, municipal projects and developer projects. We are very well attuned to the growth and development of water and sewer infrastructure in Worcester County. It is through this history, background and experience that GMB's involvement will be most beneficial to Worcester County in developing this important plan.

We appreciate the opportunity to submit this proposal, and we look forward to making this project a success for Worcester County.

Sincerely,


Peter A. Bozick, Jr., P.E., BCEE
Executive Vice President

FIRM OVERVIEW

George, Miles & Buhr, LLC (GMB) is a premier Architectural & Engineering design firm serving the Mid-Atlantic region since 1960. GMB provides pioneering solutions that better our communities and safeguard our environment. Our headquarters is located in Salisbury, MD, and we have additional offices in Seaford, DE, and Sparks, MD. We have a comprehensive team of over 85 employees dedicated to producing exceptional solutions for our clients.

GMB is an award-winning leader in engineering design. Our engineers specialize in municipal engineering, stormwater management, water and wastewater treatment, land development, and structural/marine engineering. Our architects are experienced in a range of commercial, institutional and residential building types in both contemporary and traditional design, as well as historic preservation, interior design, and rehabilitation. We provide design, contract administration and inspection services on many of our projects through an in-house construction services division.

GMB strives to be the leader in the design and stewardship of sustainable communities in the Chesapeake Bay and Coastal environments. We are a member of the U.S. Green Building Council (USGBC) and have several Leadership in Energy and Environmental Design (LEED) accredited professionals on staff. GMB is an enduring firm that fosters excellence, creativity and a high quality of life.

Our innovative solutions, our adaptability to change, our commitment to design within budget and time restraints, and our ability to communicate project specifics to various stakeholders have produced many outstanding projects in the past. We will provide the dedication, expertise and teamwork on your projects that clients have come to expect from GMB.

We are proud to have recently been awarded a 2018 Engineering Excellence Honor Award from the Delaware American Council of Engineering Companies (ACEC) for our Highland Acres Sewer Extension project in Lewes, Delaware. We also received this award in 2017 for our Lewes Beachside & Cityside Streets Rehabilitation project, and in 2013 for our Flood Control & Stormwater Retrofit project in Seaford, Delaware.



CONSULTING



CIVIL / MUNICIPAL



WATER / WASTEWATER



STRUCTURAL / MARINE



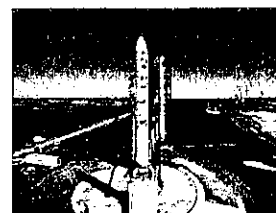
LAND DEVELOPMENT



CONSTRUCTION SERVICES



SITE / SUSTAINABLE DESIGN



AEROSPACE SUPPORT



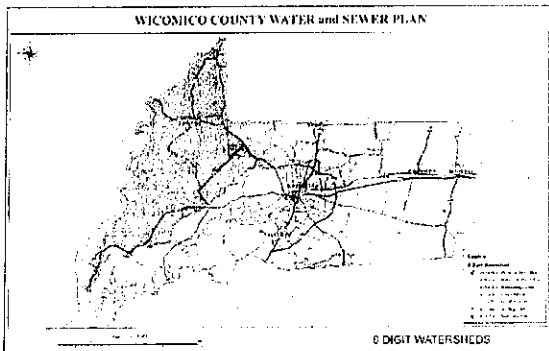
ARCHITECTURE

FIRM QUALIFICATIONS

Since 1960, GMB has been providing water and wastewater engineering services. We offer the full spectrum of consulting engineering services that our clients rely on as they plan, construct, maintain, operate and manage their water and wastewater systems. Our capabilities include: preliminary feasibility reports, master planning reports, comprehensive water and sewerage plans, evaluation of existing facilities, analysis of alternatives, preparation of preliminary design reports, preparation of final engineering design, preparation of contract documents, assisting with construction management and inspection all the way through facility start-up and one-year certification.



Community growth, aging systems and regulatory requirements, which continue to tighten progressively over time, all place burdens on our water and wastewater systems' ability to continue to provide adequate and essential service to the public. With projects ranging from conventional facility design to cutting edge research and treatment initiatives, GMB's engineers are highly skilled at helping clients assess their individually developed options for creative solutions.



Our most recent effort to update a County Water and Sewerage System Plan is with Wicomico County in collaboration with Maryland Environmental Service (MES) in the 2005 through 2007-time frame. Details on this project are provided in the Relevant Project Experience tab. On a practical and project specific level, we are involved every year with multiple W&S Plan Approvals and/or Amendments for every water and sewerage project.

Familiarity with Water & Sewerage Systems in Worcester County & Neighboring Coastal Communities.

GMB has a proud history of serving coastal communities as well as small municipalities and providing central water and sewer collection systems in previously unserved areas. In our 58 years of providing engineering services we can point to designing the original water and sewerage collection system for Ocean City, Maryland in the 1960's; we can also point to the design of the original water and sewerage system for Dewey Beach and Henlopen Acres, Delaware in the 1970's. In the 1980's we engineered the sewer collection system for West Ocean City, Maryland, the first water and sewer system for Blades, Delaware and the first sewer system for Hebron, Maryland. In the 1990's we engineered the sewerage system for the West Rehoboth Area that initially served 6,000 customers and today serves over 20,000 EDU's. It is served by a 300+ acre spray irrigation disposal system. In the 2000's we designed an expansion and upgrade to the Ocean Pines WWTP as well as new County water treatment plants and wastewater treatment plants for the Riddle Farm and The Landings service areas. We have experience in water and wastewater infrastructure throughout Worcester County. We are currently involved with the water and sewerage infrastructure for Pocomoke City.



We can point to our experience and expertise in going through the approval and amendment process in all Maryland counties where we engineer water and sewerage projects. We fully appreciate the challenges of getting projects approved under the Water and Sewerage Plan at both the County level as well as by the State of Maryland. We understand the importance of having accurate and reliable information in the Plan to facilitate and expedite the amendment approval. We can point to our recent experience with the Morris Mill Water System, where toxic groundwater created an emergency in an area that was not included in the Water and Sewerage Plan. We undertook the efforts to extend water from Fruitland into the area. First, we had to get approval from the Maryland Department of Planning to qualify the area as a Priority Funding Area (PFA). This was prerequisite before going through the process of amending the County Water and Sewerage Plan.



Our interactive experience with Water & Sewerage Plans in general, as well as the breadth of significant projects in Worcester County, allows GMB to be uniquely and fully qualified to undertake this planning project for Worcester.

PROJECT APPROACH

Our approach to this master planning effort will be one that is diligent, conscientious and methodical in aligning the water and sewerage plan with the County's Comprehensive Development Plan Land Use and Water Resources Element. GMB understands the importance of accuracy and is motivated to perform to a very high level of close coordination and collaboration with not only the County Staff but also, the municipalities and stakeholders whose assistance is crucial. We are aware of the challenges in getting timely and accurate information from the municipalities and stakeholders.

- 1. Review of the existing Water and Sewerage Management Plan with amendments.** Review existing County Comprehensive Plan and Water Resources Element prior to the kick-off meeting with County Staff.
- 2. Hold project kick-off meeting with Worcester County:**
 - a. Review project drivers and stakeholders
 - b. Establish project goals and objectives
 - c. Introduce team members from GMB and County and organize communication protocols.
 - d. Discuss schedule for regular progress meetings and crucial milestone dates.
- 3. Update 1994 Water and Sewerage Plan with Amendments:**
 - a. Compile information from amendments
 - b. Develop composition of format, tables, exhibits and maps
 - c. Update tables and exhibits in new format with data from amendments.
 - d. Update new maps in new format with data from amendments
 - e. Meeting with County at submission to present update plan.
- 4. Plan Preparation – Chapter One:**
 - a. Review draft provided by County
 - b. Verify consistency with MDE requirements
 - c. Verify consistency with County Comprehensive Plan
 - d. Organize and format in form for the new plan
- 5. Plan Preparation – Chapter Two:**
 - a. Develop the physical environmental narrative (land-use, zoning, topography, wetlands)
 - b. General information – demography, development and research
 - c. Resource protection narrative
 - d. Develop exhibits updated from previous plan and inclusive of additional resource protections
 - e. Develop tables updated previous plan and expanded for newer information
 - f. Attend meeting with County for pre-review prior to submission
- 6. Plan Preparation – Chapter Three (Water):**
 - a. General Information, standards and monitoring and existing groundwater resources
 - b. GMB will distribute preliminary findings and questions to municipalities listed in the Water and Sewerage report.
 - c. Coordination meetings and communications with County and municipalities.
 - d. Future demand projections
 - e. GMB will distribute preliminary findings and questions to all municipalities listed in the Water and Sewer report.
 - f. Pollution/Contamination Sources – existing & potential
 - g. Existing service area descriptions
 - h. Existing service area profiles

- i. Future systems thru interconnections and expansion of existing service areas
- j. Develop and draft exhibits for water service areas
- k. Develop and draft tables for water service areas
- l. Compile chapter for review and proofing
- m. Attending meeting(s) with County at time of draft submission

7. Plan Preparation – Chapter Four (Sewerage):

- a. General Information, standards and monitoring and existing groundwater resources
- b. GMB will distribute preliminary findings and questions to municipalities listed in the Water and Sewerage report.
- c. Coordination meetings and communications with County and municipalities.
- d. Future demand projections
- e. Pollution/Contamination Sources – existing & potential
- f. Existing service area descriptions
- g. Existing service area profiles
- h. Future systems through interconnections and expansion of existing service areas
- i. Develop and draft exhibits for water service areas
- j. Develop and draft tables for water service areas
- k. Compile chapter for review and proofing
- l. Attending meeting(s) with County at time of draft submission

8. Plan Preparation – Chapter Five:

- a. Review draft provided by County.
- b. Review funding programs in place and/or proposed in the County.
- c. Review alternative funding strategies.
- d. Planning level cost estimates for capital improvements in conjunction with programming and budgeting processes.
- e. Review meeting(s) with County prior to compilation and submission of draft chapter.
- f. Approximate duration six (6) weeks.

9. Assembly of Appendixes:

- a. Plan Amendment Application Forms
- b. Groundwater Protection Report (GPR)
- c. Mystic Harbor Environmental Report
- d. Applicable Consent Orders still in effect
- e. Interjurisdictional agreements, as applicable
- f. Financial statements, as applicable

10. Plan Draft

- a. Assemble draft plan
- b. Work session(s) with County Staff and Planning Commission
- c. Submit Final Draft plan

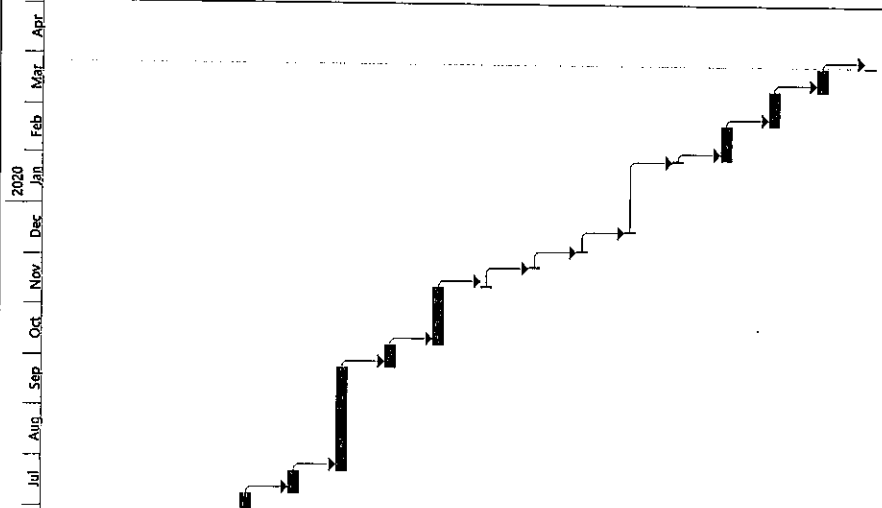
11. Presentation and Review

- a. Develop graphics and PowerPoint for presentation purposes
- b. Present Plan to Worcester County Sewer Committee
- c. Present Plan to County Commissioners
- d. Present Plan at Public Hearing
- e. Present Plan to MDE

Worcester County
Water and Sewerage Plan Update
Project Schedule

Mon 11/26/18

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors
1	☑	RFP Awarded	1 day	Tue 1/8/19	Tue 1/8/19	
2	☑	Meeting with County Staff and Receipt of Data Items	1 day	Tue 1/22/19	Tue 1/22/19	1FS+9 days
3	☑	Chapter 1 and Chapter 2 Drafts	45 days	Wed 1/23/19	Tue 3/26/19	2
4	☑	Review of Drafts with County Staff	10 days	Wed 3/27/19	Tue 4/9/19	3
5	☑	Chapter 3 and Chapter 4 Drafts	75 days	Wed 3/27/19	Tue 7/9/19	3
6	☑	Review of Drafts with County Staff	10 days	Wed 7/10/19	Tue 7/23/19	5
7	☑	Chapter 5 and Assembly of Appendices	45 days	Wed 7/24/19	Tue 9/24/19	6
8	☑	Review Chapter 5 and Appendices with County Staff	10 days	Wed 9/25/19	Tue 10/8/19	7
9	☑	Assemble Draft Plan	25 days	Wed 10/9/19	Tue 11/12/19	8
10	☑	Meeting with County Staff on all work products, including all draft maps	1 day	Wed 11/13/19	Wed 11/13/19	9
11	☑	Public Listening Session(s)	1 day	Mon 11/25/19	Mon 11/25/19	10FS+7 days
12	☑	Work Session with County Staff and Planning Commission	1 day	Thu 12/5/19	Thu 12/5/19	11FS+7 days
13	☑	Presentation to County Commissioners to schedule Public Hearing	1 day	Tue 12/17/19	Tue 12/17/19	12FS+7 days
14	☑	Public Hearing by County Commissioners	1 day	Wed 1/29/20	Wed 1/29/20	13FS+30 days
15	☑	Final Edits/Changes to County Staff	15 days	Thu 1/30/20	Wed 2/19/20	14
16	☑	Final Approval by County Commissioners	15 days	Thu 2/20/20	Wed 3/11/20	15
17	☑	Submission of Final Plan to County	10 days	Thu 3/12/20	Wed 3/25/20	16
18	☑	Meet with MDE to present Final Plan	1 day	Thu 3/26/20	Thu 3/26/20	17



Task Legend:

- Task: [Solid Bar]
- Split: [Dashed Bar]
- Milestone: [Diamond]
- Summary: [Thick Bar]
- Project Summary: [Thin Bar]
- Inactive Task: [Dotted Bar]
- Inactive Milestone: [Dotted Diamond]
- Inactive Summary: [Thin Dotted Bar]
- Manual Task: [Thick Bar]
- Duration-only: [Thin Bar]
- Manual Summary Rollup: [Thin Bar]
- Manual Summary: [Thin Bar]
- Start-only: [Thin Bar]
- Finish-only: [Thin Bar]
- External Tasks: [Thin Bar]
- External Milestone: [Thin Diamond]
- Deadline: [Thin Bar]
- Progress: [Thin Bar]
- Manual Progress: [Thin Bar]

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**Cost Proposal Page
Request for Proposals
Worcester County Water and Sewerage Plan Update**

Total lump sum cost for the services outlined in our proposal in compliance with all criteria of the RFP by the County for successful completion and adoption of the Worcester County Water and Sewerage Plan Update project is as follows:

One Hundred Seventy-Five Thousand Two Hundred Ten Dollars \$ 175,210.00
(Written) (Figures)

Estimated number of hours to complete the plan: 1,790 hours **

**Attach an itemized breakdown of the lump sum cost

Breakdown shall include the following: **See attached breakdown on the following page

Labor Category Description	Hours	Direct Hourly Rate	Total Labor Cost
		Direct Labor Cost Subtotal	
		Multiplier	
		Total Labor Cost	
Subcontractor Expenses Description	Direct Cost	Mark-up(%)	Total Cost
		Total Subcontractor Expenses	
		TOTAL PRICE	

COST PROPOSAL MUST BE SIGNED TO BE VALID

I hereby certify that I am authorized to sign as a Representative for the Consultant:

Date: 11-26-18

Signature: 

Typed Name: Peter A. Bozick, P.E., BCEE


Title: Executive Vice President

Firm: George, Miles & Buhr, LLC

Address: 206 West Main Street
Salisbury, MD 21801

Phone: 410-742-3115

Consultant acknowledges receipt of Addendum(s), if any, by initialing the following:

Addendum #1 

Addendum #3 _____

Addendum #2 _____

Addendum #4 _____

ITEMIZED FEE BREAKDOWN

PART 1 - GENERAL

1. Client Worcester County		2. Date of Proposal 26-Nov-18	
3. Name of Consultant George, Miles & Buhr, LLC		4.	
5. Address of Consultant 206 West Main Street Salisbury, MD 21801-4907		6. TYPE OF SERVICE TO BE FURNISHED Water and Sewerage Plan Update Worcester County	

PART II - COST SUMMARY

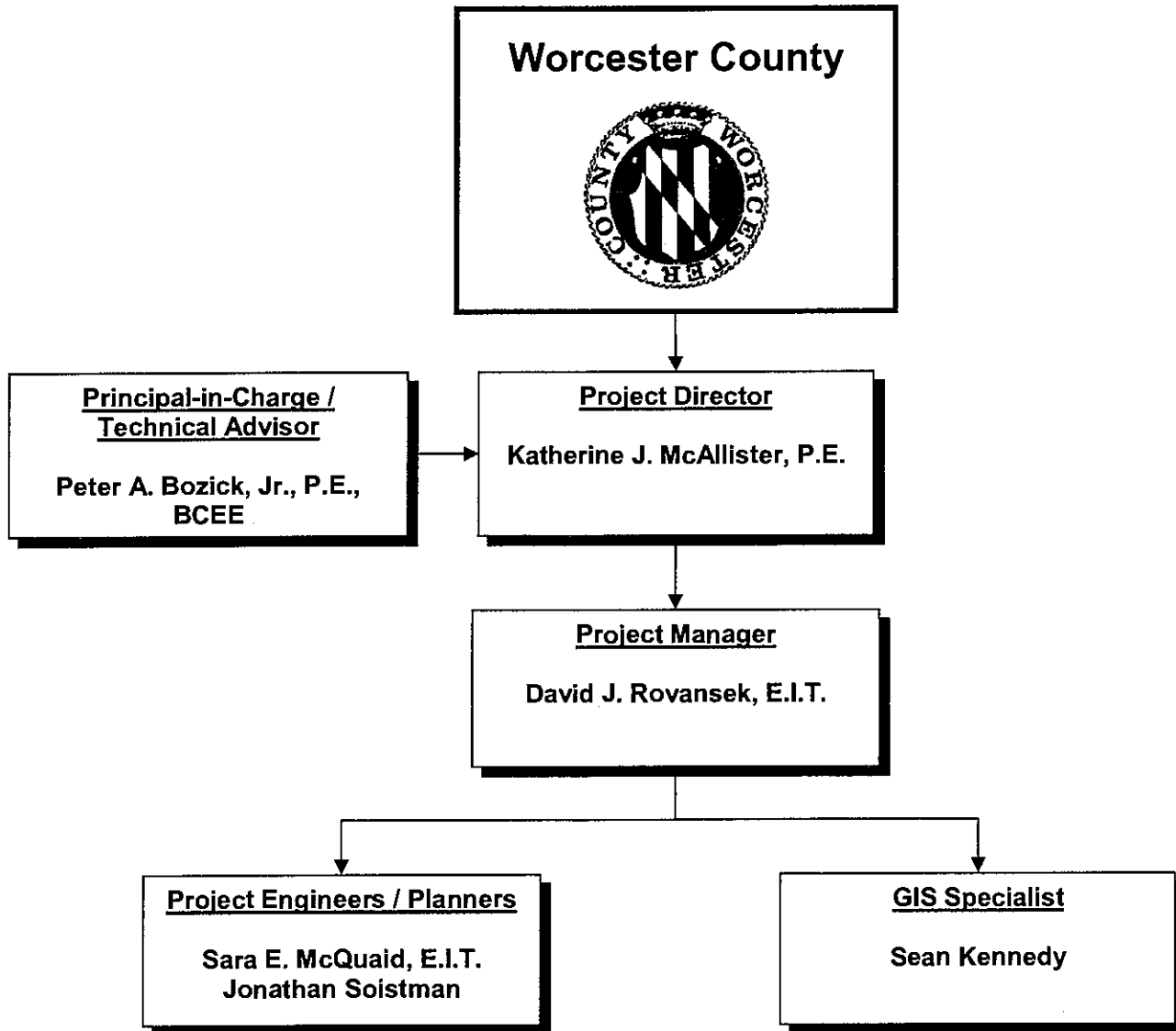
7. DIRECT LABOR	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Project Director	300	\$ 46	\$ 13,800	
Project Manager	320	\$ 37	\$ 11,840	
QA/QC Director	70	\$ 60	\$ 4,200	
Project Planner/Engineer	250	\$ 30	\$ 7,500	
Project Planner/ Engineer	250	\$ 29	\$ 7,250	
GIS Specialist	250	\$ 25	\$ 6,250	
Project Coordinator / Clerical	150	\$ 27	\$ 4,050	
CADD	80	\$ 25	\$ 2,000	
Technician	120	\$ 15	\$ 1,800	
DIRECT LABOR TOTAL:	1,790			\$ 58,690
8. INDIRECT COSTS	RATE	x BASE =	ESTIMATED COST	
Overhead and Fringe	1.5400	\$ 58,690	\$ 90,382.60	
INDIRECT COSTS TOTAL:				\$ 90,383
9. OTHER DIRECT COSTS				
a. TRAVEL			ESTIMATED COST	
(1) TRANSPORTATION	mileage	2,000 mi @ \$0.545/m	\$ 1,090	
(2) PER DIEM	meals			
TRAVEL SUBTOTAL:			\$ 1,090.00	
b. EQUIPMENT, MATERIALS, SUPPLIES			ESTIMATED COST	
	QTY.	COST		
8.5 x 11 Color	7,000	\$ 0.50	\$ 3,500	
8.5 x 11 B&W - Draft	12,000	\$ 0.20	\$ 2,400	
8.5 x 11 B&W - Final	10,000	\$ 0.20	\$ 2,000	
11 x 17 color	1,000	\$ 1.00	\$ 1,000	
Binders w/dividers	40	\$ 16.00	\$ 640	
Postage	1		\$ 500	
Other Direct			\$ 100	
			\$ -	
EQUIPMENT SUBTOTAL:			\$ 10,140.00	
c. SUBCONTRACTS			ESTIMATED COST	
SUBCONTRACTS SUBTOTAL:			\$ -	
OTHER DIRECT COSTS TOTAL:				\$ 11,230
10. ESTIMATED COST				\$ 160,303
11. FIXED FEE - 10% 10% of Direct Labor and Indirect Costs (7+8)				\$ 14,907
12. TOTAL ESTIMATED COST - LUMP SUM FEE PLUS REIMBURSABLES				\$ 175,210

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KEY STAFF & RESUMES

GMB has assembled an outstanding team led by Project Director Ms. Katherine J. McAllister and Project Manager Mr. David Rovansek, both of whom reside in Worcester County and bring a wealth of background knowledge to add value and benefit to this effort.

Resumes for each team member listed below can be found on the following pages.



PETER A. BOZICK, JR., P.E., BCEE

Principal / Technical Advisor

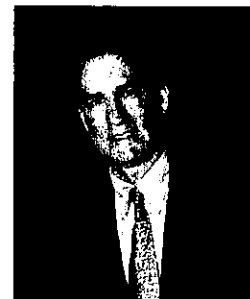
Pete Bozick has worked at George, Miles & Buhr since 1974. His responsibilities have included the preparation of plans, specifications and the contract administration for various wastewater collection and treatment facilities which use conventional as well as advanced treatment technologies. His educational background and expertise include the areas of ocean engineering, biosolids treatment/disposal, as well as spray irrigation land treatment.

Mr. Bozick has written numerous reports and studies including EPA Wastewater Facilities Plans, Environmental Assessments, Cost-Effectiveness Studies, Effluent and Sludge Disposal Analysis, Infiltration/Inflow Analysis, Operation and Maintenance Manuals, User Charge Systems, Feasibility Studies and Sewer Use Regulations. Mr. Bozick has participated in Value Engineering workshops for major sewer projects and also has provided expert witness deposition testimony. Mr. Bozick was a reviewer on the Water Pollution Control Federation Task Force which produced the "Sludge Thickening" and "Sludge Dewatering" Manuals of Practice. He was a member of a technical panel for the State of Maryland responsible for review of the State of Maryland "Design Guidelines for Land Treatment of Domestic Wastewater". He has served as an instructor for the Wastewater Operators Course at Wor-Wic Tech Community College.

In 2013, Mr. Bozick became a Board-Certified Environmental Engineer (BCEE) in the specialty of Water Supply & Wastewater. This certification, issued by the American Academy of Environmental Engineers and Scientists (AAEES), recognizes the top 4% of environmental engineering experts.

Project Experience Includes:

- **Wicomico County Comprehensive Water and Sewerage Plan (2005)** – Provided technical input and attended progress meeting as part of a collaboration with Maryland Environmental Services (MES) to update the Plan leading up to the 2010 Draft Plan.
- **Riddle Farm WWTP and WTP, Berlin, MD** – Managed construction phase services associated with the design-build construction of a storage lagoon, Class III water reclamation plant, an elevated water storage tank and iron removal water treatment plant. Coordinated with Worcester County for the close-out and transfer of the infrastructure from private to public ownership. Performed re-rating analysis of the WWTP to achieve capacity of 280,000 gpd. Project cost was approximately: \$8,000,000
- **Landings WWTP and WTP, West Ocean City, MD** – Managed construction phase services associated with the design-build construction of a Class III water reclamation plant discharging to groundwater recharge wells, as well as an elevated water storage tank and iron removal water treatment plant. Coordinated with Worcester County for the close-out and transfer of the infrastructure from private to public ownership. Performed WWTP treatment analysis for determining the capability of treating septage. Project cost was approximately: \$4,500,000
- **Ocean City Primary Plant Expansion (12 to 16 MGD), Ocean City, MD** – Managed design and construction contract administration for a \$7.5 million expansion of the primary facilities from 12.0 MGD to 16 MGD including a 2-million-gallon equalization tank and a fluidized bed incinerator.



RESPONSIBILITIES
Executive Vice President
Project Director

EDUCATION
University of Maine, 1975
Master of Science
Sanitary Engineering

Duke University, 1973
Bachelor of Science
Civil Engineering

REGISTRATION
Professional Engineer
Maryland – no. 11568
Delaware – no. 5317
Virginia – no. 014275

BCEE, 2013

ORGANIZATIONS
ACEC of Maryland
Water Environment
Federation
American Water Works
Association
Wicomico Creekwatchers
American Academy of
Environmental
Engineers & Scientists

PETER A. BOZICK, JR. RESUME CONTINUED...

- **West Rehoboth Sanitary Sewer District, Sussex County, DE** - Managed design and construction contract administration for the \$65 million construction contracts for wastewater collection systems, transmission sewers, pump stations and a design/build treatment and spray facility in coastal Sussex County, DE
- **Secondary Wastewater Treatment Plant (12 MGD), Ocean City, MD** - Headworks and Laboratory, managed design and construction contract administration for \$3.0 million retrofit for upgrading the screening and grit removal facilities and the construction of a new state-of-the-art laboratory for water and wastewater analysis.
- **Dagsboro-Frankford Wastewater Collection, Treatment & Spray Facility:** Collection, Treatment and Spray Facility, managed design and construction contract administration for \$8.0 million collection system and 200,000 gallon per day lagoon treatment and solid set spray irrigation system.
- **Pocomoke City WWTP – BNR/ENR Upgrades, Worcester County, MD** - Design and permitting to upgrade a 1.47 mgd secondary WWTP to BNR treatment levels and ten years later upgrading to achieve ENR treatment levels using Denitrification Filters and UV Disinfection.
- **Atlantic Town Center, MBR Treatment and Groundwater Recharge Basins, Accomack County, VA** - Design and permitting for a 100,000 gpd membrane bioreactor clean water plant followed by Groundwater Recharge Basin having capacity for 700,000 gpd. Virginia DEQ issued a Certificate to Construct (CTC) permit for this utility infrastructure.
- **Morris Mill Water System, Wicomico County, Maryland** - Preliminary Engineering Report and Environmental Report to secure needed funding to construct a water distribution system and elevated water storage tank to service an area where residential wells have been contaminated with TCE (a dry-cleaning solvent). The system will include 6-inch through 12-inch water mains, hydrants for fire protection and a 500,000 elevated water storage tank. Overall project cost is: \$8,000,000
- **Fruitland WWTP - ENR Upgrade, Wicomico County, MD** - Design and permitting to upgrade a 0.8 mgd BNR wastewater treatment facility to achieve ENR treatment levels using a Denitrification Filter. Additional work involves improvements to the aerobic digesters. Overall Cost: \$7,800,000
- **Wastewater Treatment Plant, Georgetown, DE** - Managed construction contract administration for the \$2.8 million construction of a 0.5 MGD advanced wastewater treatment plant involving the activated bio-filter (ABF) process, phosphorous removal filters and anaerobic digesters.
 - 1.26 MGD BNR Upgrade, Wastewater Treatment Plant, Princess Anne, MD
 - 8.0 MGD ENR Upgrade, Wastewater Treatment Plant, Cambridge, MD
 - 0.20 MGD BNR Upgrade Wastewater Treatment Plant, Willards, MD
 - 0.70 MGD Wastewater Treatment Plant Liner, Ridgely, MD
 - West Rehoboth Expansion – Phase III, Sussex County, DE
 - MGD Secondary Wastewater Treatment Plant, Seaford, DE
 - 0.5 MGD Secondary Wastewater Treatment Plant (0.5 MGD), Snow Hill, MD
 - United States Coast Guard Station, Septic Replacement Design, Lewes, DE
 - Lagoon Improvements, Ocean Pines Wastewater Treatment Plant, Berlin, MD
 - Wastewater Collection System for Sussex Shores, Sussex County, DE
 - Wastewater Collection System, Henlopen Acres, Sussex County, DE
 - Northeast Interceptor Sewer & Pump Station No. 3, Fruitland, MD

KATHERINE J. McALLISTER, P.E.

Project Director

Ms. McAllister joined GMB's Water/Wastewater Engineering Group in 2005 and was promoted to a Member (Vice President) of the firm in 2016. As a Sr. Project Manager in the Salisbury office, she has extensive knowledge of municipal public works, funding agency requirements, planning studies, rate structures and grant writing, as well as strong technical skills. She has experience with well and water treatment plant processes, water distribution systems, wastewater treatment processes, sanitary sewer system designs, hydraulic modeling, as well as road designs.

Katherine also chairs GMB Scholarship activities, is Vice President of the Fruitland Chamber, a Board member of local Life Crisis Center, and serves as the current President of the Sunrise Rotary Club in Salisbury. In 2015, Katherine was featured in *Water & Wastes Digest* magazine in a special section highlighting young water professionals as "Ones to Watch".



Relevant Project Experience Includes:

- **Showell School Water & Sewer Connection, Worcester County, MD** – Design of a sewer and water connection from the Showell Elementary School to the existing Ocean Pines system. The water design consisted of installing approximately 4,900 ft. of water main via open cut and directional drill. Hydrants and associated gate valves were installed along the length of the water main. The sewer design included design of a sewage pump station located on the school property, force main and gravity sewer from the elementary school to the onsite pump station.
- **Rt. 13 Highway Corridor Water & Sewer Extension Phase 1, Laurel, DE** – Project Engineer. Preliminary Engineering Report, Funding Applications, design, permitting and contract administration for a new 0.37 MGD regional pump station located on Route 9 east of Route 13. The project included 6,030 ft. gravity sewer, extension of 9,360 ft. water main, 4,460 ft. of 8-inch force main and installation of a low-pressure sewer system. This project was funded by the USDA Rural Development. Construction cost was over \$6 million. Completed in 2014.
- **Morris Mill Water Distribution System, Wicomico County, MD.**: Project Manager - Preliminary Engineering Report, Environmental Report, Design, and Construction Administration to construct a water distribution system and elevated water storage tank to service an area where residential wells were contaminated with TCE (a dry cleaning solvent). GMB worked closely with both State and Federal agencies to secure \$6 million in grant dollars for the project. The system includes water mains, hydrants for fire protection and a 500,000 elevated water storage tank. Overall project cost is: \$8,000,000. Completed in 2017.
- **Warren's Park Water Main Replacement, Ocean City, MD** - Engineering services for the design, bidding and construction phase services for the installation of a new water distribution system at Warren's Park.
- **Salisbury Airport Water Main Extension, Salisbury, MD** – Project Manager. Design and bidding services associated with a water extension to provide municipal water supply to the Salisbury Regional Airport.
- **Mardela School Complex Pump Station Evaluation & Replacement, Mardela Springs, MD**: Provided consultation and engineering assistance to the Wicomico County Board of Education (WCBOE) for the Mardela school complex pump station. The existing pump station wet well was too small, leading to short run times and frequent pump failures. GMB was contracted to redo design calculations and design a new pump and modifications to the station.

RESPONSIBILITIES
Vice President, Sr. Project Manager

GROUP
Water/Wastewater,
Salisbury

EDUCATION
Lehigh University 2005
Bachelor of Science
Environmental Engineering

Salisbury University 2009
Master in Business
Administration

REGISTRATION
Professional Engineer
MD-31298
DE-21875
VA- 0402058926

ORGANIZATIONS
Salisbury Sunrise Rotary
Fruitland Chamber

DAVID J. ROVANSEK, EIT

Project Manager

Mr. Rovansek joined the firm of GMB in December of 2000. He has been involved in all aspects of site development, stormwater management, environmental land use planning, sustainable site design, wastewater treatment, water treatment, permitting, contract administration, and project management. His duties include sustainable site design and planning, sanitary sewer system design, water supply line design, lift and pump station design, stormwater management design, site grading, quantity assessment, cost estimation, project scheduling, subcontractor coordination, and project management. Hydraulic and hydrologic modeling capabilities include TR-55 and TR-20 methodology utilizing various software, as well as familiarity with state government water quality software in Maryland, Virginia, and Delaware.



Relevant Project Experience Includes:

- **NPDES Design Task Order Services, Charles County, MD:** Sr. Engineer- Prepared Feasibility and Concept Design Reports for several projects to assist the County with MS4 compliance as monitored by MDE. The intent of the NPDES modification is to treat 20% of the County's previously untreated impervious areas via water quality BMP's and Environmental Site Design measures to remediate the first inch of run-off.
- **Seaside Village RPC Site Design & Construction, Worcester County, MD:** Project Manager – Oversaw Civil/Site Engineering Services for all aspects of Planning, Design, and Construction for a 139 unit Planned Residential Community in West Ocean City, MD.
- **Riddle Farm Wastewater Treatment Plant Design & Construction Worcester County, MD:** Provided planning, design, and construction administration services for of various aspects through construction and dedication to the County DPW.
- **Chesapeake Shipbuilding Stormwater Pollution Prevention Plan, Salisbury, MD:** Sr. Engineer - Provided Civil/Site Engineering Services to supplement the existing 13.54 Acre Chesapeake Shipbuilding property's Stormwater Pollution Prevention Plan (SWPPP) and stormwater management facilities. This process involved providing information, documentation, and coordination with MDE to comply with the requirements of the General Permit for Discharges from Stormwater.
- **Betterton Stormwater Management Retrofit, Betterton, MD:** Sr. Engineer- Main Street Outfall Phase 1 - Includes a bio-retention area in front of Betterton Town Hall, a stormwater step pool conveyance and a parking lot of permeable pavers that will serve as the cover for an engineered subsurface reservoir with recharge or infiltration beds for the surrounding urban watershed. This project focuses on the sub-watershed that impacts Betterton's public beach and will treat runoff from 13 acres. This project is being funded by a grant from the National Fish and Wildlife Foundation.
- **SWM Best Management Practices (BMP) Feasibility Study, Ocean City, MD:** Sr. Engineer - The primary focus of the study was to provide the Town of Ocean City with cost-effective BMP retrofit recommendations aimed at reducing primary pollutants such as trash, nutrients, metals, sediment and oils from entering the Town's receiving waters through existing storm drain networks.
- **Denton Master Stormwater Improvement Plan, Denton, MD**
Developed a study for treating existing stormwater runoff that drains into the Choptank River from the south area of the Town. Evaluated technical details and develop cost effective and feasible projects to implement sustainable best management practices (BMPs) to treat the nutrients and sediment accumulating in the drainage streams and river. Provided direction on the treatment needed to maintain and increase the health of the river and Chesapeake Bay. This project is being funded by a grant from the National Fish and Wildlife Foundation.

RESPONSIBILITIES
Project Manager

GROUP
Municipal/Civil, Salisbury

EDUCATION
Ohio University, 1999
Bachelor of Science
Civil Engineering

REGISTRATION
Engineer-in-Training

SARA E. MCQUAID, EIT

Project Engineer

Ms. McQuaid joined the firm of George, Miles & Buhr in October of 2003. She has served as a Design Engineer on a variety of projects including sanitary sewer system design, pump station design, street and utility rehabilitation design, and feasibility and planning studies.

Relevant Project Experience Includes:

- **Wicomico County Comprehensive Water and Sewerage Plan (2005)** – Provided technical input and attended progress meeting as part of a collaboration with Maryland Environmental Services (MES) to update the Plan leading up to the 2010 Draft Plan.
- **Madison-Woolford Sanitary Sewer System, Dorchester County, MD** - Prepared a USDA Preliminary Engineering Report and Environmental Report for the Madison-Woolford Sanitary Sewer system. Design consisted of a low-pressure sewer system with individual grinder pump stations for each property. Approximately 340 existing residences and businesses were served with simplex or duplex grinder pump stations. Low pressure sewers ranged from 1 ¼" to 5" diameter. Over 148,000 feet of low pressure sewer was installed. The project included connecting the existing houses to the system, starting up the grinder pump stations, and abandoning the existing septic tanks.
- **Ellendale Water System Feasibility Study, Ellendale, DE** - Engineering services to update and amend the Greater Ellendale Water Feasibility Study. Prepared a USDA Preliminary Engineering Report (PER) for the proposed project to eliminate polluted wells and provide a regional water system.
- **Mardela Springs Water Feasibility Study, Mardela Springs, MD** - Preliminary Engineering Report to evaluate the feasibility of providing regional sewer and water service to the Town of Mardela Springs. Study identified the costs associated with the systems.
- **Fruitland Water Capacity Management Plans, Fruitland, MD** - Evaluated the capacity and upgrade options for the Fruitland water system.
- **Pinetown Sewer Extension, Sussex County, DE** - Civil engineering design services to Sussex County to extend sewer services to an area with failing septic systems on Pinetown Road (Route 261A). This project was a part of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer System. State grants funded this project.
- **Pump Station No. 4 Force Main Replacement, Lewes, DE** - This project consisted of replacing the existing 12" force main from Pump Station No. 4 on Gills Neck Road to the Lewes Water Reclamation Facility. The project served to replace the existing ductile iron force main that has experienced two separate breaks in the past, creating an emergency repair situation. GMB designed a new force main which was installed via directional boring under the Lewes-Rehoboth Canal and wetlands to the Water Reclamation Facility.
- **Fruitland Infiltration/Inflow Reduction Project, Fruitland, MD** - Worked with the City of Fruitland to reduce Infiltration and Inflow that enters the sanitary sewer system through leaking brick manholes, pipe cracks, offset joints, and lateral to main connections.



RESPONSIBILITIES
Project Engineer

DIVISION
Civil/Municipal, Salisbury

EDUCATION
University of Delaware,
2003
Bachelor of Mechanical
Engineering

REGISTRATION
Engineer-in-Training

JONATHAN R. SOISTMAN
Engineer

Mr. Jonathan Soistman joined George, Miles & Buhr in June of 2015, after interning with the firm the previous summer and winter. Jon is an engineer with the Site / Sustainable Design Group in the Salisbury Office. Mr. Soistman is a graduate of Virginia Tech where he studied Civil and Environmental Engineering, specializing in Land Development and Construction Management.



Relevant Project Experience Includes:

- **NPDES Design Task Order Services, Charles County, Maryland**
Design Engineer: Prepared Feasibility and Concept Design Reports for several projects to assist the County with MS4 compliance as monitored by MDE. The intent of the NPDES modification is to treat 20% of the County's previously untreated impervious areas via water quality BMP's and Environmental Site Design measures to remediate the first inch of run-off. Six of these projects are currently in design.
- **Betterton Stormwater Management Retrofit, Betterton, Maryland**
Design Engineer: Main Street Outfall Phase 1 - Includes a bio-retention area in front of Betterton Town Hall, a stormwater step pool conveyance and a parking lot of permeable pavers that will serve as the cover for an engineered subsurface reservoir with recharge or infiltration beds for the surrounding urban watershed. This project focuses on the sub-watershed that impacts Betterton's public beach and will treat runoff from 13 acres.
- **Chesapeake Shipbuilding Stormwater Pollution Prevention Plan, Salisbury, Maryland**
Design Engineer: Providing Civil/Site Engineering Services to supplement the existing 13.54 Acre Chesapeake Shipbuilding property's Stormwater Pollution Prevention Plan (SWPPP). This process involves providing information, documentation, site planning, and stormwater management best management practice (BMP) design; as well as developing a maintenance and employee training program to comply with the requirements of the General Permit for Discharges from Stormwater Associated with Industrial Activities Permit No. 12-SW (12-SW).
- **City of Salisbury Stormwater Management Support, Salisbury, MD**
Design Engineer: Providing Stormwater Management Support services for the City of Salisbury to design and administer projects associated with the City of Salisbury's portions of the Wicomico County Phase II Watershed Implementation Plan, and assist with permit (including MS4) and regulatory compliance.
- **Oxford Boat Ramp Replacement, Oxford, Maryland**
Design Engineer: Engineering design services, including permits, construction plans and specifications, cost estimates and bid documents for the boat ramp replacement on Tilghman Street in Oxford, Maryland.
- **Sea Colony East Drainage Issues, Bethany Beach, Delaware**
Design Engineer: Review drainage issues and recommend improvements at Sea Colony East Promenade Deck in Bethany Beach, Delaware. Scope of work included a brief report with recommendations of improvement options.
- **Bayside Community, Selbyville, Delaware**
Design Engineer: Site engineering services for a 1,700 unit resort golf community including residential, commercial, and recreational uses.

RESPONSIBILITIES
Engineer

GROUP
Site / Sustainable Design,
Salisbury

EDUCATION
Virginia Tech
2015
Bachelor of Science in Civil
and Environmental
Engineering

SEAN M. KENNEDY

Geographic Information Systems (GIS) Specialist

Mr. Sean Kennedy joined the firm of George, Miles & Buhr in July of 2015. Sean is a Geographic Information Systems Specialist with the Civil/Municipal Group in the Salisbury Office. Previously Mr. Kennedy was a GIS Intern for the Public Works Department of Salisbury, Maryland. There he worked on government-funded GIS projects for the city of Salisbury, impacting approximately 90,000 residents and employees in the area. Mr. Kennedy digitized various physical maps, surveys, etc. in order to create greater access to recorded knowledge, easier analysis/application of records and ensure the preservation of historical records of data; responsibilities include digitizing, data collection, surveying/GPS, database management, cartography, and other spatial analyses.



Relevant Project Experience Includes:

- **Water & Sewer System Assets Evaluation, Pocomoke City, MD**
 GIS Specialist: Assisting the City with an evaluation of the water & sewer systems. GIS mapping includes collecting all water distribution and sewer collection maps that are available, digitize maps and create a base map, conduct field surveys to verify locations and collect missing data, and prepare a comprehensive map detailing the public water distribution system and sewer collection system.
- **Salisbury Storm Drain Inlet Study, Salisbury, MD**
 GIS Intern: As a GIS Intern with City of Salisbury Public Works Department, Mr. Kennedy conducted a storm drain inlet study, including locating storm drains with catch basin inserts using GPS, measuring rim elevations and grate size, and noting the condition of the insert. He then created a GIS layer from the location data collected to overlay with the rest of the City's storm drain system. Fields that were linked with the GIS layer included inserted number (assigned as collected), grate size, year of installation (if known), date of visual inspection, and apparent condition at time of inspection.
- **Seaford WWTF Sea Level Rise Vulnerability, Seaford, DE**
 GIS Specialist: The Vulnerability Study includes survey, mapping, and inventory elements for the City of Seaford's WWTF located along the Nanticoke River. The Delaware Coastal Programs Map shows major portions of the facility will be inundated at a 1.5 meter sea level rise.
- **Charles County NPDES Design Task Order Services, Charles County, MD**
 GIS Specialist: Prepared Feasibility and Concept Design Reports for several projects to assist the County with MS4 compliance as monitored by MDE. The intent of the NPDES modification is to treat 20% of the County's previously untreated impervious areas via water quality BMP's and Environmental Site Design measures to remediate the first inch of run-off. Two of these projects are currently in design.
- **Bayside Community Web Map, Selbyville, DE**
 GIS Specialist: This project involved the creation and maintenance of a web map for the community of Bayside allowing users to interact with the map data. Data ranges from home lot information to utilities. Users can click on features; specific information pertaining to that feature will appear with additional hyperlinks leading users to various spreadsheets, images, and other important information. Feature creation and data population were done in ArcMap and utilizing ArcGIS Online to create and share the web map.

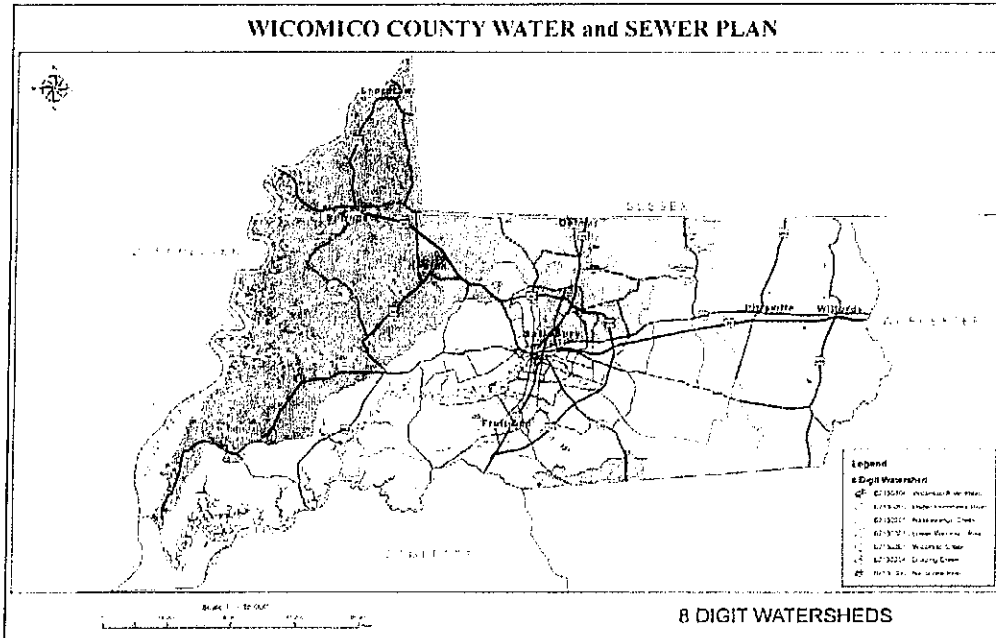
RESPONSIBILITIES
GIS Specialist

GROUP
Civil / Municipal, Salisbury

EDUCATION
Salisbury University 2015
Bachelor of Science in
Geography and
Geosciences

ORGANIZATIONS
Salisbury University Geo-
Society

**WICOMICO COUNTY WATER & SEWERAGE
COMPREHENSIVE PLAN**
Wicomico County, Maryland



OWNER
Wicomico County
Department of Public Works
125 N. Division Street
Salisbury, MD 21803

SERVICES
Water & Sewerage Planning

COMPLETION DATE
2007 – Draft Report

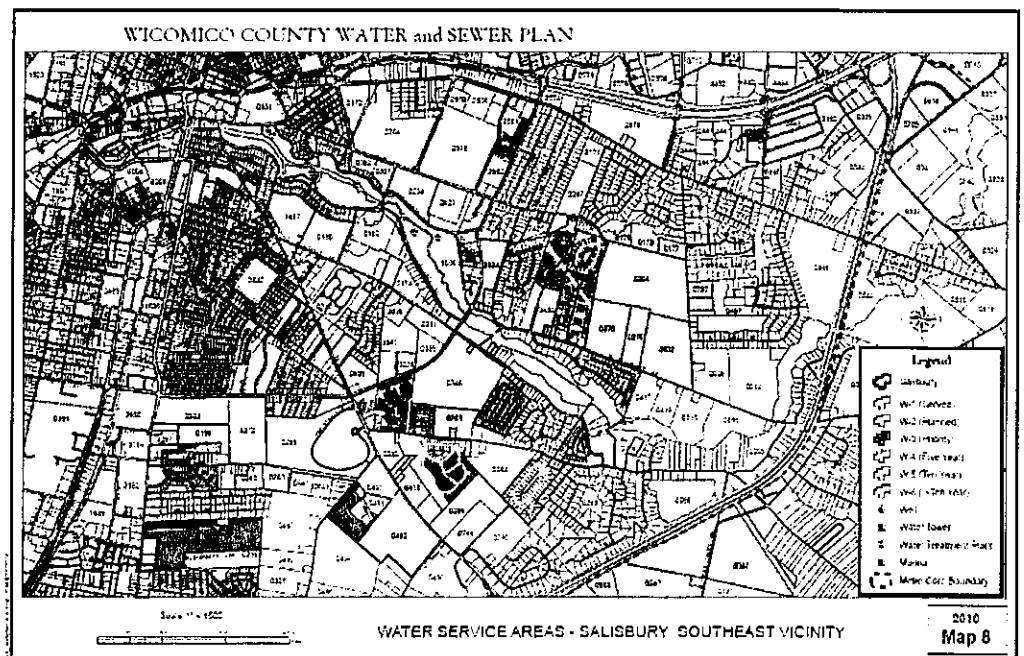
CONTACT
John Redden, Former Deputy
Director, 410-651-9188
(Currently Director of Public
Works for Somerset County)

George, Miles & Buhr, LLC was a subconsultant to Maryland Environmental Service (MES) to complete the Water and Sewer Comprehensive Plan (draft) for Wicomico County, Maryland, which underwent a major/complete revision and included GIS mapping.

Our scope of work included delineating water and sewer expansions/improvements on eight (8) municipal jurisdictions including Salisbury, Fruitland, Delmar, Pittsville, Willards, Hebron, Sharptown and Mardela Springs.

The Comprehensive Plan Report provides a general description and construction cost estimate of the infrastructure needed to serve these areas.

Included in the scope of the work was a presentation of the report to Wicomico County Officials and the public at workshops and hearings.



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WATER AND WASTEWATER FACILITIES – ENGINEERING DESIGN SERVICES (WWFEDS)

Howard County, Maryland

Tasks under this On-Call contract included water and wastewater facilities engineering design and planning services on an as-needed basis. The work efforts included preparation of studies, evaluations, and reports, development of water and wastewater hydraulic models, review of engineering plans, development and preparation of water/wastewater master plan program and reports, development and preparation of water/wastewater allocation program and reports and development of reclaimed water master planning documents.

These tasks have involved development of spatial databases using the County's existing data for water billing records, Onsite Sanitary Disposal Systems (OSDS), and sanitary sewer model. These tasks have required GIS analysis of the County's water use, meter records, population projections, land use, zoning data, occupancy permits, and proposed development plans to develop and prepare semi-annual Water and Sewer Allocation Reports, develop sanitary sewer flow projections for modeling, and identify retired OSDS for submission to MDE for nutrient credits.

We have been assigned the following list of the tasks:

- Water & Sewer Allocation Reports: 2008 – Present semi-annual update of available water and sewer capacity.
- Sanitary Sewer Hydraulic Modeling: Prepared capacity assessment of proposed Coca-Cola and Oxford Properties.
- Nutrient Credit Study: Identification and prepared tabulation of nutrient credit opportunities for wastewater facilities across the County.
- Sanitary Sewer Hydraulic Modeling of A & D: Assessment and development of future improvements to address Year 2035 flows.
- Little Patuxent Interceptor Improvements Study: Preliminary engineering for rehabilitation of existing interceptor. Included CCTV inspection, assessment and recommendation for rehabilitation.
- Reclaimed Water Master Plan: Development of reclaimed water system concept for inclusion in Master Plan.
- Sanitary Sewer Hydraulic Model Updates: Supplemental hydraulic modeling of current and future system improvements.
- Kerger Pumping Station Modeling: Evaluation of existing dormant pumping station for possible reinstatement

CLIENT

Howard County
Bureau of Utilities
8250 Old Montgomery Rd.
Columbia, MD 21045

SERVICES

On-Call Modeling and GIS Analysis

SIZE

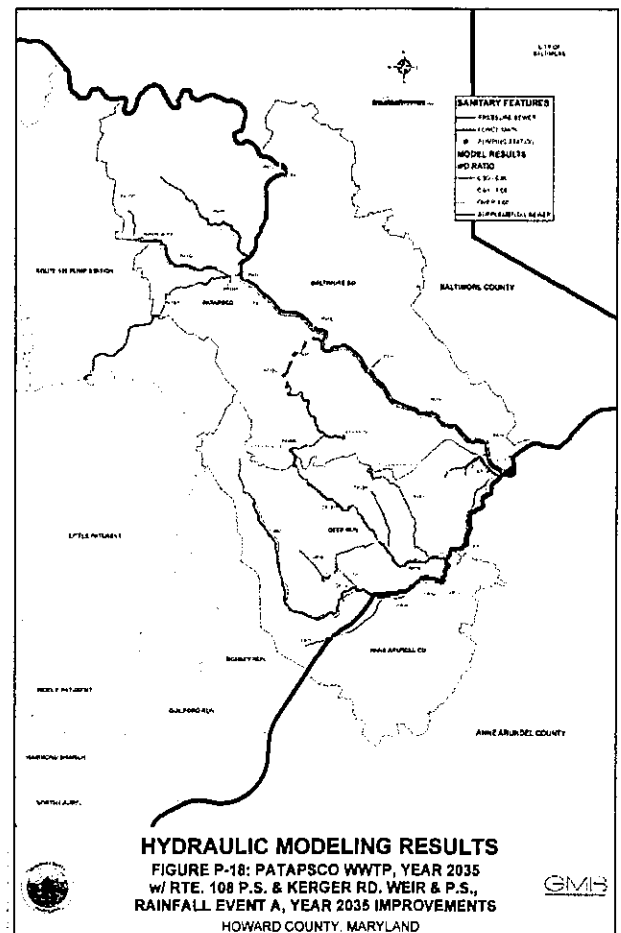
County-wide assessment

DATES

2007-Present

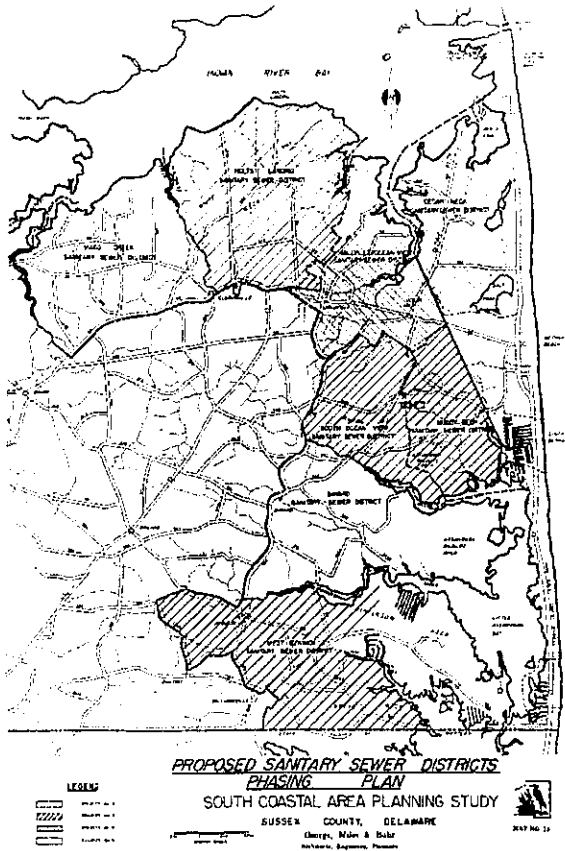
CONTACT

Amy Hart
410-313-2723



SOUTH COASTAL AREA PLANNING STUDY

Sussex County, Delaware



GMB conducted a comprehensive planning study for the South Coastal Area of Sussex County, which covered the entire coastal region from the Indian River Inlet to the Delaware/Maryland state line. The primary objective of the study was to produce a working document that could be used to address requests for extensions of sewer service within existing sanitary sewer districts and to proposed sewer district. The SCAPS study incorporated the following elements:

CLIENT
Sussex County Council
2 The Circle
P.O. Box 589
Georgetown, DE 19947

SERVICES
Planning Study

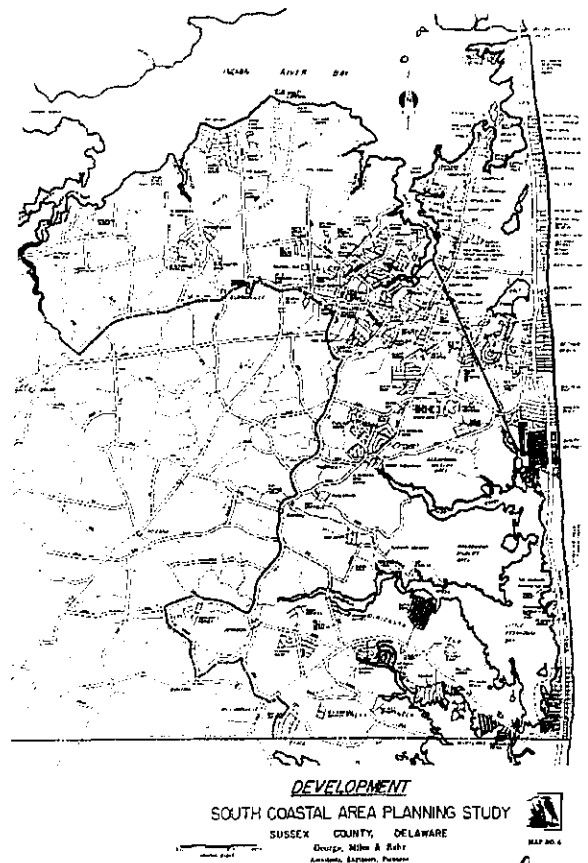
COMPLETION DATE
1990

CONTACT
Michael Izzo
County Engineer (former)
443-283-2500 (LJT & Associates)

- Analysis of capacity within existing sanitary sewer districts
- Evaluation of needs of proposed sanitary sewer districts
- Development of a regional sanitary plan
- Guidance with respect to existing and proposed sanitary sewer districts

The analyses of the South Bethany Sanitary Sewer District (SBSSD), Bethany Beach Sanitary Sewer District (BBSSD) and Fenwick Island Sanitary Sewer District (FISSD) were conducted in two phases. The first phase quantified flows of current (existing) users and ultimate users for each district. The second phase compared existing and ultimate flows to sewer system capacity. Specific conclusions and recommendations for operations and capital improvements were presented.

In addition, a regional plan was developed to establish an orderly framework for evaluating and implementing central sewer service in areas outside of existing sanitary sewer districts. Proposed sanitary sewer districts were delineated and prioritized based on environmental need and future development potential. A phasing plan was presented along with preliminary design concepts and cost estimates for each proposed district.



WATER & WASTEWATER TREATMENT PLANT PROJECTS

Worcester County, Maryland

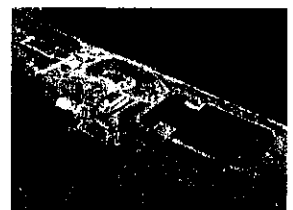
GMB is proud to have worked on the following water and wastewater related projects located within Worcester County.

- **Glen Riddle WWTP and WTP, Berlin, MD** – Design and construction phase services associated with the design-build construction of a storage lagoon, Class III water reclamation plant, an elevated water storage tank and iron removal water treatment plant. Coordinated with Worcester County for the close-out and transfer of the infrastructure from private to public ownership. Performed re-rating analysis of the WWTP to achieve capacity of 280,000 gpd. Project cost was approximately: \$8,000,000
- **Bayside (The Landings) WWTP and WTP, West Ocean City, MD** – Design and construction phase services associated with the design-build construction of a Class III water reclamation plant discharging to groundwater recharge wells, as well as an elevated water storage tank and iron removal water treatment plant. Coordinated with Worcester County for the close-out and transfer of the infrastructure from private to public ownership. Performed WWTP treatment analysis for determining the capability of treating septage. Project cost was approximately: \$4,500,000
- **Ocean City Primary Plant Expansion (12 to 16 MGD), Ocean City, MD** – Managed design and construction contract administration for a \$7.5 million expansion of the primary facilities from 12.0 MGD to 16 MGD including a 2-million-gallon equalization tank and a fluidized bed incinerator.
- **Ocean Pines WWTP ENR Upgrade, Ocean Pines, MD** - The Ocean Pines Wastewater Treatment Plant had a design capacity of 1.5 MGD, but needed an expansion due to growth in the area. GMB performed a preliminary engineering study to determine what treatment alternatives were available to the County. GMB determined that a fourth treatment unit would be constructed, and the capacity of the expanded plant would be 2.3 MGD. GMB designed a new Five-stage Bardenpho treatment unit with an initial capacity of 0.8 MGD. This new treatment unit No. 4 would eventually allow the plant to be re-rated to an ultimate capacity of 3 MGD while meeting their ENR discharge permit.
- **Pocomoke City WWTP ENR Upgrade, Pocomoke City, MD** - GMB assisted Pocomoke City with the planning, design and construction contract administration for the upgrade of their existing 1.47 million gallon per day BNR facility to provide Enhanced Nutrient Removal (ENR). Upgrades include the modification of the existing Biolac® Basin to include post anoxic reactor, reaeration zone and new RAS pumps, conversion of the chlorine contact tank to new UV disinfection and post aeration zone, new upflow denitrification filters with water quality instrumentation suite and new chemical storage and feed systems including metal salt and supplemental carbon, new filter reject pumping station and new process control (SCADA) system.
- **Clarke Ave. Extended Production Well, Pocomoke City, MD** - GMB assisted Pocomoke City with the design and construction of one water supply production well with a 50HP submersible pump, and approximately 610 feet of 8" DI water main, flow meters and new controls. This project involved detailed investigation on the location of the well and well design parameters. Preliminary efforts included the evaluation of three (3) potential locations for the new well. GMB also assisted the City with Bidding and Construction Administration efforts.

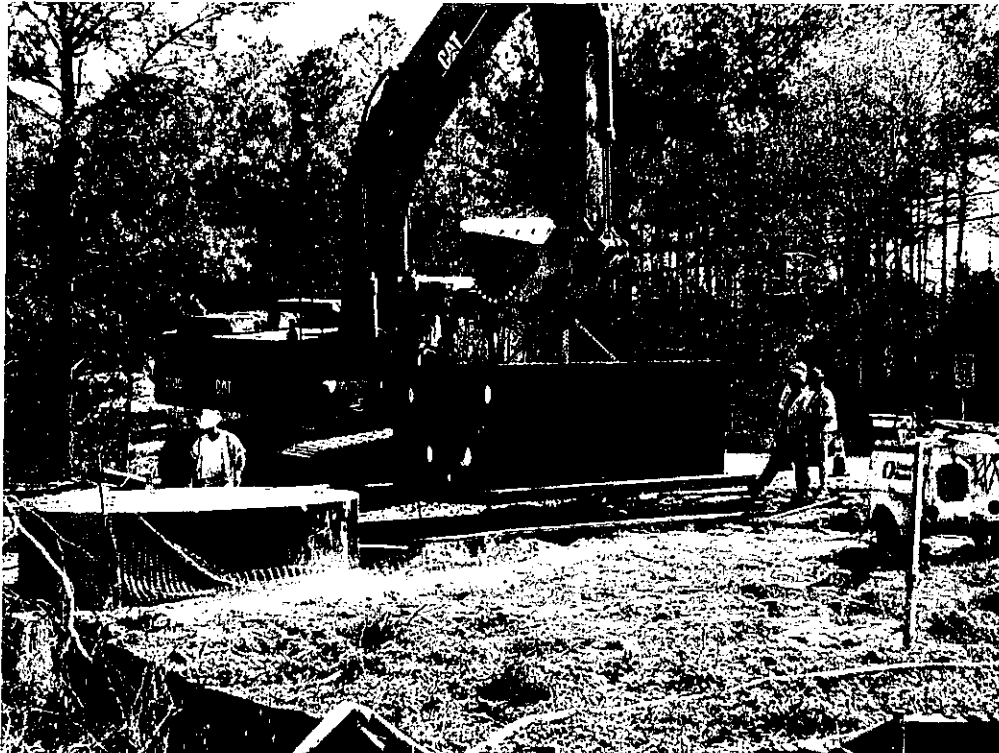


SERVICES
 Planning Reports
 Water/Wastewater Engineering
 Water Treatment & Storage Design
 Wastewater Treatment & Disposal Design
 Construction Inspection

CONTACT FOR COUNTY FACILITIES
 Mr. John Ross, P.E., Deputy Director
 (410) 641-5251



MADISON – WOOLFORD SANITARY SEWER SYSTEM
Dorchester County, Maryland



CLIENT
Dorchester County Sanitary District, Inc.

SERVICES
Preliminary Engineering Report
Environmental Report
Civil Engineering
Electrical Engineering
Structural Engineering
Contract Administration
Inspection

SIZE
Madison PS = 360 gpm
Woolford PS = 270 gpm
35 miles of low pressure sewer and force main

CONSTRUCTION COST
\$6,713,820

CONTRACTOR
David A. Bramble, Inc.

COMPLETION DATE
2011

CONTACT
Mr. Robert Tieder, Jr.
Chairman (former)

GMB was retained by the Dorchester County Sanitary District to prepare a USDA Preliminary Engineering Report and Environmental Report for the Madison-Woolford Sanitary Sewer system. Design began in 2008 and consisted of a low pressure sewer system with individual grinder pump stations for each property. Approximately 340 existing residences and businesses were served with simplex or duplex grinder pump stations. Low pressure sewers ranged from 1 ¼" to 5" diameter. Over 148,000 feet of low pressure sewer was installed. The project included connecting the existing houses to the system, starting up the grinder pump stations, and abandoning the existing septic tanks.

The low pressure sewer systems discharged to two Regional Pump Stations with duplex submersible pumps and backup stationary generators. The Woolford Pump Station has a 10' diameter concrete wet well and a valve vault. The existing Church Creek Pump Station was demolished and a new 10' diameter concrete wet well and valve vault were constructed on the same property. The existing pump station stayed in service during construction of the new station. The 8-inch diameter force mains from the Woolford PS and the Madison PS were 19,858 feet and 17,357 feet long, respectively. The low pressure sewer and force mains were installed via directional drilling (including under tidal wetlands and intersections), trenching, and open cut methods.

During construction, GMB was responsible for contract administration and full time inspection. Services consisted of shop drawing reviews, addressing Contractor questions, review and approval of monthly payment requisitions, monthly progress meetings, as-built drawings, daily inspection, punch list generation, pump station startup, and operation and maintenance manual review.



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CAPACITY TO PERFORM

Legal Statement

George, Miles & Buhr, LLC (GMB) certifies that we have had no lawsuits or claims that have been filed or asserted against our firm (or any member of our firm) in the last five (5) years.

Adequacy of Personnel

George, Miles & Buhr, LLC (GMB) has an experienced professional staff capable of providing professional consulting services to update the Worcester County Water and Sewerage Plan to ensure the provision of safe and adequate drinking water and wastewater systems to meet existing and future demands for Worcester County, Maryland. With 85+ employees, 20+ registered Professional Engineers, 3 licensed Architects, and numerous Architects/Engineers-In-Training, Designers, CADD Operators and administrative assistants, GMB has the personnel and expertise needed to ensure the successful completion of the County's project.

CAD / BIM Capabilities

GMB utilizes the latest BIM and CAD technologies. If requested, our Architectural and Structural teams have the ability to use Revit-based Building Information Models (BIM) through all phases of the design project. Our structural engineers also use Risa, a specialized program for structural design and modeling. GMB's civil engineers use Autodesk Civil 3D, ArcGIS, Hydroflow, HydroCAD, and CivilGEO HEC-RAS. In addition, GMB uses Sketch-Up and Photoshop in conjunction with BIM in the conceptual and schematic design phases to provide 3-dimensional renderings when requested. We have worked with several educational districts on multiple educational projects that used BIM throughout their projects. GMB is capable of producing 3D visualizations from basic conceptual information through construction documents. Our design process stresses the use of 3D modeling tools to help the client understand the design and specific aspects of the basis of design, graphic renderings and 3-D animation/modeling and presentation boards. Our presentation capabilities include Prezi and PowerPoint. Additionally, we can create fly through animations utilizing drone footage taken by our FAA-Certified sUAS Pilot.

Insurance Coverage

GMB maintains a wide array of insurance coverage, including a \$2 million Professional Liability Insurance (PLI) aggregate, as well as \$3 million General Liability Aggregate, which is supplemented by a \$5 million Umbrella Liability policy.

Financial Responsibility & Creditworthiness

GMB is financially sound and well managed by our eight board members who stress efficiency and cost-consciousness in business operations. The firm, and its Members, are solvent and in satisfactory financial condition, as evidenced by the financial statements we have included on the following pages.

Below are two (2) financial references for GMB's business banking firm and our independent accounting firm. We invite Worcester County to contact these references who can attest to GMB's financial responsibility and creditworthiness.

Ms. Deanna G. Whittington, Assistant Vice President
M & T Bank
155 E. Carroll Street, 2nd Floor
Salisbury, MD 21801
410.548.7224

Mr. Jeffrey A. Michalik, CPA
PKS & Company, PA
1801 Sweetbay Drive
Salisbury, Maryland 21804
410.546.5600

**Request for Proposals
Worcester County Water and Sewerage Plan Update**

Signature Sheet

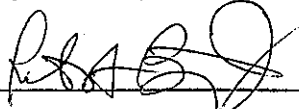
My signature certifies that the proposal as submitted complies with all Terms and Conditions set forth in this RFP.

My signature also certifies that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with another person or company engaged in the same line of business or commerce.

My signature also certifies that this Consultant has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest to the County, and that there are no principals, officers, agents, employees, or representatives of this Consultant that have any business or personal relationships with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to the County, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the County.

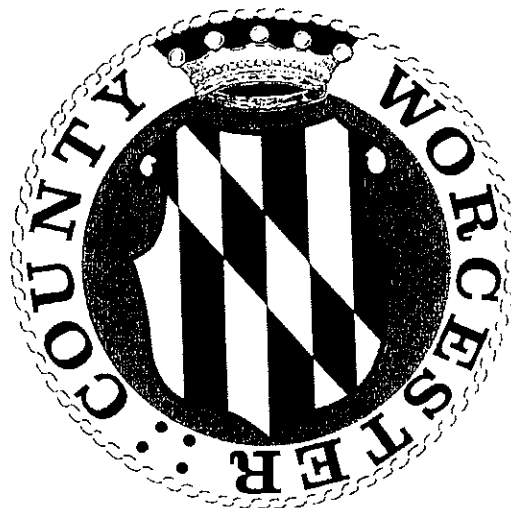
PROPOSAL MUST BE SIGNED TO BE VALID

I hereby certify that I am authorized to sign as a Representative for the Consultant:

Date: 11-26-18 Signature: 
Typed Name: Peter A. Bozick, P.E., BCEE
Title: Executive Vice President
Firm: George, Miles & Buhr, LLC
Address: 206 West Main Street
Salisbury, MD 21801
Phone: 410-742-3115

Response to Worcester County's Request for Proposal

Master Water and Sewerage Plan Update Worcester County, Maryland



PREPARED FOR:

**WORCESTER COUNTY COMMISSIONERS
SNOW HILL, MARYLAND**

PREPARED BY:

J. W. SALM ENGINEERING, INC.
9842 Main Street
Berlin, Maryland 21811
www.jwse.com

November 26, 2018

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**Request for Proposals
Worcester County Water and Sewerage Plan Update**

Signature Sheet


My signature certifies that the proposal as submitted complies with all Terms and Conditions set forth in this RFP.

My signature also certifies that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with another person or company engaged in the same line of business or commerce.

My signature also certifies that this Consultant has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest to the County, and that there are no principals, officers, agents, employees, or representatives of this Consultant that have any business or personal relationships with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to the County, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the County.

