

# AGENDA

## WORCESTER COUNTY COMMISSIONERS

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

**November 21, 2017**

### Item #

- 9:00 AM - Meet in Commissioners' Conference Room - Room 1103 Government Center, One West Market Street, Snow Hill, Maryland - Vote to Meet In Closed Session
- 9:01 - Closed Session: Discussion regarding hiring a Roads Worker I for the Roads Division, a Vehicle and Equipment Mechanic for the Fleet Management Division of Public Works, a Plumbing Inspector II for Environmental Programs, a Maintenance Worker II and a Recreation Program Manager II for Recreation and Parks; recommendation to the State for Supervisor of Assessments for Worcester County; posting to fill vacancies for two Correctional Officer Trainees at the Jail and Director of Recreation and Parks; receiving legal advice from Counsel; and performing administrative functions
- 10:00 - Call to Order, Prayer, Pledge of Allegiance
- 10:01 - Report on Closed Session; Review and Approval of Minutes
- 10:05 - Presentation of GFOA Certificate of Achievement for Excellence in Financial Reporting - FY16 1
- 10:10 - Chief Administrative Officer: Administrative Matters 2-8, 10-11  
(Bid Award for Housing Rehabilitation Program Inspection, Lead Risk Assessment and Lead Clearance Inspection Services; FY19 State Aid for Police Protection Fund Application; Pocomoke Middle School Evening Beta Program; Coastal Bays Rural Legacy Easement Agreement of Sale - Hauck Property; Senate Bill 1040 Implementation - Water and Sewerage Plan Amendments; Adopting Updated Design Guidelines and Standards for Water and Wastewater Facilities; Bid Specifications for Construction of Effluent Disposal Discharge Connection for Mystic Harbour Wastewater Treatment Plant; Upcoming Board Appointments; Waiver of Scheduled Salary Increase for County Commissioners for the 2018-2022 term; and potentially other administrative matters)
- 10:20 -
- 10:30 - Public Hearing - Dissolution of Sanitary Service Area for South Point Village Townhomes 12
- 10:40 -
- 10:50 -
- 11:00 - Legislative Session: Public Hearing on  
- Bill 17-11 (Zoning - Self-Storage Centers in the C-2 General Commercial District) 13
- 11:10 - Chief Administrative Officer: Administrative Matters 2-8, 10-11, continued
- 11:20 -
- 11:30 -
- 11:40 -
- 11:50 -
- 12:00 - Questions from the Press
- Lunch
- 1:00 PM - Chief Administrative Officer: Administrative Matters (If Necessary)
- 1:10 -
- 1:20 -
- 1:30 -

**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!**

# DRAFT

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

November 7, 2017

Madison J. Bunting, Jr., President  
Diana Purnell, Vice President  
Anthony W. Bertino, Jr.  
James C. Church  
Theodore J. Elder  
Merrill W. Lockfaw, Jr.  
Joseph M. Mitrecic

Following a motion by Commissioner Bertino, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; and Stacey Norton, Human Resources Director. Topics discussed and actions taken included: hiring Nathan Thompson and Charlene Wilson as Communications Clerk Trainees for Emergency Services; posting to fill vacancies for a Correctional Officer Trainee at the Jail, a Transfer Station Attendant for Solid Waste, a Maintenance Worker II for Water and Wastewater, a Vehicle and Equipment Mechanic for Fleet Management, and a Recreation Program Manager II for Recreation and Parks; acknowledging the promotion of Glenn Grandstaff from Assistant Chief Animal Control Officer to Chief Animal Control Officer within the Animal Control Division of the Sheriff's Office effective December 18, 2017 and the promotion of Kevin Seyfert from Transfer Station Attendant within the Solid Waste Division of Public Works to Animal Control Officer within the Animal Control Division in December 2017, upon the retirement of Chief Animal Control Officer Susan Rantz; receiving legal advice from counsel; and performing administrative functions.

After the closed session, the Commissioners reconvened in open session. Commissioner Bunting called the meeting to order and announced the topics discussed during the morning closed session.

Commissioner Mitrecic announced that beginning today the Commissioners' open session meetings are to be videotaped and available for viewing after the meetings at [www.co.worcester.md.us](http://www.co.worcester.md.us), and he thanked his fellow Commissioners for allowing this to happen.

The Commissioners reviewed and approved the open and closed session minutes of their October 10, 2017 special session and their October 17, 2017 meeting as presented.

# DRAFT

The Commissioners presented a proclamation recognizing November as National Adoption Month to raise awareness of Worcester County youth who need stable homes, to highlight the joy of adoption, and to honor those who have dedicated their lives to serving these children. The Commissioners extended their gratitude to Worcester County Department of Social Services (DSS) Assistant Director of Services Jamie Manning, and DSS staff members Lillian Wilkinson, Jamie Truitt, Trina Townsend, Jody Hurley, and Terry Edwards, along with Lisa Jackson, the 2017 Adoptive Parent of the Year.

In a related matter, the Commissioners presented a commendation to Ms. Jackson, the 2017 Worcester County Adoptive Parent of the Year, for adopting two girls, ages two and 12, and for providing them with a loving, supportive, and permanent home where they can feel valued and thrive. Commissioner Bertino personally thanked Ms. Jackson, stating that there is no more wonderful gift than opening a home to a child who needs a permanent family.

Pursuant to the request of Emergency Services Director Fred Webster and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the State Homeland Security Program 2017 Grant Agreement awarding Worcester County Emergency Services a grant of \$80,400 to be used through July 31, 2019.

Pursuant to the request of Mr. Webster and upon a motion by Commissioner Purnell, the Commissioners unanimously approved bid specifications for the Anritsu Master Land Mobile Radio Modulation Analyzer for Emergency Services, with encumbered funds of \$35,000 available for this expense.

Pursuant to the request of Mr. Webster and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for installation of an audio/video system for the third floor training rooms in the Worcester County Government Center for the Information Technology Division of Emergency Services, with encumbered funds of \$16,000 available for this expense. In response to a request by Commissioner Mitrecic, Mr. Webster agreed to include local contractors on the bidders' list for this project.

Pursuant to the request of Warden Donna Bounds and upon a motion by Commissioner Elder, the Commissioners unanimously authorized Warden Bounds to sign the annual Alternative Housing Agreements both now and in the future between the County Jail and allied agencies, including Somerset, Wicomico, Dorchester, and Queen Anne's County detention centers, the Town of Ocean City, and Eastern Correctional Institution, to meet the requirements of the Maryland Commission of Correctional Standards with regard to developing and maintaining Emergency Security Plans for use if the County Jail is ever declared to be unsafe for occupancy during an emergency. Warden Bounds confirmed that there has not been a need to implement this emergency plan at any time in the last 35 years.

Pursuant to the request of Warden Bounds and upon a motion by Commissioner Lockfaw, the Commissioners unanimously authorized Warden Bounds to sign the Maryland State Police (MSP) Terminal Agency User Agreement, granting the County Jail access to the Maryland Electronic Telecommunications Enforcement Resource System (METERS), National Crime

Information Center (NCIC), and International Justice and Public Safety Network (Nlets).

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the bid for FY18 concrete curb repairs to ECM Corporation of Laurel, Maryland to remove and replace approximately 5,974 linear feet of existing concrete curbing, valley gutters, and curb heads on County roadways for the Roads Division of Public Works at a total cost of \$183,550.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously awarded the bid for pipe for use within the Roads Division of Public Works to Lane Enterprises, Inc. of Bealeton, Virginia at a total cost of \$24,211.26.

The Commissioners conducted a public hearing on Rezoning Case No. 409, which seeks to rezone approximately 20.1 acres located to the west of MD Rt. 611, south of MD Rt. 376, and more specifically identified as Lots 1, 2A, and 2B of Parcel 338 on Tax Map 33. This is the first of four public hearings to consider four applications submitted on the same date by Attorney J. Carroll Holzer and the property owners to rezone properties located on the easterly side of Ayres Creek in the Tenth Tax District of Worcester County, Maryland, from E-1 Estate District to R-1 Rural Residential District. Staff members present at the hearing were Development Review and Permitting Director Ed Tudor and Deputy Director Phyllis Wimbrow. County Attorney Maureen Howarth informed the public of the procedures in rezoning cases. She then swore in all of the individuals who planned to give testimony during each of the four public hearings. Mr. Tudor reviewed the applications and stated that all four applications received a favorable recommendation from the Planning Commission.

Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record for Rezoning Case No. 409. She stated that, according to the application for rezoning, the applicants' claims as the basis for their rezoning request is that there was a mistake in the existing zoning dating from 2009 because the zoning is in conflict with the Comprehensive Plan, which states that the E-1 Estate District was to be eliminated in the last rezoning. Furthermore, in 2016 the Commissioners accepted the idea that they would look at the E-1 Estate District on a case-by-case basis, as shown by Rezoning Case No. 403 for the Nichols-Neff property, formerly Pines Shore Golf Course, near Ocean Pines, which was zoned E-1. That rezoning application was granted on the basis of a mistake in the existing zoning. Furthermore, the mistake argument is just as pertinent in the applications now under review for Rezoning Cases No. 409, 410, 411, and 412. Ms. Wimbrow stated that, when the zoning was established in the mid 1960s, the petitioned area was given an R-1 Rural Residential District zoning classification, which was rezoned to E-1 Estate District during the comprehensive rezoning in 1992, and which retained that designation during the 2009 comprehensive rezoning by the Commissioners. She further stated that all adjoining and nearby properties along the easterly and westerly sides of MD Rt. 611 to the south of MD Rt. 376 are zoned E-1, with the exception of the properties at the southerly side of MD Rt. 376 at the junction of MD Rt. 611, which are zoned C-2 General Commercial District; properties to the north of this intersection are zoned A-2 Agricultural District and C-2 District; and sensitive areas along Ayres Creek are zoned RP Resource Protection District. Ms. Wimbrow advised that

in all four applications the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned areas, and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan. Therefore, the Planning Commission gave a favorable recommendation to Rezoning Case No. 409, seeking a rezoning of the petitioned area from E-1 to R-1. Furthermore, the Planning Commission favorably recommended that the Commissioners consider a Sectional Rezoning of the Ayres Creek/MD Rt. 611/MD Rt. 376 neighborhood.

Commissioner Bunting opened the floor for public comment.

Mr. Holzer began by publicly recognizing the Worcester County staff for their assistance in the rezoning application process. He advised that he has worked in many counties throughout the State of Maryland and has yet to find a more professional, helpful, and courteous staff and Planning Commission as here in Worcester County. He concurred with staff's assessment and advised that his requests for Rezoning Cases No. 409, 410, 411, and 412 are all based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He concurred with the Planning Commissions' report and Findings of Fact and entered them into the record. He offered testimony from subject matter experts in attendance at the hearing and referenced their written testimony. Mr. Holzer then reiterated that the E-1 Zoning is inconsistent with the goals and objectives of the Comprehensive Plan, as determined by the Planning Commission and the County Commissioners in Rezoning Case No. 403. Therefore, he asked the Commissioners to support the zoning request.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 409 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

The Commissioners conducted a public hearing on Rezoning Case No. 410 (applicants Raymond and Jean Shanley), which seeks to rezone approximately 5.128 acres of land located to the west of MD Rt. 611, south of MD Rt. 376, and more specifically identified as Lot 2C of Parcel 338 on Tax Map 33. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record, reviewed the applicants' claims as the basis for their rezoning request, and reiterated that, as outlined in Rezoning Case No. 409, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned areas, and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 410, seeking a rezoning of the petitioned area from E-1 to R-1.

Commissioner Bunting opened the floor for public comment.

Mr. Holzer concurred with staff's assessment and advised that his request for Rezoning Case No. 410 is all based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He concurred with the Planning Commissions' report and Findings of Fact and entered them into the record. Mr. Holzer then reiterated that the E-1 Zoning is inconsistent with the goals and objectives of the Comprehensive Plan, as determined by the Planning Commission and the County Commissioners in Rezoning Case No. 403. Therefore, he asked the Commissioners to support the zoning request.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 410 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

The Commissioners conducted a public hearing on Rezoning Case No. 411 (applicants Donald and Deborah Bounds), which seeks to rezone approximately 1.34 acres of land located at the westerly terminus of Raccoon Lane, to the south of MD Rt. 376, and more specifically identified as Parcel 211 on Tax Map 33. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record, reviewed the applicants' claims as the basis for their rezoning request, and reiterated that, as outlined in Rezoning Case No. 409, the Planning Commission had concluded that there is a mistake in the existing zoning of the petitioned areas, and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 411, seeking a rezoning of the petitioned area from E-1 to R-1.

Commissioner Bunting opened the floor for public comment.

Mr. Bounds concurred with staff's assessment and Mr. Holzer's conclusion that Rezoning Cases No. 409, 410, 411, and 412 are all based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He pointed out other properties nearby that are already zoned R-1, as further support of the proposed rezoning.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 411 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

The Commissioners conducted a public hearing on Rezoning Case No. 412 (applicant William Waterman, II), which seeks to rezone approximately 1.22 acres of land located at the westerly terminus of Raccoon Lane, to the south of MD Rt. 376, and more specifically identified as Parcel 190 on Tax Map 33. Ms. Wimbrow entered the Planning Commission's Findings of Fact into the record, reviewed the applicants' claims as the basis for their rezoning request, and reiterated that, as outlined in Rezoning Case No. 409, the Planning Commission had concluded that there is a mistake in the existing zoning of the petitioned areas, and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 412, seeking a rezoning of the petitioned area from E-1 to R-1.

Commissioner Bunting opened the floor for public comment.

Mr. Holzer concurred with staff's assessment and advised that his request for Rezoning Case No. 412 is based on a mistake in the existing zoning, since the 2009 Comprehensive Rezoning. He concurred with the Planning Commission's report and Findings of Fact and entered them into the record. Mr. Holzer then reiterated that the E-1 Zoning is inconsistent with

the goals and objectives of the Comprehensive Plan, as determined by the Planning Commission and the County Commissioners in Rezoning Case No. 403. Therefore, he asked the Commissioners to support the zoning request.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to adopt the Planning Commission's Findings of Fact for Rezoning Case No. 412 and approve the rezoning based on a mistake in the existing zoning of this property, and agreed to rezone the property from E-1 Estate District to R-1 Rural Residential District.

Upon a motion by Commissioner Mitrecic, the Commissioners directed staff to develop a Sectional Rezoning of the Ayres Creek/MD Rt. 611/MD Rt. 376 neighborhood to rezone appropriate properties from E-1 Estate District to R-1 Rural Residential District, as recommended in the Comprehensive Plan.

The Commissioners met with Superintendent of Schools Louis Taylor on the anniversary of his first year in his new position to review and discuss the Board of Education's (BOE's) proposed FY18 Capital Improvement Plan (CIP) request. Also in attendance were BOE President William Gordy, Chief Operating Officer Steve Price, Chief Academic Officer Dr. John Quinn, Chief Financial Officer Vince Tolbert, Facilities Manager Joe Price, and Teachers Association President Beth Shockley-Lynch. Mr. Taylor thanked the Commissioners for the strong-working relationship that exists between the two boards and for their ongoing support of the BOE to provide exceptional educational opportunities for Worcester County students. Mr. Taylor stated that the CIP has been developed in accordance with Maryland Interagency Committee for Public School Construction (IAC) regulations. He further advised that the CIP is consistent with the Worcester County CIP and incorporates all prior recommendations of the County Commissioners regarding future school construction needs. He then reviewed the proposed CIP, which includes replacing Showell Elementary School (SES) at an estimated cost of \$42,406,000, with total requested State funding of \$8,672,000 and County funding of \$33,734,000, with bidding scheduled for September 2018 and construction starting in January 2019; Stephen Decatur Middle School (SDMS) 16,300-square-foot addition at a total estimated cost of \$9,463,000, with requested planning approval for FY20; Pocomoke Middle School Systemic Roof Replacement at an estimated cost of \$3.35 million in FY22; and Snow Hill Middle School Systemic Roof Replacement at an estimated cost of \$3.58 million in FY23.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved the BOE FY19 CIP as presented.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the best bid for one Landfill Compactor with Bulldozer Blade for use within the Solid Waste Division of Public Works to Alban CAT of Baltimore, Maryland at a total acquisition cost of \$1,068,372 less a guaranteed buyback at the end of five years of \$185,000 for a net adjusted price of \$883,372. Mr. Tustin advised that the low bid from Wynn Tec, Inc. failed to meet a number of the required specifications, estimated to cost roughly \$397,000 and also having no certified service provider within a 60-mile radius of the County. Commissioner Mitrecic stated that the department cannot

afford to have an unreliable machine, due to the daily demands at the Central Landfill.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously awarded the low bid for the purchase of a Caterpillar Model 27202 skid steer loader for use within the Solid Waste Division of Public Works to Alban Tractor Company, Inc. of Baltimore, Maryland at a total delivered cost of \$65,481.60, with a combination of FY18 budgeted and surplus funds available for this purchase.

Mr. Tustin advised that the next Household Hazardous Waste Collection Day will take place Saturday, December 2, 2017, from 10:00 a.m. to 2:00 p.m. at the Showell Elementary School parking lot. He advised that the County, in cooperation with Maryland Department of the Environment (MDE) and Maryland Environmental Service (MES), sponsors this program. He stated that computers and laptops will also be accepted; however, the County has suspended the acceptance of other forms of electronics due to the increased cost and difficulty involved in recycling televisions and monitors. He further advised that the County-incurred expense for this event is approximately \$16,000 and is available in the FY18 recycling budget.

In response to a question by Commissioner Bertino, Mr. Tustin stated that County staff will accept electronics at no charge that are dropped off for disposal during the event and advise residents to dispose of them in their household trash in the future.

Pursuant to the request of Parks Superintendent Bill Rodriguez and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the Bishopville Waterfront Park Concept Plan to develop a passive recreational space overlooking the Bishopville Prong at an initial estimated cost of \$111,737, and a project contingency for unforeseen expenses, for a total estimated project cost of \$125,000, with a proposed Maryland Department of Natural Resources (DNR) Program Open Space (POS) cost share of 90% or \$112,500 and a County cost share of 10% or \$12,500. Mr. Rodriguez advised that the plan may still need to be reviewed and approved by the Atlantic Coastal Bays Critical Area Commission, and a waiver is required from the State Highway Administration (SHA) due to the proximity of the parking lot entrance on the former Chmar property to the intersection at Bishopville Road and St. Martin's Neck Road.

Pursuant to the request of County Engineer Bill Bradshaw and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved several Change Notifications with Whiting-Turner for the Berlin Branch Library construction project for the following four items: changes to tempered glass door glazing for a cost reduction of \$130; adding an interior data and power wiring floor box at an additional cost of \$1,686; a material substitution for an exterior mechanical room access door for a cost reduction of \$2,890; and substituting flush interior doors in five locations in lieu of raised panel doors for a cost reduction of \$1,100. Mr. Bradshaw advised that these changes will decrease the overall project cost by \$2,434, which brings the current total contract price to \$10,728 below the original contract amount of \$6.25 million with Whiting Turner.

Development Review and Permitting Director Ed Tudor updated the Commissioners on the status of the property owned by Willie R. and Helen Y. Church and located at 1529

Unionville Road in Pocomoke City, which is identified on Tax Map 83 as Parcel 214, and which was declared a nuisance by the Commissioners on September 5, 2017 and granted a 60-day extension to November 5, 2017 to abate the nuisance. Mr. Tudor advised that he was pleased to report that the property owner has complied with the terms of the order, and the unscreened accumulation of personal property has been removed.

Mr. Tudor updated the Commissioners on the status of the abandoned property owned by Kevin J. Evans T/A Planted Pleasures and located at 10307 Racetrack Road (MD Rte. 589) south of Ocean Pines, which is identified on Tax Map 21 as Parcel 110, and which was declared a nuisance by the Commissioners on September 5, 2017 and granted a 60-day extension to November 5, 2017 to abate the nuisance. Mr. Tudor advised that the property owner has not complied with the terms of the order. In fact, it does not appear that Mr. Evans has taken any steps to abate the nuisance. Therefore, County staff have begun to develop a plan that will include seeking proposals from area contractors to safely abate the nuisance, the cost of which will be billed to Mr. Evans and will become a lien on the property if not paid.

In response to a question by Commissioner Elder, Mr. Tudor stated that due to unseen debris that could damage grass cutters and/or other equipment, competitive bids for the nuisance abatement will likely be based on time and materials costs.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bertino, the Commissioners unanimously agreed to reappoint Joseph Green, Jr. to the Board of Zoning Appeals for a three-year term expiring December 31, 2020.

Upon a nomination by former Health Officer Debbie Goeller and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to appoint Kelly O'Keane to serve as the Health Department representative on the Commission for Women for a three-year term expiring December 31, 2020 to replace Debbie Farlow whose term is expiring.

Upon a nomination by Commissioner Mitrecic, the Commissioners unanimously agreed to appoint Amy Rothermel to the Local Management Board for a three-year term expiring December 31, 2020 to replace Andrea Watkins whose term is expiring.

Upon a nomination by Commissioner Lockfaw, the Commissioners unanimously agreed to reappoint Glenn Holland to the Agricultural Preservation Advisory Board for a three-year term expiring December 31, 2020.

Upon a nomination by Commissioner Lockfaw, the Commissioners unanimously agreed to reappoint Kenneth Lambertson to the Board of Electrical Examiners for a four-year term expiring December 31, 2021.

Upon the recommendation of the Worcester County Youth Council and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to reappoint Destinee Johnson and Tatyana Waters of Pocomoke High School (PHS) to one-year terms each expiring April 30, 2018 and to appoint the following students to two-year terms each expiring April 30, 2019 to the Youth Council: Caroline Matthews of PHS; Avalon Fortt, Craig Birckhead-Morton, Jessica Wynne, T'Nae Fitch, and Zanab Iqbal of Snow Hill High School (SHHS); Dana Kim and Richard Poist of Stephen Decatur High School (SDHS); and Cooper Richins of Worcester Preparatory School (WPS).

# DRAFT

Upon motions by Commissioner Elder, Purnell, and Church, the Commissioners unanimously agreed to nominate Commissioner Mitrecic as 2<sup>nd</sup> Vice-Chair, Commissioner Elder as Treasurer and Commissioners Church, Lockfaw, and Purnell as voting members on the Board of Directors of the Tri-County Council for the Lower Eastern Shore of Maryland for calendar year 2018.

The Commissioners met with Assistant Chief Administrative Officer Kelly Shannahan to review the Commissioners' proposed meeting schedule and budget schedule for 2018, with Commissioners' meetings generally taking place on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month, except where such dates fall on a legal holiday or other conflicting events. Mr. Shannahan stated that the Statewide General Election Day falls on Tuesday, November 6, so the first meeting in November is proposed for Wednesday, November 7, 2018. In addition, the National Hurricane Conference is scheduled in Orlando, Florida for March 26-29, so the Budget Review Work Session originally scheduled for Tuesday, March 27, is proposed for Tuesday, April 3, in the afternoon following the Commissioners' regular meeting that day. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved their schedule of meeting dates and budget schedule for calendar year 2018, as proposed by staff.

At the recommendation of Commissioner Bunting and upon a motion by Commissioner Bertino, the Commissioners unanimously amended the 2018 Holiday Schedule to declare the entire day on Monday, December 24, Christmas Eve, as a County holiday, rather than for one-half day in the afternoon as designated in the Personnel Rules and Regulations.

The Commissioners answered questions from the press, after which they adjourned to meet in closed session.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Lockfaw, the Commissioners unanimously voted to meet in closed session at 11:40 a.m. in the Commissioners' Conference Room to discuss legal matters permitted under the provisions of Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; and Bob Mitchell, Environmental Programs Director. Topics discussed and actions taken included receiving legal advice from counsel and performing administrative functions.

The Commissioners adjourned to meet again on November 21, 2017.



Government Finance Officers Association  
203 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601-1210  
312.977.9700 fax: 312.977.4806

INT 1

July 18, 2017

Copy: Phil Thompson ✓  
Kathy Whitel ✓

for future presentation at  
Commissioners meeting

Harold L. Higgins  
Chief Administrative Officer, Worcester County Commissioners  
Worcester County  
Government Center, Room 1103  
One West Market Street  
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 2016 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.

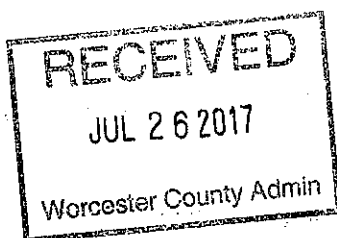
When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter 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,

Todd Buikema  
Acting Director, Technical Services Center





GOVERNMENT FINANCE OFFICERS ASSOCIATION  
**NEWS RELEASE**

**FOR IMMEDIATE RELEASE**

07/18/2017

**For more information contact:**

**Todd Buikema, Acting Director/TSC**

**Phone: (312) 977-9700**

**Fax: (312) 977-4806**

**E-mail: [tbuikema@gfoa.org](mailto:tbuikema@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.*



Government Finance Officers Association

**Certificate of  
Achievement  
for Excellence  
in Financial  
Reporting**

Presented to

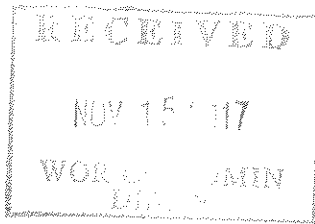
**Worcester County  
Maryland**

For its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended

**June 30, 2016**

*Christopher P. Morrell*

Executive Director/CEO



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

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ZONING DIVISION  
BUILDING DIVISION  
ADMINISTRATIVE DIVISION

DATA RESEARCH DIV.  
CUSTOMER SERVICE DIV.  
TECHNICAL SERVICES DIV.