PROPOSAL MUST BE SIGNED TO BE VALID

I hereby certify that I am authorized to sign as a Representative for the Consultant:

Date: 11/26/18 Signature: 
Typed Name: John W. Salm, III, P.E.
Title: President
Firm: J. W. Salm Engineering, Inc.
Address: 9842 North Main St., P.O. Box 397
Berlin, MD 21811
Phone: 410-641-0126

RFP 10.2.1 - Qualifications and Experience

RFP 10.2.1 – Qualifications and Experience

J. W. Salm Engineering offers Worcester County some truly unique qualifications for Master Water and Sewer Planning. J. W. Salm Engineering, Inc. (*JWSE*) is a local professional firm that has provided planning services along with civil, environmental & land development engineering to Federal and State agencies, local municipalities (including Worcester County) and private customers for over twenty-two years. *JWSE*, incorporated in Worcester County in 1996, first provided Engineering services to the County in 2001 as a consultant. *JWSE* has since completed many successful projects for the County over the past 17 years.

JWSE is led by its principal Engineer, John W. Salm, III, P.E., President of J. W. Salm Engineering, Inc. Licensed in eight states, Mr. Salm is a local engineer with over thirty-one years of experience in planning, engineering and project management. Mr. Salm is a graduate of the New Jersey Institute of Technology in Newark, NJ (BSCE 1987) and earned a Master's Degree from Virginia Tech (MSCE 1989). Mr. Salm possesses several unique qualities, the foremost being his proficiency in both water resources and wastewater treatment and disposal. Mr. Salm is a trained water supply and wastewater treatment Engineer who has produced numerous designs up and down the east coast of the United States, exclusively during a five-year period from 1991 until 1996 and as part of his full-service firm since then. His local experience in water supply is extensive and is hard to match, as he has been directly involved in the engineering for dozens of local water supply systems since locating to this area in 1990. Mr. Salm is an appointed member of the bi-County Accomack-Northampton Groundwater Committee where he voluntarily shares his expertise to protect the valuable groundwater resources of the Eastern Shore of Virginia.

JWSE regularly performs engineering services for governmental bodies, insurance companies and private clients. The past two year-mix of work is: 20% for government (including Worcester County), 3% for insurance companies and 76% for private clients. This broad experience has provided *JWSE* with a diverse work culture and all the skills required to successfully complete the Master Water and Sewer Plan Upgrade for Worcester County.

JWSE is intimately familiar not only with the County's Comprehensive Plan and the Zoning Code but also with the County's Master Water and Sewer Plan itself. *JWSE* has worked with all these documents for over two-decades. Specifically concerning the Master Water and Sewer Plan, *JWSE* has prepared several of the recent amendments to this Plan including those for Ocean Downs, Crabs-to-Go and, most-recently, the Atlantic General Health Center on Route 589.

JWSE is Worcester County-based and completely cognizant of the local demographics, including the transient population trends in the County. *JWSE* was incorporated in Worcester County in 1996 and personally employs several local county residents. *JWSE* has maintained its office in Berlin, Maryland since 2007. All work on this subject project will be performed locally out of this office.

RFP 10.2.2 - Project Approach and Schedule

RFP 10.2.2 – Project Approach and Schedule

J.W. Salm Engineering (*JWSE*) will approach this project in a largely sequential fashion, utilizing the task item breakdown provided by the County. As previously stated, all project management will be performed by our principal, John W. Salm, III, P.E. Mr. Salm will be in responsible charge of all required activities and will delegate internally to *JWSE* staff and externally to our GIS planning consultant. This process will be seamless to the County. Mr. Salm will remain in direct charge of all work and will respond to the County, for any reason, at any time. *JWSE* will prefer to attend all meetings personally, in Snow Hill or any other location that is convenient to the County, but are prepared to attend any of the meetings remotely, should that be preferred by the County on a case-by-case basis.

Early activity on the project (Tasks 1 through 4) will rely heavily on our planners' skills and will be fully supervised by Mr. Salm. Subsequent Tasks, including all of the graphics, will be performed in-house at our Berlin office. ArcGIS will be used for in-house graphics work. All work will be provided to the County in MS Word and MS Excel format, as specified in the request for proposal (RFP). All work will also conform with applicable sections of COMAR, Title 26, Subtitle 03, Chapter 01 and Title 09, Subtitle 05.

JWSE has prepared a project schedule in a chart format, a copy of which is attached directly after this discussion. Overall project duration will be 14 months. *JWSE* has absolutely no problem with the County extending this duration or even shortening it to 12 months, if it is in the best interest of moving this project forward. *JWSE* foresees no adjustment to the cost of this project should the County choose to extend or shorten the project, provided that the scope of work remains the same. Assuming authorization on December 18, 2018, all work shall be completed by Feb 18, 2020, unless directed otherwise by the County

The 17-Task breakdown on the attached schedule is meant to show typical durations only (in half-month increments). Task completion dates may be read directly off the schedule; however, it is not intended to limit or constrict progress on the project. Early completion of tasks by *JWSE* will be the goal.

JWSE will provide all deliverables in the format(s) specified in the RFP, bringing all deliverables to the County offices in Snow Hill.

Project Schedule for Master Water and Sewer Plan Update
Worcester County, Maryland

Task	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20
1 Initial Data and Meeting	█														
2 Chapter 1 & 2 Drafts		█													
3 County Review			█												
4 Chapter 3 & 4 Drafts			█	█											
5 County Review				█	█										
6 Chapter 5 and Appendices					█	█									
7 County Review						█	█								
8 Assemble Draft Plan							█	█							
9 Meet with County								█	█						
10 Public Listening Sessions									█	█					
11 Work Sessions										█	█				
12 Presentation to Commissioners											█	█			
13 Public Hearing												█	█		
14 Final Edits													█	█	
15 Final Approval														█	█
16 Submit Final Plan to County															█
17 MDE Presentation Meeting															█

Project Duration : 14 Months

November 26, 2018

75

RFP 10.2.3 - Cost Proposal

**Itemized Breakdown for Master Water and Sewer Plan Update
Worcester County, Maryland**

<u>Labor Category</u>	<u>Hours</u>	<u>Direct Hourly Rate</u>	<u>Total Labor Cost</u>
Engineer (principal)	265	\$ 55.75	\$ 14,773.75
Engineer	160	\$ 26.25	\$ 4,200.00
Designer	740	\$ 22.00	\$ 16,280.00
		Direct Labor Cost Subtotal:	\$ 35,253.75
		<i>Multiplier: 3.0814</i>	
		Total Labor Cost:	\$ 108,630.91
<u>Subcontractor Expenses</u>			<u>Subcontractor Cost</u>
GIS Planner	100	\$ 50.00 X 1.15 multiplier	\$ 5,750.00
Copies and Materials	1	\$ 5264	\$ 5,264.00
		Total Subcontractor Expenses:	\$ 11,014.00
		TOTAL PRICE:	\$ 119,644.91

RFP 10.2.4 - Key Staff

RFP 10.2.4 – Key Staff

J.W. Salm Engineering (*JWSE*) has assembled a fully competent project team to provide excellent services to Worcester County. All assigned staff are present and available to meet each and every project goal. The bulk of the expertise required lies in-house in *JWSE's* Berlin, Maryland office, whose staff has worked together on numerous local projects. As previously stated, our principal Engineer, Mr. John W. Salm, III, P.E. has previously prepared and submitted several successful Master Water and Sewer Plan amendments in Worcester County. *JWSE* has chosen to supplement our in-house expertise by utilizing the services of a sub-consultant GIS Planner, Mrs. Kelly Lewis Parks. Mrs. Parks has stellar credentials clearly described on her resume. She has been personally known to Mr. Salm for over 15 years, giving us great confidence in her being added to the team.

Mr. Clatworthy will serve as project engineer and will supervise the work of the designers, Mr. Miller and Mr. Dorsey. Resumes for Messrs. Clatworthy, Miller and Dorsey follow this discussion. As noted above, Mr. Salm will be in overall responsible charge of every aspect of this project.

John W. Salm III, P.E.

Education and Professional Development:

Master of Science, Civil Engineering (1989) - Virginia Polytechnic Institute, Blacksburg, VA
Bachelor of Science, Civil Engineering (1987) - New Jersey Institute of Technology, Newark, NJ

Registered Professional Engineer, Commonwealth of Virginia, November 30, 1992

Registered Professional Engineer, State of Delaware, July 14, 1992

Registered Professional Engineer, State of Maryland, November 19, 1992

Registered Professional Engineer, State of New Jersey, January 7, 1993

Registered Professional Engineer, Commonwealth of Pennsylvania, May 4, 1993

Registered Professional Engineer, State of New York, July 26, 1993

Registered Professional Engineer, State of North Carolina, March 9, 2001

Registered Professional Engineer, State of Florida, May 14, 2004

Registered Professional Engineer, State of Maine, August 19, 1993 (*Retired Status*)

Class C On-Site Designer, State of Delaware

Member, American Society of Civil Engineers, 1986

N.C.E.E.S. Record, October 1992

DEQ Certified SWM Combined Administrator, #SWCA0360, June 17, 2016

•Article Published: Naturalization of a Constructed Wetland Wastewater Treatment System, Wetland Journal, Vol. 13 No. 1, Winter 2001

•Paper presented: Tertiary Wastewater Treatment using Constructed Wetlands, Wetlands for Wastewater Recycling Conference, Environmental Concern, Inc., Nov. 3, 1999, Baltimore, MD

•Paper presented: *HIRP*, Constructed Wetlands, Hydrologic Intensive Routing and Processing, Tidewater Environmental Health Association, June 11, 1999, Ocean City, MD

•Papers presented: *HIRP*, Constructed Wetlands, Hydrologic Intensive Routing and Processing, Cook College, Rutgers State University, June 11, 1997, June 9, 1998 and June 9, 1999, New Brunswick, NJ

•Paper presented: Innovative Natural Treatment Processes for Residential Development, New Jersey Manufactured Housing Association, July 12, 1996, Forked River, NJ

•Paper presented: Advanced Natural Treatment Processes for Nutrient Removal, Del Mar Va Hatcheries and Breeders Association, March 27, 1996, Georgetown, DE

•Paper presented: Case Histories of Constructed Wetlands Systems, ASCE Wastewater Treatment with Advanced Integrated Wastewater Pond Systems (AIWPS) and Constructed Wetlands, October 16-18, 1995, Phoenix, AZ

•Attendee: Activated Sludge Process Control, Short Course, Colorado State University, June 19-23, 1995, Fort Collins, CO

•Paper presented: Constructed Wetlands Natural Tertiary Treatment System, Virginia Water Environment Federation, May 1994, Virginia Beach, VA

•Certificate of Appreciation - 78th Annual NJ State Water Pollution Control Assoc. Conference Sponsored Paper; Case History of a Constructed Wetlands Tertiary Treatment System, May 5, 1993, Atlantic City, NJ

•Attendee: Virginia Water Pollution Control Association Seminar, Nutrient Control, Issues, Theory, and Practical Solutions, November 19, 1992, Richmond, VA

•Attendee: Anne Arundel County, Critical Area Program, September 18, 1990, Arnold, MD

Experience :

President, April 1996 through Present J. W. SALM ENGINEERING, INC., Berlin, MD

Mr. Salm, as President of **IWSE**, is solely responsible for the performance and supervision of all business activities. These include but are not limited to: Business development; Finance and accounting; Supervision of employees and contract staff; Engineering design; Construction observation and field engineering; Client and contractor liaison; Budgeting and scheduling.

Projects include: water and wastewater treatment plant design, upgrades & renovations; spray irrigation evaluation & design; water & sewer main design; road design; storm water management design; shoreline engineering; timber structure engineering; landscape planning; along with all other aspects of civil & environmental engineering.

Division Manager - Engineering, April 1992 through April 1996 HSI Hydro Systems, Inc., Berlin, MD

Mr. Salm, as Engineering Division Manager, was responsible for all engineering activities carried out by **HSI**, Hydro Systems, Inc., Duties included: Determination of engineering methods and technical approach to project execution and problem solution; Design development; Supervision of drafting; Supervision of engineering and support staff; Budget and scheduling; Coordination with clients, other disciplines, outside parties, and permitting and review agencies; Construction observation and field engineering along with supervision of construction inspectors and field testers; Quality control; Business development and proposal preparation. Administrative duties as head of engineering group included: determination of staffing needs, interviewing candidates for employment, resolving personnel problems and preparing performance evaluations

Projects included: water and wastewater treatment plant design; upgrades & renovation; subsurface investigation for wastewater disposal; constructed wetlands for wastewater treatment and land development engineering.

Project Engineer, November 1990 through January 1992 Davis, Bowen & Friedel, Inc., Salisbury, MD

Projects included: water, sewer, stormdrain design; water treatment plant and wastewater treatment plant design; spray irrigation system design, asphalt & concrete pavement design; municipal standards production; and reviews of developer projects for municipalities.

Project Engineer, July 1989 through November 1990 Greenhorne & O'Mara, Inc., Annapolis, MD

Duties included: field engineering & construction inspection; shop drawing review; progress payment processing; as-built drawing production; surveying; water, sewer storm water management, storm drain & pump station design.

Assistant Engineer, June 1987 through July 1988 Killam Associates, Inc., Millburn NJ

Duties included: water and sewer extensions and rehabilitation designs; water and wastewater pumping & treatment plant design along with construction observation of projects designed.

Kelley Lewis Parks

P.O. Box 611 • Cheriton, VA 23316
(757) 442-1385 • mkelleylewis@aol.com

EDUCATION

Randolph-Macon College, Ashland, VA
Bachelor of Arts May 2011
Major: Environmental Studies, Minor: Biology
Broadwater Academy (K-12), Exmore VA, *Thomas Hall Memorial Award (2007)* June 2007

Honors and Activities

Dean's List (Spring 2008-Spring 2009)
Delta Zeta (2008-Present); Panhellenic Council Delegate (2008-2010)
Crew (2003-2007), Rowed port and starboard

Work Experience

Senior Planner/GIS Specialist May 2017-present

Northampton County Department of Planning and Zoning

GIS Specialist

- Serve as county's geographic information specialist and maintain the geographic database and mapping network
- Organize and manipulate data using desktop and online ArcGIS; produce and design maps
- Manage data updates from outside agencies and process outgoing data requests
- Use data to perform spatial analysis and identify trends

Planning

- Act as a non-voting member of the Planning Commission
- Serve as staff planner to the Commission
- Facilitate review of the Comprehensive Plan and organize surveys and public input
- Oversee advertisement of legal notices and other requirements of state code
- Handle and review applications such as Special Use Permits, Zoning Text Amendments, and Zoning Map Amendments
- Assist with planning and design strategy for applications and county projects
- Organize Planning budget
- Active member of the American Planning Association

Development Inspector July 2013-May 2017

Northampton County Department of Planning and Zoning

- Manage and enforce land-use regulations and local land-use programs
- Serve as agent to the Wetlands Board; complete Water Quality Impact Assessments
- Work with public to help guide them through the application process
- Inspect sites for compliance with Chesapeake Bay Act, Erosion and Sediment Control (E&S), Zoning, and Stormwater Management(SWM) regulations
- Issue permits, review plans, and coordinate with state agencies
- Served as Certified Zoning Administrator, Certified E&S inspector, Certified SWM inspector, and Dual Administrator

Additional Experience

Baby Blues, Owner, Eastville VA, December 2016-present (1000+ orders on Etsy® and five star review)
Lewis Realty, Real Estate Salesperson, Cape Charles, VA September 2014-present
Kiptopeke Elementary, Tutor, September 2012-June 2013

Justin N. Clatworthy

Education and Professional Development:

Master of Science, Mechanical Engineering (2016) – Widener University, Chester, PA
Bachelor of Science, Mechanical Engineering (2015) - Widener University, Chester, PA

Experience :

Project Engineer, May 2018 through Present **J. W. SALM ENGINEERING, INC., Berlin, MD**

As a CAD Designer, Mr. Clatworthy is responsible for the drafting on multiple projects. Duties include: converting surveyor data into proper existing condition plans; creation of site plans based on engineering design; grading, SWM and ESC measures for those sites: as-built drawing production; revisions based on client and regulatory feedback/comments.

Contractor/Handyman, April 2017 through April 2018 **Self-employed**

Laying tile, hanging dry-wall, painting (indoor and outdoor).

Teaching Assistant, August 2016 through December 2016 **School of Engineering, Widener University, Chester, PA**

Graded assignments for the Mechanical Engineering Department. Classes included: Mechanics of Engineering Materials, Kinematics, Design and Vibrations.

Seasonal Labor, May 2014 through August 2014 **Ocean Pines Public Works, Ocean Pines, MD**

Duties included: landscaping and ground maintenance.

James D. Miller

Education and Professional Development:

Bachelor of Science, Mechanical Engineering (1993) – Lawrence Technical University, Southfield, Michigan

Associate of Science, Computer Programming (1990) - Henry Ford Community College, Dearborn, Michigan

Experience:

CAD Designer, July 2018 through Present **J. W. SALM ENGINEERING, INC., Berlin, MD**

As CAD Designer for *JWSE*, responsible for drafting and designing of: site plans, subdivisions, water, sewer and storm drain layouts. Also, includes design and drafting of concept and schematic drawings.

CAD Drafter/Project Engineer, March 2011 through May 2014 **Saylor Building, Grayling, MI**

Duties included: designing home and commercial buildings, including HVAC and Electrical.

Mechanical Engineer, February 2009 through March 2011 **Cambridge International, Cambridge, MD**

Solidworks Drawings for company projects including designing metal conveyors, Project Management Engineer

Design Engineer, October 2008 through February 2009 **Barry Isett and Associates, Inc., Berlin, MD**

Design of commercial and residential, Site Plans, SWM, Wastewater Treatment, and Marine projects.

Donald A. Dorsey

Education and Professional Development:

Wor-Wic Community College - Salisbury, Maryland

Autodesk Parametric Modeling (2010)
ARC GIS (2008), ACAD Civil 3D (2008)

Experience:

CAD Designer, August 2015 through August 2016,
August 2018 - Present

J. W. SALM ENGINEERING, INC., Berlin, MD

As CAD Designer for *JWSE*, responsible for drafting and designing of: site plans, subdivisions, water, sewer and storm drain layouts. Also, includes design and drafting of concept and schematic drawings.

CAD Designer, March 2017 through August 2018,
Axiom Engineering, Georgetown, DE

Civil Engineering Projects for Land Development. Designing of: road, storm drain, water and sewer design.

CAD Designer, August 2016 through March 2017,
Parker & Associates, Salisbury, MD

Civil Engineering Projects for Land Development. Designing of: road, storm drain, water and sewer design.

Mechanical Designer, January 2011 through May 2013
Caloris Engineering, Easton, MD

Duties included: Production of mechanical fabrication drawings for Thermal Processing systems used in the dairy and beverage industry as well as fossil fuel extraction and reusable fuel processes.

CAD Designer, December 2003 through October 2009
McCrone, Inc., Centreville, MD

Duties included: drafted water, sewer, stormwater and land development plans and detailed drawings for subdivision and commercial property construction. Mr. Dorsey used GIS programs such as ArcView to produce drawings, boards and maps for planning and presentation purposes. Projects included: subdivision development, commercial properties and municipal projects.

CAD Drafter, April 1999 through December 2003
Davis, Bowen & Friedel Associates, Salisbury, MD

Mr. Dorsey produced CAD drawings for municipal and environmental engineering projects. Duties included: producing GIS drawings for planning, projects including wastewater treatment facilities, municipal water, sewer and stormwater projects.

CAD Drafter, April 1997 through April 1999
J. W. SALM ENGINEERING, INC., Berlin, MD

Mr. Dorsey Produced CAD drawings for municipal and environmental engineering projects, wastewater treatment, water and sewer and pier and bulkhead restoration projects.

RFP 10.2.5 - Expanded Discussion of Experience

1. Provide a detailed description of your company's experience in providing similar services to those requested in the RFP. This should include a list of the names of the clients and a brief description of the services provided.

RFP 10.2.5 – Expanded Discussion of Experience

As previously discussed, J. W. Salm Engineering (*JWSE*) has extensive experience in all of the aspects of planning and engineering, and will utilize all of the required skills to update the County's Master Water and Sewer Plan. *JWSE* has completed over 394 engineering projects in its twenty-two-year history including actual updates specifically to the Worcester County Master Water and Sewer Plan. Our discussion here will not be focused on our vast experience but rather on our success in the past as a consultant to Worcester County. The Worcester County Commissioners have hired J. W. Salm Engineering eight separate times in the past from 2001 until 2018. An abbreviated project listing is shown below:

- Engineering and Hydrogeologic Study for Mystic Harbour WWFT (2001-2002)
- Worcester County Area of Special State Concern Plan (2002)
- South Point Boat Ramp (2008-2010)
- Bay Point-Riddle farm Water Main Interconnection (2011)
- Ocean Downs Public Water Feasibility Study (2015)
- Route 611 Water Main Extension (2015-2016)
- County Water and Sewer details (2016-2018)
- RPR Services for the Mystic Harbour WWTF Expansion on to Eagles Landing Golf Course (2017)

The bulk of the above work has been performed under the direct supervision of Mr. John S. Ross, P.E., Deputy Director of Public Works. The Worcester County Area of Special State Concern Plan was performed for Mr. Richard Wells who was then the director of the County's Department of Environmental Programs. Mr. Wells has now retired from the County; however, he still serves by sitting on the County's Planning Commission. It is enthusiastically recommended to contact these individuals, all of which have detailed knowledge of why the County had previously selected J. W. Salm Engineering, Inc. and know exactly how *JWSE* performed their services.

Please be advised that *JWSE* has performed extensive work for Accomack County, starting in December 2010. This work has been performed for both the Accomack County Planning Department and the Accomack County Public Works Department. *JWSE* has completed over 60 projects for Accomack County within this time frame, with its work ranging from planning, plan review, environmental, surveying, water supply and wastewater treatment engineering, civil engineering and marine engineering. Please feel free to contact my principal supervisor, the Director of Public Works and Deputy County Administrator, Mr. Stewart Hall. Mr. Hall's phone number is: 757- 787-1468. *JWSE* be more than happy to bring examples of *JWSE's* work for Accomack County to an interview.

NOTICE TO CONSULTANTS
Request for Proposals

Water and Sewerage Plan Update
Worcester County, Maryland

The Worcester County Commissioners are seeking proposals from qualified consultants for the purpose of updating the Worcester County Water and Sewerage Plan to ensure the provision of safe and adequate drinking water and wastewater systems to meet existing and future demands for Worcester County, Maryland. Requests for Proposals (RFPs) are available from the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, obtained online under the "Bids" drop-down menu in the lower right hand side of the home page at www.co.worcester.md.us, or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. Interested consultants are encouraged to attend a **pre-proposal meeting on Tuesday, October 23, 2018 at 10:00 AM** in Training Room B on the 3rd Floor of the Worcester County Government Center, 1 West Market Street, Snow Hill, Maryland 21863. For directions and details, contact Mr. Robert Mitchell, Director of Environmental Programs, at 410-632-1220, ext. 1601. **Sealed proposals will be accepted until 1:00 PM, Monday, November 12, 2018** 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 "**Proposal for Worcester County Water and Sewerage Plan Update**" in the lower left-hand corner. Email submissions will not be accepted

After opening, proposals will be forwarded to the Department of Environmental Programs for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the proposal, the Commissioners reserve the right to reject any and all proposals, waive formalities, informalities and technicalities therein, and to take whatever proposal they determine to be in the best interest of the County considering cost, proposal content, qualifications of the consultant, quality of project approach, time of delivery or completion, responsibility of consultants being considered, previous experience of consultants with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Robert Mitchell, Director of Environmental Programs, at 410-632-1220, ext. 1601 or by email at bmitchell@co.worcester.md.us

**Request for Proposals
Worcester County Water and Sewerage Plan Update**



**Due Date: Monday, November 12, 2018
1:00 P.M. (Eastern Standard Time)**

**Request for Proposals
Worcester County Water and Sewerage Plan Update**

1. Proposal Submission Instructions:

- 1.1 The County Commissioners of Worcester County, Maryland, hereinafter referred to as “County”, will accept sealed proposals from qualified consultants, hereinafter referred to as “Consultant”, for a complete update of the Worcester County Water and Sewerage Plan to ensure the provision of safe and adequate drinking water and wastewater systems to meet existing and future demands for Worcester County, Maryland. Instructions are provided in the Notice to Consultants.
- 1.2 Consultants are required to submit an original and four (4) copies of its proposal at the time of submission.
- 1.3 Consultants are responsible for ensuring that their proposal is received by County Administration before the deadline indicated. Proposals received after the announced deadline will not be considered.
- 1.4 Any proposal submitted must be signed by the individual or an individual authorized to bind the Consultant. All proposals submitted without such signature may be deemed non-responsive and may not be considered.
- 1.5 As is more fully explained throughout this Request for Proposals (“RFP”), an award, if made, will be made to a responsible Consultant whose proposal is most advantageous to the County, taking into consideration the evaluation factors.

2. Project Description:

2.1 Background

- 2.1.1 Worcester County is the easternmost county in Maryland, with a large agricultural industry, and concentrated development on the coast that supports a significant tourism industry. In addition to the year-round residents, the northeastern portion of the County serves as a second or retirement home for many. Approximately 52% of the County’s population resides in the northeastern quarter of the County, including Berlin, West Ocean City, Ocean Pines, and Ocean City.
- 2.1.2 Worcester County’s year-round population grew significantly from 1990 to 2000 (32.9%) and has continued to expand from 2000 to present (11%). Most of the growth, and most of the resident population has located in the northeastern part of the County. According to the Maryland Department of Planning’s (MDP) most recent projections (July 1, 2016), the current year round population of the County is 51,444.

2.1.3 It is important to note that population in Ocean City swells to 70,000, or more, on off-season weekends and up to 300,000 on summer weekends. Assateague State Park and National Seashore and other campgrounds also attract another 100,000 visitors in the summer months. This seasonal population places significant demand on County resources, including recreation and parks facilities and programs, particularly in the northeastern portion of the County.

2.1.4 A hard copy of the 1994 revision of the Water and Sewerage Plan with amendments is available for review in the Environmental Programs Department between the hours of 8:30 am and 4:30 pm Monday through Friday. A PDF copy of the 1994 Plan and amendments, as well as the 2006 Worcester County Comprehensive Plan and the 2011 Water Resources Element amendment to the Comprehensive Plan will be provided to each bidder as well.

3. Plan Description:

3.1 The new Water and Sewerage Plan will provide a substantial update of the 1994 Plan. The Plan will include updated information on the water and sewerage systems in Worcester County and propose a revised map with classification revisions based on revisions to the classification definitions and reflecting changes in the status of water/sewer service to County properties and municipalities. The Plan is required by the Maryland Department of the Environment (MDE) to include a procedure for a Triannual revision, and additional direction for the Plan to be updated at that time, if necessary.

The purpose of the Water and Sewerage Plan is to provide an overview of the planning policies, needs, and planned infrastructure related to community and individual water and sewerage systems. The Water and Sewerage Plan is organized into five chapters, appendices, and maps defining the various service classifications. The Consultant will first compile a complete update of the 1994 Water and Sewerage Plan to incorporate all approved amendments since 1994 in order to create an up-to-date base plan. Thereafter, working with the Departments of Environmental Programs and Public Works, the Consultant will prepare a new plan consisting of the following sections, at a minimum:

3.1.1 Introduction: A statement that the Plan has officially been adopted by the County; a statement that the Plan has been submitted to MDE and meets the requirements of the Code of Maryland Regulations (COMAR); a statement certifying that the engineering aspects of the Plan have been prepared and reviewed for adequacy by a Professional Engineer (P.E.) licensed in the State of Maryland; and MDE's approval letter.

3.1.2 Chapter 1: This chapter describes the planning process and procedures for the adoption of amendments to the Plan text or maps. The chapter includes both general and special policies that have been adopted for the designation of community water and sewer service areas, and which regulate water and sewerage system extensions, connections, and their staging. There would be two main items as follows:

(a) Discussion and Statement that the goals and polices listed in the chapter are consistent with the County Comprehensive Plan; and

- (b) A summary and chart of County organization relating to management of water and sewerage facilities.

A draft of this section of the Plan will be provided by the County.

3.1.3 Chapter 2: This chapter provides an overview of the natural features of the County, the demographic and development patterns, and other factors related to the physical environment. This information provides the background for resource protection as it relates to water supply and sewerage system planning in Worcester County. General background information relevant to water and sewerage planning shall include: maps, charts and tables reflecting aquifers, soil drainage, topography, ground and surface patterns, and water quality; population projections; maps reflecting existing land use, zoning and comprehensive development; table reflecting existing and zoned land use in acres; map showing existing/proposed major public institutions (such as schools, hospitals, corrections facilities, government complexes); and a table reflecting populations of each.

3.1.4 Chapter 3 Water: Description of existing, planned and future demand for water service areas including tables, maps, charts, graphs, descriptive information and all other matter regarding these systems including groundwater resources and quality; existing/projected water demands and sources of pollution/contamination; and alternatives and rationale of providing future water supplies and/or interconnections of existing supplies.

For each existing water services area, the following shall be reflected: operating agency, rated and actual productions, type of treatment, location, Operation and Maintenance (O&M) costs, and proposed means of financial improvements. For any proposed new water supply, a summary of the environmental impacts shall be outlined.

Tables are also required reflecting:

- Population projections, projected water supply demands and planned capacity of each water service area through 2030.
- Inventory of community systems, supplies, ground water withdrawals, existing treatment facilities, well problem areas, and immediate, as well as 5- and 10-year priorities for water development.

3.1.5 Chapter 4: Sewerage: Description of existing, planned and community and multi-use sewerage systems including tables, maps, charts, graphs, descriptive information and all other matters regarding these systems including locations of points of discharges, evaluation of discharge points and protected water uses; and conformance with effluent limitations, rationale for planned alternatives for treatment facilities, pump stations or interceptors.

For each existing sewer service area and community system, the following shall be reflected: operating agency, design average and peak flows, whether combined or

separate collection systems, level and type of treatment, sludge disposal plans, condition of treatment and transmission facilities, O&M costs, and proposed means of financing improvements.

Detailed information regarding the County onsite sewage systems, innovative systems, and prior planning efforts, including the Groundwater Protection Report, will be supplied to the successful consultant by the Department of Environmental Programs. This will also include septic problem areas that are to be included in the new plan.

Tables are also required reflecting:

- Population projections, present and expected demands and capacities, inventory of existing wastewater treatment plants (WWTP), problem areas, water quality problems due to storm drain outfalls and to non-point sources, immediate, as well as 5- and 10-year priorities for sewerage system development.

3.1.6 Chapter 5 Financial Implementation Plan, including:

- Worcester County's Existing Financing Programs.
- Alternative Funding Strategies.
- Capital Improvements, Programming, Planning and Budgeting Process.
- Project Prioritization and Coordination.

A working draft of this section of the Plan will be provided by the County.

3.1.7 Mapping files for the current areas, the shapefiles and associated data, as available, will be provided to the Consultant for their use and insertion into the plan. Draft maps for the new plan, as available, will be provided to the successful Consultant upon award in the delivery of additional materials. It will be up to the successful Consultant to prepare, edit, and finalize those maps for presentation to the County for review along with the Plan documents.

- 3.2 The completed plan shall be in accordance with the requirements of COMAR, Title 26, Department of the Environment, Subtitle 03, Chapter 01, Planning Water Supply and Sewage Systems, and Title 9, Subtitle 5, County Water and Sewage Plans of the Environment Article of the Annotated Code of Maryland. The Plan shall be consistent with the Water Resources and Land Use elements of the Worcester County Comprehensive Plan dated March 7, 2006 and the Comprehensive Plans of all municipalities located in Worcester County. Those plans are generally available to the Consultant online. However where such plans are available to the County, they will be made available to the successful Consultant in PDF format.
- 3.3 The Plan shall include all required statements, descriptive information, charts, mapping, graphics, tables, statistics, projections and all other matters required by law and/or regulation in order to accurately identify all existing, planned and future water and sewerage facilities in Worcester County, Maryland.
- 3.4 Textual materials, tables, charts, graphs, and all other illustrations required shall be prepared on 8 ½ x 11 inch stock paper or any other size which can be folded for inclusion in a 3-ring

binder. Margins on the left-hand edge shall be formatted to enable 3-hole punching so as not to obstruct the printed information on each page. The format of the Plan shall be prepared so that any new or additional material may be inserted in the 3-ring binder in the appropriate places to provide a continuously updated and current Plan. The County requires that a complete copy of the plan be provided in digital format and be prepared in Microsoft Word (for word processing portions) and Excel (for spreadsheet portions). Mapping is a critical element of the plan, and preliminary work, including available electronic files, done by County staff will be delivered to the Consultant for their use.

3.5 Deviations from the format guidelines described above are unacceptable.

4. Submittal Requirements and Deliverable Schedule:

- 4.1 Consultant shall provide one (1) original hard copy and one original electronic copy of the up-to-date base plan which includes the 1994 Water and Sewerage Plan and incorporates all approved amendments since 1994.
- 4.2 Consultant shall provide twenty (20) copies of all written draft reports and chapters specified in Section 3 (Plan Description) of this RFP. Draft documents shall be submitted to the Environmental Programs Department, who will distribute to other agencies, and others as designated by the County.
- 4.3 Consultant shall attend all necessary meetings with staff to draft the Plan and all public meetings and hearings associated with the Plan review and approval process. For budgeting purposes, the Consultant should plan to attend at least fifteen (15) onsite meetings with the staff, County agencies as directed by the County, and County Commissioners.
- 4.4 Consultant shall update the draft documents based on comments received from reviewing departments of the County and State agencies.
- 4.5 Consultant shall present the final draft plan to a group representing the Worcester County Sewer Committee
- 4.6 Consultant shall prepare and deliver thirty-two (32) bound copies of the final approved Plan in 3-Ring Heavy Duty binders.
- 4.7 **Milestones** – The County anticipates that this project will require approximately 14 months to complete from Notice of Award to Consultant. Deadlines will be specified in the Contract between the County and the Consultant. In their proposal, Consultant shall specify their proposed schedule for submittal of the following deliverables:

Proposed Deliverables and Schedule

RFP Awarded – (Anticipated on or about December 18, 2018)
Meeting with County Staff and Receipt of Data Items – (within 14-days of award)
Chapter 1 and Chapter 2 Drafts
Review of drafts with County Staff – (allow 2 weeks)
Chapter 3, and Chapter 4 Drafts
Review of drafts with County Staff – (allow 2 weeks)
Chapter 5 and Assembly of Appendices
Review Chapter 5 and Appendices with County Staff – (allow 2 weeks)
Assemble Draft Plan
Meeting with County staff on all work products, including all draft maps
Public Listening Session(s)
Work Session with County staff and Planning Commission
Presentation to County Commissioners to schedule Public Hearing
Public Hearing by County Commissioners – (allow 30-days for advertising by County)
Final Edits/Changes to County Staff
Final Approval by County Commissioners
Submission of Final Plan to County
Meet with MDE to present Final Plan

5. Project Payments:

5.1 Monthly itemized invoices from the successful Consultant shall be approved by the County based on a percentage of completion of the approved delivery schedule, less 10% Retainage to be paid at the completion of the project upon receipt of all deliverables.

6. Time for Completion:

6.1 Notice to Proceed: The successful Consultant shall proceed with furnishing the services as described promptly upon receiving the Notice to Proceed. All services shall be performed simultaneously and in accordance with the schedule provided in the contract between the County and Consultant.

7. Projected Award Timetable:

The following projected timetable is included as a guide for planning purposes. The County reserves the right to adjust this timetable as required during the course of the RFP process:

<u>Event</u>	<u>Date</u>
RFP Approved and Issued	October 5, 2018
Proposals Due	November 12, 2018
Complete Evaluation of Proposals and Interviews	November 27, 2018
Award Contract	December 18, 2018

8. County's Responsibilities:

The Department of Environmental Programs will provide the successful Consultant with the following information:

- 8.1 Provide all information in the possession of the County as referenced in Section 2 (Project Description) and Section 3 (Plan Description) of this RFP.
- 8.2 Examine all information submitted and presented
- 8.3 Advertise any public notices, at County's expenses, associated with public review of the draft Plan.
- 8.4 Robert Mitchell, Director of Environmental Programs (telephone 410-632-1200, x1601) shall be the primary point of contact for the County once the contract has been awarded for this project.

9. RFP Process:

- 9.1 Consultants are to submit written proposals, which present its qualifications and understanding of the work to be performed. Consultants are required to address each evaluation criteria in the order listed and to be specific in presenting its qualifications. Each Consultant's proposal shall provide all information, which it considers pertinent to its qualifications for the project and which responds to the Plan Description, Submittal Requirements and Evaluation Criteria described herein. Please limit the body of your proposal to no more than thirty (30) pages. Attachments and Appendices will not count towards the 30-page limit.

10. Proposal Content:

- 10.1 Consultant's proposal shall be prepared in accordance with, and in the order of the format guidelines below:
- 10.2 **The maximum number of pages for your response is thirty (30) typed pages. Supplemental information may be submitted but must be submitted separately from the specific responses required below and elsewhere in the RFP.**
 - 10.2.1 Provide information, which documents the Consultant's qualifications and experience, including its ability, capacity, and number of years of experience in providing environmental planning and consulting services. Consultant should specify if it has updated other county water and sewerage plans in Maryland within the last five (5) years.
 - 10.2.2 Description of the Consultant's approach to the project and a proposed work plan and schedule for the project that addresses the milestones as presented within the 14 month schedule.

10.2.3 Cost proposal on the form provided herein.

10.2.4 A list of key staff to be assigned to the project including resumes of staff that will be responsible for the work. At a minimum, staff shall include a planner or environmental planner as key staff assigned to this project. The list of key staff shall not be revised without the written consent of the County.

10.2.5 Expand on previous projects where expertise for environmental planning or on projects of similar scope meeting the requirements of this solicitation have been demonstrated. Such information shall include:

1. Description and location of the projects, including a detailed description of Consultant's responsibilities.
2. Name, phone number and email address of the contact person for each project.

10.2.6 Acknowledgement of Any Past or Present Lawsuits - Include a statement concerning whether lawsuits have been filed against the Consultant, its principals or any joint venture partner for misfeasance or malfeasance with respect to professional services and, if so, a detailed listing of the adverse action, cause, number, jurisdiction in which filed and current status.

11. Evaluation Criteria:

A Review Committee established by the County will read, review and evaluate each proposal for technical merit and selection will be made primarily on the basis of the criteria listed below. Varying weights to illustrate their importance have been assigned to each criteria listed below in the form of points, with a maximum possible score of 100 points. During their review of each proposal each member of the committee will assign a final score based on the criteria. The evaluation criteria are as follows:

- 11.1** Scope and quality of services provided and the demonstrated ability of the Consultant to provide all services identified in this RFP. This includes the Consultant's ability to accurately produce Plan documents in accordance with State and County requirements.
(15 points)
- 11.2** Demonstration of the Consultant's ability to successfully complete the project and deliver a Plan acceptable to the County and State approval bodies as reflected in projects of a similar nature to the requirements identified in this RFP. This includes professional staff credentials (i.e. planner/environmental planner on staff) and division of project responsibilities
(35 points)
- 11.3** Past experience updating water and sewerage plans for other Maryland counties.
(30 points)
- 11.4** Consultant's current total workload and capacity to complete the work in a timely manner.
(10 points)

- 11.5** The responsiveness of the firm to the submittal format instructions contained in Section 9 (RFP Process) and Section 10 (Proposal Content). This also includes submission of the correct number of copies of the proposal; Signature Sheet; Cost Proposal, and acknowledgement of addendums, as may be applicable.
(10 points)

Total cost and other details provided in the Cost Proposal Page will also be considered in selecting the Consultants to interview. Once each member of the Review Committee has rated each proposal, a composite rating shall be developed which indicates the Committee's collective ranking of the Consultants that are qualified to perform this project.

Consultants will then be selected for interview during the week of November 26, 2018. Following interviews, the Review Committee will forward their recommendation for selection to County Administration for review and approval by the County Commissioners at a future meeting.

12. Contract Information:

- 12.1** Following award of the proposal by the County, an award letter and two original copies of the contract will be mailed to the successful Consultant for signature and return to the County. The County will sign both copies of the contract and return one fully executed copy to the Consultant and retain the second fully executed copy for the County.

13. Indemnification:

- 13.1** The Consultant shall indemnify and hold harmless the County Commissioners of Worcester County, Maryland, and its elected and appointed officials, agents and employees from and against any and all liabilities, judgments, settlements, losses, costs or charges, including attorney fees, as a result of any claim, demand, action, or suit relating to any bodily injury, sickness or disease, including death, loss or property damage or destruction caused by, arising out of, related to or associated with this work by the Consultant and its members, officers, agents, employees, subcontractors, or invitees.

14. Insurance:

- 14.1** The successful Consultant will be required to provide a copy of its Certificate of Insurance including Professional Liability Insurance in the amount outlined in the Insurance Table. This Certificate should name the County Commissioners of Worcester County, Maryland as certificate holder and as additionally insured. This certificate shall be mailed to:

Mr. Kelly Shannahan
Assistant Chief Administrative Officer
County Administration
Government Center – Room 1103
1 West Market Street
Snow Hill, MD 21863

15. Proposals Binding 90 Days:

15.1 All proposals submitted shall be binding for ninety (90) calendar days following the due date, unless the Consultant, upon written request from the County, agrees to an extension.

16. No Compensation to the Consultant for RFP Preparation:

16.1 The Consultant will in no way be compensated for the preparation of this RFP.

17. Further Information:

17.1 Questions regarding this RFP shall be emailed to Robert Mitchell at bmitchell@co.worcester.md.us . The County will formally respond to questions via Addendums to the RFP. Please be advised that questions will be entertained until 2:00 P.M. on Thursday, November 8, 2018. Questions submitted after this time will not be answered.

**Request for Proposals
Worcester County Water and Sewerage Plan Update**

Signature Sheet

My signature certifies that the proposal as submitted complies with all Terms and Conditions set forth in this RFP.

My signature also certifies that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with another person or company engaged in the same line of business or commerce.

My signature also certifies that this Consultant has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest to the County, and that there are no principals, officers, agents, employees, or representatives of this Consultant that have any business or personal relationships with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to the County, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the County.

PROPOSAL MUST BE SIGNED TO BE VALID

I hereby certify that I am authorized to sign as a Representative for the Consultant:

Date: _____ Signature: _____
Typed Name: _____
Title: _____
Firm: _____
Address: _____

Phone: _____

Insurance Requirements for
County Commissioners of Worcester County, Maryland

Automobile Liability Insurance: Coverage sufficient to cover owned, hired and non-owned coverage, including bodily injury, per person and occurrence and property damage per occurrence.*

Minimum Limits

\$1,000,000 Combined Single Limit

**Required for all contracts EXCEPT architectural design, review and/or engineering services and planning, research and/or policy projects.*

Statutory Workers Compensation and Employer's Liability Insurance: Workers Compensation Coverage shall meet statutory limits as required by the State of Maryland or other applicable laws and Employers' Liability Insurance as follows.*

Minimum Limits

\$500,000 Each accident for bodily injury by accident

\$500,000 Policy limit for bodily injury by disease and

\$500,000 Each employee for bodily injury by disease

**Workers' Compensation and Employer's Liability Insurance is required for all contractors who have employees or subcontractors.*

Professional Liability Insurance: Coverage for errors, omissions, and negligent acts per claim and aggregate, with one year discovery period.*

Minimum Limits

\$1,000,000 Each Occurrence

\$5,000 Deductible

**Required for all Professional Service Contracts ONLY including but not limited to architectural design, review and/or engineering services.*

VKH
10-3-18

Bidders List

McCormick and Taylor
106 Milford Street, Suite 105
Salisbury, MD 21804

Davis Bowen & Friedel
601 E Main St #100
Salisbury, MD 21804

GMB
206 West Main Street
Salisbury MD 21801

ERM
180 Admiral Cochrane Drive #400
Annapolis, MD 21401

Tetra Tech, Inc.
240 Continental Drive, Ste. 200
Newark, DE 19713

O'Brien & Gere
11350 McCormick Road #304
Hunt Valley, MD 21031

Whitman, Requardt & Associates, LLP
801 South Caroline St.
Baltimore, MD 21231

EA Engineering, Science, and Technology, Inc.
225 Schilling Circle, Suite 400
Hunt Valley, MD 21031

Gannett Fleming
Rutherford Plaza Building, Suite 300
7133 Rutherford Road
Baltimore, MD 21244-2718



Worcester County
Department of Environmental Programs

Memorandum

To: Notice to Prospective Consultants

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

Re: Request for Proposals - Water and Sewerage Plan Update
Worcester County, MD

Addendum #1

Date: November 14, 2018

A pre-proposal meeting was held at the Worcester County Governmental Center on October 23, 2018 at 10 AM. During this meeting, there were some questions raised by the attendees and a few issues discussed that we are sending to all firms on our bidders list for this RFP:

1. There was a previous mailing to all firms on the Revised RFP. Specifically, the new due date is 1:00 PM, Monday November 26, 2018, and the evaluation of the proposals and interviews will be held the week of December 10th, 2018.
2. The attached power point presentation was given to all attendees at the meeting.
3. **Would the successful firm have any contact with MDE before the presentation of the final Plan?** That type of contact is contemplated. The successful firm will not speak for the County, but could make inquiries to gather information in the delivery of the work products for this project. This contact will be covered in detail after award.
4. **Do you have details on the supplied information as mentioned in the power point?** As mentioned in the meeting, we can provide some samples of current and ongoing work for the benefit of the proposing firms. We have attached the following items:
 - Sample pages from Chapter 1 of the working draft
 - Sample maps (zoning, land use, aquifer maps) that will be part of Chapter 2
 - Sample printed service area map used for amendments
 - Base system information page for a sample system
 - Sample page from Chapter 5 of the working draft

Citizens and Government Working Together

5. **Does the County have funding for this?** Yes, funding has been approved and set aside for this project.
6. **Does the County expect each deliverable to take two weeks?** No, the County is requesting at least a two week timeframe to review prepared submittals. The actual time for each deliverable is left to the discretion of the Consultant and will be part of a schedule prepared in consultation with County staff. In Section 4.7, the County anticipates that this project will require approximately 14 months to complete from Notice of Award to Consultant. While this is our anticipated delivery time, we understand that some respondents to the RFP may differ with this estimate and we would not discourage any firms from including a reasoned response on this matter within their proposals.
7. **Regarding the work done to create a base plan, is that part of Chapter 1's drafts?** In Section 3.1 of the RFP, the requirement is detailed for the Consultant to compile a complete update of the 1994 Plan in order to create an up-to-date base plan. It is anticipated that this is part of the research and preparation activities for all chapters and will be a part of the Chapter 1 and 2 deliverables. If the successful Consultant desires to break this sub-task out from the Chapter 1 and 2 deliverables for payment purposes, it certainly would be considered by the County.
8. **Would a Professional Engineer, Land Surveyor, or Architect licensed in the State of Maryland qualify as an environmental planner or planner as mentioned in Sections 10.4.2 and 11.2 of the RFP?** The RFP is for the provision of planning services in the delivery of the work products. It is assumed that the professionals providing such services would have experience doing so and it is also assumed that professional classifications as mentioned above do provide such services for their clients. This experience, no matter what the professional classification of the provider, should be detailed in the RFP response if they are a proposed team member for this project.
9. **In Section 3.1.1 of the RFP, there is a requirement that "a statement certifying that the engineering aspects of the Plan have been prepared and reviewed for adequacy by a Professional Engineer (P.E.) licensed in the State of Maryland". Are you also requiring that the firm, if it is a firm, be licensed with DPOL to do business as a Professional Engineering firm in the State of Maryland?** No, but the engineer should be licensed in the State of Maryland and should be authorized by the selected consultant, their employer, to certify said work.
10. **Should our proposal be organized in order of the Evaluation Criteria as noted in section 11, items 11.1 – 11.5 as requested under 9.1 "address each evaluation criteria in the order listed" OR by the Proposal Content as noted in section 10, items 10.2.1 – 10.2.6 as requested under 10.1 "Consultant's proposal shall be prepared in accordance with, and in the order of the format guidelines below" as there are inconsistencies in the information requested in these two sections including current total workload and capacity?** The evaluation criteria were included to detail how we would review and weigh the responses to the RFP. The Proposal Content included in Section 10 of the RFP provides the organizational guidelines for the proposal response. The criteria weights for the capacity of a firm to perform the tasks in the RFP in the time required will be scored according to the answers provided in the responses to 10.2.1 and 10.2.2. While we have partially restated the proposal content in the Evaluation Criteria section, the Proposal Content section is how the proposal is expected to be organized.

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11. Will the proposal cover, letter, table of contents and dividers also count towards the thirty (30) typed page limit? No, these pages will not count towards the limit.
12. Is there a timeframe, for example within the past 5 or 10 years, in which you would like to see past lawsuits? We would like any such actions disclosed for the last five (5) years and ten (10) years would be preferable.

Please acknowledge receipt of Addendum 1 by initialing the appropriate section on the *Cost Proposal Page* of the RFP package.

Attachments:

1. Sample Pages and Maps
2. Powerpoint from Pre-Bid
3. Sign-in Sheet from Pre-Bid

Citizens and Government Working Together



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

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: December 11, 2018
SUBJECT: Clerks Request for a Bathroom

DIVISIONS

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

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

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

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

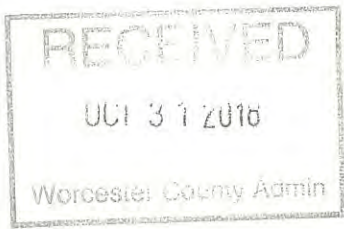
WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

.....
I have been asked to review the attached correspondence dated October 30, 2018, from the honorable Brian D. Shockley regarding the clerks request for a private bathroom within her office suite. We have thoroughly investigated the ability to construct such a bathroom and believe it is a feasible to construct the facility in their existing file room, which is no longer used, for a cost not to exceed \$9,000.

I await your direction on how to proceed. Should you have any questions in the meantime, please do not hesitate to contact me.

Attachment

cc: Ken Whited



Info. pending ✓



The Circuit Court for Worcester County
First Judicial Circuit of Maryland

Copy: John Tustin ✓
Review and advise

BRIAN D. SHOCKLEY
ADMINISTRATIVE JUDGE
COURT HOUSE - ROOM 228
ONE W. MARKET STREET
SNOW HILL, MD 21863
(410) 632-0600

October 30, 2018

Harold Higgins
Worcester County Administrator
1 West Market Street, Room 1103
Snow Hill, Maryland 21863

Re: Clerk's Request for a Bathroom

Dear Harold,

I am in receipt of correspondence from Clerk of the Court Susan R. Braniecki requesting a new bathroom for her personal use in the secured area of the Clerk's Office. On behalf of the Court, I find Ms. Braniecki's request to be reasonable and I support same. Ms. Braniecki is an excellent Clerk of Court, is a leader in the State Court system, and we are fortunate to have her in Worcester County.

Please do not hesitate to contact me should you need any further information.

Kindest Regards,

Honorable Brian D. Shockley
Administrative Judge
Circuit Court for Worcester County

BDS/as
cc: Susan Braniecki, Clerk of Court



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

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

December 7, 2018

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*
SUBJECT: Proposed Tour and Discussion of Solid Waste Operations on January 15, 2019

As you are aware, in response to the County Commissioners' request at their meeting on November 20, 2018 and following our meeting with key staff this morning, please ask the Commissioners if they are available on the morning of **Tuesday, January 15, 2019 beginning at 10:00 am** for a tour and discussion of Worcester County Solid Waste operations. I am in the process of arranging a mini-bus from either Shore Transit or the Commission on Aging which will accommodate all 7 County Commissioners and key staff for an inspection of the various aspects of our Solid Waste operations (Landfill, Homeowner Convenience Centers and Recycling). Between stops, key staff will explain the details and challenges involved with each aspect of their operations which will be demonstrated at each location. The tour will conclude with lunch at the Jail and a presentation regarding options staff has investigated to address the annual budget deficit, followed by dialogue with the County Commissioners to determine future direction. Our overall goal for the tour is for the Commissioners to gain a more in-depth understanding of Solid Waste Operations to inform their discussion over lunch at the Jail. It is therefore imperative that all 7 County Commissioners are committed to join us to collectively understand the unique challenges of our Solid Waste operations and formulate effective strategies that can be agreed upon and supported by the County Commissioners as a body. *

Please present this matter to the County Commissioners at their next meeting so we can confirm the date and finalize the arrangements. If you should have any questions or concerns, please feel free to contact me.

cc: John Tustin, Public Works Director
Mike Mitchell, Solid Waste Superintendent
Mike McClung, Recycling Coordinator
Phil Thompson, Finance Officer
Jessica Wilson, Enterprise Fund Controller
Kathy Whited, Budget Officer



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 11, 2018

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
SUBJECT: Proposed Lease of Storage Space at Former Liquor Control Warehouse

As you are aware, Hunter Pusey of Paul M. Jones Lumber Company, Inc. has requested to lease outdoor storage space in the covered loading bays at the former Liquor Control Warehouse located at 5363 Snow Hill Road in Snow Hill to store surplus lumber from December 2018 through June 2019. He has offered to pay the County \$1,000 per month for this storage space. In a letter acknowledging his request, we advised that the Commissioners have not yet decided whether to renovate the facility to satisfy existing needs for storage by several County departments and agencies or to sell the property outright if an interested buyer could be identified. We advised that either of these courses of action may be hindered by his proposed use of the facility for storage. However, we agreed to discuss this matter with the Commissioners for their consideration.

In preparation for our discussion with the Commissioners, we reviewed this matter at the Liquor Control Management Committee meeting on December 6, 2018 at which significant concerns were expressed. Most significantly, our insurance provider, the Local Government Insurance Trust (LGIT), has advised that Paul Jones Lumber would need their own insurance to cover the contents and a Memorandum of Understanding (MOU)/contract with the County clearly stating that we are not responsible for their property stored in the warehouse or on the property; LGIT will not insure Paul Jones's Lumber assets on our property; and LGIT would need to send their agent onsite to perform an inspection before they change our coverage. Furthermore the committee expressed concerns regarding the large quantity of flammable materials, the lack of a fire protection sprinkler system, escalated risk of injury due to the stored materials, lack of supervision on site and lack of sufficient access controls. For the above reasons, we recommend respectfully declining the request of Paul M. Jones Lumber Company, Inc. to lease outdoor storage space in the covered loading bays at the former Liquor Control Warehouse. *

Please present this matter to the County Commissioners for their consideration at an upcoming meeting. If you should have any questions or concerns, please feel free to contact me.



PAUL M. JONES

Telephone 410-632-1556
Fax 410-632-3772

LUMBER COMPANY, INC.

BOX 333
SNOW HILL, MD. 21863

To,

Worcester County Commissioners

Subject: Warehouse lease proposal letter

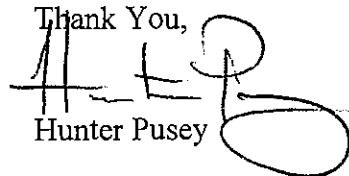
I, Hunter Pusey am writing this letter to you in order to express Paul Jones Lumber Company's interest in the commercial warehouse space located at the Worcester County Liquor Control building at 5363 Snow Hill Rd, Snow Hill, MD 21863. I hope you will consider my proposal and allow us to lease an area of this space.

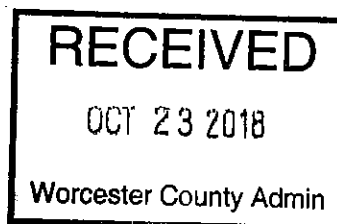
Paul M Jones Lumber Co. is a family owned business located in Snow Hill, MD. At Paul Jones lumber we produce southern yellow pine lumber. During the fall and winter months our commodity lumber sales slowdown and sales pick back up again during the spring months. The Worcester County Liquor Control building is perfectly suited for the purpose of storing lumber during our slow months. There are five bays outside of the warehouse but still under roof located south of the roll up door that would be used to store packs of lumber. Paul Jones Lumber Company is willing to pay a rent of \$1000 per month from December 2018 to June 2019. All of the inventory stored at this location will be covered under Paul Jones Lumber Company's insurance. If you approve, we can discuss all other terms and conditions in detail or organize a formal meeting.

I can assure you that Paul M Jones is a good tenant, who pays rent on time and abides by the LANDLORDS regulations.

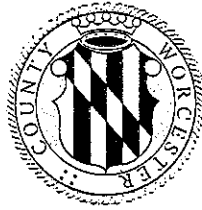
Do let me know of your decision.

Thank You,


Hunter Pusey



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



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

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

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

COMMISSIONERS
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JAMES C. CHURCH
MERRILL W. LOCKFAW, JR.
JOSEPH M. MITRECIC

October 31, 2018

Mr. Hunter Pusey
Paul M. Jones Lumber Company, Inc.
P.O. Box 333
Snow Hill, MD 21863

RE: Proposed Lease of Storage Space at Former Liquor Control Warehouse

Dear Mr. Pusey:

Please be advised that we have received your letter requesting to lease space for storage of surplus lumber in the covered loading bays at the former Worcester County Liquor Control Warehouse at 5363 Snow Hill Road, Snow Hill Maryland 21863. As you may be aware, the County Commissioners have previously discussed the possibility of renovating this facility as a County storage facility for all Worcester County departments and agencies. They have also previously considered selling the facility outright to an interested buyer. Although we are uncertain at this time as to the direction the Commissioners will ultimately choose for this facility and how your proposed use may impact the ultimate plans, we will present your offer at a future meeting for their consideration.

Thank you for your interest in this facility. We will be in touch in the near future.

Sincerely,

Harold L. Higgins
Chief Administrative Officer

HLH/kah

CC County Commissioners
Liquor Control Management Committee
Ed Tudor, Director of Development, Review and Permitting
John Tustin, Director of Public Works

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



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

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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 11, 2018

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
SUBJECT: Strategic Planning Proposal - The Novak Consulting Group

As you are aware, we have scheduled the County Commissioners' Strategic Planning Retreat for Tuesday and Wednesday, January 29-30, 2019 to be held at the Berlin Branch County Library. The retreat will be facilitated by Catherine Tuck Parrish of The Novak Consulting Group who previously facilitated a similar Strategic Planning Retreat for the Mayor and Council of Ocean City. Attached, please find the formal proposal from The Novak Consulting Group for the Commissioners' review and approval. The proposal outlines advanced services including phone calls to each Commissioner and an online survey to be completed by department heads which will assist Catherine in developing the agenda for the retreat. As stated in the proposal, the 2-day retreat will include exercises and discussion which will clarify expectations between the County Commissioners and staff, set a vision and goals for the County Commissioners, and set a path for the County staff to achieve those goals. The consultant's services will be provided at a total fixed fee of \$10,000, which includes all expenses. I believe there will be sufficient funds in the consulting services account to cover this expense as well as any supplies we need for the retreat.

Please present this proposal to the County Commissioners for approval at their next meeting so I can move forward with the necessary arrangements.



December 3, 2018

Harold Higgins, Chief Administrative Officer
Kelly Shannahan, Assistant Chief Administrator Officer
Worcester County
1 West Market Street
Snow Hill, MD 21863

Dear Mr. Higgins and Mr. Shannahan:

We appreciate Worcester County's interest in working with The Novak Consulting Group to facilitate a strategic planning workshop with the County Commissioners and key staff. We have extensive experience with this type of work and would be honored to work Worcester County. The purpose of this letter is to discuss the potential for this engagement.

Approach

Prior to the retreat, we will call each County Commissioner to learn about each individual's interest to ensure an understanding of the intended outcomes and expectations. We will also ask department directors to complete an online survey to gather information from them in advance of the workshop. We will use the information collected in the survey to develop an agenda to review with the Chief Administrative Officer and Assistant Chief Administrative Officer.

We expect to accomplish the retreat's goals through a facilitated session that will occur over two days in January 2019 on a mutually agreeable date. This session will include exercises and discussion. The purpose of the workshop would be to clarify expectations between the governing body and the staff; set a vision and goals for the County Commission; and set a path for the County staff to achieve those goals.

During the session, the primary role of the facilitator is to ensure that the environment is respectful and conducive to open and constructive dialogue, so the established objective is ultimately met. While the agenda provides the structure to accomplish the tasks, we also know how important it is to pay attention to the group and make sure conversations that need to happen actually happen. Therefore, we are flexible and in tune with the group during the process.

Approximately one week after the retreat, we will provide a summary report documenting the results.

Facilitators

Executive Search Practice Leader Catherine Tuck Parrish will serve as facilitator for this engagement. Catherine has more than 25 years of experience serving local governments in direct service and as a consultant. Catherine has worked as a consultant working with elected bodies on strategic planning and goal-setting, setting priorities for staff, and conducting executive searches for administrators/managers and other key staff. Her most recent local government position was as deputy city manager in Rockville, Maryland, where she served as acting city manager for one year. She has recently conducted strategic planning and council goal-setting sessions in Aberdeen, Hyattsville, and College Park, Maryland; Vienna, Virginia; Midland, Michigan; Murray, Utah; and Clayton, Missouri. She has conducted facilitation for the City of Rockville and other communities on a variety of topics. She has spoken at the Maryland Municipal League Annual Convention on strategic planning.

Recruitment Specialist Morgan Daniel – Morgan will support Catherine throughout this engagement. Morgan serves The Novak Consulting Group as a Recruitment Specialist developing content for recruitment materials, strategizing targeted outreach, conducting research, and analyzing data. Prior to coming to The Novak Consulting Group, she was an intern to the assistant city manager in Miamisburg, Ohio where she had the opportunity to work directly with several city departments. Morgan has a bachelor's degree in crime and justice studies from Wright State University and is working on her master's in public administration.

References

Ocean City, Maryland engaged The Novak Consulting Group to facilitate the development of a new strategic plan through a series of workshops with the Mayor and Council and key staff. The engagement also included a one-day implementation plan workshop.

Doug Miller, City Manager
(410) 289-8887 dmiller@oceancitymd.gov

College Park, Maryland engaged The Novak Consulting Group for its strategic plan and subsequent work with the Mayor and Council. Catherine led this project, which included focus groups, an online survey, and developing an environmental plan to inform the Mayor and Council on a strategic plan. She facilitated focus groups with stakeholders and workshops with the staff and Mayor and Council.

Assistant City Manager Bill Gardiner
(240) 487-3501 bgardiner@collegeparkmd.gov

University Park, Maryland engaged The Novak Consulting Group to facilitate a Mayor and Council goal-setting workshop that resulted in a vision, critical success factors, and top priority goals for the City.

Mayor Len Carey
(301) 927-4262 mayorcarey@upmd.org

Midland, Michigan engaged The Novak Consulting Group to conduct a community-based strategic planning process. The engagement used a Search Conference, which included involvement of over 100 community members who gathered to articulate the vision and key performance areas for the community, along with critical initiatives and action plans.

Bridgette Gransden, County Administrator (989) 832-6797 BGransden@co.midland.mi.us

Fee

The total fixed fee to complete the scope of work outlined in this proposal is \$10,000 which includes all expenses.

To hold the date, a non-refundable deposit of \$4,000 would be due upon signing of the agreement. The balance would be invoiced upon completion of the retreat.

We look forward to the opportunity to serve Worcester County. Please contact Catherine Tuck Parrish at (240) 832-1778 or ctuckparrish@thenovakconsultinggroup.com should you have any questions.

Sincerely,



Julia D. Novak
President

Accepted for the Worcester County:

Name, Title: _____

Signature: _____

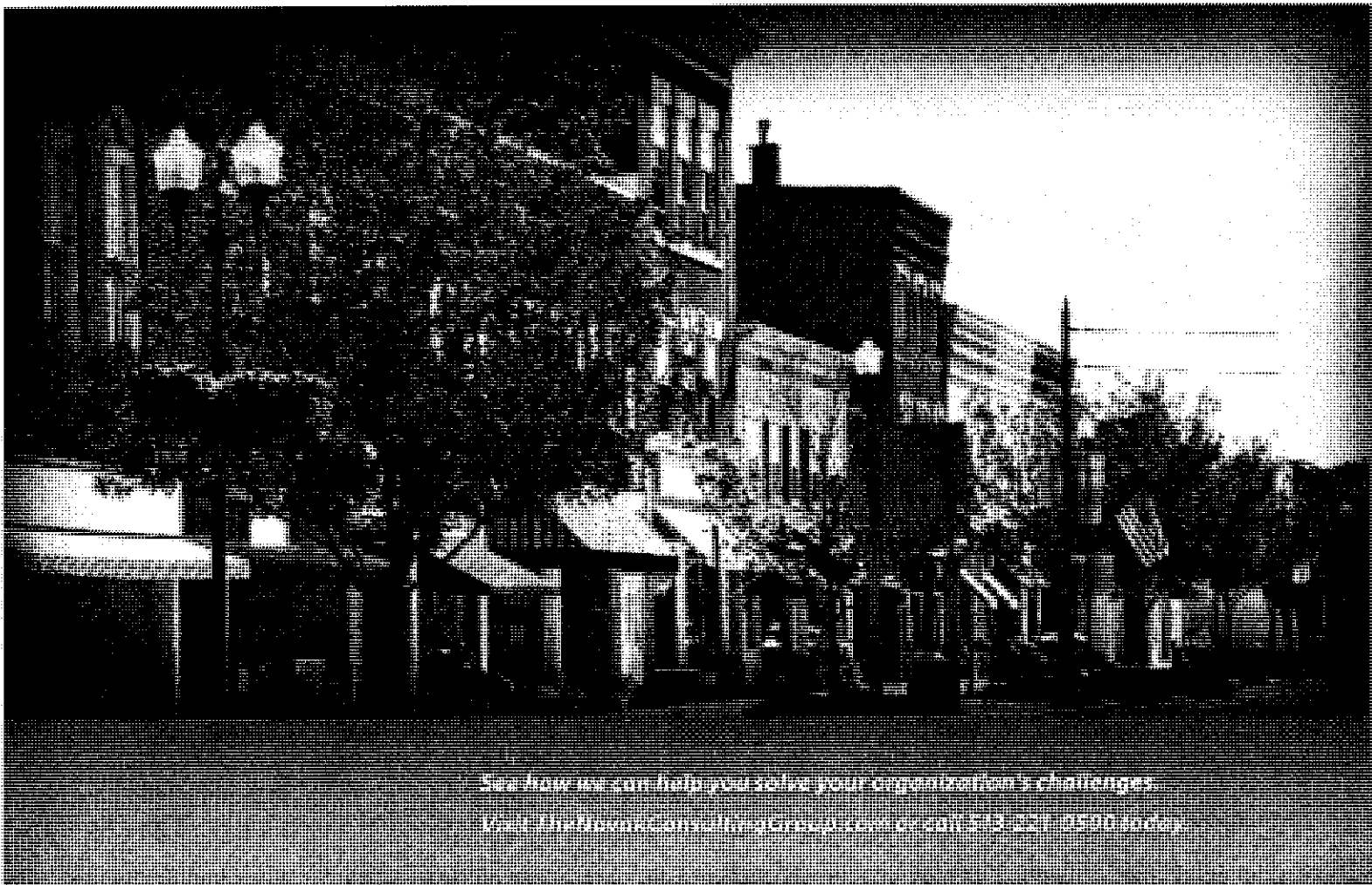
Date: _____



strengthening organizations from the inside out

Our mission is to strengthen organizations, for those they serve and those who work in them. We are local government professionals, and we provide services tailored to local governments:

- *Facilitation & Strategic Planning*
- *Executive Search*
- *Organizational Assessment & Optimization*



*See how we can help you solve your organization's challenges.
Visit TheNovakConsultingGroup.com or call 513.221.0590 today.*

leadership expertise. exceptional service.



We offer our clients innovative thinking that strengthens organizations from the inside out. Our management consulting services combine the personal attention and flexibility of a small firm with the sophistication and senior-level expertise of a large firm.

Facilitation & Strategic Planning

Leading planning sessions for successful outcomes.

Managing group processes is equal parts art and skill. We've facilitated countless group exercises including staff retreats and goal setting conversations with governing bodies. We excel at navigating complex interpersonal dynamics within an organization to ensure its employees are aligned to carry out its vision.

Executive Search

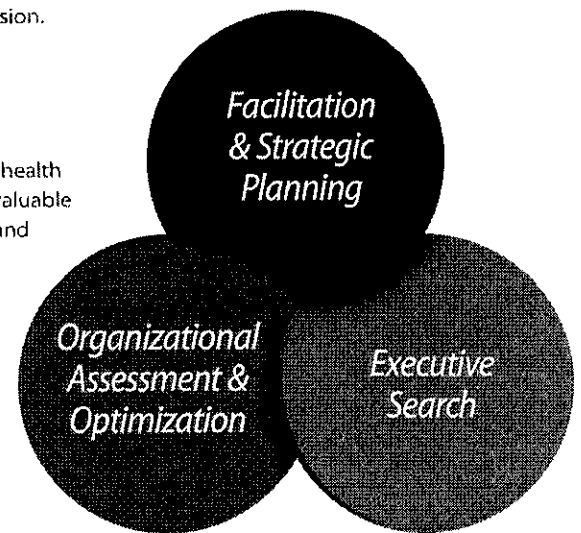
Finding and developing strong leaders.

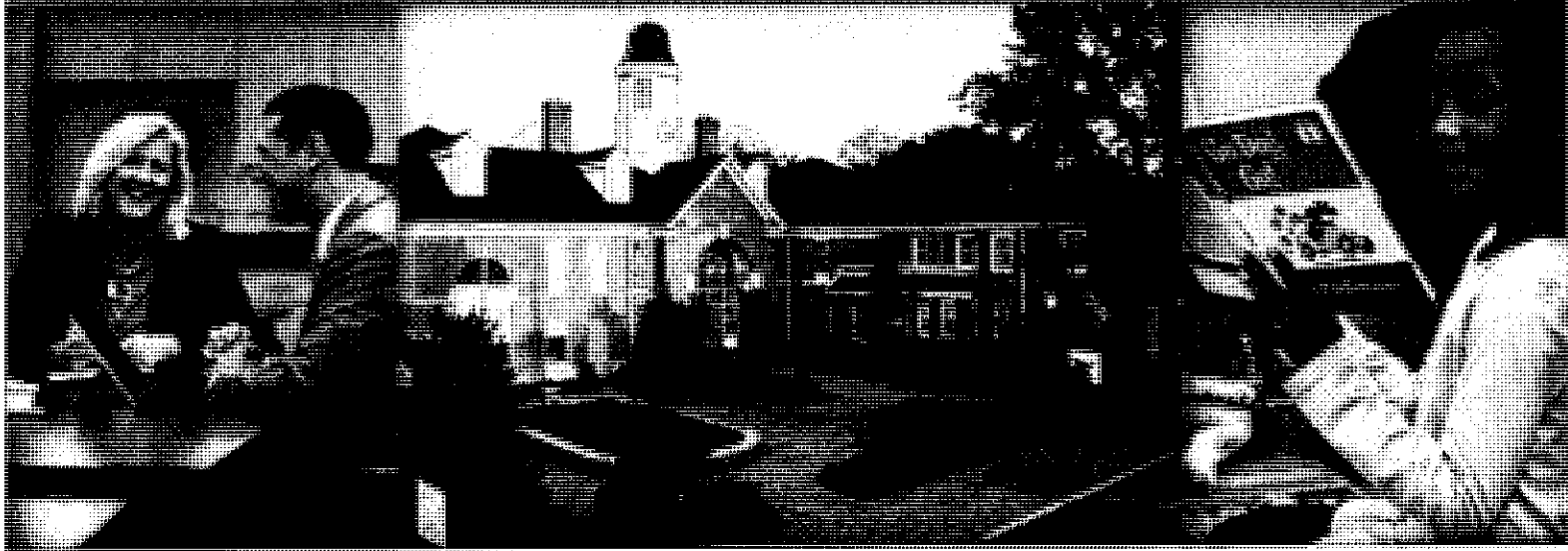
The quality of an organization's leaders is critical to its health and long-term success. Executive search can be an invaluable service for both elected bodies hiring executive staff and CEOs filling high-level positions. Executive coaching develops leaders within an organization, not only enhancing their performance, but helping it retain talent throughout its ranks

Organizational Assessment & Optimization

Maximizing efficiency and productivity.

Assessing and optimizing organizational performance is one of our core services. We evaluate operations at every level, from a single department to the organization as a whole.





who we work for

who we work for

Project Key
OA: Organizational Assessment and Optimization
ES: Executive Search
SPF: Strategic Planning and Facilitation



State	Jurisdiction	Project type
Arizona	Cottonwood	ES
	Goodyear	SPF
	Peoria	ES
California	Sierra Vista	SPF
	Gilroy	OA
	Hayward	SPF
	Long Beach Transit Authority	OA
	Manhattan Beach	SPF
	Palo Alto	SPF
	Placer County	SPF
	San Luis Obispo	SPF
	San Marino	SPF
	Santa Barbara	SPF
Yountville	SPF	
Colorado	Adams County	SPF
	Aspen	OA
	Aurora	OA SPF
	Boulder	OA ES SPF
	Brighton	SPF
	Centennial	SPF
	Evans	SPF
	Fort Collins	OA SPF
	Greeley	OA
	Lafayette	ES
	La Plata County	OA
	Louisville	ES SPF
	Loveland	ES
	Routt County	SPF
	Westminster	SPF
Connecticut	Windsor	OA SPF
	Enfield	OA
	Greenwich	ES
	Groton	OA
	Manchester	OA SPF
	Mansfield	OA ES
	Meriden	ES
Windsor	ES	
Delaware	Kent County	ES

State	Jurisdiction	Project type
Delaware	Lewes	ES
	Milford	ES
	Milton	ES
	Rehoboth Beach	ES
Florida	Palmetto Bay	SPF
Georgia	Decatur	SPF
	Roswell	SPF
Illinois	Carbondale	OA
	DuPage County	OA
	Evanston	OA
	Geneva	SPF
	Gurnee	SPF
	Lisle	SPF
	Peoria County	ES
	Schaumburg	OA
	Warrenville	OA
	Woodridge	SPF
Indiana	Bloomington	OA
	Indianapolis	OA
Kansas	Munster	OA SPF
	Baldwin City	ES SPF
	Bonner Springs	OA
	Edgerton	ES
	Edwardsville	SPF
	Eudora	SPF
	Garden City	OA
	Gardner	SPF
	Lawrence	SPF
	Olathe	SPF
	Roeland Park	SPF
	Shawnee	OA SPF
	Tonganoxie	ES SPF
	Unified Gov't of KCK	SPF
	Kentucky	Lexington-Fayette Urban County Government
Paducah		SPF
Louisiana	New Orleans	OA
Maryland	Aberdeen	OA ES SPF
	Berwyn Heights	ES
	Cambridge	ES
	Charles County	ES
	College Park	ES SPF
	Gaithersburg	ES



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State	Jurisdiction	Project type	
Maryland	Garrett Park		ES
	Greenbelt		SPF
	La Plata		ES
	Maryland State Judiciary		SPF
	Mount Rainier	OA	ES
	New Carrollton		ES
	* Ocean City		SPF
	Riverdale Park		ES
	Rockville	OA	ES
	Sykesville		ES
Massachusetts	* University Park		SPF
	Westminster		SPF
	Franklin County	OA	
	Nantucket	OA	SPF
Michigan	Pioneer Valley Planning Commission	OA	
	Westborough		SPF
	Ada		SPF
	Ann Arbor		SPF
	Ferndale		SPF
	Holland	OA	
	* Midland		SPF
Minnesota	Novi		ES
	Rochester Hills	OA	ES
Missouri	Edina	OA	
	Chesterfield		ES
	Clayton		SPF
	Lee's Summit	OA	ES
	Maryville		SPF
	North Kansas City		SPF
	Parkville		SPF
	Platte City	OA	
	Sikeston		SPF
	St. Joseph		SPF
Montana	St. Louis County		SPF
	University City		SPF
	Helena		ES
Nebraska	Hastings	OA	
	La Vista	OA	
Nevada	Reno	OA	
New Hampshire	Keene		ES
New York	Edgemont	OA	
	Ithaca	OA	

State	Jurisdiction	Project type	
New York	Oneonta		ES
	Rochester	OA	
New Jersey	New Jersey Health Initiative	OA	
North Carolina	Albemarle		SPF
	Asheville	OA	
	Brevard		SPF
	Cary		SPF
	Greensboro	OA	
	Raleigh	OA	SPF
	Swansboro		SPF
	Wake County	OA	
	Wilmington	OA	
	Ohio	Beavercreek Township	OA
Blendon Township			SPF
Blue Ash		OA	SPF
Centerville			ES
Cincinnati		OA	SPF
Clearcreek Township		OA	SPF
Cleveland Heights		OA	ES
Delaware		OA	
Delaware County			SPF
Delaware County EMS			SPF
Dublin		OA	ES
Gahanna		OA	SPF
Granville			ES
Hudson			ES
Jackson Township			ES
Miami Township			ES
Moraine			ES
Oberlin		OA	ES
Portsmouth			ES
Powell			SPF
Prairie Township		ES	
Sandusky		ES	
Sharonville		SPF	
Toledo		SPF	
Troy	OA		
Union County		ES	
Upper Arlington		ES	
Washington Township	OA	ES	
West Chester Township		ES	
Westerville		ES	
Worthington	OA	ES	

bringing solutions into focus



State	Jurisdiction	Project type
Oklahoma	Norman	OA
Oregon	Gresham	SPF
	Hillsboro	SPF
	Lane County	ES
	Salem	OA
	Wilsonville	OA
	Pennsylvania	Carlisle Borough
Pennsylvania	Duquesne	OA
	East Buffalo	OA
	East Whiteland Township	OA
	Exeter Township	OA
	Farrell	OA
	Ford City Borough	OA
	Harrisburg	OA
	Hazleton	OA
	Lancaster County	OA
	Lewisburg	OA
	Nanticoke	OA
	Reading	OA
	St. Marys	OA
	Rhode Island	Westerly
South Carolina	Charleston	OA
Tennessee	Farragut	SPF
Texas	Allen	SPF
	Cedar Hill	SPF
	Dallas	SPF
	Lancaster	ES
	League City	SPF
	Pearland	OA
	Prosper	SPF
	University Park	ES
	The Woodlands	OA
	Utah	Murray
	South Jordan	SPF
Vermont	Montpelier	SPF
Virginia	Alexandria	ES
	Arlington County	ES
	Ashland	ES
	Bedford County	ES
	Charlottesville	OA

State	Jurisdiction	Project type
Virginia	Fairfax	ES
	Fairfax County	ES
	Fredericksburg	OA
	Hampton	SPF
	Harrisonburg	ES
	Loudoun County	OA
	Purcellville	OA
	Vienna	SPF
	Warrenton	OA
	Washington	Bellevue
	Mercer Island	SPF
	Sequim	OA
	Shoreline	OA
West Virginia	Monongalia County	SPF
	Morgantown	SPF
Wisconsin	Mequon	ES
	Oak Creek	SPF
	Washington County	SPF

Organizations & Associations	Project Type
Alliance for Innovation	SPF
Ann Arbor Transportation Authority, Michigan	SPF
Central Brown County Water Authority, Wisconsin	ES
Connecticut Town and City Management Assoc.	OA
GoTriangle Transit, Durham, NC	OA
International City/County Management Assoc.	OA
Maryland Municipal League	OA
Miami University of Ohio	OA
Miami Valley Risk Management Authority, Ohio	SPF
Midland Community Foundation, Michigan	SPF
Minnesota Municipal League	OA
Missouri Municipal League	SPF
National Association of State and Local Equity Funds	SPF
National League of Cities	OA
Ocean Pines Association, MD	ES
Ohio City/County Management Association	OA
Orleans Parish School Board	ES
Owens-Corning, Ohio	SPF
Solid Waste Authority of Central Ohio (SWACO)	OA
USAID - Moldova	OA

10
18Q4



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

COMMISSIONERS
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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

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

November 30, 2018

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*
SUBJECT: Resolution Amending Worcester County Personnel Rules and Regulations

As you are aware, at their meeting of November 7, 2018, the County Commissioners conceptually approved an amendment to the Worcester County Personnel Rules and Regulations to declare Christmas Eve as a full day holiday rather than a half day holiday with offices closing at noon. In accordance with the provisions of Section CG 4-301(b) of the Code of Public Local Laws of Worcester County, Maryland, such amendment must be posted for at least fifteen days prior to adoption. Accordingly, this amendment has been posted on the first floor bulletin board outside the Commissioners' Office since November 15, 2018. Although not required, the amendment was also distributed to each department for posting on their departmental bulletin board.

To my knowledge, we have not received any comments regarding the proposed amendment. Having met the posting requirements, this amendment is now ready for formal adoption by the County Commissioners. Therefore, I have prepared the attached resolution for the Commissioners review and approval at their next meeting.

If you should have any questions or concerns with regard to this matter, please feel free to contact me.

The Commissioners met with Mr. Shannahan to review the Commissioners' proposed meeting schedule and budget schedule for 2019, with Commissioners' meetings generally taking place on the 1st and 3rd Tuesday of each month, except where such dates fall on a legal holiday or other conflicting event. Mr. Shannahan stated the New Year's Day holiday falls on a Tuesday and is followed immediately by the Maryland Association of Counties (MACo) Winter Conference from January 2-4, so the meetings in January are proposed to take place on the second and fourth Tuesdays on January 8 and 22, with the legislative session to take place on the fourth Tuesday, January 22. The National Hurricane Conference, which will take place in New Orleans from April 22-25 will not pose a scheduling conflict if attended by any of the Commissioners or staff.

Upon a motion by Commissioner Church, the Commissioners unanimously approved their schedule of meeting dates and budget schedule for calendar year 2019, as proposed by staff.

In a related matter, Mr. Higgins stated that President Purnell had questioned why the Christmas Eve holiday was only a half-day holiday rather than a full day. After some discussion and upon a motion by Commissioner Church, the Commissioners unanimously agreed to revise the Personnel Rules and Regulations to declare Christmas Eve as a full-day holiday.

**Proposed Amendment to the
Worcester County Personnel Rules and Regulations
To Become Effective January 1, 2019**

Revision to Section 6.11.A. - Christmas Eve Holiday - Half Day to Full Day

Current Language:

Christmas Eve is currently listed as a half day holiday with offices closing at noon whenever December 24 falls on a regular workday, Monday through Thursday. At their meeting of November 7, 2018, the County Commissioners conceptually approved declaring Christmas Eve as a full day holiday.

In accordance with Section 4-301 (Personnel system) of the County Government Article of the Code of Public Local Laws of Worcester County, Maryland, the proposed amendment must be posted for at least fifteen days prior to its adoption in the Government Center and such other locations as the County Commissioners may deem necessary and appropriate.

Proposed Revised Language:

6.11 HOLIDAYS

A. Paid holidays shall be granted to eligible regular full-time employees on the following days as designated by the County Commissioners:

New Years Day	(January 1)
Dr. Martin Luther King's Birthday	(January 15*)
Presidents' Day	(3rd Monday in February)
Good Friday	(Friday before Easter Sunday)
Memorial Day	(May 30*)
Independence Day	(July 4)
Labor Day	(1 st Monday in September)
Columbus Day	(October 12*)
Veteran's Day	(November 11)
Thanksgiving Day	(4 th Thursday in November)
Friday After Thanksgiving	(Day after 4 th Thursday in November)
Christmas Eve	(December 24**)
Christmas Day	(December 25)
Each Statewide General Election Day	
Each other day that the County Commissioners designate as a holiday	

*unless the United States Congress designates another day for observance of that legal holiday, in which case the day designated by the United States Congress.

**the Christmas Eve holiday shall only be granted when such day falls on a regular workday, Monday through Thursday.

Current
Regulations

6.11 HOLIDAYS

A. Paid holidays shall be granted to eligible regular full-time employees on the following days as designated by the County Commissioners:

New Years Day	(January 1)
Dr. Martin Luther King's Birthday	(January 15*)
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Independence Day	(July 4)
Labor Day	(1 st Monday in September)
Columbus Day	(October 12*)
Veteran's Day	(November 11)
Thanksgiving Day	(4 th Thursday in November)
Friday After Thanksgiving	(Day after 4 th Thursday in November)
Christmas Eve – County Offices close at noon	(December 24**)
Christmas Day	(December 25)
Each Statewide General Election Day	
Each other day that the County Commissioners designate as a holiday	

*unless the United States Congress designates another day for observance of that legal holiday, in which case the day designated by the United States Congress.

**the Christmas Eve holiday shall only be granted when such day falls on a regular workday, Monday through Thursday.

- B. A holiday schedule of closing dates and dates observed will be published on or before the first of each year.
- C. Regular full-time employees are eligible for holiday pay equal to the number of daily hours normally worked on a regular basis. Regular full-time employees who work the holiday will be granted an alternate holiday, in lieu of the actual holiday. Alternate holidays taken off other than on the day of the official observance must be scheduled and authorized in advance by the Department Head.
- D. Regular part-time, part-time and temporary employees are not eligible for holiday pay and will be paid under normal compensation methods for hours worked on a holiday.
- E. To be eligible for holiday pay, a regular full-time employee must:
 1. Be at work as scheduled on the day before and after the holiday; or
 2. Be scheduled off for paid leave on the day before or the day after the holiday by the employee's supervisor prior to the holiday; or
 3. Present a doctor's note for sick leave claimed on the day before or after the

SUBTITLE III
Personnel Administration

§ CG 4-301. Personnel system.

- (a) Adoption by resolution. The County Commissioners may, by resolution, adopt a personnel system containing rules and regulations to establish procedures and to guide administrative actions concerning personnel activities and transactions. Said personnel system shall apply to all positions funded in whole or in part by or through the County Commissioners, except those positions covered by other approved personnel regulations and plans, those positions described in § 4-305 herein¹ or such special other positions as may be specifically exempted by the County Commissioners. The administration and enforcement of the personnel system shall be as set forth in the resolution adopting the same or as may be provided by law.
- (b) Notice by amendments. Except for such matters affecting the personnel system that may be governed by annual expense budget procedures, any resolution providing for adoption of or amendment to said personnel system shall be posted for at least fifteen days prior to its adoption, in the Government Center and such other locations as the County Commissioners may deem necessary and appropriate.

RESOLUTION NO. 18 - ____

**RESOLUTION AMENDING WORCESTER COUNTY GOVERNMENT
PERSONNEL RULES AND REGULATIONS REGARDING COUNTY HOLIDAYS**

WHEREAS, Section 4-301 of the County Government Article of the Code of Public Local Laws of Worcester County, Maryland authorizes the County Commissioners to adopt, by Resolution, a personnel system; and

WHEREAS, the County Commissioners comprehensively revised and adopted the current Worcester County Personnel Rules and Regulations on July 3, 2001 and have subsequently adopted amendments as necessary; and

WHEREAS, the County Commissioners have determined it necessary and advisable to amend the Worcester County Personnel Rules and Regulations to declare Christmas Eve as a full-day holiday rather than a half-day holiday on the list of paid holidays for Worcester County employees.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that Subsection A. of Section 6.11 (Holidays) is hereby amended to read as follows:

- A. Paid holidays shall be granted to eligible regular full-time employees on the following days as designated by the County Commissioners:

New Years Day	(January 1)
Dr. Martin Luther King's Birthday	(January 15*)
Presidents' Day	(3rd Monday in February)
Good Friday	(Friday before Easter Sunday)
Memorial Day	(May 30*)
Independence Day	(July 4)
Labor Day	(1 st Monday in September)
Columbus Day	(October 12*)
Veteran's Day	(November 11)
Thanksgiving Day	(4 th Thursday in November)
Christmas Eve	(December 24**)
Christmas Day	(December 25)
Each Statewide General Election Day	
Each other day that the County Commissioners designate as a holiday	

* unless the United States Congress designates another day for observance of that legal holiday, in which case the day designated by the United States Congress.

** the Christmas Eve holiday shall only be granted when such day falls on a regular workday, Monday through Thursday.

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

PASSED AND ADOPTED this _____ day of _____, 2018.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 11, 2018

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

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (20) which have current or upcoming vacancies (48 total). They are as follows: Adult Public Guardianship Board (3); Commission on Aging Board (3), Agricultural Preservation Advisory Board (2), Agricultural Reconciliation Board (3), Building Code Appeals Board (1), Drug & Alcohol Abuse Council (3), Economic Development Advisory Board (1), Board of Electrical Examiners (1), Ethics Board (1), Local Management Board/Initiative to Preserve Families Board (1), Board of Library Trustees (1), Local Development Council for the Ocean Downs Casino (2), Lower Shore Workforce Development Board (1), Property Tax Assessment Appeal Board (2), with 3 nominees to Governor for each seat = 6 total nominees), Social Services Board (1), Solid Waste Advisory Committee (3), Tourism Advisory Committee (1), Water and Sewer Advisory Councils - Mystic Harbour (2), Commission for Women (3), and Youth Council (13). I have circled the members whose terms have expired or will expire on each of these boards.

Most of these Boards and Commissions specify that current members' terms will expire on December 31st. Current members will continue to serve beyond their term until they are either reappointed or a replacement is named. Please consider these reappointments or new appointments during December so I can notify the board members and staff contacts preferably prior to the end of the calendar year.

At your request letters have been mailed to the County agencies requesting nominees for their representatives on the various Boards from which nominations are required. In addition, a press release notifying the public of these upcoming vacancies has been submitted, encouraging interested residents to contact our office if they are interested in volunteering to serve on any of these County boards or commissions (see page 4).

Pending Board Appointments - By Commissioner

- District 1 - Nordstrom** p. 20 - Ethics Board (Mickey Ashby) - 4-year
p. 21 - Local Management Board (Mark Frostrom) - 3-year
p. 24 - Local Development Council for Ocean Downs Casino (Ron Taylor)- 4-year
p. 27 - Social Services Advisory Board (Tracey Cottman) - 3-year (thru 2020)
p. 29 - Solid Waste Advisory Committee (George Linvill) - 4-year
p. 33 - Commission for Women (Alice Jean Ennis - At-Large) - 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** P. 14 - Building Code Appeals Board (Jim Wilson) - 4-year
p. 19 - Board of Electrical Examiners (Duane Duncan) - 3-year
p. 32 - Water and Sewer Advisory Council - Mystic Harbour (Richard Jendrek - Bay Vista I and Carol Ann Beres - Ocean Reef) - 4-year
p. 33 - Commission for Women (Michelle Bankert)- 3-year

- District 4 - Elder** p. 11 - Agricultural Preservation Advisory Board (Ed Phillips and Alan Hudson) - 4-year
p. 29 - Solid Waste Advisory Committee (George Dix) - 4-year
p. 30 - Tourism Advisory Committee (Molly Hilligoss - resigned) - 4-year to 2019

- District 5 - Bertino** p. 29 - Solid Waste Advisory Committee (James Rosenberg) - 4-year

District 6 - Bunting All District Appointments Received. Thank you!
Please consider nominations for At-Large positions listed below - "All Commissioners"

- District 7 - Mitrecic** P. 18 - Economic Development Advisory Board (Greg Shockley) - 4-year
p. 33 - Commission for Women (Nancy Fortney) - 3-year

All Commissioners

- p. 5 - (3) Adult Public Guardianship Board (Roberta Baldwin, Melissa Banks, Dr. Dia Arpon) - 3-year
p. 11 - (2) Agricultural Preservation Advisory Board (Ed Phillips and Alan Hudson) - 4-year
p. 12 - (2) Agricultural Reconciliation Board (Betty McDermott, Tom Babcock - At-Large) - 4-year
p. 15 - (3) Drug and Alcohol Abuse Council (Eric Gray - Substance Abuse Treatment Provider; Sue Abell-Rodden; Colonel Doug Dods - Knowledge on Substance Abuse Issues) - 4-year
p. 21 - (1) Local Management Board (Mark Frostrom) - 3-year
p. 24 - (1) Local Development Council for Ocean Downs Casino (Cam Bunting - At-Large - business or institution representative in immediate proximity to Ocean Downs) - 4-year
p. 25 - (1) Lower Shore Workforce Development Board (Business Representative - Berlin area) - 4-year
p. 26 - Property Tax Assessment Appeal Board (Robert D. Rose - Pocomoke area; Gary M. Flater - Snow Hill Area - alternate) - must submit 3 nominees for each seat to Governor for his consideration in making these appointments - 5-year (FYI - Governor is still considering Steve Rakow's nomination)

All Commissioners - (continued)

- p. 32 - (2) Water and Sewer Advisory Council - Mystic Harbour (Richard Jendrek - Bay Vista I and Carol Ann Beres - Ocean Reef) - 4-year
- p. 33 - (1) Commission for Women (Alice Jean Ennis - At-Large-Pocomoke,)

All Commissioners (Awaiting Nominations)

- p. 8 - (3) Commission on Aging Board (Tommy Tucker - Snow Hill, Tommy Mason - Pocomoke, Helen Whaley - Berlin) - self-appointed by Commission on Aging & confirmed by County Commissioners- 3-year to Sept 30
- p. 12 - (1) Agricultural Reconciliation Board (Dean Ennis - Farm Bureau) - 4-year
- p. 22 - (1) Board of Library Trustees (Leslie Mulligam - Snow Hill) - upon nominations from Library Board - 5-year
- p. 35 - (13) Youth Council - (nominations to be submitted by Youth Council upon youth applications)



PRESS RELEASE

Worcester County Government ♦ Phone (410) 632-1194 ♦ Fax (410) 632-3131

TO: Local Media
FROM: Worcester County Commissioners
DATE: December 10, 2018
FOR RELEASE: Immediately
TOPIC: Openings available on 22 Worcester County boards and commissions
CONTACT: Kim Moses, public information officer, at (410) 632-1194

Openings available on 22 Worcester County boards and commissions

Worcester County Government (WCG) is currently seeking interest from county residents to volunteer to fill open seats on 22 boards and commissions.

“Volunteers are the heartbeat of Worcester County,” Commission President Diana Purnell said. “In the event that we receive more individuals interested in volunteering for a particular committee than there are available seats, we will maintain an interest list to help us fill future vacancies.”

There are current vacancies on the following boards and commissions: Adult Public Guardianship Board (3), Commission on Aging Board (3), Agricultural Preservation Advisory Board (2), Agricultural Reconciliation Board (3), Building Code Appeals Board (1), Drug and Alcohol Abuse Council (3), Economic Development Advisory Board (1), Board of Electrical Examiners (1), Ethics Board (1), Housing Review Board (1), Board of Library Trustees (1), Local Management Board/Initiative to Preserve Families Board (1), Local Development Council for the Ocean Downs Casino (2), Lower Shore Workforce Development Board (1), Social Services Advisory Board (2), Solid Waste Advisory Committee (3), Tourism Advisory Committee (1), Water and Sewer Advisory Council in Mystic Harbour (2), Commission for Women (4), and Youth Council (13). Members of these boards and commissions are appointed by the Worcester County Commissioners.

There are currently two vacancies on the Worcester County Property Tax Assessment Appeal Board. Members are nominated by the County Commissioners, with final appointment by the Governor of Maryland.

While there are no open seats on the Planning Commission, Recreation Advisory Board, Water and Sewer Advisory Councils for Ocean Pines and West Ocean City, and Board of Zoning Appeals, WCG will also maintain a list of residents interested in filling future vacancies on these boards.

Please send a letter of interest, along with a resume or cover letter outlining any pertinent experience, to admin@co.worcester.md.us or Worcester County Administration at One West Market Street, Room 1103, Snow Hill, Maryland 21863. Visit www.co.worcester.md.us and under Important Links click on County Boards and Commissions to learn about the duties and responsibilities for each board.

ADULT PUBLIC GUARDIANSHIP BOARD

Reference: PGL Family Law 14-402, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory
Perform 6-month reviews of all guardianships held by a public agency.
Recommend that the guardianship be continued, modified or terminated.

Number/Term: 11/3 year terms
Terms expire December 31st

Compensation: None, travel expenses (under Standard State Travel Regulations)

Meetings: Semi-annually

Special Provisions: 1 member must be a professional representative of the local department
1 member must be a physician
1 member must be a psychiatrist from the local department of health
1 member must be a representative of a local commission on aging
1 member must be a representative of a local nonprofit social services organization
1 member must be a lawyer
2 members must be lay individuals
1 member must be a public health nurse
1 member must be a professional in the field of disabilities
1 member must be a person with a physical disability

Staff Contact: Department of Social Services - Roberta Baldwin (410-677-6872)

Current Members:

<u>Member's Name</u>	<u>Representing</u>	<u>Years of Term(s)</u>
Roberta Baldwin	Local Dept. Rep. - Social Services	03-06-09-12-15, 15-18
Melissa Banks	Public Health Nurse	*02-03-06-09-12-15, 15-18
Dr. Dia Arpon	Psychiatrist	*10-12-15, 15-18
Dr. William Greer	Physician	07-10-13-16, 16-19
Richard Collins	Lawyer	95-98-01-04-07-10-13-16, 16-19
Nancy Howard	Lay Person	*17-19
Connie Wessels	Lay Person	*15-16, 16-19
Brandy Trader	Non-profit Soc. Service Rep.	*15-17, 17-20
LuAnn Siler	Commission on Aging Rep.	17-20
Jack Ferry	Professional in field of disabilities	*14-14-17, 17-20
Thomas Donoway	Person with physical disability	017-20

* = Appointed to fill an unexpired term

ADULT PUBLIC GUARDIANSHIP BOARD
(Continued)

Prior Members:

Dr. Donald Harting
Maude Love
Thomas Wall
Dr. Dorothy Holzworth
B. Randall Coates
Kevin Douglas
Sheldon Chandler
Martha Duncan
Dr. Francis Townsend
Luther Schultz
Mark Bainum
Thomas Mulligan
Dr. Paul Flory
Barbara Duerr
Craig Horseman
Faye Thornes
Mary Leister
Joyce Bell
Randolph Barr
Elsie Briddell
John Sauer
Dr. Timothy Bainum
Ernestine Bailey
Terri Selby (92-95)
Pauline Robbins (92-95)
Darryl Hagey
Dr. Ritchie Shoemaker (92-95)
Barry Johansson (93-96)

Since 1972

Albert Straw (91-97)
Nate Pearson (95-98)
Dr. William Greer, III (95-98)
Rev. Arthur L. George (95-99)
Irvin Greene (96-99)
Mary Leister (93-99)
Otho Aydelotte, Jr. (93-99)
Shirley D'Aprix (98-00)
Theresa Bruner (91-02)
Tony Devereaux (93-02)
Dr. William Krone (98-02)
David Hatfield (99-03)
Dr. Kimberly Richardson (02-03)
Ina Hiller (91-03)
Dr. David Pytlewski (91-06)
Jerry Halter (99-06)
Dr. Glenn Arzadon (04-07)
Madeline Waters (99-08)
Mimi Peuser (03-08)
Dr. Gergana Dimitrova (07-08)
Carolyn Cordial (08-13)
June Walker (02-13)
Bruce Broman (00-14)
Lori Carson (13-14)
Pattie Tingle (15-16)
The Rev. Guy H. Butler (99-17)
Debbie Ritter (07-17)
Dean Perdue (08-17)



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

December 6, 2018

Roberta Baldwin, Director
Worcester County Department of Social Services
299 Commerce Street
Snow Hill, Maryland 21863

Dear Ms. Baldwin:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County Boards and Commissions for which members' terms will expire at the end of this year. Upon review of our records, we recently determined that the terms of the following members of the Worcester County Adult Public Guardianship Board will expire on December 31, 2018: **Roberta Baldwin - Local Department Representative; Melissa Banks - Public Health Nurse; and Dr. Dia Arpon - Psychiatrist.** As you are aware, appointments to the Adult Public Guardianship Board are made by the County Commissioners, however, we welcome your recommendations and nominations for re-appointment or replacement of the above referenced Board members. We would appreciate receiving your recommendations by December 28, 2018, or sooner, so that we can make these appointments at our meeting on January 8, 2019.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact either me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Diana Purnell
President

DP/kh

cf: Roberta Baldwin, Director, Department of Social Services
Kelly Shannahan, Assistant Chief Administrator
Rebecca Jones, Health Officer
Board Book

Citizens and Government Working Together

COMMISSION ON AGING BOARD

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

Appointed by: Self-Appointing/Confirmed by County Commissioners

Function: Supervisory/Policy Making

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

Compensation: None

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

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

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

Current Members:

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

* = Appointed to fill an unexpired term

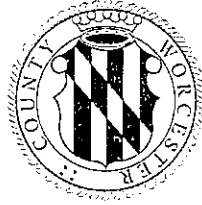
Prior Members:

Since 1972

Virginia Harmon
 Maude Love
 Dr. Donald Harting
 John C. Quillen
 Violet Chesser
 William Briddell
 Harrison Matthews
 John McDowell
 Mildred Brittingham
 Maurice Peacock
 Father S. Connell
 Rev. Dr. T. McKelvey
 Samuel Henry
 Rev. Richard Hughs
 Dorothy Hall
 Charlotte Pilchard
 Edgar Davis
 Margaret Quillen
 Lenore Robbins
 Mary L. Krabill
 Leon Robbins
 Claire Waters
 Thelma Linz
 Oliver Williams
 Michael Delano
 Father Gardiner
 Iva Baker
 Minnie Blank
 Thomas Groton III
 Jere Hilbourne
 Sandy Facinoli
 Leon McClafin
 Mabel Scott
 Wilford Showell
 Rev. T. Wall
 Jeaninne Aydelotte
 Richard Kasabian
 Dr. Fred Bruner
 Edward Phillips
 Dorothy Elliott
 John Sauer
 Margaret Kerbin
 Carolyn Dorman
 Marion Marshall
 Dr. Francis Ruffo
 Dr. Douglas Moore
 Hibernia Carey
 Charlotte Gladding
 Josephine Anderson
 Rev. R. Howe
 Rev. John Zellman
 Jessee Fassett
 Delores Waters
 Dr. Terrance A. Greenwood
 Baine Yates
 Wallace T. Garrett
 William Kuhn (86-93)
 Mary Ellen Elwell (90-93)
 Faye Thornes

Mary Leister (89-95)
 William Talton (89-95)
 Sunder Henry (89-95)
 Josephine Anderson
 Saunders Marshall (90-96)
 Louise Jackson (93-96)
 Carolyn Dorman (93-98)
 Constance Sturgis (95-98)
 Connie Morris (95-99)
 Jerry Wells (93-99)
 Robert Robertson (93-99)
 Margaret Davis (93-99)
 Dr. Robert Jackson (93-99)
 Patricia Dennis (95-00)
 Rev. C. Richard Edmund (96-00)
 Viola Rodgers (99-00)
 Baine Yates (97-00)
 James Shreeve (99-00)
 Tad Pruitt (95-01)
 Rev. Walter Reuschling (01-02)
 Armond Merrill, Sr. (96-03)
 Gene Theroux
 Blake Fohl (98-05)
 Constance Harmon (98-05)
 Catherine Whaley (98-05)
 Wayne Moulder (01-05)
 Barbara Henderson (99-05)
 Gus Payne (99-05)
 James Moeller (01-05)
 Rev Stephen Laffey (03-05)
 Anne Taylor (01-07)
 Jane Carmean (01-07)
 Alex Bell (05-07)
 Inez Somers (03-08)
 Joanne Williams (05-08)
 Ann Horth (05-08)
 Helen Richards (05-08)
 Peter Karras (00-09)
 Vivian Pruitt (06-09)
 Doris Hart (08-11)
 Helen Heneghan (08-10)
 Jack Uram (07-10)
 Robert Hawkins (05-11)
 Dr. Jon Andes
 Lloyd Pullen (11-13)
 John T. Payne (08-15)
 Sylvia Sturgis (07-15)
 Gloria Blake (05-15)
 Dr. Jerry Wilson (Bd. of Ed.)
 Peter Buesgens (Social Services)
 Deborah Goeller (Health Dept.)
 George "Tad" Pruitt (05-17)
 Bonnie C. Caudell (09-17)
 Larry Walton (13-18)

* = Appointed to fill an unexpired term



OFFICE OF THE
COUNTY COMMISSIONERS

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

COMMISSIONERS
DIANA PURNELL, PRESIDENT
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MADISON J. BUNTING, JR.
JAMES C. CHURCH
MERRILL W. LOCKFAW, JR.
JOSEPH M. MITRECIC

Worcester County

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

December 10, 2018

Rob Hart, Executive Director
Commission on Aging
4767 Snow Hill Road
Snow Hill, Maryland 21863

Dear Mr. Hart:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County Boards and Commissions for which members' terms will expire at the end of this year. Upon review of our records, we recently determined that the terms of the following members of the Worcester County Commission on Aging Board expired on September 30, 2018:

Mr. Tommy Tucker of Snow Hill
Mr. Tommy Mason of Pocomoke
Mrs. Helen Whaley of Berlin

We would appreciate receiving your nomination for re-appointment or replacement of the above referenced Board members, by December 28, 2018, or sooner, so that we can make these appointments at our meeting on January 8, 2019.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Diana Purnell
President

DP/kh

cc: Kelly Shannahan, Assistant Chief Administrative Officer
Worcester County Commissioners *Citizens and Government Working Together*

AGRICULTURAL PRESERVATION ADVISORY BOARD

Reference: PGL Agriculture 2-504.1, Annotated Code of Maryland

Appointed by: County Commissioners

Functions: Advisory
Advise the County Commissioners and State Agricultural Preservation Foundation on establishment of agricultural districts and priorities for purchase of easements; promote preservation of agriculture in the County.

Number/Term: 7/4 years***
Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: As Needed

Special Provisions: 4 members to be owner-operators of commercial farms
Membership limited to two consecutive full terms

Staff Contact: Katherine Munson, Dept. of Environmental Programs (410-632-1220)

Current Members: (O-O = Commercial Farm Owner-Operator)

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Terms (Year)</u>
Ed Phillips (O-O)	Elder	D-4, Whaleyville	05-10-14, 14-18
Alan Hudson (O-O)	Elder	D-4, Berlin	14-18
Bill Bruning (O-O)	Elder	D-2, Snow Hill	11-15, 15-19
Curt Lambertson	Elder	D-4, Snow Hill	15-19
Kelley Gravenor	Elder	D-4, Snow Hill	*14-16, 16-20
Glen Holland (O-O)	Lockfaw	D-1, Pocomoke	13-17, 17-21
Kathy Drew	Bunting	D-6, Bishopville	** 06-09-13-17, 17-21

Prior Members:

Norman Ellis	Ed Anderson (98-03)
Richard Bradford	Robert Gray (00-05)
Charles Fulton	Orlando Bishop (01-06)
Elmer Hastings	Roger Richardson (96-07)
David Stevens	Anne Hastings (06-11)
Curtis Shockley	Earl Ludey (07-13)
Gerald Redden	George Lee Clayville (00-14)
William Sirman, Jr.	Sandra Frazier (03-14)
Harold Purnell	Donnie Powell (06-15)
Chauncy Henry (96-97)	
Lieselotte Pennewell (93-98)	
Carlton Magee (90-00)	
Harry Mitchell (90-00)	
Frank Baker (98-01)	

* = Appointed to fill an unexpired term
 ** = Appointed to partial term to create proper staggering of terms
 *** = Membership expanded from 5 to 7 members and terms reduced from 5 to 4-years each in 2006

AGRICULTURAL RECONCILIATION BOARD

Reference: Public Local Law § ZS 1-346 (Right to Farm Law)

Appointed by: County Commissioners

Function: Regulatory
Mediate and arbitrate disputes involving agricultural or forestry operations conducted on agricultural lands and issue opinions on whether such agricultural or forestry operations are conducted in a manner consistent with generally accepted agricultural or forestry practices and to issue orders and resolve disputes and complaints brought under the Worcester County Right to Farm Law.

Number/Term: 5 Members/4-Year Terms - Terms expire December 31st

Compensation: None - Expense Reimbursement as provided by County Commissioners

Meetings: At least one time per year, more frequently as necessary

Special Provisions: - All members must be County residents
- Two Members chosen from nominees of Worcester County Farm Bureau
- One Member chosen from nominees of Worcester County Forestry Board
- Not less than 2 but not more than 3 members shall be engaged in the agricultural or forestry industries

Staff Contact: Dept. of Development Review & Permitting
- Edward A. Tudor, Director (410-632-1200, ext. 100)
County Agricultural Extension Agent - As Consultant to the Board
- Doug Jones, District Manager, Resource Conservation District - (632-3109, x112)

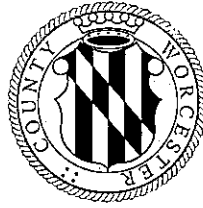
Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Ag/Forest Industry</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Betty McDermott	At-Large	No	Ocean Pines	*09-09-13, 13-17
Tom Babcock	At-Large	No	Whaleyville	14-18
Dean Ennis	Farm Bureau	Yes	Pocomoke	06-10-14, 14-18
Stacey Esham	Forestry Bd.	Yes	Berlin	12-16, 16-20
Brooks Clayville	Farm Bureau	Yes	Snow Hill	00-04-08-12-16, 16-20

Prior Members: Since 2000

Michael Beauchamp (00-06)
Phyllis Davis (00-09)
Richard G. Holland, Sr. (00-12)
Rosalie Smith (00-14)

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



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

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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 6, 2018

Kirby Brewington, Secretary, Treasurer
Worcester County Farm Bureau
P.O. Box 357
Snow Hill, Maryland 21863

Dear Kirby:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County Boards and Commissions for which members' terms will expire at the end of this year. Upon review of our records, we recently determined that the term of Farm Bureau representative Dean Ennis on the Worcester County Agricultural Reconciliation Board will expire on December 31, 2018. We would appreciate receiving a nomination from the Farm Bureau to reappoint or replace Mr. Ennis by December 28, 2018, or sooner, so that we can make these appointments at our meeting on January 8, 2019.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact Ed Tudor, Director of Development Review & Permitting at 410-632-1200, ext. 1100.

Sincerely,

Diana Purnell
President

DP/kh

cf: Ed Tudor, Director of Development Review & Permitting
Board Book

BUILDING CODE APPEALS BOARD

Reference: PGL - Public Safety Article - Section 12-501 - 12-508 - Annotated Code of Maryland
COMAR 05.02.07 (Maryland Building Performance Standards)
- International Building Code, International Residential Code

Appointed by: County Commissioners

Function: Quasi-Judicial
Hear and decide upon appeals of the provisions of the International Building Code (IBC) and International Residential Code for one- and two-family dwellings (IRC)

Number/Term: 7/4-year terms
Terms expire December 31

Compensation: \$50 per meeting (by policy)

Meetings: As Needed

Special Provisions: Members shall be qualified by reason of experience, training or formal education in building construction or the construction trades.

Staff Contact: Edward A. Tudor, Director
Development Review & Permitting (410-632-1200, ext. 1100)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Jim Wilson	D-3 - Church	Berlin	02-06-10-14, 14-18
Elbert Davis	D-2 - Purnell	Snow Hill	*03-03-07-11-15, 15-19
Bill Paul	D-7 - Mitrecic	Ocean Pines	15-19
Kevin Holland	D-1 - Lockfaw	Pocomoke	96-04-08-12-16, 16-20
James Spicknall	D-5 - Bertino	Ocean Pines	04-08-12-16, 16-20
Mike Poole	D-6 - Bunting	Bishopville	17-21
Mark Bargar	D-4 - Elder	Berlin	14-18, 18-22

Prior Members:

Robert L. Cowger, Jr. (92-95)
Charlotte Henry (92-97)
Robert Purcell (92-98)
Edward DeShields (92-03)
Sumei Prete (97-04)
Shane C. Spain (03-14)
Dominic Brunori (92-15)
Richard P. Mueller (98-17)

* = Appointed to fill an unexpired term

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: Jack Orris, Council Secretary, Health Department (410-632-1100, ext. 1038)
Doug Dods, Council Chair, Sheriff's Office (410-632-1111)

Current Members:

<u>Name</u>	<u>Representing</u>	<u>Years of Term(s)</u>
<u>At-Large Members</u>		
Eric Gray (Christina Purcell)	Substance Abuse Treatment Provider	*15-18
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
Mimi Dean	Substance Abuse Prevention Provider	*18-19
Kim Moses	Knowledgeable on Substance Abuse Issues	08-12-16, 16-20
Dr. Roy W. Cragway, Jr.	Knowledgeable on Substance Abuse Issues	*17-20
Colleen Wareing	Knowledge of Substance Abuse Treatment	*06-09-13-17, 17-21
Rev. Matthew D'Amario	Knowledge of Substance Abuse Issues	*18-21

<u>Ex-Officio Members</u>		
Rebecca Jones	Health Officer	Ex-Officio, Indefinite
Roberta Baldwin	Social Services Director	Ex-Officio, Indefinite
Spencer Lee Tracy, Jr.	Juvenile Services, Regional Director	Ex-Officio, Indefinite
Trudy Brown	Parole & Probation, Regional Director	Ex-Officio, Indefinite
Kris Heiser	State's Attorney	Ex-Officio, Indefinite
Burton Anderson	District Public Defender	Ex-Officio, Indefinite
Sheriff Matt Crisafulli	County Sheriff	Ex-Officio, Indefinite
William Gordy (Eloise Henry Gordy)	Board of Education President	Ex-Officio, Indefinite
Diana Purnell	County Commissioners	Ex-Officio, Indefinite
Judge Brian Shockley (Jen Bauman)	Circuit Court Administrative Judge	Ex-Officio, Indefinite
Judge Gerald Purnell (Tracy Simpson)	District Court Administrative Judge	Ex-Officio, Indefinite
Donna Bounds	Warden, Worcester County Jail	Ex-Officio, Indefinite

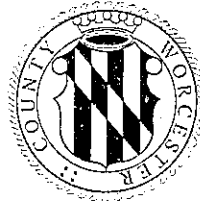
Advisory Members

Lt. Earl W. Starner	Maryland State Police	Since 2004
Charles "Buddy" Jenkins	Business Community - Jolly Roger Amusements	
Chief Ross Buzzuro (Lt. Rick Moreck)	Ocean City Police Dept.	
Leslie Brown	Hudson Health Services, Inc.	
James Mcquire, P.D.	Health Care Professional - Pharmacist	Since 2018
Shane Ferguson	Wor-Wic Community College Rep.	Since 2018
Jessica Sexauer, Director	Local Behavioral Health Authority	Since 2018

Prior Members:

Since 2004

Vince Gisriel	Marty Pusey (04-15)
Michael McDermott	Debbie Goeller
Marion Butler, Jr.	Peter Buesgens
Judge Richard Bloxom	Aaron Dale
Paula Erdie	Garry Mumford
Tom Cetola	Sharon Smith
Gary James (04-08)	Jennifer Standish
Vickie Wrenn	Karen Johnson (14-17)
Deborah Winder	Rev. Bill Sterling (13-17)
Garry Mumford	Kat Gunby (16-18)
Judge Theodore Eschenburg	William McDermott
Andrea Hamilton	Sheriff Reggie Mason
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	
Chief Bernadette DiPino - OCPD	
Chief Kirk Daugherty - SHPD	
Mike Shamburek - Hudson Health	
Shirleen Church - BOE	
Tracy Tilghman (14-15)	



OFFICE OF THE
COUNTY COMMISSIONERS

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

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 6, 2018

Jack Orris, Council Secretary
Drug and Alcohol Abuse Council
Worcester County Health Department
6040 Public Landing Road
Snow Hill, Maryland 21863

Dear Mr. Orris:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County Boards and Commissions for which members' terms will expire at the end of this year. Upon review of our records, we recently determined that the terms of the following members of the Worcester County Drug and Alcohol Abuse Council will expire on December 31, 2018: **Eric Gray - Substance Abuse Treatment Provider; Sue Abell-Rodden - Recipient of Addictions Treatment Services; and Colonel Doug Dods - Council Chair - Knowledgeable on Substance Abuse Issues.** As you are aware, appointments to the Worcester County Drug and Alcohol Abuse Council are made by the County Commissioners, however, we welcome your recommendations and nominations for re-appointment or replacement of the above referenced Council members. We would appreciate receiving your recommendations by December 28, 2018, or sooner, so that we can make these appointments at our meeting on January 8, 2019.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact either me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Diana Purnell
President

DP/kh

cf: Doug Dods, Chair, Drug and Alcohol Abuse Council
Kelly Shannahan, Assistant Chief Administrative Officer
Rebecca Jones, Health Officer
Board Book

ECONOMIC DEVELOPMENT ADVISORY BOARD

Reference: County Commissioners' Resolutions of March 1976, 4/16/85, 9/16/97, 5/4/99 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory
Provide the County with advice and suggestions concerning the economic development needs of the County; review applications for financing; review Comprehensive Development Plan and Zoning Maps to recommend to Planning Commission appropriate areas for industrial development; review/comment on major economic development projects.

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

Compensation: \$50 per meeting as expense allowance

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner
Members may be reappointed

Staff Contact: Economic Development Department - Merry Mears (410-632-3112)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Term(s)</u>
Greg Shockley	D-7, Mitrecic	Ocean City	14-18
Natoshia Collick Owens	D-2, Purnell	Ocean Pines	*15, 15-19
Tom Terry	D-5, Bertino	Ocean Pines	15-19
William Sparrow	D-1, Lockfaw	Pocomoke	16-20
John Glorioso	D-3, Church	West Ocean City	08-12-16, 16-20
Ralph Shockley	D-4, Elder	Snow Hill	*08-09-13-17, 17-21
Robert Fisher	D-6, Bunting	Snow Hill	87-92-97-01-05-09-13-17, 17-21

Prior Members: Since 1972

George Gering	Mary Humphreys	Michael Avara (99-03)
Margaret Quillin	Theodore Brueckman	Annette Cropper (00-04)
Robert W. Todd	Shirley Pilchard	Billie Laws (91-08)
Charles Fulton	W. Leonard Brown	Anne Taylor (95-08)
E. Thomas Northam	Charles Nichols (92-97)	Mary Mackin (04-08)
Charles Bailey	Jeff Robbins (97-98)	Thomas W. Davis, Sr. (99-09)
Terry Blades	Colleen Smith (94-98)	Mickey Ashby (00-12)
Roy Davenport	Tommy Fitzpatrick (97-99)	Priscilla Pennington-Zytkowicz (09-14)
M. Bruce Matthews	John Rogers (92-98)	Barbara Purnell (08-15)
Barbara Tull	Jennifer Lynch (98-99)	Timothy Collins (03-15)
Tawney Krauss	Don Hastings (92-99)	Joshua Nordstrom (12-16)
Dr. Francis Ruffo	Jerry Redden (92-00)	
William Smith	Keith Mason (98-00)	
Saunders Marshall	Bob Pusey (99-00)	
Elsie Marshall	Harold Scrimgeour (00-02)	
Halcolm Bailey	Scott Savage (98-03)	
Norman Cathell	Gabriel Purnell (91-03)	

* = Appointed to fill an unexpired term

BOARD OF ELECTRICAL EXAMINERS

Reference: Public Local Law BR §2-203

Appointed by: County Commissioners

Function: Regulatory
Regulate licensing of electricians in Worcester County.

Number/Term: 7/3 years
Terms expire December 31st

Compensation: \$50 meeting for expenses (as determined by County Commissioners)

Meetings: As Needed (1 per month)

Special Provisions: 1 must be electrical contractor in Worcester County for 5-years prior.
1 must be electrician in Worcester County.
All must be residents of Worcester County.

Staff Contact: Department of Development Review & Permitting
Deborah Mooney - Isle of Wight (Ph. 410-352-3057)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Duane Duncan (ME-5)	D-3, Church	Berlin	*05-12-15, 15-18
Roy M. Case (ME)	D-2, Purnell	Berlin	10-13-16, 16-19
Carl Smith (ME-5)	D-4, Elder	Snow Hill	98-10-13-16, 16-19
J.T. Novak (ME-5)	D-5, Bertino	Ocean Pines	07-10-13-16, 16-19
Kenneth Lambertson (ME-5)	D-1, Lockfaw	Pocomoke	96-11-14-17, 17-20
Michael Patchett (ME-5)	D-7, Mitrecic	West Ocean City	08-11-14-17, 17-20
Steve Kolarik (EG-5)	D-6, Bunting	Bishopville	12-15, 15-18, 18-21

(Key: ME-5 = Master Electrician at least 5-years; ME = Master Electrician; EL = Electrician Limited; EG = Electrician General)

Prior Members: (Since 1972)

Harrison Lambertson	Howard Pusey	Bob Arnold (97-10)
William Molnar	Elwood Bunting	Jamie Englishmen (06-12)
Thomas Ashby	W. Prentiss Howard	
Billy Burton Cropper	Frank Bradshaw (90-96)	
Alonza Anderson	H. Coston Gladding (90-96)	
Gus Foltz	Willard W. Ward (92-97)	
Robert Conner	Walter Ward (92-98)	
Gus Payne	Dale Venable (94-00)	
Robert Farley	Gary Frick (96-03)	
Mike Costanza	Thomas Duncan (02-05)	
Herbert Brittingham	Mike Henderson (00-06)	
Otho Mariner	Brent Pokrywka (02-07)	
Mark Odachowski	Joel Watsky (03-08)	

* = Appointed to fill an unexpired term

ETHICS BOARD

Reference: Public Local Law, Section CG 5-103

Appointed by: County Commissioners

Function: Advisory
 Maintain all Ethics forms; develop procedures and policies for advisory opinions to persons subject to the Ethics Law and for processing complaints alleging violations of the Ethics Law; conduct a public information program regarding the purpose and application of the Ethics Law; annually certify compliance to the State; and recommend any changes to the Commissioners in order to comply with State Ethics Law.

Number/Term: 7/4 years
 Terms expire December 31st

Compensation: \$50 per meeting

Meetings: As Necessary

Special Provisions:

Staff Contact: Maureen Howarth, County Attorney (410-632-1194)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Mickey Ashby	D-1, Lockfaw	Pocomoke	14-18
Frank Knight	D-7, Mitrecic	Ocean City	*14-15, 15-19
Joseph Stigler	D-4, Elder	Berlin	16-20
Jeff Knepper	D-5, Bertino	Ocean Pines	16-20
Bruce Spangler	D-3, Church	Berlin	*02-05-09-13-17, 17-21
David Deutsch	D-6, Bunting	Ocean Pines	17-21
Faith Mumford	D-2, Purnell	Snow Hill	14-18, 18-22

Prior Members: (Since 1972)

- | | |
|-----------------------------|-------------------------------|
| J.D. Quillin, III | Wallace D. Stein (02-08) |
| Charles Nelson | William Kuhn (90-09) |
| Garbriel Purnell | Walter Kissel (05-09) |
| Barbara Derrickson | Marion Chambers (07-11) |
| Henry P. Walters | Jay Knerr (11-14) |
| William Long | Robert I. Givens, Jr. (98-14) |
| L. Richard Phillips (93-98) | Diana Purnell (09-14) |
| Marigold Henry (94-98) | Kevin Douglas (08-16) |
| Louis Granados (94-99) | Lee W. Baker (08-16) |
| Kathy Philips (90-00) | Richard Passwater (09-17) |
| Mary Yenney (98-05) | |
| Bill Ochse (99-07) | |
| Randall Mariner (00-08) | |

* = 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, Director, Local Management Board - (410) 632-3648
 Jennifer LaMade - Local Management Board - (410) 632-3648

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides/Representing</u>	<u>Years of Term(s)</u>
Mark Frostrom	At-Large - Lockfaw	Pocomoke City	*99-12, 12-15, 15-18
Ira "Buck" Shockley	At-Large - D. Purnell	Snow Hill	03-09-12, 13-16, 16-19
Amy Rothermel	At-Large - Mitrecic	Ocean City	17-20
Eloise Henry Gordy	At-Large - J. Purnell	Snow Hill	*07-08-11-14-17,17-20
Jennifer LaMade	<i>Ex officio</i>	Core Service Agency	Indefinite
Rebecca Jones	<i>Ex officio</i>	Health Department	Indefinite
Sheila Warner	<i>Ex officio</i>	Juvenile Justice	Indefinite
Louis H. Taylor	<i>Ex officio</i>	Board of Education	Indefinite
Roberta Baldwin	<i>Ex officio</i>	Department of Social Services	Indefinite

Prior Members (since 1994):

Tim King (97)	Peter Fox (05-07)	Anne C. Turner
Sandra Oliver (94-97)	Lou Etta McClafin (04-07)	Marty Pusey
Velmar Collins (94-97)	Bruce Spangler (04-07)	Virgil L. Shockley
Catherine Barbierrri (95-97)	Sharon DeMar Reilly	Dr. Jon Andes (96-12)
Ruth Geddie (95-98)	Kathy Simon	Dr. Ethel M. Hines (07-13)
Rev. Arthur George (94-99)	Vickie Stoner Wrenn	Deborah Goeller
Kathey Danna (94-99)	Robin Travers	Andrea Watkins (13-17)
Sharon Teagle (97-99)	Jordan Taylor (09)	
Jeanne Lynch (98-00)	Aaron Marshall (09)	
Jamie Albright (99-01)	Allen Bunting (09)	
Patricia Selig (97-01)	LaTrele Crawford (09)	
Rev. Lehman Tomlin (99-02)	Sheriff Charles T. Martin	
Sharon Doss	Joel Todd, State's Attorney	
Rick Lambertson	Ed Montgomery (05-10)	
Cyndy B. Howell	Edward S. Lee (07-10)	
Sandra Lanier (94-04)	Toni Keiser (07-10)	
Dr. James Roberts (98-04)	Judy Baumgartner (07-10)	
Dawn Townsend (01-04)	Claudia Nagle (09-10)	
Pat Boykin (01-05)	Megan O'Donnell (10)	
Jeannette Tresler (02-05)	Kiana Smith (10)	
Lou Taylor (02-05)	Christopher Bunting (10)	
Paula Erdie	Simi Chawla (10)	
Rev. Pearl Johnson (05-07)	Jerry Redden	
	Jennifer Standish	

BOARD OF LIBRARY TRUSTEES

Reference: PGL Education 23-403, Annotated Code of Maryland

Appointed by: County Commissioners (from nominees submitted by Board of Library Trustees)

Function: **Supervisory**
 Responsible for the general control and development of the County library system. Oversees management of the libraries, assists in preparation of library budget and other fiscal matters, arranges for an annual audit, makes an annual report to the County Commissioners, make recommendations to the County Commissioners regarding library acquisitions/development.

Number/Term: 7/5 years
 Terms expire December 31st

Compensation: None

Meetings: 1 per month except June, July, and August

Special Provisions: Nominees submitted by Library Board; Maximum 2 consecutive terms

Staff Contact: Library Director - Jennifer Ranck (410) 632-2600

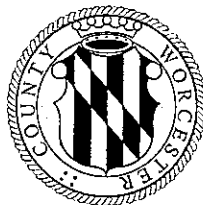
Current Members:

<u>Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Leslie Mulligan	Snow Hill	*17-18
Ron Cascio	Berlin	09-14, 14-19
Vivian Pruitt	Girdletree	09-14, 14-19
Holly Anderson	Newark	*10-11-16, 16-21
Nancy Howard	Ocean City	16-21
Donald James Bailey	Pocomoke	16-21
Rosemary S. Keech	Ocean Pines	12-17, 17-22

Prior Members: Since 1972

Herman Baker	Jere Hilbourn	Leola Smack (99-02)
Lieselette Pennewell	Janet Owens	Jean Tarr (94-04)
Edith Dryden	Ruth Westfall	Lois Sirman (01-06)
Clifford D. Cooper, Jr.	Helen Farlow	Amanda DeShields (00-07)
Klein Leister	Judy Quillin	David Nedrow (04-09)
Evelyn Mumford	Gay Showell	Belle Redden (99-09)
Ann Eschenburg	Susan Mariner	Beverly Dryden Wilkerson (06-10)
Barbara Ward	Jacqueline Mathias	John Staley (97-11)
Donald F. McCabe	Ann S. Coates (88-97)	James Gatling (01-11)
Fannie Russell	Jim Dembeck (91-97)	Shirley Dale (02-12)
Stedman Rounds	Bill Waters (88-98)	Edith Barnes (07-13)
Donald Turner	Geraldine Thweatt (97-98)	Richard Polhemus (11-16)
Sarah Dryden	Martha Hoover (87-99)	Richard Warner Davis (11-16)
L. Richard Phillips	Eloise Henry-Gordy (98-00)	Frederick Grant (13-17)
Barbara Bunting	William Cropper (91-01)	
Joanne Mason	Ms. Willie Gaddis (89-01)	

* = Appointed to fill an unexpired term



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 10, 2018

Jennifer Ranck, Library Director
Worcester County Library
307 North Washington Street
Snow Hill, Maryland 21863

Dear Ms. Ranck:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County Boards and Commissions for which members' terms will expire at the end of this year. Upon review of our records, we recently determined that the term of the following member of the Worcester County Board of Library Trustees will expire on December 31, 2018:

Leslie Mulligan of Snow Hill

We would appreciate receiving your nomination for re-appointment or replacement of the above referenced Board member, by December 28, 2018, or sooner, so that we can make the appointment at our meeting on January 8, 2019.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Diana Purnell
President

DP/kh

cc: Kelly Shannahan, Assistant Chief Administrative Officer
Worcester County Commissioners
Board Book

**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>
Vacant (Ron Taylor °)	Dist. 1 - Lockfaw	Resident - Pocomoke	*09-10, 10-14
Cam Bunting °	At-Large	Business - Berlin	*09-10-14, 14-18
Mary Beth Carozza		Maryland Senator	14-18, 18-22
Wayne A. Hartman		Maryland Delegate	18-22
Charles Otto		Maryland Delegate	14-18, 18-22
Roxane Rounds	Dist. 2 - Purnell	Resident - Berlin	*14-15, 15-19
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
Mayor Charlie Dorman	Dist. 4 - Elder	Resident - Snow Hill	12-16, 16-20
Rod Murray °	Dist. 6 - Bunting	Resident - Ocean Pines	*09-12-16, 16-20
Mayor Rick Meehan °	At-Large	Business - Ocean City	*09-12-16, 16-20
Mayor Gee Williams °	Dist. 3 - Church	Resident - Berlin	09-13-17, 17-21
Jim Rosenberg °	Dist. 5 - Bertino	Resident - Ocean Pines	09-13-17, 17-21
David Massey °	At-Large	Business - Ocean Pines	09-13-17, 17-21
Bobbi Sample	Ocean Downs Casino	Ocean Downs Casino	17-indefinite

Prior Members:

Since 2009

J. Lowell Stoltzfus ° (09-10)	Todd Ferrante ° (09-16)
Mark Wittmyer ° (09-11)	Joe Cavilla (12-17)
John Salm ° (09-12)	James N. Mathias, Jr. ° (09-18)
Mike Pruitt ° (09-12)	
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 DEVELOPMENT BOARD
(Previously Private Industry Council Board - PIC)

Reference: Workforce Innovation and Opportunity Act of 2014, Section 107

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: 26 - 5 Worcester County, 11 At-Large (by Tri-County Council), 10 Other
2, 3 or 4-year terms; Terms expire September 30

Compensation: None

Meetings: Quarterly (March, June, September, December) 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
Becca Webster, Workforce Director (410-341-3835, ext 6)
American Job Center, 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>
(Vacant)	(Berlin area)	17-21	Business Rep.
Jason Cunha	Pocomoke	*16-19	Business Rep.
Walter Maizel	Bishopville	*12, 12-16, 16-20	Private Business Rep.
Robert "Bo" Duke	Ocean City	*17, 17-21	Business Rep.
Melanie Pursel	Ocean City	18-22	Business Rep.

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)	Craig Davis (13-17)
Edward Lee (97-03)	Donna Weaver (08-17)
Joe Mangini (97-03)	Geoffrey Failla (15-18)
Linda Wright (99-04)	
Kaye Holloway (95-04)	
Joanne Lusby (00-05)	
William Greenwood (97-06)	
Gabriel Purnell (04-07)	
Walter Kissel (03-07)	

PROPERTY TAX ASSESSMENT APPEAL BOARD

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

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

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

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

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

Meetings: As Necessary

Special Provisions: Chairman to be designated by Governor

Staff Contact: Department of Assessments & Taxation (410-632-1196)

Current Members:

Robert D. Rose	Pocomoke City	*06-07, 07-12, 12-17
Gary M. Flater (Alternate)	Snow Hill	13-18
Larry R. Fry	Ocean Pines	*10-13-14 (alt.), 14-19
Arlene C. Page	Bishopville	18-23

C) = Chairman

Prior Members: Since 1972

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

* = Appointed to fill an unexpired term

Updated: November 7, 2018
Printed: November 14, 2018

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SOCIAL SERVICES ADVISORY BOARD

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

Appointed by: County Commissioners

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

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

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

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

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

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

Current Members:

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

* = Appointed to fill an unexpired term

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SOCIAL SERVICES BOARD

(Continued)

Prior Members: (Since 1972)

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

* = Appointed to fill an unexpired term

Updated: December 4, 2018
Printed: December 10, 2018

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SOLID WASTE ADVISORY COMMITTEE

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

Appointed by: County Commissioners

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

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

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

Meetings: At least quarterly

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

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

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
George Linvill	D-1, Lockfaw	Pocomoke	14-18
George Dix	D-4, Elder	Snow Hill	*10-10-14, 14-18
James Rosenberg	D-5, Bertino	Ocean Pines	*06-10-14, 14-18
Mike Poole	D-6, Bunting	Bishopville	11-15, 15-19
Michael Pruitt	Town of Snow Hill		*15, 15-19
Bob Augustine	D-3, Church	Berlin	16-20
Granville Jones	D-7, Mitrecic	Berlin	*15-16, 16-20
George Tasker	Town of Pocomoke City		*15-16, 16-20
Wendell Purnell	D-2, Purnell	Berlin	97-09-13-17, 17-21
Jamey Latchum	Town of Berlin		*17, 17-21
Steve Brown	Town of Ocean City		*10-13-17, 17-21

Prior Members: (Since 1994)

Ron Cascio (94-96)
 Roger Vacovsky, Jr. (94-96)
 Lila Hackim (95-97)
 Raymond Jackson (94-97)
 William Turner (94-97)
 Vernon "Corey" Davis, Jr. (96-98)
 Robert Mangum (94-98)
 Richard Rau (94-96)
 Jim Doughty (96-99)
 Jack Peacock (94-00)
 Hale Harrison (94-00)

Richard Malone (94-01)
 William McDermott (98-03)
 Fred Joyner (99-03)
 Hugh McFadden (98-05)
 Dale Pruitt (97-05)
 Frederick Stiehl (05-06)
 Eric Mullins (03-07)
 Mayor Tom Cardinale (05-08)
 William Breedlove (02-09)
 Lester D. Shockley (03-10)
 Woody Shockley (01-10)

John C. Dorman (07-10)
 Robert Hawkins (94-11)
 Victor Beard (97-11)
 Mike Gibbons (09-14)
 Hank Westfall (00-14)
 Marion Butler, Sr. (00-14)
 Robert Clarke (11-15)
 Bob Donnelly (11-15)
 Howard Sribnick (10-16)
 Dave Wheaton (14-16)

* = Appointed to fill an unexpired term

TOURISM ADVISORY COMMITTEE

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

Appointed by: County Commissioners

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

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

Compensation: \$50 per meeting expense allowance

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

Special Provisions: One member nominated by each County Commissioner

Staff Contact: Tourism Department - Lisa Challenger (410-632-3110)

Current Members:

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

resigned - replaced

Prior Members: Since 1972

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

* = Appointed to fill an unexpired term
1 = Served on informal ad hoc committee prior to 1990, Committee abolished between 1995-1999
2 = All members terms reduced by 1-year in 2003 to convert to 4-year terms

Kelly Shannahan

From: Lisa Challenger
ent: Monday, November 26, 2018 11:45 AM
ro: Kelly Shannahan
Subject: FW: Tourism Advisory Board Resignation

Hi Kelly,
I know Ted Elder talked to Michael Day about serving. At the time, Molly wanted to continue but now she is stepping down.

Lisa Challenger
Director
Worcester County Tourism
104 West Market Street
Snow Hill, MD 21863
410-632-3110

www.beachandbeyond.org
www.facebook.com/beachandbeyond
www.twitter.com/beachandbeyond

Tourism supports 13,408 jobs in Worcester County, generates \$1.5 billion in visitor spending and \$301.3 million in tourism tax revenues. Source: Tourism Economics

rom: Molly Hilligoss <molly@wicomicohabitat.org>
sent: Monday, November 26, 2018 11:21 AM
To: Lisa Challenger <lchallenger@co.worcester.md.us>
Subject: Tourism Advisory Board

Hello Lisa,

Due to my work commitments in Salisbury, I feel it is in the best interest of the Tourism commission for me to step down.

I appreciated the opportunity and appreciate the great work you do for Worcester County tourism. Please accept this email as my resignation from the Worcester County Tourism board.

Yours in service,

Molly Hilligoss

Executive Director
Habitat for Humanity of Wicomico County, Inc.
908 W. Isabella St.
Salisbury, MD 21801

office 410.546.1551 ext 107 cell 443-523-5599
www.wicomicohabitat.org
molly@wicomicohabitat.org

 **Habitat for Humanity**
of Wicomico County

**WATER AND SEWER ADVISORY COUNCIL
MYSTIC HARBOUR SERVICE AREA**

Reference: County Commissioners' Resolutions of 11/19/93 and 2/1/05

Appointed by: County Commissioners

Function: Advisory
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 7/4-year terms
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget.

Meetings: Monthly or As-Needed

Special Provisions: Must be residents of Mystic Harbour Service Area

Staff Support: Department of Public Works - Water and Wastewater Division
John Ross - (410-641-5251)

Current Members:

<u>Member's Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Richard Jendrek ^C	Bay Vista I	05-10-14, 14-18
Carol Ann Beres	Ocean Reef	14-18
Joseph Weitzell ^C	Mystic Harbour	05-11-15, 15-19
Bob Huntt	Deer Point	*06-11-15, 15-19
David Dypsky	Teal Marsh Center	*10-12-16, 16-20
Stan Cygam	Whispering Woods	*18-20
Martin Kwesko	Mystic Harbour	13-17, 17-21

Prior Members: (Since 2005)

John Pinnero^C (05-06)
 Brandon Phillips^C (05-06)
 William Bradshaw^C (05-08)
 Buddy Jones (06-08)
 Lee Trice^C (05-10)
 W. Charles Friesen^C (05-13)
 Alma Seidel (08-14)
 Gerri Moler (08-16)
 Mary Martinez (16-18)

^C = Charter member - Initial Terms Staggered in 2005
 * = Appointed to fill an unexpired term

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

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Alice Jean Ennis	At-Large	Pocomoke	14-17
Michelle Bankert	D-3, Church	West Ocean City	*14-15, 15-18
Nancy Fortney	D-7, Mitrecic	Ocean City	12-15, 15-18
Hope Carmean	D-4, Elder	Snow Hill	*15-16, 16-19
Mary E. (Liz) Mumford	At-Large	Ocean City	*16, 16-19
Julie Phillips	Board of Education		13-16, 16-19
Shannon Chapman	Dept of Social Services		*17-19
Tamara White	D-1, Lockfaw	Pocomoke City	17-20
Vanessa Alban	D-5, Bertino	Ocean Pines	17-20
Terri Shockley	At-Large	Snow Hill	17-20
Kelly O'Keane	Health Department		17-20
Cristi Graham	Public Safety - Sheriff's Office		17-20
Teola Brittingham	D-2, Purnell	Berlin	*16-18, 18-21
Bess Cropper	D-6, Bunting	Berlin	15-18, 18-21
Lauren Mathias Williams	At-Large	Berlin	*16-18, 18-21

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)	Vyoletus 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)
Dawn Cordrey Hodge (13-16)
Carol Rose (14-16)
Mary Beth Quillen (13-16)
Debbie Farlow (13-17)
Corporal Lisa Maurer (13-17)
Laura McDermott (11-16)
Charlotte Cathell (09-17)
Eloise Henry-Gordy (08-17)

WORCESTER COUNTY YOUTH COUNCIL

Reference: Resolution No. 06-2, adopted February 21, 2006

Appointed by: County Commissioners

Functions: Advisory
Share information about youth-related concerns; promote internal and external assets among youth in order to prevent unhealthy behaviors which may result in harm or reduced opportunities for success; and provide information to County Commissioners, County agencies, and Youth Serving organizations specific to youth development and resources.

Number/Term: Up to 25 with 5 from each community/two-year terms
Terms Expire April 30th

Compensation: None

Meetings: Monthly, unless otherwise determined by the Council

Special Provisions: Members who have more than two unexcused absences may be recommended for replacement by the Youth Council.

Staff Contact: Katherine Gunby, Health Department - Prevention Services - (410-632-1100)

Advisors: Tamara Mills, Worcester County Board of Education - (410-632-5031)
Brittany Lawson, Worcester County Health Department - (410-632-1100, x1135)

Current Members:

<u>Member's Name</u>	<u>School Attending</u>	<u>Area Representing</u>	<u>Year(s) of Term(s)</u>
Destinee Johnson	Pocomoke	Pocomoke	15-17, 17-18
Tatyana Waters	Pocomoke	Pocomoke	15-17, 17-18
Cali Litton	Pocomoke	Pocomoke	16-18
McCammon Mottley , President	Pocomoke	Pocomoke	16-18
McKenzie Mitchell	Pocomoke	Pocomoke	16-18
Chloe Goddard	Snow Hill	Snow Hill	16-18
Decklan Fisher	Snow Hill	Snow Hill	16-18
Jon Selby	Snow Hill	Girdletree	16-18
Laila Mirza	Stephen Decatur	Ocean Pines	16-18
Patrick Reid	Stephen Decatur	Berlin	16-18
Tyler Keiser	Stephen Decatur	Ocean City	16-18
Liam Hammond	Worcester Prep	Bishopville	16-18
Melissa Laws	Worcester Prep	Berlin	16-18
Caroline Matthews	Pocomoke	Pocomoke	17-19
Avalon Fortt	Snow Hill	Pocomoke	17-19
T'Nae Fitch	Snow Hill	Snow Hill	17-19
Zanab Iqbal	Snow Hill	Snow Hill	17-19
Craig Birkhead-Morton	Snow Hill	Snow Hill	17-19
Jessica Wynne	Snow Hill	Stockton	17-19
Dana Kim	Stephen Decatur	Ocean Pines	17-19
Richard Poist	Stephen Decatur	Ocean City	17-19
Cooper Richins	Worcester Prep	Berlin	17-19

* = Appointed to fill an unexpired term

Prior Members: (Since 2006)

Mallory Miller (06-07)
Irene Mertz (06-07)
Codee Buckler (06-07)
Sabrina Kunciw (06-07)
Abigail Duffield (06-07)
Ashley Brodie (06-07)
Morgan Crank (06-07)
Justin Lewis (06-07)
Amber Sparks (06-07)
Marshall Wool (06-07)
Monique Douglas (06-07)
Ebony Marshall (06-07)
Ashley Cody (06-07)
Lorissa McAllister (06-07)
Dominique Kunciw (06-08)
Brittany Cottman (06-08)
Ronata Thomas (06-08)
Matthew Smarte (07-08)
Keith Spangler (07-08)
Clayton Perry (07-08)
Marissa Dean (07-08)
Charnell Fitchett (07-08)
Quavis Hayes (07-08)
Dominique Bias (07-08)
Tommy Murray (06-09)
Jackie Wangel (06-09)
Kara Brower (07-09)
Mary Mazcko (07-09)
Kevin Ayres (07-09)
Aaron Marshall (07-09)
Gwendolyn Jackson (08-09)
LaTrele Crawford (08-09)
Andrew VanBruggen (09)
Brandon Thaler (08-10)
Megan O'Donnell (08-10)
Mike Guerrieri (09-10)
Brett Oliver (09-10)
Andrew Murrell (09-10)
Sharryse Piggott (09-10)
Michelle Wangel (07-11)
Rachel Thompson (09-11)
Emily Cieri (09-11)
Brianna Carroll (09-11)
LaShae Smith (09-11)
Jenna Kramer (09-11)
Quashaun Willis (09-11)
Tori Duncan (09-11)
Victoria Danna (09-11)
Makya Purnell (11-12)
Michelle Rosinski (11-12)
Ron Foreman (11-12)
Hannah Marie McFord (11-12)
Mariah Amos (09-13)
William Wangel (09-13)
Elizabeth Sayan (11-13)
Casey Ortiz (11-13)
Karley Snyder (11-13)
Dana Pappas (11-13)
Tyler Bivens (11-13)
Jasmine Brown (11-13)

Abby Bunting (11-13)
Megan Ludy (11-13)
Robbie Stancil (11-13)
Torres Savage (12-13)
Gabrielle Ortega (11-14)
Collin Bankert (11-14)
Ami Oliver (11-14)
Taylor Black (11-14)
Jonah Crisanti (11-14)
Paige Stanley (11-14)
Kamryn Evans (12-14)
Dylan Elliott (12-14)
Sabah Nawaz (12-14)
Brynae Waters (13)
Gracie Riley (13-15)
Ruben Ortega III (12-15)
Jillian Petito (13-15)
Brittany Wangel (11-15)
Rachel Bourne (12-15)
Erik Zorn (13-15)
William (Jacob) Mast (13-15)
Sohiab Ijaz (13-15)
Michelle Collins (13-15)
Olivia Hancock (13-15)
Asia Mason (13-15)
Taylor Portier (13-15)
Colby Lane Payne (13-15)
Madeline Goodard (12-16)
Charles Pritchard (13-16)
Jacob LeMay (13-16)
Glennie Rippin (14-16)
Rachel Thomas (14-16)
Danielle Gelinas (14-16)
Sammi Schachter (14-16)
Katie Withers (14-16)
Peyton Dunham (14-17)
Madison Mendiaz (15-17)
Claire Riley (15-17)
Amy Lizas (15-17)
Riley Dickerson (15-17)
D'Nasia Jones (15-17)
Alison Snead (15-17)
LuAnne Mottley (15-17)
Erica Hall (15-17)
Kyle Jarmon (15-17)

(Begin year - End Year)



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

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COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

December 10, 2018

Katherine Gunby, Prevention Services
Worcester County Health Department
P.O. Box 249
Snow Hill, Maryland 21863

Dear Ms. Gunby:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County Boards and Commissions for which members' terms will expire at the end of this year. Upon review of our records, we recently determined that the terms of several members of the Worcester County Youth Council expired on April 30, 2018 (see attached Board Summary Sheet). As you are aware, appointments to the Worcester County Youth Council are made by the County Commissioners after the membership recommendation process as established in Resolution No. 06-2 which created the Worcester County Youth Council (copy attached). We would appreciate receiving your nomination for re-appointment or replacement of the above referenced Council members, by December 28, 2018, or sooner, so that we can make these appointments at our meeting on January 8, 2019.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Diana Purnell
President

DP/kh

cc: Kelly Shannahan, Assistant Chief Administrative Officer
Rebecca Jones, Health Officer
Tamara Mills, Worcester County Board of Education
Brittany Lawson, Worcester County Health Department
Board Book

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22

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CHIEF ADMINISTRATIVE OFFICER
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COUNTY ATTORNEY

Worcester County

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SNOW HILL, MARYLAND
21863-1195

To: County Commissioners
From: Maureen Howarth, County Attorney *MH*
Date: December 10, 2018
Re: Open Meetings Compliance Board Complaint Opinion

Attached is a copy of the Opinion of the Open Meetings Compliance Board. The Board agreed that we were performing an administrative function, however, the Board found that we violated the Act by failing to sufficiently disclose in our minutes the subject matters of the administrative items discussed. Since the Board found the Commissioners violated the Act, the Commissioners are required at their next open meeting after the Board has issued its opinion to announce the violation and orally summarize the opinion. This shall be done by a member of the Commissioners.