# Memorandum

**To:** Worcester County Commissioners

**CC:** File

**From:** Jo Ellen Bynum *JEB*

**Date:** 11/15/2017

**Re:** Bid Recommendation for Housing Rehabilitation Program Inspection, Lead Risk  
Assessment & Lead Clearance Inspection Services

A bid opening was held in September to procure the services of a general rehabilitation inspector, a lead risk assessor and a lead clearance technician in support of the Worcester County Housing Rehabilitation Program; a copy of the Competitive Bid Worksheet is attached. As part of the County's 2018 CDBG grant award will be utilized to cover the cost of these services, we were unable to make a bid award until the grants funds were officially released by the State. This notification was received on November 14 and we are now able to procure goods and services under the MD-18-CD-21 CDBG grant agreement.

Bids were received as follows from two general home inspectors, neither of which is licensed to provide lead inspection services:

Vendor	Initial Evaluation	Work Write-up	Progress Inspection	Change Order	Final Inspection	Warranty	Meetings
Lifestyle Home Inspections	\$300	\$150	\$150	\$150	\$250	\$250	\$75
In and Out Home Inspections	\$250	\$40	\$25	\$10	\$25	\$25	No quote

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My recommendation is to accept the bid submitted by Lifestyle Home Inspections to provide all housing rehabilitation program inspector functions as priced and outlined above. The owner, Dave Walter, has extensive experience with home inspections and HUD requirements as well as current building codes. He successfully provided these specific services for the Worcester County Housing Rehabilitation Program in the 1990's and is therefore also familiar with the unique requirements of the CDBG program. Based upon the cost of our previously contracted inspector, as well as my knowledge of the time required to inspect a property and produce a quality work write-up with the detail necessary to satisfy Program requirements, it is my judgment that Mr. Walter has provided the most responsive bid. A copy of his proposal in its entirety is attached for your review.

Bids were received as follows from three lead inspection companies, two of which are licensed to provide both Lead Risk Assessments and Clearance Inspections:

Vendor	Risk Assessment	Clearance Inspections
Debra W. Hall Inspections, Inc.	\$300	\$200
Shore Inspections	\$300	\$75/house \$10/sample (average 12 samples for house)
Ray Phipps-Dickerson	N/A	\$150/visit minimum; \$10/sample

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Request For Proposals — 50

It is my recommendation to accept the bid from Debra Hall Inspections to provide both the risk assessment and lead clearance inspection services based upon the excellent quality of service she provided to the Program and homeowners as our lead inspector in the past. Ms. Hall's quote is potentially \$5 per house more than the apparent lowest bidder, but as we average 3 lead clearance projects a year, this difference is negligible. A copy of her quote in its entirety is attached for your review.

# Competitive Bid Worksheet

## Item: Housing Rehabilitation Program Inspection Services

Bid Deadline/Opening Date: 1:00 P.M., Monday, September 11, 2017

Bids Received by deadline = 5

Vendor's Submitting Bids	Proposed Fees						
	Initial Eval.	Work Write-Up	Progress Insp.	Change Order	Final Insp.	Warranty	Lead Risk/Clear.
<b>Lifestyle Home Inspections</b> P.O. Box 1363 Berlin, MD 21811	<u>\$300</u> meetings @ \$75/Hr.	<u>\$150</u>	<u>\$150</u>	<u>\$150</u>	<u>\$250</u>	<u>\$250</u>	<u>N/a</u>
<b>Debra W. Hall Inspections, Inc.</b> 7519 Fire Tower Road Hebron, MD 21830	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>Assessment - \$300</u> <u>Clearance \$200</u>
<b>Shore Inspections</b> 1118 Taney Ave. Salisbury, MD 21801	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>Assessment \$300</u> <u>Clearance - \$75/house</u> <u>\$10/sample</u>
<b>Ray Phipps-Dickerson</b> 6201 Porters Crossing Rd. Snow Hill, MD 21863	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>N/a</u>	<u>Clearance Only</u> <u>\$25/sample</u> <u>\$150/visit min.</u>
<b>In and Out Home Inspections</b> 11722 back creek Rd. Bishopville, MD 21813	<u>\$250</u>	<u>\$40</u>	<u>\$25</u>	<u>\$10</u>	<u>\$25</u>	<u>\$25</u>	<u>N/a</u>

## Housing Rehabilitation Program Inspector & Lead Paint Inspection Bid Form\*

Service Provided	Fee	Completion Time**
Initial Property Evaluation A.1.-3.	300.00	72 Hours
Work Write-Up & Cost Estimate D.1.-2.	150.00	48 Hours
Progress Inspections & Payment Requests H.1.-2.	150.00	48 Hours
Change Orders I.1.-3.	150.00	48 Hours
Final Inspection J.1.5.	250.00	48 Hours
Warranty Visits K.1.-4.	250.00	48 Hours
Meetings C., E., F., G.	75.00 / Hour	N/A
Lead Risk Assessment B.1.		
Lead Clearance Testing B.2.		

\* Bidders may quote to fulfill either one or both functions. Please indicate "N/A" or hyphen in columns your firm is not quoting

\*\*Completion time to be an estimate of time lapse between service request by County and delivery of requested service.

I hereby propose to provide the requested services in compliance with specifications detailed under "Duties" section of this bid request and according to the fee schedule above.

Date: 8/28/17



Signature- Authorized Official

C. DAVID WALTER

Typed Name

PRESIDENT

Title

LIFESTYLE BUILDERS & HOME INSPECTIONS

Company Name

P.O. Box 1363

Address

BERLIN, MD. 21811

OFFICE - 410-213-2021

CELL - 410-603-4096

Phone Number(s)

# LIFESTYLE BUILDERS, INC.

P.O. Box 1363  
Berlin, MD 21811

Phone 410-213-2021  
Fax 410-213-2063

August 23, 2017

To whom it may concern:

Regarding: Lifestyle Builders & Home Inspections, C. David Walter

I have been building new homes and doing renovations and major home additions since 1980. I have built over 500 custom homes in Worcester County alone, and have also completed several thousand renovation projects. Our licenses are current, MHIC # 29042, MHBR# 19, MHI# 29834. We are currently still providing these services to Worcester and Wicomico County

All projects will be estimated using a computer program called Litening Fast Estimating. This program has an extensive pricing library with over a million entries. The program also has the ability to be easily updated with local materials and labor costs. We keep the program updated constantly with changing costs. The inspections reports will be formulated through our Home Inspection computerized program call Home Inspector Pro. Full colored photographs and detailed sectionalized areas of the house, provided with-in the report, along with an itemized repair and needs section.

I have personally performed over 6,000 home inspections as a State licensed and Certified Home Inspector. Long time member of InterNACHI , the International Association of Certified Home Inspectors. I am still currently performing home inspections on a daily basis.

I have previously performed the duties of the Housing Rehabilitation Specialist for Worcester County, 1995 through 1998 . I am currently the Housing Inspector for Section 8 housing in Worcester County and have been doing this since 2015.

I would look forward to being able to provide the quality and professional services required as the County Housing Rehabilitation Specialist, once again.

References: Jennings Quillin, Worcester County Inspector  
Kevin Brown , Head of Planning and Zoning Town of Ocean City  
Paul Miller, Worcester County Building Plans Reviewer  
Harry How, Mad Engineering, Berlin, MD 21811, 410-289-1859  
Marvin Steen, Steen Builders, Berlin, MD 21811, 410-641-7050  
Jim Bunting , Worcester County Commissioner  
Brian "Pete" Cosby, Attorney, West Ocean City, 410-213-9801

Should you have any questions, please contact us at your convenience.

Sincerely,



C. David Walter  
MHIC # 29042  
MHBR # 19  
MHI # 29834

# LIFESTYLE BUILDERS, INC.

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MHIC #29042 MHBR #19 MHI # 29834  
Telephone 410-213-2021

Fax 410-213-2063

P.O. Box 1363  
Berlin, MD 21811

August 23, 2017

Re: Charles David Walter  
48 Watertown Road  
Ocean Pines, MD 21811

To Whom It May Concern:

1980 to 1991: Construction management and supervision of commercial and residential projects with two large firms in Frederick County, Maryland

1991 to present: Owner and President, Lifestyle Builders, Inc.  
State licensed Home Builder & Remodeler  
MHIC #29042 MHBR #19  
Over 500 custom homes built, and several thousand remodel projects

1995 to present: Owner & Principal, Lifestyle Home Inspections  
Certified & State licensed Home Inspector  
MHI #29834  
C. David Walter has personally performed over 6,000 Home Inspections to date  
Continued education credits through International Association of Certified Home Inspectors  
InterNACHI Member ID# NACHI06110604

NRMCA Certified Concrete Technologist 1983

2010: Certified Lead Paint Renovator  
NAT-RV-I-18597-1-EN-06-24-10-04

Continued Education Credits through : International Code Council  
2006 through present day.

Housing Rehabilitation Certificate- Home Tech Seminars-- 1997

Housing Rehabilitation Specialist for Worcester County-- -1996-1998

Inspector for Worcester County Section 8 Housing Program--2015 to present day

Past President Ocean Pines Area Chamber Of Commerce

Past President Eastern Shore Builders Association

Past President Maryland State Builders Association

# *Lifestyle Home Inspections*

## Your Property Inspection Report



[REDACTED], MD 21811

Inspection prepared for: [REDACTED]

Real Estate Agent: [REDACTED]

Date of Inspection: 4/20/2017 Time: 09:00 AM

Age of Home: 45 +/- years Size: 1426 SF

Weather: Cloudy 60 F

Buyer's current address: [REDACTED]

[REDACTED], MD 20619

Inspector: C. David Walter

License #29834

P.O. Box 1363, Berlin, MD 21811

Phone: 410-213-2021 Fax: 410-213-2063

Email: walter796@aol.com

www.lifestylebuildersinc.com



We appreciate the opportunity to conduct this inspection for you! Please carefully read your entire Inspection Report. Call us after you have reviewed your report, so we can go over any questions you may have. Remember, when the inspection is completed and the report is delivered, we are still available to you for any questions you may have, throughout the entire closing process. Properties being inspected do not "Pass" or "Fail." - The following report is based on an inspection of the visible portion of the structure; inspection may be limited by vegetation and possessions. Depending upon the age of the property, some items like GFI outlets may not be installed; **this report will focus on safety and function, not current code.** This report identifies specific non-code, non-cosmetic concerns that the inspector feels may need further investigation or repair. For your safety and liability purposes, we recommend that licensed contractors evaluate and repair any critical concerns and defects. **Note that this report is a snapshot in time. We recommend that you or your representative carry out a final walk-through inspection immediately before closing to check the condition of the property, using this report as a guide.**

## Summary of Items of Concern

On this page you will find, in **RED**, a brief summary of any **CRITICAL** concerns of the inspection, as they relate to Safety and Function. Examples would be bare electrical wires, or active drain leaks. The complete list of items noted is found throughout the body of the report, including Normal Maintenance items. Be sure to read your entire report!

For your safety and liability, we recommend that you hire only licensed contractors when having any work done. If the living area has been remodeled or part of an addition, we recommend that you verify the permit and certificate of occupancy. This is important because our inspection does not tacitly approve, endorse, or guarantee the integrity of any work that was done without a permit, and latent defects could exist.

Depending upon your needs and those who will be on this property, items listed in the body of the report may also be a concern for you; be sure to read your Inspection Report in its entirety.

**Note:** If there are no comments in **RED** below, there were no **CRITICAL** system or safety concerns with this property at the time of inspection.

Exterior Areas		
Page 5 Item: 7	Decks & Steps	<ul style="list-style-type: none"> <li>• Wood deterioration noted. Rear stoop decking boards and stair tread boards. Have repaired as necessary.</li> <li>• <b>RAILS:</b> Stoop railing has picket missing, need to replace</li> </ul>
Garage, Basement & Attic		
Page 7 Item: 2	Basement / Crawlspce	<ul style="list-style-type: none"> <li>• Insulation installed backwards, vapor barrier should be against the heated house subfloor. Suggest correcting.</li> <li>• Sagging or fallen insulation under floor in crawl space. Recommend re-installing.</li> </ul>
Interior Features		
Page 15 Item: 1	Kitchen	• Wall outlet left of kitchen sink is loose to wall. Need to secure.
Page 16 Item: 2	Master Bath	• Significant lack of water pressure noted at master bathroom shower. Recommend plumber evaluation.
Page 17 Item: 3	Bath	<ul style="list-style-type: none"> <li>• Exhaust fan not operating. Need to repair or replace.</li> <li>• Vanity damaged.</li> </ul>
Page 18 Item: 7	Plumbing & Laundry	• 4" Plastic vent line exists and passes through floor to exterior vent. Code requires a metal pipe through floor and metal flex line attached. Suggest correcting.
Page 19 Item: 8	Interior Electric	• Two smoke detectors would not sound when tested, replace batteries and or units if hard wired.
Page 20 Item: 11	Windows	• Window hardware damaged. Kitchen casement, left sash crank assembly damaged, need to replace.
Page 21 Item: 12	Fireplaces & Stoves	• Suggest having gas fireplace cleaned and serviced due to age. Also no gas shut off valve in reach as required by Code .No gas connected at time of inspection, unit could not be tested. Have owner guarantee operation.

## Exterior Areas

As with **all** areas of the house, we recommend that you carefully examine the roof immediately prior to closing the deal. Note that walking on a roof voids some manufacturer's warranties. Adequate attic ventilation, solar / wind exposure, and organic debris all affect the life expectancy of a roof (see [www.gaf.com](http://www.gaf.com) for roof info). Always ask the seller about the age and history of the roof. On any home that is over 3 years old, experts recommend that you obtain a roof certification from an established local roofing company to determine its serviceability and the number of layers on the roof. We **certainly** recommend this for any roof over 5 years of age. Metal roofs in snow areas often do not have gutters and downspouts, as there is a concern that snow or ice cascading off the roof may tear gutters from the house. Likewise, be advised that such cascading may cause personal injury or even death. If this house has a metal roof, consult with qualified roofers or contractors regarding the advisability of installing a damming feature which may limit the size and amount of snow / ice sliding from the roof.

Grading and drainage are probably the most significant aspects of a property, simply because of the direct and indirect damage that moisture can have on structures. More damage has probably resulted from moisture and expansive soils than from most natural disasters. Also, there should be gutters and downspouts with splash blocks that discharge away from the building. We have discovered evidence of moisture intrusion inside structures when it was raining that would not have been apparent otherwise. In addition, we recommend that downspouts do not terminate over paved areas such as walks or driveways, as they can contribute to icy slip and fall hazards in winter.

Minor settlement or "hairline" cracks in drives, walks or even foundations are normal to properties of any age. They should, however, be monitored for expansion and sealed as necessary.

Note that any siding, but especially composition or hardboard siding must be closely monitored. A classic example is the older style Louisiana Pacific siding, where the failure and deterioration provided grounds for a class action lawsuit. Even modern composition siding and, especially, trim, is particularly vulnerable to moisture damage. All seams must remain sealed and paint must be applied periodically (especially the lower courses at ground level). It is imperative that continued moisture be kept from it, especially from sprinklers, rain splash back or wet grass. Swelling and deterioration may otherwise result.

Vegetation too close to the home can contribute to damage through root damage to the foundation, branches abrading the roof and siding, and leaves providing a pathway for moisture and insects into the home.

Although rails are not required around drop-offs less than 30", consider your own personal needs and those of your family and guests. By today's standards, spindles at decks and steps should be spaced no more than 4" apart for the safety of children.

Open window wells should have either grates or, preferably, a weatherproof shield installed over them. This will keep rain and snow from building up inside the well and possibly leaking into the home, as well as minimizing your liability from children and non-residents falling inside them. An egress ladder should also be installed within the well, especially at below-grade bedrooms.

### 1. Roof

**Materials:** Composition shingles, Inspected from ground level with binoculars. See Roofing Notes above, in blue. Due to property and roof configurations, some areas of the roof may be visually restricted from inspection, Roof age: Unknown appears to be fairly new

**Observations:**

- No major system safety or function concerns noted at time of inspection.



Front roof area



Front roof areas



Rear roof area



Rear roof area

## 2. Chimney

### Observations:

- Brick and block fireplace chimney. Appears to be in good condition. Have cleaned and inspected if decision made to burn wood again. Gas logs exist now.
- No major system safety or function concerns noted at time of inspection.

## 3. Gutters & Grading

### Information: Aluminum Gutters

### Observations:

- No major system safety or function concerns noted at time of inspection.

## 4. Drives & Walks

### Information: Asphalt driveway, Concrete sidewalk.

### Observations:

- No major system safety or function concerns noted at time of inspection.

## 5. Siding

Information: Vinyl siding, wood frame construction, concrete block foundation

Observations:

- No major system safety or function concerns noted at time of inspection.

## 6. Vegetation

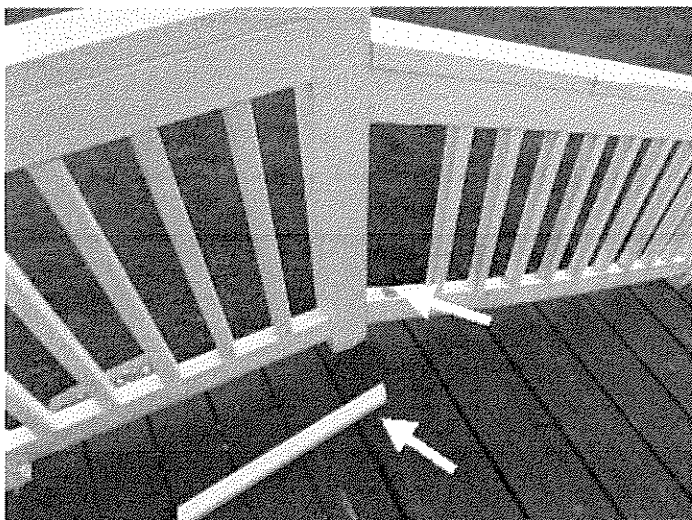
Observations:

- No major system safety or function concerns noted at time of inspection.
- Prune or remove any plants that are in contact or proximity to home to eliminate pathways of wood destroying insects.
- Maintenance Tip: When landscaping keep plants, even at full growth, at least a foot (preferably 18 inches) from house siding and windows. Keep trees away from foundation and roof. Plants in contact or proximity to home can provide pathways to wood destroying insects and abrade and damage siding, screens and roofs.

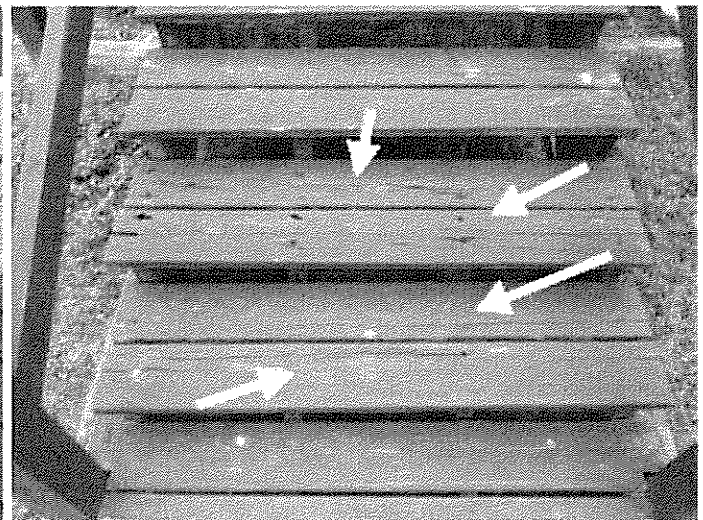
## 7. Decks & Steps

Observations:

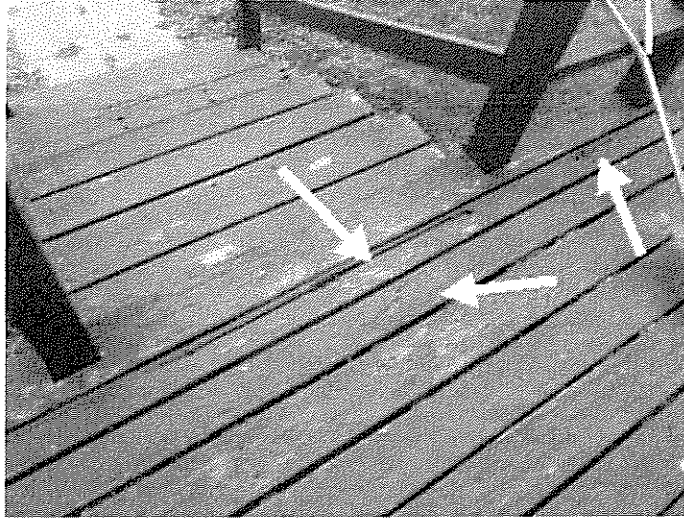
- Handrail not graspable at rear stoops. By today's standards, rails should be configured that a hand may grasp around a rail for safety.
- Front porch concrete with vinyl railings.
- Wood deterioration noted. Rear stoop decking boards and stair tread boards. Have repaired as necessary.
- RAILS: Stoop railing has picket missing, need to replace



RAILS: Stoop railing has picket missing, need to replace



Wood deterioration noted. Rear stoop decking boards and stair tread boards. Have repaired as necessary.



Wood deterioration noted. Rear stoop decking boards and stair tread boards. Have repaired as necessary.

#### 8. Electrical, Exterior

#### 9. Doors

##### Observations:

- No major system safety or function concerns noted at time of inspection.

#### 10. Window Condition

##### Observations:

- No major system safety or function concerns noted at time of inspection.
- See other window notes and observations in other window section.

## Garage, Basement & Attic

Note that minor settlement or "hairline" cracks in garage or basement slabs are not noted in an inspection, as they are normal to properties of any age. They should, however, be monitored for expansion and sealed as necessary. Residential inspections only include garages and carports that are physically attached to the house. They are not considered habitable, and conditions are reported accordingly.

Inspectors are not required to enter any crawlspace areas that are not readily accessible, less than 36" clearance, wet (electrical shock hazard), or where entry could cause damage or pose a hazard to the inspector.

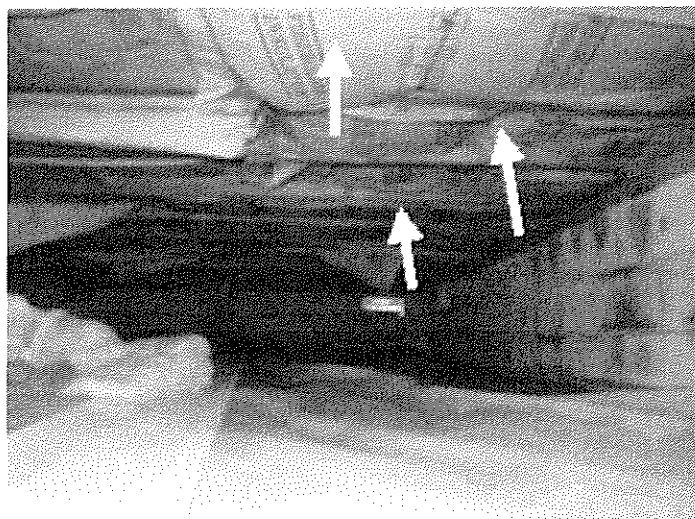
We recommend that all attic hatches have a batt of fiberglass insulation installed over them, and that the hatch be sealed shut with latex caulk. This will keep warm moist air from entering the attic, which may cause condensation or even mold. Note that *every* attic has mold; mold is everywhere. Some attics have some minor *visible* mold. This is often a result of the building process, when materials get wet during construction. If there is *extensive* mold, or mold that appears to have grown due to poor maintenance conditions, we will report it to you, the client. If the hatch is sealed shut when we go to inspect the attic, it can only be unsealed by the owner or their representative, as our insurance prohibits us from performing any destructive testing or entry. In accordance with industry and insurance standards, we will not attempt to enter an attic that has no permanently installed steps or pull-down stairs; less than thirty-six inches of headroom; does not have a standard floor designed for normal walking; walking, in the inspector's opinion, may compromise the ceiling below; is restricted by ducts, or in which the insulation obscures the joists and thereby makes mobility hazardous, in which case we will inspect the attic as best we can from the access point, with no comments or evaluations of areas not readily viewed from the hatch area.

### 1. Garage

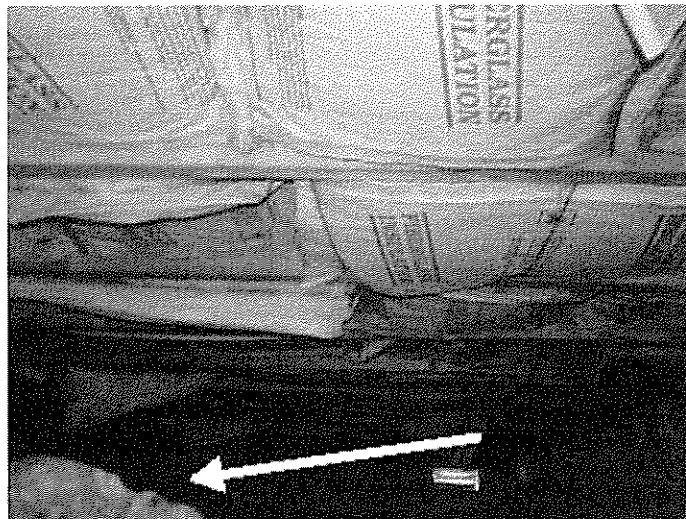
### 2. Basement / Crawlspace

#### Observations:

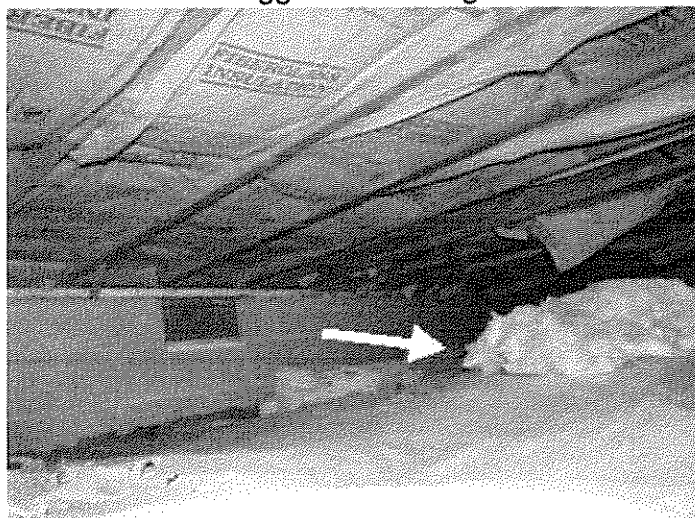
- Inspection Method: Traversed
- Beam Material: Wood
- Insulated at ceiling.
- 2" x 10" @ 16" O.C, floor joists with plywood subflooring.
- Support Material: concrete block piers
- Insulation installed backwards, vapor barrier should be against the heated house subfloor. Suggest correcting.
- Sagging or fallen insulation under floor in crawl space. Recommend re-installing.



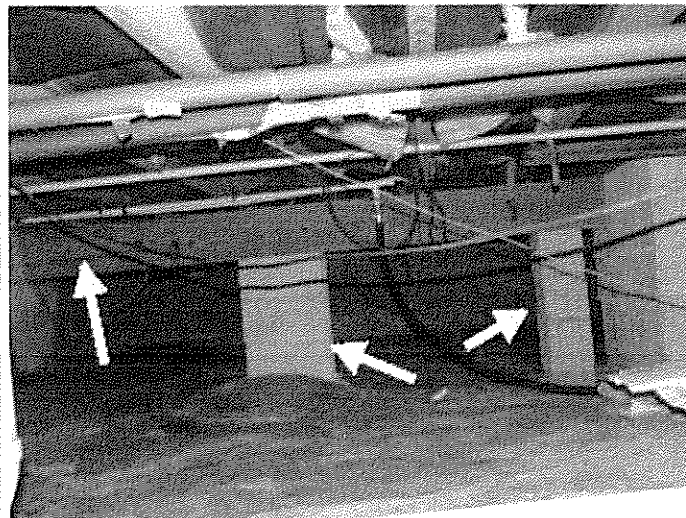
Insulation installed backwards, vapor barrier should be against the heated house subfloor. Suggest correcting.



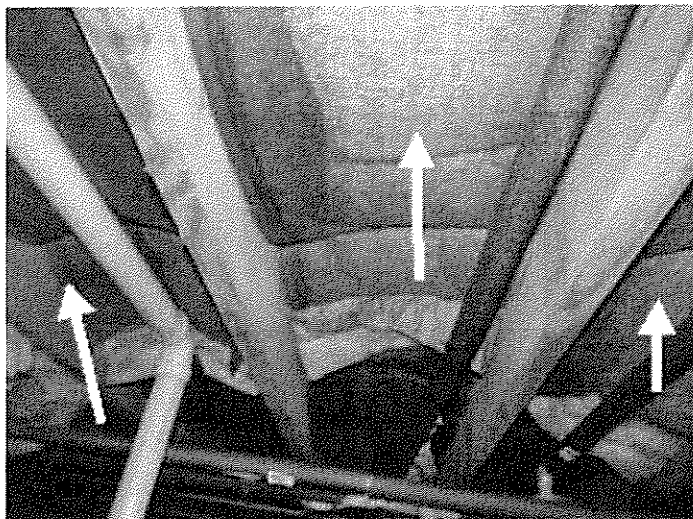
Sagging or fallen insulation under floor in crawl space. Recommend re-installing.



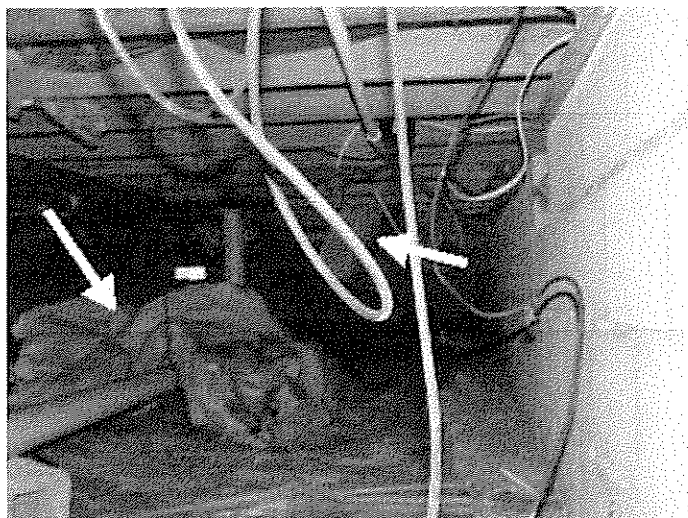
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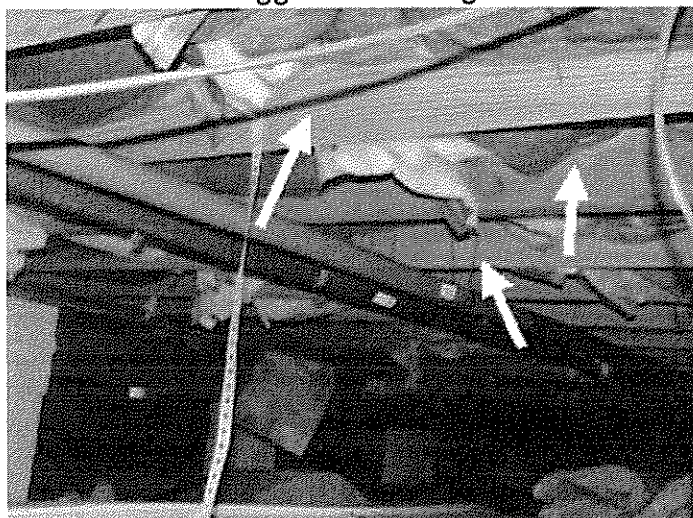
Support Material: concrete block piers. Wood beams.



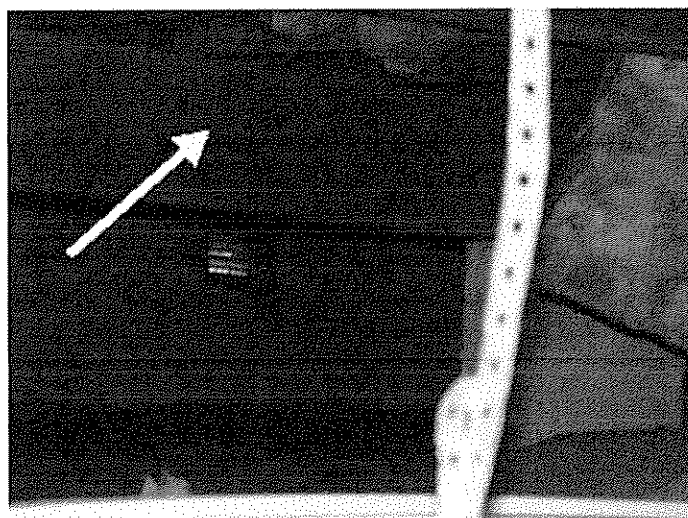
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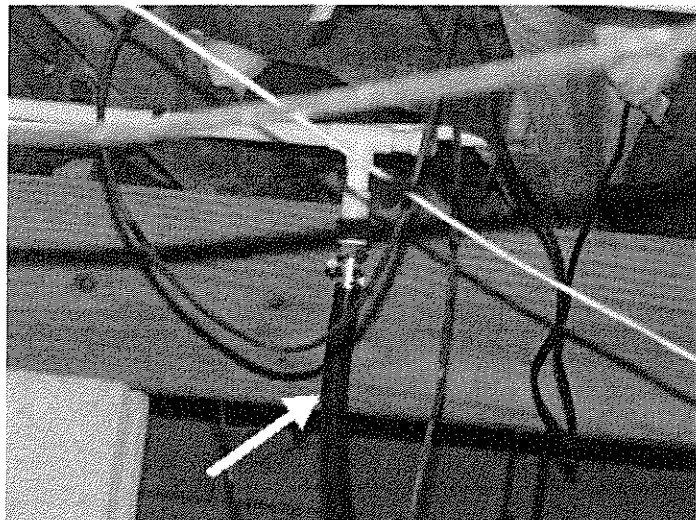
Sagging or fallen insulation under floor in crawl space. Recommend re-installing.



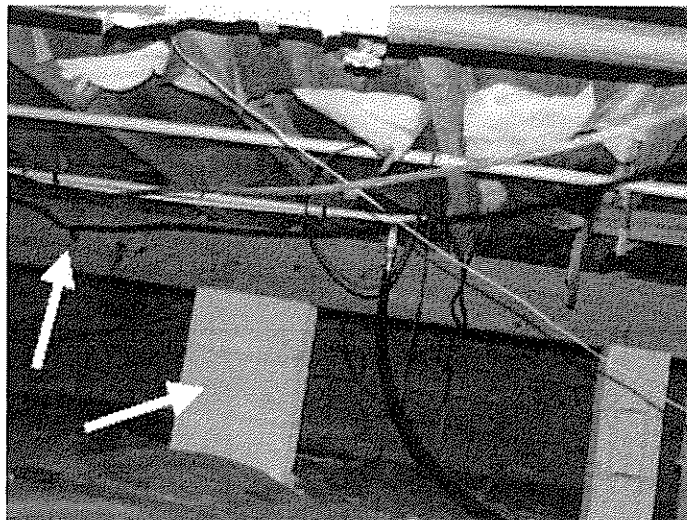
2" x 10" @ 16" O.C, floor joists with plywood subflooring.



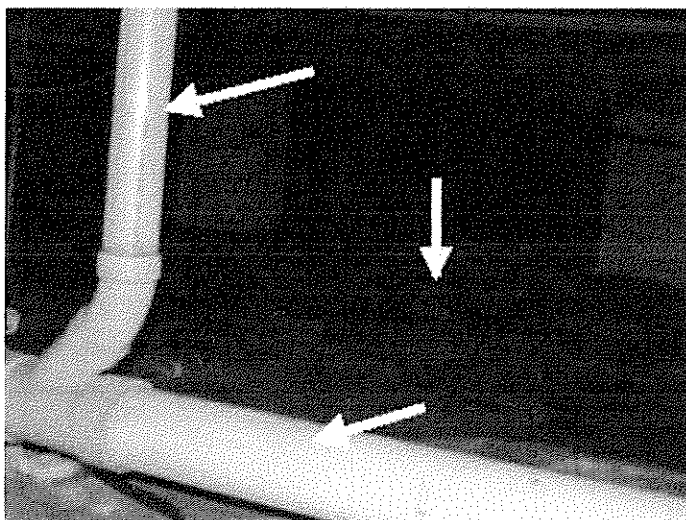
Beam Material: Wood



Main incoming water supply line



Support Material: concrete block piers. Wood beams

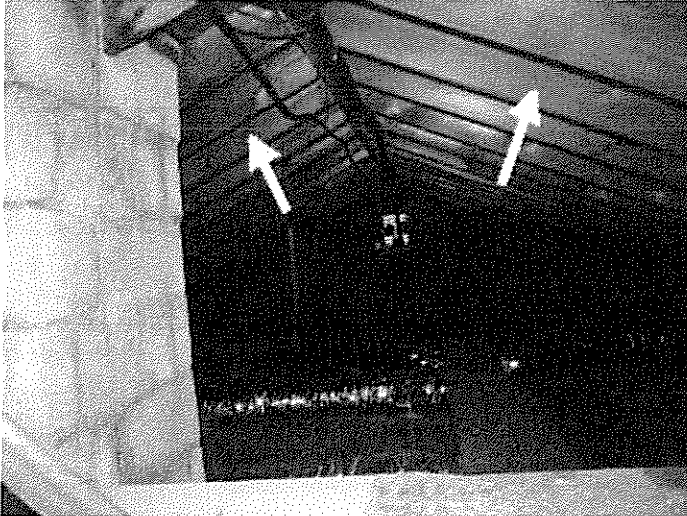


PVC waste lines, vapor barrier exist on ground.

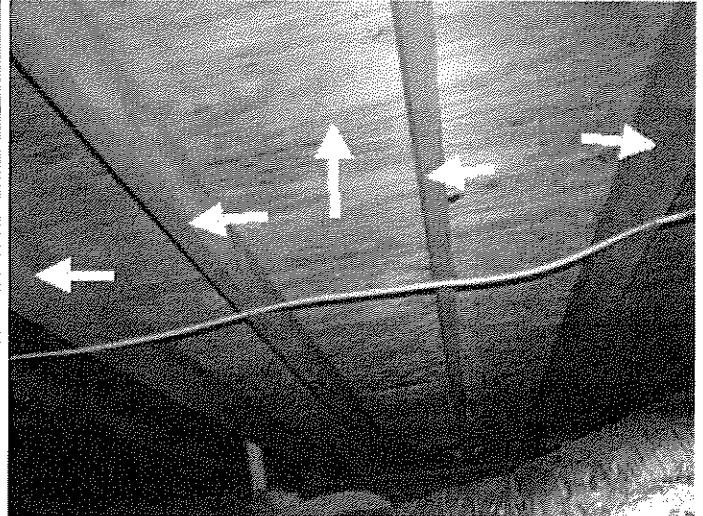
### 3. Attic

#### Observations:

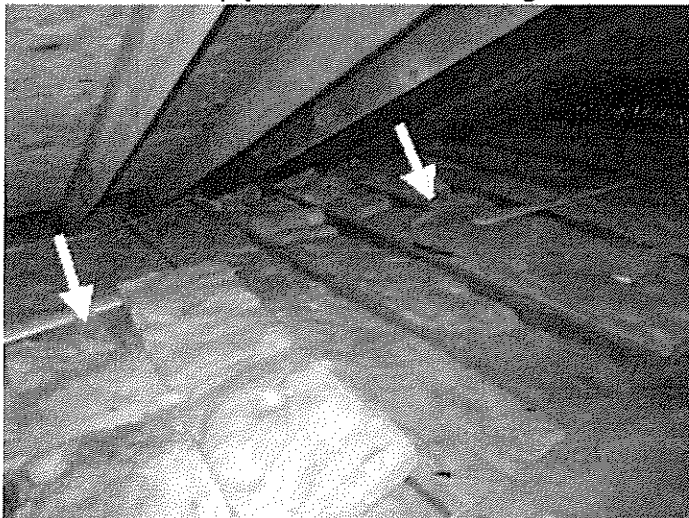
- Pull down stairway. Walkable attic.
- Hand framed rafter system, 2" x 6" @ 16" O.C. with plywood roof sheathing.
- Attic Ventilation: Roof ridge venting, gable vents, gable fan on thermostat control.
- Fiberglass Insulation
- Evidence of past or present leaks, dry at time of the inspection. Appears fairly new roof has been installed.
- No major system safety or function concerns noted at time of inspection.



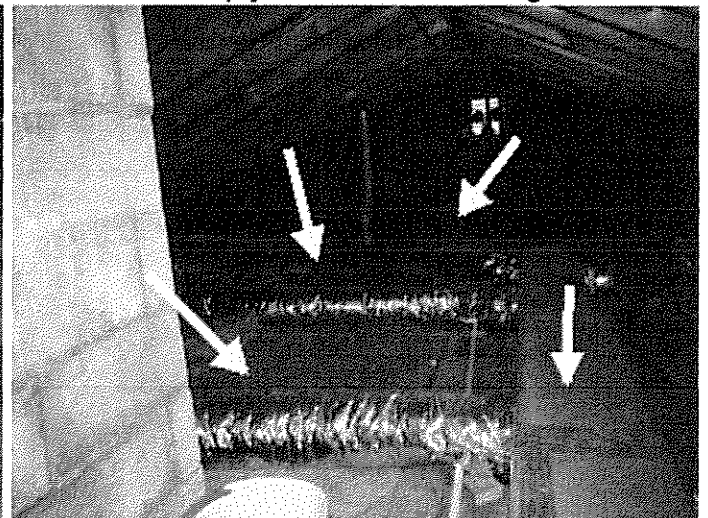
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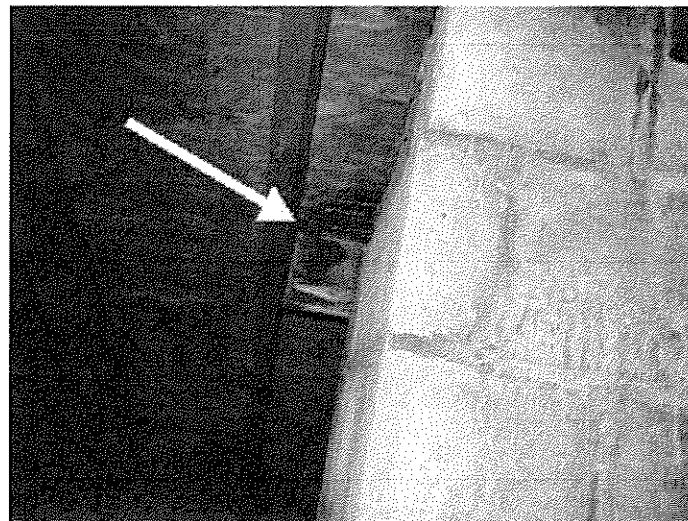
Hand framed rafter system, 2" x 6" @ 16" O.C. with plywood roof sheathing.



Fiberglass Insulation



HVAC duct work in attic



Evidence of past or present leaks, dry at time of the inspection. Appears fairly new roof has been installed.

18

## Electric, Heat, Water Heater

**Electric:** Note that only actual GFCI outlets are tested and tripped. Some baths may have non-GFCI outlets which are protected by a GFCI outlet in a remote area (garage, another bath, etc.). Confirm with owner that apparent non-GFCI outlets within 6' of wet areas are thus protected. Also, note that most electricians agree that smoke detectors are good for about 5 years, and the breakers in your panel box have an expected life of about 20 years. Therefore, if this home was built before 1990, consider having the panel box and breakers evaluated by a licensed electrician, as an overheated breaker can result in a structural fire. If your home does not have a carbon monoxide detector (few do!), we recommend making that investment. Any home that has a Bulldog Pushmatic, Zinsco, Sylvania Zinsco or Federal Pacific Electric panel should have it evaluated by a licensed electrician, as these older types of panels and breakers have been known to overheat and cause house fires.

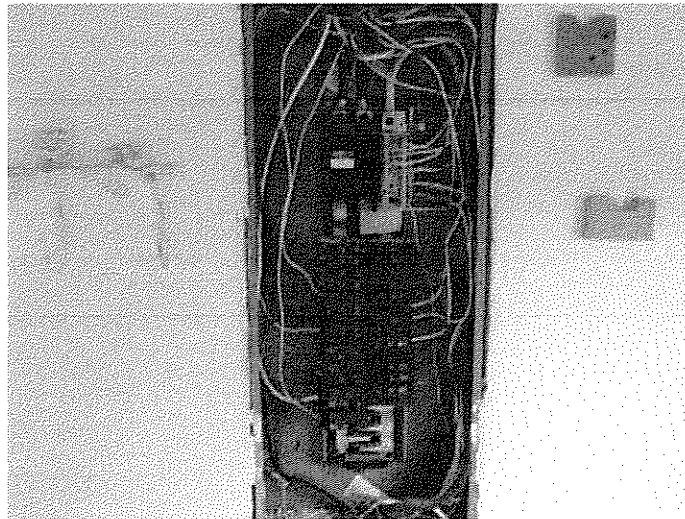
**Heat:** The heating, ventilation, air conditioning and cooling system (often referred to as HVAC) is the climate control system for the structure. The goal of these systems is to keep the occupants at a comfortable level while maintaining indoor air quality, ventilation while keeping maintenance costs at a minimum. The HVAC system is usually powered by electricity and natural gas, but can also be powered by other sources such as butane, oil, propane, solar panels, or wood. The inspector will test the heating and air conditioner using the thermostat or other controls. A more thorough investigation of the system, including the heat ("firebox") exchanger, should be conducted by a licensed HVAC service person every year. Failure to do so may result in carbon monoxide escaping through cracks in a heat exchanger or flue pipe, resulting in death.

### 1. Electrical Panel

**Materials:** Underground Service, 200 AMP service., Main Disconnect in panel box., Square D electrical panel, 200 AMP., Located in laundry room

**Observations:**

- No major system safety or function concerns noted at time of inspection at main panel box.



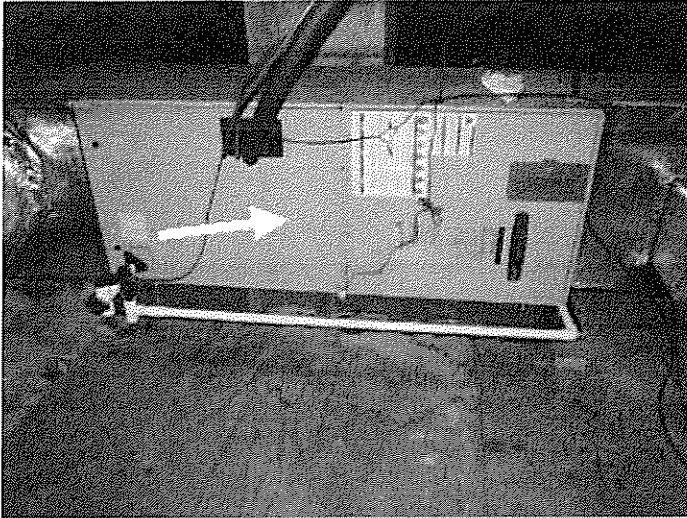
200 AMP panel Square D

### 2. HVAC Unit

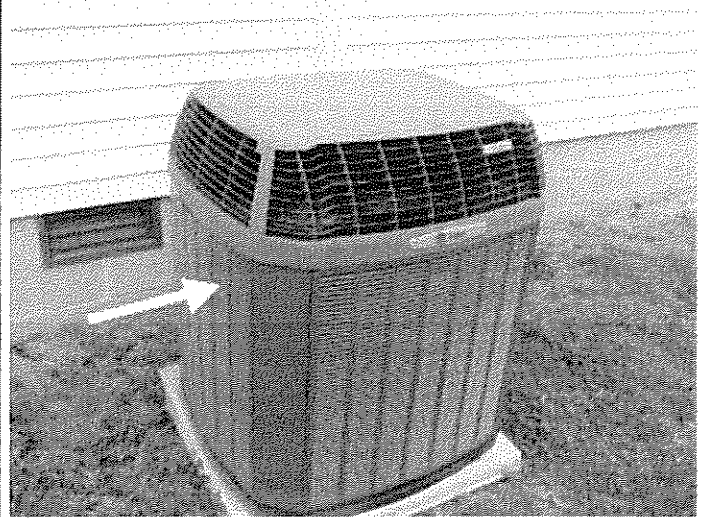
**Information:** Trane 2011 2 ton heat pump system. Also EBB wall units., Electric baseboard wall heaters. All tested and operated at time of inspection., Main shutoff: Breaker

**Observations:**

- No major system safety or function concerns noted at time of inspection.
- Suggest replacing filters every three months.
- Suggest having HVAC system cleaned and serviced if not done in last year. Should be serviced yearly.
- System operated on A/C side at time of inspection.



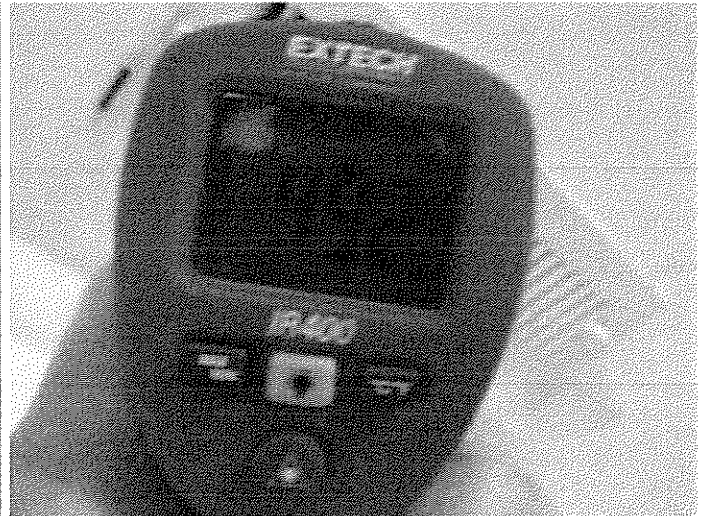
HVAC air handler in attic 2011 Trane model



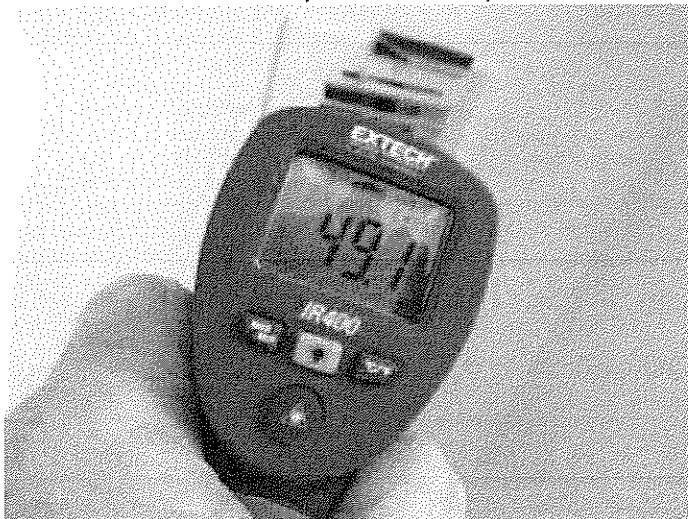
HVAC exterior compressor unit, 2 ton, Trane 2011 model



HVAC compressor info. plate



Hvac air temp at supply. A/C operating



HVAC air temp at supply.