LAWRENCE J. HOGAN, JR.
Governor



JONATHAN A. HODGSON, ESQ.
Chair

BOYD K. RUTHERFORD
Lt. Governor

APRIL C. ISHAK, ESQ.
RACHEL A. SHAPIRO GRASMICK, ESQ.

STATE OF MARYLAND
OPEN MEETINGS COMPLIANCE BOARD

12 Official Opinions of the Compliance Board 114 (2018)

County Commissioners of Worcester County

December 10, 2018

The complaint alleges that the County Commissioners of Worcester County (“Commissioners”) met behind closed doors on September 18, 2018, to conduct business that the Open Meetings Act required to be conducted in a public meeting. Specifically, the complaint alleges that the Commissioners “agreed to waive thousands of dollars in fines for a local business,” that the minutes of the Commissioners’ open session do not reflect a discussion of the matter, and that the Commissioners likely discussed the matter in closed session. The complaint additionally alleges that the Commissioners’ summary of a closed session that day does not disclose such a discussion.

Attached to the complaint is a letter, dated September 20, 2018, in which the county’s chief administrative officer informed the business owner that “at their meeting of September 18, 2018, the Worcester County Commissioners reviewed . . . the violations and fines . . . for your property,” and that “[a]fter careful consideration of the matter, the County Commissioners agree that these outstanding violations must be corrected as soon as possible. . . .” The letter then stated, “However, since they would prefer for you to invest in the necessary improvements to your site to comply . . . rather than [pay] County fines, the County Commissioners have agreed to waive the current fines issued for violations.”

In response, the County Commissioners’ president states that the Commissioners discussed the violations during its closed session that day but that its discussion of such code enforcement matters falls within the administrative function exclusion and therefore beyond the scope of the Act. *See* § 3-103(a) (as relevant here, providing that, except as provided in § 3-104, the Act does not apply to a public body’s performance of an “administrative function”).¹ The Commissioners’ minutes of the closed session are attached to the response. As required by § 3-206(b)(3), we will keep those minutes confidential except to say that they bear out the president’s characterization of the discussion and provide us with the details that we need to resolve the complaint.

¹ Statutory references are to the General Provisions Article of the Maryland Annotated Code (2014, with 2018 supp.).

The submissions raise two questions: First, were the Commissioners performing an administrative function when they discussed the waiver of fees in the code enforcement matter? Second, did the Commissioners comply with § 3-104, which requires public bodies to disclose some information about administrative function meetings held during a recess from an open session?

As to the first question, we find that the commissioners' discussion of the code enforcement matter fell within the administrative function. A discussion of the steps involved in applying the exception can be found in Chapter 1, Part C(2) of the Open Meetings Act Manual. The Manual explains that "administering" a law can include applying an existing provision to a set of facts," and it gives examples, including an ethics commission's application of the ethics laws to a complaint before it. *Id.* (citing *Dyer v. Board of Education*, 216 Md. App. 530, 538 (2014)). The closed-session minutes show that the commissioners addressed the particular code enforcement and did not stray into broader policy issues. The response does not claim that the discussion was quasi-judicial, as is sometimes the case with such matters, so we do not address that possibility; either way, the Act's open-session requirement would not have applied. See § 3-103(a).

As to the second question, we find that the Commissioners violated § 3-104. That requirement applies when a public body recesses an open meeting to perform an administrative function, as happened here twice that day. Section 3-104 requires the public body to include, in the minutes of its next open session, two categories of information about the administrative function meeting. The Commissioners provided the information required by the first category: time, place, date, persons present at the meeting. See § 3-104(1). The second category calls for "a phrase or sentence identifying the subject matter discussed at the administrative function meeting." See § 3-104(2). Regarding the first closed session, during which the Commissioners discussed the code enforcement matter, the minutes disclose the following information about the administrative discussion: "Topics discussed and actions taken included: . . . performing administrative functions." Regarding the second closed session, also closed partly "to perform administrative functions," the Commissioners' minutes state: "Topics discussed and actions taken included discussing potential acquisition of real property for public purposes." These descriptions do not provide the public with any information about the "subject matter" of the administrative function discussions.

Although the response states that the County provided the Complainant with the information in response to his Public Information Act requests, that does not address the problem created by a public body's failure to disclose, in its meeting minutes, the events of its closed meetings: If a member of the public has no way of knowing that the public body discussed a particular subject, how will that person know to ask for more information? We

encourage the Commissioners, when they adopt their open-session minutes, to review their closed-session disclosures for completeness—a disclosure of each topic discussed—and to provide as much detail as it can.

We find that the Commissioners violated § 3-104. This opinion is subject to the acknowledgment requirements set forth in § 3-211.

Open Meetings Compliance Board

Jonathan A. Hodgson, Esq.
April C. Ishak, Esq.

County Commissioners of Worcester County, Maryland

Diana Purnell President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder.

Joshua C. Nordstrom

strong v. Mayor of Baltimore, 409 Md. 648, 976 A.2d 349 (2009).

Subsequent ordinance amendment mooted appeal involving Open Meetings Act violation. — In a zoning appeal brought by neighboring residents, it was held that although a city violated the Maryland Open Meetings Act, under this subtitle, when it approved a parking lot ordinance for an apart-

ment development, a subsequent zoning amendment making it no longer necessary to enact a parking lot ordinance for a development applied retroactively and made the issue moot on appeal. Therefore, the special intermediate appellate court had properly dismissed the residents' appeal. *Armstrong v. Mayor of Baltimore*, 409 Md. 648, 976 A.2d 349 (2009).

§ 3-103. Scope of title.

(a) *Not applicable.* — Except as provided in subsection (b) of this section and § 3-104 of this subtitle, this title does not apply to:

(1) a public body when it is carrying out:

(i) an administrative function;

(ii) a judicial function; or

(iii) a quasi-judicial function; or

(2) a chance encounter, a social gathering, or any other occasion that is not intended to circumvent this title.

(b) *Applicable.* — This title applies to a public body when it is meeting to consider:

(1) granting a license or permit; or

(2) a special exception, variance, conditional use, or zoning classification, the enforcement of any zoning law or regulation, or any other zoning matter. (An. Code 1957, art. SG, § 10-503(a), (b); 2014, ch. 94, § 2.)

REVISOR'S NOTE

This section formerly was SG § 10-503(a) and (b).
The only changes are in style.

"Judicial function"	§ 3-101
"Public body"	§ 3-101
"Quasi-judicial function"	§ 3-101

Defined terms:

"Administrative function" § 3-101

Conflict with federal law. — To the extent that the State Open Meetings Act stands as an obstacle to the accomplishment of the full purposes and objectives of the Fair Housing Amendments Act of 1988, 42 U.S.C. § 3601 et seq., it may not be enforced. *Potomac Group Home Corp. v. Montgomery County*, 823 F. Supp. 1285 (D. Md. 1993).

Repeal of duplicative statutory provisions as part of code revision. — Certain

statutory provisions enacted in 1954 which are, in large part, duplicative of the Open Meetings Act may be repealed as part of code revision without effecting a substantive change in the law. However, the final clause of each provision that states that "no ordinance, resolution, rule or regulation shall be finally adopted at [a meeting not open to the public]" should be retained. 94 Op. Att'y Gen. 161 (Sept. 29, 2009).

§ 3-104. Minutes for closed session.

If a public body recesses an open session to carry out an administrative function in a meeting that is not open to the public, the minutes for the public body's next meeting shall include:

(1) a statement of the date, time, place, and persons present at the administrative function meeting; and

(2) a phrase or sentence identifying the subject matter discussed at the administrative function meeting. (An. Code 1957, art. SG, § 10-503(c); 2014, ch. 94, § 2.)

REVISOR'S NOTE

This section formerly was SG § 10-503(c).
No changes are made.

"Person" § 1-114
"Public body" § 3-101

Defined terms:

"Administrative function" § 3-101

Meetings of Thoroughbred Racing Board. — The Thoroughbred Racing Board's award of racing dates is an executive function, subject to the Governor's Executive Order on Opening Meetings; however, a decision to permit Sunday racing is subject to the statutory provisions requiring open public meetings. 65 Op. Atty Gen. 396 (1980).

Increase in lottery prize not executive function. — An increase in the prize payout to daily lottery winners made by the State Lottery [and Gaming Control] Commission is the approval of a measure to set public policy and must be considered the exercise of a legislative, and not an executive, function. 64 Op. Atty Gen. 208 (1979).

Open meetings not required. — Patuxent Institution Board of Review is not required to open its meetings, since it exercises an executive or quasi-judicial function. 65 Op. Atty Gen. 341 (1980).

Open meetings requirements for St. Mary's County board of education. — County boards of education need not meet in open session when they are performing an "administrative function" and when the State education law does not otherwise require an open meeting. Unlike other local boards of education, the St. Mary's Board is also subject to the St. Mary's Open Meetings Act ("St. Mary's OMA"). The St. Mary's OMA does not have a specific exclusion for an "administrative function," but has different limitations on its scope; therefore, it must meet in open session for many, if not most, activities that would qualify as an administrative function under the State Open Meetings Act (OMA) and for which another local board of education could legally meet in closed session. However, some activities that are an administrative function under the State OMA and that are outside the scope of

the open meeting requirements of the State education law are also outside the scope of the county's OMA. One example would be a session in which the Superintendent or other staff report to the Board solely for informational purposes on matters within the Superintendent's purview, so long as the briefing involved no formulation of substantive policy and did not require any action by the Board. Such a briefing would not only be an administrative function under the State OMA, and outside the scope of the State education law's open meeting requirements, but would also not meet the definition of "official action" that triggers the open meeting. 95 Op. Atty. Gen. 152 (Sept. 7, 2010).

Pending completion of groundwater studies is not a "zoning matter." — Contention that the development could not proceed until completion of certain groundwater studies was not a "zoning matter." *Baltimore County v. Wesley Chapel Bluemount Ass'n*, 110 Md. App. 585, 678 A.2d 100 (1996).

Power to regulate density is not a "zoning matter." — The fact that the zoning power includes the power to regulate density does not mean that all issues that happen to involve density are necessarily "zoning matters." Density issues may arise in other contexts; when density issues arise in other contexts, those proceedings are not transformed into zoning matters simply because of the presence of the density issues. *Baltimore County v. Wesley Chapel Bluemount Ass'n*, 110 Md. App. 585, 678 A.2d 100 (1996).

Subdivision development plan is "zoning matter." — A county board of appeals is required to conduct, in open session, its deliberations regarding consideration of a development plan, which has a very close nexus to zoning and constitutes an "other zoning matter." *Wesley Chapel Bluemount Ass'n v. Baltimore County*, 347 Md. 125, 699 A.2d 434 (1997).

§ 3-105. Conflict of laws.

Whenever this title and another law that relates to meetings of public bodies conflict, this title applies unless the other law is more stringent. (An. Code 1957, art. SG, § 10-504; 2014, ch. 94, § 2.)

(2) The official or entity that appointed the public body shall comply, to the extent feasible, with the requirements of subsection (b) of this section.

(d) *Effect of failure to respond.* — If a written response is not received within 45 days after the notice is sent, the Board shall decide the case on the facts before the Board. (An. Code 1957, art. SG, § 10-502.5(c); 2014, ch. 94, § 2; 2016, chs. 329, 330.)

Effect of amendments. — Chapters 329 and 330, Acts 2016, effective October 1, 2016, made identical changes. Each substituted “minutes and any” for “written minutes and any tape” in (b)(2)(iii) and (b)(3).

§ 3-211. Announcement of violation; summary of opinion.

(a) *Applicability.* — This section does not apply to a public body that is:

- (1) in the Judicial Branch of State government; or
- (2) subject to governance by rules adopted by the Court of Appeals.

(b) *If violation has occurred.* — If the Board determines that a violation of this title has occurred:

(1) at the next open meeting of the public body after the Board has issued its opinion, a member of the public body shall announce the violation and orally summarize the opinion; and

(2) a majority of the members of the public body shall sign a copy of the opinion and return the signed copy to the Board.

(c) *Representative may not provide announcement and summary.* — The public body may not designate its counsel or another representative to provide the announcement and summary.

(d) *Limitations on compliance.* — Compliance by a public body or a member of a public body with subsections (b) and (c) of this section:

- (1) is not an admission to a violation of this title by the public body; and
- (2) may not be used as evidence in a proceeding conducted in accordance with § 3-401 of this title.

(e) *Posting information of violations.* — If the Board determines that a public body has violated a provision of this title, the Board shall post on the Maryland Open Meetings Act page of the Office of the Attorney General Web site the name of the public body and the opinion that describes the violation. (An. Code 1957, art. SG, § 10-502.5(i)(3); 2014, ch. 94, § 2; 2017, chs. 525, 526.)

Effect of amendments. — Chapters 525 and 526, Acts 2017, effective July 1, 2017, made identical changes. Each added (a) and (e), and redesignated accordingly, in the introductory language of (d) updated an internal reference; and made related changes.

§ 3-213. Required training.

(a) *Applicability.* — This section does not apply to a public body that is:

- (1) in the Judicial Branch of State government; or
- (2) subject to governance by rules adopted by the Court of Appeals.

(b) *Designation of individual.* — Each public body shall designate at least one individual who is an employee, an officer, or a member of the public body to receive training on the requirements of the open meetings law.

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23

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SNOW HILL, MARYLAND

21863-1195

December 12, 2018

TO: Harold L. Higgins, CPA, Chief Administrative Officer
FROM: Kathy Whited, Budget Officer *Kathy*
RE: FY2020 Budget Public Hearing Location

As requested by the County Commissioners at their meeting on April 3 2018, I have reached out to Mr. Thomas Sites, principal at Stephen Decatur High School and Dr. Kimberly Purvis, principal at Snow Hill High School. Both high schools are available as a location for the FY2020 Requested Budget public hearing on May 7, 2018.

I would request that we seek approval from the County Commissioners for the location to hold the public hearing at either Stephen Decatur or Snow Hill High School. I am available for any questions you may have.

:kfw

H:\FY20 Budget\FY20 budget public hearing location.docx

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24

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SNOW HILL, MARYLAND

21863-1195

December 11, 2018

TO: Worcester County Commissioners
FROM: Harold L. Higgins, CPA, Chief Administrative Officer HH
RE: Ocean City Tax Differential Request Meeting

Attached you will find a letter from the Town of Ocean City dated December 3, 2018 which we received on December 3, 2018 requesting a property tax setoff. In accordance with the provisions of Section 6-306(f)(1) of the Tax-Property article of the Annotated Code of Maryland, a request for property tax setoff must be submitted "at least 180 days before the date that the annual county budget is required to be approved." The Town has met the 180 day deadline with their request to the county. Their request does not outline their desired level of property tax setoff for the next fiscal year, but does request this year's discussion to include ways to work together to share additional expenses and develop an economic strategy to grow our economic future. The Town has provided their financial records for municipal revenues and expenditures.

Therefore, attached is a draft letter of response to the Town of Ocean City which will include the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2018 and fiscal year operating budget for FY2019.

Attachments

HLH:kw

kw/FY14 budget/OC Tax Diff Meeting.doc

cc: Phil Thompson, Finance Officer
Maureen Howarth, County Attorney
Kathy Whited, Budget Officer

Info. pending

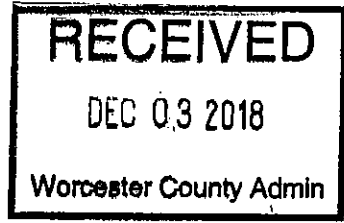


TOWN OF OCEAN CITY

The White Marlin Capital of the World

December 3, 2018

Diana Purnell, President
Worcester County Commissioners
1 West Market Street – Room 1103
Snow Hill, MD 21863



copy: Kathy Whitel *
Phil Thompson
Maureen Howarth
Kim Moses

MAYOR
RICHARD W. MEEHAN

CITY COUNCIL

LLOYD MARTIN
President
MARY P. KNIGHT
Secretary
DENNIS W. DARE
ANTHONY J. DELUCA
JOHN F. GEHRIG, JR.
MATTHEW M. JAMES
MARK L. PADDACK

CITY MANAGER
DOUGLAS R. MILLER

CITY CLERK
DIANA L. CHAVIS, CMC

RE: Tax Differential FY20

* Kathy has attachments

Dear Honorable President Purnell and Distinguished Commissioners

Pursuant to Sections 6-305 and 6-306 of the Tax-Property Article of the Annotated Code of Maryland, the Town of Ocean City requests that the County provide in its FY-20 Budget a tax differential for Ocean City taxpayers who pay Worcester County property taxes. This tax differential will recognize and credit the Ocean City taxpayer for services provided by the Town paid for by Town property taxes which the County does not provide our taxpayers.

The Worcester County study on tax differential in 2016 concluded that Ocean City taxpayers should receive a differential, although the amount of the tax differential did not agree with the amount that Ocean City identified in its study, There have been meetings in the past with Town and County staff members, but they did not determine a mutually agreeable model to formulate a fair tax differential.

We hope that this year's discussion will be more productive. We share many common interests as we both represent the citizens and taxpayers of Worcester County. The development of over 600 hotel rooms in West Ocean City has placed additional emphasis on the importance of the advertising and marketing we do to bring visitors to the resort area. The success of our local businesses is crucial to the economic success of both Ocean City and Worcester County. We would suggest that this year's discussions include ways to work together to share additional expenses and develop an economic strategy, with an emphasis on sports marketing, to grow our economic future. Building this type of partnership could be the first real step toward resolving our tax differential issues. We believe working together is the future.

I respectfully request that we meet to discuss these issues prior to the passage of the County 2020 budget.

www.oceancitymd.gov

P.O. BOX 158 • OCEAN CITY, MARYLAND • 21843-0158
289-8703

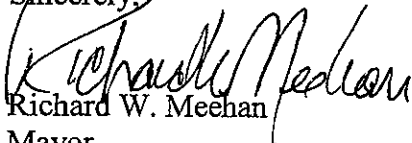


City Hall – (410) 289-8221 • FAX – (410)

2001

Diana Purnell, President
December 3, 2018
Page Two

Sincerely,


Richard W. Meehan
Mayor

cc: Harold Higgins, Chief Administrative Officer for Worcester County, MD
Commissioner Nordstrom
Commissioner Church
Commissioner Bunting
Commissioner Elder
Commissioner Mitrecic
Commissioner Bertino
Ocean City Council
City Manager Miller

Md. TAX-PROPERTY Code Ann. § 6-306**Copy Citation**

Current through 2018 Regular Session.

**Annotated Code of Maryland TAX - PROPERTY TITLE 6. TAXABLE PROPERTY;
IMPOSITION OF TAX; SETTING TAX RATES SUBTITLE 3. SETTING PROPERTY TAX
RATES**

§ 6-306. County tax rate in certain other municipal corporations

(a) Tax setoff. -- In this section, "tax setoff" means:

- (1)** the difference between the general county property tax rate and the property tax rate that is set for assessments of property in a municipal corporation; or
- (2)** a payment to a municipal corporation to aid the municipal corporation in funding services or programs that are similar to county services or programs.

(b) Applicability of section. -- This section applies to any county not listed in § 6-305 of this subtitle.

(c) Discussion and adjustment. -- The governing body of the county shall meet and discuss with the governing body of any municipal corporation in the county the county property tax rate to be set for assessments of property in the municipal corporation as provided in this section. After the meeting if a municipal corporation performs services or programs instead of similar county services or programs, the governing body of the county may grant a tax setoff to the municipal corporation.

(d) Setting county rate for municipal corporation. -- In determining the county property tax rate to be set for assessments of property in a municipal corporation, the governing body of the county may consider:

- (1)** the services and programs that are performed by the municipal corporation instead of similar county services and programs; and

(2) the extent that the similar services and programs are funded by property tax revenues.

(e) Rate need not be uniform. -- The county property tax rate for assessments of property located in a municipal corporation is not required to be:

(1) the same as the rate for property located in other municipal corporations in the county; or

(2) the same as the rate set in a prior year.

(f) Request for property tax setoff. --

(1) At least 180 days before the date that the annual county budget is required to be approved, any municipal corporation in the county that desires that a tax setoff be provided shall submit to the county a proposal that states the desired level of property tax setoff for the next fiscal year.

(2) (i) A request submitted under paragraph (1) of this subsection shall be accompanied by:

1. a description of the scope and nature of the services or programs provided by the municipal corporation instead of similar services or programs provided by the county; and

2. financial records and other documentation regarding municipal revenues and expenditures.

(ii) The materials submitted under subparagraph (i) of this paragraph shall provide sufficient detail for an assessment of the similar services or programs.

(3) After receiving a proposal from a municipal corporation requesting a tax setoff under this subsection, the governing body of the county shall promptly submit to the municipal corporation financial records and other documentation regarding county revenues and expenditures.

(g) Officers, information and services. --

(1) At least 90 days before the date that the annual county budget is required to be approved, the county and any municipal corporation submitting a tax setoff request under subsection (f) of this section shall designate appropriate policy and fiscal officers or representatives to meet and discuss the nature of the tax setoff request, relevant financial information of the county and municipal corporation, and the scope and nature of services provided by both entities.

(2) A meeting held under paragraph (i) of this subsection may be held by the county representatives jointly with representatives from more than one municipal corporation.

(3)

(i) The county officers or representatives may request from the municipal corporation officers or representatives additional information that may reasonably be needed to assess the tax setoff.

(ii) The municipal corporation officers or representatives shall provide the additional information expeditiously.

(h) Statement of intent. --

(1) At or before the time the proposed county budget is released to the public, the county commissioners, the county executive of a charter county, or the county council of a charter

county without a county executive shall submit a statement of intent to each municipal corporation that has requested a tax setoff.

(2) The statement of intent shall contain:

(i) an explanation of the level of the proposed tax setoff;

(ii) a description of the information or process used to determine the level of the proposed tax setoff; and

(iii) an indication that, before the budget is enacted, appropriate officials or representatives of the municipal corporation are entitled to appear before the county governing body to discuss or contest the level of the proposed tax setoff.

(i) Municipal representatives at county proposed budget hearings. -- Representatives of each municipal corporation in the county requesting a tax setoff shall be afforded an opportunity to testify before the county governing body during normally scheduled hearings on the county's proposed budget.

(j) Agreements regarding tax setoffs. -- Notwithstanding the provisions of subsections (d), (f), and (g) of this section:

(1) a county and one or more municipal corporations may enter into an agreement setting different terms or timing for negotiations, calculations, or approval of a tax setoff; and

(2) a county may grant a tax setoff to a municipal corporation that does not make a request in the fashion described in this section.

History

An. Code 1957, art. 81, § 32A; 1985, ch. 8, § 2; 1986, ch. 171; 1998, ch. 680.

Annotated Code of Maryland

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Content Type:

Terms:

Narrow By: -None-

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DRAFT

December 18, 2018

Mr. Richard Meehan, Mayor
Ocean City Mayor & City Council
P. O. Box 158
Ocean City, MD 21843-0158

RE: FY2020 Property Tax Differential Request

Dear Mayor Meehan:

The County Commissioners received your request on December 3, 2018 for a property tax setoff in the form of a tax differential for Ocean City taxpayers for the fiscal year beginning July 1, 2019. Included in your request was the City's adopted Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2018 and fiscal year operating budget for FY2019.

The County hereby submits to the Town of Ocean City the County's Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2018 and the County Fiscal Year 2019 General Fund Operating Budget.

The County Chief Administrative Officer will contact you in the near future to schedule a meeting with you and the Town of Ocean City representatives to discuss the nature of the Ocean City tax differential request.

Sincerely,

Harold L. Higgins, CPA
Chief Financial Officer

Attachments

H:\FY20 Budget\Towns\2020 Tax Differential OC.docx

Cc: County Commissioners

Phil Thompson, CPA, Finance Officer

Maureen Howarth, County Attorney

Kathy Whited, Budget Officer

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



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

OFFICE OF THE
COUNTY COMMISSIONERS

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

December 11, 2018

TO: Worcester County Commissioners
FROM: Harold L. Higgins, Chief Administrative Officer **HH**
SUBJECT: Proposed Bond Bills and Official Intent Resolution

As you are aware, there are several projects in the Capital Improvement Plan (CIP) that need to be completed in the near term that we are proposing to finance through General Obligation Bonds. These projects include the following:

- Replacement of Showell Elementary School - \$37,000,000
- New Turf Athletic Field at Stephen Decatur High School - \$1,500,000
- Completion of Central Landfill Site Cell No. 5 - \$3,328,000
- Water and Wastewater Projects in Ocean Pines and Riddle Farm Service Areas - \$3,250,000

Also attached is the financing schedule provided by our Financial Advisor, Joe Mason with Davenport & Company LLC, which proposes introduction of bond bills later today on the first three projects with a public hearing at your next Legislative Session on Tuesday, January 22, 2018. Included with each of the draft bond bills, I have included excerpts from the CIP which provides greater detail on each project. The 4th project does not require a bond bill, but will require a public hearing to explain the projects and estimated cost and to solicit public comments as to whether those project should be constructed. - P.2

In addition to the bond bills on the first three projects, our Bond Counsel, Bob Doory with Miles & Stockbridge, has advised that you need to adopt an "Official Intent Resolution" which will enable us to use the bond proceeds to reimburse expenses incurred for each of these projects prior to the issuance of the bonds. I have therefore attached the draft Official Intent Resolution for your review and approval. - P.4

I have asked John Tustin and Phil Thompson to attend your meeting on December 18 to answer any of your questions on these proposed projects and/or the financing process. In the meantime, if you or any of the Commissioners should have any questions or concerns, please feel free to contact me.

Worcester County, Maryland
 Series 2019 General Obligation Bonds

Financing Schedule
 Revised 12/12/2018

January 2019

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February 2019

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March 2019

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April 2019

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Working Group

Role	Entity	Abbreviation
Issuer	Worcester County, MD	Cty
Financial Advisor	Davenport & Company LLC	Dav
Bond Counsel	Miles & Stockbridge	MS

Date	Task	Responsibility
Tuesday, December 18	Introduction of Public Local Laws	Cty, MS
Wednesday, January 2	County to begin collection of P.O.S. material	Cty
Tuesday, January 22	Public hearing and Adoption of Public Local Laws	Cty, MS
Monday, January 28	County forwards P.O.S. to Davenport	Dav
Wednesday, January 30	Distribution of 1 st draft P.O.S.	Dav
Monday, February 11	P.O.S. corrections due to Davenport	All
Tuesday, February 12	Rating Agency review meeting	Dav
Wednesday, February 13	Distribution of 2 nd draft of P.O.S.	Dav
Wednesday, February 20	P.O.S. corrections due to Davenport/internal review of POS	Dav, Cty
Thursday, February 21	Distribution of P.O.S. to rating Analysts	Cty, Dav
Sunday February 24 - Tuesday, February 26	Rating meetings in NYC	Cty, Dav
Friday, March 8	Effective date of Public Local Laws	Cty, MS
Friday, March 15	Release of Ratings	Dav
Tuesday, March 19	Introduction and Passage of Bond Resolution	Cty, MS

Worcester County, Maryland
Series 2019 General Obligation Bonds

Financing Schedule
 Revised 12/12/2018

January 2019

Su	Mo	Tu	We	Th	Fr	Sa
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February 2019

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March 2019

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April 2019

Su	Mo	Tu	We	Th	Fr	Sa
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Wednesday, March 20	Final P.O.S corrections due to Davenport Ad in local paper (Publication of Notice of Sale)	ALL Cty, MS
Thursday, March 21	Sign off on P.O.S/P.O.S. posted and emailed to investors/Apply for CUSIPs	Cty, MS Dav
Wednesday, March 27	Second ad in local paper (Publication of Notice of Sale)	Cty, MS
Tuesday, April 2	Bond Sale in Snow Hill	All
Friday, April 5	Final comments on O.S. due to Davenport	All
Monday, April 8	Sign off on O.S.	All
Tuesday, April 9	Delivery of O.S.'s to Underwriter	Dav
Monday, April 15	Bonds to DTC; Pre-closing	All
Tuesday, April 16	Closing	All

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RESOLUTION NO. 18- __

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PROVIDING OFFICIAL INTENT PURSUANT TO TREASURY REGULATION SECTION 1.150-2 IN CONNECTION WITH THE ISSUANCE AND SALE BY COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND (THE "COUNTY") OF ONE OR MORE SERIES OF ITS GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$47,000,000, FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF CONSTRUCTION AND EQUIPPING OF A NEW SHOWELL ELEMENTARY SCHOOL, INSTALLATION OF A NEW TURF ATHLETIC FIELD AT STEPHEN DECATUR HIGH SCHOOL, CONSTRUCTION AND IMPROVEMENTS IN CONNECTION WITH WATER AND WASTEWATER ENTERPRISE FUND PROJECTS IN THE OCEAN PINES SERVICE AREA AND THE RIDDLE FARM SERVICE AREA, AND COMPLETION OF THE CENTRAL LANDFILL SITE CELL NO. 5 CONSTRUCTION PROJECT.

DRAFT

RECITALS

WHEREAS, The U.S. Treasury Department issued Treasury Regulation §1.150-2 governing the use of the proceeds of tax-exempt bonds or other obligations for the purpose of reimbursing expenditures paid prior to the issuance of such bonds or obligations and requiring, among other things, the declaration of an official intent to reimburse.

WHEREAS, County Commissioners of Worcester County, Maryland (the “County”) proposes to make certain capital expenditures in connection with a portion of the cost of construction and equipping of a new Showell Elementary School, installation of a new turf athletic field at Stephen Decatur High School, construction and improvements in connection with Water and Wastewater Enterprise Fund Projects in the Ocean Pines Service Area and the Riddle Farm Service Area, and completion of the Central Landfill Site Cell No. 5 Construction project (the “Capital Projects”).

WHEREAS, the County intends to issue general obligation bonds (the “Bonds”) to finance the acquisition, construction, installation and equipping of the Capital Projects and issuance costs of the Bonds, all constituting capital expenditures (collectively referred to as the “Project Costs”).

WHEREAS, the County reasonably expects that a portion of the Project Costs will be paid by the County prior to the issuance of the Bonds and that certain proceeds of the Bonds will be used to reimburse the County for the Project Costs paid by the County prior to the issuance of the Bonds.

WHEREAS, it is intended that the full faith and credit of the County will be pledged to the payment of the Bonds.

DRAFT

NOW, THEREFORE, THE COUNTY MAKES THE FOLLOWING DECLARATION OF OFFICIAL INTENT:

SECTION 1. BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, That the County reasonably expects that a portion of the Project Costs will be paid by the County prior to the issuance of the Bonds and that certain proceeds of the Bonds will be used to reimburse the County for those Project Costs incurred and paid by the County prior to the issuance of the Bonds. The Bonds will be issued in a principal amount not to exceed \$47,000,000.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, That the County intends that the adoption of this Resolution shall be and constitute an “official intent resolution” within the meaning of Section 1.150-2 of the Income Tax Regulations prescribed by the U.S. Treasury Department.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof is inapplicable had been specifically exempted therefrom.

DRAFT

SECTION 4. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, That this Resolution shall take effect immediately.

Passed and Approved this 18th day of December, 2018:

ATTEST:

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

Harold L. Higgins,
Chief Administrative Officer

By: _____
Diana Purnell, President

By: _____
Joseph M. Mitrecic, Vice President

By: _____
Anthony W, Bertino, Jr., Commissioner

By: _____
Madison J. Bunting, Jr., Commissioner

By: _____
James C. Church, Commissioner

By: _____
Theodore J. Elder, Commissioner

By: _____
Joshua C. Nordstrom, Commissioner

DRAFT

Add to
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RESOLUTION NO. 18-__

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PROVIDING OFFICIAL INTENT PURSUANT TO TREASURY REGULATION SECTION 1.150-2 IN CONNECTION WITH THE ISSUANCE AND SALE BY COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND (THE "COUNTY") OF ONE OR MORE SERIES OF ITS GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$48,000,000, FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF CONSTRUCTION AND EQUIPPING OF A NEW SHOWELL ELEMENTARY SCHOOL, INSTALLATION OF A NEW TURF ATHLETIC FIELD AND TRACK AT STEPHEN DECATUR HIGH SCHOOL, CONSTRUCTION AND IMPROVEMENTS IN CONNECTION WITH WATER AND WASTEWATER ENTERPRISE FUND PROJECTS IN THE OCEAN PINES SERVICE AREA AND THE RIDDLE FARM SERVICE AREA, AND COMPLETION OF THE CENTRAL LANDFILL SITE CELL NO. 5 CONSTRUCTION PROJECT.

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RECITALS

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SECTION 4. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WORCESTER COUNTY, That this Resolution shall take effect immediately.

Passed and Approved this 18th day of December, 2018:

ATTEST:

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

Harold L. Higgins,
Chief Administrative Officer

By: _____
Diana Purnell, President

By: _____
Joseph M. Mitrecic, Vice President

By: _____
Anthony W, Bertino, Jr., Commissioner

By: _____
Madison J. Bunting, Jr., Commissioner

By: _____
James C. Church, Commissioner

By: _____
Theodore J. Elder, Commissioner

By: _____
Joshua C. Nordstrom, Commissioner

26

NOTICE OF PUBLIC HEARING

**COMPREHENSIVE (SECTIONAL) RECLASSIFICATION
OF THE E-1 ESTATE AND A-1 AGRICULTURAL ZONED PROPERTIES
NORTH OF GRAYS CORNER ROAD AND WEST OF MD ROUTE 589 (RACETRACK ROAD)**

IN THE THIRD TAX DISTRICT OF
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, the Worcester County Commissioners have initiated a comprehensive (sectional) reclassification of all those properties currently zoned E-1 Estate District and A-1 Agricultural District that are located to the north of Grays Corner Road, on the easterly and westerly sides of McAllister Road, northerly and southerly sides of Griffin Road, and the westerly side of MD Route 589 (Racetrack Road) in the Third Tax District of Worcester County, Maryland. After considering the proposed comprehensive (sectional) reclassification, the Worcester County Planning Commission has recommended that the subject properties remain in their existing E-1 Estate and A-1 Agricultural District zoning classifications.

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

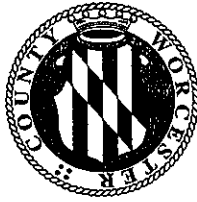
PUBLIC HEARING
on
TUESDAY, DECEMBER 18, 2018
at 10:30 A.M.

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

Copies of the proposed comprehensive (sectional) reclassification maps, the staff report, and all associated documents may be obtained from the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863-1070. These documents may be reviewed at the Department during the regular business hours of 8:00 A.M. to 4:30 P.M., Monday through Friday, except holidays. Anyone having questions may contact Phyllis Wimbrow at 410.632.1200, ext. 1110 or by email at pwimbrow@co.worcester.md.us.

All interested citizens are encouraged to attend the hearing and express their views on these matters. Both written and oral testimony will be accepted.

Diana Purnell, President



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

RECEIVED
OCT 29 2018
Worcester County Admin

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

MEMORANDUM

Public Hearing
on December 18, 2018

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director
Development Review and Permitting
DATE: October 25, 2018
RE: Proposed Sectional Rezoning - MD Route 589/McAllister Road/
Griffin Road Neighborhood

APPROVED
Worcester County Commissioners
Date 11/7/18

As you are aware, at their meeting of April 3, 2018 the Worcester County Commissioners reviewed and approved the recommendation of the Worcester County Planning Commission to initiate a sectional rezoning of the properties located to the west of MD Route 589 (Racetrack Road) and north of Grays Corner Road which are currently zoned E-1 Estate District and A-1 Agricultural District. The Planning Commission's recommendation, made at its March 1, 2018 meeting, arose from its consideration of five rezoning cases seeking to rezone properties in the above referenced area from E-1 Estate District to C-2 General Commercial District or, alternatively, C-1 Neighborhood Business District. The Planning Commission discussed the proposed sectional rezoning at a number of meetings, including May 10, 2018, July 5, 2018, August 2, 2018, September 6, 2018, and October 4, 2018 and have decided upon a recommendation.

Before discussing the Planning Commission's recommendation it is important that some zoning and land use history with regard to this area be given in order to gain perspective into past development patterns in the area. In 1978 the majority of the zoning districts from MD Route 376 to South Point were R-1 Rural Residential District, R-1A Rural Residential District, R-3 Multi-Family Residential District, B-2 General Business District, and A-1 Agricultural District. At the time zoning was established in Worcester County in 1965 the entire area under discussion was given an A-1 Agricultural District zoning classification. During the 1992 comprehensive rezoning, that portion to the west of McAllister Road and MD Route 589 was rezoned to E-1 Estate District while the wedge shaped portion located between McAllister Road and MD Route 589 retained it's a-1 Agricultural District classification. The E-1 Estate District, which had a density of one lot per two acres, was a new zoning district in 1992 and was considered a transitional district between the agricultural and residential zoning districts. During the 2009 comprehensive rezoning the Planning Commission recommended that the portion zoned E-1 Estate District be given a R-1 Rural

Residential District zoning classification in light of the existing residential uses in the area. However, the County Commissioners chose to retain the E-1 Estate District zoning classification. The small portion between McAllister Road and MD Route 589 remained in its A-1 Agricultural District zoning classification.

The 1989 Comprehensive Plan placed this area within the Estate Land Use Category, stating that it was so designated in order to maintain an open character and that a rural estate form of development would also be best for the environmentally sensitive nature of the inland bays. The 1989 Comprehensive Plan recommended that the predominant type of development that should occur in these area is low-density residential on lot sizes larger than those for suburban and suburban residential areas and that in consideration of the environmental conditions in the area, the maximum density should be no more than one unit per two acres. The 2006 Comprehensive Plan, which remains in effect, places the area within the Agricultural Land Use Category. There is no Estate Land Use Category in the 2006 Comprehensive Plan. 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 furthermore states 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, and that 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. While the 2006 Comprehensive Plan does not include an Estate Land Use Category, it makes statements relative to large-lot zoning. Specifically, the Comprehensive Plan recommends the deletion of the Estate land use category and the associated zoning district, the E-1 Estate District. The Plan states that, designed as a transition zone between urban/suburban development and the rural landscape, the Estate Land Use Category has consumed excessive amounts of land per housing unit, taking working farms out of production, been overtaken by the requirements of the Atlantic Coastal Bays Critical Area Program, and failed to achieve truly clustered open space development as called for in the 1989 Comprehensive Plan. The 2006 Comprehensive Plan further states that large lot zoning is incompatible with this plan's approach to new growth and that extensive areas of large lots result in sprawl, which is expensive to serve, damaging to water quality and wildlife, and incompatible with increased mass transit service.

During the comprehensive rezoning process that took place approximately ten years ago, both the staff and the Planning Commission recommended to the County Commissioners that the area now under consideration be given a R-1 Rural Residential District zoning classification because of its low-density, single-family residential nature, typical lot sizes, and historical development patterns. Both the staff and the Planning Commission felt that that zoning classification was most in keeping with the existing character. Although several property owners within this study area requested a commercial classification during the comprehensive rezoning review process, the staff and Planning Commission concluded that sufficient commercial zoning was already in place along the US Route 50 corridor as well as on MD Route 589 to serve the needs of the residents of the area and the traveling public and in light of the number of unutilized or underutilized commercial properties in the area. Additionally, the staff and Planning Commission recognized that the 2006 Comprehensive Plan states that MD Route 589 has reached an unsatisfactory level-of-service and is considered impacted from a traffic standpoint and that development in the corridor should be limited until capacity increases. The staff and Planning Commission concluded that to place commercial zoning in the area would be inappropriate and the zoning should be R-1 Rural

Residential District. In adopting the 2009 comprehensive rezoning, however, the County Commissioners chose to retain the existing E-1 Estate District zoning in the area, even though the 2006 Comprehensive Plan called for the elimination of that zoning district.

Relative to the current consideration of a sectional rezoning of the area from E-1 Estate District and A-1 Agricultural District to a different zoning classification, the Planning Commission found that the area is primarily single-family residential in nature and is in fact a long-established residential neighborhood. While there are a few uses which are not purely residential in nature, those uses are allowed either under prior district regulations or by special exception. These existing uses are not ones that would require a commercial classification. However, giving the area a commercial zoning classification would make the residences in the area non-conforming uses and thus create significant difficulties that must be surmounted for any expansion or replacement of such homes. Additionally, the Planning Commission concludes that McAllister Road, Griffin Road, and Grays Corner Road, those roadways most directly serving the subject properties, are not of adequate width to handle the capacity typically generated by commercial uses, particularly truck traffic. Furthermore, the Planning Commission finds that the adequacy of MD Route 589 to handle the additional traffic generated by commercial zoning and use of the area under consideration is questionable because no traffic study to assess the matter has been performed. Public water and sewer is not available in the area at present nor anticipated in the foreseeable future. Therefore, onsite wastewater and disposal would be required and would most likely limit the feasibility of commercial use of the area. The Planning Commission concludes that there is a significant amount of commercial zoning in the vicinity at present, with C-2 General Commercial District zoning found to the north of Gum Point Road and on the northerly side of the junction of US Route 50 and MD Route 589. The southerly side of US Route 50 is zoned C-3 Highway Commercial District, the most intense commercial zoning classification the County has. Mark S. Cropper, the attorney representing the five property owners that filed the original applications that triggered this consideration of a sectional rezoning, suggested that a C-1 Neighborhood Commercial District could be an alternative to a C-2 General Commercial District classification for those particular properties. However, the Planning Commission finds that the C-1 Neighborhood Commercial District is exactly that, a district intended to provide for convenient commercial areas strategically based to serve the day-to-day shopping and service needs of the local neighborhood and designed to serve populations of 1000 or more within an approximate five to ten minute travel time. With the prevalence of C-2 General Commercial District and C-3 Highway Commercial District zoning already in the area, the Planning Commission determined that there is no need for either a neighborhood commercial zoning or a general commercial zoning in the area under consideration, in such close proximity to the most intense commercial zoning in the County. Mr. Cropper also maintained that the Ocean Downs Casino has impacted his clients' properties. The Planning Commission concluded that the Ocean Downs Casino is a use allowed by special exception in its existing A-2 Agricultural District zoning classification.

Based upon its review of the aforementioned factors, the Planning Commission concluded that any consideration of rezoning of the study area should wait until after the next Comprehensive Plan is completed and recommended that those portions of the study area which are currently zoned E-1 Estate District be retained in the E-1 Estate District and those areas zoned A-1 Agricultural District retained in the A-1 Agricultural District.

Now that the Planning Commission has made its recommendation, the County Commissioners will need to schedule a public hearing on the matter. Unlike the requirements for an individual rezoning application, both Sections ZS 1-113(c)(6)E and ZS 1-114(a)(3) of

the Zoning and Subdivision Control Article state that posting of the properties and individual notifications to the affected property owners are not required for a sectional or comprehensive map amendment. In this case, however, the County Commissioners previously determined that individual property owners in the affected area would be notified due to the limited number of properties. The public hearing still must be advertised in the newspaper at least once not less than 15 days prior to the hearing. Additionally, please be aware that Section ZS 1-113(c)(6)F states that findings of fact as required in piecemeal rezonings shall not be required for comprehensive (sectional) rezonings.

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

EAT/phw

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

- (5) The County Commissioners, upon the rezoning of any land or lands, may impose such 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 may, upon the zoning or rezoning of any land or lands, retain or reserve 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. In the event of a conditional map amendment, the restrictions, conditions and limitations shall be reduced to the form of an agreement signed by the owner and all lien holders and recorded among the land records at the expense of the owner. Restrictions, conditions or limitations may be recommended by the Planning Commission and shall be advertised verbatim or in summary form in the notice of the public hearing on the map amendment. Such recommended restrictions, conditions or limitations shall be considered a part of the Planning Commission's recommendation and subject to the five-sevenths majority vote provisions hereof. If there are no proposed restrictions, conditions or limitations at the time of the advertisement prior to the rezoning hearing, the Commissioners may state in the notice that restrictions, conditions or limitations will be considered at the hearing and may, subsequent to the hearing, without additional advertisement or hearing, impose any such restrictions. A restriction, condition or limitation imposed on an amendment, supplement or change in this Title shall become a part of this Title, and violation thereof shall be deemed to be a violation of this Title.

- (6) Comprehensive (sectional) reclassification map amendments.
- A. Comprehensive (sectional) reclassifications may only be initiated by the Planning Commission or the County Commissioners.
 - B. The Planning Commission shall review the proposed comprehensive reclassification and make a recommendation to the County Commissioners. In the case of a comprehensive (sectional) reclassification initiated by the County Commissioners, the Planning Commission shall make a recommendation to the County Commissioners within one hundred twenty days after its first review by the Planning Commission, unless an extension of time is granted by the County Commissioners. The Planning Commission may make such studies as it deems necessary and appropriate.
 - C. After receiving the recommendation of the Planning Commission, the County Commissioners may require further studies and shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. Public notice of such hearing shall be given in accordance with the provisions of § ZS 1-114 hereof.
 - D. Comprehensive (sectional) reclassifications shall be by resolution of the County Commissioners.
 - E. Notification of property owners and neighboring property owners and the posting of the property, as required in piecemeal rezonings, shall not be

required when the property is the subject of the comprehensive (sectional) reclassification.

- F. Findings of fact as required in piecemeal rezonings shall not be required for comprehensive (sectional) reclassifications.
- G. In the case of a comprehensive (sectional) rezoning, conditions placed upon a property by virtue of a prior conditional rezoning shall be null and void unless specifically carried forward by the County Commissioners upon a finding that the reasons for which the conditions were originally imposed are still valid.

§ ZS 1-114. Requirements for public notice.

(a) Generally. Unless otherwise expressly provided by law, all notices to the general public required by the terms of this Title shall be made as follows:

(1) By the posting of a reasonably sized sign upon the property which is the subject of the proceedings as follows:

A. The sign shall be of sufficient size to reasonably advise the public of the fact of the public hearing and shall be posted not less than fifteen days prior to the public hearing. The sign shall be posted (to the extent possible) within a reasonable distance of a public road serving or near the property so as (to the extent possible) to be reasonably visible to the public. Posting requirements shall be subject to the following modifications and provisions:

1. Except in the case of the fifteen-day requirement, reasonable, good-faith compliance with the above requirements, as determined by the hearing agency, shall be sufficient.
2. Where the property lines are difficult to ascertain, posting on an adjacent property may be found to be sufficient.
3. Evidence of posting shall be provided at the public hearing, but no evidence that the sign remained standing during the period of posting shall be required. When a posted sign is destroyed or removed, the property shall be reposted but the date of posting shall be the date of original posting.
4. The hearing agency shall have the authority to determine whether or not a good-faith effort to comply with the posting requirements is sufficient to satisfy the intent of such requirements so as to reasonably advise the public of the pending proceeding.

B. Any applicant and/or owner of the property subject to the proceedings shall be deemed to have consented to the entry upon the property by any County staff or board members to examine the property with respect to the specific request and by the public for the purpose of viewing any sign.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
Development Review and Permitting
DATE: December 11, 2018
RE: Proposed Sectional Rezoning - MD Route 589/McAllister Road/
Griffin Road Neighborhood

In preparation for next week's public hearing for the MD Route 589 Sectional Rezoning, I have assembled a host of documents which I hope will be of help to the County Commissioners in their deliberations on the matter. Attached herewith you will find the following:

- | | | |
|----|---|----|
| 1. | A letter from Mr. Mark Cropper dated June 21, 2018 relative to the Sectional Rezoning. | 10 |
| 2. | A staff memorandum dated June 28, 2018 in response to Mr. Cropper's letter. | 18 |
| 3. | Minutes of the relevant Planning Commission meetings for deliberations of the Sectional Rezoning. | 24 |
| 4. | An inventory of existing land uses by parcel with accompanying photographs of all of the properties in the subject area. | 43 |
| 5. | A chart comparing all of the permitted and special exception uses for the E-1 Estate District, the R-1 Rural Residential District, the C-1 Neighborhood Commercial District, and the C-2 General Commercial District. | 47 |
| 6. | A memo from Mr. Bob Mitchell, Director of Environmental Programs, dated April 3, 2018. | 51 |
| 7. | Traffic volume data from the State Highway Administration for the area of MD Route 589 south of Gum Point road from 2004 to 2016. | 54 |

Page

- 8. Copy of the summary of the Planning Commission's final deliberations of the subject area from the 2009 comprehensive rezoning of the County. 55
- 9. Copies of historic zoning maps of the area from 1964, 1978 and 1992. 57
- 20. Current maps of the area showing:
 - A. The subject area and surroundings with current zoning districts. 60
 - B. Aerial view of the subject area. 61
 - C. Floodplain designations. 62
 - D. Critical Area designations. 63
 - E. Land Use designations in the Comprehensive Plan. 64

If you need any additional information or data, please let me know. We would be happy to have the map products available for projection during the meeting if you feel it is necessary.

EAT/phw

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

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FAX (410) 641-6926

Reply to Ocean City Office

OF COUNSEL
HAROLD B. GORDY, JR.

June 21, 2018

Worcester County Planning Commission
Attn: Michael T. Diffendal, Chairman
1 West Market Street
Snow Hill, MD 21863

Re: Rezoning Case Nos. 399, 400, 401, 402 and 415
and other adjacent and adjoining parcels (sectionally)

Dear Chairman Diffendal:

As you know, I represent the owners of those properties identified in rezoning Case Nos. 399, 400, 401, 402 and 415 (hereinafter collectively referred to as the "589 Properties"), which are presently zoned E-1 Estate District and are seeking a change in zoning classification to C-2 General Commercial District, or alternatively to C-1 Neighborhood Commercial District (See Exhibit "A" attached hereto and incorporated here by reference). All of the 589 Properties are located on the west side of Maryland Route 589 ("589") directly across from the Ocean Downs Casino (the "Casino"). At the work session of the Worcester County Planning Commission (the "Planning Commission") that occurred on May 10, 2018, it was decided that further deliberations and a final decision would be made by the Planning Commission at its meeting scheduled for July 5, 2018.

Accordingly, please accept this letter as a synopsis of the many reasons that support the requested rezonings for the 589 Properties.

1. Rezoning Case Nos. 392 and 396. In Rezoning Case Nos. 392 and 396, the Planning Commission and the Worcester County Commissioners (the "Commissioners") approved changing the zoning classifications of the properties identified in those cases from A-1 Agricultural District to C-2 General Commercial District. The Planning Commission and the Commissioners found that a change in the character of the neighborhood had occurred from agricultural to commercial. The neighborhood was defined as follows:

Regarding the definition of the neighborhood: The neighborhood was defined by the applicants as being bound on the north by MD Rt. 90, on the east by the Isle of Wight Bay and Herring Creek, on the south by US Rt. 50, including the commercially zoned

properties on the southerly side of that roadway to the west of Samuel Bowen Boulevard, including WalMart, Home Depot and Ocean Landings II site, which is currently under development, and on the west by MD Rt. 589, including those properties on the westerly side of the corridor that are commercially or residentially zoned as well as a number of properties in the vicinity of Griffin Road and McAllister Road. The Planning Commission concluded that those properties on the southerly side of US Rt. 50 should not be included within the defined neighborhood but concurred with the other boundaries cited by the applicants. By excluding those properties to the south of US Rt. 50 the petitioned area lies squarely in the middle of the neighborhood. Additionally, this revised definition takes into account major dividing lines such as MD Rt. 90, US Rt. 50 and Herring Creek. The County Commissioners find that the Planning Commission's definition of the neighborhood is appropriate and adopt it as their definition as well.

All of the 589 Properties are on the westerly side of the corridor, are residentially zoned and in the vicinity of Griffin Road and McAllister Road. Therefore, they are in the neighborhood as defined by the Planning Commission and the Commissioners.

While Case Nos. 392 and 396 were approved for the same reasons, only Case No. 392 was appealed to the Court of Special Appeals of Maryland, Silver Fox, LLC et. al. v. Walter M. Stansell, Jr., et. al., Case No. 0144. That Court upheld the decision of the Commissioners in rezoning the subject property. In doing so, it reaffirmed the definition of the neighborhood and that its character had changed to commercial. Since there have been no material changes in that neighborhood since the Findings of Fact ("Findings") in those two cases, the definition of the neighborhood remains the same, as does its change to commercial. The Planning Commission and Commissioners are bound by those Findings. To do otherwise with regard to the 589 Properties, would be arbitrary and capricious.

While the justifications for rezoning the properties in Case Nos. 392 and 396 were primarily based upon the impact on the neighborhood caused by the Casino, the Findings also included:

- A. An increase in the residential population;
- B. No adverse impact on public facilities and services;
- C. The potential development of the petitioned areas will not conflict with or have any greater impact on present or future transportation patterns provided the necessary road improvements are made;
- D. Changing the zoning to commercial is more in keeping with the character of the neighborhood; and
- E. The change from A-1 Agricultural District to C-2 Commercial District is compatible with the Comprehensive Plan.

In the final paragraph of the Findings, the Commissioners detailed some of the impacts caused by the Casino, which warranted rezoning the properties in Case Nos. 392 and 396 due to their proximity to it. Given that the 589 Properties are closer and more significantly impacted, rezoning the 589 Properties is even more justified. The traffic, lights, noise, dust and other negative impacts of the Casino burden the 589 Properties more than any other lands in Worcester County. Therefore, to rezone the lands in Case Nos. 392 and 396, but not do so for the 589 Properties, would again be arbitrary and capricious. Administrative bodies, such as the Planning Commission, are prohibited from acting in this manner.

2. Traffic. The 589 Properties are located west of 589, adjacent to McAllister Road and Griffin Road. With regard to the lands in Case Nos. 392 and 396, 589 is only a two-lane roadway, with one lane in each direction. As set forth in the Findings, the Planning Commission and Commissioners found that the potential development of the petitioned areas will not conflict with or have any greater impact on present or future transportation patterns provided "the necessary road requirements are made."

The improvements to 589 at the location of the 589 Properties are much more enhanced and capable of accommodating a larger volume of traffic than at the location of the properties in Case Nos. 392 and 396. At the location of the 589 Properties, 589 is improved with 5 lanes, including turn lanes and a full traffic signal, none of which exists at the location of Case Nos. 392 and 396. Moreover, other improvements are approved and funded by the Maryland State Highway Administration ("SHA") for the intersection of U.S. Route 50 and 589, which will further improve the flow of traffic in front of the 589 Properties. Additionally, McAllister Road and Griffin Road, which already exist, can and will function as a service road to facilitate anticipated development of the 589 Properties should the rezonings be approved. Since the Planning Commission and Commissioners found 589 capable of accommodating the anticipated increase in traffic to be generated from approving the rezonings in Case Nos. 392 and 396, with no such improvements, then it defies logic to believe that 589 is not capable of doing so where the 589 Properties are located.

More importantly, there has been testimony (and other evidence) provided to the Planning Commission regarding the volume of traffic on 589 near the 589 Properties. Some concerns have been raised that this volume should support denying the requested rezonings. I suggest just the opposite. Because of the volume of traffic at this particular location, the 589 Properties should not be zoned for any residential uses (Estate or Residential). The traffic condition is simply not compatible with residential living and supports a change to commercial.

3. Elimination of Estate Zone. The Comprehensive Plan makes clear that the E-1 Estate District is to be eliminated. I submit that should have occurred with the adoption of the Comprehensive Zoning Map in 2009, but did not. Therefore, it should take place now. The only question is whether the 589 Properties should be rezoned commercially or residentially. They have residential zoning now (E-1 Estate District is a type of residential zoning), which is not appropriate or desired by the owners. Replacing E-1 with a residential zoning classification (such as a R-1) is illogical and not consistent with the change that has occurred in that neighborhood.

4. Surrounding Zoning. All of the properties located to the south of the 589 Properties (along McAllister Road and Grays Corner Road) and north of the 589 Properties (along the east and west sides of 589) are zoned C-2 (See Exhibit "B" attached). Directly to the east of the 589 Properties is the Casino. Although it operates as a special exception in the A-1 Agricultural District, it is the largest and most intense commercial use in Worcester County. As such, the 589 Properties are surrounded on 3 sides (north, south and east) by commercially zoned or utilized properties. Only land west of the 589 Properties is zoned otherwise. Therefore, the most appropriate zoning classification for the 589 Properties is C-2, or alternatively, C-1.

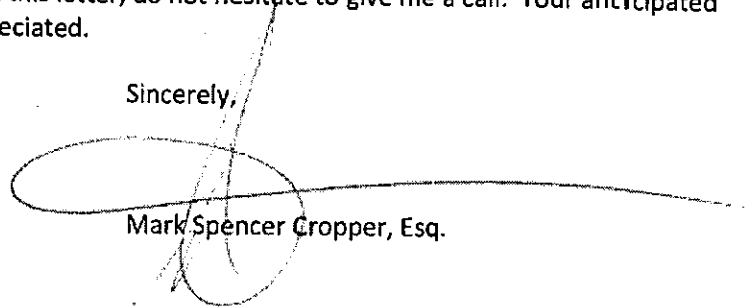
5. Casino Impact Fees. As part of the State legislation that approved the Casino, it was determined that the impact of the Casino to Worcester County would be so great that a portion of the revenues generated by it MUST be shared and distributed to surrounding and impacted neighborhoods. These areas include Worcester County, Ocean City, Ocean Pines and Berlin. However, there are no communities more severely or directly impacted by the Casino than are the 589 Properties, and yet,

they receive nothing but its burdens. If the impacts on the entire county, Ocean City, Ocean Pines and Berlin are so intense that its revenues must be shared with those communities, at the very least, the 589 Properties should be zoned in a manner consistent with those impacts. Only through proper zoning can this situation be made fair to the owners of the 589 Properties.

Whether there are other reasons that justify rezoning the 589 Properties from E-1 to C-2 or C-1, the above listed reasons are the most relevant. Aside from the legal arguments, there is also the issue of fairness. The 589 Properties were purchased long before the Casino was a consideration. The original use of Ocean Downs was considerably less intense, as was the traffic on 589. The 589 Properties have suffered the negative consequences of Ocean Downs expanding into the Casino, 589 being changed from 2 lanes to 5 lanes with a controlled intersection, the traffic increasing and the neighborhood changing from agricultural and residential to commercial. While the law supports rezoning the 589 Properties from E-1 to C-2 or C-1, simple fairness does as well. It is the only right and fair thing to do.

Should you have any questions about this letter, do not hesitate to give me a call. Your anticipated reasonable and just consideration is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Spencer Cropper", is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long horizontal stroke extending to the right.

Mark Spencer Cropper, Esq.

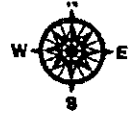
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Attachments

Exhibit "A"



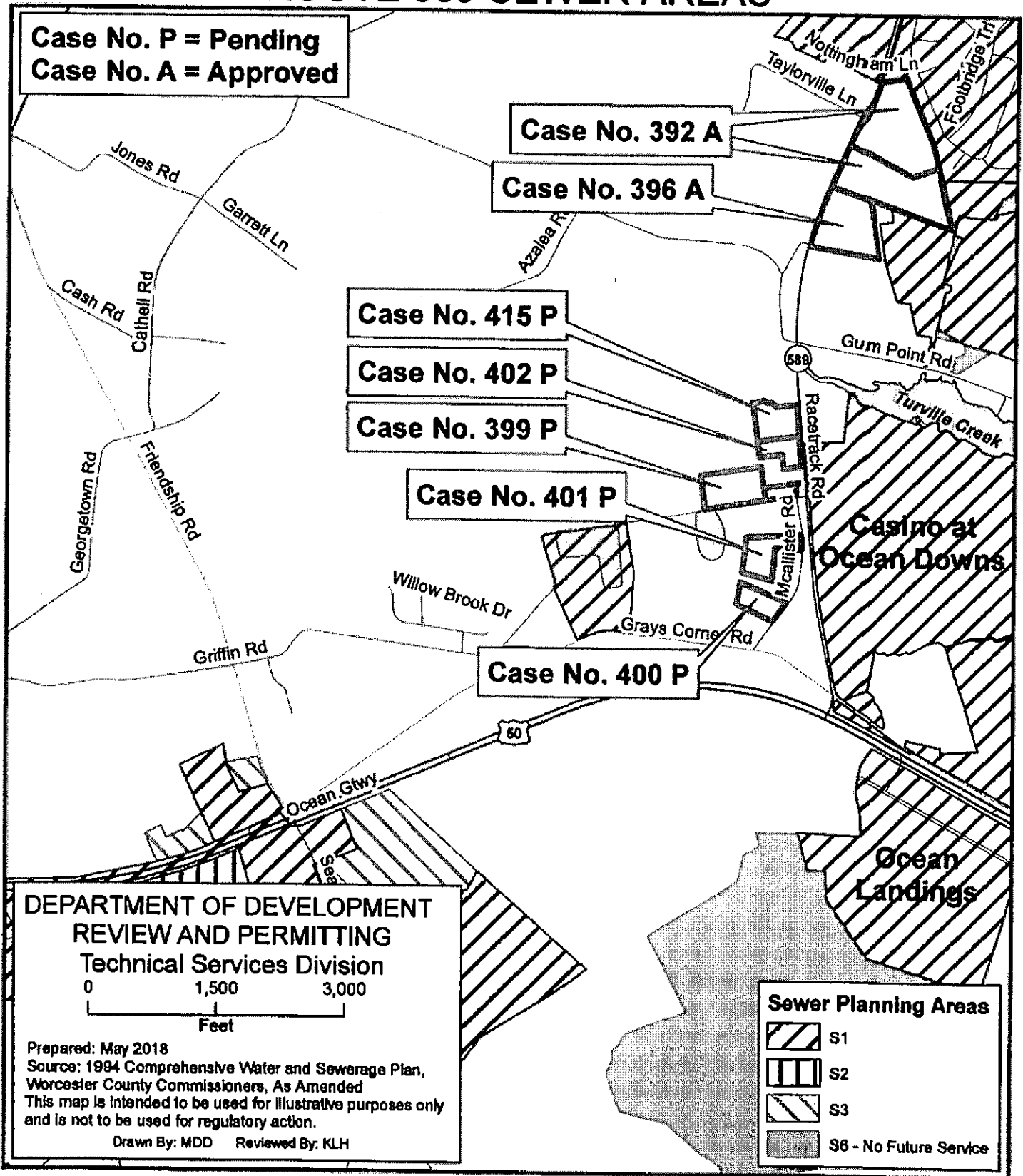
WORCESTER COUNTY, MARYLAND



Racetrack Road Rezoning Case No. Compilation 392, 396, 399, 400, 401, 402 and 415

ROUTE 589 SEWER AREAS

Case No. P = Pending
Case No. A = Approved



DEPARTMENT OF DEVELOPMENT
REVIEW AND PERMITTING
Technical Services Division

0 1,500 3,000
Feet

Prepared: May 2018
Source: 1994 Comprehensive Water and Sewerage Plan,
Worcester County Commissioners, As Amended
This map is intended to be used for illustrative purposes only
and is not to be used for regulatory action.

Drawn By: MDD Reviewed By: KLH

Sewer Planning Areas

- S1
- S2
- S3
- S6 - No Future Service

Exhibit "B"

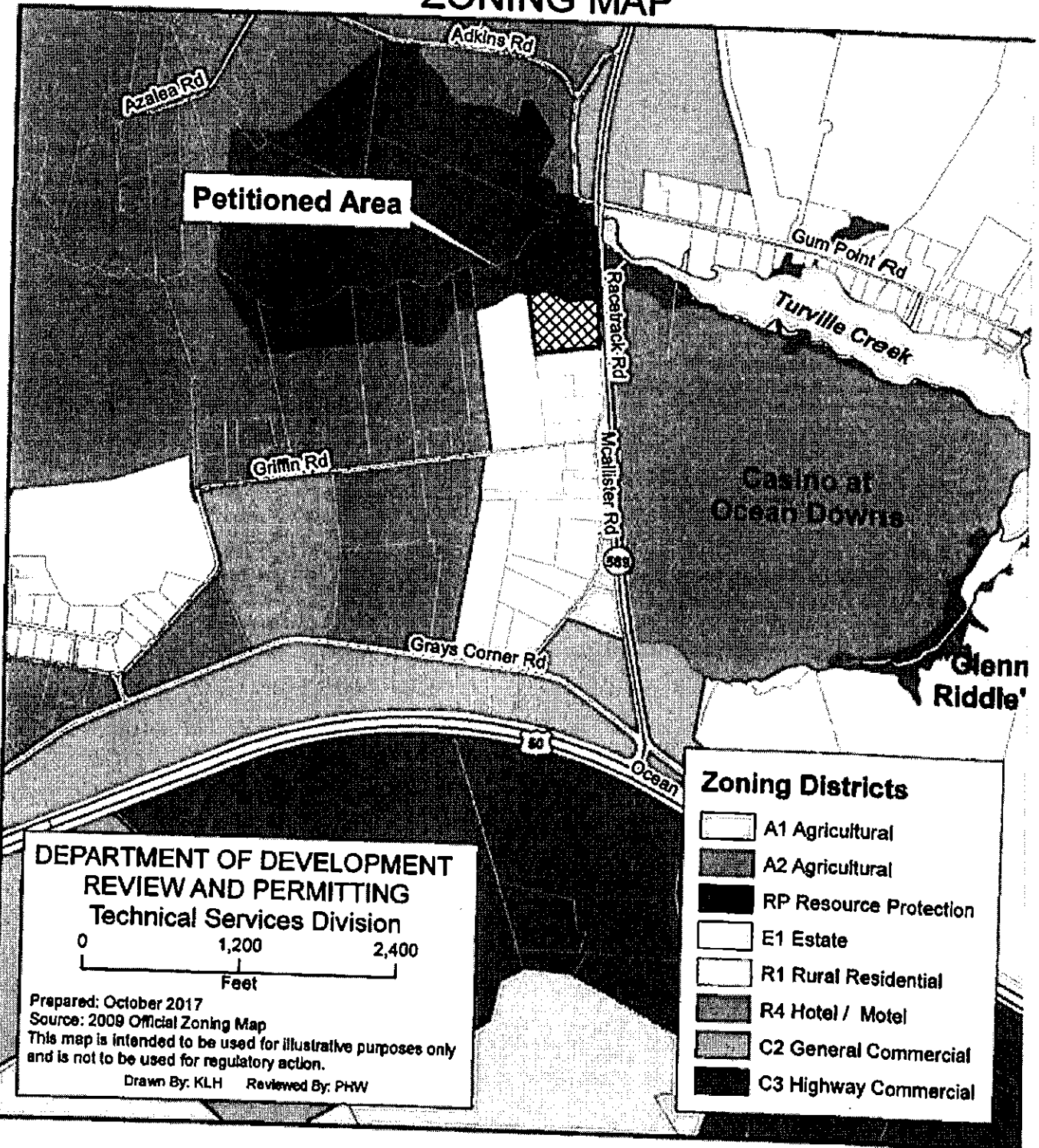


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 415
E-1 Estate District to C-1 Neighborhood Commercial / C-2 General Commercial District
Tax Map: 21, Parcel 79

ZONING MAP



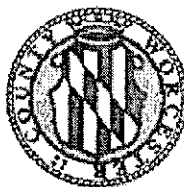
DEPARTMENT OF DEVELOPMENT
REVIEW AND PERMITTING
Technical Services Division

0 1,200 2,400
Feet

Prepared: October 2017
Source: 2009 Official Zoning Map
This map is intended to be used for illustrative purposes only
and is not to be used for regulatory action.
Drawn By: KLH Reviewed By: PHW

Zoning Districts

	A1 Agricultural
	A2 Agricultural
	RP Resource Protection
	E1 Estate
	R1 Rural Residential
	R4 Hotel / Motel
	C2 General Commercial
	C3 Highway Commercial



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ZONING DIVISION
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MEMORANDUM

TO: Worcester County Planning Commission

FROM: Edward A. Tudor, Director *EAT*
Phyllis H. Wimbrow, Deputy Director *PHW*
Jennifer Keener, Zoning Administrator *JK*

DATE: June 28, 2018

RE: Response to Letter Dated June 21, 2018 from Mark S. Cropper
Regarding Rezoning Case Nos. 399, 400, 401, 402 and 415 and
MD Route 589 Sectional Rezoning

As you are aware, at your meeting on May 10, 2018 you indicated that you would further discuss the above referenced rezoning cases and the associated sectional rezoning at your meeting to be held on Thursday, July 5, 2018. In anticipation of that meeting Mark S. Cropper has submitted a letter to you dated June 21, 2018 which provides, to quote Mr. Cropper's letter, "a synopsis of the many reasons that support the requested rezonings of the 589 Properties." After reviewing Mr. Cropper's letter and utilizing his same numbering format, the staff would like to provide the following comments in response.

1. Rezoning Case Nos. 392 and 396. In those cases both the Planning Commission and County Commissioners defined the neighborhood as being bound on the north by MD Route 90, on the east by the Isle of Wight Bay and Herring Creek, on the south by US Route 50 (excluding those properties on the southerly side of that highway), and on the west by MD Route 589, including those properties on the westerly side of the corridor that are commercially or residentially zoned as well as a number of properties in the vicinity of Griffin Road and McAllister Road. Mr. Cropper states that Rezoning Case No. 392 was appealed to the Court of Special Appeals of Maryland and upheld, thus reaffirming the definition of the neighborhood and that its character had changed to commercial. Mr. Cropper then asserts that because the petitioned areas in the above referenced five rezoning

applications (hereinafter collectively referred to as the 589 Properties) are within the neighborhood as defined in Rezoning Case Nos. 392 and 396 and because there have been no material changes in that neighborhood since the Findings of Fact in those two cases were approved, the definition remains the same, as does the change of its character to commercial. Mr. Cropper maintains that the Planning Commission and County Commissioners are bound by those Findings and to do otherwise with regard to the 589 Properties would be arbitrary and capricious.

Staff comments: In rendering its appellate review decision on Rezoning Case No. 392, the Court of Special Appeals itself said it will appraise and evaluate an agency's (in this case, the County Commissioners) fact finding but does not make an independent decision on the evidence. The Court of Special Appeals "will not disturb an administrative decision on appeal if substantial evidence supports factual findings and no error of law exists." Substantial evidence means "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." The Court of Special Appeals agreed with the Circuit Court that it was not going to substitute its judgement in place of the County Commissioners on the appropriateness of the neighborhood in Rezoning Case No. 392 and that the issue was fairly debatable. It did not say the definition of the neighborhood was correct. In its decision the Court of Special Appeals stated that, viewing the record as a whole, it believed the County Commissioners' findings were consistent with the requirements of the Zoning and Subdivision Control Article and it could not say that the County Commissioners acted arbitrarily in granting Silver Fox's (Rezoning Case No. 392) request to rezone the property. The staff concludes that, relative to definitions of a neighborhood, just because a specific definition is found appropriate in a rezoning case does not mean that that definition is then pertinent or appropriate for every other property within that defined neighborhood. In the case of the 589 Properties, they are at the very edge of the neighborhood as defined by Mr. Cropper and are more linked to the residential neighborhood that begins at McAllister Road, Griffin Road, and Grays Corner Road and extends west, in that all five of the petitioned areas involved in the 589 properties are currently used for residential purposes or still have a house located on it. Furthermore, with regard to Mr. Cropper's assertion that the change of character to commercial must be honored solely because Rezoning Case No. 392 was upheld in court, the staff maintains that because the proposed rezonings of the 589 properties (as well as any sectional rezoning of this area) pertain to different sites, in different locations, with different zoning, all factors must be given due consideration and not merely mirror a previously approved rezoning just because it was upheld in court after appeal. While findings of fact will of course be required if the five rezoning cases for the 589 Properties are considered individually, in the case of a sectional rezoning (which the County Commissioners have directed the Planning Commission to consider for the area), findings of fact are explicitly *not* required by the Zoning Code.