HVAC air temp at supply.



HVAC air temp at supply.



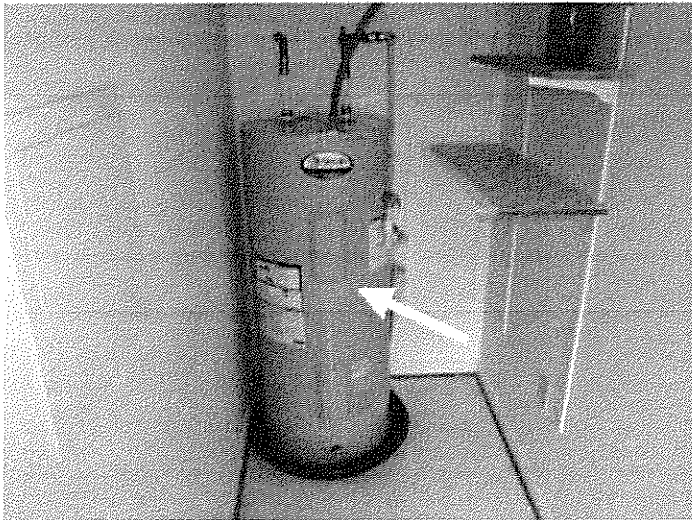
HVAC air temp at return. A/C operating.

### 3. Water Heater

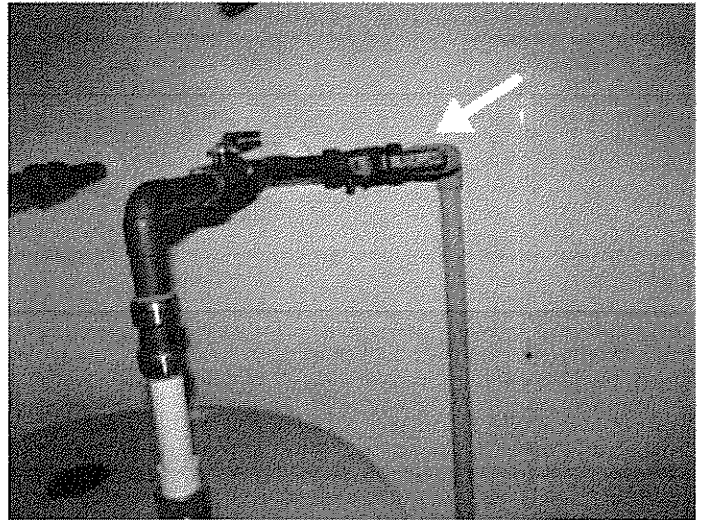
Information: Copper and CPVC supply lines, with PVC waste lines., Electric water heater (Shutoff at panel box), 40 gallon electric, A.O. Smith water heater, 2016, Water Shut off: Blue valve above water heater, Drain Pipe: Plastic

Observations:

- No major system safety or function concerns noted at time of inspection.
- Frost free exterior hose bibbs.
- Water Source: Public
- Public sewer



40 gallon electric A.O. Smith 2016 water heater



Main water shut off valve

## Interior Features

This inspection does not include testing for radon, mold or other hazardous materials unless specifically requested.

Plumbing is an important concern in any structure. Moisture in the air and leaks can cause mildew, wallpaper and paint to peel, and other problems. The home inspector will identify as many issues as possible but some problems may be undetectable due to problems within the walls or under the flooring.

Note that if in a rural location, sewer service and/or water service might be provided by private waste disposal system and/or well. Inspection, testing, analysis, or opinion of condition and function of private waste disposal systems and wells is not within the scope of a home inspection. Recommend consulting with seller concerning private systems and inspection, if present, by appropriate licensed professional familiar with such private systems. If a Septic System is on the property, pumping is generally recommended prior to purchase, and then every three years.

Interior areas consist of bedrooms, baths, kitchen, laundry, hallways, foyer, and other open areas.

All exposed walls, ceilings and floors will be inspected. Doors and windows will also be investigated for damage and normal operation. Although excluded from inspection requirements, we will inform you of obvious broken gas seals in windows. Please realize that they are not always visible, due to temperature, humidity, window coverings, light source, etc. Your inspection will report visible damage, wear and tear, and moisture problems if seen. Personal items in the structure may prevent the inspector from viewing all areas, as the inspector will not move personal items.

An inspection does not include the identification of, or research for, appliances and other items that may have been recalled or have had a consumer safety alert issued about it. Any comments made in the report are regarding well known notices and are provided as a courtesy only. Product recalls and consumer product safety alerts are added almost daily by the Consumer Product Safety Commission. We recommend visiting the following Internet site if recalls are a concern to you:  
<http://www.cpsc.gov>.

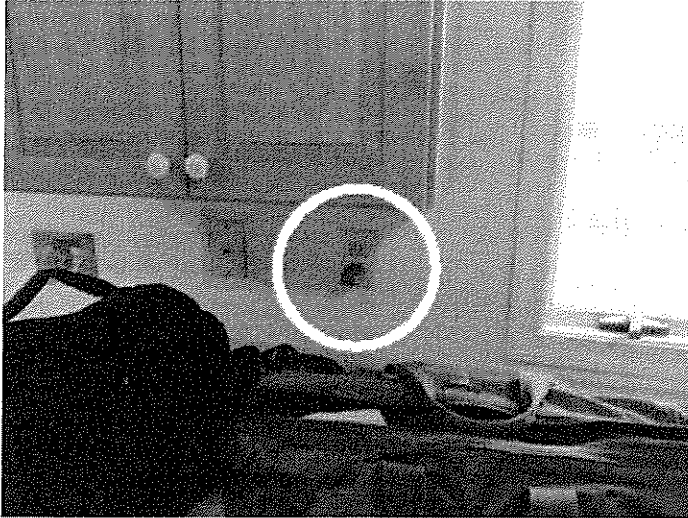
### 1. Kitchen

#### Observations:

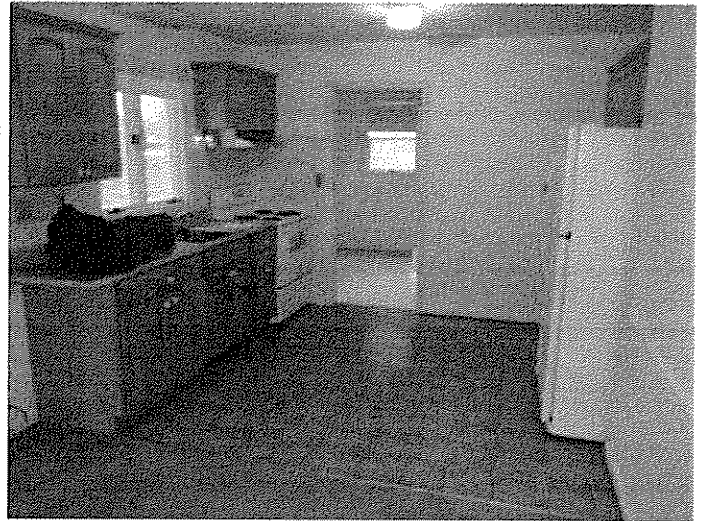
- Kitchen Appliances: Refrigerator, no ice maker-1999, electric range- 15+/- years, no dishwasher, no disposal, no microwave, range hood 15+/- years.

All appliances operated at time of inspection.

- GFCI trip test failed
- No GFCI outlets in kitchen, not required at time of construction. Suggest installing for safety reasons.
- DRAINS: PVC
- SUPPLY: Copper
- SURFACES: Laminate countertops.
- Flooring: Vinyl sheet goods
- No major system safety or function concerns noted at time of inspection.
- Wall outlet left of kitchen sink is loose to wall. Need to secure.



Wall outlet left of kitchen sink is loose to wall.  
Need to secure.



Kitchen area

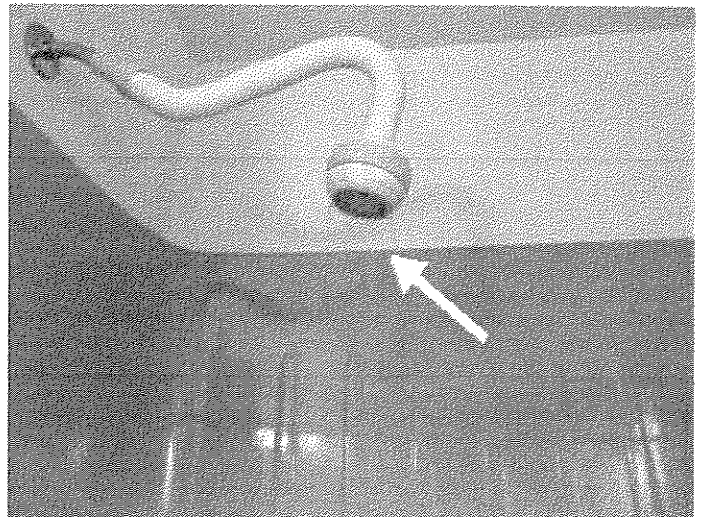
## 2. Master Bath

### Observations:

- LOCATION: Right side of house
- GFCI trip test failed.
- GFCI outlets not required at time of construction. Suggest installing for safety reasons.
- SUPPLY: Copper
- DRAINS: PVC
- FIXTURES: Fiberglass shower, toilet, vanity, exhaust fan.
- Flooring: Vinyl sheet goods
- Maintenance Tip: Keep caulked areas maintained, including sink backsplash, shower surround, floor shower junction. Also be sure to use exhaust fan when showering or bathing.
- **Significant lack of water pressure noted at master bathroom shower. Recommend plumber evaluation.**



Master bath



Significant lack of water pressure noted at master bathroom shower. Recommend plumber evaluation.

### 3. Bath

#### Observations:

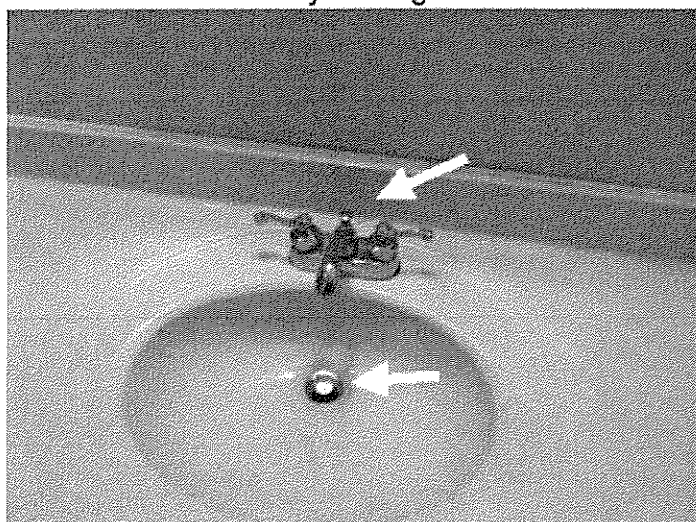
- LOCATION: Hallway
- GFCI trip test failed.
- GFCI outlets not required by Code at time of construction. Suggest installing for safety reasons.
- SUPPLY: Copper
- DRAINS: PVC
- Sink drain plug needs repair or replacement.
- FIXTURES: Fiberglass tub/shower, toilet, vanity, exhaust fan.
- Flooring: Vinyl sheet goods
- Maintenance Tip: Keep caulked areas maintained, including sink backsplash, shower surround, floor tub/shower junction and around window in shower area. Also be sure to use exhaust fan when showering or bathing.
- Area above tub/shower needs caulk.
- Exhaust fan not operating. Need to repair or replace.
- Vanity damaged.



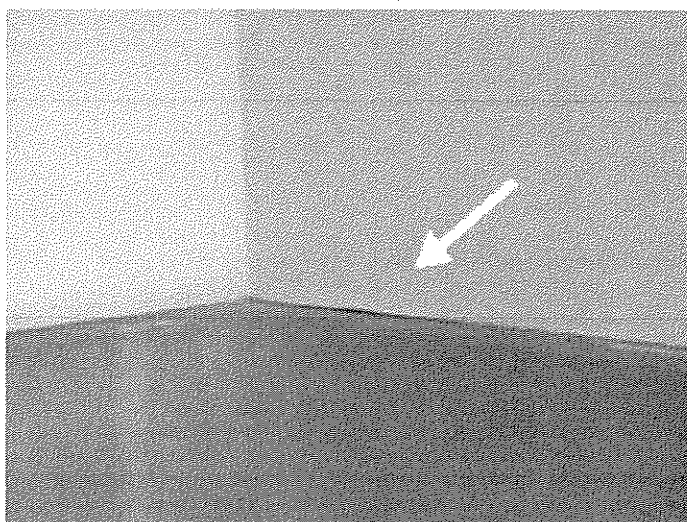
Vanity damaged.



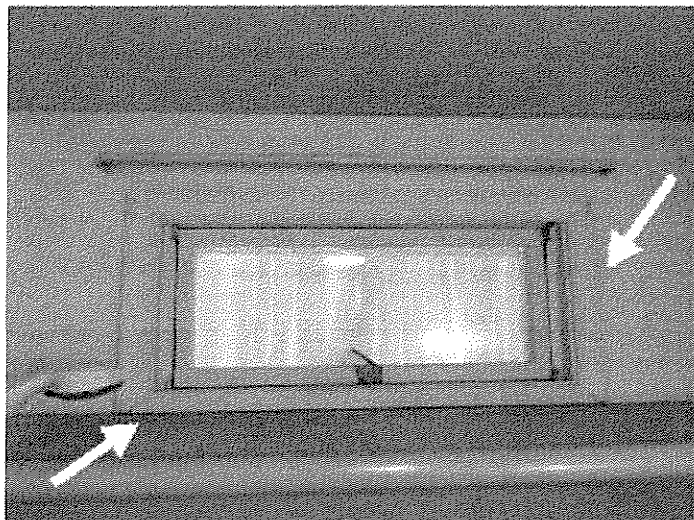
Hall bath



Sink drain plug needs repair or replacement.



Area above tub/shower needs caulk.



Maintenance Tip: Keep caulked areas maintained, including sink backsplash, shower surround, floor tub/shower junction and around window in shower area. Also be sure to use exhaust fan when showering or bathing.



Exhaust fan not operating. Need to repair or replace.

#### 4. Bath #2

#### 5. Bath (Guest)

#### 6. Bath (Half)

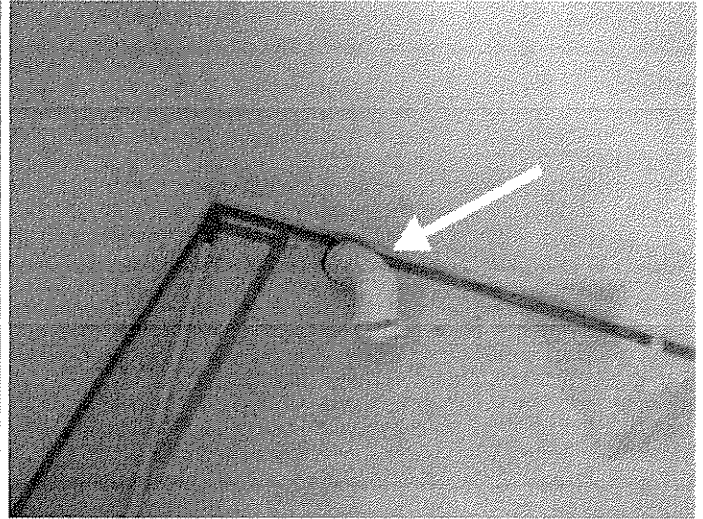
#### 7. Plumbing & Laundry

##### Observations:

- Laundry room.
- DRAINS: PVC
- Supply: Copper
- FIXTURES: No fixtures on site at time of inspection.
- Flooring: Vinyl sheet goods
- 4" Plastic vent line exists and passes through floor to exterior vent. Code requires a metal pipe through floor and metal flex line attached. Suggest correcting.



**FIXTURES:** No fixtures on site at time of inspection.

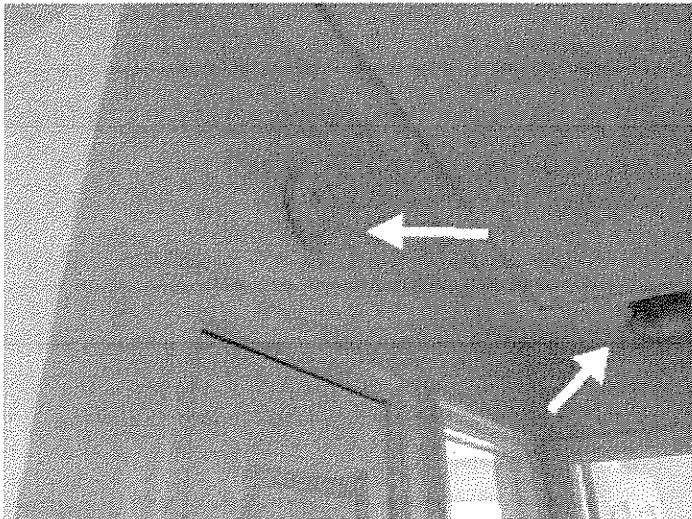


4" Plastic vent line exists and passes through floor to exterior vent. Code requires a metal pipe through floor and metal flex line attached. Suggest correcting.

## 8. Interior Electric

### Observations:

- Basic house wiring all copper.
- Smoke detectors missing in bedrooms. Installation recommended.
- Two smoke detectors would not sound when tested, replace batteries and or units if hard wired.



Two smoke detectors would not sound when tested, replace batteries and or units if hard wired.

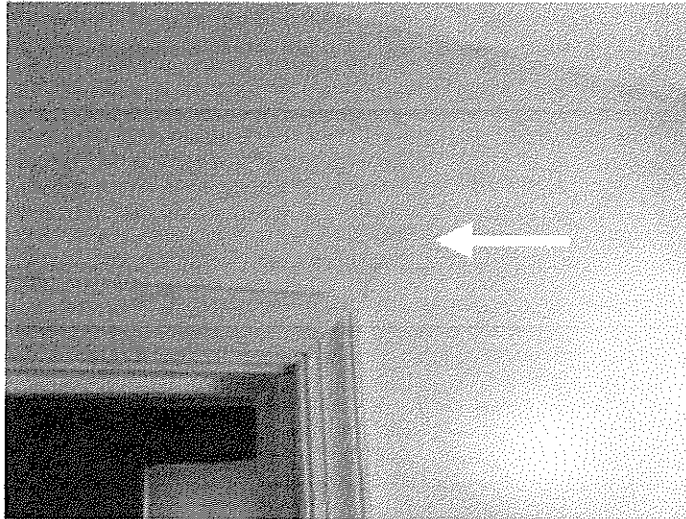


Two smoke detectors would not sound when tested, replace batteries and or units if hard wired.

## 9. Floors, Ceilings & Walls

### Observations:

- Drywall walls and ceilings.
- Flooring: Vinyl sheet goods, carpeting.
- Minor settlement cracks and nail pops as is normal for a house of this age. Easily repaired.
- No major system safety or function concerns noted at time of inspection.



Minor settlement cracks and nail pops as is normal for a house of this age. Easily repaired.

#### 10. Doors

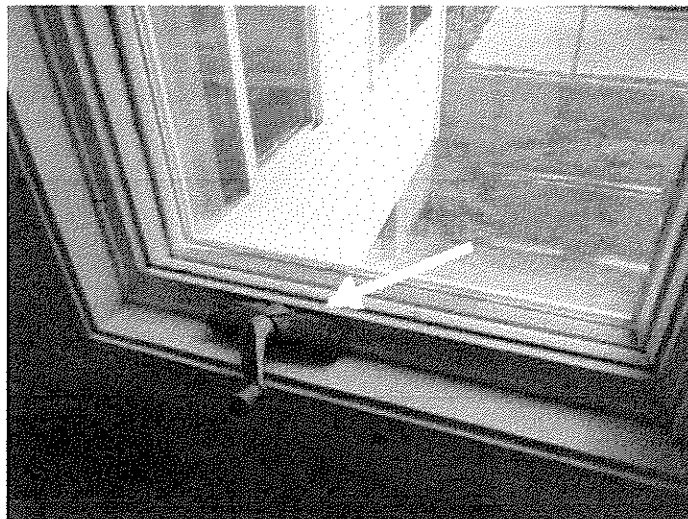
##### Observations:

- No major system safety or function concerns noted at time of inspection.

#### 11. Windows

##### Observations:

- SCREENS: Aluminum and fiberglass
- GLASS: Insulated
- OPERATION: Sliders, casement, and double hung.
- Andersen double hung and casement clad windows. Also storm windows.
- Sliding vinyl windows.
- No major system safety or function concerns noted at time of inspection.
- **Window hardware damaged. Kitchen casement, left sash crank assembly damaged, need to replace.**

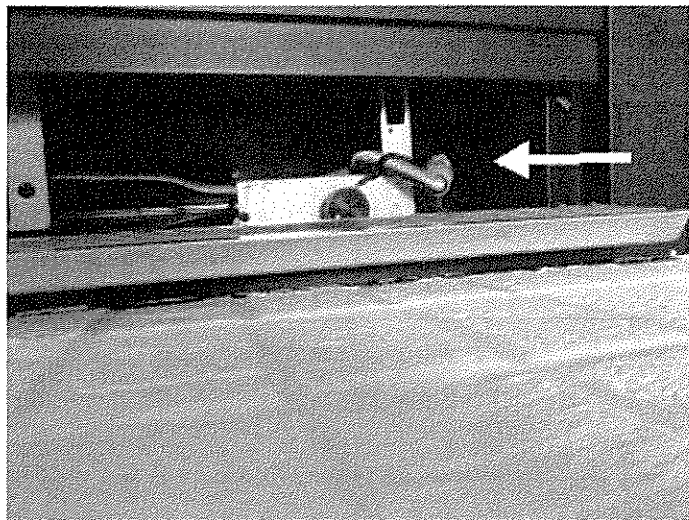


Window hardware damaged. Kitchen casement, left sash crank assembly damaged, need to replace.

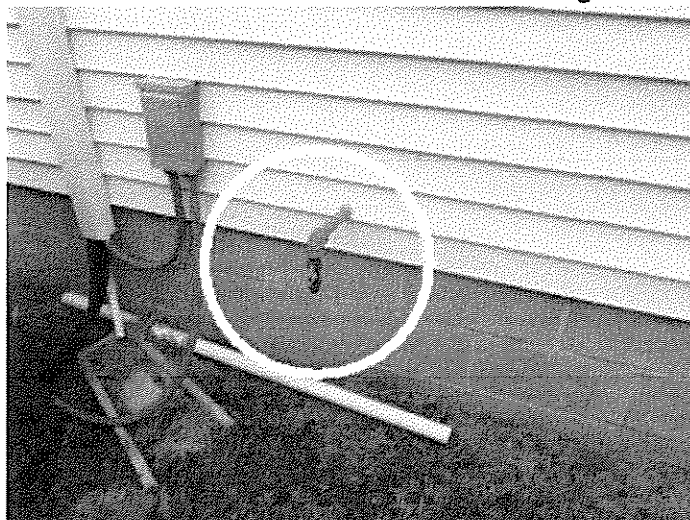
## 12. Fireplaces & Stoves

### Observations:

- Gas logs not tested at time of inspection due to gas disconnected.
- Suggest having gas fireplace cleaned and serviced due to age. Also no gas shut off valve in reach as required by Code. No gas connected at time of inspection, unit could not be tested. Have owner guarantee operation.



Gas log system in wood burning fireplace. Gas off. Gas logs not tested at time of inspection due to gas disconnected.



Gas disconnected

## 13. Stairways

A Home Inspection is a non-invasive visual examination of a residential dwelling, performed for a fee, which is designed to identify observed material defects within specific components of said dwelling. Components may include any combination of mechanical, structural, electrical, plumbing, or other essential systems or portions of the home, as identified and agreed to by the Client and Inspector, prior to the inspection process.

A home inspection is intended to assist in evaluation of the overall condition of the dwelling. The inspection is based on observation of the visible and apparent condition of the structure and its components on the date of the inspection and not the prediction of future conditions.

A home inspection will not reveal every concern that exists or ever could exist, but only those material defects observed on the day of the inspection.

A material defect is a condition with a residential real property or any portion of it that would have a significant adverse impact on the value of the real property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is near, at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect.

An Inspection report shall describe and identify in written format the inspected systems, structures, and components of the dwelling and shall identify material defects observed. Inspection reports may contain recommendations regarding conditions reported or recommendations for correction, monitoring or further evaluation by professionals, but this is not required.

**Repair &Or Service Cost Estimates:**

Replace exhaust fan in hall bathroom-----	\$ 175.00
Replace dryer duct with metal-----	\$ 175.00
Replace two window crank assemble at kitchen window-----	\$ 75.00
Correct master shower low water pressure-----	\$ 150.00
Have gas fireplace serviced and cleaned-----	\$ 175.00
HVAC service if not done in last year-----	\$ 200.00
Repair rear stoops, picket, stair treads, decking boards-----	\$ 375.00
Replace two smoke detectors-----	\$ 225.00
Secure loose wall electric outlet in kitchen-----	\$ 75.00
Repair hall bath vanity drain stopper-----	\$ 95.00
Minor drywall repairs-----	\$ 150.00
Install shut off valve for gas line to gas fireplace-----	\$ 150.00
Reinstall fallen crawlspace insulation-----	\$ 150.00
Reverse all crawlspace insulation so vapor barrier is against heated floor above-----	\$ 500.00

Estimated repair costs for items of concern as noted : \$ 2,800.00 to \$ 3,200.00  
Home in overall good condition. Items noted need to be addressed at once.

## 1. General Notes

### Observations:

Inspection Fee: \$

### Present:

**Final Walk-Through:** This report is a snapshot in time, at the time and date of the inspection. Conditions in a house can change at any time, for any number of reasons (think about your vehicle suddenly breaking down!). For this reason, we recommend a complete walk-through of the vacant house before closing.

**Pictures -** Pictures are included to help you understand and see what I saw at the time of the inspection. They are intended to show an example or illustration of an area of concern but may not show every occurrence and may not accurately depict its severity. Also note that not all areas of concern will be pictured. Do not rely on pictures alone. Please read the complete inspection report before your inspection contingency period expires.

**Descriptions—**When outside the structure, the terms “front,” “left,” “rear,” and “right” are used to describe the structure as viewed from the main entrance, even if it does not face the address street. If you have any questions about room descriptions or locations, please contact us; it’s important that you be able to identify the rooms that we discuss in your report.

Structures that are occupied and fully or partially furnished at the time of the inspection many times prevent home inspectors from seeing everything, testing everything, or having access to everything. Concealed defects are not within the scope of the home inspection. Along with defects that we might not have noted due to such conditions, since the structure is still being lived in and used, additional deferred maintenance items may be present by the time escrow closes. Recommend careful observation during final walk-through and before close of escrow.

**Fire and carbon monoxide protection –** By today’s standards: The installation of smoke alarm(s) is required inside of all bedrooms and in any rooms designated for the purpose of sleeping, and outside within the proximity of the doors to those rooms. Test all alarms and detectors weekly or monthly per manufacture instructions. The installation of carbon monoxide (CO) detector(s) is required in homes with fuel-fired appliances at every floor elevation and any areas where fuel-fired equipment is located. The installation of Type ABC fire extinguisher(s) at the kitchen, laundry, and garage, if applicable, is also advised. Test all of these devices monthly. Install new batteries yearly. Initiate and practice plans of escape and protection for all occupants in case any emergencies arise. Failure to repair defective or install absent alarms, detectors, and other safety equipment immediately can result in serious injury or death. For further information about fire safety and CO poisoning, consult your local fire department and your equipment manufacture(s), and read these links: [www.cpsc.gov/CPSCPUB/PUBS/464.pdf](http://www.cpsc.gov/CPSCPUB/PUBS/464.pdf), [www.carbonmonoxidekills.com](http://www.carbonmonoxidekills.com), [www.nfpa.org/index.asp](http://www.nfpa.org/index.asp), and [www.usfa.dhs.gov/downloads/pyfff/inhome.html](http://www.usfa.dhs.gov/downloads/pyfff/inhome.html).

**Personal property -** Certain appliances are considered personal property, even when conveying with real estate. Testing, inspection, analysis, or opinion of condition or function of personal property is not within the scope of a home inspection. Such personal property includes, but is not limited to, space heaters, window air conditioners, refrigerators, freezers, washers, dryers, washer/dryer combination units, televisions, stereo systems, and countertop microwave units.

**Cost to repair -** There are several places you can go to get approximate costs to repair something. A good online source is [www.homeinspectorlocator.com/resources/costtorepair.htm](http://www.homeinspectorlocator.com/resources/costtorepair.htm). I recommend getting at least three quotes on work to be done. Good sources for finding qualified professionals include the local Chamber of Commerce, and the local Builders Association.

This report is not a guaranty or warranty. Anything can fail at any time. This inspection report is only reporting on the conditions as observed at the time of the inspection, and is not intended to be considered as a guaranty or warranty, expressed or implied, of the adequacy of, or performance of, systems or structures, or their component parts, or of their remaining life expectancy or usefulness. Systems, equipment and

components can, and do, fail randomly and without prior warning.

Your Home Inspection Report is not a code inspection, nor is the inspector licensed to perform any code inspections pertaining to this specific property. All code enforcement questions must be directed to the authority having jurisdiction. Contact the local building department for further details.

#### OLDER HOMES-

Older homes typically do not have GFCI outlets. A Ground Fault Circuit Interrupter (sometimes called GFI or GFCI) is a receptacle or circuit breaker that has the ability to disconnect electrical power from the receptacle. Generally, GFCI outlets are installed within six feet of a sink, in bathrooms, in garages, and at exterior locations. If an outlet can be reached from a water source, a wet area, or an earth ground, you should use GFCI protection. Some motors have sufficient electrical losses to cause a GFCI to trip, so GFCI circuits generally should not be used for appliances with motors, such as refrigerators, dishwashers, disposals, etc. The GFCI works by sensing a difference in the flow of current from the hot wire through the neutral. If that difference is about 5 milliamps or more, the circuit will trip, or disconnect. The GFCI actually assumes that if the current is not flowing in the neutral, it is flowing through something else, quite often a person. A GFCI has a line side (incoming power) and a load side (outgoing power). The receptacle will not work if the incoming power is connected to the load side of the receptacle. Connect the incoming power to the line marked terminals and the continuation of the circuit (the next outlet) to the load terminals. The one GFCI will protect all of the following outlets connected in this way. Even if you don't have a continuation of the circuit, connect the power to the line side of the receptacle. GFCI outlets typically have a test button that should cause the circuit to trip. Operate the test button after installation and regularly thereafter to be sure it works properly.

Pre-Owned Homes - We expect homes to be built according to the standard practices and building codes, if any, that were in use at the date of construction. Older homes often have areas or systems that do not comply with current building codes. While this inspection makes every effort to point out safety concerns, it does not inspect for building code compliance. It is common for homes of any age to have had repairs done, and some repairs may appear less than standard. This inspection looks for items that are not functioning as intended. It does not grade the quality of the repairs. In older homes, the inspector reviewed the structure from the standpoint of how it has fared through the years with the materials that were used. You can expect problems to become apparent as time passes. The inspector will not be able to find all deficiencies in and around a property, especially concerning construction techniques of the past.

Discussion, verbal (Discussion prior to report delivery) – Your printed or emailed Home Inspection Report shall always supersede any and all discussion at time of inspection. Do not rely on any verbal discussions about your home or the home inspection. Please contact me if you have any questions.

Have you read the complete report? It provides safety and maintenance information as well as common problems and methods for addressing those common problems. It also tells you what I did and didn't do, what I could and couldn't do, and what I would and wouldn't do if personal safety or property damage was involved. If you don't understand something, or if I did not make myself clear, please contact me at 410-213-2021 Also feel free to visit my web site at [www.lifestylebuildersinc.com](http://www.lifestylebuildersinc.com)

Once again, thank you for your business, and for your trust!

Dave

### Estimate 931

410-213-2021

Quan	U/M	Mat \$	Lab \$	Eqp \$	Sub \$	Misc\$	Total \$
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117.00	522.00	.00	.00	.00	639.00
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**8/25/2017**

## Budget Report

## Estimate 931

Prepared Especially For:

Prepared By:

**Lifestyle Builders, Inc.**

P.O. Box 1363

Berlin, MD 21811

410-213-2021

Quan	U/M	Mat \$	Lab \$	Eqp \$	Sub \$	Misc\$	Total \$
0191	Remove Roof Overhang 12"						
18.00	LF	.000	6.000	.000	.000	.000	6.000
		.00	108.00	.00	.00	.00	108.00
0200	Remove Gutters						
30.00	LF	.000	.750	.000	.000	.000	.750
		.00	22.50	.00	.00	.00	22.50
0241	Remove Roof Sheathing						
400.00	SF	.000	.450	.000	.000	.000	.450
		.00	180.00	.00	.00	.00	180.00
0280	Remove Interior Door						
2.00	EA	.000	35.000	.000	.000	.000	35.000
		.00	70.00	.00	.00	.00	70.00
Two bi-pass closet doors							
0330	Remove Carpeting						
15.00	SYD	.000	5.000	.000	.000	.000	5.000
		.00	75.00	.00	.00	.00	75.00
0370	Remove Total Interior Wall						
15.00	LF	.000	7.750	.000	.000	.000	7.750
		.00	116.25	.00	.00	.00	116.25
0420	Remove Moulding						
48.00	LF	.000	.350	.000	.000	.000	.350
		.00	16.80	.00	.00	.00	16.80
250	** Section Total ** Demolition					2,787.55	
		507.00	2,280.55	.00	.00	.00	
400	Framing						
0039	2"x6"@ 16" O.c. Ext. Wall						
240.00	SF	1.150	.950	.000	.000	.000	2.100
		276.00	228.00	.00	.00	.00	504.00
0041	3/4" T&g Fir/advantech Subfloor						
128.00	SF	1.450	.750	.000	.000	.000	2.200
		185.60	96.00	.00	.00	.00	281.60
0051	2"x4" Interior Wall						
216.00	SF	1.150	1.250	.000	.000	.000	2.400
		248.40	270.00	.00	.00	.00	518.40
0090	2x6 Or 2x8, 16"oc Roof Framing ,2x6 Ceiling Joists						
304.00	Sf	3.400	1.950	.000	.000	.000	5.350
		1,033.60	592.80	.00	.00	.00	1,626.40
0091	Shed Roof 2"x10" @ 16" O.c.						
304.00	SF	1.200	1.100	.000	.000	.000	2.300
		364.80	334.40	.00	.00	.00	699.20
0102	Difficult Roof Framing						
304.00	SF	.150	.500	.000	.000	.000	.650
		45.60	152.00	.00	.00	.00	197.60

8/25/2017

## Budget Report

Estimate 931

Prepared Especially For:

Prepared By:

Lifestyle Builders , Inc.

P.O. Box 1363

Berlin, MD 21811

410-213-2021

Quan	U/M	Mat \$	Lab \$	Eqp \$	Sub \$	Misc\$	Total \$
0120 Roof Sheathing 7/16" Osb, Larger Job Longer Runs							
416.00	Sf	.500	.850	.000	.000	.000	1.350
		208.00	353.60	.00	.00	.00	561.60
0121 Wall Sheathing 7/16" Osb							
256.00	SF	.500	.750	.000	.000	.000	1.250
		128.00	192.00	.00	.00	.00	320.00
0150 Door Opening Framing 2X4 Wall Studs Up To 6'0" Wide							
2.00	Ea	28.000	80.000	.000	.000	.000	108.000
		56.00	160.00	.00	.00	.00	216.00
0190 Window Opening Framing 2X4 Wall Studs Up To 3'0" Wide							
3.00	Ea	21.400	46.300	.000	.000	.000	67.700
		64.20	138.90	.00	.00	.00	203.10
0241 Lvl Beam Engr.4"x9 1/2"							
18.00	LF	12.250	7.600	.000	.000	.000	19.850
		220.50	136.80	.00	.00	.00	357.30
0341 Metal Fasteners							
2.00	EA	165.000	100.000	.000	.000	.000	265.000
		330.00	200.00	.00	.00	.00	530.00
400	** Section Total ** Framing					6,015.20	
		3,160.70	2,854.50	.00	.00	.00	
500 Roofing							
0002 Gutter, White Continuous Aluminum							
40.00	LF	.000	.000	.000	4.150	.000	4.150
		.00	.00	.00	166.00	.00	166.00
0050 Roofing Composition Shingle Certainteed 30 Year							
6.00	Sq	175.000	95.000	.000	.000	.000	270.000
		1,050.00	570.00	.00	.00	.00	1,620.00
0061 Hip & Ridge							
2.00	BUND	55.000	50.000	.000	.000	.000	105.000
		110.00	100.00	.00	.00	.00	210.00
0110 Rolled Ridge Vent							
1.00	EA	60.000	50.000	.000	.000	.000	110.000
		60.00	50.00	.00	.00	.00	110.00
0120 Vent Pipe Boot							
1.00	EA	15.000	75.000	.000	.000	.000	90.000
		15.00	75.00	.00	.00	.00	90.00
0131 Dripedge							
60.00	LF	1.200	.450	.000	.000	.000	1.650
		72.00	27.00	.00	.00	.00	99.00
0140 Roof Nails							
2.00	EA	75.000	.000	.000	.000	.000	75.000
		150.00	.00	.00	.00	.00	150.00
0145 Ice Dam Barrier- Winterguard							
60.00	LF	3.450	1.250	.000	.000	.000	4.700



8/25/2017

## Budget Report

Estimate 931

Prepared Especially For:

██████████  
 ████████████████████  
 ████████████████████████████████  
 ████████████████████

Prepared By:

Lifestyle Builders , Inc.  
 P.O. Box 1363  
 Berlin, MD 21811  
 410-213-2021

Quan	U/M	Mat \$	Lab \$	Eqp \$	Sub \$	Misc\$	Total \$
600	** Section Total ** Exterior					5,586.90	
		1,325.40	487.00	.00	3,774.50	.00	
. 700	Interior						
	0051 Dbl 2668 Prehung H.c. Colonist Door						
1.00	EA	268.000	85.000	.000	.000	.000	353.000
		268.00	85.00	.00	.00	.00	353.00
	0100 1/2" Gypsum Drywall, Walls - Taped, But No Texture						
640.00	Sf	1.200	1.100	.000	.000	.000	2.300
		768.00	704.00	.00	.00	.00	1,472.00
	0110 1/2" Gypsum Drywall, Ceilings - Taped, But No Texture						
256.00	Sf	1.150	.950	.000	.000	.000	2.100
		294.40	243.20	.00	.00	.00	537.60
	0131 Drywall Repair						
2.00	EA	125.000	125.000	.000	.000	.000	250.000
		250.00	250.00	.00	.00	.00	500.00
	0140 Door Passage Locksets, Keyless Standard Residential						
2.00	Ea	30.000	14.600	.000	.000	.000	44.600
		60.00	29.20	.00	.00	.00	89.20
	0206 Bi-fold H.c. Colonist 2 Door 6068						
1.00	EA	6.000	65.000	.000	.000	.000	71.000
		6.00	65.00	.00	.00	.00	71.00
	Reinstall one (1) set of existing bi-pass closet doors						
	0220 Base Moulding 3-1/4" Pine Std.						
96.00	LF	.750	1.250	.000	.000	.000	2.000
		72.00	120.00	.00	.00	.00	192.00
	0230 Casing 2-1/4" Pine Std.						
56.00	LF	.950	1.200	.000	.000	.000	2.150
		53.20	67.20	.00	.00	.00	120.40
	0305 Cased Opening 6068						
1.00	EA	75.000	48.000	.000	.000	.000	123.000
		75.00	48.00	.00	.00	.00	123.00
	Bi-pass door						
700	** Section Total ** Interior					3,458.20	
		1,846.60	1,611.60	.00	.00	.00	
. 760	Flooring						
	0000 Flooring						
1.00	EA	.000	.000	.000	.000	.000	.000
		.00	.00	.00	.00	.00	.00
	By owner						
760	** Section Total ** Flooring					.00	
		.00	.00	.00	.00	.00	

8/25/2017

## Budget Report

Estimate 931

Prepared Especially For:

~~XXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

Prepared By:

Lifestyle Builders , Inc.  
P.O. Box 1363  
Berlin, MD 21811  
410-213-2021

Quan	U/M	Mat \$	Lab \$	Eqp \$	Sub \$	Misc\$	Total \$
. 800 Finishes							
	0115 Gallon Int. Latex						
5.00	EA	38.000	25.000	.000	.000	.000	63.000
		190.00	125.00	.00	.00	.00	315.00
	0160 Painting Subcontractor						
238.00	SF	.000	.000	.000	4.250	.000	4.250
		.00	.00	.00	1,011.50	.00	1,011.50
	0170 Paint Door						
2.00	EA	30.000	125.000	.000	.000	.000	155.000
		60.00	250.00	.00	.00	.00	310.00
	0180 Paint Interior Trim						
140.00	LF	.100	1.250	.000	.000	.000	1.350
		14.00	175.00	.00	.00	.00	189.00
800	** Section Total ** Finishes					1,825.50	
		264.00	550.00	.00	1,011.50	.00	
. 900 Electrical							
	0011 Permit						
1.00	EA	.000	.000	.000	.000	150.000	150.000
		.00	.00	.00	.00	150.00	150.00
	0012 Run New Feed Line						
1.00	EA	.000	.000	.000	175.000	.000	175.000
		.00	.00	.00	175.00	.00	175.00
	0014 Remodel Work						
3.00	EA	.000	.000	.000	175.000	.000	175.000
		.00	.00	.00	525.00	.00	525.00
	0052 Install Light Fixtures						
2.00	EA	.000	.000	.000	95.000	.000	95.000
		.00	.00	.00	190.00	.00	190.00
	0053 Smoke Detector Hard Wired						
2.00	EA	.000	.000	.000	110.000	.000	110.000
		.00	.00	.00	220.00	.00	220.00
	0054 Paddle Fan Box Outlet						
1.00	EA	.000	.000	.000	95.000	.000	95.000
		.00	.00	.00	95.00	.00	95.00
	0070 Rough Electrical - Lighting Fixture Outlets - Ceiling						
1.00	Ea	.000	.000	.000	75.000	.000	75.000
		.00	.00	.00	75.00	.00	75.00
	0171 Relocate Service, Min. Distance						
1.00	EA	.000	.000	.000	600.000	.000	600.000
		.00	.00	.00	900.00	.00	900.00
	Subpanel box						
	0220 Switch Std. Indoor Wall - Incl Rough & Finish Wiring						
3.00	Ea	.000	.000	.000	65.000	.000	65.000

8/25/2017

## Budget Report

Estimate 931

Prepared Especially For:

Prepared By:

Lifestyle Builders , Inc.

P.O. Box 1363

Berlin, MD 21811

410-213-2021

Quan	U/M	Mat \$	Lab \$	Eqp \$	Sub \$	Misc\$	Total \$
		.00	.00	.00	195.00	.00	195.00
	0290	Receptacle Outlets - Std Indoor Duplex - Rough & Finish Wiring W/Plate					
10.00	Ea	.000	.000	.000	75.000	.000	75.000
		.00	.00	.00	750.00	.00	750.00
	0330	Arc Fault Outlet					
1.00	EA	38.000	.000	.000	.000	.000	38.000
		38.00	.00	.00	.00	.00	38.00
	0340	Arc Fault Breaker					
1.00	EA	65.000	45.000	.000	.000	.000	110.000
		65.00	45.00	.00	.00	.00	110.00
900	** Section Total ** Electrical						3,423.00
		103.00	45.00	.00	3,125.00	150.00	
.1000	Plumbing						
	0004	Plumbing Permit					
1.00	EA	.000	.000	.000	.000	100.000	100.000
		.00	.00	.00	.00	100.00	100.00
	0125	Vent- Extend Existing Up To Ten Feet					
3.00	EA	25.000	125.000	.000	.000	.000	150.000
		75.00	375.00	.00	.00	.00	450.00
1000	** Section Total ** Plumbing						550.00
		75.00	375.00	.00	.00	100.00	
.1100	Heating & Air Conditioning						
	0050	Extend Ductwork With-in Ten Feet					
2.00	EA	95.000	295.000	.000	.000	.000	390.000
		190.00	590.00	.00	.00	.00	780.00
	0050	Extend Ductwork With-in Ten Feet					
1.00	EA	95.000	295.000	.000	.000	.000	390.000
		95.00	295.00	.00	.00	.00	390.00
	return						
	0051	Extend Duct Additional Feet					
20.00	LF	3.450	9.250	.000	.000	.000	12.700
		69.00	185.00	.00	.00	.00	254.00
	0052	HVAC duct testing					
2.00	EA	.000	.000	.000	275.000	.000	275.000
		.00	.00	.00	550.00	.00	550.00
	Allowance						
1100	** Section Total ** Heating & Air Conditioning						1,974.00
		354.00	1,070.00	.00	550.00	.00	
Estimate Total...							30,667.35
		9,439.70	10,350.65	.00	8,627.00	2,250.00	

Sales Tax

566.38

8/25/2017

Budget Report

Estimate 931

Prepared Especially For:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Prepared By:

Lifestyle Builders , Inc.  
P.O. Box 1363  
Berlin, MD 21811  
410-213-2021

Quan U/M

Mat \$

Lab \$

Eqp \$

Sub \$

Misc\$

Total \$

Grand Total...

31,233.73

# IN & Out Home Inspections

## Housing Rehabilitation Program Inspector & Lead Paint Inspection Bid Form\*

Service Provided	Fee	Completion Time**
Initial Property Evaluation A.1.-3.	250.00	36 Hrs
Work Write-Up & Cost Estimate D.1.-2.	40.00	24 Hrs
Progress Inspections & Payment Requests H.1.-2.	25.00	24 Hrs
Change Orders I.1.-3.	10.00	24 Hrs
Final Inspection J.1.5.	25.00	36 Hrs
Warranty Visits K.1.-4.	25.00	24 Hrs
Meetings C., E., F., G.	- 0 -	N/A
Lead Risk Assessment B.1.		
Lead Clearance Testing B.2.		

\* Bidders may quote to fulfill either one or both functions. Please indicate "N/A" or hyphen in columns your firm is not quoting

\*\*Completion time to be an estimate of time lapse between service request by County and delivery of requested service.

I hereby propose to provide the requested services in compliance with specifications detailed under "Duties" section of this bid request and according to the fee schedule above.

Date: 9/15/17

Renee Myslinski  
BOG

Signature- Authorized Official

Renee Myslinski

Typed Name

Owner

Title

In and Out Home Inspections

Company Name

1122 Back Creek Rd

Address

Bishopville MD 21813

330-524-3571

Phone Number(s)

## Housing Rehabilitation Program Inspector & Lead Paint Inspection Bid Form\*

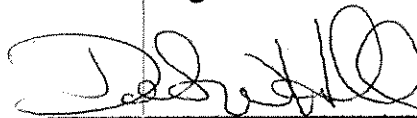
Service Provided	Fee	Completion Time**
Initial Property Evaluation A.1.-3.		
Work Write-Up & Cost Estimate D.1.-2.		
Progress Inspections & Payment Requests H.1.-2.		
Change Orders I.1.-3.		
Final Inspection J.1.5.		
Warranty Visits K.1.-4.		
Meetings C., E., F., G.		N/A
Lead Risk Assessment B.1.	\$ 300	3-4 days
Lead Clearance Testing B.2.	\$ 200	3-4 days

\* Bidders may quote to fulfill either one or both functions. Please indicate "N/A" or hyphen in columns your firm is not quoting

\*\*Completion time to be an estimate of time lapse between service request by County and delivery of requested service.

I hereby propose to provide the requested services in compliance with specifications detailed under "Duties" section of this bid request and according to the fee schedule above.

Date: 9/6/17



Signature- Authorized Official

Debra W Hall

Typed Name

President

Title

Debra W Hall Inspections Inc

Company Name

7519 Fire Tower Rd

Address

Hobron MD 21830

443-859-2303

Phone Number(s)

(fax) 410-742-2321

## **DEBRA W HALL INSPECTIONS, INC**

7519 Fire Tower Road  
Hebron, MD 21830

September 6th, 2017

Worcester County Commissioners Office  
Worcester County Government Center  
One W Market Street, Room 1103  
Snow Hill, MD 21863

Dear Worcester County Commissioners

In response to Worcester County's request for proposals for Housing Rehabilitation Program Inspection Services, Debra W Hall Inspections, Inc. is thrilled to have the opportunity to submit a proposal for the lead paint inspection services. I have worked with Jo Ellen Bynum and Worcester County in the past doing Lead Clearance testing upon the completion of your rehab projects. It was a pleasure to work with Ms. Bynum and I was very impressed with the contractors and the finished projects. Since then I have now become a MDE Lead Paint Risk Assessor. I am confident that I can perform the duties of the Lead Paint Inspector as you have outlined in your request for proposal in a timely manner and in compliance with MDE standards and HUD guidelines. After you have had a chance to review the enclosed proposal, please contact me if you have any questions or need any further information. I thank you for this opportunity and look forward to receiving your response.