On Page 2 of Mr. Cropper's letter he discusses various points made in the findings on Rezoning Case Nos. 392 and 396 and notes that in the final paragraph of those findings, the County Commissioners detailed some of the impacts caused by the Casino, which warranted rezonings of the properties involved in those two cases due to their proximity to the Casino. Mr. Cropper then asserts that because the 589 Properties are closer and more significantly impacted, rezoning the 589 properties is even more justified. He states that the traffic, lights, noise, dust and other negative impacts of the Casino burden the 589 Properties more than any other lands in Worcester County. He maintains that to rezone the lands in Case Nos. 392 and 396 but not do the 589 Properties would be arbitrary and capricious and administrative bodies, such as the Planning Commission, are prohibited from acting in this manner.

Staff Comments: Each individual rezoning case must stand on its own and must prove that there has been a change in the character of the neighborhood or mistake in existing zoning for that particular case. The staff questions whether consideration of the previously approved cases are even germane to the discussion of the proposed sectional rezoning of the 589 Properties. To agree with Mr. Cropper's reasoning would be to, like falling dominoes, agree to the rezoning of every property along MD Route 589 to a commercial zoning classification, at least within the neighborhood as defined in Rezoning Case No. 392, and with only small changes to the defined neighborhood, extend that commercial zoning all the way to US Route 113.

2. Traffic. Mr. Cropper again cites the findings in Rezoning Case Nos. 392 and 396, noting that the Planning Commission and County Commissioners found that potential development of the properties involved in those rezonings, both of which fronted on MD Route 589 to the south of Manklin Creek Road and north of Gum Point Road, would not conflict with or have any greater impact on present or future transportation patterns provided "the necessary road requirements are made." Mr. Cropper maintains that the improvements to MD Route 589 at the location of the 589 Properties (west of MD Route 589, adjacent to McAllister and Griffin Roads) are more enhanced and capable of accommodating a larger volume of traffic than at the location of the properties in Case Nos. 392 and 396. He states that at the location of the 589 Properties, the highway is improved with five lanes, including turn lanes and a full traffic signal, none of which exists at the location of Case Nos. 392 and 396. He also maintains that other improvements are approved and funded by the Maryland State Highway Administration (SHA) for the intersection of US Route 50 and MD Route 589 which will further improve the flow of traffic in front of the 589 Properties. He also asserts that McAllister Road and Griffin Road can and will function as service roads to facilitate anticipated development of the 589 Properties should the rezonings be approved. Mr. Cropper asserts that since the Planning Commission and County Commissioners found MD Route 589 capable

of accommodating the anticipated traffic increase to be generated by approving Rezoning Case Nos. 392 and 396, with no improvements, it is not logical to believe that MD Route 589 is not capable of accommodating increased traffic where the 589 Properties are located. Mr. Cropper then goes on to assert that, given Planning Commission concerns about traffic volumes on MD Route 589 and that these volumes may be cause for denying the proposed rezonings of the 589 properties, the opposite may be true. He maintains that the 589 Properties should not be zoned for any residential uses because of the volume of traffic in this particular location and states that the traffic condition is simply not compatible with residential living and supports a change to commercial.

Staff Comments: The staff notes that the 589 Properties are all located in very close proximity to the junction of MD Route 589 with US Route 50, with the intervening intersection with Griffin Road and the entrance to the Casino. This location is crucial to the functionality of US Route 50 and the junction with MD Route 589. The latter roadway already experiences heavy volumes, conflicting turning movements and relatively high speeds in this area. To add to that mix by increasing volumes yet again with commercial zoning and uses would exacerbate an already congested area. The wisdom of doing so in such close proximity to such a crucial intersection is questionable at best. Additionally, Griffin Road and McAllister Road are narrow, County-owned and -maintained roadways. In all likelihood, there is not adequate right-of-way for these roadways to function as service roads. Furthermore, to move commercially-generated and -oriented traffic onto those roadways would adversely impact the residential uses that predominate along those roadways, one of the very arguments that Mr. Cropper is utilizing to promote rezoning to a commercial classification for the 589 Properties.

3. Elimination of the Estate Zone. Mr. Cropper asserts that since the elimination of the E-1 Estate District did not occur at the time of the 2009 comprehensive rezoning, it should take place now. He maintains that the only question is whether the 589 Properties should be rezoned commercially or residentially. He asserts that they have residential zoning now which is not appropriate or desired by the owners and that replacing the E-1 Estate District with a residential zoning classification such as R-1 Rural Residential District is illogical and not consistent with the change that has occurred in that neighborhood.

Staff Comments: The staff disagrees that the only choices are commercial or residential zoning. There are other zoning categories that may be equally appropriate, such as the A-2 Agricultural District. The staff agrees that the E-1 Estate District needs to be eliminated as called for in the Comprehensive Plan and had recommended a R-1 Rural Residential District designation for this area during the 2009 comprehensive rezoning in light of the predominantly residential uses. The Planning Commission had concurred with this recommendation. In light of the current residential uses that predominate in the area, the R-1 Rural Residential

District would be most reflective of and protective of those uses. McAllister Road serves as a boundary between the heavy volumes of traffic on MD Route 589 and the established residential neighborhood to the west of McAllister Road and along Griffin Road.

4. Surrounding Zoning. Mr. Cropper asserts that all of the properties located to the south of the 589 Properties (along McAllister Road and Grays Corner Road) and north of the 589 Properties (along the east and west sides of MD Route 589) are zoned C-2 General Commercial District. He notes that the Casino is directly to the east of the 589 Properties. Mr. Cropper argues that although the Casino operates as a special exception in the A-1 Agricultural District, it is the largest and most intense commercial use in Worcester County. He further asserts that, as such, the 589 Properties are surrounded on three sides by commercially zoned or utilized properties and that only land west of MD Route 589 is zoned otherwise. Mr. Cropper maintains that therefore the most appropriate zoning classification for the 589 Properties is C-2 General Commercial District or, alternatively, C-1 Neighborhood Commercial District.

Staff Comments: The staff disagrees that these arguments are valid. We recognize that there is a considerable amount of commercial zoning in the vicinity but that is not a legitimate argument to reclassify the 589 Properties. If anything, it is a more valid argument to do otherwise. The mere fact that the properties involved in Rezoning Case Nos. 392 and 396 continue to be farmed seems to demonstrate that there is an overabundance of commercial zoning in the area. The commercially zoned portion of the casino property remains undeveloped as well. Other commercially zoned properties cited by Mr. Cropper lie underutilized. To follow Mr. Cropper argument through to a reasonable conclusion would be to commercially zone the entire MD Route 589 corridor, from its southerly terminus at US Route 50 to its northerly terminus at US Route 113. The repercussions of such action would be tremendous. Furthermore, the petitioned areas in the five rezoning cases for the 589 Properties are each used for *residential* purposes, as are the vast majority of adjoining and nearby properties. It is a residential neighborhood, not a commercial one. To rezone those properties to a commercial classification by sectional rezoning would to make them non-conforming uses, which becomes burdensome for the property owner if they wish to add on to their home. Likewise, to rezone the 589 Properties to a commercial classification and the subsequent commercial usage would have significant and immediate impacts upon those properties that remain zoned E-1 Estate District and in residential usage.

5. Casino Impact Fees. Noting that although Casino revenues must be shared with the County, Ocean City, Ocean Pines and Berlin to offset casino impacts, Mr. Cropper asserts that there are no communities more severely or directly impacted by the Casino than are the 589 Properties, yet those properties receive nothing but

its burdens. Mr. Cropper states that if the impacts to the County and the aforementioned communities are so intense that revenues must be shared, at the very least, the 589 Properties should be zoned in a manner consistent with those impacts and that only through proper zoning can this situation be made fair to the owners of the 589 Properties. Mr. Cropper states that aside from the legal arguments, there is also the issue of fairness, that the 589 Properties were purchased long before the Casino was a consideration, when the use of Ocean Downs was less intense, as was the traffic along MD Route 589. He asserts that the 589 Properties have suffered the negative consequences of the Casino, the expansion of MD Route 589 from two lanes to five with a controlled intersection, increasing traffic, and the neighborhood changing from agricultural and residential to commercial. Mr. Cropper again argues its only fair to rezoning the 589 Properties to commercial.

Staff Comments: If the argument of fairness is pertinent to the 589 Properties, which the staff does not believe it is, then it is equally pertinent to all of the properties within the same area, not just to the 589 Properties. If the 589 Properties have suffered as alleged by Mr. Cropper, then so have all of those other properties. Yet those property owners have not sought to be reclassified to a commercial zoning classification. If the argument of fairness is valid, then equally valid is the argument of fairness to those owners of residential properties that wish to retain their residential neighborhood. The owners of the 589 Properties are instead seeking to increase the very conditions they claim to suffer from.

Should you have any questions or desire further information, please do not hesitate to contact us.

EAT/PHW/JK

cc: Maureen Howarth

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: March 1, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Betty Smith

Jerry Barbierri

Rick Wells

Brooks Clayville

Staff

Maureen Howarth, County Attorney

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, February 1, 2018 — As the first item of business, the Planning Commission reviewed the minutes of the February 1, 2018 meeting. Following the discussion it was moved by Mr. Barbierri, seconded by Ms. Ott and carried unanimously to approve the minutes as submitted.

B. Board of Zoning Appeals agenda, March 8, 2018 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for March 8, 2018. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. §ZS 1-325 Site Plan Review – Gibbons Solar Project

As the next item of business, the Planning Commission reviewed the Gibbons Solar Project, a proposed large solar energy system consisting of 2.496 MW (DC), Tax Map 56, Parcel 9, Tax District 2, A-1 Agricultural District, located at 5844 Worcester Highway, north of Timmons Road. Patrick Cummings, Advantage Engineers, and Kelsey Crane, Forefront Power, were present for the review. Ms. Crane explained the project design. Mr. Cummings provided engineering information relative to stormwater management and sediment erosion control design.

Following the discussion, a motion was made by Mr. Knerr, seconded by Mr. Clayville, and carried unanimously to approve the site plan subject to the following conditions:

1. The Planning Commission granted a waiver to Consideration No. 1.

IV. Map Amendment – Case No. 399

As the next item of business, the Planning Commission reviewed a map amendment request to rezone 7.87 acres of land on Tax Map 21, Parcel 219 and part of Parcels 148, 149 and 259 from E-1 Estate District and A-2 Agricultural District to C-2 General Commercial District. Mr. Mark

Cropper, Esquire presented the request. Mr. Hugh Cropper, IV, Esquire and Betty Tustin, The Traffic Group, were present on behalf of the applicants. Mr. Mark Cropper noted that he is representing five different property owners. While this particular case was filed by Mr. Hugh Cropper, Mr. Mark Cropper presented the case, with Mr. Hugh Cropper and Ms. Tustin providing testimony. Submitted as Applicant's Exhibit No. 1 was a copy of Tax Map 21. Labeled/highlighted in bright pink are the five subject properties. Mr. Mark Cropper noted that relative to this particular case, they are withdrawing the request to rezone the parcels along Griffin Road, and the request shall only include Parcel 219, consisting of 1.07 acres.

Submitted as Applicant's Exhibit No. 2 (for Case No. 415) was a survey plat for Robert Nock. Mr. Mark Cropper stated that they are only seeking to rezone the portions of the property that are currently zoned E-1 Estate District and are identified as Limited Development Area (LDA); none of the RP Resource Protection District zoned lands and none of the Resource Conservation Area (RCA) designated lands would be included.

Mr. Mark Cropper stated that he intended to do one presentation for the first case (Case No. 399), then will ask the Planning Commission to adopt the findings for each subsequent case.

Mr. Mark Cropper asked Mr. Hugh Cropper about his background relative to his involvement with the Comprehensive Plan and the associated Land Use Map. Submitted as Applicant's Exhibit No. 3 was a copy of the Worcester County Planning Commission work session minutes dated November 13, 2008 that outlined how the Planning Commission would evaluate the E-1 Estate District properties, and how that district was intended to be phased out during the next Comprehensive Rezoning (in 2009). Submitted as Applicant's Exhibit No. 4 was a copy of the Worcester County Commissioners' open session meeting minutes dated October 20, 2009. The Commissioners had reviewed information on the E-1 Estate District and its elimination at that time. Submitted as Applicant's Exhibit No. 5 was a copy of the Worcester County Commissioners' open session meeting minutes dated November 3, 2009, which referenced the elimination of the E-1 Estate District. Mr. Mark Cropper noted that relative to the subject properties, former Commissioner Busick brought up discussion of these parcels. He stated that at the time, the Planning Commission and staff recommended that they be zoned R-1 Rural Residential District and the Worcester County Commissioners chose not to accept that recommendation. Submitted as Applicant's Exhibit No. 6 were pages 20 and 26 of the Comprehensive Plan, which stated that the estate land use category and associated zoning district shall be eliminated. Mr. Cropper therefore concluded that estate zoning is therefore inconsistent with the intent of the Comprehensive Plan.

Submitted as Applicant's Exhibit No. 7 were the findings of fact of Rezoning Case No. 392, which was reviewed in 2012. Hugh Cropper, IV was the attorney on the rezoning of the Silver Fox, LLC, and Burbage Melson properties. Mr. Mark Cropper stated that he was successful in rezoning the A-1 Agricultural District lands to C-2 General Commercial District. On page 1 of the Findings of Fact, Mr. Hugh Cropper read the definition of the neighborhood as defined by the applicant – to the north by MD Route 90 (Ocean City Expressway); to the east by the Isle of Wight Bay and Herring Creek; to the south by US Route 50 (Ocean Gateway) but noted to include the developments known as Ocean Landings I and II; on the west to include those properties of McAllister Road and Griffin Road. While the Planning Commission did not agree

with the inclusion of the commercial properties on the south side of US Route 50, they found the other boundaries sufficient for the definition of the neighborhood. Mr. Mark Cropper noted that the Worcester County Commissioners also found that Planning Commission's definition of the neighborhood was acceptable. Mr. Mark Cropper pointed out that on page 4 of the Findings of Fact as adopted by the Worcester County Commissioners, they found that there was a substantial change in the character of the neighborhood. After the Worcester County Commissioners approved that rezoning, the case was appealed to the Circuit Court by Macky Stansell, a protestant, and then further appealed to the Maryland Court of Special Appeals. Submitted as Applicant's Exhibit No. 8 was the unrecorded decision of the Court of Special Appeals. Mr. Stansell challenged the definition of the neighborhood and whether the changes that were identified in the Findings were planned for. Mr. Mark Cropper stated that the Circuit Court agreed with the definition of the neighborhood, but decided that the casino was a planned for change. The Court of Special Appeals overturned the Circuit Court decision, and found that the changes were unplanned for changes. Mr. Mark Cropper stated that it was not only the casino, but other changes included the receipt of growth allocation for Marvin Steen's project Triple Crown Estates, and others as well. Mr. Mark Cropper said that all of the reasons that were set forth in the Findings of Fact for Rezoning Case No. 392 warranted the rezoning of those properties to C-2 General Commercial District. He stated that once that occurred, that action in and of itself constituted a change in the character of the neighborhood.

Submitted as Applicant's Exhibit No. 9 were the Findings of Fact on the adjoining property to Silver Fox/ Burbage Melson (Rezoning Case No. 396) which was also rezoned to C-2 General Commercial District. Mr. Hugh Cropper argued in that case that the neighborhood was the same as in Case No. 392 (Silver Fox), just as is being currently argued in these cases. Mr. Mark Cropper asked Mr. Hugh Cropper what other factors besides the allowance for video lottery terminals further amplified the intensity of use of the property. Mr. Hugh Cropper said by the time of the review of Case No. 396, the Ocean Downs Casino was in the process of doubling the size of the building and in order to add table games. He stated that the casino is the biggest commercial use in Worcester County. Mr. Hugh Cropper noted that there was a water and sewer plan amendment, and a sewer service area expansion to include this property within the Ocean Pines service area via a pipe bored under Turville Creek. He noted that the County is in the process of connecting other properties in the area that have failing septic systems. Mr. Hugh Cropper also recognized the Triple Crown Estates development, as it was not a planned for change without the approval of growth allocation.

Mr. Mark Cropper stated that there is no substantial change in the population of the area of the currently requested rezoning, and Mr. Hugh Cropper added that he would say no change in population at all. Mr. Hugh Cropper stated that there are no adverse impacts to existing or proposed development or to environmental conditions, and the request is consistent with the Comprehensive Plan; in fact the existing estate zoning is contrary to the Comprehensive Plan. Mr. Hugh Cropper stated that the Estate District should be eliminated and the properties rezoned to C-2 General Commercial District because that zoning is more consistent with the intent of the Comprehensive Plan. Mr. Hugh Cropper pointed out that under the Comprehensive Plan, the properties are shown in the agricultural land use category, but he noted that the casino is also in the agricultural land use category. He stated that the Land Use Map is a broad brush planning tool, and not a specific parcel designation. Mr. Hugh Cropper concurred with Mr. Mark Cropper

that of the five properties that are the subject of review, the Planted Pleasures property (Case No. 402) has had a commercial use for an extended amount of time.

Submitted as Applicant's Exhibit No. 10 were the Findings of Fact for Rezoning Case No. 403 (Nichols Neff/ former Pine Shore North). This map amendment was approved on the basis of a mistake in the original zoning, not a change in the character of the neighborhood. However, in the Commissioners' findings, there is a reiteration of the exhibits that were introduced in this case thus far. Based on those same facts as presented, the Nichols Neff property was rezoned from E-1 Estate District to R-1 Rural Residential District. Mr. Mark Cropper stated that the Findings of Fact stated that the E-1 District was inappropriately applied to this property. The findings also stated that there was an oversupply of residentially zoned lands, which Mr. Mark Cropper claimed was equally applicable to this case.

Mr. Mark Cropper introduced Ms. Tustin, her background and qualifications. She has testified before many boards as an expert witness, and will be providing testimony on all five rezoning cases before the Planning Commission today. Relative to Rezoning Cases No. 392 and 396, she is aware that at the time of those amendments, there were no road improvements completed to MD Route 589 (Racetrack Road) in front of the applicable properties, nor have there been any required since the amendments were approved. Mr. Mark Cropper stated that the road layout is significantly different today in the segment of MD Route 589 near the properties currently under consideration, since there have been many road improvements since 2009 as a result of the casino expansion. Ms. Tustin outlined the changes in MD Route 589 (Racetrack Road) since 2009. She noted that the casino was required to install a signalized intersection, provide an additional through lane on MD Route 589 (Racetrack Road), and in the southbound direction, there was an additional through lane, as well as acceleration and deceleration lanes provided. Mr. Mark Cropper said that the road conditions are such that McAllister Road could theoretically be utilized as a service road should the Worcester County Commissioners ultimately look favorably upon the requests. The applicants would then provide any road improvements that were necessary, and there would be limited access to MD Route 589 (Racetrack Road). Mr. Mark Cropper noted that these road improvements were unique, because there were no such improvements on MD Route 589 (Racetrack Road) until you reach Cathell Road, which isn't truly a service road.

Mr. Mark Cropper and Ms. Tustin also worked together on a formerly proposed Lidl grocery store on the south side of US Route 50 (Ocean Gateway). They had met with and processed a request for an at-grade crossover at MD Route 589 (Racetrack Road) to create a connection between MD Route 589 (Racetrack Road) and the County's service road (Samuel Bowen Boulevard). At that time, they learned about additional road improvements that were planned, approved, and now funded. Submitted as Applicant's Exhibit No. 11 were draft plans provided by the State Highway Administration (SHA) for those road improvements. Ms. Tustin stated that the SHA will be going to bid in the fall (September 2018) to construct an additional turn lane from eastbound US Route 50 onto MD Route 589, and also constructing the additional northbound through lane up through the casino property. Ms. Tustin noted that the plans were accurate as of the time at which she obtained them, but may have changed since then. She concurred with Mr. Mark Cropper that the road improvements which are reflected in Applicant's Exhibit No. 11 and the McAllister Road service road proposal could facilitate the commercial

use of these properties. She noted that further road improvements may be required depending on potential uses of the properties.

Mr. Hugh Cropper noted that the land use designation in the Land Use Plan is a mistake, but that this rezoning is consistent with a rezoning to a commercial zoning district. Mr. Hugh Cropper also said that the Comprehensive Plan discusses the creation of jobs and economic development, and that this is the best use of the properties.

Mr. Diffendal stated that he had a hard time following the traffic information and asked if there was a traffic study that had been done for these rezoning applications. Mr. Mark Cropper stated that it had not been done mainly because of the cost, the obvious road improvements on MD Route 589 (Racetrack Road), and the fact that they don't know what the uses of the properties could be to know how to determine what road improvements could be necessary. He said that they will not know what is required until they know what uses could be supported on these properties. Mr. Mark Cropper stated that the main issue is the limitation of sewer. Even if these properties are rezoned, he does not know the extent that any use could be maximized on these properties because they are limited to on-site septic systems right now.

Mr. Diffendal asked how the Planning Commission was to ascertain how to ensure a level of service C as called for in the Comprehensive Plan. Ms. Tustin stated that SHA will be widening MD Route 589 to a total of four full through lanes, which is moving towards their goal of four lane highway all along MD Route 589. As development does occur within the corridor between the casino and Manklin Creek Road, SHA will most likely require developers to add a lane and other improvements along MD Route 589. Mr. Mark Cropper said that should the Planning Commission and Worcester County Commissioners look favorably upon these requests, there may be proposed uses such as mini storage on one of the properties that is an extremely low impact use, doesn't require sewer, and it would not be reasonable for the owner to pay for a traffic study for it. Mr. Hugh Cropper said that this exact issue was raised in Case No. 396. The property owners were inheriting the property and had very little money. He rezoned 11.5 acres from A-1 Agricultural District to C-2 General Commercial District without a traffic study, much less a traffic expert as a witness. In that case, Mr. Hugh Cropper said that MD Route 589 is impacted, but given the adjacent properties of Silver Fox (Rezoning Case No. 392) and the casino, it would not have a disproportionate impact and will be dealt with at the site plan review stage. Mr. Hugh Cropper also said that there is even less than eleven acres within the total five case request before the Planning Commission currently, and that the parcels are not adjacent to each other. He claimed that will not create more traffic than the eleven contiguous acres as part of Rezoning Case No. 396.

Mr. Knerr asked whether there was a dedicated left turn lane onto McAllister Road from MD Route 589 (it was later confirmed by one of the owners that this lane does exist). Ms Tustin said that as each parcel was developed, access and traffic patterns would be evaluated at that stage. If the Worcester County Commissioners approved the other two rezoning cases without any known road improvements in the pipeline, then these properties are much better situated because of the road improvements that exist and are planned. Mr. Knerr said that there isn't a significant change in the population, but asked whether the Triple Crown Estates development would play a factor in that determination? Mr. Mark Cropper stated that Triple Crown Estates was a planned

for change, it was not yet built and is only comprised of 60 units, which is barely a drop in the bucket for population. Mr. Knerr said that they have to still consider those affects under the Planning Commission's review. Ms. Tustin said that when they do a traffic study, they would include the projects that have development approvals and that including Triple Crown Estates would not change what her testimony was today. Mr. Knerr noted that they have to find a balance between the zoning, and that there is a lot of existing commercial space in the area. Mr. Hugh Cropper asked whether Mr. Knerr was familiar with the Silver Fox project. It is planned to be a medical campus for Atlantic General Hospital, and they claimed to be pretty far along in the site plan development process. He noted that the area was severely underserved for medical and behavioral health services. Mr. Mark Cropper said that even though it is outside of the neighborhood that has been mentioned and previously accepted, the Palmer Gillis property (Peninsula Regional Medical Center) will be built out and completely developed with medical offices in the near future. His point was that those currently commercially vacant properties are being developed or about to be developed, regardless of the other commercially zoned land in the area. Atlantic General Hospital studies indicate that even with the Peninsula Regional Medical Center, the area will still be underserved for the residents of Ocean Pines. Mr. Mark Cropper said that relative to Ocean Landings II, those properties are zoned C-3 Highway Commercial District, which allows big box development, and is the most intense zoning we have. Mr. Mark Cropper identified the commercial areas which bound these properties, including what they have defined as the quasi-commercial zoning of the casino. Mr. Mark Cropper stated that when the Worcester County Commissioners adopted the Comprehensive Rezoning Map, they should have zoned these properties C-2 General Commercial District. He said that despite the fact that we are late in doing it now, we need to get rid of the E-1 Estate District. He noted that R-1 Rural Residential District is just another residential zone, and if the testimonial is that E-1 Estate District is incompatible, Mr. Mark Cropper felt that R-1 Rural Residential District is equally incompatible. Mr. Hugh Cropper supported that statement. Mr. Mark Cropper noted that these parcels are small, on average one acre or less, and not suited for agricultural activities. Mr. Tudor said that just because something is rezoned to any given zoning district, whether it be A-1 Agricultural District or R-1 Rural Residential District, it doesn't mean that agriculture is the only use for the property. For example, those zoning districts allow a daycare center.

Ms. Ott asked how many of the properties that surround the subject properties are currently zoned E-1 Estate District, and are proposed to remain E-1 Estate District as a result of this request? Mr. Mark Cropper stated that there are approximately thirteen properties in total that are currently E-1 Estate District. Of those, only five are being requested for commercial zoning. He stated that if these amendments were approved, those around and in-between the subject properties would maintain the E-1 Estate District designation. Mr. Diffendal questioned whether the county should be looking at this as a sectional rezoning. Staff noted that it is certainly a recommendation that the Planning Commission can make to the Worcester County Commissioners.

Mr. Tudor said that relative to the traffic study, the Planning Commission can certainly require one to be conducted as part of this review. He mentioned the other uses that are allowed in the E-1 Estate District, such as some quasi-commercial uses (daycare center). While the E-1 Estate District may not be appropriate, that doesn't mean that the C-2 General Commercial District is appropriate. He recalled very well the day that the Worcester County Commissioners looked at

the MD Route 589 corridor during the Comprehensive Rezoning process, and what was not articulated in the minutes were Commissioners Busick's statement that they should keep everything along MD Route 589 as it was currently zoned due to the lack of road improvements on MD Route 589. Mr. Tudor stated that these properties were very closely evaluated at the time of the Comprehensive Rezoning, and the Worcester County Commissioners chose to keep them zoned as E-1 Estate District. Mr. Mark Cropper asked Mr. Hugh Cropper whether he had an opinion on the marketability of the properties under E-1 zoned versus C-2 zoning. Mr. Hugh Cropper stated that there is always a higher and better value for commercial.

Mr. Mark Cropper brought forward two property owners that are part of two of the other four cases. Mr. Machen is part of Case No. 400; Mr. Mark Cropper had filed on his behalf. Mr. Mark Cropper asked him whether based on the testimony provided by Mr. Hugh Cropper and Ms. Tustin, he still supported the requested rezoning of his property. He concurred with all of the testimony provided, and confirmed that there is a left turn lane onto McAllister Road heading northbound on MD Route 589. He stated that he has tried to market his property for an extended period of time as it is currently zoned, and has not received any interest. He said that the highest and best use of the property is as commercial, not residential or estate zoning. Mr. Diffendal asked if he resided on the property. Mr. Machen confirmed that he does.

Mr. Kevin Evans is the property owner for Case No. 402, which was known as Planted Pleasures. Mr. Mark Cropper had represented Mr. Evans and a few other neighbors during the Comprehensive Rezoning. Mr. Evans had attended several meetings with Mr. Mark Cropper, and confirmed that it was his impression that the E-1 District was to be eliminated, that the properties in his area were going to be rezoned commercial. Their recollections were that the decision was going to be to rezone the lands C-2 General Commercial District, but a final decision was made not to touch any of the E-1 district lands at all. For economic reasons, Mr. Evans confirmed that the use of the property as a garden center had ceased, and he has tried to sell the property for years. Given the current zoning and the location across from the casino, he claims that they cannot market the property. He noted that there is a high volume of traffic predominantly due to the casino that no other properties in the area experience. The casino serves alcohol until 4:00 A.M., there is constant noise at all hours, and the police conduct sobriety checks regularly. Should the Worcester County Commissioners look favorably on this request, Mr. Evans understood that he may have certain limitations and restrictions based upon whatever use may be proposed on the property, and he also has some Critical Area issues to deal with; however he said that it does not change his opinion that it should be rezoned to C-2 General Commercial District. Mr. Evans also added that McAllister Road terminates at the edge of his property. He claimed to have talked with SHA regarding removal of the guardrail to create access via McAllister Road as a service road.

Mr. Mark Cropper noted that for the record, Mr. Nock could not be present for the Planning Commission's review of Case No. 415, but that he is authorized to speak on Mr. Nock's behalf. Mr. Nock is in favor of the requested change to C-2 General Commercial District.

In his closing statement, Mr. Mark Cropper reiterated that there has been a change in the character of the neighborhood, and that the neighborhood has already been clearly defined by the Planning Commission and Worcester County Commissioners. These properties are within that

neighborhood, and those boards have already found that there are changes. It was a mistake, and evidence has been submitted relative to the inconsistency with the Comprehensive Plan, Case No. 403 (Nichols Neff), and that the current action is a furtherance of the goals of the Comprehensive Plan. Mr. Mark Cropper stated that he could not understate the importance of zoning these properties as residential between all commercial zoning (except to the west), and that these properties are more negatively impacted than any others. Mr. Mark Cropper said that if the Planning Commission and Worcester County Commissioners reinforced the impacts that the casino had for the other two cases further north, then how could they not argue that those directly across the street are not impacted? Finally, he noted that there are road improvements on MD Route 589 that are provided in front of the subject properties that are found nowhere else along MD Route 589 in the defined neighborhood. He argued that the Court of Special Appeals upheld the rezoning of the Silver Fox and Burbage Melson properties, therefore the Planning Commission and Worcester County Commissioners cannot then find otherwise for these cases.

In closing, Mr. Mark Cropper reiterated that the testimony and exhibits provided would be included as part of each subsequent case.

The Planning Commission then discussed each one of the findings to determine whether they had a consensus. They were as follows:

1. With respect to the definition of the neighborhood, they acknowledged Applicant's Exhibit No. 1 which outlined the neighborhood as defined.
2. The Planning Commission concurred with the definition of the neighborhood as identified by the applicant as outlined by the Rezoning Case No. 392, but it was not supported by Mr. Clayville. Ms. Ott asked that Mr. Clayville outline his neighborhood. If he had to define it, it would be at the corner of MD Route 589 and Grays Corner Road; the line would continue west and include those commercial properties between Grays Corner Road and US Route 50; it would turn onto Friendship Road; follow Georgetown Road and continue to Adkins Road; from Adkins Spur Road it would connect back to MD Route 589 south to the point of the beginning. Based on that categorization of the neighborhood, Ms. Ott was also opposed to the definition as defined by the applicant. (5 to 2)
3. Relating to population change, the Planning Commission agreed that there was no population change for the definition of the neighborhood.
4. Relating to the availability of public facilities, the Planning Commission noted that these parcels are all on well and septic as of right now. Mr. Wells said that any development that will require additional capacity than what can be provided via on-site septic will require public sewer. Therefore, public services are necessary to serve these properties. Mr. Wells thought that the zoning should come first, then the public services. According to Mr. Mitchell, the State of Maryland is not looking at that the same way per his comments. Mr. Mark Cropper added that zoning follows the Comprehensive Plan, not sewer service, and that all of those properties along US Route 50 were developed on septic. Mr. Mitchell's comments state that there is no sewer service planned. The State of Maryland requires the Comprehensive Plan's Land Use Map to be amended before a water and sewer plan amendment could be approved. The Planning Commission therefore concurred that there is no availability of public service for the subject property.

5. Relating to present and future transportation patterns, the Planning Commission discussed the SHA traffic counts and the draft improvement plan for MD Route 589 and the intersection with US Route 50. Discussion continued on the consideration of a traffic study for these properties. Mr. Mark Cropper stressed that his clients would not be able to afford a traffic study and that it would be ineffective due to the lack of an identified potential use. Overall, Mr. Diffendal reiterated his concern that this should be a sectional rezoning rather than handled piecemeal. Ms. Howarth clarified that the Planning Commission has a right to ask for a traffic study, and they can certainly table the decision on these applications and make a recommendation to the Worcester County Commissioners that a sectional rezoning should be considered. The timeframe for processing such a request was discussed.
6. Relating to compatibility with existing and proposed development, and environmental conditions in the area, the Planning Commission finds that there is not an adverse impact on environmental conditions, and that it is consistent with compatible land uses and development patterns. Mr. Clayville had concerns with the wording. Mrs. Howarth posed the question of whether the C-2 District was compatible with existing and proposed development, and whether the C-2 District was compatible with environmental conditions, etc.
7. Relating to compatibility with the Comprehensive Plan, the Planning Commission agreed that C-2 District is not compatible with the Comprehensive Plan. It was noted that the cases, except for Case No. 399 also included a request for C-1 Neighborhood Commercial District. Mr. Mark Cropper requested to amend the application to reflect the same considerations. Mr. Tudor read the C-1 District regulations at the Planning Commission's request. The Planning Commission determined (4 to 3) that C-1 Neighborhood Commercial District was compatible with Mr. Clayville, Ms. Ott and Mr. Knerr opposed.
8. Relative to the consideration of whether there has been a substantial change in the character of the neighborhood since the last Comprehensive Rezoning, the Planning Commission determined that there was by virtue of the casino additions. Mr. Clayville said that he disagreed on the previous cases, and therefore he disagrees this time. Ms. Ott said that the casino is not that much of a change. Mr. Mark Cropper said that as a matter of law, the neighborhood has already been determined by the Maryland Court of Special Appeals. The Planning Commission therefore cannot find the definition of neighborhood that has been upheld to be something else for this case. Ms. Howarth said that that the Maryland Court of Special Appeals found that the argument for change based on the character of the neighborhood was "fairly debatable", and therefore it does not mean that the defined neighborhood is set in stone. Mr. Mark Cropper said that once they found that a change had occurred for two prior rezoning cases, they cannot say that that change didn't actually happen. (5 to 2)
9. Relative to whether the change would be more desirable in terms of the Comprehensive Plan, the Planning Commission found that the rezoning of the property to C-1 Neighborhood Commercial District is more desirable. Mr. Clayville reiterated his opposition, based on existing availability of commercially zoned lands, and that there is no need for additional commercial lands. Mr. Knerr agreed with Mr. Clayville, and Ms. Ott opposed as well. (4 to 3)

Following the discussion, Mr .Barbierri made a motion to table the discussion on the five currently pending rezoning cases, and recommend that the Worcester County Commissioners consider a sectional rezoning for the area defined as the E-1 Estate District properties on the westerly side of MD Route 589 (Racetrack Road). At staff's recommendation, the motion was amended to include those A-1 Agricultural District properties that are located in between McAllister Road and MD Route 589. The motion was seconded by Mr. Clayville and carried unanimously.

IX. Adjourn – The Planning Commission adjourned at 3:07 P.M.

Betty Smith, Secretary

Jennifer K. Keener

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: May 10, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Brooks Clayville

Marlene Ott

Betty Smith

Jerry Barbierrri

Rick Wells

Staff

Maureen Howarth, County Attorney

Ed Tudor, Director, DDRP

Jennifer Keener, Zoning Administrator

Kelly Henry, Technical Services Manager

Robert Mitchell, Director, DEP

I. Call to Order

II. Sectional Map Amendment – MD Route 611/ South Point Road Corridor

As the first item of business, the Planning Commission continued their discussion of the Sectional Map Amendment discussion on the MD Route 611/ South Point Road Corridor. No additional information was requested; therefore a motion was made by Mr. Knerr, seconded by Ms. Ott, and carried 6 to 1 to forward a favorable recommendation to the Worcester County Commissioners to rezone the E-1 Estate District zoned properties to R-1 Rural Residential District. Mr. Wells voted in opposition.

III. Sectional Map Amendment – McAllister Road/ MD Route 589 Corridor

As the next item of business, the Planning Commission reviewed a Sectional Map Amendment discussion on the McAllister Road/ MD Route 589 Corridor. Mr. Tudor and Mrs. Keener went through the items that were prepared as requested by the Planning Commission, which included a summary of the existing land uses on each parcel with photographs, a spreadsheet of the E-1, R-1, C-1 and C-2 uses, and copies of a section of Tax Map 21 from the 1964, 1978 and 1992 zoning maps. Mr. Tudor discussed the traffic count per the State Highway Administration maps. Mrs. Henry had the GIS arials and additional overlays available on the projection screen.

Bob Mitchell, Director, Department of Environmental Programs, provided the Planning Commission with a map of the Route 589 Sewer Planning Areas as it related to the proposed individual rezonings. He noted that the properties west of MD Route 589 are on the Land Use Map as Agricultural, therefore those properties are not planned for sewer service. Mr. Mitchell stated that the provision of public sewer is therefore inconsistent with the Comprehensive Plan. Mr. Clayville asked Mr. Mitchell if in general there are parcels that have been recently developed with commercial uses but remain on septic within this area? Mr. Mitchell stated that the property owners are limited to what they have today with respect to uses on septic. Mr. Diffendal asked about Assateague Market, which Mr. Mitchell stated is on an existing septic system and is not planned for expansion. Mr. Clayville asked if a self-storage use was required to have septic, which it is not unless an office is to be provided. Mr. Diffendal asked about Mr. Bush's property on MD Route 611 [Tax Map 26, Parcel 274, Lots 1A and 1B] which were

recently approved for sewer EDUs, and were in a planning area. Mr. Mitchell also noted that those properties were identified as Existing Developed Area under the land use category of the Comprehensive Plan, not Agricultural as the properties subject to the sectional rezoning are. Mr. Mark Cropper asked Mr. Mitchell if all of MD Route 589 was on septic until the Ocean Pines service area was expanded fairly recently, in order to take some properties off of septic. Mr. Mitchell said that there were, but that the expansion of the Ocean Pines service area was specifically to take concentrated septic systems off-line.

Mr. Diffendal asked whether there were any additional comments from the public and there were none at this time. The members also did not have any additional questions at that time. Mr. Diffendal asked how the Planning Commission members wanted to address the request? Mr. Knerr recommended discussing and voting today. Mr. Barbierri asked what the zoning classification requested for the individual applications were, and Mr. Mark Cropper noted they had requested C-2 General Commercial District if the Planning Commission saw fit, but C-1 Neighborhood Commercial District if not.

Mr. Knerr voiced his concern about the traffic on MD Route 589 if they were to recommend a commercial zoning category. Until road improvements are addressed, he felt that it is irresponsible to rezone these properties commercial as it would add to the existing traffic problems. Mr. Wells asked when the State Highway Administration was going to widen the lanes on MD Route 589 in the vicinity of the requested area. Mr. Tudor said that their standard comments to a rezoning application are that it is a land use matter, and that the planned changes in the roadway were based on the current capacity, not a potential commercial rezoning.

Mr. Diffendal said that the Planning Commission needed to ensure that whatever they do they address the removal and inconsistency of the E-1 Estate District. The Planning Commission can propose one zoning district, or multiple. Mr. Tudor cautioned that they should be careful in their consideration of multiple zoning districts as it may result in properties with split zoning, which is discouraged. Mr. Diffendal said that from a personal perspective, they need to think about it and review the information as it is a complex issue. Several members voiced the same thoughts. Since Mr. Knerr was not going to be present for the June meeting, they considered holding off on further review until the July meeting.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Ms. Smith, and carried unanimously to table further discussion and a recommendation until the July 5, 2018 meeting.

VII. Adjourn – The Planning Commission adjourned at 1:26 P.M.

Betty Smith, Secretary

Jennifer K. Keener

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: July 5, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Jerry Barbierrri

Rick Wells

Brooks Clayville

Staff

Maureen Howarth, County Attorney

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

Robert Mitchell, Director, DEP

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, June 7, 2018 — As the first item of business, the Planning Commission reviewed the minutes of the June 7, 2018 meeting. Following the discussion it was moved by Mr. Barbierrri, seconded by Mr. Wells and carried unanimously to approve the minutes as submitted. Mr. Knerr abstained.

B. Board of Zoning Appeals agenda, July 12, 2018 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for July 12, 2018. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. §ZS 1-325 Site Plan Review – Hooper’s Shopping Center

As the next item of business, the Planning Commission reviewed a site plan for Hooper’s Shopping Center, consisting of the proposed construction of two mixed use buildings consisting of 23,358 square feet, located at the northeasterly intersection of US Route 50 (Ocean Gateway) and Inlet Isle Lane, Tax Map 27, 569 & 587, Tax District 10, C-2 General Commercial District. Pete and Royette Shepherd, property owners, Keith Iott, architect, and Hugh Cropper, IV, Esquire, were present for the review. Mr. Cropper noted that the Worcester County Commissioners have approved the allocation of the required Mystic Harbour service area sewer EDU’s for the shopping center, the applicants have been through Technical Review Committee and they also obtained approval from the Board of Zoning Appeals for their freestanding signage. Mr. Iott discussed the proposed uses within the two buildings, and distributed proposed architectural color renderings to the Planning Commission members. He noted that they have attempted to design an attractive pair of buildings that wouldn’t feel like a strip shopping center. They did that by placing the coffee shop drive-thru through between the two buildings, thus reducing the overall scale. The easterly building will have retail uses on the first floor, along with second floor offices which will command year round tenants and provide them with coveted water views. Mr. Iott stated that he tried to emulate existing themes included within the existing Hooper’s restaurant, which he had also designed. Mr. Cropper noted that there are eight Planning Commission considerations (technically seven due to the last being a State Highway Administration request that has since been addressed). He asked that the members consider the

9. Relative to whether the change would be more desirable in terms of the Comprehensive Plan, the Planning Commission found that the rezoning of the property to C-2 General Commercial District is more desirable, with the caveat that should the rezoning be approved by the Worcester County Commissioners, the applicant shall provide a legal description of the 4.7 acres.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Mr. Knerr and carried 6 to 1 with Mr. Clayville opposed to find the map amendment consistent with the Comprehensive Plan and forward provide a favorable recommendation to the Worcester County Commissioners based on the findings as previously outlined.

V. Sectional Map Amendment – McAllister Road/ MD Route 589 Corridor

As the next item of business, the Planning Commission reviewed a Sectional Map Amendment discussion on the McAllister Road/ MD Route 589 Corridor. Mr. Mark Cropper had provided the Planning Commission with a letter dated June 21, 2018 relative to his five individual rezoning applications, and discussion of the sectional rezoning currently before the Planning Commission. Staff had prepared a response memo to this letter, which was also provided to the Planning Commission. Mr. Diffendal offered Mr. Cropper the chance to address the Planning Commission with respect to his letter and the staff's response.

Mr. Cropper stated that he does not agree with the staff's legal opinions, and he believes that a rezoning to a commercial designation could be upheld on appeal to the higher courts on the basis of the definition of the neighborhood and its changes in character. The change in the neighborhood is the same argument provide for the previous cases (Rezoning Case Nos. 392 and 396), and was approved by the County Commissioners to be rezoned to commercial. Unless something dramatic has happened since then, he argued that is the defined neighborhood, which must be applied to his five cases as well. Mr. Cropper stated that the E-1 Estate District must be eliminated, and to rezone them to R-1 Rural Residential District is to rezone them just another residential zone, while he has five property owners arguing that it should be commercial. Mr. Cropper stated that these properties were purchased and utilized residentially long before the casino was developed into what it was, back when MD Route 589 was a two lane road. These property owners have the most intense development in Worcester County located right across the road from them. Overall, he stated that fairness is a huge issue in zoning, and he thinks that the zoning should be consistent with the change that has occurred in the neighborhood. He discussed the lack of road improvements on MD Route 589 in front of the previously approved cases, whereas the properties in question have a built-in service road. Therefore, they are starting with a road system that is massively improved compared to those other properties, with more improvements to come. Mr. Cropper maintained that when you compare the differences between the two areas, you cannot possibly argue that these properties are not as impacted by the casino than the other.

Mr. Knerr inquired why one would argue to add more commercial uses and traffic to a highway that Mr. Cropper has testified as being already highly impacted? Mr. Cropper stated that as part of any site plan approval, the property owners expect to have to build and pay for additional road improvements.

Mr. Diffendal asked the staff about the policy of meeting in a closed session to get legal advice. Ms. Howarth stated that is something that should be scheduled on the agenda. Mr. Clayville said that he thinks the discussion should occur in open session. The Planning Commission generally had a consensus to schedule a closed session meeting for the first meeting in August.

VI. Miscellaneous

Mr. Tudor noted that the Worcester County Commissioners have scheduled the South Point Corridor Sectional Rezoning public hearing for 10:30 am on Tuesday, August 7, 2018. He encouraged the members of the Planning Commission to attend.

VII. Adjourn – The Planning Commission adjourned at 2:05 P.M.

Mike Diffendal, Secretary pro tem

Jennifer K. Keener

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: August 2, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Rick Wells

Brooks Clayville

Betty Smith

Staff

Maureen Howarth, County Attorney

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

David Bradford, Deputy Director, DEP

Jenelle Gerthoffer, Natural Resources Admin.

I. Call to Order

II. Administrative Matters

- A. Review and approval of minutes, July 5, 2018** — As the first item of business, the Planning Commission reviewed the minutes of the July 5, 2018 meeting. Following the discussion it was moved by Ms. Ott, seconded by Mr. Wells and carried unanimously to approve the minutes as submitted. Ms. Smith abstained.

III. §ZS 1-325 Site Plan Review – Lighthouse Business Center

As the next item of business, the Planning Commission reviewed a site plan for Lighthouse Business Center, the proposed construction of nine buildings consisting of 12,000 square feet of contractor shops and 37,550 square feet of warehouse/ storage, Tax Map 9, Parcel 370, Tax District 5, A-2 Agricultural District, located on the easterly, side of Handy Lane, north of Hammond Road. Hugh Cropper, IV, Esquire, John Salm, engineer, and Douglas Clark, property owner, were present for the review. Mr. Cropper provided some background on the property rezoning and Board of Zoning Appeals approvals that have been granted for this development. Mr. Salm discussed the site plan layout and the waivers that they were requesting. The development will be an extension of the design that is located at the RV and boat storage facility to the north on Parcel 301. The Forest Conservation Easement has already been platted, and the project has obtained final stormwater management and sediment erosion control approvals. Mr. Salm explained that they have kept the units within the contractor shop buildings small in order to provide reasonably priced rental spaces. He stated that Handy Lane is a service road that State Highway Administration built as part of the dualization of US Route 113 and will be subject to their access management requirements.

The applicants then went through the Planning Commission considerations. Mr. Salm stated that gravel is an economical surface treatment; but in the future they may wish to pave the parking lot. With respect to the sidewalk requirements, Mr. Cropper stated that this type of project is not one that you would want pedestrian traffic coming to, and it would serve no purpose given the property location. Relative to the landscaping required along the building foundation, they feel that there is more than enough landscaping surrounding the site, with half of the site being maintained in a Forest Conservation Easement with mature trees. Mr. Cropper stated that there

description of the zoning boundary line like the last case. Mr. Clayville inquired about the lot area requirements for a campground. Mrs. Keener stated that it was a minimum of 25 acres.

Mr. Cropper submitted the subdivision plat of this parcel in as Applicant's Exhibit No. 1.

Following Mr. Cropper's closing, Mr. Tudor informed the Planning Commission that as part of the 2009 Comprehensive Rezoning, the staff had made the recommendation that all E-1 District properties in this area be rezoned to A-2 Agricultural District.

Following the discussion, a motion was made by Mr. Knerr, seconded by Mr. Wells and carried unanimously to find the map amendment consistent with the Comprehensive Plan and forward a favorable recommendation to the Worcester County Commissioners based on the findings as outlined by Mr. Cropper.

VI. Election of Officers

As the next item of business, the Planning Commission considered the election of officers. Following a motion by Ms. Ott, seconded by Mr. Wells, and carried unanimously, the following members were elected to the officers' positions:

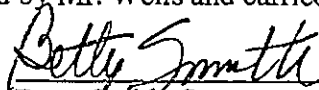
Chair: Mr. Diffendal
Vice Chair: Mr. Knerr
Secretary: Ms. Smith
TRC Representative: Mr. Clayville

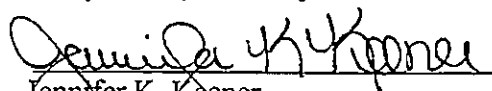
VII. Closed Session

Following a motion by Ms. Ott, seconded by Mr. Wells, the Planning Commission voted unanimously to meet in closed session at 2:15 P.M. Also present at the closed session were Maureen Howarth, County Attorney, Ed Tudor, Director, DDRP, Phyllis Wimbrow, Deputy Director, DDRP, Jennifer Keener, Zoning Administrator, David Bradford, Deputy Director, DEP, and Jenelle Gerthoffer, Natural Resources Administrator. Topics discussed included receiving legal advice from counsel related to the MD Route 589 sectional rezoning.

VII. Adjourn

A motion was made by Mr. Knerr, seconded by Mr. Wells and carried unanimously to adjourn at 2:44 P.M.


Betty Smith, Secretary


Jennifer K. Keener

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: October 4, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair
Jay Knerr, Vice Chair
Marlene Ott
Rick Wells
Brooks Clayville
Betty Smith
Jerry Barbierri

Staff

Ed Tudor, Director, DDRP
Phyllis Wimbrow, Deputy Director, DDRP
Cathy Zirkle, DRP Specialist II
Bob Mitchell, Director, Dept. of Env. Programs

I. Call to Order

II. Administrative Matters

- A. Review and approval of minutes, September 6, 2018** — As the first item of business, the Planning Commission reviewed the minutes of the September 6, 2018 meeting. Following the discussion it was moved by Ms. Ott, seconded by Mr. Barbierri and carried unanimously to approve the minutes as submitted.
- B. Board of Zoning Appeals agenda, October 11, 2018** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for October 11, 2018. Mrs. Zirkle was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Text Amendment

As the next item of business, the Planning Commission reviewed a proposed text amendment application to modify §ZS 1-330 surface mining. There were no objections or questions.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Clayville, and carried unanimously to forward a favorable recommendation to the County Commissioners.

IV. Sectional Map Amendment – McAllister Road/ MD Route 589 Corridor

As the next item of business, the Planning Commission discussed the sectional map amendment for the McAllister Road/ MD Route 589 Corridor. Mr. Diffendal asked each board member if they had any comments or questions. Ms. Ott commented that she was leaning toward leaving the zoning as it is for now. Mr. Wells stated that he intended to make a motion to recommend that the area under consideration for sectional rezoning, including all of the A-1 Agricultural

District and E-1 Estate District properties, be rezoned to C-1 Neighborhood Commercial District. Mr. Knerr acknowledged that while Mr. Wells and Mr. Cropper made compelling arguments, now is not the time to change the zoning in that area. He also noted that the current state of the roadways is not suitable for commercial traffic and that public water and sewer is neither presently available nor planned for the properties. Mr. Knerr stated that he felt the zoning should not be changed until after a new comprehensive plan is adopted. Mr. Barbierrri agreed that McAllister Road being used for commercial purposes is not feasible. Mr. Wells doesn't believe current public water and sewer availability should be a determining factor.

Following the discussion, a motion was made by Mr. Wells, seconded by Mrs. Smith, and failed 5-2, with Mr. Barbierrri, Mr. Clayville, Mr. Diffendal, Ms. Ott and Mr. Knerr opposed, to recommend the area encompassed by the sectional map amendment be rezoned from E-1 Estate District and A-1 Agricultural District to C-1 Neighborhood Commercial District based on the following reasons:

1. The Comprehensive plan has provisions for elimination of residential zoning;
2. The Commissioners recommended the sectional rezoning;
3. C-1 Neighborhood Commercial District is more compatible with the surrounding area; and
4. McAllister Road could be used as a service road and any new permits could require a widening strip dedication.

Following further discussion, a motion was made by Mr. Knerr, seconded by Mr. Clayville, and carried 6-1, with Mr. Wells opposed, to recommend that the area encompassed by the sectional map amendment remain zoned E-1 Estate District based on the following reasons:

1. The substantial existing residential areas;
2. McAllister Road is not adequate for commercial usage;
3. There is already an abundance of traffic on MD Route 589; and
4. Public water and sewer are not yet available.

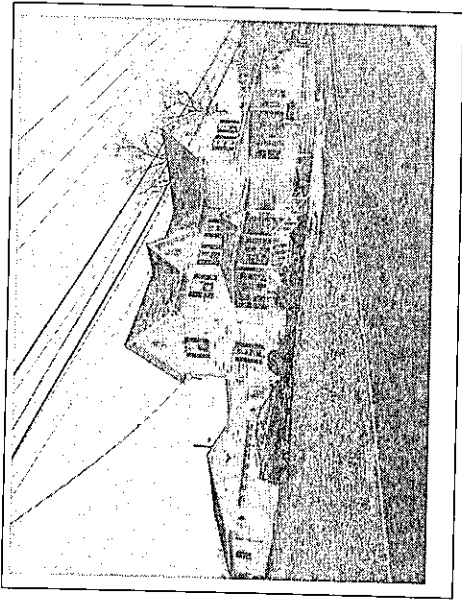
V. §ZS 1-325 Site Plan Review

As the next item of business, the Planning Commission reviewed a site plan for the Fort Whaley campground expansion, consisting of the proposed redevelopment of the campground resulting in 210 campsites, Tax Map 18, Parcel 20, Tax District 3, A-2 Agricultural District, located on the southeasterly side of Dale Road and US Route 50 (Ocean Gateway). Hugh Cropper, IV, Esquire, Robert Hufnagel, Atwell Engineering, Chis McCabe, Coastal Compliance Solutions, Gary Timmons, Jackie McGuire and Brandon Darling of Sun Communities were present for the review. Mr. Hufnagel spoke first about the number of trees they will plant and the placement of those trees. He explained that there are already some trees towards the front and that every campsite will have a tree. They would like to plant most of the trees along what he referred to as "the ditch". Mr. Hufnagel emphasized that they are going to plant 10,000 trees. Mr. Cropper then discussed the request for a waiver of a loading space. Mr. Hufnagel explained that large trucks rarely make deliveries and that almost all deliveries are made at the store at the front of

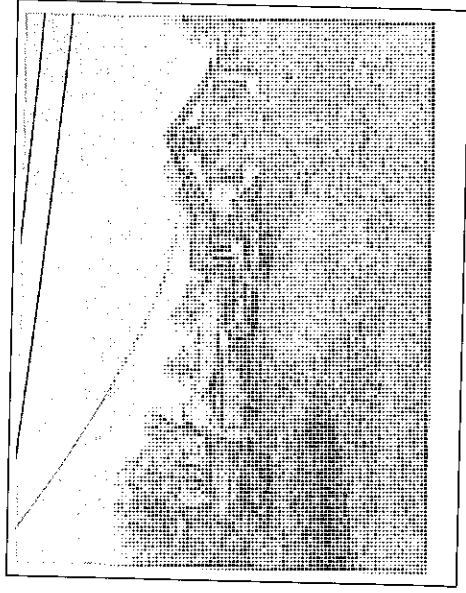
Inventory of Existing Land Uses by Parcel

Tax Map	Parcel	Acreage	Existing Zoning	Address	Existing Use
21	79*	9.16 acres	E-1 & RP	10329 Racetrack Road	Single-family dwelling (1930) and accessory residential structures
21	110*	2.67 acres	E-1	10307 Racetrack Road	Former Planted Pleasures garden center and single-family dwelling
21	111	1.0 acre	E-1	10243 McAllister Road	Single-family dwelling (1957) and accessory residential structures
21	219*	1.07 acres	E-1	11205 Griffin Road	Single-family dwelling (1976) and accessory residential structures
21	148*	12.6 acres	E-1 & RP	11137 Griffin Road	Single-family dwelling (1940) with three non-operational poultry houses
21	265	1.01 acres	E-1	11204 Griffin Road	owner-occupied single-family dwelling (1992) with accessory residential structure
21	71	0.28 acres	E-1	10237 McAllister Road	Single-family dwelling (1955) and accessory residential structures
21	276	0.84 acres	E-1	10221 McAllister Road	Single-family dwelling (1946) and accessory residential structures
21	81	4.48 acres	E-1	Griffin Road	vacant
21	151	6.28 acres	E-1	11120 Griffin Road	Single-family dwelling (1961) and accessory residential structures
21	83*	5.73 acres	E-1	10213 McAllister Road	dwelling, boat repair building & former poultry houses permitted as storage
21	84	2.86 acres	E-1	10131 McAllister Road	Single-family dwelling (1979) and accessory residential structures and one poultry house
21	114	2.26 acres	E-1	10121 McAllister Road	Single-family dwelling (1942) and accessory residential structures
21	32*	3.0 acres	E-1	10109 McAllister Road	owner-occupied single-family dwelling (1930) with accessory residential structures
21	88	2.21 acres	E-1	11125 Grays Corner Road	owner-occupied single-family dwelling (1940) with accessory residential structures
21	87	1.0 acre	E-1	11121 Grays Corner Road	Single-family dwelling (1931) and accessory residential structures
21	86	10.0 acres	E-1	11107 Grays Corner Road	owner-occupied single-family dwelling (1948), manufactured home and accessory residential structures
21	94	2.2 acres	A-1	10116 McAllister Road	owner-occupied single-family dwelling (1960) with accessory residential structures
21	97	1.23 acres	E-1 & A-1	Racetrack Road	vacant - three segments; split by Griffin Road & McAllister Road; owned by Ocean Downs Casino

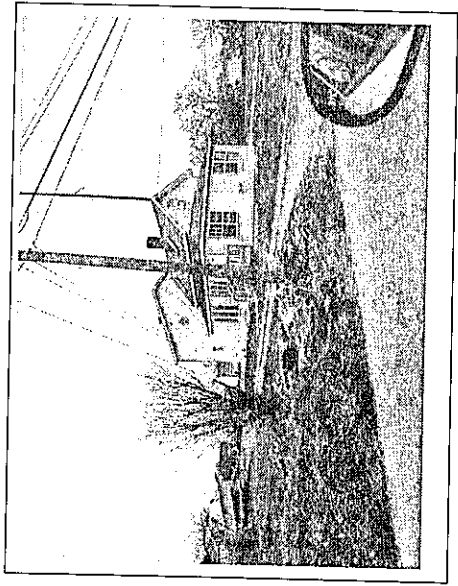
*Those parcels with an asterisk are part of the individual rezoning cases



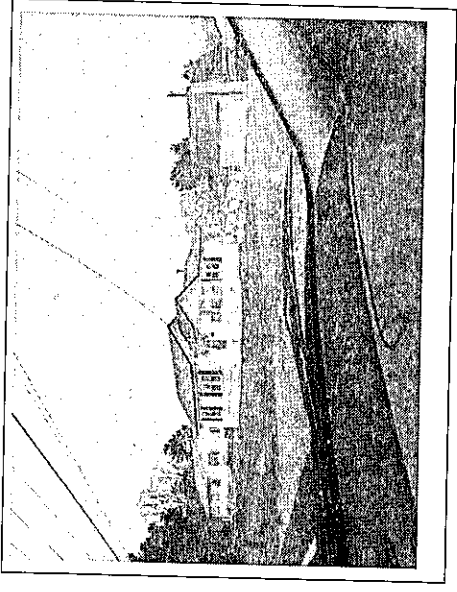
Parcel 88 11125 Grays Corner Road



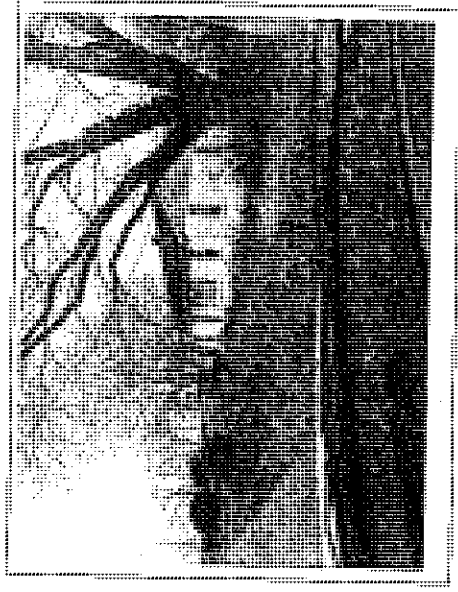
Parcel 94 10116 McAllister Road



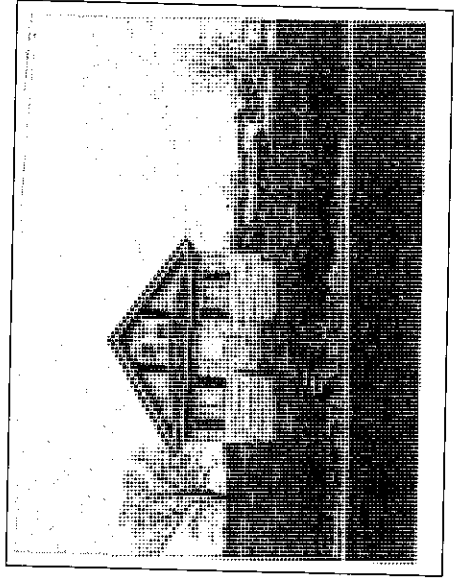
Parcel 32 10109 McAllister Road



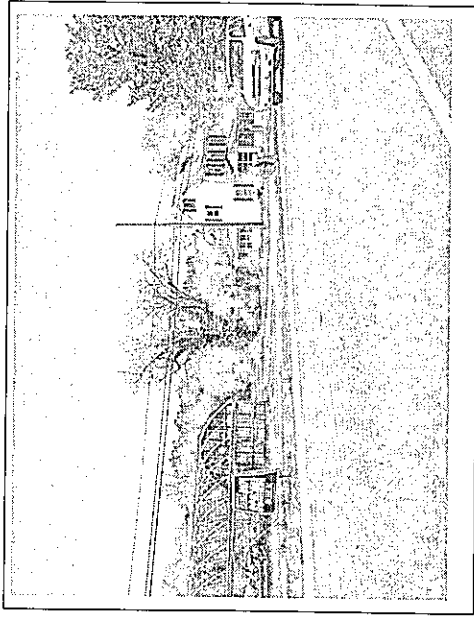
Parcel 86 11107 Grays Corner Road



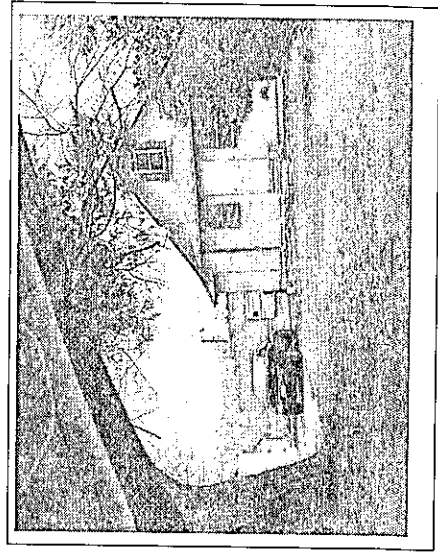
Parcel 114 10121 McAllister Road



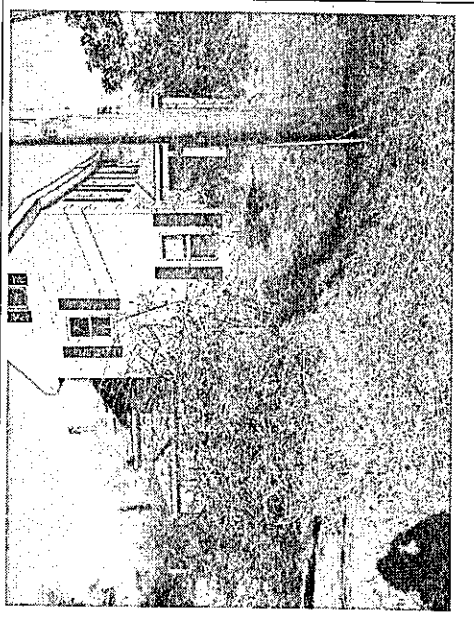
Parcel 87 11121 Grays Corner Road



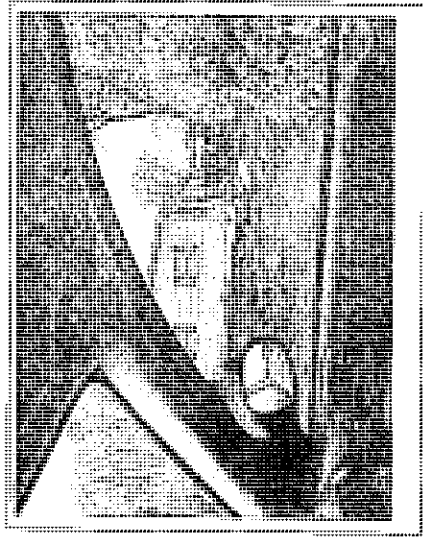
Parcel 110 10307 Racetrack Road (post-abatement)



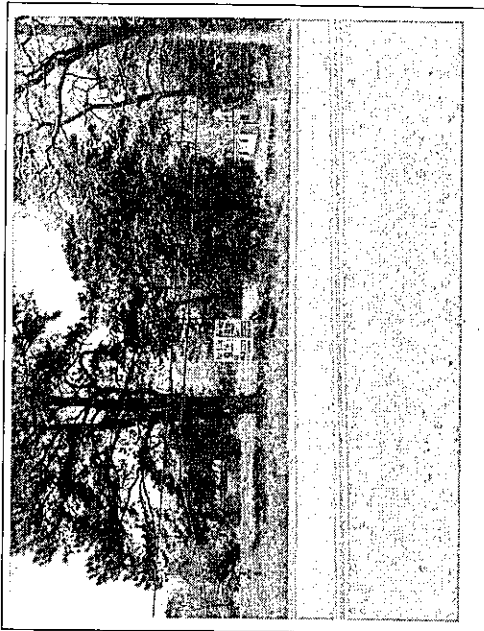
Parcel 148 11137 Griffin Road



Parcel 110 10307 Racetrack Road (pre-abatement)



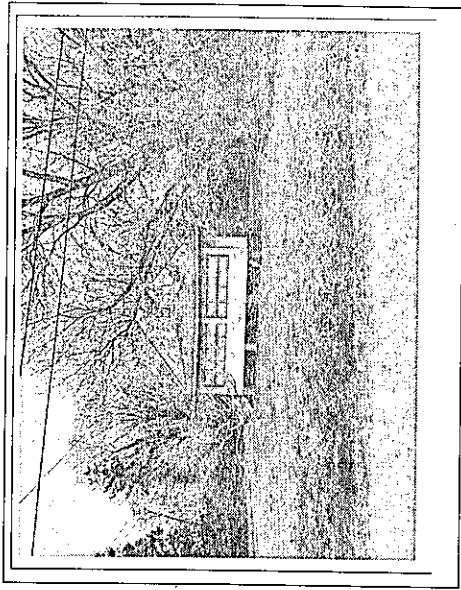
Parcel 219 11205 Griffin Road



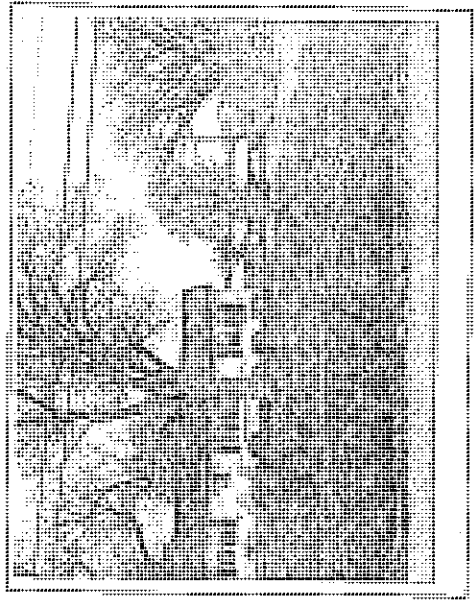
Parcel 79 10329 Racetrack Road



Parcel 111 10243 McAllister Road



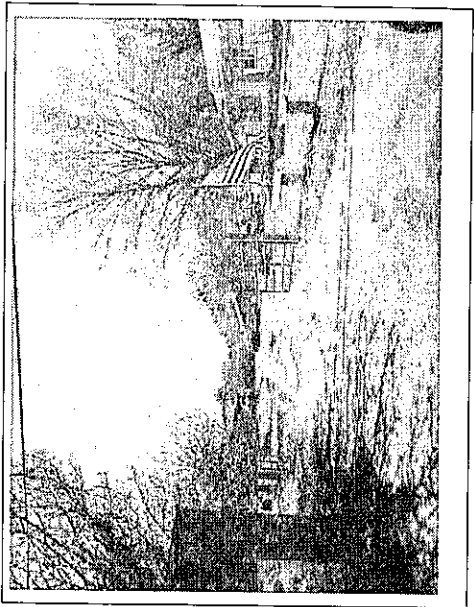
Parcel 276 10221 McAllister Road



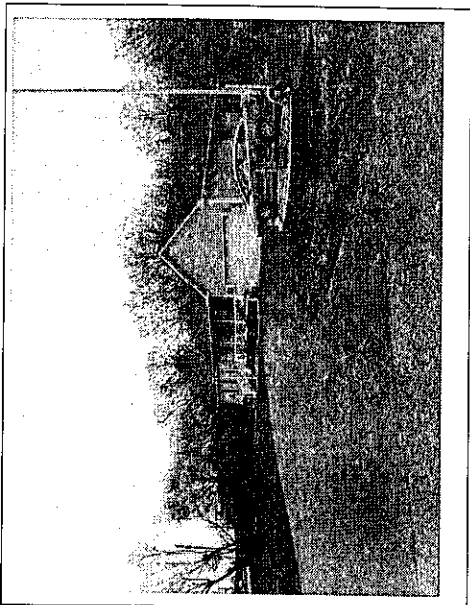
Parcel 84 10131 McAllister Road



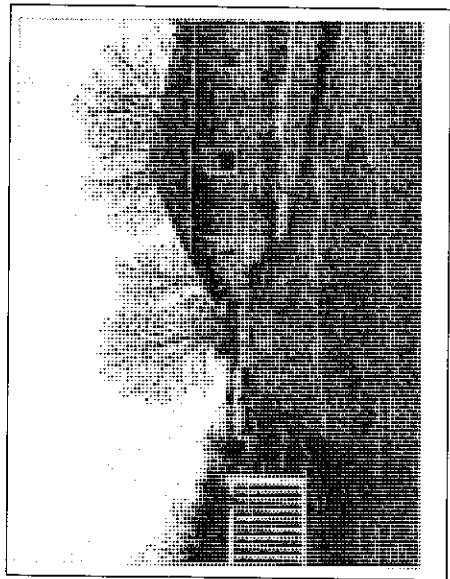
Parcel 71 10237 McAllister Road



Parcel 83 10213 McAllister Road



Parcel 265 11204 Griffin Road



Parcel 151 11120 Griffin Road

Use	E-1 District	R-1 District	C-1 District	C-2 District	Notes
Agriculture - including feeding lots, dairy barns, hog houses, noncommercial grain dryers, livestock, farm offices, commercial and noncommercial greenhouses and nurseries, and noncommercial maintenance, storage and repair facilities	P				
Poultry operations	P				
Commercial riding and boarding stables (3 or more horses)	SE	SE			
Roadside stands (fresh ag & seafood products, processed dairy products)	P				
Single-family dwellings	P	P			E-1 Density: 1 unit per 2 net acres R-1 Density: 1 unit per 1 net acre
Single-family clustered housing		P			R-1 Density: 1 unit per 1 net acre
Manufactured homes (comply with standards of ZS 1-314(b))	P	P			E-1 Density: 1 unit per 2 net acres R-1 Density: 1 unit per 1 net acre
Minor subdivisions	P	P	P	P	
Rural Cluster Subdivisions	P				
Consolidated development rights subdivisions	P				
Major Subdivisions*		P	P	P	*Major subdivisions cannot occur without public sewer since the septic tier maps were not adopted by the CC
Major Cluster subdivisions *	P				*Major subdivisions cannot occur without public sewer since the septic tier maps were not adopted by the CC
On a farm, a second dwelling for farm owner, family member or farm tenant, provided it could meet the subdivision requirements	Accessory				
On a farm, two additional manufactured homes in the farm building group for the farm owner, tenant or family member	Accessory				
Caretaker dwelling or accessory apartment			Accessory	Accessory	
Single-family or multi-family dwelling units contained in, as part of or attached to a principal commercial structure			P	SE	*subject to size limitations on the residential to commercial ratio
dormitories				SE	
Golf Courses, including driving ranges but not mini golf courses	P	SE			

Use	E-1 District	R-1 District	C-1 District	C-2 District	Notes
Accessory use of a farm for the commercial hosting of non-agricultural functions and events (such as weddings, birthday parties, etc.)	SE				
Addition of telecom. facilities to existing non-telecomm. Structures that do not increase the overall height	P	P	P	P	
Addition of telecom. facilities to existing non-telecomm. Structures that do increase the overall height	SE	SE	SE	SE	
Monopoles up to 100' in height		P			
Monopoles up to 150' in height	P				
Monopoles up to 199' in height				P	
Monopoles over 100' in height, but not exceeding 199' in height		SE			
Monopoles over 150' in height, but not exceeding 199' in height	SE				
Freestanding towers up to 100' in height		SE			
Freestanding towers up to 150' in height	SE			P	
small wind energy conversion systems (max 75' height)		P	P		
small and medium wind energy conversion systems (max 100' height)	P				
small and medium wind energy conversion systems (max 150' height)	SE			P	
large solar energy systems	SE		SE	SE	
utility scale solar energy systems	P		P	P	
Aquaculture	SE				
Fire houses and other public buildings, structures and uses	SE	SE	P	P	
Schools	SE				
Schools and boarding schools		SE	P		
Day-care centers	SE	SE	P	P	
Large day-care homes		SE			
Assisted Living Facilities (residence based for no more than 5 ppl)	SE	P			
Assisted Living Facilities		SE	P	P	
Nursing facilities		SE		P	
Group Homes		SE			
Hospitals, sanatoriums, and other institutions for human medical treatment				SE	

Use	E-1 District	R-1 District	C-1 District	C-2 District	Notes
Planned Senior Developments		SE			
Supported living facilities				P	
conversion of existing historic or significant dwelling into an inn	SE				
Country inns for transient overnight guests	SE				
Bed and Breakfast Establishments	SE		SE		
Churches, temples, and mosques	SE	SE	SE	P	
Cemeteries, including family burial grounds, chapels and mausoleums	SE	SE			
Fishing, trapping, and hunting blinds and wildlife observation structures	P	P			
public and private conservation areas (wildlife reservations, arboretums, demonstration forests)	P	P	P	P	
Public and private noncommercial cultural, social and recreational areas and centers, including parks, playgrounds, beaches, community centers, nonprofit environmental conservation and land preservation org. offices, country clubs, swimming pools and golf courses (excluding summer camps, marinas and boat landings)					
Public and private noncommercial cultural, social and recreational areas and centers, including parks, playgrounds, beaches, community centers, country clubs, swimming pools and golf courses (excluding summer camps, marinas and boat landings)	SE				
Public and private commercial cultural, social and recreational areas and centers, including community centers, fraternal lodges, country clubs, marinas and boat landings		SE			
Structures and storage yards for marine activities, including dry storage of seaworthy boats, light maintenance facilities	SE				
Private noncommercial marinas for the mooring, launching and fueling of pleasure craft (includes dry storage and boat maintenance facilities)		SE			
Marine yards, storage yards, and buildings for the repair of watercraft and RV's, general marine maintenance activities and incidental retail sales of parts and accessories			SE		
public and private (commercial and non-commercial) marinas and marine yards, including fueling, boat launching and recovery, dry storage of seaworthy boats in operable condition, maintenance facilities, including repairs, painting and boat construction				P	


Use	E-1 District	R-1 District	C-1 District	C-2 District	Notes
public utility structures and properties other than essential services, including cross-County lines and mains	SE	SE	SE	P	
Wastewater and water treatment facilities	SE	SE	SE	SE	
spray irrigation fields and storage lagoons for Class II effluent	P	P	SE	SE	
Dredge spoil disposal sites	SE	SE	SE	SE	
Heliports for emergency and law enforcement aircraft only		SE	SE		
Heliport				SE	
Veterinary clinic and kennels for the raising, breeding and boarding of pets			SE	P	
Hotels and motels				P	
Retail and service establishments				P	
Neighborhood retail and service establishments (limited to 2 establishments at 2,500 square feet each)			P		
Neighborhood retail and service establishments (limited to 4 establishments at 5,000 square feet each), or medical offices (no limit on number of establishments, total gross floor area 20,000 square feet)			SE		
Neighborhood restaurants, bars and nightclubs (limited to 2,500 square feet)			P		
Neighborhood restaurants, bars and nightclubs (limited to 5,000 square feet)			SE		
Warehousing complexes no to exceed 5,000 square feet in gross floor area with individual units shall not exceed 200 square feet each)			SE		
Contractor's shops, wholesale establishments, warehousing and storage				P	
Vehicle, watercraft and equipment sales and service establishments				P	
manufactured homes for non-residential uses				P	
Biodiesel facilities (not to exceed 5,000 square feet)				P	
Conversion of buildings or structures lawfully existing as of the date of this amendment to biodiesel facilities (not to exceed 5,000 square feet)				P	
Bulk storage or wholesaling of fuels and other flammable liquids				SE	
outdoor commercial recreation establishments (such as swimming pools, water slides and water parks, etc.)				SE	
Drive-in theaters				SE	
Dry nightclubs				SE	
Landing, storage and processing facilities for seafood				SE	
transportation stations or terminals (truck, rail or watercraft)				SE	



Worcester County
Department of Environmental Programs

Memorandum

To: Edward A. Tudor, Director, DDRP
Phyllis Wimbrow, Deputy Director, DDRP

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

Subject: Proposed Sectional Rezoning
MD Route 589, McAllister Road, Griffin Road, and Greys Corner Road
Supplemental Comments for any Sectional Rezoning Discussions

Date: 4/3/18

As the MD Rt. 589 Sectional Rezoning matter will be discussed at the next Planning Commission meeting, it is appropriate to add some supplemental comments for the meeting. We wanted to make sure a broader commentary was provided to reinforce these points for all of the potential properties that may be involved in this general geographic area.