Sincerely



Debra W Hall, President  
Debra W Hall Inspections, Inc

Phone: 443-859-2303

Fax: 410-742-2321

[drhall@comcast.net](mailto:drhall@comcast.net)

## **DEBRA W HALL INSPECTIONS, INC**

7519 Fire Tower Road  
Hebron, MD 21830

September 6th, 2017

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

### RE: Qualifications Statement

Dear County Commissioners

I would like to take this opportunity to introduce Debra W Hall Inspections, Inc. Debra W Hall Inspections, Inc. is an MDE licensed Lead Paint Inspection Contractor. I am the sole employee and currently hold a MDE Risk Assessor License. In my capacity as a Risk Assessor, I am able to conduct risk assessments comprised on an on-site investigation to determine the existence, nature, severity and location of lead-based paint hazards; and, to provide a report explaining the results of the investigation along with options and recommendations for reducing the lead-based paint hazards utilizing a mix of interim control measures and abatement techniques. I am also able to perform lead clearance testing. Risk assessments and lead clearance testing are conducted in compliance with MDE standards and the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, Second Edition July 2012. Other services provided by Debra W Hall Inspections, Inc are lead-based paint surveys, hazard screens, lead free certifications, visual inspections and dust wipe testing for full risk reduction compliance under Maryland lead paint rental laws and soil sampling. I provide these services for a variety of clients including government agencies, landlords (professional and private), contractors, realtors, and homeowners. I have included in this proposal a list of references and contacts.

My experience in the lead-based paint field began in 1995 in my capacity as the property manager for Advanced Property Rental. I was involved with the Salisbury Area Property Owners in during the time the legislation was being written as HB960. When the legislation became law, I became accredited as a MDE Contractor/Supervisor - Paint Removal and Demolition. I held that accreditation from 3/20/98 to 8/19/2012 as an employee of Advanced Property Rental. I was tasked with ensuring that our company was compliant with all MDE lead paint laws and oversaw all work on our affected rental properties. I was employed by Advanced Property Rental as the manager from July

Phone: 443-859-2303

[drhall@comcast.net](mailto:drhall@comcast.net)

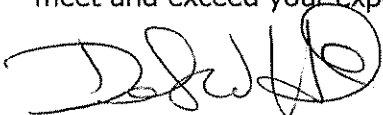
Fax: 410-742-2321

1989 to July 2011. In 2001, I became accredited as and MDE Visual Lead Paint Inspector and HUD Certified Sampling Technician and created Debra W Hall Inspections. I began conducting lead paint inspections for other rental property owners and many of them are still my clients to this day. I continued to work full time for Advanced Property Rental as I grew my own business. I conducted lead paint inspections for landlords and HUD clearance for government agencies and contractors. I held the MDE Visual Inspector Accreditation from 9/20/01 to 8/22/2015. In July 2011, after I had established what I believed to be a suitable client list, I left my employment at Advanced Property Rental and began doing lead paint inspections full time. In 2014, I became accredited as a MDE inspector technician with my ultimate goal to become a risk assessor. After I had been an inspector technician for the required one year and had obtained a Niton XLP 300 analyzer I became a MDE lead paint risk assessor 5/15/15. At that time I also incorporated my business. Since I have had my XRF, I have done hundreds of lead free certifications as well as many lead-based paint surveys and hazards screens. I have also had the opportunity to work with John Nosworthy of Delmarva Home Inspections, Inc. on projects and benefit from his knowledge and many years of being a Risk Assessor.

In addition to the list of references, I am enclosing copies of my current MDE Risk Assessor and Company Licenses, a complete list of my past accreditations, and copies of my insurance. I am the president of Debra W Hall Inspections, Inc and in that capacity I am able to enter into contracts with Worcester County.

I am submitting a bid to perform the lead risk assessment during the initial property evaluation phase as well as a bid to perform the lead clearance testing upon the completion of the projects. Upon receiving a request from Worcester County for an assessment, provided that I can gain entry into the property, I can be on site for the assessment within 1 - 2 business days and have the report completed and delivered electronically to the county and/or housing rehab inspector within 3 - 4 business days. Upon receiving a request for the clearance testing, provided that I can gain entry into the property, I can be on site for the testing within 1 - 2 business days and have the report completed and delivered electronically to the county within 3 - 4 business days.

I have carefully read your request for proposals and duties and standards of the Lead Paint Inspector. I am quite confident with my credentials and experience that I can meet and exceed your expectations.



Debra W Hall, President  
Debra W Hall Inspections, Inc

Debra W Hall Inspections, Inc.  
7519 Fire Tower Road  
Hebron, MD 21830  
License #15004  
443-859-2303  
fax 410-742-2321

**Employee:**

Debra W Hall  
MDE Lead Paint Risk Assessor #15003  
7519 Fire Tower Road  
Hebron, MD 21830  
443-859-2303  
410-742-0253

**MDE Accreditations:**

**3/20/98 - 8/19/2012**

MDE Contractor / Supervisor - Paint Removal and Demolition #4375  
(worked for Advanced Property Rental as manager overseeing 300+ rental properties)

**9/20/01 - 9/22/2015**

MDE Visual Inspector and HUD Certified Sampling Technician #6051  
Debra W Hall Inspections #6052

**2/3/14 - 2/3/16**

MDE Inspector Technician #14399  
Debra W Hall Inspections #6052

**5/15/15 - present**

MDE Lead Paint Risk Assessor #15003  
Debra W Hall Inspections, Inc #15004

## References:

### Property Owners:

GNI Properties - Danny Morris	410-726-5113
Fairfax Properties - Erica	410-742-5577
Cannon Property Management - Bob Cannon	410-251-0941
Weisner Real Estate - Mike Weisner	410-742-7141
ERA Martin & Associates - Cindy Martin/Diane Beatie	410-749-3113
Eric Davis Properties - Eric Davis	410-430-6487
Bratten Rentals LLC - Lynne Bratten	443-880-3543
AKB Rentals - Al Broughton	410-548-1319
Salisbury Housing - Mike	410-251-2805
Steve Link	410-251-0461
Insley Rentals LLC	410-749-1841
Hielman Reality - Chris	410-208-9561
ABC Properties - Stu Perim	443-880-0896
Rodney Long Properties - Laura Brittingham	410-251-5964
Guy Properties LLC - Sarah or Johnathan Guy	410-713-9345
Julie Baker	202-329-6668

### Contractors:

Mark Ilczuk Painting - Mark Ilczuk	443-523-0701
Howard and Kathy Jackson	443-614-2977
J & G Maintenance & Repair - John Bunting **	410-726-1611
Lord Construction - Robert Lord **	443-235-3597
Barone Built Inc - Dave Barone**	410-341-7400

\*\*\* I have done HUD Clearance Testing for these contractors on HUD projects\*\*\*

### Government Agencies/Municipalities:

Jo Ellen Bynum - Worcester Co Housing Program	410-632-1200
City of Salisbury - Trish Warrington	410-341-9550
Somerset County - Annette Cottman	410-651-1424
Salisbury Neighborhood Housing - Eileen Hughes	410-543-4626

### Other Professionals:

Delmarva Home Inspections - John Nosworthy (Lead Risk Assessor )	410-251-3137
Nelson Malone (Visual Lead Inspector)	410-603-7804
Geoscope Labs - Alem Gedamu	443-859-2170
Hebron Savings Bank - Mark Sewell (Loan Officer)	410-860-4884

# Shore Inspections

## Housing Rehabilitation Program Inspector & Lead Paint Inspection Bid Form\*

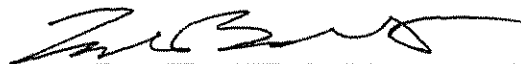
Service Provided	Fee	Completion Time**
Initial Property Evaluation A.1.-3.	_____	_____
Work Write-Up & Cost Estimate D.1.-2.	_____	_____
Progress Inspections & Payment Requests H.1.-2.	_____	_____
Change Orders I.1.-3.	_____	_____
Final Inspection J.1.5.	_____	_____
Warranty Visits K.1.-4.	_____	_____
Meetings C., E., F., G.	_____	N/A
Lead Risk Assessment B.1.	\$ 300	2 - 4 days
Lead Clearance Testing B.2.	\$ 75 flat fee per house \$ 10 per dust sample	2-4 day + lab time (3 day)

\* Bidders may quote to fulfill either one or both functions. Please indicate "N/A" or hyphen in columns your firm is not quoting

\*\*Completion time to be an estimate of time lapse between service request by County and delivery of requested service.

I hereby propose to provide the requested services in compliance with specifications detailed under "Duties" section of this bid request and according to the fee schedule above.

Date: 9-8-17



Signature- Authorized Official

Zachary Bankert

Typed Name

Owner

Title

Shore Inspections LLC

Company Name

1118 Taney Ave

Address

Salisbury MD 21801

443 783 4793

Phone Number(s)

Ray Phipps - Dickerson

# Housing Rehabilitation Program Inspector & Lead Paint Inspection Bid Form\*

Service Provided	Fee	Completion Time**
Initial Property Evaluation A.1.-3.	N/A	
Work Write-Up & Cost Estimate D.1.-2.	N/A	
Progress Inspections & Payment Requests H.1.-2.	N/A	
Change Orders I.1.-3.	N/A	
Final Inspection J.1.5.	N/A	
Warranty Visits K.1.-4.	N/A	
Meetings C., E., F., G.	N/A	N/A
Lead Risk Assessment B.1.	N/A	
Lead Clearance Testing B.2.	\$25 <sup>00</sup> per sample / 150 <sup>00</sup> minimum	7 DAYS

\* Bidders may quote to fulfill either one or both functions. Please indicate "N/A" or hyphen in columns your firm is not quoting

\*\*Completion time to be an estimate of time lapse between service request by County and delivery of requested service.

I hereby propose to provide the requested services in compliance with specifications detailed under "Duties" section of this bid request and according to the fee schedule above.

Date: 09/08/2017

Raymond Phipps - Dickerson

Signature- Authorized Official

RAYMOND PHIPPS - DICKERSON

Typed Name

OWNER / INSPECTOR

Title

Company Name

6201 Porters Cross, Ing RD.

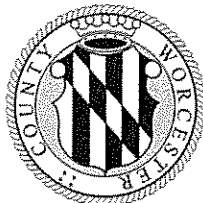
Address

SNOW HILL, MD.

21863

Phone Number(s) 410-422-9515 Cell

TEL: 410-632-1194  
FAX: 410-632-3131  
E-MAIL: [admin@co.worcester.md.us](mailto:admin@co.worcester.md.us)  
WEB: [www.co.worcester.md.us](http://www.co.worcester.md.us)



COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

August 16, 2017

**FAXED**  
8/16/17 @ 3:24 pm

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

Please print the attached Notice to Bidders in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on August 24, 2017. Thanks.

### **REQUEST FOR PROPOSALS Housing Rehabilitation Program Inspection Services Worcester County, Maryland**

The Worcester County Commissioners are currently accepting sealed proposals from qualified residential building inspectors to provide inspections, work write-ups and cost estimates on single family homes throughout Worcester County as part of the Housing Rehabilitation Program on a contractual basis. In addition, the County is seeking proposals from Maryland Department of the Environment (MDE) licensed lead paint inspectors to provide Lead Risk Assessments and Lead Clearance Testing for homes where required. Proposals will be accepted for one or both of these functions. Bid specification packages and bid forms are available to qualified residential home inspectors and/or MDE certified lead paint inspectors and may be picked up from the Office of the County Commissioners, Worcester County Government Center, One West Market Street - Room 1103, 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](http://www.co.worcester.md.us) or by calling the Commissioners' Office at 410-632-1194 to request a package by mail.

This program is proposed to be partially funded by the Community Development Block Grant (CDBG) Program and is thus subject to all applicable Equal Opportunity and Civil Rights guidelines. **Sealed bids will be accepted until 1:00 p.m. on Monday, September 11, 2017** 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 County-wide Housing Rehabilitation Program Inspector - September 11, 2017**" in the lower left-hand corner. Bids will be reviewed by staff and awarded by the County Commissioners at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

All inquiries regarding the bid specifications shall be directed to Jo Ellen Bynum, Housing Program Administrator, at 410-632-1200, ext. 1171.

*Citizens and Government Working Together*

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REQUEST FOR BIDS FOR COUNTY-WIDE  
HOUSING REHABILITATION PROGRAM INSPECTIONS  
LEAD PAINT RISK ASSESSEMENTS AND LEAD CLEARANCE TESTING

The Worcester County Commissioners are requesting Proposals from qualified residential building inspectors to provide inspections, work write-ups and cost estimates on single-family homes throughout the County that qualify for assistance under the Worcester County Housing Rehabilitation Program. The Request for Proposals presents a list of duties that must be fulfilled by the contracted inspector. The County is additionally seeking bids from MDE licensed lead paint inspectors to provide Lead Risk Assessments and Lead Clearance Testing for homes as required under this Program. This Request also lists duties required of the Lead Paint Inspector. Bidders may quote to fulfill either one or both functions. Worcester County's review process, selection criteria, and award and proposal format guidelines are also described in this Request for Proposals (RFP).

Proposal submission deadline is **Monday, September 11, 2017**. The County's Housing Consultant and the Worcester County Commissioners will review Proposals. Two (2) copies of the Proposal must be received in the Worcester County Commissioners Office at the address shown below no later than **1:00 p.m. on Monday, September 11, 2017**. Envelopes shall be marked "County-Wide Housing Rehabilitation Program Inspector" in the lower left-hand corner. Handwritten, email and facsimile transmissions, as well as proposals received after the deadline, will not be considered. All inquiries regarding this bid request shall be directed to the Housing Program Administrator, Jo Ellen Bynum, at 410-632-1200, ext. 1171.

Address all submissions to:

Worcester County Commissioners Office  
Worcester County Government Center  
One W. Market Street, Room 1103  
Snow Hill, MD 21863

PROPOSALS FORMAT

Proposals shall consist of two separate parts comprised of a Bid Form and a Qualifications Statement.

The Qualifications Statement shall be submitted on company letterhead and information presented therein must include, at a minimum:

1. an opening letter
2. qualifications of the firm
3. description of the rehab cost estimating procedure to be utilized. Estimating software is preferred; specify the software system that will be employed.
  - \* not applicable to bidders quoting Lead Paint services only
4. information on personnel
5. information on similar services provided by the bidder
6. a list of professional references, including contact information

7. Certificates of insurance for Commercial General Liability Insurance, Worker's Compensation and Employer's Liability Insurance, if applicable

Bidder may also include any other information he or she considers relevant to the bid request; of especial interest is any past experience with Municipal, County, State or Federal housing rehabilitation programs and/or an example of a home repair work write-up written by the bidder.

The Qualifications Statement should also include the same or similar information on any subcontractors that are part of the bidder's team.

The enclosed Bid Form must be completed in its entirety with the costs itemized for each category and a projected time of completion. Completion time is defined to be an estimate of time lapse between service request by County and delivery of requested service.

Both the Bid Form and Qualifications Statement must include the firm's business address and telephone number and identify one or more individuals authorized to sign the contract. Both the Bid Form and Qualifications Statement must be signed by referenced individual(s).

## SELECTION CRITERIA AND AWARD

### Basis of Award

The County Housing Consultant and the Worcester County Commissioners will review proposals. The award of any contract as a result of this request will be based on an assessment of each proposal against three evaluation factors: 1) Experience and Credentials 2) Completion Times 3) Price.

### Source Selection Evaluation Priority

Worcester County will select the best offer based on Experience and Credentials, Completion Times and Price. These three factors are of equal importance.

### Evaluation Factors

The proposals will be evaluated by evaluation of three factors: Experience and Credentials, Completion Time, and Price.

**Experience and Credentials:** Experience and Credentials will be evaluated as a measure of Worcester County's confidence in the ability to successfully perform the inspector function based on comparable inspection and work write-up experience as well as any industry certifications or qualifications. To achieve this level of confidence, the County may employ the following approaches including: 1) Reviewing the past experience listed in the proposal 2) Seeking additional performance information; to include requests for sample rehabilitation work write-ups 3) using data obtained from other relevant sources.

Completion Times: The satisfaction of this factor will be based upon the bidder's ability to provide initial inspections and final work write-ups in a timely manner. Completion time is defined to be an estimate of time lapse between service request by County and delivery of requested service.

Price: Price will be assessed with regard to affordability, fairness and reasonableness.

## BACKGROUND

The Worcester County Housing Rehabilitation Program was created in 1987 to provide low to moderate income homeowners with the means to rehabilitate their substandard housing structures throughout the County. The Program is designed to give priority consideration to disabled, extremely low income and/or over age 62 County residents as well as to those structures posing health or safety hazards. The Housing Rehabilitation Program is primarily funded by Community Development Block Grant monies, the State Special Loans Program and the Lead Hazard Reduction Grant and Loan Program.

## DUTIES AND STANDARDS

Program Inspector  
Lead Paint Inspector

### A. Initial Property Evaluation

1. Schedule & perform comprehensive inspection of all building components and systems, to include an overall structural evaluation. Utilize inspection and structural soundness forms provided by County. Inspection form to be completed and submitted to Program Administrator.
2. Take digital photos of front, rear and side exterior views, and all interior rooms to demonstrate overall condition of property. Additionally take photos of any specific substandard conditions or code violations. Photos to be emailed to Program Administrator.
3. Provide an initial rehab cost estimate on form provided by County.

### B. Lead Paint Compliance

1. Perform lead risk assessment during the initial property evaluation phase and provide a written lead risk assessment report to MDE standards on all homes constructed prior to 1978.
2. Perform lead clearance testing on all projects that had lead risk reduction or abatement work performed. Provide copies of clearance report to Program Administrator.

### C. Housing Review Board Meeting

1. Attend scheduled meetings as needed. Typically less than 5 per year & held on Wednesdays at 3 pm in Permitting Office. Provide brief synopsis of conditions at applicant's properties to assist Board members in prioritization of applications.

### D. Work Write-Up & Cost Estimate

1. Provide detailed write-up with line item breakdowns to bring property up to the Maryland Building Performance Standard (COMAR 05.02.07) or Worcester County code where more restrictive and meet minimum livability code. All houses constructed prior to 1978 must

have appropriate lead paint risk reduction or abatement measures as identified in the Lead Risk Assessment report included in write-up. Write-up to be submitted in electronic form to Program Administrator; re-writes may be necessary to obtain homeowner approval.

2. Use estimating software to provide cost estimate for each project. For Special Loans Program projects the estimate must detail cost on each line item and be printed on the inspector's company letterhead, signed and dated. Specify estimating software to be used in Qualifications Statement submitted with this proposal.

#### **E. Commissioners Meeting**

1. Attend County Commissioners meeting with Program Administrator when bid packages are presented to address questions from Commissioners on work write-ups.

#### **F. Contractor Recommendation**

1. Assist Program Inspector in evaluating contractor proposals for completeness and cost accuracy.

#### **G. Pre-Construction Meeting**

1. Meet with contractor at jobsite to address any questions or concerns before construction start.

#### **H. Progress Inspections & Payment Requests**

1. Schedule and perform progress inspection upon request of contractor for payment. Inspector is to verify completion of each line item and that completed work has been performed in a good workmanship-like manner.

2. Complete payment draw request and submit to Program Administrator, along with copies of Permits required for the work and any County DRP inspections performed on items requested for payment. It is the contractor's responsibility to provide these items to the Inspector. Draw inspection form to be provided by Program.

#### **I. Change Orders**

1. Visit jobsite upon request of owner or contractor and evaluate the need for the requested change order.

2. If a change order is warranted, prepare a write-up of the requested changes on the Change Order Form provided by the Program and obtain quote from the contractor.

3. Submit Change Order Form signed by owner, contractor and inspector to Program Administrator for final approval. No work is to be performed under the change order without Program Inspector approval.

#### **J. Final Inspection**

1. Schedule and perform final inspection upon request of contractor for final payment. Homeowner must be present and must sign off on final payment request.

2. Complete final payment request form and provide to Program Administrator along with copy of County DRP final inspection and approval or Certificate of Occupancy and HUD 2516

form. It is the contractor's responsibility to provide copies of the HUD 2516, final inspection and C.O. to the inspector.

3. Complete and submit to Administrator the Certificate of Completion form provided by the Program

4. Complete and submit to the Administrator the Code Certification & Compliance form provided by the Program.

5. Take digital photos at final inspection of completed work. Photos to be emailed to Program Administrator.

#### K. Warranty Visits

1. Upon request of Program Administrator meet contractor and homeowner on site in regard to the warranty work in question.

2. Provide written evaluation as to if the work is justified under the homeowner's contract and suggested remedies to the contractor and Program Administrator.

3. Inspect property upon completion of warranty work and verify that the work has been satisfactorily completed.

4. Email photos of completed warranty items to Program Administrator.

#### L. Other

1. Other duties as may be required by evolving requirements from the County's State and Federal funding sources

✓ 8-17-17 KH  
mailed - email  
Sent to Susan

VENDOR LIST

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MA CArRES, Inc.  
7680 Lower Gateway Loop  
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chris@macarres.com

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443-859-2303  
drhall@comcast.net

Esham Inspections  
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Berlin, MD 21811  
443-669-3977  
info@eshaminspections.com

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Baltimore, MD 21286  
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leadtec@leadtecservices.com

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Bishopville, MD 21813  
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ahoffman273@gmail.com

Jake Mitrecic  
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443-880-4952  
jakemitrecic@gmail.com

Charles David Walter  
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410-213-2021  
walter796@aol.com

Joe Jackson  
Starr Tech Inspections  
P.O. Box 124  
Pocomoke City, MD 21851  
410-430-7359  
joejack33@verizon.net

Zachary Bankert  
Shore Inspections  
1118 Taney Avenue  
Salisbury, MD 21801  
443-783-4793  
ShoreInspections@gmail.com

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  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

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

November 13, 2017

To: Harold Higgins, Chief Administrative Officer  
From: Kim Reynolds, Budget Accountant   
Subject: State Aid for Police Protection Fund – 2019 Application

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Attached is the State Aid for Police Protection Fund Application for FY2019. This grant is ongoing and is intended to be used exclusively to provide adequate Police Protection throughout the counties and subdivisions of Maryland. This application states that Worcester County would like to be considered for FY19 grant funding but does not guarantee how much funding will be allocated to Worcester County.

# State Aid for Police Protection Fund - 2019 (SAPP)

## Applicant: Worcester County Board of County Commissioners

### Grant Application Form



## Governor's Office of Crime Control and Prevention


Submitted: 11/7/2017

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

[www.goccp.maryland.gov](http://www.goccp.maryland.gov)  
Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

### Application Contents

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

Date Stamp:	OFFICE USE ONLY	
	Control Number: 	Application Number: <b>2017-SP-0073</b>
	Received By:	Date:



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

**State Aid for Police Protection Fund - 2019 (SAPP)****Applicant:** Worcester County Board of County Commissioners**Project Title:** State Aid for Police Protection**Worcester** **Local Government****Start Date:** 07/01/2018**Submitted:** 11/7/2017 4:03:52 PM**DUNS Number:** 101119399**End Date:** 06/30/2019**Funding Year:****SAM Expiration:** 2/24/2018

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

<b>Authorized Official:</b>	Bunting, Madison mbunting@co.worcester.md.us Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194	President of the Worcester County Commissioners       FAX: (410) 632-3131
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<b>Project Director:</b>	Reynolds, Kimberly kreynolds@co.worcester.md.us Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194	Budget Accountant       FAX: (410) 632-3131
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<b>Fiscal Officer:</b>	Dods, Douglas A ddods@co.worcester.md.us Worcester County Sheriff's Office 1 West Market Street, Room 1001 Snow Hill, MD 21863 (410) 632-1111	Operations Officer       FAX: (410) 632-3070
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<b>Funding Summary</b>	0.0 %	Grant Funds	<b>\$0.00</b>	_____	_____
	0.0 %	Cash Match	<b>\$0.00</b>	_____	_____
	0.0 %	In-Kind Match	<b>\$0.00</b>	_____	_____
<b>Total Project Funds</b>					

## Project Summary

The Worcester County Sheriff's Office State Aid for Police Protection program provides added support for law enforcement. The State Aid for Police Protection Fund is an annual formula grant intended for and to be used exclusively to provide adequate police protection in the subdivisions and qualifying municipalities of Maryland. Costs are shared between the State and its municipalities on an equitable basis, within certain limits related to population factors.

## SAPP Narrative

### Article Public Safety

4-501.

- (a) in this subtitle the following words have the meanings indicated.
- (b) "Adjusted assessed valuation of real property" means the sum of:
  - (1) 100% of the assessed valuation of all the operating real property of public utilities;
  - (2) 40% of the assessed valuation of all other real property for State purposes, as reported by the Department of Assessments and Taxation as of July 1 of the second fiscal year for which the calculation of State aid is to be made; and
  - (3) 20% of new property assessed between July 1 and December 31 of the second preceding fiscal year.
- (c) "aggregate expenditures for police protection" means the sum of expenditures for police protection of a county and of every qualifying municipality in the county.
- (d) "County" does not include Baltimore City.
- (e) "Executive Director" means the Executive Director of the Governor's Office of Crime Control and Prevention.
- (f) (1) "Expenditures for police protection" means expenses for the fiscal year immediately preceding the fiscal year for which the calculation of State aid under this subtitle is to be made for:
  - (i) salaries, wages, and other operating expenses for police protection;
  - (ii) capital outlays from current operating funds for police protection;
  - (iii) debt service identifiable for police protection;
  - (iv) officers of a sheriff's office to the extent that the officers perform police protection functions; and
  - (v) traffic control, park police, and a share of the cost of a central alarm system proportionate to its police use.
- (2) "Expenditures for police protection" does not include expenses for collecting from or servicing parking meters or constructing or operating local correctional facilities.
- (g) "Fund" means the State Aid for Police Protection Fund.
- (h) (1) "Municipality" means an incorporated city or town.
- (2) "Municipality" does not include Baltimore City.
- (i) "Net taxable income" means the taxable income of individuals under Title 10 of the Tax - General Article, as certified by the Comptroller for the third completed calendar year preceding the fiscal year for which the calculation of State aid is to be made.
- (j) "Qualified police officer" means a police officer that the Executive Director determines to be qualified under 4-504(d) of this subtitle.
- (k) "Qualifying municipality" means a municipality that:
  - (1) (i) has expenditures for police protection that exceed \$5,000; and

- (ii) employs at least one full-time qualified police officer; or
- (2) (i) has expenditures for police protection that exceed \$80,000; and
- (ii) employs at least two part-time qualified police officers from a county police department or county sheriff's department.
- (l) "Real property" means all property classified as real property under 8-101(b) of the Tax - Property Article.
- (m) "Sworn officer" means:
  - (1) a law enforcement officer certified by the Police Training Commission; or
  - (2) a full-time probationary employee of a local government who:
    - (i) is hired to attend a police training academy to become certified law enforcement officer; and
    - (ii) is in training or is functioning as a law enforcement officer pending training.
- (n) "Wealth base" means the sum of the adjusted assessed valuation of real property and net taxable income.