As shown on the attached map, there is a small portion within the ACBCA that is presently designated as a Resource Conservation Area (RCA) and in this area new commercial activities cannot be established. Any proposed development of the parcel will need to be located outside of this portion of RCA. It is assumed that the prior applicants/additional properties within this sectional zoning proposal will have any commercial zoning reclassification boundaries approved outside the RCA portion and it is requested that this requirement be considered by any decision rendered by the Planning Commission in this case. New commercial uses are prohibited in the RCA, unless the use is explicitly authorized under a local program amendment. We have had no such amendments approved for any of the subject/potential properties that could be a part of this sectional discussion.

Regarding the properties not already commented upon for previous cases, those properties have a designation of Sewer Service Category S-6 (*no Planned Service*). Well and septic services provided each are typical of those found county-wide for residential properties. To add capacity to support expanded uses on these properties would require seasonal testing.

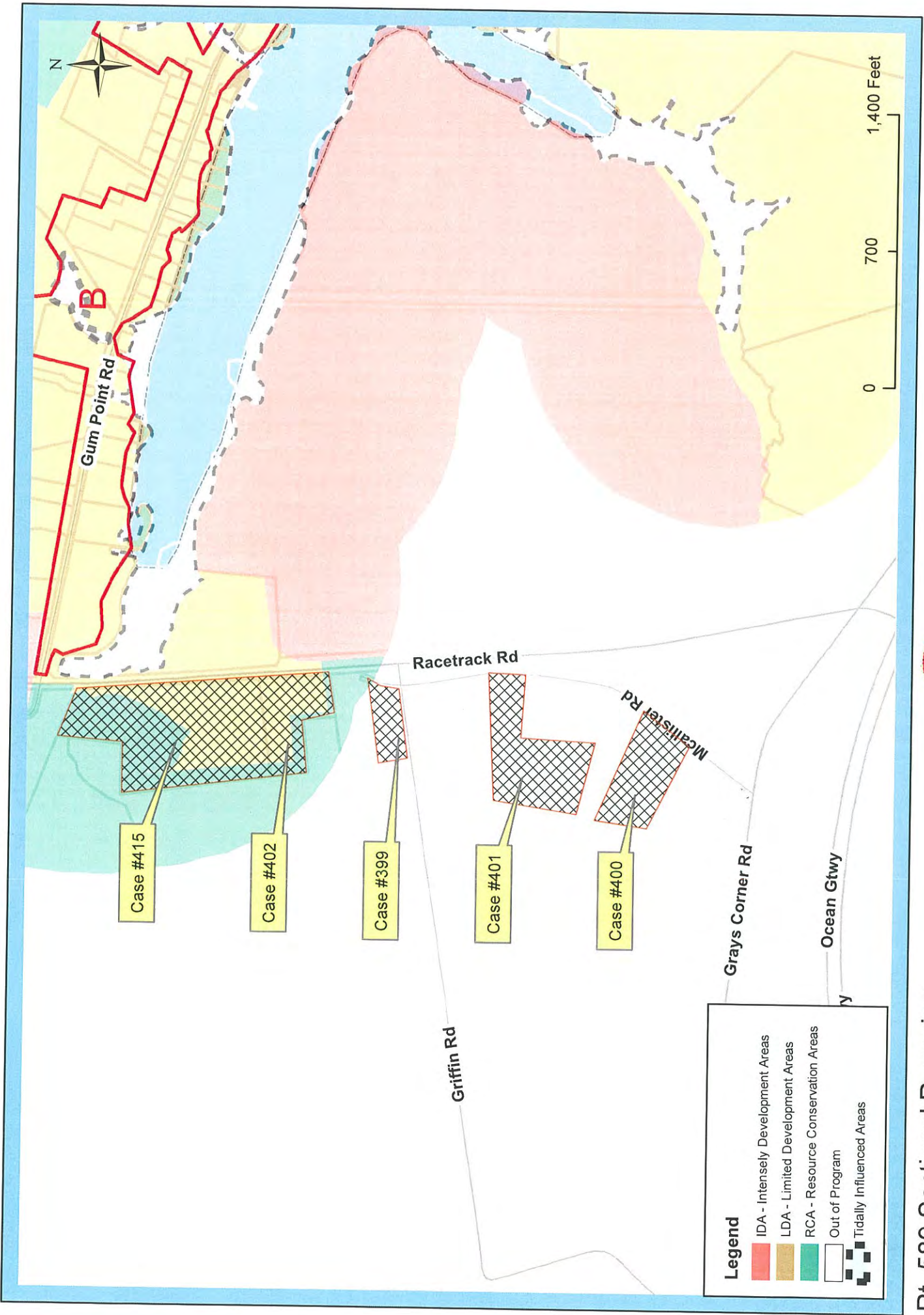
Citizens and Government Working Together

Regarding the use of public sanitary capacity, we would offer that the previous comments provided for the individual cases would also apply to the other properties. The owners would need to amend the *Master Water and Sewerage Plan* to include their properties in the sewer and water planning areas for the Ocean Pines Sanitary Area. We do have an inconsistent land use, agriculture, which is incompatible with the provision of public services. The land use designation in the current *Comprehensive Plan* has to be addressed in any future amendment to the *Master Water and Sewerage Plan* through either an amendment to the *Comprehensive Plan* itself or some other means. That should be considered by the applicants should they be successful in this endeavor. To garner approval of an amendment to bring public sewer to this property to serve commercial uses will need the land use designation in the *Comprehensive Plan* amended.

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

Attachment

cc: David Bradford



Rt. 589 Sectional Rezoning
Critical Area Boundary



Map generated by the Dept. of Environmental Programs
April 3, 2018
D. Bradford

SHA Worcester Rt 589 traffic volumes – south of Gunpoint Rd.

From ‘State Highway Administration’s Traffic Volume Maps.’

Average daily traffic counts:

2004 – 14,525

2006 – 17,501

2008 – 19,290

2010 – 19,412

2012 – 17,141

2014 – 17,203

2016 – 18,315 (most recent data available on website)

June 1, 2009:

Mr. Cropper represents the following property owners: Steve Machen (Map 21, Parcel 32); Marty Collins (Map 21, Parcel 88); Bill Shockley (Map 21, 94); Kevin Muldoon (Map 21, Parcel 114); Kevin Evans (Map 21, Parcel 110); Robin Ritter (Map 21, Parcel 111); Ruth Dudley (Map 21, Parcel 219); Jessica Dixon (Map 21, Parcel 83); and Lucille P. Mitchell (Map 21, Parcel 71). Mr. Cropper notes that all of the properties are currently zoned E-1 Estate District and proposed to be zoned R-1 Rural Residential District. He asserts that due to the sites' location in close proximity to US Rt. 50 and the Ocean Downs Racetrack, the area is more commercial in nature than in the past and notes that many sites are used for what are commercial purposes even though they are not zoned that way. Mr. Cropper states that his clients believe that their properties should be zoned commercially and that it is not reasonable to conclude that they are now or will be desirable for residential use. He also maintains that it was a mistake to place any of the properties in the Agricultural Land Use Category on the Comprehensive Plan's Land Use Map.

James Kulyk - E-mailed Comments Dated May 27, 2009:

Mr. Kulyk owns the property located at 10131 McAllister Road (Map 21, Parcel 84). He states that it is his opinion that the zoning classification for the area should remain residential at this time. He expresses concern that commercial zoning and subsequent use in the area would only add to the traffic and congestion on MD Rt. 589 as well as to more environmental issues. He maintains that placing a commercial zoning classification on the area should only be considered after completion of the MD Rt. 589 expansion and the location of slots facilities at Ocean Downs.

Staff Response:

The staff concludes that sufficient commercial zoning is already in place along the US Rt. 50 corridor as well as on MD Rt. 589 to serve the needs of the residents of the area and the traveling public. The staff notes that a number of the existing commercially zoned properties in the area are either undeveloped or, if developed, underutilized. The staff believes that the area is properly placed within the Agricultural Land Use Category by the Comprehensive Plan, given the land uses in the immediate vicinity. More importantly, however, the Comprehensive Plan states that MD Rt. 589 has experienced significant development and has reached an unsatisfactory level-of-service, that for this reason MD Rt. 589 is considered impacted from a traffic standpoint and that this implies that land use should not intensify in this area. The Plan recommends that development in the corridor be limited until capacity increases. The staff finds that to place commercial zoning on the McAllister Road/Griffin Road/MD Rt. 589 area would be inappropriate and that the zoning should remain as proposed. While there is a mix of uses in the area they are those that are allowed either under prior district regulations or by special exception. These existing uses are not ones that would require a commercial classification and such a classification would make the residences in the area non-conforming uses.

Item 10-2

PLANNING COMMISSION FINAL RECOMMENDATION:

The Planning Commission concurs with the staff's response and stands by its original recommendation to not place this area in a commercial zoning classification as requested by some property owners and to instead retain the proposed R-1 Rural Residential District zoning classification.

SITE ON EASTERLY SIDE OF SEAHAWK ROAD OPPOSITE STEPHEN DECATUR MIDDLE SCHOOL:

Deborah Taylor - Letter Dated June 11, 2009:

Ms. Taylor states that any area near a school should remain agricultural and that we should be aware of existing problems and those that would come with the addition of more commercial of any type along Seahawk Road.

Petition - Received June 11, 2009:

This petition states that the signers are property owners in the proposed rezoning area, that they are opposed to the change in zoning from agriculture to commercial and that the property is located across from the Stephen Decatur Middle School on Seahawk Road. The petition is signed by approximately 80 persons.

Staff Response:

The site in question is shown on Map 25 as Parcel 91 and is proposed to be rezoned from A-1 Agricultural District to C-2 General Commercial District. The Comprehensive Plan shows the site as being within the Commercial Center Land Use Category. The proposed zoning designation is therefore in keeping with the Comprehensive Plan. However, because of the proximity of the schools and long established residential neighborhoods, if the proposed commercial zoning of the site is approved by the County Commissioners site plan review for any uses on the site will have to be particularly sensitive to issues such as safety, vehicular and pedestrian circulation (especially with regard to buses and other traffic generated by the schools) and impacts to residential neighborhoods.

PLANNING COMMISSION FINAL RECOMMENDATION:

The Planning Commission concludes that while the Comprehensive Plan places this area in the Commercial Center Land Use Category, the proximity of major schools, long established residential neighborhoods, and major thoroughfares will necessitate that any commercial use and its site plan must be reviewed with particular consideration to impacts to residential neighborhoods, pedestrian and

**1992 Zoning Map
Tax Map 21**

FARRRELL W.
1988/A
218/23
P. 257

APPROVED FOR THE BOARD OF SUPERVISORS
10/22/92
10/22/92

STEER ASSOC
1534/791
P. 67 A

A-1

B-2

NOTE:
Remainder of Block B-2
Approved May 6, 1985

TRE-JON, INC.
1082/759
51,52 A
P. 74

R-1

TURVILLE CREEK

MUD CREEK

OCEAN DOWNS RACEWAY

A-1

R-1

TAYLORVILLE

P. 69

P. 101

INDIAN WELLS TR. 11
200/725
P. 114

A-1

E-1

P. 76

P. 140

P. 100

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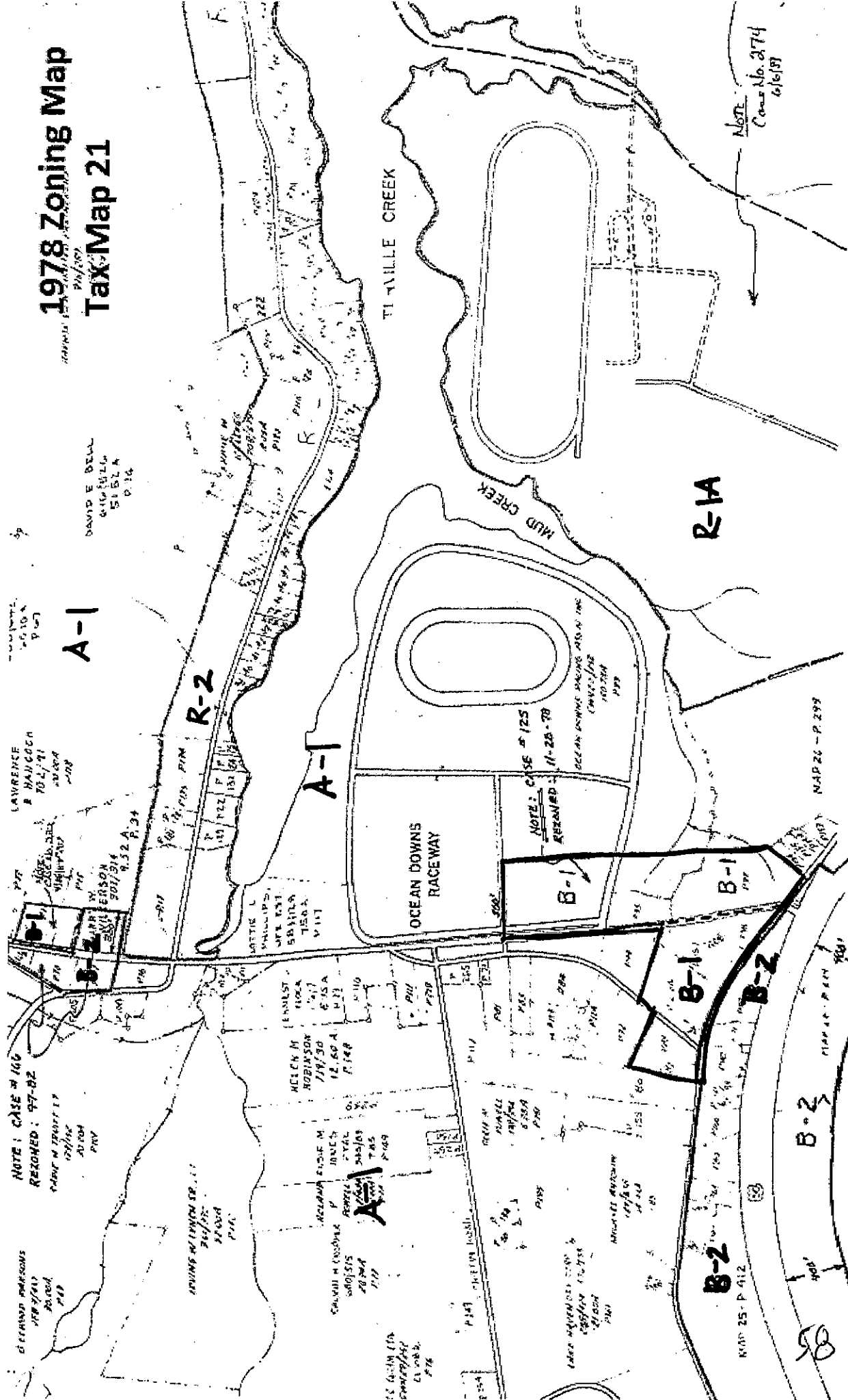
P. 329

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P. 331

P. 332

1978 Zoning Map Tax Map 21



NOTE: CASE # 100
RESIGNED: 97-82
MARTIN M. STAFFLETY
20,000
P.11

STANLEY PARSONS
100,000
P.11

LAWRENCE
R. HANCOCK
78-2791
20,000
P.11

DAVID E. DEALL
5152A
P.16

NOTE: CASE # 125
RESIGNED: 11-28-78
OCEAN DOWNS RACEWAY
100,000
P.11

NOTE
Case No. 274
6/6/77

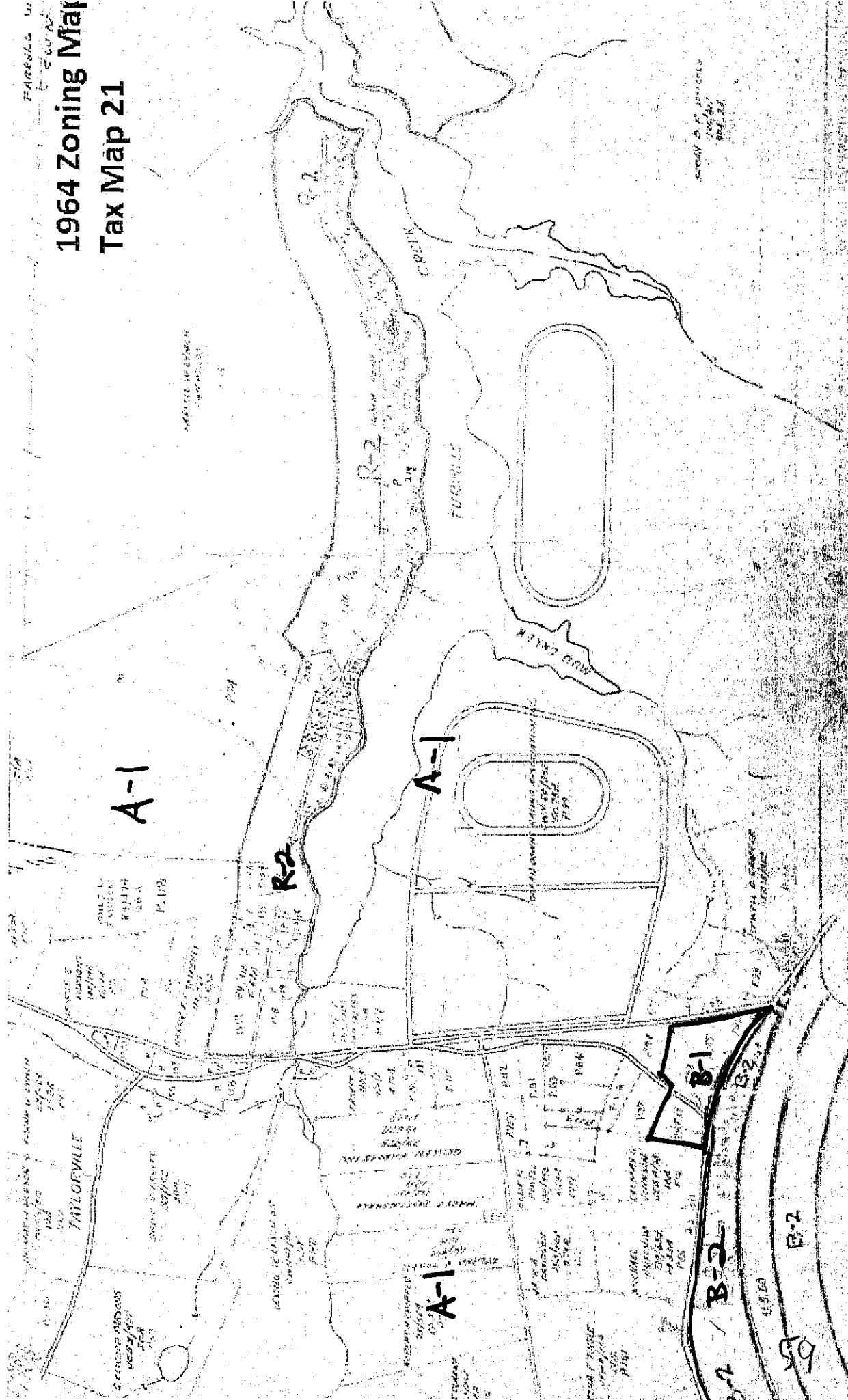
MAP 20 - P. 299

MAP 25 - P. 412

MAP 18 - P. 101

FARRIS & SONS

1964 Zoning Map Tax Map 21



Scale of 1" = 100'

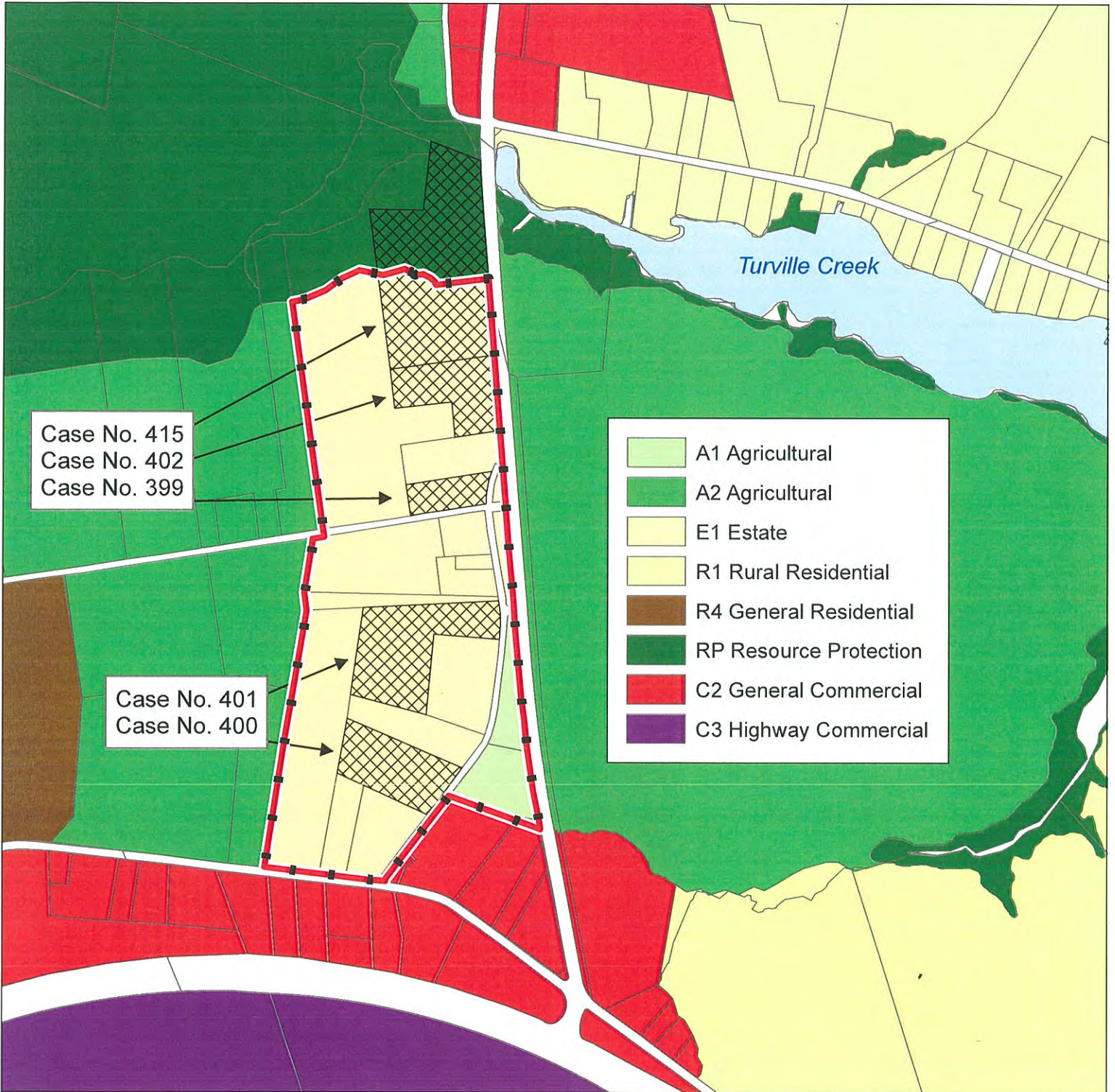


WORCESTER COUNTY, MARYLAND



SECTIONAL REZONING MD ROUTE 589 / RACETRACK ROAD SOUTH

ZONING MAP



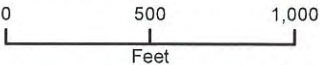
Case No. 415
Case No. 402
Case No. 399

Case No. 401
Case No. 400

- A1 Agricultural
- A2 Agricultural
- E1 Estate
- R1 Rural Residential
- R4 General Residential
- RP Resource Protection
- C2 General Commercial
- C3 Highway Commercial

DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: March 2018
Source: 2009 Official Zoning Map



Drawn By: KLH

Reviewed By: PHW

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

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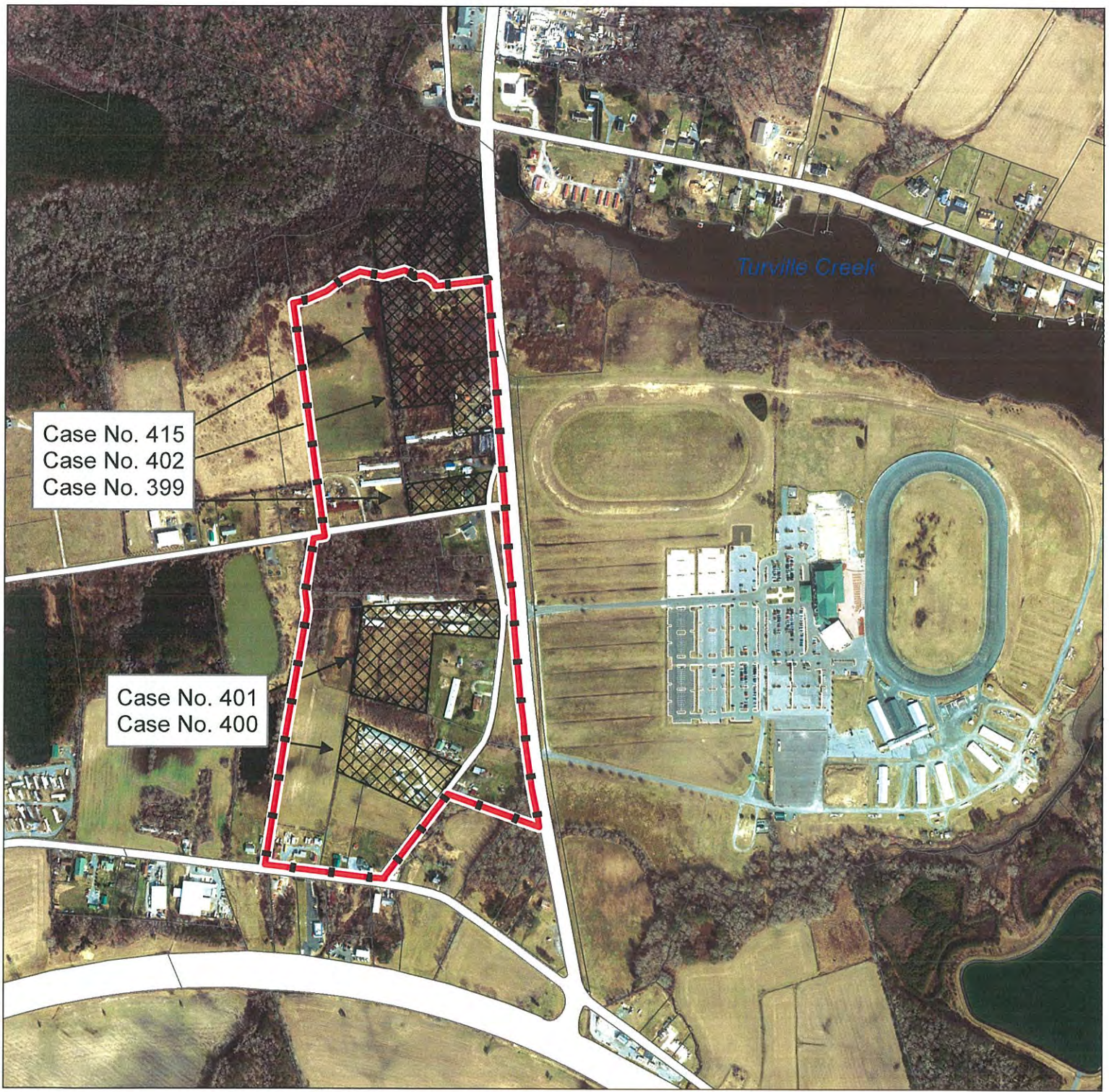


WORCESTER COUNTY, MARYLAND



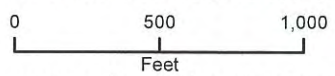
SECTIONAL REZONING MD ROUTE 589 / RACETRACK ROAD SOUTH

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: December 2018
Source: 2016 Aerial Imagery



Drawn By: KLH

Reviewed By: PHW

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

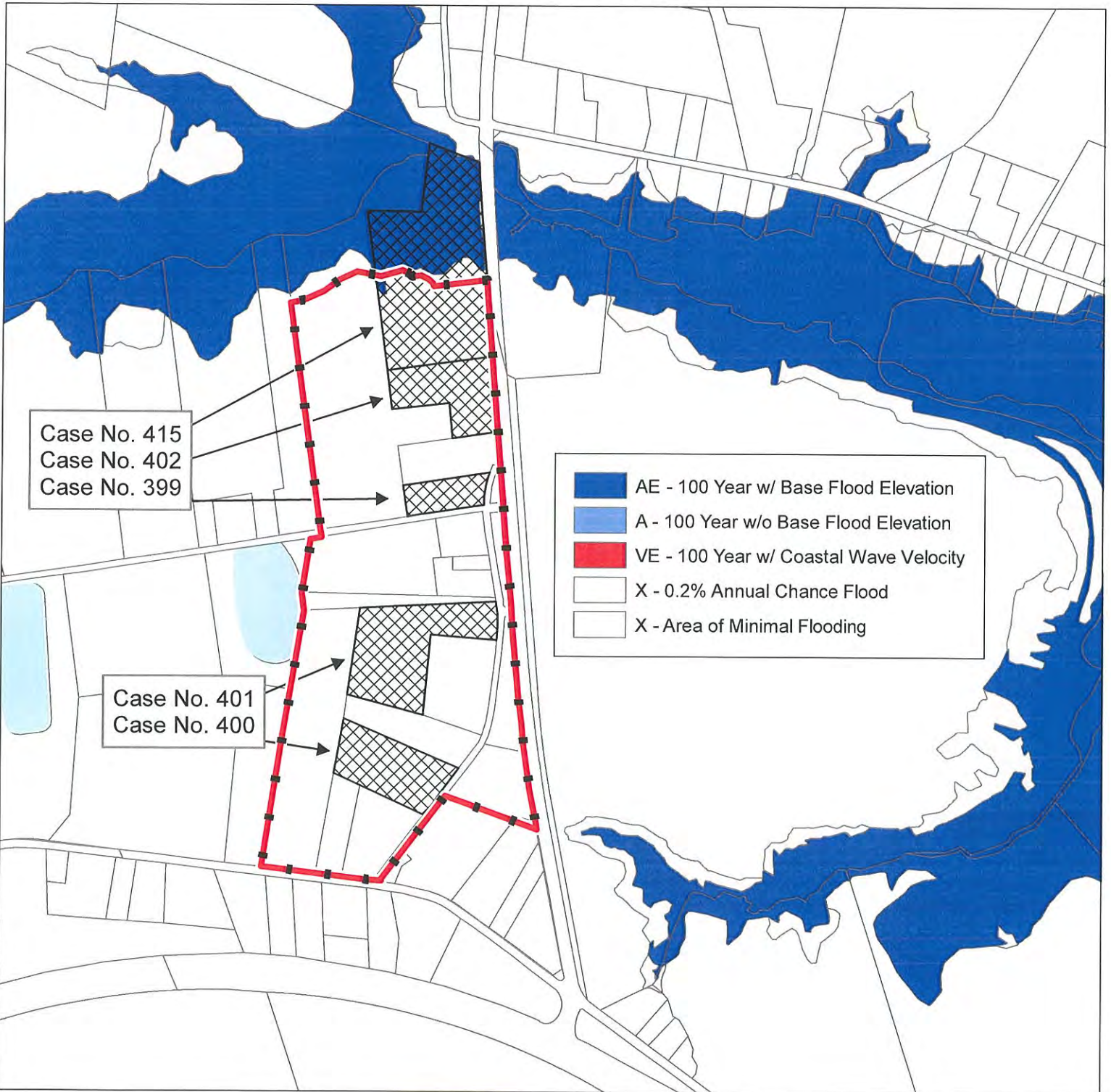


WORCESTER COUNTY, MARYLAND



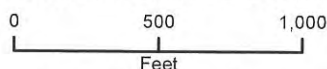
SECTIONAL REZONING MD ROUTE 589 / RACETRACK ROAD SOUTH

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: December 2018
Source: 2015 FEMA FIRM Map



Drawn By: KLH Reviewed By: PHW

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

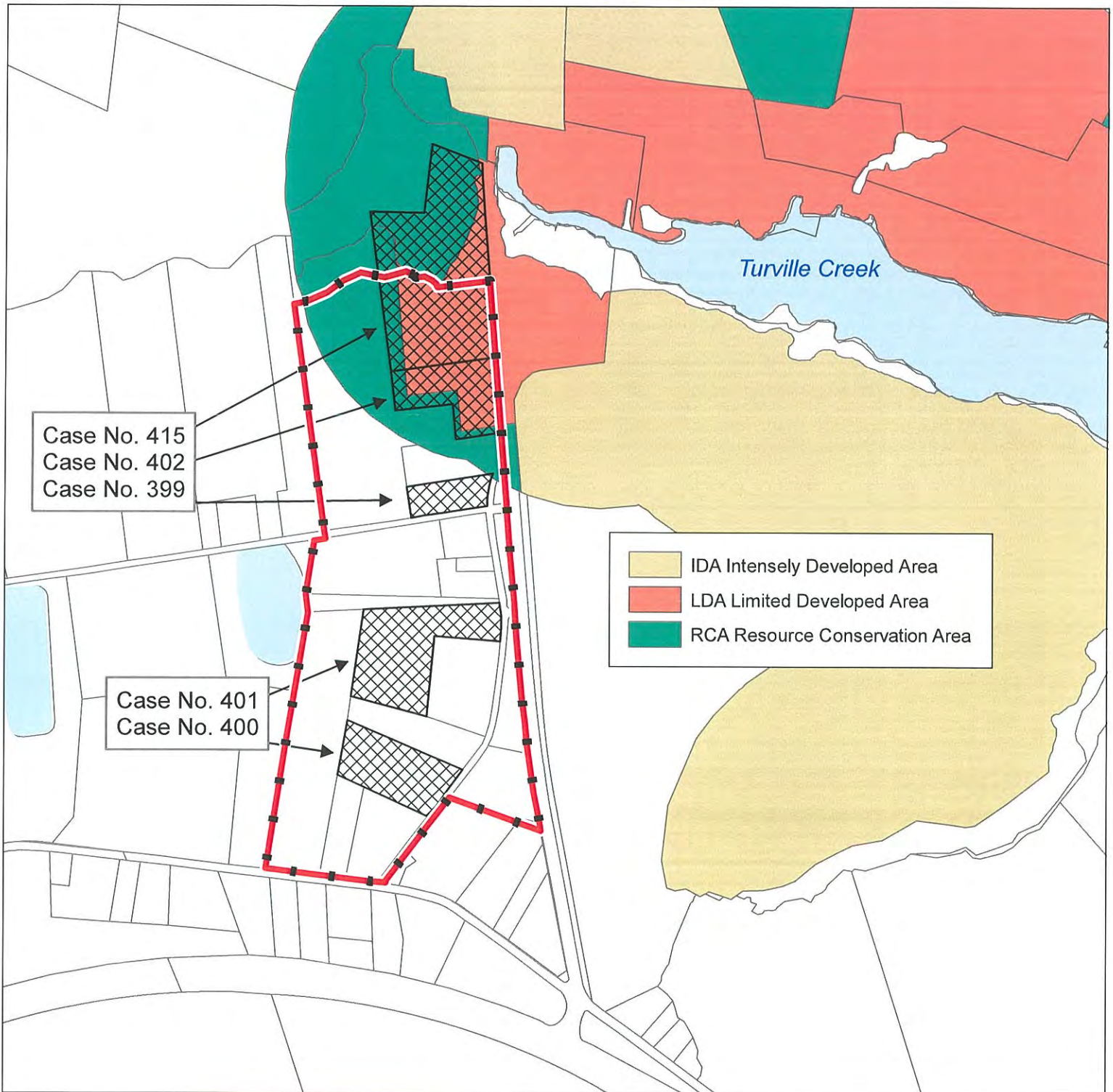


WORCESTER COUNTY, MARYLAND



SECTIONAL REZONING MD ROUTE 589 / RACETRACK ROAD SOUTH

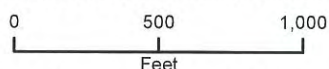
CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: December 2018

Source: MD Coastal Bay Critical Area Map



Drawn By: KLH

Reviewed By: PHW

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

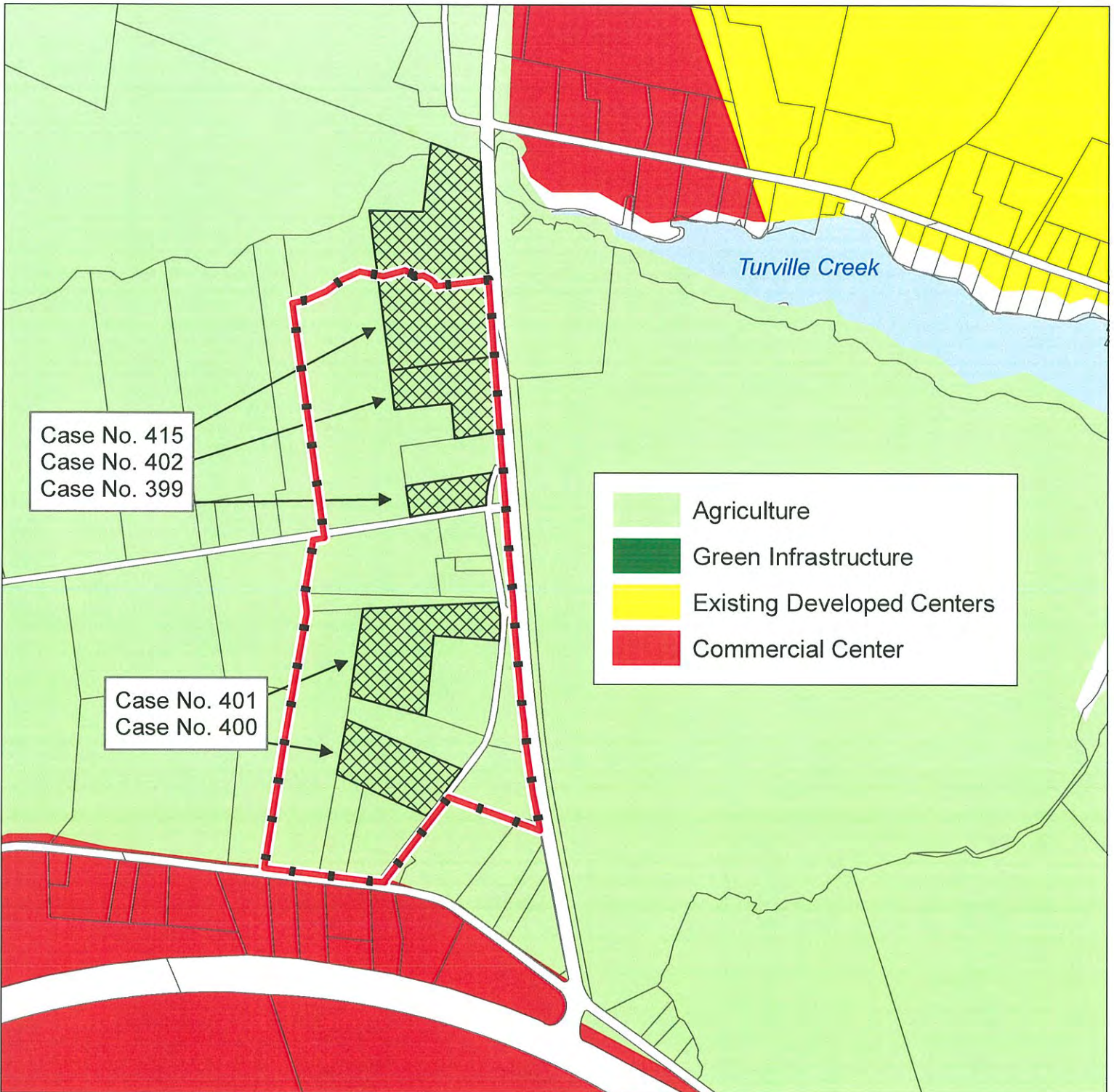


WORCESTER COUNTY, MARYLAND



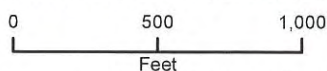
SECTIONAL REZONING MD ROUTE 589 / RACETRACK ROAD SOUTH

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: December 2018
Source: 2006 Official Land Use Map



Drawn By: KLH

Reviewed By: PHW

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



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

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

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

FAXED
11/21/18 @ 11:03am

November 21, 2018

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 18-7 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on November 29, 2018 and December 13, 2018. Thank you.

NOTICE OF INTRODUCTION OF BILL 18-7 WORCESTER COUNTY COMMISSIONERS

Take Notice that **Bill 18-7 (Zoning - Campgrounds - Recreational Vehicle Camping Areas)** was introduced by Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell on November 20, 2018.

A fair summary of the bill is as follows:

§ ZS 1-318(c)(3)B. (Repeals and reenacts this subsection to remove the requirement for a specific angle of access and egress to each pull-through campsites in rental and membership campgrounds. The current language requires an angle of between one hundred twenty and one hundred thirty-five degrees, which may not be appropriate in all cases and is better self-regulated by the owner of the campground.)

A Public Hearing

will be held on Bill 18-7 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, **on Tuesday, December 18, 2018 at 11:00 a.m.**

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

THE WORCESTER COUNTY COMMISSIONERS

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 18-7

BY: Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell
INTRODUCED: November 20, 2018

A BILL ENTITLED

AN ACT Concerning

Zoning - Campgrounds - Recreational Vehicle Camping Areas

For the purpose of amending the Zoning and Subdivision Control Article to remove the requirement for a specific angle of access and egress to each pull-through campsites in rental and membership campgrounds.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-318(c)(3)B of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- B. If provided, pull-through campsites shall each be at least sixty feet in depth and thirty feet in width. Pull-through campsites shall be designed such that the recreational vehicles does not require backing up to either enter or exit the campsite.

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 _____, 2018.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Merrill W. Lockfaw, Jr.

Joseph M. Mitrecic



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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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

Introduced as
Bill 18-7 - Public Hearing
on December 18, 2018

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: November 5, 2018
RE: Text Amendment Application - Campgrounds - Recreational
Vehicle Camping Areas - Pull-Through Campsites

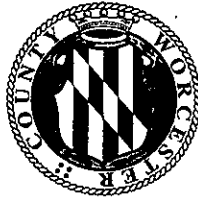
The Department is in receipt of a text amendment application submitted by Mr. Mark S. Cropper seeking to amend existing § ZS 1-318(c)(3)B of the Zoning and Subdivision Control Article to eliminate the requirement that each pull-through campsite for recreational vehicles within a campground be provided with a standard angle of access and egress. The application was reviewed by the Planning Commission at its meeting on November 1, 2018 and given a favorable recommendation.

Attached herewith is a memorandum from Phyllis H. Wimbrow, Deputy Director, which outlines the Planning Commission's comments and recommendations regarding the text amendment. The text amendment application and staff comments are attached to her memo as well. Should one of the County Commissioners wish to introduce the proposed amendment at the upcoming legislative session an electronic copy of the text amendment language in bill form has been forwarded to your office for your convenience.

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



DEPARTMENT OF
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ZONING DIVISION
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CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: November 2, 2018
RE: Planning Commission Recommendation - Text Amendment Application -
Campgrounds - Recreational Vehicle Camping Areas - Pull-Through Campsites

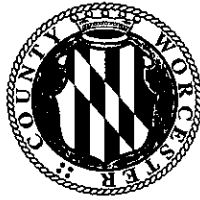
The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding a text amendment application submitted by Mark S. Cropper relative to recreational vehicle camping areas within campgrounds. The Planning Commission reviewed this application at its meeting on November 1, 2018. The text amendment application seeks to amend the Zoning and Subdivision Control Article to eliminate the requirement that each pull-through campsites be provided with a standard angle of access and egress. Specifically, the text amendment as submitted by Mr. Cropper seeks to delete the second sentence in existing § ZS 1-318(c)(3)B, shown as follows by ~~strike-out~~:

- B. If provided, pull-through campsites shall each be at least sixty feet in depth and thirty feet in width. ~~The angle of access and egress to each pull-through site shall be not less than one hundred twenty degrees nor greater than one hundred thirty-five degrees.~~ Pull-through campsites shall be designed such that the recreational vehicles does not require backing up to either enter or exit the campsite.

The Planning Commission concurred with Mr. Cropper and the staff that the angle of the pull-through campsites is a campground operational issue and is essentially a self-regulating design standard, in that a campground operator is not going to design campsites that are not easily accessible by their customers. The Planning Commission agreed that to require specific angles does not provide for variability that may be necessary to address specific site conditions or industry trends in camping vehicle trends. Because the proposed amendment does not eliminate the requirement that pull-through campsites be designed such that the recreational vehicles do not have to back up to enter or exit the site, the Planning Commission concluded that requiring a

specific angle is not necessary. 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.



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ZONING DIVISION
BUILDING DIVISION
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TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Worcester County Planning Commission
FROM: Phyllis H. Wimbrow, Deputy Director *P. H. W.*
DATE: October 24, 2018
RE: Text Amendment Application - § ZS 1-318(c)(3)B - Campgrounds -
Recreational Vehicle Camping Areas - Pull-Through Campsites

The attached text amendment application was submitted by Mark S. Cropper, attorney, and seeks to amend the Zoning and Subdivision Control Article to eliminate the requirement that each pull-through campsites be provided with a standard angle of access and egress. Specifically, the text amendment as submitted by Mr. Cropper seeks to delete the second sentence in existing § ZS 1-318(c)(3)B, shown as follows by ~~strike-out~~:

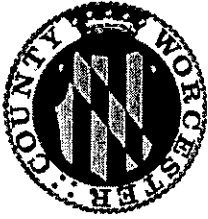
- B. If provided, pull-through campsites shall each be at least sixty feet in depth and thirty feet in width. ~~The angle of access and egress to each pull-through site shall be not less than one hundred twenty degrees nor greater than one hundred thirty-five degrees.~~ Pull-through campsites shall be designed such that the recreational vehicles does not require backing up to either enter or exit the campsite.

Following our customary practice, once I received the text amendment application I forwarded it to Ed Tudor, Director, Jennifer Keener, Zoning Administrator, and Maureen Howarth, County Attorney and Planning Commission Attorney, for their review and comment. The comments of both Mr. Tudor and Ms. Keener are attached. This standard angle requirement was added to the Code during the 2009 rewrite. Mr. Tudor states that these angles are a campground operational issue and are essentially a self-regulating design standard, in that a campground operator is not going to design campsites that are not easily accessible by their customers. He further comments that to require specific angles does not provide for variability that may be necessary to address specific site conditions or industry trends in camping vehicle trends. Mr. Tudor states that he has no objection to the text amendment as proposed. Ms. Keener

states that Mr. Cropper's client owns an existing cooperative campground and does not feel that this angle is necessary to provide safe ingress and egress to the pull-through campsites. Ms. Keener indicates that because the proposed amendment does not eliminate the requirement to provide pull-through campsites that are designed such that the recreational vehicles do not have to back up to enter or exit the site, she has no objection to the text amendment as requested by Mr. Cropper. I concur with the conclusions of Mr. Tudor and Ms. Keener. Therefore, the staff gives a favorable recommendation to the text amendment application as specifically requested. A draft bill is attached for your reference along with a copy of the specific code section Mr. Cropper is seeking to amend.

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

cc: Edward A. Tudor
Maureen Howarth
Jennifer Keener



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

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: 10/2/18

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 1-318(c)(3)B
B. Page Number: ZS 1:III:71
C. Proposed revised text, addition or deletion:

Delete the second sentence.

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:

It is no longer deemed reasonable or necessary.

IV. Signature of Applicants

Signature:

Printed Name of Applicant:

Mark Spencer Cropper

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

Phone Number: **(410) 723-1400**

Email: mcropper@ajgalaw.com

Date: _____

V. Signature of Attorney

Signature:

Printed Name of Applicant:

Mark Spencer Cropper

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

Phone Number: **(410) 723-1400**

Email: mcropper@ajgalaw.com

Date: _____

VI. 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 toA the proposed

8

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.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Edward A. Tudor, Director *EAT*
DATE: October 24, 2018
RE: Text Amendment Application - Campground Pull-Through Campsites

This memorandum is in response to your request for comments on the above mentioned text amendment submitted by Mr. Mark S. Cropper regarding relative to the angle of access and egress for pull-through campsites in rental and membership campgrounds.

Currently the Zoning and Subdivision Control Article requires that the angle of access and egress from pull-through campsites be not less than one hundred twenty degrees or greater than one hundred thirty-five degrees. If memory serves me correctly, this provision was established at the suggestion of a former Planning Commission chair who felt these were appropriate angles for such sites in campgrounds. While they may be viewed as easy angles of approach and exit for pull-through sites in rental and membership campgrounds, I do not know that we need to legislate something that is really more of an operational issue of the campground. I believe that it is what could be called a self-regulating design standard. I cannot imagine that any campground operator would have much success if they were to design campsites that were not easily accessible by their customers. To require specific angles of approach or exit in every cases does not provide for variability that may be necessary to address specific site conditions or industry trends in the type of camping vehicles utilizing the sites. Therefore, I have no objection to the text amendment as proposed.

As always, I will be available to discuss the matter in greater depth if need be when it is reviewed by the Planning Commission.

cc: Maureen Howarth, County Attorney
Jennifer Keener, Zoning Administrator



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ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Phyllis Wimbrow, Deputy Director
From: Jennifer K. Keener, Zoning Administrator *JKK*
Date: October 24, 2018
Re: §ZS 1-318(c)(3)B.

Mr. Cropper, on behalf of his client, is seeking to remove the requirement that pull-through campsites be provided with a standard angle of access and egress to each site (not less than 120 degrees nor greater than 135 degrees). This requirement was added to the Zoning Code during the 2009 amendments. Mr. Cropper's client owns and operates an existing cooperative campground, and has stated that this angle is not necessary in order to provide for safe ingress and egress to a site. The amendment does not eliminate the requirement to provide pull-through sites that are designed such that the recreational vehicles do not have to back up to enter or exit the site. Therefore, I have no objection to this request.

- F. Rental and membership campgrounds shall only be permitted to operate eight consecutive months in any twelve-month period and shall be closed for four consecutive months between September 1 and April 30 of each twelve-month period. Units or sites in a rental or membership campground may be occupied only during the period of operation of the campground. In no event shall any campsite or unit thereon be occupied as a place of primary residence or domicile. A campground shall have bylaws, rules or regulations providing for such limited occupancy and such limitations on occupancy shall be clearly stated in any rental or membership agreement. Utilities, other than those reasonably necessary for security and caretaking purposes and for the campground's administrative office, shall be shut off during the period when the rental or membership campground is closed. Water and sewer facilities to all campsites and amenities shall be among the utilities shut off. The Department shall be notified on an annual basis as to what months the rental or membership campground shall be operational and what months it shall be closed.
- G. Each rental campground and membership campground shall comply with all pertinent regulations of the Maryland Department of the Environment and Environmental Programs Division as well as other state and County requirements prescribed by law or regulations for such use.
- H. All roads and incidental drainage shall comply and be constructed in accordance with County road specifications for private campground subdivisions, as adopted by the County Commissioners. Collector roads and minor roads shall be determined by the Planning Commission. Adequate easements or rights-of-way for utilities shall be provided. All roads in campgrounds shall be private and shall not be accepted by the County Commissioners for maintenance.
- I. In granting a special exception or site plan approval for a campground, the Board or Planning Commission may require additional special conditions to be met, such as additional setbacks, landscaping, traffic control or deed restrictions, in order to safeguard the general health, safety and welfare of the public.
- J. Every enlargement or extension to an existing campground shall require application for a zoning certificate and Board and Planning Commission authorization as if it were a new establishment. The Board or Planning Commission may require the existing portion of the campground to comply with all or part of the provisions of this section if the Board or Planning Commission deems such to be desirable and economically feasible.

(2) Tenting areas. In addition to the provisions of Subsection (c)(1) hereof, tenting areas shall conform to the following provisions:

- A. Each tenting area shall contain not less than two thousand square feet of area, exclusive of the road right-of-way, and shall be not less than forty feet in width or depth. The maximum density shall be fifteen tenting campsites per gross acre of tenting area.
- B. Tenting areas shall provide sanitary toilet facilities, showers or other commonly accepted bathing facilities and an adequate fresh water supply as approved by the County Environmental Programs Division.

~~(3) Recreational vehicle camping areas. In addition to the provisions of Subsection (c)(1) hereof, areas for travel trailers, truck campers, camper trailers, motor homes, other licensed recreational vehicles, cabins, and recreational park trailers shall conform to the following provisions:~~

- A. Each recreational vehicle campsite shall meet the following minimum requirements: campsite area, three thousand square feet, exclusive of the road right-of-way; frontage, twenty-five feet on a private roadway; front yard setback, ten feet; left side yard setback, seven feet; right side yard setback, three feet; and rear yard setback, five feet. Each campsite shall be so designed that a square of forty feet in width and depth can be located within the campsite boundary lines. The entire forty-foot-by-forty-foot square area on campsites designed for units not on permanent foundations must be stable and level. The maximum density shall be ten campsites per gross acre of the area devoted to campsites for recreational vehicles.

See next page for specific subsection

Delete
2nd
Sentence

- B. If provided, pull-through campsites shall each be at least sixty feet in depth and thirty feet in width. ~~The angle of access and egress to each pull-through site shall be not less than one hundred twenty degrees nor greater than one hundred thirty five degrees.~~ Pull-through campsites shall be designed such that the recreational vehicle does not require backing up to either enter or exit the campsite.

- (4) Rental and membership campgrounds shall provide the following facilities, as approved by the Environmental Programs Division:
- A. An adequate fresh water supply to each campsite.
 - B. Adequate and safe electrical services to each campsite in accordance with the requirements of the National Electric Code, current edition, and the Worcester County Floodplain Management Law,^[1] as determined by the Department.
[1] *Editor's Note: See § BR 2-301 et seq. of the Building Regulations Article of the Code of Public Local Laws of Worcester County, Maryland.*
 - C. A sanitary toilet, lavatory and showers or other commonly accepted bathing facilities for the use of campers.
 - D. A fresh water supply and dump stations allowing the emptying of holding tanks for self-contained vehicles.
- (5) Manufactured and mobile homes shall be prohibited in all rental and membership campgrounds.
- (6) Up to twenty-five percent of the campsites in either a rental or membership campground may be occupied by recreational park trailers or cabins. Such units must be owned by the campground owner. Ownership of recreational park trailers or cabins by an individual tenant is prohibited and such units may only be occupied on a temporary basis and not as a place of primary residence or domicile.
- (7) No recreational vehicle, recreational park trailer or cabin shall exceed one story nor shall it exceed seventeen feet in height. The Board of Zoning Appeals shall have no power to grant variances to the maximum height or number of stories. Furthermore, no such structure shall contain any living space below or any attic space or loft above the first-floor elevation.
- (8) Additions to recreational vehicles, recreational park trailers and cabins are prohibited in rental or membership campgrounds.
- (9) No accessory buildings are permitted on individual campsites in rental or membership campgrounds.
- (10) Structures or buildings which serve as an amenity or are incidental and accessory to the operation of the campground in general may not exceed two stories or forty-five feet in height.
- (11) The temporary location or placement of a tent or recreational vehicle on a campsite in a rental or membership campground shall not require the issuance of a building permit or zoning certificate. The location of a recreational park trailer or cabin on a campsite in a rental or membership campground or the elevation of a recreational vehicle on a permanent foundation shall require the issuance of a building permit and zoning certificate.
- (d) Campground subdivisions.
- (1) New campground subdivisions are prohibited. The following provisions shall apply to campground subdivisions in existence prior to the adoption date of this Title.
 - A. Minimum lot requirements shall be: lot area, twenty-five acres minimum and one hundred acres maximum; maximum density, ten campsites per gross acre; lot width, eight hundred feet; and front yard setback, each side yard setback and rear yard setback, one hundred feet; provided that no campsite shall be located in any required setback, less than two hundred feet from any existing dwelling or public road or less than one thousand feet from the district line of any R District. With

DRAFT

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

28

BILL 18-

BY:
INTRODUCED:

Proposed
Bill 18-8
Hearing - January 22, 2019

A BILL ENTITLED

AN ACT

TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND TO BORROW ON ITS FULL FAITH AND CREDIT, AND TO ISSUE AND SELL ITS GENERAL OBLIGATION BONDS AND ITS BOND ANTICIPATION NOTES THEREFOR, AT ONE TIME OR FROM TIME TO TIME WITHIN FOUR YEARS FROM THE DATE THIS BILL BECOMES EFFECTIVE, IN AN AMOUNT NOT EXCEEDING \$37,000,000 TO PROVIDE FINANCING FOR A PORTION OF THE COST FOR CONSTRUCTION AND EQUIPPING OF A NEW SHOWELL ELEMENTARY SCHOOL, INCLUDING PAYMENT OF ALL RELATED COSTS AND COSTS OF ISSUANCE OF SUCH BONDS.

For the purpose of authorizing the issuance and sale by County Commissioners of Worcester County, Maryland of its general obligation bonds and its bond anticipation notes to finance a portion of the cost of construction and equipping of a new Showell Elementary School.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Appendix NN to the Code of Public Local Laws of Worcester County, Maryland be created to read as follows:

APPENDIX "NN"

BOND AUTHORIZATION FOR FINANCING A PORTION OF THE COST OF CONSTRUCTION AND EQUIPPING OF A NEW SHOWELL ELEMENTARY SCHOOL

§ 1. **Financing a portion of the cost of construction and equipping of a new Showell Elementary School.**

(a) Recitals

- (1) Pursuant to Sections 19-501 to 19-510, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended (the "Act"), County Commissioners of Worcester County, Maryland (the "County") may borrow money for any public purpose and may evidence the borrowing by the issuance and sale of its general obligation bonds.
- (2) By and through Resolution No. 18-24, adopted by the Board of County Commissioners of Worcester County (the "Board") on November 20, 2018, the County has approved and adopted the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 which includes construction and equipping of a new Showell Elementary School.
- (3) The Board, based upon the findings and determinations and subject to the conditions set

forth below, has determined to borrow money in an aggregate principal amount of not more than \$37,000,000 and to evidence such borrowing by the issuance, sale and delivery of its general obligation bonds (the "Bonds") pursuant to the provisions of the Act, and to apply the proceeds of the Bonds to finance construction and equipping of a new Showell Elementary School, including (without limitation) payment of all related costs and the costs of issuance of the Bonds, all subject to the terms and conditions of this Local Law.

- (b) The Board, acting pursuant to the Act, hereby determines and declares that:
- (1) There is a public need for construction and equipping of a new Showell Elementary School.
 - (2) The estimated cost for construction and equipping of a new Showell Elementary School is approximately \$47,552,420.
 - (3) The funds proposed to be borrowed for construction and equipping of a new Showell Elementary School can be provided at the lowest annual interest rate and cost of issuance by the issuance of general obligation bonds by the County.
 - (4) Use of the proceeds of the Bonds by the County to finance a portion of the cost of construction and equipping of a new Showell Elementary School is a proper public purpose which may be financed by the issuance of the Bonds pursuant to the Act.
- (c) Pursuant to the Act, the County is hereby authorized to borrow upon its full faith and credit an amount not to exceed \$37,000,000 and to evidence such borrowing by issuing, selling and delivering its Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed \$37,000,000 subject to the provisions and conditions of this Local Law.
- (d) The proceeds from the sale of the Bonds shall be applied for the public purpose of financing a portion of the cost of construction and equipping of a new Showell Elementary School as identified in the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 by and through Resolution No. 18-24, adopted by the Board on November 20, 2018, including payment of all related costs and costs of the issuance of the Bonds. The County expressly reserves the right to amend this Local Law to authorize use of the proceeds of the Bonds, including any excess proceeds after application for the purposes described in this Paragraph, to such other public purpose or purposes as the County may approve by enactment of an amendment to this Local Law in accordance with, and pursuant to, the Act.
- (e) In each and every fiscal year that any of the Bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all assessable real and tangible personal property within the geographical boundaries of the County, in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on all of the Bonds maturing in each such fiscal year and, if the proceeds from the taxes so levied in any fiscal year prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any deficiency; provided, however, that the County may apply to the payment of the principal of and interest on any Bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality of either, or from any other source.
- (f) As permitted by sections 19-211 to 19-221 of the Local Government Article of the Annotated

Code of Maryland, the provisions set forth in this Local Law for the issuance and sale of the Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any other local law or other action by the legislative body of the County. Accordingly, the words "bonds" and "Bonds", as used in this Local Law, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section C. of this Local Law. It is intended that the aggregate principal amount of the issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in Section C. of this Local Law at any time. The County will agree to pay any bond anticipation notes issued pursuant to this Local Law and the interest and premium, if any, thereon from the proceeds of the Bonds in anticipation of the sale of which such notes are issued, and the County will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists.

- (g) Prior to the issuance and sale of any of the Bonds, the County shall adopt one or more resolutions in accordance with Section 19-504 of the Act, which resolution shall describe in part, the following: (i) the amount of Bonds which shall be issued and the amount of the proceeds of such Bonds allocated to each project specified in such resolution or resolutions, (ii) the statement of the public purpose or purposes for which the proceeds of the Bonds are to be expended, (iii) the form of the Bonds, which shall include the place and time of payment thereof, the rate or rates of interest payable thereon, or space for the insertion of the rate or rates of interest upon the determination thereof, the titles of the officials whose signatures shall be affixed to or imprinted on the Bonds, the authority for the issuance thereof, and the taxes and any special revenues from which the principal of and interest on the Bonds will be payable, (iv) the designation, form, tenor, denomination or denominations and maturities (not exceeding forty years), and optional and mandatory sinking fund redemption provisions, if any, of the Bonds, (v) the method of sale of such Bonds, (vi) provisions for the notice soliciting bids for the purchase of the Bonds, if the Bonds are sold at public sale, (vii) specific provisions for the appropriation and disposal of the proceeds of the sale of the Bonds and specific provisions for the payment of the principal and interest thereon, which provisions shall specify the source or sources of payment and shall constitute a covenant binding the County to provide the funds from the source or sources as and when principal and interest are due and payable, (viii) if any of the proceeds of the Bonds are to be loaned by the County, the terms of such loan and of any Loan Agreement executed in connection with such loan, and (ix) any and all other matters deemed necessary in connection with the proposed borrowing, the issuance, sale and delivery of the Bonds and the appropriation of the proceeds thereof. Additionally, such resolution or resolutions may provide that the issuance of Bonds authorized pursuant to this Local Law may be consolidated with one or more other issues authorized by this Local Law or any other Public Local Law, all as provided in Section 19-101 of the Local Government Article of the Annotated Code of Maryland as amended, and any successor provision of law.
- (h) The Bonds evidencing the borrowing authorized by this Local Law shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest and premium (if any) on the Bonds as and when they become due and payable.
- (i) The Bonds may be sold in one or more series, and the Bonds of any series shall be sold either (a) at private (negotiated) sale and at or above par, or (b) at public sale, by competitive bid, at or above par, as determined by the Board to be in the best interest of the County; in either or both of which events, the Bonds of such series shall be sold in such manner and upon such terms as

the Board deems to be in the best interests of the County.

- (j) The Bonds and their issuance and sale shall be exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, as in effect from time to time.
- (k) The County may enter into agreements with agents, banks, fiduciaries, insurers or others for the purpose of enhancing the marketability of, and security for, the Bonds and for the purpose of securing any tender option that may be granted to holders of the Bonds.
- (l) In case any officer whose signature appears on any Bond ceases to be such officer before delivery, the signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until delivery.
- (m) Upon delivery of any Bonds to the purchaser or purchasers, payment shall be made to the Finance Officer of the County or such other official of the County as may be designated to receive payment in a resolution passed by the Board prior to delivery of the Bonds.
- (n) The County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The County may, by appropriate resolution, provide for the replacement of any Bonds issued under this Act which may have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.
- (o) The authority to borrow money and to issue bonds conferred on the County by this Local Law shall be deemed to provide additional, alternative and supplemental authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all previously enacted laws authorizing the County to borrow money are hereby continued to the extent that the power contained in them is continuing or has not been exercised, unless any law is expressly repealed by this Local Law, and the validity of any bonds issued under previously enacted laws is hereby ratified, confirmed and approved. This Local Law, being necessary for the welfare of the inhabitants of Worcester County, shall be liberally construed to effect its purposes. All Public Local Laws previously enacted, and parts of Public Local Laws previously enacted, which are inconsistent with the provisions of this Local Law, are hereby repealed to the extent of any inconsistency.
- (p) The County shall seek funds for construction and equipping of a new Showell Elementary School or repayment of the Bonds through such grant sources as the Board may, from time to time, deem desirable and appropriate.
- (q) The provisions of this Local Law are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Local Law or any part hereof are inapplicable had been specifically exempted therefrom.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

RESOLUTION NO. 18 - 24

**RESOLUTION APPROVING AND ADOPTING THE WORCESTER COUNTY
FIVE-YEAR CAPITAL IMPROVEMENT PLAN - FY 2020 TO FY 2024**

WHEREAS, the County Commissioners of Worcester County, Maryland have determined that certain Capital Projects are necessary to be constructed during the period of July 1, 2019 through June 30, 2024 in order to promote the health, safety, and welfare of the citizens of Worcester County and in order to provide adequate public facilities for the proper and efficient delivery of public services to the citizens of Worcester County; and

WHEREAS, the Worcester County Commissioners have conducted a public hearing on November 20, 2018 to receive public comment on the list of Capital Projects proposed for construction during the period of 2019-2024 as identified in the Worcester County Five-Year Capital Improvement Plan - FY 2020 to FY 2024.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Worcester County Five-Year Capital Improvement Plan - FY 2020 to FY 2024 attached hereto, is hereby adopted.

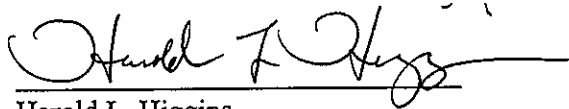
AND BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that funding for the projects identified in the Worcester County Five-Year Capital Improvement Plan - FY 2020 to FY 2024 may be provided from annual tax levies, issuance of public debt, use of reserve funds, or from such other sources as the County Commissioners may from time to time determine.

AND BE IT FURTHER RESOLVED that the County Commissioners of Worcester County, Maryland may, from time to time as deemed to be in the best interest of the County and to meet the needs of its citizens, amend said Capital Improvement Plan by the addition or deletion of projects therefrom.

AND BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage.

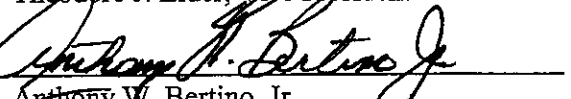
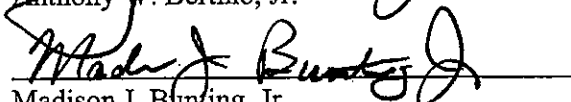
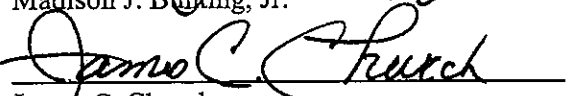
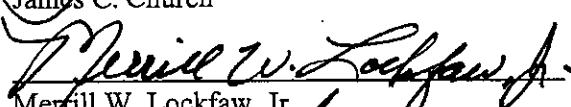
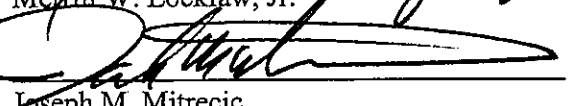
PASSED AND ADOPTED this 20th day of November, 2018.

ATTEST:



Harold L. Higgins
Chief Administrative Officer

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND


Diana Purnell, President
Theodore J. Elder, Vice President
Anthony W. Bertino, Jr.
Madison J. Bunting, Jr.
James C. Church
Merrill W. Lockfaw, Jr.
Joseph M. Mitreic

Worcester County

Approved

5 Year Capital Improvement Plan FY 2020 to FY 2024



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

November 20, 2018

REQUESTED PLAN SUMMARY BY CATEGORY

11/20/2018

WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN
 FY 2020 to FY 2024 Project Summary

Project Category	2020	2021	2022	2023	2024	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete *	Total Project Cost
General Government	250,000	2,500,000	0	550,000	0	3,300,000	3.66%	0	0	3,300,000
Public Safety	500,000	5,500,710	3,800,710	0	0	9,801,420	10.86%	3,500,000	0	13,301,420
Public Works	7,130,000	5,970,000	4,680,000	2,700,000	1,600,000	22,080,000	24.47%	1,116,000	0	23,196,000
Public Schools	26,756,519	10,027,637	7,690,062	5,461,370	2,553,000	52,488,588	58.17%	12,731,756	879,000	66,099,344
Community College	0	197,492	2,279,610	89,975	0	2,567,077	2.84%	0	0	2,567,077
TOTAL	34,636,519	24,195,839	18,450,382	8,801,345	4,153,000	90,237,085	100.00%	17,347,756	879,000	108,463,841

Source of Funds	2020	2021	2022	2023	2024	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete	Total Project Cost
General Fund	1,500,000	1,697,492	1,653,000	1,577,000	1,500,000	7,927,492	8.79%	1,016,000	0	8,943,492
User Fees	0	0	0	0	0	0	0.00%	0	0	0
Grant Funds	865,000	1,560,000	1,215,000	600,000	50,000	4,290,000	4.75%	50,000	0	4,340,000
State Match	5,285,000	1,250,000	3,650,000	1,906,000	831,000	12,922,000	14.32%	4,336,000	0	17,258,000
State Loan	815,000	960,000	15,000	0	0	1,790,000	1.98%	50,000	0	1,840,000
Assigned Funds	2,549,055	1,565,437	0	275,000	0	4,389,492	4.86%	5,858,188	0	10,247,680
Private Donation	0	0	0	0	0	0	0.00%	0	0	0
Enterprise Bonds	950,000	1,950,000	1,950,000	600,000	50,000	5,500,000	6.10%	0	0	5,500,000
General Bonds	22,672,464	15,212,910	9,967,382	3,843,345	1,722,000	53,418,101	59.20%	6,037,568	879,000	60,334,669
TOTAL	34,636,519	24,195,839	18,450,382	8,801,345	4,153,000	90,237,085	100.00%	17,347,756	879,000	108,463,841

* Balance to Complete - Years FY2025 and future



**FY 2020 TO FY 2024 SUMMARY BY PROJECT
REQUESTED**

11/20/2018

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN**

	FY2020	FY2021	FY2022	FY2023	FY2024	Prior Allocation	Balance To Complete	TOTAL
General Government Facilities								
Pocomoke Library Building Improvements	250,000	2,500,000						2,750,000
Snow Hill Library Building Improvements				550,000				550,000
Total General Government Facilities	250,000	2,500,000	0	550,000	0	0	0	3,300,000
Public Safety								
Worcester County Jail Improvement Project	500,000	5,500,710	3,800,710	0	0	3,500,000		13,301,420
Total	500,000	5,500,710	3,800,710	0	0	3,500,000	0	13,301,420
Public Works								
Asphalt Overlay/Pavement Preservation of Roads	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000		8,500,000
Bridge Replacement -Bayside Road Bridge	3,000,000					16,000		3,016,000
Water Wastewater								
Mystic Harbour Wastewater Plant Expansion	100,000	1,200,000	2,400,000	1,200,000	100,000			5,000,000
Newark Spray Irrigation	1,000,000	940,000				100,000		2,040,000
Lewis Road Sewer Extension	630,000	980,000	30,000					1,640,000
Ocean Pines Service Area Upgrades	900,000	1,350,000	750,000					3,000,000
Total Public Works	7,130,000	5,970,000	4,680,000	2,700,000	1,600,000	1,116,000	0	23,196,000

FY 2020 TO FY 2024 SUMMARY BY PROJECT
REQUESTED

11/20/2018

WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN

	FY2020	FY2021	FY2022	FY2023	FY2024	Prior Allocation	Balance To Complete	TOTAL
Public Schools								
Showell Elementary School Replacement	25,723,464	9,712,200				12,116,756		47,552,420
Stephen Decatur High School - Turf Field	785,000					615,000		1,400,000
Stephen Decatur Middle School Addition	131,055	315,437	5,005,062	3,753,370				9,204,924
Pocomoke Middle School - Roof Replacement	117,000		2,532,000					2,649,000
Snow Hill Middle/Cedar Chapel School - Roof Replace			153,000	1,631,000	1,722,000			3,506,000
Pocomoke Elementary School - Roof Replacement				77,000	831,000		879,000	1,787,000
Total Public Schools	26,756,519	10,027,637	7,690,062	5,461,370	2,553,000	12,731,756	879,000	66,099,344
Wor-Wic Community College								
Wor-Wic Applied Technology Building		197,482	2,279,610	89,975				2,567,077
Total Wor-Wic	0	197,482	2,279,610	89,975	0	0	0	2,567,077

CAPITAL PROJECT SUMMARY - BY SOURCE OF FUNDS

	FY2020	FY2021	FY2022	FY2023	FY2024	Prior Allocation	Balance to Complete	TOTAL
Source of Funds								
General Fund	1,500,000	1,697,482	1,653,000	1,577,000	1,500,000	1,016,000		8,943,482
User Fees								0
Grant Funds	865,000	1,560,000	1,215,000	600,000	50,000	50,000		4,340,000
State Match	5,285,000	1,250,000	3,650,000	1,906,000	831,000	4,336,000		17,258,000
State Loan	815,000	960,000	15,000			50,000		1,840,000
Assigned Funds	2,549,055	1,565,437		275,000		5,858,188		10,247,680
Private Donation								0
Enterprise Bonds	950,000	1,950,000	1,950,000	600,000	50,000			5,500,000
General Bonds	22,672,464	15,212,910	9,967,382	3,843,345	1,722,000	6,037,568	879,000	60,334,669
TOTAL	34,636,519	24,195,839	18,450,382	8,801,345	4,153,000	17,347,756	879,000	108,463,841

Project: Showell Elementary Replacement School

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer, Board of Education, 410 632-5063

Project Summary: Showell Elementary Replacement School

Purpose: Demolish existing school and construct replacement school.

Location: 11318 Showell School Road, Berlin, Md. 21811

Impacts on General Fund Operating, Personnel or Maintenance: The Showell Elementary Replacement School will provide more square footage than the existing 52,610 s.f. school. However, with energy efficiency elements included in the design of the replacement school and new building systems requiring minimum maintenance costs, the impact on general funds is not expected to rise significantly.

	FY 20	FY 21	FY 22	FY 23	FY 24	Prior Allocation (FY16-FY19)	Balance to Complete	Total Project Cost
Engineering/Design	186,864	93,446				2,222,651		2,502,961
Land Acquisition								0
Site Work	2,389,062	912,969				912,969		4,215,000
Construction	21,193,978	8,222,153				8,785,328		38,201,459
Equipment/Furnishings	1,953,560	483,632				195,808		2,633,000
Other								0
EXPENDITURES								

TOTAL	25,723,464	9,712,200	0	0	0	12,116,756	0	47,552,420
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SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match	4,336,000					4,336,000		8,672,000
State Loan								0
Assigned Funds						2,358,188		2,358,188
Private Donation								0
Enterprise Bonds								0
General Bonds	21,387,464	9,712,200				5,422,568		36,522,232
								0
								0

TOTAL	25,723,464	9,712,200	0	0	0	12,116,756	0	47,552,420
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PROJECTED OPERATING IMPACTS								
	0	0	0	0	0			0

Project: Showell Elementary Replacement School

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

The Showell Elementary School Feasibility Study was completed in April 2014, approved by the Worcester County Board of Education in May 2014 and by the Worcester County Commissioners in August 2014. The Study recommended construction of a replacement school in lieu of renovating the existing school. Current project scope was determined through Conceptual Plan phase of the project completed in August 2016. Schematic Design, Design Development and Construction Documents have been completed. The project bid on June 13, 2018. The bids were approved by the Board of Education in July 2018 and by the County Commissioners and the State of Maryland in August 2018. Construction is scheduled to begin in October 2018.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the construction project will provide current and future students, faculty and Showell Elementary parents and community with a complete upgrade to the existing 41-year-old facility.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

Costs are based upon the final construction and project costs approved by the County Commissioners in August 2018.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

N/A

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

Project has been approved by the County Commissioners.



The Board of Education of Worcester County

6270 Worcester Highway
Newark, Maryland 21841

www.worcesterk12.org

Telephone: (410) 632-5000

Fax: (410) 632-0364

Board Members

WILLIAM L. GORDY
President

ERIC W. CROPPER, SR.
Vice-President

BARRY G. BRITTINGHAM, SR.

J. DOUGLAS DRYDEN

ELENA J. MCCOMAS

ROBERT A. ROTHERMEL, JR.

SARA D. THOMPSON

Add to
28



December 18, 2018

LOUIS H. TAYLOR
Superintendent of Schools

H. STEPHEN PRICE
Chief Safety Officer

JOHN R. QUINN, Ed.D.
Chief Academic Officer

VINCENT E. TOLBERT, CPA
Chief Financial Officer

ANNETTE E. WALLACE, Ed.D.
Chief Operating Officer

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

Copy: Kathy Whitel ✓
Phil Thompson ✓

Dear President Purnell:

On August 7, 2018, the County Commissioners approved the bids for the Showell Elementary Replacement School project. Construction began on September 29, 2018 and is proceeding on schedule.

During preparation of the Showell Elementary Replacement School bid documents, the Board of Education and the project Architect developed a project bid alternate to construct four additional Pre-Kindergarten classrooms. The current construction plans for the replacement school include four Pre-Kindergarten classrooms. These four classrooms will accommodate the current Showell Pre-K enrollment for the half-day Pre-Kindergarten program. Showell Elementary experienced an increase in Pre-K enrollment from September 2017 (62 students) to September 2018 (86 students).

Due to the expanding Pre-K enrollment at the Showell Elementary School and the very likely possibility that the State of Maryland will, in the next few years, mandate all-day Pre-Kindergarten in all Maryland public schools, I am requesting your consideration and approval of Bid Alternate #1 for the Showell construction project. Bid Alternate #1 provides four additional Pre-K classrooms for the new school.

I have attached a floor plan of the new school which indicates the location of the four classroom addition and a Bid Alternate #1 cost information sheet. As you can see, execution of Bid Alternate #1 will entail additional project funding of \$966,362.00. Eleven of the thirteen Showell Elementary contractors who will participate in the work included in Bid Alternate #1 have confirmed that the costs they submitted in their bid proposals dated June 13, 2018 are confirmed as submitted. Two contractors, the mechanical and electrical contractors, have submitted increased Bid Alternate #1 costs due to material and equipment costs they have experienced over the past six months. The revised mechanical and electrical costs have added \$92,888.00 to the \$873,474.00 Bid Alternate #1 costs we received on bid opening day in June.

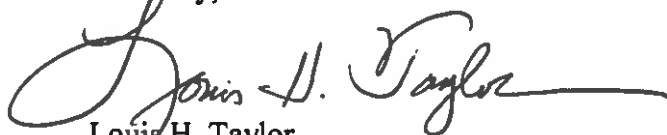
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It is our strong belief that execution of Bid Alternate #1 will provide the students of Showell Elementary the instructional spaces required for the future all-day Pre-Kindergarten mandate. It is also our belief that now is the time to execute the bid alternate in order to eliminate the possibility of adding portable classrooms at the newly-opened Showell Elementary School in order to accommodate the all-day Pre-K mandate and to mitigate rising construction costs we would most certainly be impacted by should we decide to add the four classrooms as we approach completion of the new school or even a year or two after opening the new school.

The Board of Education and I want to thank and commend you for your continued support of our school system. Because of your unwavering support and leadership, we have navigated the design and bidding processes for the Showell Replacement School. I am reminded of all of the hard work we accomplished together as I watch the construction progress on the Showell Elementary site every day. We look forward to meeting with you on December 18th to discuss our Bid Alternate #1 funding request for the Showell Elementary Replacement School project.

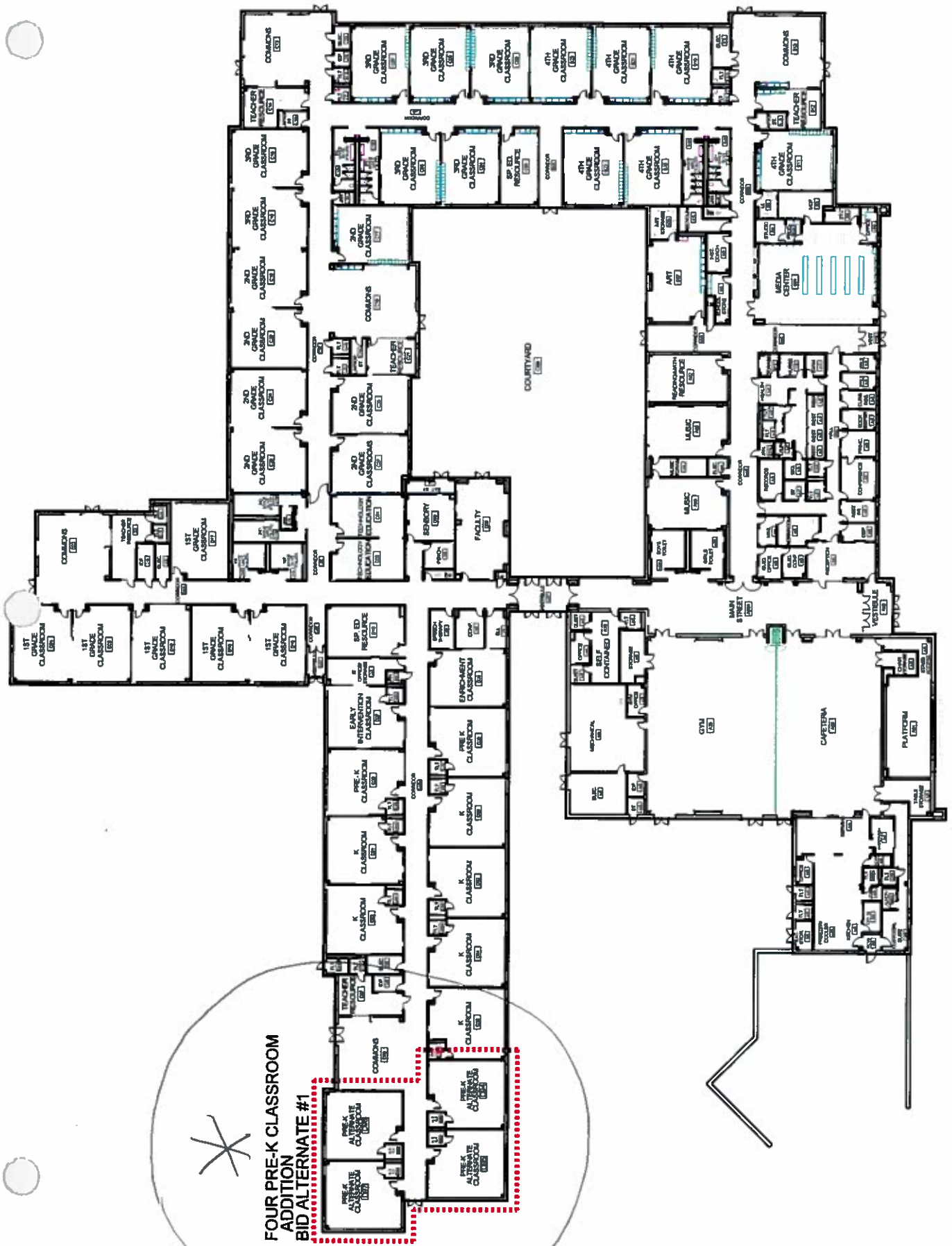
Sincerely,



Louis H. Taylor
Superintendent of Schools

LT:jjp
Atch.

cc: Board of Education Members
Mr. Harold Higgins



Showell Elementary Replacement School

**Showell Elementary Replacement School
 Bid Alternate #1 Costs
 (Four Pre-Kindergarten Classroom Addition)**

Bid Package	Area of Work	Bid Alt. #1 Cost
2A	Sitework	\$5,000.00
3A	Building Concrete	\$54,500.00
4A	Masonry	\$130,000.00
5A	Sturctural Steel	\$37,000.00
6A	Carpentry	\$104,515.00
7A	Roofing	\$93,000.00
8A	Windows	\$7,600.00
9A	Drywall	\$104,000.00
9B	Ceramic Tile	\$9,000.00
9D	Carpet/VCT	\$12,359.00
9E	Paint	\$6,000.00
15A	Mechanical	\$178,278.00
16A	Electrical	\$225,110.00
Total		\$966,362.00

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 18-

BY:
INTRODUCED:

Revised **DRAFT** - (\$38 Million)

A BILL ENTITLED

AN ACT

TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND TO BORROW ON ITS FULL FAITH AND CREDIT, AND TO ISSUE AND SELL ITS GENERAL OBLIGATION BONDS AND ITS BOND ANTICIPATION NOTES THEREFOR, AT ONE TIME OR FROM TIME TO TIME WITHIN FOUR YEARS FROM THE DATE THIS BILL BECOMES EFFECTIVE, IN AN AMOUNT NOT EXCEEDING \$38,000,000 TO PROVIDE FINANCING FOR A PORTION OF THE COST FOR CONSTRUCTION AND EQUIPPING OF A NEW SHOWELL ELEMENTARY SCHOOL, INCLUDING PAYMENT OF ALL RELATED COSTS AND COSTS OF ISSUANCE OF SUCH BONDS. ←

For the purpose of authorizing the issuance and sale by County Commissioners of Worcester County, Maryland of its general obligation bonds and its bond anticipation notes to finance a portion of the cost of construction and equipping of a new Showell Elementary School.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Appendix NN to the Code of Public Local Laws of Worcester County, Maryland be created to read as follows:

APPENDIX "NN"

BOND AUTHORIZATION FOR FINANCING A PORTION OF THE COST OF CONSTRUCTION AND EQUIPPING OF A NEW SHOWELL ELEMENTARY SCHOOL

§ 1. **Financing a portion of the cost of construction and equipping of a new Showell Elementary School.**

(a) Recitals

- (1) Pursuant to Sections 19-501 to 19-510, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended (the "Act"), County Commissioners of Worcester County, Maryland (the "County") may borrow money for any public purpose and may evidence the borrowing by the issuance and sale of its general obligation bonds.
- (2) By and through Resolution No. 18-24, adopted by the Board of County Commissioners of Worcester County (the "Board") on November 20, 2018, the County has approved and adopted the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 which includes construction and equipping of a new Showell Elementary School.
- (3) The Board, based upon the findings and determinations and subject to the conditions set

forth below, has determined to borrow money in an aggregate principal amount of not more than \$38,000,000 and to evidence such borrowing by the issuance, sale and delivery of its general obligation bonds (the "Bonds") pursuant to the provisions of the Act, and to apply the proceeds of the Bonds to finance construction and equipping of a new Showell Elementary School, including (without limitation) payment of all related costs and the costs of issuance of the Bonds, all subject to the terms and conditions of this Local Law.

- (b) The Board, acting pursuant to the Act, hereby determines and declares that:
- (1) There is a public need for construction and equipping of a new Showell Elementary School.
 - (2) The estimated cost for construction and equipping of a new Showell Elementary School is approximately \$47,552,420.
 - (3) The funds proposed to be borrowed for construction and equipping of a new Showell Elementary School can be provided at the lowest annual interest rate and cost of issuance by the issuance of general obligation bonds by the County.
 - (4) Use of the proceeds of the Bonds by the County to finance a portion of the cost of construction and equipping of a new Showell Elementary School is a proper public purpose which may be financed by the issuance of the Bonds pursuant to the Act.
- (c) Pursuant to the Act, the County is hereby authorized to borrow upon its full faith and credit an amount not to exceed \$38,000,000 and to evidence such borrowing by issuing, selling and delivering its Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed \$38,000,000 subject to the provisions and conditions of this Local Law.
- (d) The proceeds from the sale of the Bonds shall be applied for the public purpose of financing a portion of the cost of construction and equipping of a new Showell Elementary School as identified in the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 by and through Resolution No. 18-24, adopted by the Board on November 20, 2018, including payment of all related costs and costs of the issuance of the Bonds. The County expressly reserves the right to amend this Local Law to authorize use of the proceeds of the Bonds, including any excess proceeds after application for the purposes described in this Paragraph, to such other public purpose or purposes as the County may approve by enactment of an amendment to this Local Law in accordance with, and pursuant to, the Act.
- (e) In each and every fiscal year that any of the Bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all assessable real and tangible personal property within the geographical boundaries of the County, in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on all of the Bonds maturing in each such fiscal year and, if the proceeds from the taxes so levied in any fiscal year prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any deficiency; provided, however, that the County may apply to the payment of the principal of and interest on any Bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality of either, or from any other source.
- (f) As permitted by sections 19-211 to 19-221 of the Local Government Article of the Annotated

Code of Maryland, the provisions set forth in this Local Law for the issuance and sale of the Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any other local law or other action by the legislative body of the County. Accordingly, the words "bonds" and "Bonds", as used in this Local Law, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section C. of this Local Law. It is intended that the aggregate principal amount of the issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in Section C. of this Local Law at any time. The County will agree to pay any bond anticipation notes issued pursuant to this Local Law and the interest and premium, if any, thereon from the proceeds of the Bonds in anticipation of the sale of which such notes are issued, and the County will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists.

- (g) Prior to the issuance and sale of any of the Bonds, the County shall adopt one or more resolutions in accordance with Section 19-504 of the Act, which resolution shall describe in part, the following: (i) the amount of Bonds which shall be issued and the amount of the proceeds of such Bonds allocated to each project specified in such resolution or resolutions, (ii) the statement of the public purpose or purposes for which the proceeds of the Bonds are to be expended, (iii) the form of the Bonds, which shall include the place and time of payment thereof, the rate or rates of interest payable thereon, or space for the insertion of the rate or rates of interest upon the determination thereof, the titles of the officials whose signatures shall be affixed to or imprinted on the Bonds, the authority for the issuance thereof, and the taxes and any special revenues from which the principal of and interest on the Bonds will be payable, (iv) the designation, form, tenor, denomination or denominations and maturities (not exceeding forty years), and optional and mandatory sinking fund redemption provisions, if any, of the Bonds, (v) the method of sale of such Bonds, (vi) provisions for the notice soliciting bids for the purchase of the Bonds, if the Bonds are sold at public sale, (vii) specific provisions for the appropriation and disposal of the proceeds of the sale of the Bonds and specific provisions for the payment of the principal and interest thereon, which provisions shall specify the source or sources of payment and shall constitute a covenant binding the County to provide the funds from the source or sources as and when principal and interest are due and payable, (viii) if any of the proceeds of the Bonds are to be loaned by the County, the terms of such loan and of any Loan Agreement executed in connection with such loan, and (ix) any and all other matters deemed necessary in connection with the proposed borrowing, the issuance, sale and delivery of the Bonds and the appropriation of the proceeds thereof. Additionally, such resolution or resolutions may provide that the issuance of Bonds authorized pursuant to this Local Law may be consolidated with one or more other issues authorized by this Local Law or any other Public Local Law, all as provided in Section 19-101 of the Local Government Article of the Annotated Code of Maryland as amended, and any successor provision of law.
- (h) The Bonds evidencing the borrowing authorized by this Local Law shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest and premium (if any) on the Bonds as and when they become due and payable.
- (i) The Bonds may be sold in one or more series, and the Bonds of any series shall be sold either (a) at private (negotiated) sale and at or above par, or (b) at public sale, by competitive bid, at or above par, as determined by the Board to be in the best interest of the County; in either or both of which events, the Bonds of such series shall be sold in such manner and upon such terms as

the Board deems to be in the best interests of the County.

- (j) The Bonds and their issuance and sale shall be exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, as in effect from time to time.
- (k) The County may enter into agreements with agents, banks, fiduciaries, insurers or others for the purpose of enhancing the marketability of, and security for, the Bonds and for the purpose of securing any tender option that may be granted to holders of the Bonds.
- (l) In case any officer whose signature appears on any Bond ceases to be such officer before delivery, the signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until delivery.
- (m) Upon delivery of any Bonds to the purchaser or purchasers, payment shall be made to the Finance Officer of the County or such other official of the County as may be designated to receive payment in a resolution passed by the Board prior to delivery of the Bonds.
- (n) The County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The County may, by appropriate resolution, provide for the replacement of any Bonds issued under this Act which may have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.
- (o) The authority to borrow money and to issue bonds conferred on the County by this Local Law shall be deemed to provide additional, alternative and supplemental authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all previously enacted laws authorizing the County to borrow money are hereby continued to the extent that the power contained in them is continuing or has not been exercised, unless any law is expressly repealed by this Local Law, and the validity of any bonds issued under previously enacted laws is hereby ratified, confirmed and approved. This Local Law, being necessary for the welfare of the inhabitants of Worcester County, shall be liberally construed to effect its purposes. All Public Local Laws previously enacted, and parts of Public Local Laws previously enacted, which are inconsistent with the provisions of this Local Law, are hereby repealed to the extent of any inconsistency.
- (p) The County shall seek funds for construction and equipping of a new Showell Elementary School or repayment of the Bonds through such grant sources as the Board may, from time to time, deem desirable and appropriate.
- (q) The provisions of this Local Law are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Local Law or any part hereof are inapplicable had been specifically exempted therefrom.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

29

BILL 18-

BY:
INTRODUCED:

DRAFT

Proposed
Bill 18-9
Hearing - January 22, 2019

A BILL ENTITLED

AN ACT

TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND TO BORROW ON ITS FULL FAITH AND CREDIT, AND TO ISSUE AND SELL ITS GENERAL OBLIGATION BONDS AND ITS BOND ANTICIPATION NOTES THEREFOR, AT ONE TIME OR FROM TIME TO TIME WITHIN FOUR YEARS FROM THE DATE THIS BILL BECOMES EFFECTIVE, IN AN AMOUNT NOT EXCEEDING \$1,500,000 TO PROVIDE FINANCING FOR INSTALLATION OF A NEW TURF ATHLETIC FIELD AT STEPHEN DECATUR HIGH SCHOOL, INCLUDING PAYMENT OF ALL RELATED COSTS AND COSTS OF ISSUANCE OF SUCH BONDS.

For the purpose of authorizing the issuance and sale by County Commissioners of Worcester County, Maryland of its general obligation bonds and its bond anticipation notes to finance the cost of installation of a new turf athletic field at Stephen Decatur High School.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Appendix OO to the Code of Public Local Laws of Worcester County, Maryland be created to read as follows:

APPENDIX "OO"

BOND AUTHORIZATION FOR FINANCING INSTALLATION OF
A NEW TURF ATHLETIC FIELD AT STEPHEN DECATUR HIGH SCHOOL

§ 1. Financing installation of a new turf athletic field at Stephen Decatur High School.

(a) Recitals

- (1) Pursuant to Sections 19-501 to 19-510, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended (the "Act"), County Commissioners of Worcester County, Maryland (the "County") may borrow money for any public purpose and may evidence the borrowing by the issuance and sale of its general obligation bonds.
- (2) By and through Resolution No. 18-24, adopted by the Board of County Commissioners of Worcester County (the "Board") on November 20, 2018, the County has approved and adopted the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 which includes installation of a new turf athletic field at Stephen Decatur High School.
- (3) The Board, based upon the findings and determinations and subject to the conditions set forth below, has determined to borrow money in an aggregate principal amount of not

more than \$1,500,000 and to evidence such borrowing by the issuance, sale and delivery of its general obligation bonds (the "Bonds") pursuant to the provisions of the Act, and to apply the proceeds of the Bonds to finance installation of a new turf athletic field at Stephen Decatur High School, including (without limitation) payment of all related costs and the costs of issuance of the Bonds, all subject to the terms and conditions of this Local Law.

- (b) The Board, acting pursuant to the Act, hereby determines and declares that:
- (1) There is a public need for installation of a new turf athletic field at Stephen Decatur High School.
 - (2) The estimated cost for installation of a new turf athletic field at Stephen Decatur High School is approximately \$1,400,000.
 - (3) The funds proposed to be borrowed for installation of a new turf athletic field at Stephen Decatur High School can be provided at the lowest annual interest rate and cost of issuance by the issuance of general obligation bonds by the County.
 - (4) Use of the proceeds of the Bonds by the County to finance installation of a new turf athletic field at Stephen Decatur High School is a proper public purpose which may be financed by the issuance of the Bonds pursuant to the Act.
- (c) Pursuant to the Act, the County is hereby authorized to borrow upon its full faith and credit an amount not to exceed \$1,500,000 and to evidence such borrowing by issuing, selling and delivering its Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed \$1,500,000 subject to the provisions and conditions of this Local Law.
- (d) The proceeds from the sale of the Bonds shall be applied for the public purpose of financing the installation of a new turf athletic field at Stephen Decatur High School as identified in the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 by and through Resolution No. 18-24, adopted by the Board on November 20, 2018, including payment of all related costs and costs of the issuance of the Bonds. The County expressly reserves the right to amend this Local Law to authorize use of the proceeds of the Bonds, including any excess proceeds after application for the purposes described in this Paragraph, to such other public purpose or purposes as the County may approve by enactment of an amendment to this Local Law in accordance with, and pursuant to, the Act.
- (e) In each and every fiscal year that any of the Bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all assessable real and tangible personal property within the geographical boundaries of the County, in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on all of the Bonds maturing in each such fiscal year and, if the proceeds from the taxes so levied in any fiscal year prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any deficiency; provided, however, that the County may apply to the payment of the principal of and interest on any Bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality of either, or from any other source.
- (f) As permitted by sections 19-211 to 19-221 of the Local Government Article of the Annotated Code of Maryland, the provisions set forth in this Local Law for the issuance and sale of the

Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any other local law or other action by the legislative body of the County. Accordingly, the words "bonds" and "Bonds", as used in this Local Law, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section C. of this Local Law. It is intended that the aggregate principal amount of the issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in Section C. of this Local Law at any time. The County will agree to pay any bond anticipation notes issued pursuant to this Local Law and the interest and premium, if any, thereon from the proceeds of the Bonds in anticipation of the sale of which such notes are issued, and the County will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists.

- (g) Prior to the issuance and sale of any of the Bonds, the County shall adopt one or more resolutions in accordance with Section 19-504 of the Act, which resolution shall describe in part, the following: (i) the amount of Bonds which shall be issued and the amount of the proceeds of such Bonds allocated to each project specified in such resolution or resolutions, (ii) the statement of the public purpose or purposes for which the proceeds of the Bonds are to be expended, (iii) the form of the Bonds, which shall include the place and time of payment thereof, the rate or rates of interest payable thereon, or space for the insertion of the rate or rates of interest upon the determination thereof, the titles of the officials whose signatures shall be affixed to or imprinted on the Bonds, the authority for the issuance thereof, and the taxes and any special revenues from which the principal of and interest on the Bonds will be payable, (iv) the designation, form, tenor, denomination or denominations and maturities (not exceeding forty years), and optional and mandatory sinking fund redemption provisions, if any, of the Bonds, (v) the method of sale of such Bonds, (vi) provisions for the notice soliciting bids for the purchase of the Bonds, if the Bonds are sold at public sale, (vii) specific provisions for the appropriation and disposal of the proceeds of the sale of the Bonds and specific provisions for the payment of the principal and interest thereon, which provisions shall specify the source or sources of payment and shall constitute a covenant binding the County to provide the funds from the source or sources as and when principal and interest are due and payable, (viii) if any of the proceeds of the Bonds are to be loaned by the County, the terms of such loan and of any Loan Agreement executed in connection with such loan, and (ix) any and all other matters deemed necessary in connection with the proposed borrowing, the issuance, sale and delivery of the Bonds and the appropriation of the proceeds thereof. Additionally, such resolution or resolutions may provide that the issuance of Bonds authorized pursuant to this Local Law may be consolidated with one or more other issues authorized by this Local Law or any other Public Local Law, all as provided in Section 19-101 of the Local Government Article of the Annotated Code of Maryland as amended, and any successor provision of law.
- (h) The Bonds evidencing the borrowing authorized by this Local Law shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest and premium (if any) on the Bonds as and when they become due and payable.
- (i) The Bonds may be sold in one or more series, and the Bonds of any series shall be sold either (a) at private (negotiated) sale and at or above par, or (b) at public sale, by competitive bid, at or above par, as determined by the Board to be in the best interest of the County; in either or both of which events, the Bonds of such series shall be sold in such manner and upon such terms as the Board deems to be in the best interests of the County.

- (j) The Bonds and their issuance and sale shall be exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, as in effect from time to time.
- (k) The County may enter into agreements with agents, banks, fiduciaries, insurers or others for the purpose of enhancing the marketability of, and security for, the Bonds and for the purpose of securing any tender option that may be granted to holders of the Bonds.
- (l) In case any officer whose signature appears on any Bond ceases to be such officer before delivery, the signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until delivery.
- (m) Upon delivery of any Bonds to the purchaser or purchasers, payment shall be made to the Finance Officer of the County or such other official of the County as may be designated to receive payment in a resolution passed by the Board prior to delivery of the Bonds.
- (n) The County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The County may, by appropriate resolution, provide for the replacement of any Bonds issued under this Act which may have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.
- (o) The authority to borrow money and to issue bonds conferred on the County by this Local Law shall be deemed to provide additional, alternative and supplemental authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all previously enacted laws authorizing the County to borrow money are hereby continued to the extent that the power contained in them is continuing or has not been exercised, unless any law is expressly repealed by this Local Law, and the validity of any bonds issued under previously enacted laws is hereby ratified, confirmed and approved. This Local Law, being necessary for the welfare of the inhabitants of Worcester County, shall be liberally construed to effect its purposes. All Public Local Laws previously enacted, and parts of Public Local Laws previously enacted, which are inconsistent with the provisions of this Local Law, are hereby repealed to the extent of any inconsistency.
- (p) The County shall seek funds for installation of a new turf athletic field at Stephen Decatur High School or repayment of the Bonds through such grant sources as the Board may, from time to time, deem desirable and appropriate.
- (q) The provisions of this Local Law are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Local Law or any part hereof are inapplicable had been specifically exempted therefrom.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

RESOLUTION NO. 18 - 24

**RESOLUTION APPROVING AND ADOPTING THE WORCESTER COUNTY
FIVE-YEAR CAPITAL IMPROVEMENT PLAN - FY 2020 TO FY 2024**

WHEREAS, the County Commissioners of Worcester County, Maryland have determined that certain Capital Projects are necessary to be constructed during the period of July 1, 2019 through June 30, 2024 in order to promote the health, safety, and welfare of the citizens of Worcester County and in order to provide adequate public facilities for the proper and efficient delivery of public services to the citizens of Worcester County; and

WHEREAS, the Worcester County Commissioners have conducted a public hearing on November 20, 2018 to receive public comment on the list of Capital Projects proposed for construction during the period of 2019-2024 as identified in the Worcester County Five-Year Capital Improvement Plan - FY 2020 to FY 2024.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Worcester County Five-Year Capital Improvement Plan - FY 2020 to FY 2024 attached hereto, is hereby adopted.

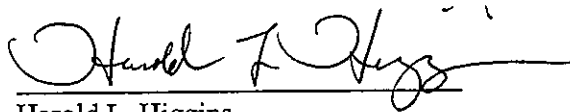
AND BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that funding for the projects identified in the Worcester County Five-Year Capital Improvement Plan - FY 2020 to FY 2024 may be provided from annual tax levies, issuance of public debt, use of reserve funds, or from such other sources as the County Commissioners may from time to time determine.

AND BE IT FURTHER RESOLVED that the County Commissioners of Worcester County, Maryland may, from time to time as deemed to be in the best interest of the County and to meet the needs of its citizens, amend said Capital Improvement Plan by the addition or deletion of projects therefrom.

AND BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage.

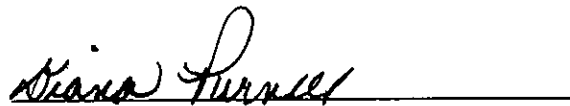
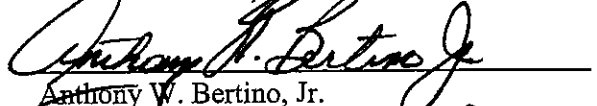
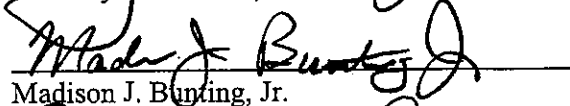

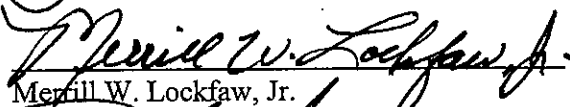
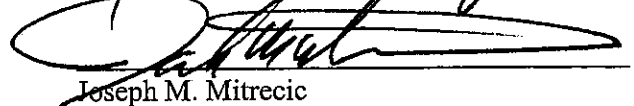
PASSED AND ADOPTED this 20th day of November, 2018.

ATTEST:



Harold L. Higgins
Chief Administrative Officer

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND


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

Worcester County

Approved

5 Year Capital Improvement Plan
FY 2020 to FY 2024



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

November 20, 2018

REQUESTED PLAN SUMMARY BY CATEGORY

11/20/2018

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN
FY 2020 to FY 2024 Project Summary**

Project Category	2020	2021	2022	2023	2024	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete *	Total Project Cost
General Government	250,000	2,500,000	0	550,000	0	3,300,000	3.66%	0	0	3,300,000
Public Safety	500,000	5,500,710	3,800,710	0	0	9,801,420	10.86%	3,500,000	0	13,301,420
Public Works	7,130,000	5,970,000	4,680,000	2,700,000	1,600,000	22,080,000	24.47%	1,116,000	0	23,196,000
Public Schools	26,756,519	10,027,637	7,690,062	5,461,370	2,553,000	52,488,588	58.17%	12,731,756	879,000	66,099,344
Community College	0	197,492	2,279,610	89,975	0	2,567,077	2.84%	0	0	2,567,077
TOTAL	34,636,519	24,195,839	18,450,382	8,801,345	4,153,000	90,237,085	100.00%	17,347,756	879,000	108,463,841

Source of Funds	2020	2021	2022	2023	2024	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete	Total Project Cost
General Fund	1,500,000	1,697,492	1,653,000	1,577,000	1,500,000	7,927,492	8.79%	1,016,000	0	8,943,492
User Fees	0	0	0	0	0	0	0.00%	0	0	0
Grant Funds	865,000	1,560,000	1,215,000	600,000	50,000	4,290,000	4.75%	50,000	0	4,340,000
State Match	5,285,000	1,250,000	3,650,000	1,906,000	831,000	12,922,000	14.32%	4,336,000	0	17,258,000
State Loan	815,000	960,000	15,000	0	0	1,790,000	1.98%	50,000	0	1,840,000
Assigned Funds	2,549,055	1,565,437	0	275,000	0	4,389,492	4.86%	5,858,188	0	10,247,680
Private Donation	0	0	0	0	0	0	0.00%	0	0	0
Enterprise Bonds	950,000	1,950,000	1,950,000	600,000	50,000	5,500,000	6.10%	0	0	5,500,000
General Bonds	22,672,464	15,212,910	9,967,382	3,843,345	1,722,000	53,418,101	59.20%	6,037,568	879,000	60,334,669
TOTAL	34,636,519	24,195,839	18,450,382	8,801,345	4,153,000	90,237,085	100.00%	17,347,756	879,000	108,463,841

* Balance to Complete - Years FY2025 and future

**FY 2020 TO FY 2024 SUMMARY BY PROJECT
REQUESTED**

11/20/2018

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN**

	FY2020	FY2021	FY2022	FY2023	FY2024	Prior Allocation	Balance To Complete	TOTAL
General Government Facilities								
Pocomoke Library Building Improvements	250,000	2,500,000						2,750,000
Snow Hill Library Building Improvements				550,000				550,000
Total General Government Facilities	250,000	2,500,000	0	550,000	0	0	0	3,300,000
Public Safety								
Worcester County Jail Improvement Project	500,000	5,500,710	3,800,710	0	0	3,500,000		13,301,420
Total	500,000	5,500,710	3,800,710	0	0	3,500,000	0	13,301,420
Public Works								
Asphalt Overlay/Pavement Preservation of Roads	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000		8,500,000
Bridge Replacement - Bayside Road Bridge	3,000,000					16,000		3,016,000
Water Wastewater								
Mystic Harbour Wastewater Plant Expansion	100,000	1,200,000	2,400,000	1,200,000	100,000			5,000,000
Newark Spray Irrigation	1,000,000	940,000				100,000		2,040,000
Lewis Road Sewer Extension	630,000	980,000	30,000					1,640,000
Ocean Pines Service Area Upgrades	900,000	1,350,000	750,000					3,000,000
Total Public Works	7,130,000	5,970,000	4,680,000	2,700,000	1,600,000	1,116,000	0	23,196,000

FY 2020 TO FY 2024 SUMMARY BY PROJECT REQUESTED

11/20/2018

WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN

	FY2020	FY2021	FY2022	FY2023	FY2024	Prior Allocation	Balance To Complete	TOTAL
Public Schools								
Showell Elementary School Replacement	25,723,464	9,712,200				12,116,756		47,552,420
Stephen Decatur High School - Turf Field	785,000					615,000		1,400,000
Stephen Decatur Middle School Addition	131,055	315,437	5,005,062	3,753,370				9,204,924
Pocomoke Middle School - Roof Replacement	117,000		2,532,000					2,649,000
Snow Hill Middle/Cedar Chapel School - Roof Replace			153,000	1,631,000	1,722,000			3,506,000
Pocomoke Elementary School - Roof Replacement				77,000	831,000		879,000	1,787,000
Total Public Schools	26,756,519	10,027,637	7,690,062	5,461,370	2,553,000	12,731,756	879,000	66,099,344
Wor-Wic Community College								
Wor-Wic Applied Technology Building		197,492	2,279,610	89,975				2,567,077
Total Wor-Wic	0	197,492	2,279,610	89,975	0	0	0	2,567,077

CAPITAL PROJECT SUMMARY - BY SOURCE OF FUNDS

	FY2020	FY2021	FY2022	FY2023	FY2024	Prior Allocation	Balance to Complete	TOTAL
Source of Funds								
General Fund	1,500,000	1,697,492	1,653,000	1,577,000	1,500,000	1,016,000		8,943,492
User Fees								0
Grant Funds	865,000	1,560,000	1,215,000	600,000	50,000	50,000		4,340,000
State Match	5,285,000	1,250,000	3,650,000	1,906,000	831,000	4,336,000		17,258,000
State Loan	815,000	960,000	15,000			50,000		1,840,000
Assigned Funds	2,549,055	1,565,437		275,000		5,858,188		10,247,680
Private Donation								0
Enterprise Bonds	950,000	1,950,000	1,950,000	600,000	50,000			5,500,000
Generat Bonds	22,672,464	15,212,910	9,967,382	3,843,345	1,722,000	6,037,568	879,000	60,334,669
TOTAL	34,636,519	24,195,839	18,450,382	8,801,345	4,153,000	17,347,756	879,000	108,463,841

Project: Stephen Decatur High School - Turf Field

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer Board of Ed, 410 632-5063

Project Summary: Install Turf Field - Stephen Decatur High School

Purpose: Demolish existing grass athletic field and install new turf surface.

Location: 9913 Seahawk Road, Berlin, MD. 21811

Impacts on General Fund Operating, Personnel or Maintenance: Installation of the new turf field will eliminate maintenance of the existing grass field and the existing field sprinkler system.

	FY 20	FY 21	FY 22	FY 23	FY 24	Prior Allocation	Balance to Complete	Total Project Cost
(FY 19)								
Engineering/Design	20,000					60,000		80,000
Land Acquisition								0
Site Work	765,000					555,000		1,320,000
Construction								0
Equipment/Furnishings								0
Other								0
EXPENDITURES								

TOTAL	785,000	0	0	0	0	615,000	0	1,400,000
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(FY 19)								
SOURCES OF FUNDS								
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds	785,000					615,000		1,400,000
								0
								0

TOTAL	785,000	0	0	0	0	615,000	0	1,400,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Stephen Decatur High School - Turf Field

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Installation of the new turf field at Stephen Decatur High School will provide the SDHS students the same athletic surface we have installed at Pocomoke High School (2008) and Snow Hill High School (2014) through renovation projects at those two schools.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the athletic turf installation project will provide current and future SDHS students the opportunity to utilize their athletic field year round. With the current grass field, SDHS administration limits the use of the field in order to protect and maintain the natural grass. The athletic turf will allow use of the field for team practices, band and unit practice, etc.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The cost estimate was developed through analysis of the athletic turf field costs experienced through the bids received for the Snow Hill High School renovation/addition project in 2013 and adding an inflation factor for the five year period between the SHHS bids and the SDHS construction timeline.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The Stephen Decatur High School athletic turf field project was partially funded (\$615,000) by the County Commissioners in the Board of Education FY 2019 Operating Budget. The BOE will request the balance of the \$1,400,000 budget request in the FY 2020 Operating budget.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

The existing grass field at Stephen Decatur High School and the field's underground sprinkler system require a constant maintenance effort. Execution of the project also provides turf surfaces at all three of our high schools.

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 18-

Add to
29

BY:
INTRODUCED:

Revised **DRAFT**

Proposed Bill 18-9
Hearing January 22, 2019

A BILL ENTITLED

AN ACT

TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND TO BORROW ON ITS FULL FAITH AND CREDIT, AND TO ISSUE AND SELL ITS GENERAL OBLIGATION BONDS AND ITS BOND ANTICIPATION NOTES THEREFOR, AT ONE TIME OR FROM TIME TO TIME WITHIN FOUR YEARS FROM THE DATE THIS BILL BECOMES EFFECTIVE, IN AN AMOUNT NOT EXCEEDING **\$1,400,000** TO PROVIDE FINANCING FOR INSTALLATION OF A NEW TURF ATHLETIC FIELD AND TRACK AT STEPHEN DECATUR HIGH SCHOOL, INCLUDING PAYMENT OF ALL RELATED COSTS AND COSTS OF ISSUANCE OF SUCH BONDS.

For the purpose of authorizing the issuance and sale by County Commissioners of Worcester County, Maryland of its general obligation bonds and its bond anticipation notes to finance the cost of installation of a new turf athletic field and track at Stephen Decatur High School.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Appendix OO to the Code of Public Local Laws of Worcester County, Maryland be created to read as follows:

APPENDIX "OO"

BOND AUTHORIZATION FOR FINANCING INSTALLATION OF A NEW TURF ATHLETIC FIELD AND TRACK AT STEPHEN DECATUR HIGH SCHOOL

§ 1. **Financing installation of a new turf athletic field and track at Stephen Decatur High School.**

(a) Recitals

- (1) Pursuant to Sections 19-501 to 19-510, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended (the "Act"), County Commissioners of Worcester County, Maryland (the "County") may borrow money for any public purpose and may evidence the borrowing by the issuance and sale of its general obligation bonds.
- (2) By and through Resolution No. 19-1, adopted by the Board of County Commissioners of Worcester County (the "Board") on January 8, 2019, the County has approved and adopted the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 which includes installation of a new turf athletic field and track at Stephen Decatur High School.
- (3) The Board, based upon the findings and determinations and subject to the conditions set

forth below, has determined to borrow money in an aggregate principal amount of not more than \$1,400,000 and to evidence such borrowing by the issuance, sale and delivery of its general obligation bonds (the "Bonds") pursuant to the provisions of the Act, and to apply the proceeds of the Bonds to finance installation of a new turf athletic field and track at Stephen Decatur High School, including (without limitation) payment of all related costs and the costs of issuance of the Bonds, all subject to the terms and conditions of this Local Law.

- (b) The Board, acting pursuant to the Act, hereby determines and declares that:
- (1) There is a public need for installation of a new turf athletic field and track at Stephen Decatur High School.
 - (2) The estimated cost for installation of a new turf athletic field and track at Stephen Decatur High School is approximately \$1,400,000.
 - (3) The funds proposed to be borrowed for installation of a new turf athletic field and track at Stephen Decatur High School can be provided at the lowest annual interest rate and cost of issuance by the issuance of general obligation bonds by the County.
 - (4) Use of the proceeds of the Bonds by the County to finance installation of a new turf athletic field and track at Stephen Decatur High School is a proper public purpose which may be financed by the issuance of the Bonds pursuant to the Act.
- (c) Pursuant to the Act, the County is hereby authorized to borrow upon its full faith and credit an amount not to exceed \$1,400,000 and to evidence such borrowing by issuing, selling and delivering its Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed \$1,400,000 subject to the provisions and conditions of this Local Law. ←
- (d) The proceeds from the sale of the Bonds shall be applied for the public purpose of financing the installation of a new turf athletic field and track at Stephen Decatur High School as identified in the Worcester County 5 Year Capital Improvement Plan - FY 2020 to FY 2024 by and through Resolution No. 19-1, adopted by the Board on January 8, 2019, including payment of all related costs and costs of the issuance of the Bonds. The County expressly reserves the right to amend this Local Law to authorize use of the proceeds of the Bonds, including any excess proceeds after application for the purposes described in this Paragraph, to such other public purpose or purposes as the County may approve by enactment of an amendment to this Local Law in accordance with, and pursuant to, the Act. ←
- (e) In each and every fiscal year that any of the Bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all assessable real and tangible personal property within the geographical boundaries of the County, in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on all of the Bonds maturing in each such fiscal year and, if the proceeds from the taxes so levied in any fiscal year prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any deficiency; provided, however, that the County may apply to the payment of the principal of and interest on any Bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality of either, or from any other source.
- (f) As permitted by sections 19-211 to 19-221 of the Local Government Article of the Annotated

Code of Maryland, the provisions set forth in this Local Law for the issuance and sale of the Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any other local law or other action by the legislative body of the County. Accordingly, the words "bonds" and "Bonds", as used in this Local Law, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section C. of this Local Law. It is intended that the aggregate principal amount of the issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in Section C. of this Local Law at any time. The County will agree to pay any bond anticipation notes issued pursuant to this Local Law and the interest and premium, if any, thereon from the proceeds of the Bonds in anticipation of the sale of which such notes are issued, and the County will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists.

- (g) Prior to the issuance and sale of any of the Bonds, the County shall adopt one or more resolutions in accordance with Section 19-504 of the Act, which resolution shall describe in part, the following: (i) the amount of Bonds which shall be issued and the amount of the proceeds of such Bonds allocated to each project specified in such resolution or resolutions, (ii) the statement of the public purpose or purposes for which the proceeds of the Bonds are to be expended, (iii) the form of the Bonds, which shall include the place and time of payment thereof, the rate or rates of interest payable thereon, or space for the insertion of the rate or rates of interest upon the determination thereof, the titles of the officials whose signatures shall be affixed to or imprinted on the Bonds, the authority for the issuance thereof, and the taxes and any special revenues from which the principal of and interest on the Bonds will be payable, (iv) the designation, form, tenor, denomination or denominations and maturities (not exceeding forty years), and optional and mandatory sinking fund redemption provisions, if any, of the Bonds, (v) the method of sale of such Bonds, (vi) provisions for the notice soliciting bids for the purchase of the Bonds, if the Bonds are sold at public sale, (vii) specific provisions for the appropriation and disposal of the proceeds of the sale of the Bonds and specific provisions for the payment of the principal and interest thereon, which provisions shall specify the source or sources of payment and shall constitute a covenant binding the County to provide the funds from the source or sources as and when principal and interest are due and payable, (viii) if any of the proceeds of the Bonds are to be loaned by the County, the terms of such loan and of any Loan Agreement executed in connection with such loan, and (ix) any and all other matters deemed necessary in connection with the proposed borrowing, the issuance, sale and delivery of the Bonds and the appropriation of the proceeds thereof. Additionally, such resolution or resolutions may provide that the issuance of Bonds authorized pursuant to this Local Law may be consolidated with one or more other issues authorized by this Local Law or any other Public Local Law, all as provided in Section 19-101 of the Local Government Article of the Annotated Code of Maryland as amended, and any successor provision of law.
- (h) The Bonds evidencing the borrowing authorized by this Local Law shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest and premium (if any) on the Bonds as and when they become due and payable.
- (i) The Bonds may be sold in one or more series, and the Bonds of any series shall be sold either (a) at private (negotiated) sale and at or above par, or (b) at public sale, by competitive bid, at or above par, as determined by the Board to be in the best interest of the County; in either or both of which events, the Bonds of such series shall be sold in such manner and upon such terms as

the Board deems to be in the best interests of the County.

- (j) The Bonds and their issuance and sale shall be exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, as in effect from time to time.
- (k) The County may enter into agreements with agents, banks, fiduciaries, insurers or others for the purpose of enhancing the marketability of, and security for, the Bonds and for the purpose of securing any tender option that may be granted to holders of the Bonds.
- (l) In case any officer whose signature appears on any Bond ceases to be such officer before delivery, the signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until delivery.
- (m) Upon delivery of any Bonds to the purchaser or purchasers, payment shall be made to the Finance Officer of the County or such other official of the County as may be designated to receive payment in a resolution passed by the Board prior to delivery of the Bonds.
- (n) The County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The County may, by appropriate resolution, provide for the replacement of any Bonds issued under this Act which may have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.
- (o) The authority to borrow money and to issue bonds conferred on the County by this Local Law shall be deemed to provide additional, alternative and supplemental authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all previously enacted laws authorizing the County to borrow money are hereby continued to the extent that the power contained in them is continuing or has not been exercised, unless any law is expressly repealed by this Local Law, and the validity of any bonds issued under previously enacted laws is hereby ratified, confirmed and approved. This Local Law, being necessary for the welfare of the inhabitants of Worcester County, shall be liberally construed to effect its purposes. All Public Local Laws previously enacted, and parts of Public Local Laws previously enacted, which are inconsistent with the provisions of this Local Law, are hereby repealed to the extent of any inconsistency.
- (p) The County shall seek funds for installation of a new turf athletic field and track at Stephen Decatur High School or repayment of the Bonds through such grant sources as the Board may, from time to time, deem desirable and appropriate. ←
- (q) The provisions of this Local Law are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Local Law or any part hereof are inapplicable had been specifically exempted therefrom.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

Kelly Shannahan

From: Vincent E. Tolbert <VETolbert@worcesterk12.org>
Sent: Monday, December 17, 2018 3:37 PM
To: Kelly Shannahan; Harold Higgins
Cc: Louis H. Taylor; Kimberly Reynolds; Maureen L. Howarth; Phil Thompson; Kathy Whited
Subject: RE: Stephen Decatur High School athletic field
Attachments: Copy of 121718-BOE FY20-FY24-SDHS-TURF-FIELD-TRACK-COUNTY-CIP (002).xlsx

See revised.

Vincent E. Tolbert, CPA
Chief Financial Officer
Worcester County Public Schools
6270 Worcester Highway
Newark, MD 21841
410-632-5063 Business
410-632-1819 Fax

From: Kelly Shannahan <kellys@co.worcester.md.us>
Sent: Monday, December 17, 2018 2:28 PM
To: Harold Higgins <hhiggins@co.worcester.md.us>
Cc: Vincent E. Tolbert <VETolbert@worcesterk12.org>; Louis H. Taylor <LHTaylor@worcesterk12.org>; Kimberly Reynolds <kreynolds@co.worcester.md.us>; Maureen L. Howarth <mhowarth@co.worcester.md.us>; Phil Thompson <pthompson@co.worcester.md.us>; Kathy Whited <kwhited@co.worcester.md.us>
Subject: RE: Stephen Decatur High School athletic field
Importance: High

Harold,

In addition to the letter and/or email that I understand you have asked Vince or Lou to provide, please ask Vince to update the attached CIP request to reference the turf field **and the track** (and any other proposed improvements for which the \$1.4 million in bond funds will be used). I need this ASAP in order to advertise a public hearing for the amended CIP to reflect the track (and other improvements) in addition to the turf field. As you know, otherwise bond funds may only be used for the cost of the turf field and not the track.

Kelly Shannahan
Assistant Chief Administrative Officer

Worcester County Administration
Room 1103 Government Center
One West Market Street
Snow Hill, MD 21863-1195
410-632-1194
410-632-3131 (fax)

From: Kimberly Reynolds
Sent: Monday, December 17, 2018 2:02 PM
To: Kelly Shannahan <kellys@co.worcester.md.us>
Cc: Harold Higgins <hhiggins@co.worcester.md.us>
Subject: FW: Stephen Decatur High School athletic field

Kelly,

This was the only thing that Vince gave me. There was no back up documentation provided unfortunately.

Kim Reynolds
Senior Budget Accountant
Worcester County
One West Market Street, Room 1103
Snow Hill, Maryland 21863
Telephone: 410-632-1194
Fax: 410-632-3131

From: Vincent E. Tolbert [<mailto:VETolbert@worcesterk12.org>]
Sent: Thursday, October 11, 2018 3:35 PM
To: Kathy Whited
Cc: Harold Higgins; Kimberly Reynolds
Subject: RE: Stephen Decatur High School athletic field

Kathy,
I have discussed with Lou and Joe Price. Based on results from the SES bids this summer, we feel that \$1,400,000 would be a good estimate to use for this project. I am attaching a CIP worksheet. Please let me know if you have questions or have additional information. Thanks - Vince

Vincent E. Tolbert, CPA
Chief Financial Officer
Worcester County Public Schools
6270 Worcester Highway
Newark, MD 21841
410-632-5063 Business
410-632-1819 Fax

From: Kathy Whited <kwhited@co.worcester.md.us>
Sent: Wednesday, October 10, 2018 3:38 PM
To: Vincent E. Tolbert <VETolbert@worcesterk12.org>
Cc: Harold Higgins <hhiggins@co.worcester.md.us>; Kimberly Reynolds <kreynolds@co.worcester.md.us>
Subject: Stephen Decatur High School athletic field

Vince,

RE: Stephen Decatur High School Athletic Field

1. Since the project is over \$500,000 and fully funded by the County you will need to complete a CIP form.
2. As I am working on year end fund balance, do you anticipate the amount for the project is \$1,230,000? I am looking at the Board of Education website for the amount for the new athletic field but not able to find this project total.

Please advise,
thank you, Kathy

Kathy Whited, Budget Officer
Worcester County Commissioners
Government Center
1 West Market Street, Room 1103
Snow Hill, MD 21863

Amended

Project: Stephen Decatur High School - Turf Field/Running Track/Athletic Improvements

Dept Head, Title & Phone #: Vince Tolbert, Chief Financial Officer Board of Ed, 410 632-5063

Project Summary: Install Turf Field, Resurface Running Track, Athletic Field Improvements - Stephen Decatur High School

Purpose: Demolish existing grass athletic field and install new turf surface. Included within field perimeter will be improvements to field event areas, including high jump, long jump, shot put and pole vault areas. Resurface existing running track. ←

Location: 9913 Seahawk Road, Berlin, MD. 21811

Impacts on General Fund Operating, Personnel or Maintenance: Installation of the new turf field will eliminate maintenance of the existing grass field and the existing field sprinkler system. Track resurfacing will address deteriorated track areas and improve the overall expected life of the track. ←

	FY 20	FY 21	FY 22	FY 23	FY 24	Prior Allocation	Balance to Complete	Total Project Cost
(FY 19)								
Engineering/Design	20,000					60,000		80,000
Land Acquisition								0
Site Work	765,000					555,000		1,320,000
Construction								0
Equipment/Furnishings								0
Other								0
EXPENDITURES								
TOTAL	785,000	0	0	0	0	615,000	0	1,400,000

SOURCES OF FUNDS		(FY 19)						
General Fund								0
User Fees								0
Grant Funds								0
State Match								0
State Loan								0
Assigned Funds								0
Private Donation								0
Enterprise Bonds								0
General Bonds	785,000					615,000		1,400,000
								0
								0
TOTAL	785,000	0	0	0	0	615,000	0	1,400,000

PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Amended

Project: Stephen Decatur High School - Turf Field/Running Track/Athletic Improvements

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Installation of the new turf field and resurfacing of the existing running track at Stephen Decatur High School will provide the SDHS students the same athletic surfaces we have installed at Pocomoke High School (2008) and Snow Hill High School (2014) through renovation projects at those two schools.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

Completion of the athletic turf installation project will provide current and future SDHS students the opportunity to utilize their athletic field year round. With the current grass field, SDHS administration limits the use of the field in order to protect and maintain the natural grass. The athletic turf will allow use of the field for team practices, band and unit practice, etc. Resurfacing of the existing running track will extend the serviceable life of the track and address areas of deterioration.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

The cost estimate was developed through analysis of the athletic turf field costs experienced through the bids received for the Snow Hill High School renovation/addition project in 2013 and adding an inflation factor for the five year period between the SHHS bids and the SDHS construction timeline.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

The Stephen Decatur High School athletic turf field/running track project will be funded from general obligation bond proceeds.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

The existing grass field at Stephen Decatur High School and the field's underground sprinkler system require a constant maintenance effort. Execution of the project also provides turf surfaces at all three of our high schools.

30

BILL 18-

BY:
INTRODUCED:

DRAFT

Proposed
Bill 18-10
Hearing - January 22, 2019

A BILL ENTITLED

AN ACT

TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND TO BORROW ON ITS FULL FAITH AND CREDIT, AND TO ISSUE AND SELL ITS GENERAL OBLIGATION BONDS AND ITS BOND ANTICIPATION NOTES THEREFOR, AT ONE TIME OR FROM TIME TO TIME WITHIN FOUR YEARS FROM THE DATE THIS BILL BECOMES EFFECTIVE, IN AN AMOUNT NOT EXCEEDING \$3,328,000 TO PROVIDE FINANCING TO COMPLETE THE CENTRAL LANDFILL SITE CELL NO. 5 CONSTRUCTION PROJECT, INCLUDING PAYMENT OF ALL RELATED COSTS AND COSTS OF ISSUANCE OF SUCH BONDS.

For the purpose of authorizing the issuance and sale by County Commissioners of Worcester County, Maryland of its general obligation bonds and its bond anticipation notes to finance completion of the Central Landfill Site Cell No. 5 Construction project.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Appendix PP to the Code of Public Local Laws of Worcester County, Maryland be created to read as follows:

APPENDIX "PP"

BOND AUTHORIZATION FOR FINANCING COMPLETION OF THE CENTRAL LANDFILL SITE CELL NO. 5 CONSTRUCTION PROJECT

§ 1. Financing completion of the Central Landfill Site Cell No. 5 Construction project.

(a) Recitals

- (1) Pursuant to Sections 19-501 to 19-510, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended (the "Act"), County Commissioners of Worcester County, Maryland (the "County") may borrow money for any public purpose and may evidence the borrowing by the issuance and sale of its general obligation bonds.
- (2) By and through Resolution No. 18-1, adopted by the Board of County Commissioners of Worcester County (the "Board") on January 2, 2018, the County approved and adopted the Worcester County 5 Year Capital Improvement Plan - FY 2019 to FY 2023 which includes the Central Landfill Site Cell No. 5 Construction project.
- (3) The Board, based upon the findings and determinations and subject to the conditions set forth below, has determined to borrow money in an aggregate principal amount of not

more than \$3,328,000 and to evidence such borrowing by the issuance, sale and delivery of its general obligation bonds (the "Bonds") pursuant to the provisions of the Act, and to apply the proceeds of the Bonds to finance completion of the Central Landfill Site Cell No. 5 Construction project, including (without limitation) payment of all related costs and the costs of issuance of the Bonds, all subject to the terms and conditions of this Local Law.

- (b) The Board, acting pursuant to the Act, hereby determines and declares that:
- (1) There is a public need for completion of the Central Landfill Site Cell No. 5 Construction project.
 - (2) The estimated cost for the Central Landfill Site Cell No. 5 Construction project is approximately \$12,728,000.
 - (3) The funds proposed to be borrowed for completion of the Central Landfill Site Cell No. 5 Construction project can be provided at the lowest annual interest rate and cost of issuance by the issuance of general obligation bonds by the County.
 - (4) Use of the proceeds of the Bonds by the County to finance completion of the Central Landfill Site Cell No. 5 Construction project is a proper public purpose which may be financed by the issuance of the Bonds pursuant to the Act.
- (c) Pursuant to the Act, the County is hereby authorized to borrow upon its full faith and credit an amount not to exceed \$3,328,000 and to evidence such borrowing by issuing, selling and delivering its Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed \$3,328,000 subject to the provisions and conditions of this Local Law.
- (d) The proceeds from the sale of the Bonds shall be applied for the public purpose of financing the Central Landfill Site Cell No. 5 Construction project as identified in the Worcester County 5 Year Capital Improvement Plan - FY 2019 to FY 2023 by and through Resolution No. 18-1, adopted by the Board on January 2, 2018, including payment of all related costs and costs of the issuance of the Bonds. The County expressly reserves the right to amend this Local Law to authorize use of the proceeds of the Bonds, including any excess proceeds after application for the purposes described in this Paragraph, to such other public purpose or purposes as the County may approve by enactment of an amendment to this Local Law in accordance with, and pursuant to, the Act.
- (e) In each and every fiscal year that any of the Bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all assessable real and tangible personal property within the geographical boundaries of the County, in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on all of the Bonds maturing in each such fiscal year and, if the proceeds from the taxes so levied in any fiscal year prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any deficiency; provided, however, that the County may apply to the payment of the principal of and interest on any Bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality of either, or from any other source.
- (f) As permitted by sections 19-211 to 19-221 of the Local Government Article of the Annotated Code of Maryland, the provisions set forth in this Local Law for the issuance and sale of the

Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any other local law or other action by the legislative body of the County. Accordingly, the words "bonds" and "Bonds", as used in this Local Law, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section C. of this Local Law. It is intended that the aggregate principal amount of the issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in Section C. of this Local Law at any time. The County will agree to pay any bond anticipation notes issued pursuant to this Local Law and the interest and premium, if any, thereon from the proceeds of the Bonds in anticipation of the sale of which such notes are issued, and the County will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists.

- (g) Prior to the issuance and sale of any of the Bonds, the County shall adopt one or more resolutions in accordance with Section 19-504 of the Act, which resolution shall describe in part, the following: (i) the amount of Bonds which shall be issued and the amount of the proceeds of such Bonds allocated to each project specified in such resolution or resolutions, (ii) the statement of the public purpose or purposes for which the proceeds of the Bonds are to be expended, (iii) the form of the Bonds, which shall include the place and time of payment thereof, the rate or rates of interest payable thereon, or space for the insertion of the rate or rates of interest upon the determination thereof, the titles of the officials whose signatures shall be affixed to or imprinted on the Bonds, the authority for the issuance thereof, and the taxes and any special revenues from which the principal of and interest on the Bonds will be payable, (iv) the designation, form, tenor, denomination or denominations and maturities (not exceeding forty years), and optional and mandatory sinking fund redemption provisions, if any, of the Bonds, (v) the method of sale of such Bonds, (vi) provisions for the notice soliciting bids for the purchase of the Bonds, if the Bonds are sold at public sale, (vii) specific provisions for the appropriation and disposal of the proceeds of the sale of the Bonds and specific provisions for the payment of the principal and interest thereon, which provisions shall specify the source or sources of payment and shall constitute a covenant binding the County to provide the funds from the source or sources as and when principal and interest are due and payable, (viii) if any of the proceeds of the Bonds are to be loaned by the County, the terms of such loan and of any Loan Agreement executed in connection with such loan, and (ix) any and all other matters deemed necessary in connection with the proposed borrowing, the issuance, sale and delivery of the Bonds and the appropriation of the proceeds thereof. Additionally, such resolution or resolutions may provide that the issuance of Bonds authorized pursuant to this Local Law may be consolidated with one or more other issues authorized by this Local Law or any other Public Local Law, all as provided in Section 19-101 of the Local Government Article of the Annotated Code of Maryland as amended, and any successor provision of law.
- (h) The Bonds evidencing the borrowing authorized by this Local Law shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest and premium (if any) on the Bonds as and when they become due and payable.
- (i) The Bonds may be sold in one or more series, and the Bonds of any series shall be sold either (a) at private (negotiated) sale and at or above par, or (b) at public sale, by competitive bid, at or above par, as determined by the Board to be in the best interest of the County; in either or both of which events, the Bonds of such series shall be sold in such manner and upon such terms as the Board deems to be in the best interests of the County.

- (j) The Bonds and their issuance and sale shall be exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, as in effect from time to time.
- (k) The County may enter into agreements with agents, banks, fiduciaries, insurers or others for the purpose of enhancing the marketability of, and security for, the Bonds and for the purpose of securing any tender option that may be granted to holders of the Bonds.
- (l) In case any officer whose signature appears on any Bond ceases to be such officer before delivery, the signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until delivery.
- (m) Upon delivery of any Bonds to the purchaser or purchasers, payment shall be made to the Finance Officer of the County or such other official of the County as may be designated to receive payment in a resolution passed by the Board prior to delivery of the Bonds.
- (n) The County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The County may, by appropriate resolution, provide for the replacement of any Bonds issued under this Act which may have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.
- (o) The authority to borrow money and to issue bonds conferred on the County by this Local Law shall be deemed to provide additional, alternative and supplemental authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all previously enacted laws authorizing the County to borrow money are hereby continued to the extent that the power contained in them is continuing or has not been exercised, unless any law is expressly repealed by this Local Law, and the validity of any bonds issued under previously enacted laws is hereby ratified, confirmed and approved. This Local Law, being necessary for the welfare of the inhabitants of Worcester County, shall be liberally construed to effect its purposes. All Public Local Laws previously enacted, and parts of Public Local Laws previously enacted, which are inconsistent with the provisions of this Local Law, are hereby repealed to the extent of any inconsistency.
- (p) The County shall seek funds for completion of the Central Landfill Site Cell No. 5 Construction project or repayment of the Bonds through such grant sources as the Board may, from time to time, deem desirable and appropriate.
- (q) The provisions of this Local Law are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Local Law or any part hereof are inapplicable had been specifically exempted therefrom.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

RESOLUTION NO. 18 - 1

RESOLUTION APPROVING AND ADOPTING THE WORCESTER COUNTY
FIVE-YEAR CAPITAL IMPROVEMENT PLAN - FY 2019 TO FY 2023

WHEREAS, the County Commissioners of Worcester County, Maryland have determined that certain Capital Projects are necessary to be constructed during the period of July 1, 2018 through June 30, 2023 in order to promote the health, safety, and welfare of the citizens of Worcester County and in order to provide adequate public facilities for the proper and efficient delivery of public services to the citizens of Worcester County; and

WHEREAS, the Worcester County Commissioners have conducted a public hearing on January 2, 2018 to receive public comment on the list of Capital Projects proposed for construction during the period of 2018-2023 as identified in the Worcester County Five-Year Capital Improvement Plan - FY 2019 to FY 2023.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Worcester County Five-Year Capital Improvement Plan - FY 2019 to FY 2023 attached hereto, is hereby adopted.

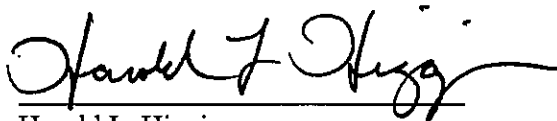
AND BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that funding for the projects identified in the Worcester County Five-Year Capital Improvement Plan - FY 2019 to FY 2023 may be provided from annual tax levies, issuance of public debt, use of reserve funds, or from such other sources as the County Commissioners may from time to time determine.

AND BE IT FURTHER RESOLVED that the County Commissioners of Worcester County, Maryland may, from time to time as deemed to be in the best interest of the County and to meet the needs of its citizens, amend said Capital Improvement Plan by the addition or deletion of projects therefrom.

AND BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage.

PASSED AND ADOPTED this 2nd day of January, 2018.

ATTEST:



Harold L. Higgins
Chief Administrative Officer

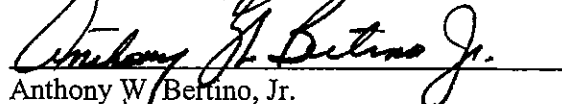
COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND



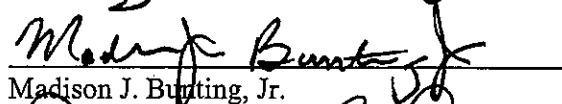
Diana Purnell, President



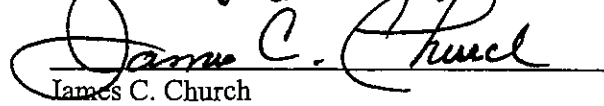
Theodore J. Elder, Vice President



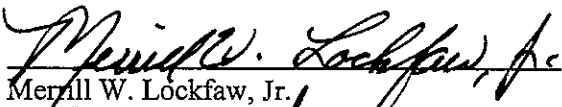
Anthony W. Bertino, Jr.



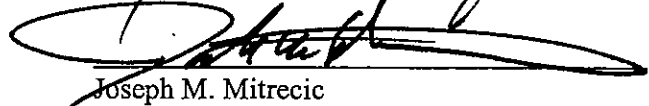
Madison J. Bunting, Jr.



James C. Church



Merrill W. Lockfaw, Jr.