#### 4-502.

Nothing in this subtitle may be construed as requiring a county or qualifying municipality to spend more for police protection than the greater of:

- (1) the actual expenditures for police protection, not including capital expenditures; or
- (2) the sum of:
  - (i) the amount received in State aid under this subtitle; and
  - (ii) local funds equal to the percentage of local wealth used in calculating the State share in basic expenditures under Article 4-506(b) of this subtitle.

#### 4-503.

- (a) There is a State Aid for Police Protection Fund.
- (b) The Fund provides a continuing grant from the General Fund of the State that shall be used exclusively to provide adequate police protection in the counties and qualifying municipalities through the sharing of costs on an equitable basis within certain limits related to population factors.

#### 4-504.

- (a) The Executive Director shall administer the Fund.
- (b) The Executive Director shall:
  - (1) certify to the Comptroller, counties, and qualifying municipalities the amount of payments under this subtitle to the counties and qualifying municipalities; and
  - (2) adopt regulations and require reports that are necessary to certify the amounts.
- (c) In administering the Fund, the Executive Director shall:
  - (1) make a continuing effort to establish standards of police protection adequate to the various local situations; and
  - (2) subject to Article 2-1246 of the State Government Article, report periodically to the General Assembly on progress in establishing

and meeting those standards, including the payment amounts certified under subsection (b) of this section and any other relevant fiscal information.

(d) The Executive Director shall apply the minimum standards determined by the Police Training Commission under Title 3, Subtitle 2 of this article to determine whether police officers are qualified.

(e) The Police Training Commission shall print and distribute to all municipalities its regulations that set forth the minimum standards for police qualifications.

(f) (1) If a municipality fails to meet the minimum standards for police qualifications for 2 successive years, the Executive Director shall withhold from the municipality payments that would otherwise be payable the second year.

(2) (i) Any payment withheld for noncompliance is forfeited.

(ii) A municipality may not make a claim for the withheld payment.

4-505.

For population and density determinations under this subtitle:

(1) population numbers for a county shall be those estimated by the Maryland Department of Health, as of July 1 of each year; and

(2) the percentage of population residing in municipalities shall be determined from time to time by the most recently published federal decennial census data.

4-506.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection and subject to 4-507 of this subtitle and the limitations and requirements provided in this subtitle, each fiscal year the State shall pay to each county and each qualifying municipality, in the manner provided in this subtitle, an amount determined as provided in this section.

(2) Notwithstanding any other provision of this subtitle, for each of fiscal years 2015 and 2016, the total amount of the grants provided under this subtitle shall be \$67,277,067.

(3) Notwithstanding any other provision of this subtitle, for each of fiscal year 2018, the total amount of the grants provided under this subtitle shall be \$73,714,998 and each county and each qualifying municipality shall receive the same State funding that the county or qualifying municipality received in fiscal year 2017.

(b) (1) If the aggregate expenditures for police protection in a county equal or exceed \$6.00 per person, the State shall pay to the county the amount by which \$6.00 per person exceeds 0.09% if the wealth base of the county.

(2) If the aggregate expenditures for police protection in a county are less than \$6.00 per person, the State shall pay to the county the amount by which aggregate expenditures for police protection exceed the amount obtained by multiplying 0.09% if the wealth base of the county times a fraction:

(i) the numerator of which is the aggregate expenditures for police protection; and

(ii) the denominator of which is \$6.00 per person.

(c) (1) Except as otherwise provided in this subsection, in addition to the amount, if any, payable under subsection (b) of this section, the State shall pay to each county 25% of the amount by which aggregate expenditures for police protection in the county exceed \$6.00 per person.

(2) For a county with a population density of less than 100 per square mile and in which less than 30% of the total population resides in a municipality, the State shall make no payment under this subsection.

(3) For a county with a population density of at least 100 but less than 500 per square mile, and for a county with a population density of less than 100 per square mile and in which at least 30% of the total population resides in a municipality, payment under this subsection may not exceed \$3.50 per person.

(4) For a county with a population density of at least 500 but less than 900 per square mile, payment under this subsection may not

exceed \$7.50 per person.

(5) For a county with a population density of at least 900 but less than 1,100 per square mile, payment under this subsection may not exceed \$8.00 per person.

(6) For a county with a population density of at least 1,100 but less than 1,300 per square mile, payment under this subsection may not exceed \$9.25 per person.

(7) For a county with a population density of at least 1,300 but less than 8,000 per square mile, payment under this subsection shall be:

(i) 25% of the amount by which aggregate expenditures for police protection in the county exceed \$6.00 per person but do not exceed \$36.00 per person; and

(ii) 50% of the amount by which aggregate expenditures for police protection in the county exceed \$36.00 per person but do not exceed \$101.50 per person.

(d) (1) The State shall pay to each county the amount by which \$2.50 per person exceeds payments determined under subsections (b) and (c) of this section.

(2) A county for which the population estimate is less than the population estimated for the first year of the grant may not receive in any year a smaller amount of State aid for police protection than it received in any previous year if it has not reduced the level of expenditures for police protection which entitled it to the amount of the previous year's grant.

(e) In addition to the payments made under subsections (b), (c), and (d) of this section, the State shall pay to each county with a population density of less than 500 per square mile, \$2.00 per person.

(f) (1) In addition to the payments made under subsections (b) through (e) of this section, the State shall pay:

(i) to each county, \$2.50 per person, subject to paragraph (2) of this subsection;

(ii) to Baltimore City, \$0.50 per person; and

(iii) to each county that borders the District of Columbia, in addition to the amount required under item (i) of this paragraph, \$0.50 per person living within 1 mile of the border between the State and the District of Columbia.

(2) The State shall allocate the supplemental grant on a per person basis among the county and the qualifying municipalities in that county and distribute the resulting allocation to each county and qualifying municipalities.

(g) Each fiscal year, the State shall pay to each county an additional grant equal to the greater of:

(1) 10% of the total of the payments determined under subsections (b) through (e) of this section; or

(2) an amount not to exceed \$1 per person.

(h) The State shall pay each county the amount by which the grant paid to the county in fiscal year 1984 exceeds the total payments determined under subsections (b) through (g) of this section.

(i) Each fiscal year, the State shall pay to each qualifying municipality, in addition to the payments made under subsections (b) through (h) of this section, \$1,950 for each sworn officer actually employed on a full-time basis by the qualifying municipality, as determined by the Executive Director.

(j) The payment made to each county under subsections (b), (c), (d), (e), (g), and (h) of this section shall be allocated to each county and qualifying municipality by multiplying the total payment by a fraction:

(1) the numerator of which equals the expenditures for police protection of the county or the qualifying municipality; and

(2) the denominator of which equals the aggregate expenditures for police protection.

4-507

(a) (1) In this section the following words have the meanings indicated.

(2) "Crime assessment" means an amount obtained for each county or Baltimore City by multiplying the percent of total Part I crimes in the State that were committed in the county or Baltimore City by 10% of the costs for the crime laboratory of the State Police as provided in the State budget for the fiscal year of the assessment.

(3) "Part I crimes" means the crimes reported by the State Police as Part I crimes in the annual uniform crime report for the second completed calendar year preceding the fiscal year of the crime assessment.

(4) "Wealth assessment" means an amount obtained for each county or Baltimore City by multiplying the percent of the total wealth base of the State that is attributable to the wealth base of the county or Baltimore City by 20% of the costs for the crime laboratory of the State Police as provided in the State budget for the fiscal year of the assessment.

(b) For each fiscal year, the amount determined under 4-506 of this subtitle for each county or Baltimore City shall be reduced by the sum of the crime assessment and the wealth assessment for the county or Baltimore City.

#### 4-508.

The State Treasurer shall make the payments required under this subtitle to each county and qualifying municipality:

- (1) on warrants of the Comptroller;
- (2) at the end of each quarter of each fiscal year; and
- (3) in approximately equal amounts for each quarter to the appropriate county or qualifying municipality.

#### 4-509.

(a) If the Executive Director finds that a county is not complying with 4-502 of this subtitle, the Executive Director shall notify the county or qualifying municipality of the noncompliance.

(b) If a county or qualifying municipality disputes the finding in the notice issued under subsection (a) of this section within 30 days of the issuance of the notice, the dispute shall be promptly referred to the Secretary of Budget and Management, who shall make a final determination.

(c) On a receipt of certification of noncompliance by the Executive Director or the Secretary of Budget and Management, the Comptroller shall suspend, until notification of compliance is received, payment of any funds due the county or qualifying municipality for the current fiscal year, under 4-506 of this subtitle, to the extent that the State's aid due the county or qualifying municipality in the current fiscal year under 4-506 of this subtitle exceeds the amount that the county or qualifying municipality received in the prior fiscal year.



Control Number:

2017-SP-0073

**Project Budget****A. Budget Summary**

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



Control Number:

2017-SP-0073

**V. Civil Rights Requirements**

1. Civil rights contact person: Norton, Stacey - Director of Human Resources
2. Organization: Worcester County Board of County Commissioners
3. Address: County Government Center  
Room 1103  
One West Market Street  
Snow Hill, MD 21863
4. Telephone Number: (410) 632-0090
5. Number of persons employed by the organization unit responsible for implementation of this grant: 12

**Project Service Sites****Site 1**

Service Site Countywide  
Apt. Suite, No. Street  
City  
State & Zip MD



Control Number:

2017-SP-0073

**Certified Assurances****THE APPLICANT HEREBY ASSURES AND CERTIFIES THE FOLLOWING:**

1. That Federal funds made available under this formula grant will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal Funds, be made available for program activities.
2. That matching funds required to pay the non-Federal portion of the cost of each project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for program activities by the recipient of the grant funds and shall be provided as required in the Grant Award document.
3. That following the first year covered by a Grant Award and each year thereafter, a performance evaluation and assessment report will be submitted to the Governor's Office of Crime Control & Prevention.
4. That fund accounting, auditing, monitoring, evaluation procedures and such records as the Governor's Office of Crime Control & Prevention shall prescribe to and shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.
5. That the Grantee shall maintain such data and information and submit such reports in such form, at such times, and containing such information as the Governor's Office of Crime Control & Prevention may reasonably require to administer the program.
6. Sub-recipients will comply (and will require any sub-grantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604 (e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. § 704); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. § 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07); and the Department of Justice (DOJ's) Equal Treatment Regulations (28 C.F.R. pt. 38).
7. That in the event a Federal or state court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against the Grantee, a copy of the finding will be forwarded to the Governor's Office of Crime Control & Prevention.
8. Sub-recipients that are governmental or for-profit entities, that have fifty or more employees and that receive a single award of \$500,000 or more under the Safe Streets Act or other Department of Justice (DOJ) program statutes are required to submit their Equal Employment Opportunity Plan (EEO) to the federal Office of Civil Rights (OCR). The sub-recipients are not required to submit a copy to the Governor's Office of Crime Control & Prevention (GOCCP), but must have a copy available on site for monitoring purposes. Those sub-recipients that are subject to the OCR's EEO Certification Form may access this form at: <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>.
9. That the Grantee will comply with all provisions set forth in the Governor's Office of Crime Control & Prevention's General <http://www.goccp.maryland.gov/grants/general-conditions.php> and Special Conditions.
10. That the Grantee will comply with the provisions of 28 CFR applicable to grants and cooperative agreement.
11. Sub-recipients are obligated to provide services to Limited English Proficient (LEP) individuals. Refer to the DOJ's Guidance Document. To access this document see U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (67 Federal Regulation 41455 (2002)). This regulation may be accessed at: <http://www.archives.gov/eeo/laws/title-vi.html>

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

---

 Signature of Authorized Official

---

 Date

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 Bunting Jr., Madison - President of the Worcester County Commissioners

---

 Name and Title

## Certification Regarding Lobbying



Control Number:

2017-SP-0073



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

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

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

#### 1. LOBBYING

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

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

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

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

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

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

A. The applicant certifies that it and its principals:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Control Number:

2017-SP-0073

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Authorized Representative: Bunting Jr., Madison - President of the Worcester County Commissioners

Signature: \_\_\_\_\_  
Signature of Authorized Official Date

Subdivision WORCESTER Municipality \_\_\_\_\_  
(County) (Incorporated City/Town)

**ESTIMATED EXPENDITURES FOR POLICE PROTECTION**  
(Fiscal Year Ending June 30, 2018)

**PART 1**

	(a) Police Department	(b) Sheriff's Department	
<b>SUMMARIZE (Omit Cents)</b>			
Salaries and Wages		\$ 5,639,329	
Capital Outlay		\$ 399,167	
Debt Service		\$ -	
Other Operating Expenses:			
Communications		\$ 22,964	
Travel		\$ 84,739	
Fuel & Utilities		\$ 8,890	
Contractual Services			
Supplies & Materials		\$ 259,555	
Fixed Charges			
(Rent, Insurance, etc.)		\$ 226,578	
Motor Vehicle Operation And Maintenance		\$ 360,115	
Contributions			
(Retirement and Social Security - Salaries only)		\$ 3,205,142	
Miscellaneous		\$ 23,713	
TOTAL COLUMN (a)	-	10,230,192	x .73% = \$ 7,468,040
			TOTAL COLUMN*
		SUB-TOTAL PART 1 \$ 7,468,040	
		(Total Column (a) and (b))	

\* Sheriff's Department Police Protection Activities

PART II		PART III	
Traffic Control	\$ 20,000	Sub-Total PART I	\$ 7,468,040
Central Alarm System	\$ 1,766,648	Sub-Total PART II	\$ 1,786,648
SUB-TOTAL PART II	\$ 1,786,648	TOTAL (PARTS I & II)	\$ 9,254,688

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

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

Kimberly Reynolds  
Prepared by

Reggie V. Hare  
Chief of Police/Sheriff-Signature

Budget Accountant  
Title

410-632-1194  
Telephone Number

\_\_\_\_\_  
Chief Executive Officer of County or Municipality  
Signature

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

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  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

TO: County Commissioners  
FROM: Harold L. Higgins, Chief Administrative Officer **HH**  
DATE: November 15, 2017  
RE: Pocomoke Middle School Evening Beta Program

---

As previously discussed, we have been in communication with the Board of Education to develop the one-year trial Pocomoke Middle School Evening Beta Program to provide recreational activities for at-risk youth in the Pocomoke City area. As you are aware, this program is intended to help keep at-risk middle school students off the streets and in an environment that is safe and provides opportunities for mentoring, tutoring and activities designed to guide their life choices.

After meeting with Board of Education representatives, we have determined that this program would best be managed by the Board of Education with funding to be provided by a Restricted Grant from the County of up to \$42,000. As a result, attached for your review and approval is a Restricted Grant agreement between the County and Board of Education. Funding for this program has been provided through the Assigned Fund Balance.

## Restricted Grant for Pocomoke Middle School Community Service Program

### Purpose:

To provide funding to the Board of Education for the purpose of providing an evening recreation program to middle school students in Pocomoke. This community service program proposes to keep at risk middle school students off the streets and in an environment that is safe. The program's mission is to develop a sense of safety in our middle school students while producing a sense of camaraderie through teamwork and service to others.

### Priorities:

1. Provide a safe, recreational opportunity for students who are eligible for free or reduced-price meals.
2. Provide an environment which promotes teamwork and service to others.
3. Provide a structure environment that supports growth and development of each student's intellect, discipline, physical fitness and character values.

### Expenditures:

Expenditures are limited to and may include new equipment, repair and renovation of equipment, replacement of equipment, T shirts, referee fees, janitorial costs. Salary and benefit costs applicable for a program coordinator and an assistant not to exceed 32 weeks.

Total Restricted Funds Available: \$42,000, unspent funds will be returned to the County.

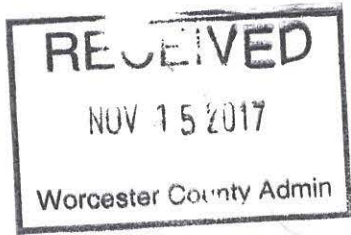
Restricted Grant Period: Fiscal Year 2018 for the period beginning 12/01/2017 and ending 6/30/2018

### Signed Assurances:

----- Attest	----- date	----- Worcester County Board of Education
----- Attest	----- date	----- County Commissioners of Worcester County, MD

Restricted Grant for Pocomoke Middle School Community Service Program  
Proposed FY18 Budget

<b>Wages</b>		
M-R 3:00-8:00	20 hrs/week x \$28/ hr x 32 weeks	\$ 17,920.00
26 wks + 4Prior + 2After	10 BB 10SnH 6CS 6 Befor After	
	Basketball/ Soccer/ Field Hockey	
	Based on a 10 week season BB/ SH/CS	
	\$200 Stipend for coaching per team	
	8 coaches per sport spring	\$ 6,400.00
	16 coahces for basketball	
	\$15/ game	
	8 games per week 26 weeks	\$ 3,120.00
M-R 5:00-8:00		
26 wks + 2P + 2 A	12 hrs. per week x \$15/ hr. x 30 weeks	\$ 5,400.00
	Possible split persons	
<b>Other</b>		
		\$ 7,000.00
	Goals, Nets, Balls, Pennies, Ball racks,	
	Cones, Flags, Field Marking, etc	
380 participating twice	\$6.00 per T shirt/ 760 program kids cost \$4,560	
	(will be covered by student entrance fee)	
	Total Estimate for program	\$ 39,840.00




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**Worcester County**  
Department of Environmental Programs

Memorandum

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

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

**Subject:** Rural Legacy Easement Agreement of Sale – Coastal Bays Rural Legacy Area  
Hauck Property  
3102 Snow Hill Road, Girdletree, MD  
Map 79 Parcel 70, Total of 70.396 Acres

**Date:** November 14, 2017

Attached you will find a memorandum from Katherine Munson and a conservation easement agreement of sale for the above referenced property. This is a conservation easement to encumber a single parcel. This property consists of 70.396 acres located on the east side of Snow Hill Road (#3532), north of 'C' Road, north of Girdletree, MD. The property, which consists of a single parcel with development rights, is proposed to be funded with approved FY 2017 Coastal Bays Rural Legacy (RLA) Grant funds. Property was listed and mapped as a priority for conservation in the Coastal Bays RLA Grant application, is adjacent to lands already protected, and contains prime agricultural soils.

Three (3) appraisals were completed for the valuation of this property. Based on their findings, an offer for the proposed easement was given to the owner. The owner accepted that offer, which was the mean of the upper two values, resulting in a per acre easement purchase payment of \$2,052.67/acre, which totals \$144,500. The County Attorney has reviewed the agreement of sale. All costs, including the county's administrative costs, will be reimbursed by the Rural Legacy Grant. We would note the property has not been subdivided, has a potential of subdivision rights, is limiting development to one accessory dwelling, and is a buffer for Spring Hill Branch Creek. Therefore, I respectfully recommend that the County Commissioners authorize President Bunting to sign the agreement where indicated.

If you have any questions or need any additional information please let me know. Both Ms. Munson and I will be available to discuss with you and the County Commissioners at your convenience.

Attachments

cc: Maureen Howarth  
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 CONSTRUCTION

WELL & SEPTIC  
NATURAL RESOURCES  
PLUMBING & GAS  
COMMUNITY HYGIENE

## Memorandum

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**TO:** Robert Mitchell, Director

**FROM:** Katherine Munson, Planner IV *KM*

**SUBJECT:** Coastal Bays Rural Legacy Area—Hauck, Map 79, Parcel 70; 70.396 acres

**DATE:** November 14, 2017

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This conservation easement purchase is to be funded by the FY17 Coastal Bays Rural Legacy Area grant. The property has residential subdivision potential and it provides scenic value from Route 12/Snow Hill Road. The property contains 30 acres of farmland and 40 acres of woodland, including a buffer on Spring Hill Branch. Approximately 45 acres of the property is "prime" farmland.

An aerial image of the property and a map showing the property location in the Coastal Bays RLA is attached.

The three values obtained from appraisers were: \$162,000 (McCain); \$127,000 (Lefort); \$99,000 (Cadell). The summary page from each appraisal report is attached. The values obviously vary significantly. The landowner agreed to a sale price of \$144,500.00, the mean of the upper two values, or \$2,052.67 per acre.

Ms. Howarth has reviewed and approved the contract. I have indicated on the contract where signature is required.

Thank you for your attention to this matter. Please let me know of any questions you have.

Attachments

W. R. McCain &amp; ASS

**SUMMARY OF IMPORTANT DATA AND CONCLUSIONS**

<b>REPORT TYPE:</b>	File No. CC12791
<b>REPORT DATE:</b>	May 30, 2017
<b>LOCATION:</b>	3102 Snow Hill Road Girdletree, Maryland 21829 Map 79 Parcel 70 Tax ID #02-014459
<b>OWNER OF RECORD:</b>	Bradley Byron Hauck
<b>LAND AREA:</b>	Total - 70.396 acres (tax records)
<b>IMPROVEMENTS: - Not included in value</b>	2,376 sf dwelling, pole building, hors Grain storage tanks
<b>ZONING:</b>	A-1 - Agricultural
<b>CENSUS TRACT:</b>	#9514.00
<b>FLOOD MAP STATUS:</b>	Mostly Zone X - Not a Flood hazard Map #24047C0360H Dated 3/16/2015
<b>HIGHEST AND BEST USE BEFORE:</b>	Agricultural use with Limited Future Residential Development
<b>HIGHEST AND BEST USE AFTER:</b>	One Primary Dwelling, One Accessa Dwelling / Agriculture / Hunting
<b>PROPERTY RIGHTS APPRAISED:</b>	Fee Simple
<b>OPINION OF VALUES:</b>	
<b>BEFORE VALUE:</b>	\$324,000
<b>AFTER VALUE:</b>	\$162,000
<b>VALUE OF EASEMENT/ DIFFERENCE:</b>	\$162,000
<b>EFFECTIVE DATE:</b>	May 25, 2017
<b>APPRAISERS:</b>	William R. McCain, MAI, MBA F. Lee Gosnell

**SUMMARY OF SALIENT FACTS**

IDENTIFICATION: 70.396 +/- Acres Agricultural Farm  
East Side Snow Hill Road (#3102)  
North of 'C' Road  
North of Girdletree, Worcester Co, Maryland 21829

TAX MAP REFERENCE: Worcester Tax Map 79, Grid 10, Parcel 70 (ID #02-014459)

CENSUS TRACT: 9514

OWNER OF RECORD: Bradley Byron Hauck

DEED REFERENCE: Liber 6544, Folio 165

SITE SIZE: **70.396 +/- Acres (Per Deed and Assessment Data)**  
28.3 +/- Acres Tillable/Cleared (40.2%)  
1.0 +/- Acres Improvements (1.4%)  
23.0 +/- Acres CREP Woodlands (32.7%)  
18.1 +/- Acres residual Woodlands (25.7%)

IMPROVEMENTS: 2,376 +/- Square Foot Two-Story Farmhouse (circa. 1800)  
6,000 +/- Square Foot Barn  
(Improvements Excluded from Analysis)

ZONING: A-1; Agricultural District

UTILITIES: Private Well and Septic Systems required

POTENTIAL DEV. RIGHTS: Up to Four (4) minor subdivision rights

FLOOD PLAIN MAP: FEMA Community Maps #24047C-0360-H, dated July 16, 2015, majority of property lies within Zone C (Area of Minimal Flooding) - Northern portion of farm lies within the flood plain area (Zone A) along Spring Hill Branch

SOIL CLASSIFICATIONS: Mixture of Compositions: Woodstown sandy loam; Rosedale loamy sand; Klej loamy sand; Hambrook sandy loam; Fallsington sandy loams; Longmarsh and Indiantown soils (Branch basin)

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

EFFECTIVE DATE: May 4, 2017

**VALUE CONCLUSIONS:**

**"AS IS" MARKET VALUE (BEFORE) - \$5,400 per Acre \$ 380,000**

**VALUE ENCUMBERED BY CONSERVATION EASEMENT (AFTER) \$ 253,000**  
(Estimate of Unit Value) - \$3,600 per Acre

**CONCLUDED VALUE OF EASEMENT: \$ 127,000**  
(Extracted Unit Value Conclusion) ~ \$1,804 per Acre

### **SUMMARY OF IMPORTANT DATA**

APPRAISAL OF:	A proposed conservation easement
GRANTOR:	Bradley B. Hauck
LOCATION:	3102 Snow Hill Road Gridletree, Maryland
TAX MAP & PARCEL:	Map 0079, Parcel 0070
PROPERTY SIZE:	70.396 Acres
PURPOSE AND EFFECTIVE DATE OF APPRAISAL:	To estimate the value of a proposed conservation easement which will encumber an inland farm. The effective date of the appraisal is as of the date of inspection, March 15, 2017.
THE PRESENT USE:	The present use of the subject property is for farming and the production of timber.
HIGHEST AND BEST USE: (Before Approach)	The highest and best use of the subject property before imposition of the proposed conservation easement is for farming, production of timber and recreation, with the potential for future residential subdivision.
HIGHEST AND BEST USE: (After Approach)	The highest and best use of the subject property, after the imposition of the proposed conservation easement, is an agricultural use, with subdivision prohibited and residences limited to one primary dwelling and one accessory dwelling.