Joseph M. Mitrecic

Worcester County

Approved

5 Year Capital Improvement Plan FY 2019 to FY 2023



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

January 2, 2018

REQUESTED PLAN SUMMARY BY CATEGORY

12/4/2017

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN
FY 2019 to FY 2023 Project Summary**

Project Category	2019	2020	2021	2022	2023	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete *	Total Project Cost
General Government	1,375,000	500,000	0	0	550,000	2,425,000	2.42%	0	0	2,425,000
Public Safety	2,075,000	500,000	5,500,710	3,800,710	0	11,876,420	11.84%	425,000	0	12,301,420
Public Works	11,239,000	5,120,000	2,420,000	1,500,000	3,578,200	23,857,200	23.79%	9,749,000	0	33,606,200
Recreation & Parks	1,105,000	745,000	1,945,000	5,000	0	3,800,000	3.79%	0	0	3,800,000
Public Schools	10,412,016	19,511,415	10,865,403	6,589,695	8,344,169	55,722,698	55.56%	2,216,838	864,005	58,803,541
Community College	0	0	200,928	2,319,269	91,540	2,611,737	2.60%	0	0	2,611,737
TOTAL	26,206,016	26,376,415	20,932,041	14,214,674	12,563,909	100,293,055	100.00%	12,390,838	864,005	113,547,898

Source of Funds	2019	2020	2021	2022	2023	Five Year Project Cost Total	Five Year % to Total Costs	Actual Prior Years	Balance to Complete	Total Project Cost
General Fund	110,500	1,774,500	1,895,428	1,500,500	3,578,200	8,859,128	8.83%	1,000,000	0	9,859,128
User Fees	4,111,000	700,000	0	0	0	4,811,000	4.80%	4,054,000	0	8,865,000
Grant Funds	2,724,500	1,210,500	1,910,500	4,500	0	5,850,000	5.83%	0	0	5,850,000
State Match	4,336,000	5,186,000	0	4,548,000	1,952,000	16,022,000	15.98%	0	0	16,022,000
State Loan	570,000	380,000	760,000	0	0	1,710,000	1.71%	2,660,000	0	4,370,000
Designated Funds	2,875,000	1,615,451	433,691	190,000	275,000	5,389,142	5.37%	2,216,838	0	7,605,980
Developer Equity Con	0	0	0	0	0	0	0.00%	0	0	0
Private Donation	0	0	0	0	0	0	0.00%	0	0	0
Enterprise Bonds	3,328,000	0	0	0	0	3,328,000	3.32%	2,035,000	0	5,363,000
General Bonds	8,151,016	15,509,964	15,932,422	7,971,674	6,758,709	54,323,785	54.17%	425,000	864,005	55,612,790
Local Bank Loan	0	0	0	0	0	0	0.00%	0	0	0
TOTAL	26,206,016	26,376,415	20,932,041	14,214,674	12,563,909	100,293,055	100.00%	12,390,838	864,005	113,547,898

* Balance to Complete - Years FY2024 and future

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FY 2019 TO FY 2023 SUMMARY BY PROJECT
REQUESTED

12/4/2017

WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN

	FY2019	FY2020	FY2021	FY2022	FY2023	Prior Allocation	Balance To Complete	TOTAL
General Government Facilities								
Courthouse Building Improvements	575,000	0	0	0	0	0	0	575,000
Ocean Pines Library Building Repairs	800,000	0	0	0	0	0	0	800,000
Pocomoke Library Building Improvements	0	500,000	0	0	0	0	0	500,000
Snow Hill Library Building Improvements	0	0	0	0	550,000	0	0	550,000
Total General Government Facilities	1,375,000	500,000	0	0	550,000	0	0	2,425,000
Public Safety								
Worcester County Jail Improvement Project	2,075,000	500,000	5,500,710	3,800,710	0	425,000	0	12,301,420
Total	2,075,000	500,000	5,500,710	3,800,710	0	425,000	0	12,301,420
Public Works								
Asphalt Overlay/Pavement Preservation of Roads	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000	0	8,500,000
Bridge Replacement -Bayside Road Bridge	0	2,000,000	0	0	0	0	0	2,000,000
Salt Program	0	0	0	0	2,078,200	0	0	2,078,200
Water Wastewater								
Mystic Harbour Effluent Disposal	630,000	0	0	0	0	2,570,000	0	3,200,000
Newark Spray Irrigation	1,610,000	380,000	0	0	0	90,000	0	2,080,000
Lewis Road Sewer Extension	60,000	540,000	920,000	0	0	0	0	1,520,000
Solid Waste								
Central Site Cell #5 Construction at Prior Rubblefill	6,639,000	0	0	0	0	6,089,000	0	12,728,000
Landfill Admin Scale Bldg Renovation & Addition	800,000	700,000	0	0	0	0	0	1,500,000
Total Public Works	11,239,000	5,120,000	2,420,000	1,500,000	3,578,200	9,749,000	0	33,606,200
Recreation & Parks								
Greys Creek Nature Park Development	105,000	230,000	165,000	0	0	0	0	500,000
Northern Worcester Land Acquisition & Development	1,000,000	515,000	1,780,000	5,000	0	0	0	3,300,000
Total	1,105,000	745,000	1,945,000	5,000	0	0	0	3,800,000

12/4/2017

**FY 2019 TO FY 2023 SUMMARY BY PROJECT
REQUESTED**

**WORCESTER COUNTY
FIVE YEAR CAPITAL IMPROVEMENT PLAN**

	FY2019	FY2020	FY2021	FY2022	FY2023	Prior Allocation	Balance To Complete	TOTAL
Public Schools								
Showell Elementary School Replacement	10,412,016	19,345,984	10,431,712	0	0	2,216,838	0	42,406,530
Stephen Decatur Middle School Addition	0	165,451	253,691	3,227,695	4,952,169	0	864,005	9,463,011
Pocomoke Middle School - Roof Replacement	0	0	180,000	3,172,000	0	0	0	3,352,000
Snow Hill Middle School - Roof Replacement				190,000	3,392,000	0	0	3,582,000
Total Public Schools	10,412,016	19,511,415	10,865,403	6,589,695	8,344,169	2,216,838	864,005	58,803,541
Wor-Wic Community College								
Wor-Wic New Academic Building	0	0	200,928	2,319,269	91,540	0	0	2,611,737
Total Wor-Wic	0	0	200,928	2,319,269	91,540	0	0	2,611,737

CAPITAL PROJECT SUMMARY - BY SOURCE OF FUNDS

	FY2019	FY2020	FY2021	FY2022	FY2023	Prior Allocation	Balance to Complete	TOTAL
Source of Funds								
General Fund	110,500	1,774,500	1,895,428	1,500,500	3,578,200	1,000,000		9,859,128
User Fees	4,111,000	700,000				4,054,000		8,865,000
Grant Funds	2,724,500	1,210,500	1,910,500	4,500				5,850,000
State Match	4,336,000	5,186,000		4,548,000	1,952,000			16,022,000
State Loan	570,000	380,000	760,000			2,660,000		4,370,000
Designated Funds	2,875,000	1,615,451	433,691	190,000	275,000	2,216,838		7,605,980
Developer Equity Contribution								0
Private Donation								0
Enterprise Bonds	3,328,000					2,035,000		5,363,000
General Bonds	8,151,016	15,509,964	15,932,422	7,971,674	6,758,709	425,000	864,005	55,612,790
Local Bank Loan								0
TOTAL	26,206,016	26,376,415	20,932,041	14,214,674	12,563,909	12,390,838	864,005	113,547,898

Project: Central Site Cell #5 Construction at Prior Rubberfill

Dept Head, Title & Phone #: John H. Tustin, P.E., Director of Public Works - 410-632 - 5623

Project Summary: Central Site Cell #5 Construction at Prior Rubberfill

Purpose: Construct Cell #5 to expand landfill space

Location: Central Landfill

Impacts on General Fund Operating, Personnel or Maintenance: None

	FY 19	FY 20	FY 21	FY 22	FY 23	Prior Allocation	Balance to Complete	Total Project Cost
Engineering/Design	225,000					225,000		450,000
Land Acquisition								0
Site Work								0
Construction	5,864,000					5,864,000		11,728,000
Equipment/Furnishings								0
Other	550,000							550,000
EXPENDITURES								

TOTAL	6,639,000	0	0	0	0	6,089,000	0	12,728,000
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SOURCES OF FUNDS								
General Fund								0
User Fees	3,311,000					4,054,000		7,365,000
Grant Funds								0
State Match								0
State Loan								0
Designated Funds								0
Private Donation								0
Enterprise Bonds	3,328,000					2,035,000		5,363,000
General Bonds								0
								0
								0

TOTAL	6,639,000	0	0	0	0	6,089,000	0	12,728,000
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PROJECTED OPERATING IMPACTS	0	0	0	0	0			0
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Project: Central Site Cell #5 Construction at Prior Rubberfill

Complete the following questions.

Project scope.

Provide the detail available on the project scope. How was the scope determined? Is there any historical information critical to the understanding of scope development? Is this is mandated by Federal Law?

Construction of Cell #5 to expand space at the landfill.

County benefit.

How do the citizens and the County benefit from the project? Does it benefit the County in general or is the benefit targeted to a smaller area or population? Are there consequences for not doing this project? If the project is delayed or not funded, what would be the negative impact?

This project will benefit the County in general as this is the only landfill. Construction of Cell # 5 is necessary so the County does not run out of landfill space.

Cost estimate.

How was the cost estimate developed? Was there a scope study? Is it an engineers estimate? Is it a square foot estimate? Is it based on similar projects? Give us the back up information. Is the estimate your "best guess", please tell us. Are there any concerns with your estimate?

EA Engineering provided the cost estimate which is based on preliminary design and historical costs.

CIP Timing. If you are requesting a change, please tell us why. New projects should typically be added to the last year of the CIP. If you are requesting a new project earlier, tell us why. Requesting a change in timing - tell us why. Is the timing of the project related to any other CIP project? Does it need to be completed before or at the same time as another project? Does another project need to be completed before this project?

This project was delayed due to MDE permitting issues.

Urgency.

Help us to understand the relative urgency of the project. Is it critical? Does it need to be done and done now? Is the project necessary, but not as time critical? Does it need to be done, but will a delay of some years have a significant impact? Is the project something that would be good to do if the resources are available, but has no significant consequences if it isn't funded?

This project needs to be completed within a year to prevent the County from running out of landfill space.



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

OFFICE OF THE
COUNTY COMMISSIONERS

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

Worcester County

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

FAXED
11/21/18 @ 11:03am

November 21, 2018

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

Please print the attached notice in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on November 29, 2018 and December 13, 2018. Thank you.

NOTICE OF PUBLIC HEARING
AMENDMENT TO WORCESTER COUNTY WATER AND SEWERAGE PLAN FOR
RECLASSIFICATION OF WATER AND SEWER PLANNING AREAS
OCEAN PINES SANITARY SERVICE AREA
WORCESTER COUNTY, MARYLAND

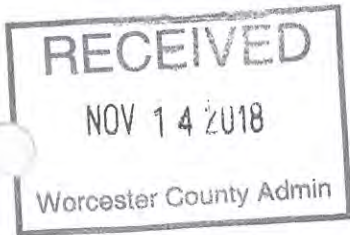
The Worcester County Commissioners will hold a public hearing to consider a requested amendment to the *Worcester County Comprehensive Water and Sewerage Plan* (The Plan) as submitted by Hugh Cropper, IV., on behalf of Atlantic General Hospital, to reclassify the water and sewer planning area designations for two adjacent properties to serve a proposed outpatient medical center. The proposed amendment seeks to change the designation for the properties from W-6/S-6 (no planned service) to W-1/S-1 (planned to be served within two years) and will include the relevant information for the Ocean Pines planning area in The Plan. The proposed medical office development will consist of 98,964 square feet of medical offices serving different medical specialties.

The public hearing on this application will be held on:

TUESDAY, DECEMBER 18, 2018
at 11:10 a.m.
in the
COUNTY COMMISSIONERS MEETING ROOM
Room 1101 - County Government Center
One West Market Street, Snow Hill, Maryland 21863

The case file may be reviewed at the Department of Environmental Programs, Room 1306 - Worcester County Government Center, Snow Hill, Maryland 21863 between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday (except holidays). Interested parties may also call 410-632-1220, ext. 1601.

THE WORCESTER COUNTY COMMISSIONERS



Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

From: Robert J. Mitchell, LEHS
Director

public hearing
on December 18, 2018

Subject: **Public Hearing**
Worcester County Comprehensive Water and Sewerage Plan
Ocean Pines Sanitary Service Area
Reclassification of Water/Sewer Planning Area Designations
Case No. (SW-2018-5)

Date: November 13, 2018

APPROVED
Worcester County Commissioners
Date 11/20/18

The Planning Commission met November 1, 2018 and reviewed this application. We are writing to forward the Planning Commission's finding of consistency with the *Comprehensive Development Plan* and their recommendation to amend the *Comprehensive Water and Sewerage Plan* for an amendment to revise the sewer and water planning areas for the Ocean Pines Sanitary Service Area.

The applicant requests a reclassification of the sewer and water planning area designations for two (2) adjacent parcels in the Ocean Pines Sewer Planning Area in *The Plan*. Mr. Hugh Cropper is the applicant on behalf of the owner, Atlantic General Hospital. This amendment seeks to reclassify the water/sewer planning area for these adjacent properties from W-6/S-6 (no planned service) to W-1/S-1 (within two years). The applicant requested the change in service classifications in order to serve a proposed Outpatient Center on the properties. The subject properties are located on the east side of Racetrack Road (MD Route 589), south of the southern entrance to the Ocean Pines Community. They are more specifically identified on Tax Map 21 as Parcel 66, Lots A and B. The proposed facility will include approximately 98,964 square feet of medical office space and they are expecting to utilize thirty-four (34) EDUs of water and sewer capacity to serve this development.

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

- 1. Environmental Program's transmittal letter to the Planning Commission; and

2. Minutes for the Planning Commission meeting on November 1, 2018

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

Attachment

cc: WS File – Ocean Pines - Reclassification of Water/Sewer Planning Areas (SW-2018-5)

Attachment 1

Environmental Programs Transmittal Letter to the Planning Commission



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

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

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

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

October 26, 2018

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

RE: Transmittal-Comprehensive Water and Sewerage
Plan Amendment –Ocean Pines Sanitary Area –
Reclassification of Water/Sewer Planning Area
Designations
Atlantic General – Ocean Pines Outpatient Center
TM 21 Parcels 66A, 66B
(SW-2018-5)

Dear Commissioners:

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

Mr. Hugh Cropper is the applicant on behalf of the owner, Atlantic General Hospital. This amendment seeks to reclassify the sewer and water planning areas for two adjacent properties from S-6/W-6 (no planned service) to S-1/W-1 (within two years) and include in the Ocean Pines sewer and water planning area information in *The Plan*.

The applicant is requesting a change in the water and sewer service classifications in order to serve a proposed Outpatient Center for Atlantic General Hospital on these properties. The subject properties are located on Racetrack Road (MD Route 589), south of the south gate entrance to the Ocean Pines Community. The properties are more specifically identified on Tax Map 21 as Parcels 274, Lots 66A and 66B. The proposed medical office development will consist of a proposed 98,964 square feet for offices serving a mix of varied medical specialties. At this time there are no planned in-patient surgery, no hospital beds, no institutional beds, no dialysis, no swimming pools for physical therapy

October 26, 2018

and the laboratory work will be done at the main hospital. The applicant is planning an initial utilization of thirty-four (34) EDUs of public water and sewer capacity to serve the proposed facilities.

The applicant is proposing to connect to the sewer collection system by connecting to a gravity manhole at the south gate of Ocean Pines that discharges to Pump Station "T". They will similarly connect at the south gate location to a public water main that runs from Ocean Pines to the Pennington Commons commercial complex. This developer-constructed infrastructure will be built under a Public Works agreement and will be turned over upon inspection and acceptance of the construction and materials by County personnel.

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

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

Comprehensive Plan Policies

Other than an extremely small portion on the southwest corner that is designated Commercial Center, the Comprehensive Plan assigns one land use designations for this property within the Ocean Pines sewer planning area. This designation is:

1. Existing Developed Area

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

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

The Comprehensive Plan notes that caution should be exhibited in these EDA's to protect green infrastructure and sensitive areas (p.14). These properties do have woodlands located on the eastern portions of the lots and any development would need to conform to the requirements of the Forest Conservation Act (FCA).

The comprehensive plan goes on to state:

Chapter One, "Introduction" states:

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

Chapter Three, "Natural Resources" states:

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

October 26, 2018

Chapter Three, "TMDLs" states:

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

Chapter Six, "Public Infrastructure" states:

- Consistent with the development philosophy, facilities and services necessary for the health, safety, and general welfare shall be cost effectively provided (p.70).
- Require new development "pay its way" by providing adequate public facilities to meet the infrastructure demand it creates (p.70).
- Plan for efficient operation, maintenance, and upgrades to existing sanitary systems as appropriate (p. 73).
- Provide for the safe and environmentally sound water supply and disposal of wastewater generated in Worcester County (p.73).
- Sewer systems should be sized to serve their service areas' planned for land uses (p. 74).

Zoning

The current Ocean Pines *Planning Area* has already been approved under various amendments and is appropriately zoned for the current and proposed uses planned for the existing sanitary area properties, including the subject properties. The proposed expansion properties, which total approximately 30.90 acres in area, have a single zoning designation. They carry a C-2 (General Commercial District) designation. This zoning district is intended to provide for more intense commercial development serving populations of three thousand or more within an approximate ten-to twenty-minute travel time. From the Zoning Code, these commercial centers have a higher parking demand and possess greater visibility. The specific uses proposed by this applicant are permitted in this zoning district.

Staff's Comments

Staff comments are submitted below for your consideration.

1. The Ocean Pines WWTP and water system has adequate available sewer and water capacity to handle this addition.
2. The *Planning Area's* comprehensive plan designation and zoning permits the proposed uses. Any construction in the *Planning Area* would be required to meet the provisions of the storm water program and other local and state requirements.
3. This proposal, while expanding the original service area, does not require the expansion of water or sewer treatment facilities. Additional public infrastructure will be constructed by the applicant and turned over to the county for connections to existing water and sewerage facilities at the south gate of Ocean Pines community.
4. The properties were previously test for onsite sewage and those tests were successful enough to support a large system that could serve commercial uses. The negative effects of serving this proposed development with onsite sewage would be addressed with service from the Ocean Pines WWTP, a plant with exceptional Enhanced Nutrient Reduction (ENR) capability.
5. Appropriate zoning was provided in this area for densities and uses consistent with the character that is normally present in an Existing Developed Area (EDA). This will provide for orderly infill development within this EDA at the southern border of the Ocean Pines community.

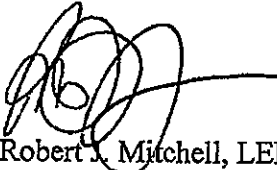
Ocean Pine WS Amendment Case No. 2018-5

October 26, 2018

6. *The Plan* states that proposed amendments must be consistent with *The Comprehensive Plan* and existing zoning classifications. As proposed, the project appears to be consistent with *The Comprehensive Plan* and existing zoning. If you need further information, please contact us.

If you need any additional information or have any questions, please do not hesitate to contact me at (410) 632-1220.

Sincerely,



Robert A. Mitchell, LEHS
Director

Attachments

cc: WS Amendment File (SW 2018-5)

Attachment 1

Application

W&S Amendment SW 2018-05
Ocean Pines Sanitary Area
Reclassification of Sewer Planning Area Designation
Atlantic General - Ocean Pines Outpatient Center

**Application for Amendment of the
Comprehensive Water and Sewerage Plan
Worcester County, Maryland**

Date: October 17, 2018

Applicant (name, mailing address, phone and FAX number):

Atlantic General - Ocean Pines Outpatient Center
5220 Hood Road, Ste 110 Contact Person: **Hugh Cropper, Attorney**
Palm Beach Gardens, FL 33418 Telephone: 410-213-2681

Amendment Type: Water Sewer Other
Amendment Character: Addition Deletion Change

Please complete all the applicable forms included in this package. If a system does not already exist, the "Existing System" sheet is not required. Include a map of the area to be served at a scale of at least 1" = 2,000'. Return the completed application to:

Department of Environmental Programs,
1 West Market Street Room 1302
Snow Hill, Maryland 21863-1249

The fee for major amendment [adding or deleting service capacity or area(s)] is \$500.

Minor amendments (not adding or deleting service) are \$100.

Note: Modification of this form will void the application.

Property Identification:

Tax Map: 21 Parcel Number(s): 66A & 66B
Town/Community Name: Berlin/Ocean Pines

Location Description:

East side of MD Route 589, North of Intersection with Rourte 50 and South of intersection with MD Route 90.

Property Owner Signature: _____

Date: 10/23/18

Applicant Signature:
(If other than property owner)

Date: 10/23/18

Hugh Cropper II

Water and Sewerage Plan Amendment Application Worcester County, Maryland Proposed Uses

* Please provide as much detail as possible on the proposed uses and review Worcester County zoning provisions for permitted uses.

<u>Tax Map</u>	<u>Parcel</u>	<u>Zoning</u>	<u>Proposed Use*</u>	<u>EDU's Needed (Approx.)</u>
21	66A		Commercial	33
21	66B		Commercial; vacant	1
Total:				34

Water and Sewerage Plan Amendment Application

Worcester County, Maryland

Existing Sewer System

Date: 10/15/2014

System Name: Greater Ocean Pines Service Area
Area Served [tax map(s) & parcel(s)]: See Existing GOPSSA map
Owner: Worcester County
Operator: Worcester County
Existing service area designation (circle one): S-1 X S-2 S-3 None

Population & Capacity (current year 2018):
Population served (EDU): 8956 +/-
Population unserved (EDU): 1000 +/-
GPD per EDU: 300
System capacity demand (MGD): 0.90 MGD
Permitted capacity (NPDES/groundwater): 2.5 MGD (NPDES MD002347)

Collection System:
Type (circle one): Combined* Separate X
*Combined systems collect both stormwater and wastewater.
Description: Public Sewer System
Condition of transmission facilities (circle one): Good X Need repairs/replacement (describe in *comments*)

Treatment Facility:
Location - N/E (NAD83, meters): Ocean Pines WWTP
Level & type of treatment: Tertiary
Condition of treatment Facilities (circle one): Good X Need repairs/replacement (describe in *comments*)
Total site size (acres): 35.6 +/- Acres occupied by facility: 25 +/-
Design flow (MGD) : 2.5
Existing flow (MGD): Average: 0.9 Peak: 1.5
Sludge disposal method: See Ocean Pines Service Area

Discharge:
Type: ENR - Tertiary Treatment
Location - N/E (feet): N: 209,000; E: 1,336,000
NPDES permit # and expiration date: NPDES - MD002347
State discharge permit # and expiration date: 16-DP-0708

Annual Operation & Maintenance Costs: Ocean Pines Enterprise Budget
Funding source: user fees

Comments (include any problems with structures or water quality; describe repairs and replacements needed):

**Water and Sewerage Plan Amendment Application
Worcester County, Maryland
Planned Sewer System**

Date: 10/15/2014

*Some information may be repeated from the "existing sewer system" form

System Name: GOPSSA Expansion
Area served [tax map(s) & parcel(s)]: Map 21, Parcels 66A & 66B
Owner: Worcester County
Operator: Worcester County

Proposed priority category (circle one) : S-1 X S-2 S-3

Population and Capacity	2018	2020	2025	2030
Population served (EDU):	8956	9256	9556	9856
Population unserved (EDU):	1000	700	400	100
GPD per EDU:	300	300	300	300
System capacity demand (MGD)	0.9	1.00	1.1	1.2
System capacity planned (MGD):	2.5	2.6	2.6	2.6
Permitted capacity (MGD):	2.5			

Collection System
Type (circle one): Combined* Separate X
*Combined systems collect both stormwater and wastewater
Description: Gravity, Low-pressure and vacuum sewers
Condition of transmission facilities (circle): Good X Need repairs/replacement (describe in comments)

Treatment Facility
Location- N/E (NAD83, meters): Ocean Pines WWTP: N: 209,000 E: 1,336,000
Level & type of treatment: Tertiary
Condition of treatment facilities (circle one): Good Need repairs/replacement (describe in comments)
Total site size (acres): n/a Acres occupied by facility: n/a
Design flow (MGD) 2.5
Existing flow (MGD): Average: 0.9 **Peak:** 1.5
Sludge disposal method: Drying bed on WWTP facility site

Discharge
Type: Surface water
Location - N/E (feet): N: 209,000 E: 1,336,000
NPDES permit # and expiration date: MD 0023477
State discharge permit # and expiration date: 16-DP-0708

Annual Operation & Maintenance Costs: n/a
Funding source: User fees

Comments (include pending permit applications, planned improvements/expansions; describe needed repairs):

April 13, 2004

Water and Sewerage Plan Amendment Application Worcester County, Maryland

Existing Water System

Date: October 17, 2018

System name: Ocean Pines
System owner: Worcester County
System operator: Worcester County DPW
Priority/Sewer and
Water Plan Category: _____
Service area: W-1

	2018	Year 2020	2025
<u>EDU's Population served:</u>			
Served	8,425	8,700	9,000
Unserved	1,575	1,300	1,000
GPD per EDU	250	250	250

<u>System capacity</u>			
Demand (MGD)	1.09	1.2	1.35
Planned (MGD)	1.5	1.5	1.5

Production Wells

Well number: 2, 3, 4, 5, 10
Aquifer: Columbia
Location: North side OP
Depth: 100'-125'
Diameter: 8"
Max. yield: 450-500 gpm
Pumping capacity: 2,500 gpm
Water quality: Exceptionally high

Treatment

Water source: Columbia
Treatment - pH adjustment,
Type: disinfection
Location: At well heads
Rated Capacity: 3 MGD w/one well out of service
Average production: 1.1
Max. peak flow: 2.5 MGD
1.4 MG (500,000 tower, 250,000
tower, 250,000 ground level
storage tank, and Riddle Farm
connection)
Storage capacity: _____
Sludge disposal: None

Comments (expansion plans [MGD/dates]; problems; planned improvements; etc.)

No expansion plans.

April 13, 2004

**Water and Sewerage Plan Amendment Application
Worcester County, Maryland
Planned Water System**

Date: 17-Oct-18
System Name: Ocean Pines
System Owner: Worcester County
System Operator: Worcester County DPW

Sewer/Water Plan
proposed category: W-1 (W-1, W-2, W-3)

Service area: TM 21, Parcels 66A and 66B
[Tax Map and parcel(s)]

	Year		
	<u>2018</u>	<u>2020</u>	<u>2025</u>
Population served: (EDU's served)	34	68	68

Gallons per EDU: 300

Constructed by: Developer

Planned Distribution System: Water interconnection to Ocean Pines

System parameters:

Well location: North side of OP
Well depth/aquifer: 100'-125'
Treatment facilities: pH adjustment, disinfection
Storage facilities: 1.4 MG ((500,000 tower, 250,000 tower, 250,000
ground level storage tank, and Riddle Farm
connection)
Distribution system: System of pipes and pumps connected to storage
facilities.
Pumping capacity: 2,500 gpm
System Cost: N/A
Funding source: Interconnection to be funded by private party

Construction schedule:

Start: 2019
Complete: 2019

Comments: _____

Agreement, Policies: EDU Purchase Agreement from County and
Small Project Agreement for the interconnection

Allocation: 34 EDUs

Attachment 2

**Planning Commission
Minutes**

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: November 1, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Brooks Clayville

Betty Smith

Jerry Barbierri

Staff

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

Bob Mitchell, Director, Dept. of Env. Programs

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, October 4, 2018 — As the first item of business, the Planning Commission reviewed the minutes of the October 4, 2018 meeting. Following the discussion it was moved by Mr. Knerr, seconded by Ms. Smith and carried unanimously to approve the minutes as submitted. Ms. Ott was not present for the review of this item.

B. Board of Zoning Appeals agenda, November 8, 2018 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for November 8, 2018. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Text Amendment

As the next item of business, the Planning Commission reviewed a proposed text amendment application to modify §ZS 1-318(c)(3)B – Campgrounds – Pull-Through Campsites. Mark Cropper, Esquire and Bob Ewell were present for the discussion. Mr. Cropper stated that Mr. Ewell is the owner of Island Resort Campground and has a number of pull-through campsites within his development. Mr. Cropper noted that the current configuration of those sites does not conform to the angle requirement currently in the code, but they do not cause any issues with access to or from the campsites. Mr. Cropper stated that Mr. Ewell wouldn't design something that would not meet the need of his customers, and that this code requirement is a detriment. Mr. Diffendal asked how it was determined that they were not in compliance, and Mr. Cropper provided an explanation.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Ms. Smith, and carried unanimously to forward a favorable recommendation to the County Commissioners.

Ms. Ott was in attendance for the remaining items.

IV. Residential Planned Community

As the next item of business, the Planning Commission reviewed Sea Oaks Village - Step I Residential Planned Community – Request for Establishment of the RPC Floating Zone - Proposed 59 unit townhouse development with 24,570 square feet of mixed commercial use, West side of MD Route 611 (Stephen Decatur Highway), north of Sinepuxent Road, Tax Map 26, Parcel 274, Lot 3A, Tax District 10, R-3 Multi-Family Residential and C-1 Neighborhood Commercial Districts. Hugh Cropper, IV, Esquire, Bob Hand, land planner, and Chris Reida, owner, were present for the discussion. Mr. Cropper explained the RPC process requirements. He outlined the previous favorable recommendation of the Planning Commission that was a result of a larger, more intense project on this site. Since then, the development has been scaled down and the commercial area has been tweaked by Mr. Hand to provide a better commercial mix of uses. Mr. Cropper noted that the Planning Commission reviewed a Water and Sewerage Plan Amendment last month and found the request consistent with the Comprehensive Plan. He addressed the standards that were in the TRC Report on page 16, and went through the Zoning Division comments that were provided at the TRC review. Mr. Knerr asked Mr. Cropper to clarify the commercial modifications that had been made.

Following the discussion, Mr. Diffendal explained what the Planning Commission needed to address. A motion was made by Mr. Knerr, seconded by Ms. Ott, and carried unanimously to find that the applicants have addressed the seven standards contained in §ZS 1-315 for the establishment of the floating zone as presented in the Technical Review Committee Report, to find the application consistent with the Worcester County *Comprehensive Plan*, and to provide a favorable recommendation to the Worcester County Commissioners.

V. Water and Sewerage Plan Amendment

As the next item of business, the Planning Commission reviewed an application associated with the addition of certain informational items in *The Plan* for the Mystic Harbour Sanitary Area (SW 2018-5). Mr. Knerr recused himself from this review. Robert Mitchell, Director of Environmental Programs, presented the staff report to the Planning Commission. Hugh Cropper, attorney, was present on behalf of the applicant, the Worcester County Commissioners.

Mr. Mitchell explained that the applicant is requesting a revision of the Ocean Pines water and sewer planning areas designations in *The Plan* from S-6/W-6 to W-1/S-1 for two adjacent properties located south of the Ocean Pines Community on Racetrack Road/MD Rt 589. This revision is to provide public sewer and water to serve a proposed outpatient center for Atlantic General Hospital.

Mr. Mitchell reviewed the staff report noting the consistencies found for such a development within the Comprehensive Plan and land use designations, and that the proposed improvements

would be permitted in accordance with existing zoning classification for the properties. He noted that the connections to the Ocean Pines Sanitary Area's sewer collection system and the water distribution system would be in accordance with Department of Public Works' (DPW) design approval and any installed infrastructure would be turned over to the County upon inspection and acceptance by DPW staff. He also noted that the properties were previously tested for onsite sewage and that the connection to public sewer was much more preferable than developing the property on septic.

Mr. Cropper introduced Michael Franklin, CEO of Atlantic General Hospital, who was in attendance for the hearing. Mr. Cropper argued that the Comprehensive Plan Commercial Center land use designation area for these properties should probably be much more extensive than is shown on the adopted Comprehensive Plan maps, but acknowledges that they are the official maps today and that there is no conflicts with the majority designation (Existing Developed) for what is being proposed in this project.

He also introduced John Salm, an engineer, from J.W. Salm Engineering, Inc., who testified on the project. Mr. Salm testified that in his opinion the public sanitary capacity was present to serve the development and that it was economically and technically feasible to do so.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Barbierri and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

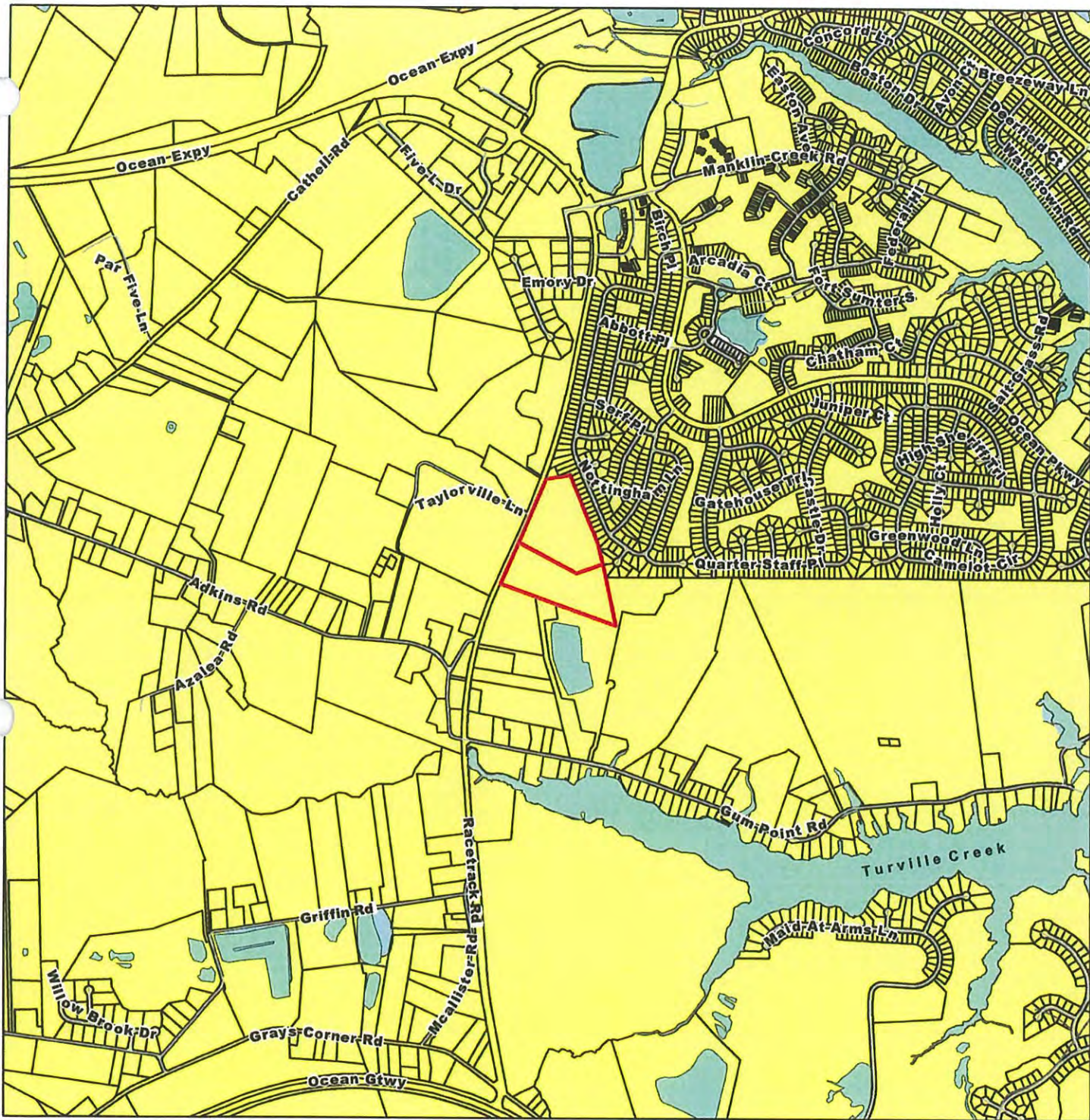
VI. Adjourn – The Planning Commission adjourned at 1:34 P.M.

Betty Smith, Secretary

Jennifer K. Keener

Attachment 2

Maps



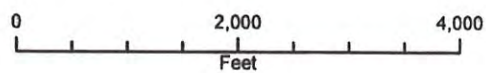
Legend

Property Boundary

General Location

Tax Map: 21
 Parcel: 66-A & 66-B

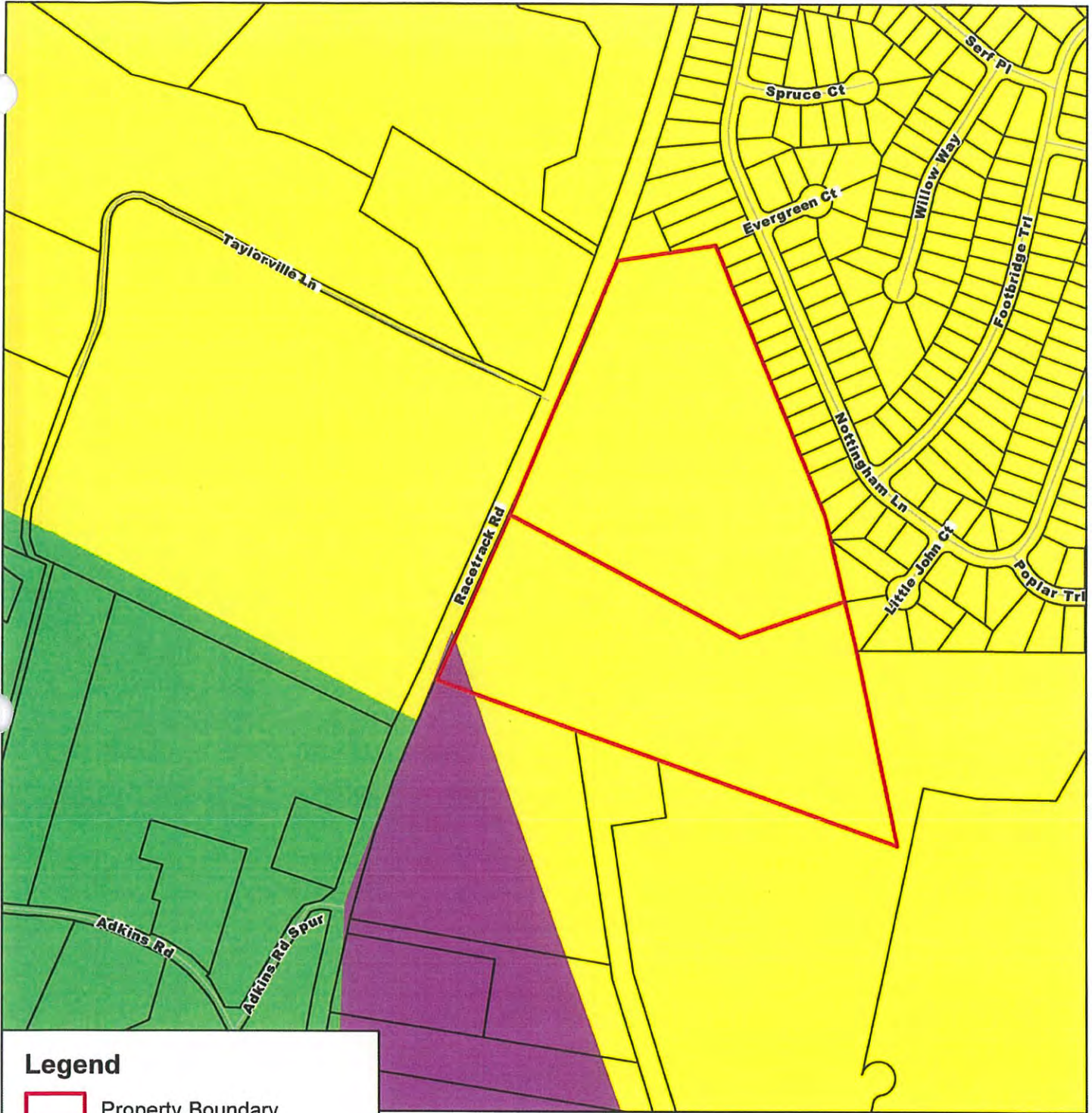
Expansion of Water and Sewer Planning Areas
 S-1, W-1 Proposed
 Case # SW - 2018 - 05



Prepared by Worcester County Environmental Programs, October 25, 2018
 Parcel boundaries are approximate.
 This map is for planning purposes only.



20



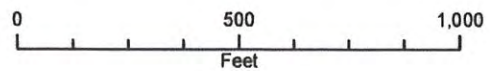
Legend

- Property Boundary
- Land Use Plan**
- Agriculture
- Commercial Center
- Existing Developed Centers

2006 Land Use Plan

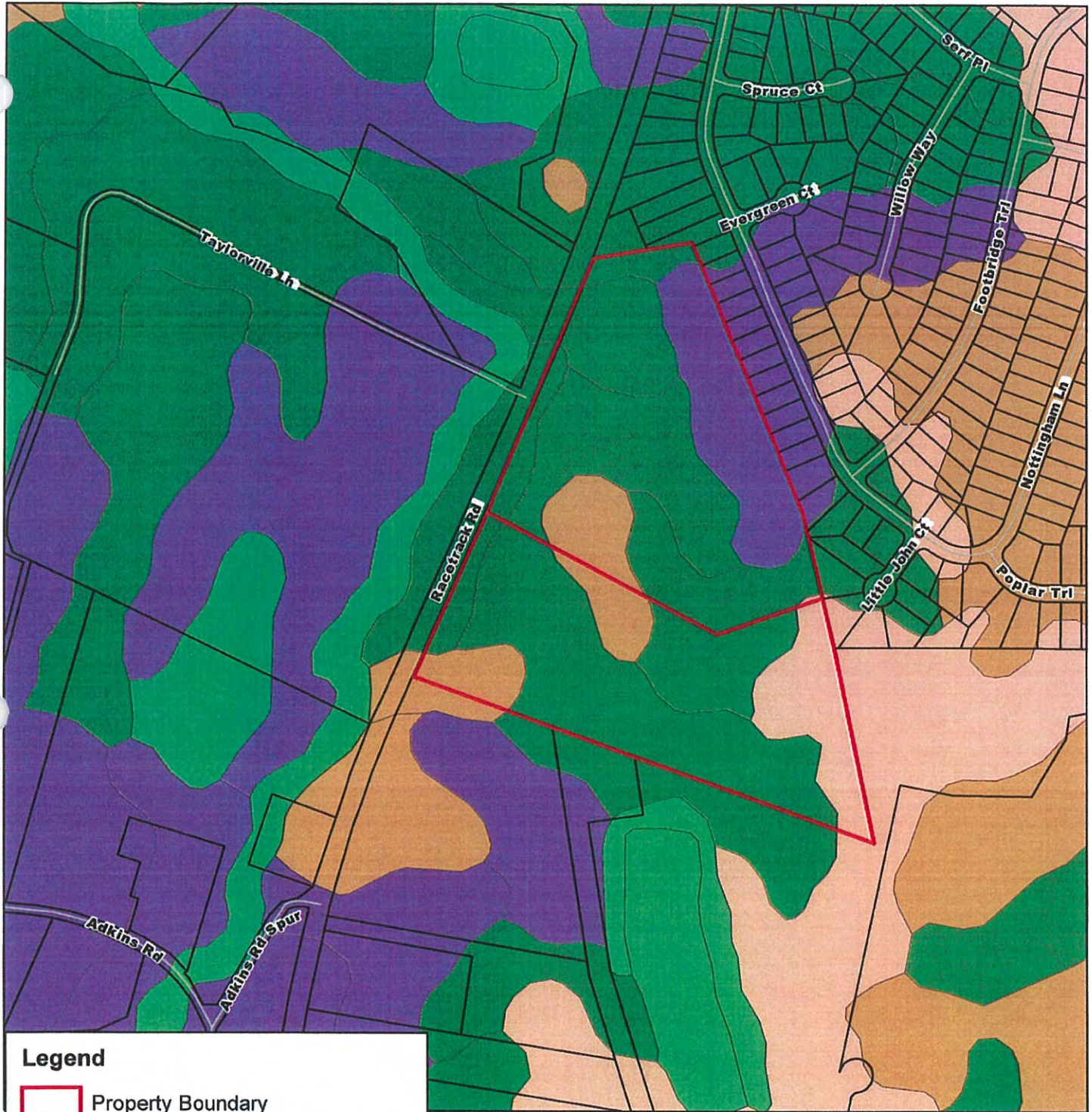
Tax Map: 21
Parcel: 66-A & 66-B

Expansion of Water and Sewer Planning Areas
S-1, W-1 Proposed
Case # SW - 2018 - 05



21

Prepared by Worcester County Environmental Programs, October 26, 2018
Parcel boundaries are approximate.
This map is for planning purposes only.
Aerial image 2016.



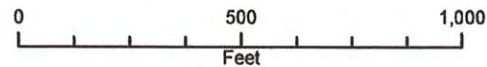
Legend

- Property Boundary
- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Prime farmland if drained
- Prime farmland if irrigated

Soils: Prime Farmland

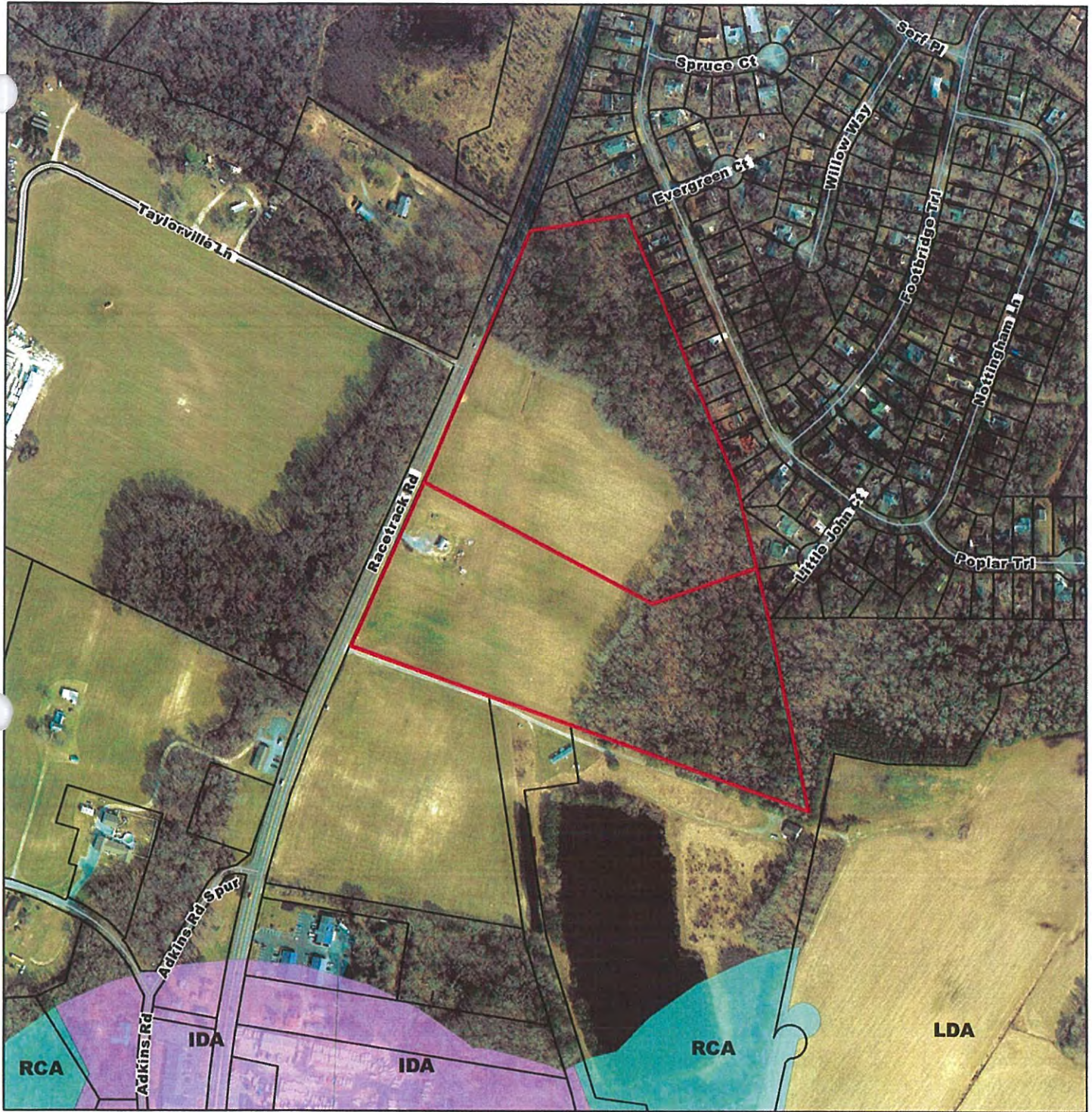
Tax Map: 21
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Expansion of Water and Sewer Planning Areas
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Soils Data: MDA/NRCS





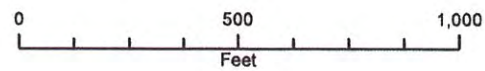
Legend

- IDA - Intensely Development Areas
- RCA - Resource Conservation Areas
- Property Boundary

Critical Area

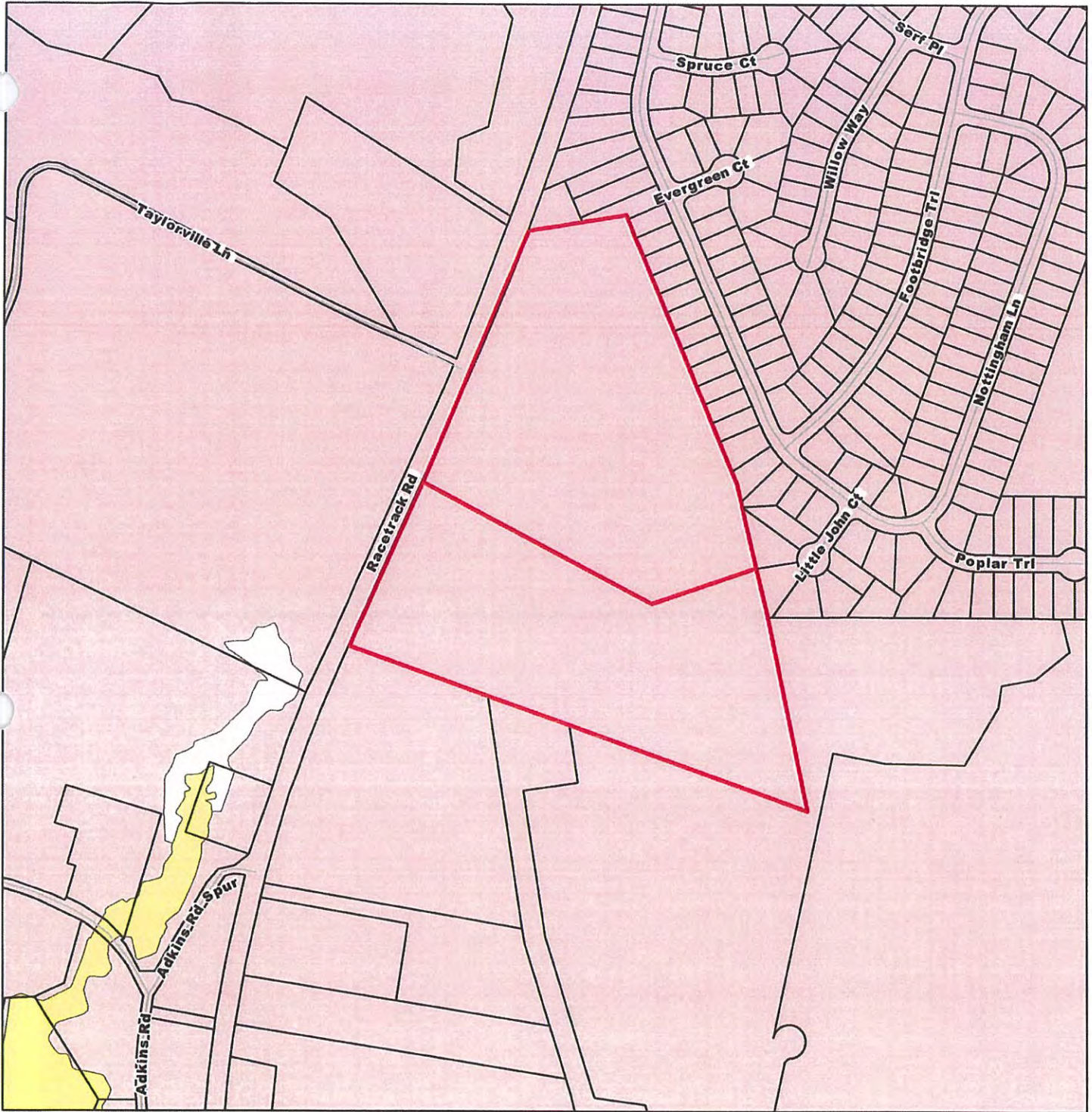
Tax Map: 21
Parcel: 66-A & 66-B

Expansion of Water and Sewer Planning Areas
S-1, W-1 Proposed
Case # SW - 2018 - 05



Prepared by Worcester County Environmental Programs, October 25, 2018
Parcel boundaries are approximate.
This map is for planning purposes only.
Aerial imagery 2106.
Critical Area data: MD DNR/Worcester County.



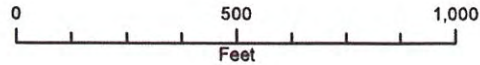


Legend

- Property Boundary
- 100 Year Floodplain
- 500 Year Floodplain

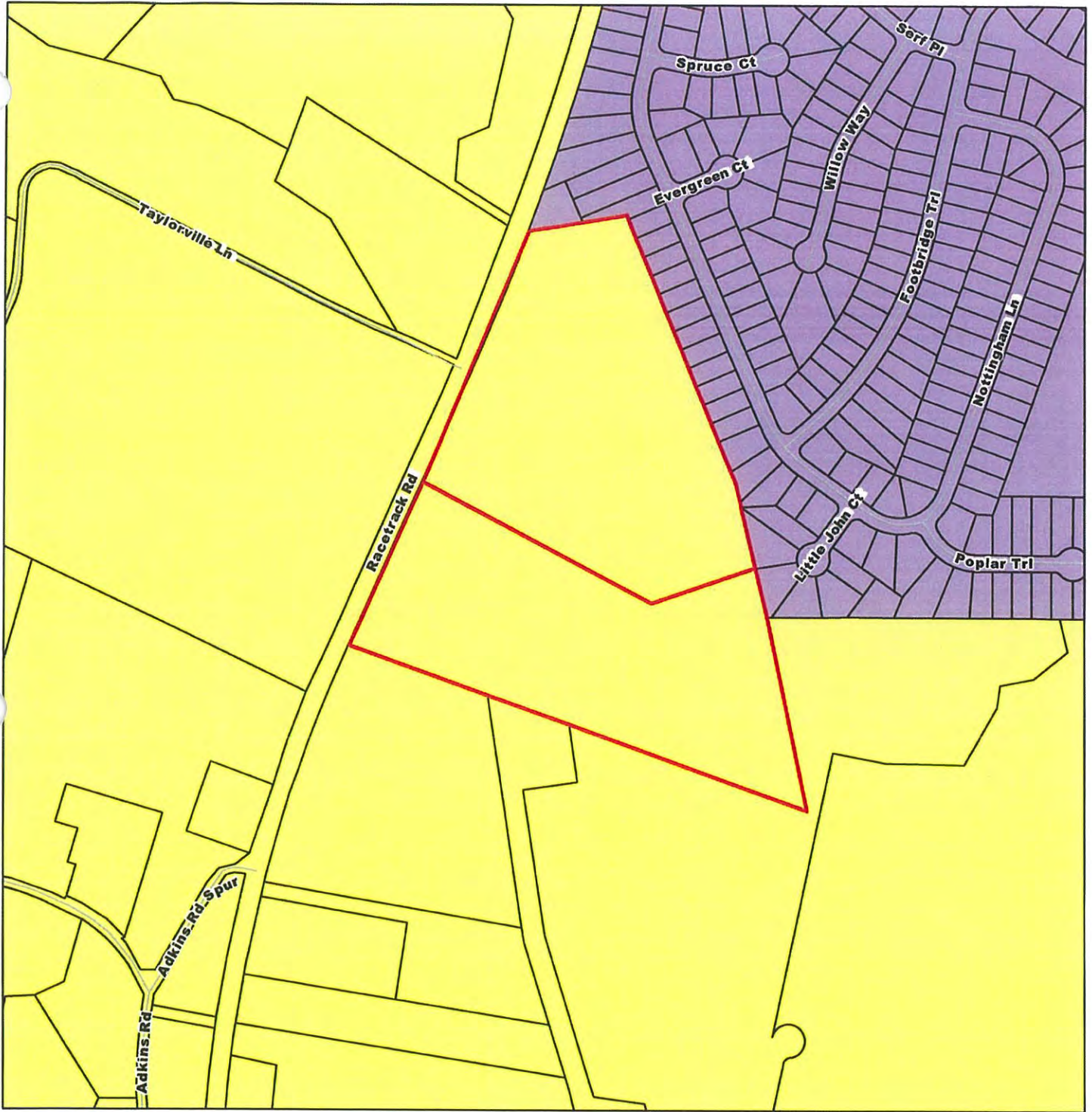
Floodplain

Tax Map: 21
 Parcel: 66-A & 66-B
 Expansion of Water and Sewer Planning Areas
 S-1, W-1 Proposed
 Case # SW - 2018 - 05





Prepared by Worcester County Environmental Programs, October 25, 2018
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Data: FEMA





Legend

-  Property Boundary
-  Priority Funding Area

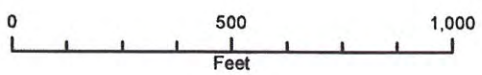
Priority Funding Area

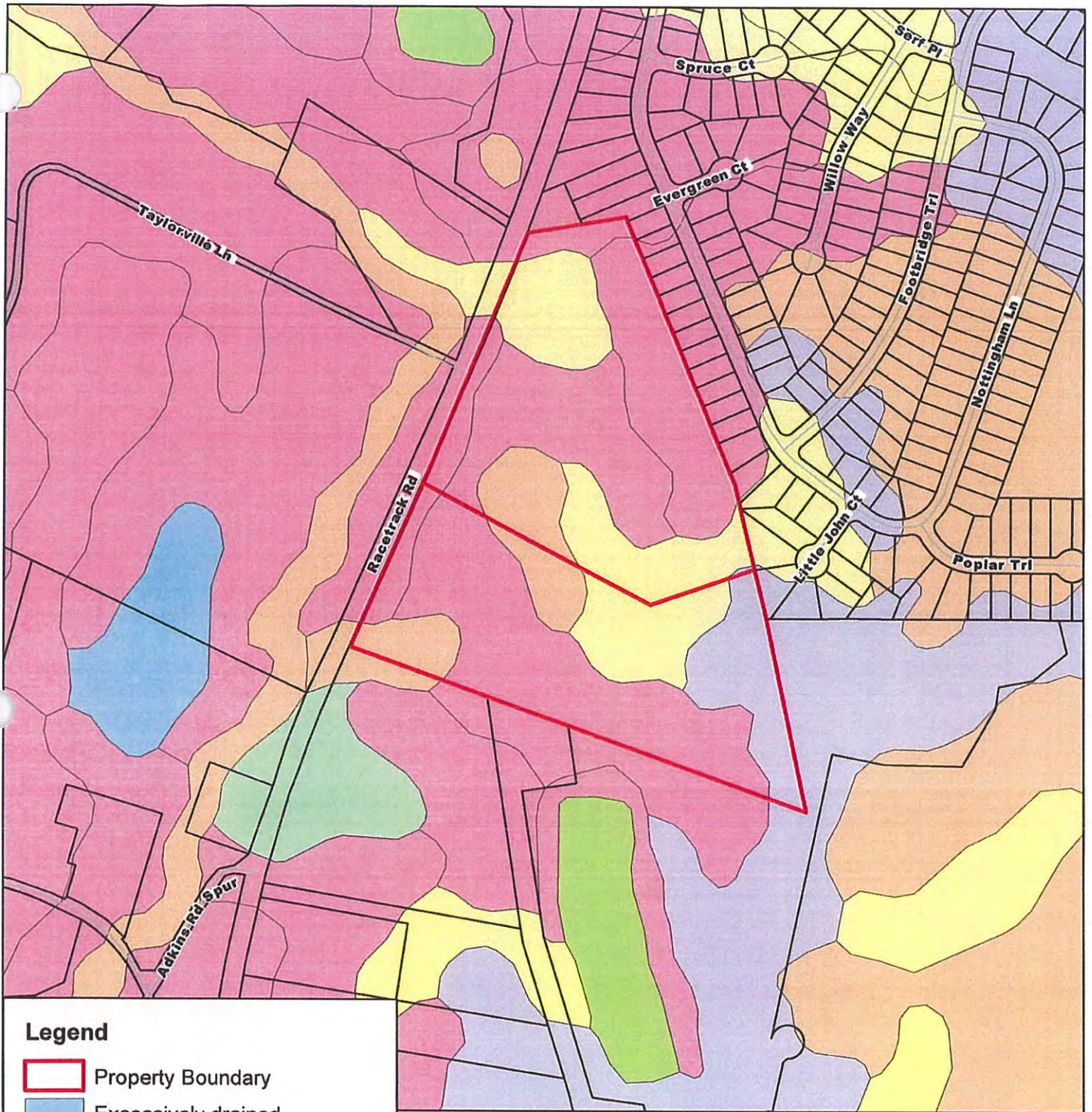
Tax Map: 21
 Parcel: 66-A & 66-B

Expansion of Water and Sewer Planning Areas
 S-1, W-1 Proposed
 Case # SW - 2018 - 05



Prepared by Worcester County Environmental Programs, October 25, 2018
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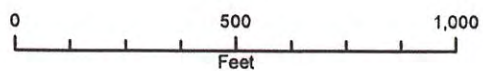
Legend

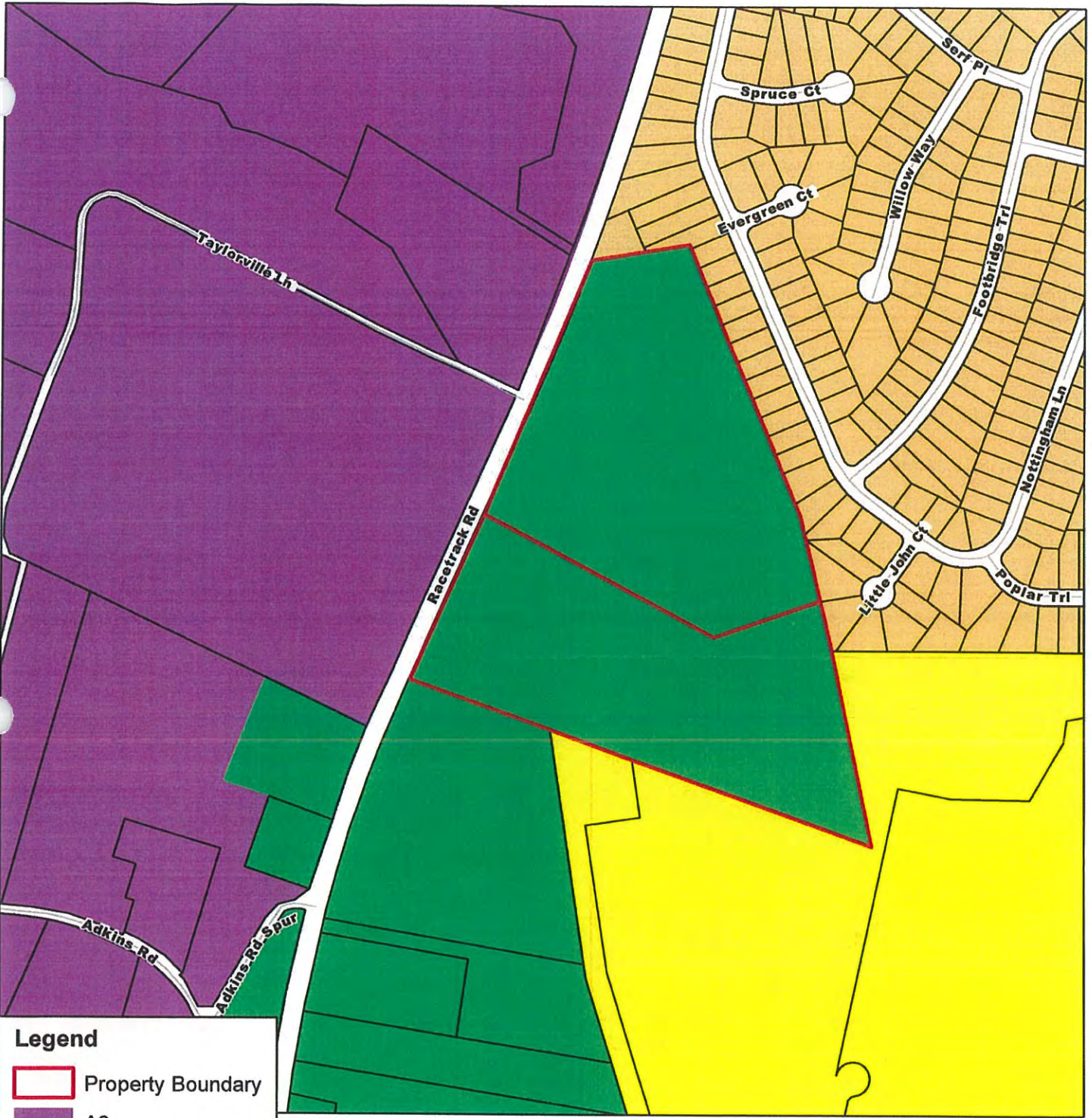
-  Property Boundary
-  Excessively drained
-  Moderately well drained
-  Poorly drained
-  Somewhat excessively drained
-  Very poorly drained
-  Well drained

Soils: Drainage






Tax Map: 21
Parcel: 66-A & 66-B

Expansion of Water and Sewer Planning Areas
S-1, W-1 Proposed
Case # SW - 2018 - 05



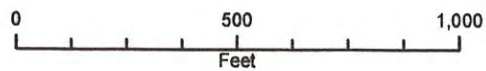


Legend

-  Property Boundary
-  A2
-  R1
-  R2
-  C1
-  C2

Zoning

Tax Map: 21
 Parcel: 66-A & 66-B
 Expansion of Water and Sewer Planning Areas
 S-1, W-1 Proposed
 Case # SW - 2018 - 05



Prepared by Worcester County Environmental Programs, October 25, 2018
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 This map is for planning purposes only.
 Aerial image 2016.





Legend

- Wetlands
- Property Boundary

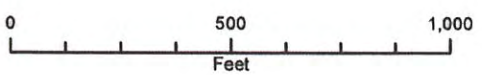
Wetlands Guidance Map



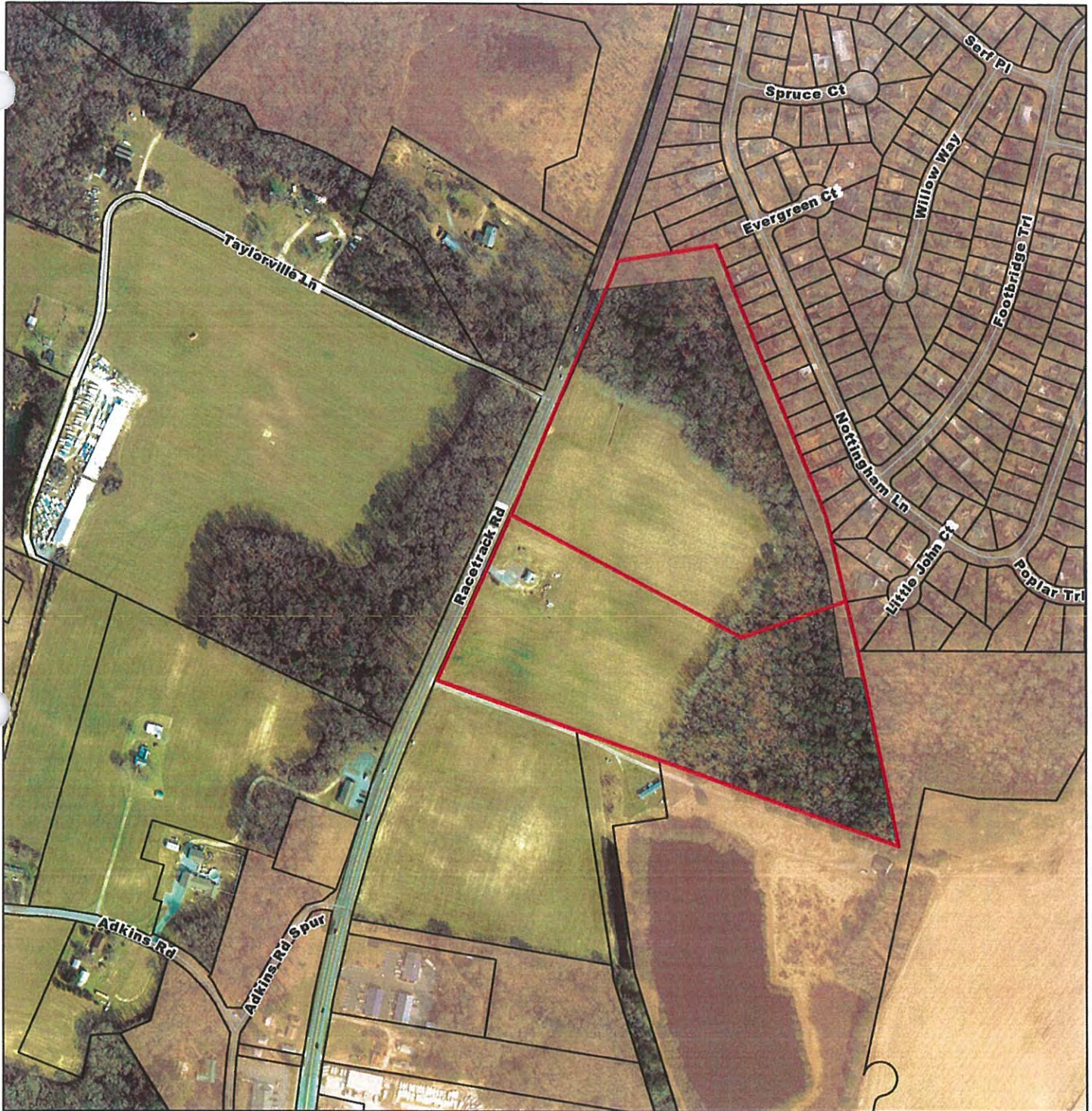
Tax Map: 21
Parcel: 66-A & 66-B

Expansion of Water and Sewer Planning Areas
S-1, W-1 Proposed
Case # SW - 2018 - 05

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This map is for planning purposes only.
Aerial image 2016.
Wetlands data: MD DNR



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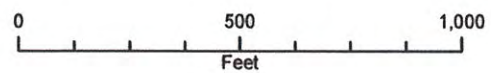
Legend

- Proposed S-1 Expansion
- Ocean Pines Sewer Service Area - S-1

Sewer Service Areas

Tax Map: 21
Parcel: 66-A & 66-B

Expansion of Water and Sewer Planning Areas
S-1, S-1 Proposed
Case # SW - 2018 - 05



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Aerial image 2016.





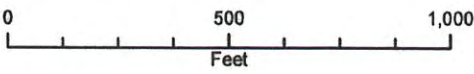
Legend

- Proposed W-1 Expansion
- Ocean Pines Water Service Area - W-1

Water Service Areas



Tax Map: 21
 Parcel: 66-A & 66-B
 Expansion of Water and Sewer Planning Areas
 W-1, W-1 Proposed
 Case # SW - 2018 - 05



Prepared by Worcester County Environmental Programs, October 26, 2018
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Aerial image 2016.

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Worcester County

MARYLAND



Comprehensive Annual Financial Report

FISCAL YEAR ENDED JUNE 30, 2018

WWW.CO.WORCESTER.MD.US

Final copy to
be presented on
12/18 at 11:40am





Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

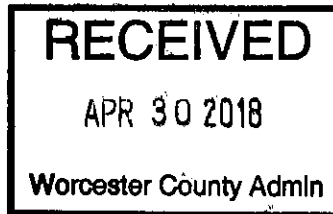
33

Copy: Phil Thompson ✓
Kathy Whittel ✓

For future presentation

April 24, 2018

Harold L. Higgins
Chief Administrative Officer
Worcester County
One West Market Street
Government Center Room 1103
Snow Hill, MD 21863



Dear Mr. Higgins:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended 2017 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

Michele Mark Levine
Director, Technical Services Center



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Worcester County
Maryland**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2017

Christopher P. Morrill

Executive Director/CEO



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

04/24/2018

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
E-mail: mlevine@gfoa.org

(Chicago, Illinois)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Worcester County** by Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s) or department designated by the government as primarily responsible for preparing the award-winning CAFR.

The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

Government Finance Officers Association is a major professional association servicing the needs of nearly 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington, D.C.