## **SUMMARY OF IMPORTANT DATA (Cont.)**

### **SUMMARY OF VALUES**

#### **Before Value**

COST APPROACH	Not Applicable
SALES COMPARISON	\$359,000
INCOME APPROACH	Not Applicable
ESTIMATED VALUE	\$359,000

#### **After Value**

COST APPROACH	Not Applicable
SALES COMPARISON APPROACH	\$260,000
INCOME APPROACH	Not Applicable
ESTIMATED VALUE	\$260,000

### **FINAL CONCLUSIONS**

Estimated value of the subject property before the encumbrance of the easement	\$359,000
Estimated value of the subject property after the encumbrance of the easement	- <u>\$260,000</u>
<b>Estimated value of the proposed easement</b>	<b>\$ 99,000</b>

## **AGREEMENT OF SALE**

**THIS AGREEMENT OF SALE** ("Agreement"), dated as of the \_\_\_\_\_ day of \_\_\_\_\_, 2017 is made by and between BRADLEY BYRON HAUCK, ("Seller"), and the County Commissioners of Worcester County, Maryland ("Buyer").

1. The Seller is the owner of that property ("Property") located in the Second tax district of Worcester County, Maryland; which is one (1) parcel, 70.396 acres total, more or less, and located at 3102 Snow Hill Road, having tax ID number of 02-014459.
2. The Buyer desires to purchase a conservation easement from the Seller over and across the Property on the terms and conditions set forth in this Agreement.
3. The Seller is 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, Seller hereby agrees to sell to Buyer and Buyer hereby agrees to purchase from Seller a Conservation Easement on, over and across the Property described on the attached **Exhibit A** which is incorporated herein .

### **SECTION 2. PURCHASE PRICE AND PAYMENT.**

**2.1.** The Purchase Price to be paid for the Rural Legacy Program Easement (as defined below) shall be Two Thousand Fifty-Two Dollars and Sixty-Seven Cents (\$2,052.67) per acre, of which \$1.00 has been paid upon signing ("Purchase Price").

**2.2.** At Closing (as defined below), the entire Purchase Price shall be payable by Buyer to Seller 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 September 28, 2018, 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. Seller 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 Seller, 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. Seller covenants 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, Seller grants 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 Seller is 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.** Seller 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 Seller, 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 Seller, including but not limited to the payment of real estate taxes.

## **SECTION 7. SELLER'S REPRESENTATIONS.**

**7.1.** Seller makes the following representations and warranties as of the date of this Agreement and as of Closing.

**7.2.** Seller represents and warrants 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 Seller, 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 Seller 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) Seller 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 Seller's 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 SELLER AT CLOSING.**

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

8.2. At Closing, Seller 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 Seller cannot convey to Buyer the easement on the Property as required under this Agreement, Buyer shall:

i) permit Seller 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 Seller's sole cost and expense, and

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

In the event that Seller fails to cure the defect or defects to title within that one hundred twenty (120) day period, then and only then shall Seller 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 Seller defaults in any of the terms, provisions, covenants or agreements to be performed by the Seller 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 Seller 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, Seller 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 Seller, 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 70.396 acres. The purchase price of the easement shall be \$2,052.67 per acre. Buyer, at Buyer's expense, will cause a survey to be made 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 70.396 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:**

Katherine B. Munson

**SELLER**

By: Bradley Byron Hauck (Seal)  
Bradley Byron Hauck

**BUYER**

County Commissioners of Worcester County, Maryland

Harold L. Higgins  
Chief Administrative Officer

By: Madison J. Bunting, Jr. (Seal)  
President

Approved as to legal form and sufficiency.

Maureen Howarth  
Worcester County Attorney

Exhibit A. Agreement of Sale by and between BRADLEY BYRON HAUCK, ("Seller") and the County Commissioners of Worcester County, Maryland ("Buyer").

All that parcel of land, situate, lying and being situate in the Second Election District of Worcester County, Maryland, 3102 Snow Hill Road, Girdletree, Maryland 21829, containing 70.396 acres more or less, being the same property conveyed by deed dated April 17, 2015, recorded among the Land Records of Worcester County, Maryland in Liber SRB, No. 6544, Folio 165, et seq..

**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 BRADLEY BYRON HAUCK, having an address at 3102 SNOW HILL ROAD, GIRDLETREE, MARYLAND 21829 ("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 \_\_\_\_ 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 Waterman's Seafood Co. by Deed dated April 17, 2015 and recorded among the Land Records of Worcester County, Maryland in Liber 6544, Folio 165 (the "Property"). The address of the Property is 3102 Snow Hill Road, Girdletree, MD 21829. The Property is identified on tax map 79, parcel 70.

WHEREAS, the Property consists of acres of agricultural land and acres of woodland; scenic value of significant public benefit on Snow Hill Road.

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 Dollars (\$ .00) to Grantor as full monetary consideration for granting this Conservation Easement.

NOW, THEREFORE, in consideration of Dollars (\$ .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 location or 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 a 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 each 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 2.85 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 creek is required on the Property. Grantor 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, Grantor 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. Grantor 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 Grantor and a licensed, registered forester, as land use

practices or management changes, however, Grantor 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. Grantor 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;

"Woodland Areas" is hereby defined as land Grantees determine, 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 and/or other limited clearing is 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 surface 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.

R. 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, Subdivision plans, 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 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:

\_\_\_\_\_(SEAL)  
BRADLEY BYRON HAUCK

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 Bradley Byron Hauck, 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 GRANTEEES:

County Commissioners of Worcester County, Maryland

By: \_\_\_\_\_(SEAL)  
Madison J. Bunting, Jr., 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

TO BE COMPLETED

Exhibit A

Boundary Description and Property Reference; Page 2 of 2

Exhibit B: Summary of Conservation Values

Deed of Conservation Easement

Bradley Byron Hauck

Page One of One

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 and natural resource and water quality protection values, and scenic value from Snow Hill Road.
3. The property is part of an \_\_\_\_+-acre block of contiguous protected land, contributing to the agricultural and natural resource vitality of the area.
4. The forest cover on the Property provides a water quality benefit for Chincoteague Bay watershed.
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. Exhibit D consists of 10 color images and 2 pages.

Index Number	Image Taken From	Image Description
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Exhibit E

Aerial/Satellite Image

Page 1 of 1

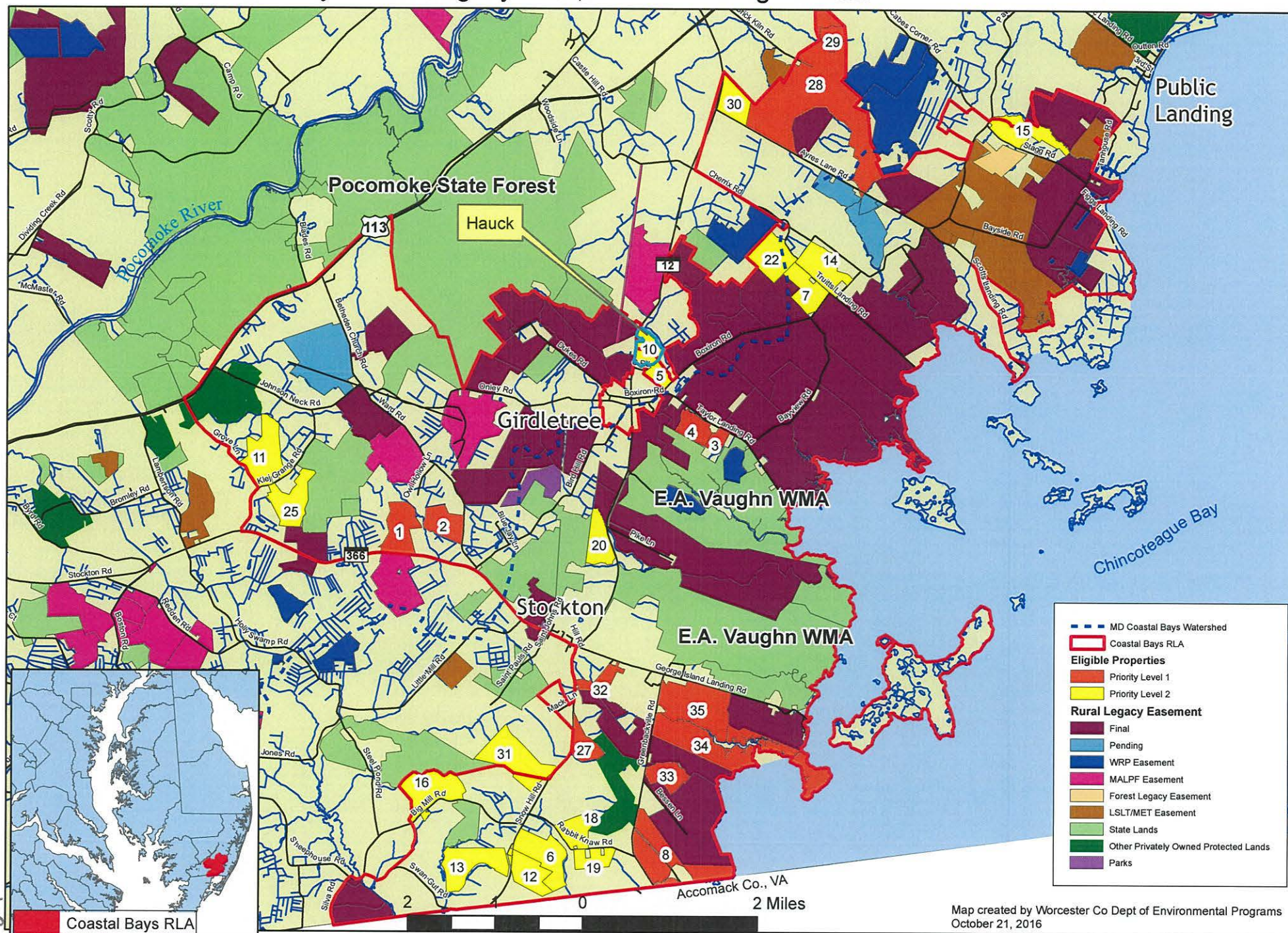
This image is kept on file at the principal office of the Worcester County Department of Development Review and Permitting and are fully and completely incorporated into this Conservation Easement as though attached hereto and made a part hereof. Exhibit E consists of one page.

Exhibit F  
Tax Map Showing Approximate Location of Property

Hauck  
Map 79, Parcel 70  
70.396 acres



# Attachment A: Coastal Bays Rural Legacy Area, FY17 Grant Agreement






6

**Worcester County**  
Department of Environmental Programs

Memorandum

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

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

**Subject:** Senate Bill 1040 Implementation – Water and Sewerage Plan  
Amendments

**Date:** November 14, 2017

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We have recently received correspondence from the Maryland Department of the Environment (MDE) on some of the details regarding the implementation of Senate Bill 1040 which was passed during the 2017 Legislative Session. The goal of the new law was to shorten the state review times for amendments. How this new law will play out at the local level is that the state is now actively encouraging local governments to submit draft amendments for review prior to submission of an official amendment. They are doing this to iron out any inconsistencies that may impact final approval of the amendment at the state level. With the shorter review times, the state will not have the opportunities to work with the local government to solve issues and provide a path toward approval. They will be forced to deny the amendment. This will fall back to the county to rework the amendment and resubmit.

In the past it has been our practice to submit draft amendments when we had complicated issues to review. Others were done informally, included teleconferences, and county personnel have even attended meetings in Baltimore with MDE staff to cover pertinent information on past submittals. In the future we will probably need to do more draft amendments if the amendment includes matters that the state will want further clarification on or we have a land use inconsistency to work through. Either way, it appears a good course of action is to submit more draft amendments and hopefully the upfront state review time can be scheduled in a way to cause minimal impacts in the local amendment process.

If you have any questions or need any additional information please let me know. I will be available to discuss with you and the County Commissioners at your convenience.

**Citizens and Government Working Together**

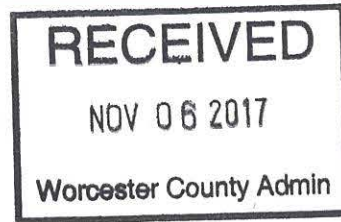


# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary



November 1, 2017

Madison J. Bunting, Jr.  
Commission President, District 6  
Worcester County  
1 West Market Street, Room 1103  
Snow Hill, MD 21863-1072

*Copy: Bob Mitchell ✓  
for review and comment  
- sewer committee by email ✓*

Dear Commission President Bunting:

During the 2017 legislative session, the Maryland General Assembly passed Senate Bill 1040 - Environment - Water and Sewer Plan Approval, and Governor Larry Hogan subsequently signed the bill into law. The new law went into effect on October 1, 2017. SB1040 shortens the review time for County Water & Sewerage Plans and amendments from 90 to 60 days and the extended review time from 90 to 45 days. SB1040 also provides for a supplemental 45-day review period, but it is the goal of the Department of the Environment (MDE) to minimize the need for this third review period.

In order to have a successful review and approval process for County Water & Sewerage Plans, MDE requires the assistance of each County. In some instances it will be a challenge for MDE, the Maryland Department of Planning, the Department of Natural Resources and the Department of Agriculture to complete the reviews of proposed Water & Sewerage Plans within the new review timeframes, particularly when the State agencies need to resolve complex issues requiring modifications to the proposed Plans.

To manage the review process in an effective manner and to assist Counties in preparing their Water & Sewerage Plans, it is essential that each County applicant submit a draft Plan or amendment for review prior to submitting their adopted Plan or amendment. In addition, it is essential for each County applicant to complete the relevant sections of the enclosed "Checklist for the Preparation and Submittal of Water and Sewerage Plans" and include the Checklist with their draft Plan or amendment. MDE will strive to provide preliminary comments on draft Plans within six weeks of receipt.

At the State level, it is necessary to have an MDE-approved Water & Sewerage Plan in order to apply for water appropriation permits, wastewater discharge permits, construction permits and MDE grants and loans for water supply and wastewater projects. Similarly, at the local level it is necessary to have an MDE-approved Water & Sewerage Plan in order to apply for building permits and subdivision approvals in water and sewer service areas.

Please note that the best way to obtain timely approval of a proposed Water & Sewer Plan is for the County applicant to:

- 1) Submit a draft W&S Plan/amendment to MDE for preliminary comments, as required by the Maryland Code of Regulations (COMAR);**
- 2) Incorporate MDE's preliminary comments into the adopted Plan/amendment before submittal;**
- 3) Submit an adopted Plan/amendment that fulfills the requirements of COMAR 26.03.01;**
- 4) Submit an adopted W&S Plan/amendment that is consistent with the county comprehensive land use plan; and**
- 5) If the County anticipates applying for MDE funding, submit a Plan/amendment that is consistent with MDP-approved Priority Funding Areas (PFAs) if possible.**

Please find enclosed with this letter:

- An overview of MDE's review process for Water and Sewerage Plans;
- The "Checklist for the Preparation and Submittal of Water and Sewerage Plans"; and
- A copy of SB1040 (2017 Session).

As we implement the provisions of SB1040, MDE looks forward to working with our County colleagues in order to continue to have a successful review and approval process for County Water & Sewerage Plans.

If you need further assistance with these matters, please contact me at (410) 537-3512, toll-free at (800) 633-6101, or by e-mail at [virginia.kearney@maryland.gov](mailto:virginia.kearney@maryland.gov).

Sincerely,

A handwritten signature in blue ink that reads "Virginia F. Kearney". The signature is fluid and cursive, with the first name "Virginia" being the most prominent.

Virginia F. Kearney, Deputy Director  
Water and Science Administration

Enclosures

cc: Mark J. Belton, Secretary, Maryland Department of Natural Resources  
Joseph Bartenfelder, Secretary, Maryland Department of Agriculture  
Robert McCord, Acting Secretary, Maryland Department of Planning  
Ben Grumbles, Secretary, Maryland Department of the Environment

## **OVERVIEW**

### **MDE's Review Process for County Water and Sewerage Plans**

#### **Maryland Department of the Environment**

**Water and Science Administration**

**Water Resources Planning Division**

**November 1, 2017**

#### **Legal References:**

- **Maryland Annotated Code  
Environment Article  
Subtitle 5 - County Water & Sewerage Plans**
- **COMAR 26.03.01 - Planning Water Supply and Sewerage Systems**

#### **Subtitle 5 of the Environment Article sets forth:**

- 1) The requirement for each County to have an approved County Plan for water and sewerage as well as for solid waste;
- 2) The required contents of County Plans;
- 3) The process for reviewing County Plans;
- 4) The Department's authority to approve, disapprove or modify proposed County Plans; and
- 5) The requirements for water supply systems, wastewater disposal systems, solid waste facilities, building permits and subdivision plats to conform to approved County Plans.

A **County Plan** is defined as a comprehensive plan for adequately providing throughout the County (including all towns, municipal corporations and sanitary districts) the following facilities and services by public or private ownership:

- 1) Water supply systems;
- 2) Sewerage systems;
- 3) Solid waste disposal systems;
- 4) Solid waste acceptance facilities; and
- 5) Systematic collection and disposal of solid waste, including litter.

**At the State level, it is necessary to have an MDE-approved Water and Sewerage Plan in order to apply for:**

- 1) Water appropriation permits;
- 2) Wastewater discharge permits;
- 3) Construction permits; and
- 4) MDE grants and loans for water supply and wastewater projects.

**At the local level, it is necessary to have an MDE-approved Water and Sewerage Plan in order to apply for:**

- 1) Building permits in service areas; and
- 2) Subdivision plats in service areas.

**Please note:** The following items pertain specifically to the water and sewerage aspects of County Plans, but not necessarily to the solid waste aspects of County Plans.

Also, wherever the term "plan" is used, it means both "plans and amendments."

**Outline of the review process for County Water & Sewerage Plans (W&S Plans):**

**1) Intake**

The Water Resources Planning Division of the Water and Science Administration (WSA) receives the proposed W&S Plan and enters it into the tracking system. The Division then prepares the review folder; copies and scans the Plan; and prepares and sends the acknowledgement letter.

**2) Distribution**

We then distribute the proposed County W&S Plan to the following State agencies and MDE programs for review:

Department of Agriculture

Department of Natural Resources

Department of Planning

MDE - Compliance Program  
MDE - Sediment and Stormwater Program (only if the Plan involves a dam)  
MDE - Wastewater Permits Program  
MDE - Water Supply Program  
MDE - Wetlands and Waterways Program  
MDE - Other programs as necessary

### **3) Preparation of Comments**

Each unit listed above has 35 days to prepare comments and return their comments to the Water Resources Planning Division. The Water Resources Planning Division reviews the County Plan as well as the State agency / MDE program comments and conveys significant comments to the County (applicant). Sometimes we request supplemental information from the applicant because the proposed Plan does not adhere to the COMAR requirements.

Occasionally, we advise the applicant that it will be necessary to modify the plan in order to approve it. We usually prepare modifications only after consulting with the applicant. This often involves discussions with the County Planning Office, County Health Department, County DPW, the County's engineering consultant, and the County's elected officials. Sometimes, the WSA Director's Office will call a meeting of the WSA reviewers, Administrator of the Engineering and Capital Projects Program, the Director of the Water Quality Financing Administration, and the Assistant Attorney General in order to resolve issues. Often, MDE must discuss the proposed plan in great detail with MDP. Occasionally, an applicant requests a meeting with the WSA Director's Office in order to discuss their proposed W&S Plan.

### **4) Final Action Letter**

The Water Resources Planning Division briefs the WSA Director's Office about the proposed W&S Plan; recommends approval, modification or disapproval; and prepares the final action letter for signature.

The WSA Director or Deputy Director then signs the letter. Next, the Water Resources Planning Division copies, scans and mails the final letter. The Planning Division then scans and finalizes the file on this Plan.

## **Changes to the Review Process as a Result of SB1040**

The Annotated Code of Maryland prior to the enactment of SB1040 provided a time period of 90 days for MDE to approve, modify or disapprove a proposed County Water & Sewerage Plan. The Annotated Code also provided an extension of the review period for up to 90 days.

**As a result of SB1040 (2017 Session), there will be an initial review period of 60 days followed by a review extension of 45 days. SB1040 also provides for a third review period of 45 days if certain requirements are met.**

The shortened review period specified in SB1040 will provide less time for MDE, the Department of Natural Resources (DNR), the Department of Agriculture (MDA, and the Maryland Department of Planning (MDP) to resolve issues that come to light as a result of the review of County Water & Sewer Plans. Water & Sewer Plans contain complex information about:

- a) Population projections;
- b) Commercial and industrial projections;
- c) Future water demand;
- d) Sources of drinking water;
- e) Quality of drinking water;
- f) Locations of wells and well-head protection areas;
- g) Sizes and capacities of water lines and pumps;
- h) Unit processes for drinking water treatment;
- i) Capacities of drinking water systems;
- j) Water conservation;
- k) Drinking water system problems;
- l) Geology, including karst geology;
- m) Groundwater protection areas;
- n) Groundwater contamination areas;
- o) Reservoir watershed protection;
- p) Maps of water service areas and service category designations;
- q) Compliance issues;
- r) Schedules for water supply capital improvement projects;
- s) Future wastewater demand;
- t) Areas with failing septic systems;
- u) Shellfish harvesting areas;
- v) Receiving water standards;

- w) TMDLs;
- x) Nutrient load limitations;
- y) Sizes and capacities of sewer lines and pumps;
- z) Unit processes for wastewater treatment;
- aa) Capacities of wastewater treatment systems;
- bb) Wastewater system problems;
- cc) Maps of sewer service areas and service area designations;
- dd) Compliance issues; and
- ee) Schedules for wastewater capital improvement projects.

**In addition, the service areas shown in the County Water & Sewer Plans must be consistent with the County comprehensive land use plans.**

If the proposed County Water & Sewer Plan does not conform to the COMAR requirements, MDE will make every effort to request supplemental information from the applicant and to resolve issues within the specified review time.

**The best way to obtain timely approval of a proposed Water & Sewer Plan is for the applicant to:**

- 1) Submit a draft W&S Plan to MDE for preliminary comments (as required by COMAR);
- 2) Incorporate MDE's preliminary comments into the adopted Plan before submittal;
- 3) Submit an adopted Plan that fulfills the COMAR requirements for W&S Plans.
- 4) Submit a W&S Plan that is consistent with the County comprehensive land use plan; and
- 5) If the County anticipates applying for MDE funding, submit a plan that is consistent with MDP-approved Priority Funding Areas (PFAs) if possible.

If a County submits a draft Plan to MDE for review that is consistent with the **comprehensive plan**, is consistent with the **PFA areas**, and fulfills the **COMAR requirements**, we will make every effort to **provide preliminary comments on that Plan within six weeks**. (The COMAR regulations require the counties to submit draft Plans, but many counties do not do so.)

If the adopted Plan addresses the preliminary comments that MDE provides, we are usually able to approve the adopted W&S Plan very quickly.

**For additional information, please contact:**

Janice Outen

Water Resources Planning Division

410-271-8893

[janice.ouden@maryland.gov](mailto:janice.ouden@maryland.gov)

or

Teresa Wong

Water Resources Planning Division

410-537-3726

[teresa.wong@maryland.gov](mailto:teresa.wong@maryland.gov)

# **CHECKLIST**

## **FOR THE PREPARATION AND SUBMITTAL OF WATER AND SEWERAGE PLANS**

### **COMAR 26.03.01 REQUIREMENTS**

The purpose of this Checklist is to assist local governments in the preparation and submittal of Water and Sewerage Plans. However, this Checklist does not supercede the requirements of COMAR 26.03.01 or the Annotated Code of Maryland, Environment Article, Subtitle 5.

The information submitted in County Water and Sewerage Plans must be consistent with the information submitted in Water Supply and Wastewater Capacity Management Plans.

**26.03.01.01**      **Definitions: See COMAR attachment.**

**26.03.01.02**      **General Provisions**

- \_\_\_\_\_ 1. Is the plan consistent with county comprehensive planning?
- \_\_\_\_\_ 2. Does the plan incorporate subsidiary plans?
- \_\_\_\_\_ 3. Did the governing body review the plan at least annually?
- \_\_\_\_\_ 4. Was the report of the annual review (with amendments to or revisions of the plan) submitted to MDE?
- \_\_\_\_\_ 5. Is a statement attached indicating that comprehensive planning agencies were consulted?
- \_\_\_\_\_ 6. Were public hearings held on all amendments and revisions to the plan?

**26.03.01.03**      **Sequence of Steps for the Submission of County Plans**

- \_\_\_\_\_ 1. Submit the preliminary plan to the comprehensive planning agency, MDP, DNR and the Department.
- \_\_\_\_\_ 2. Receive all agency comments from MDE, which will act as coordinator.
- \_\_\_\_\_ 3. Hold a public hearing.
- \_\_\_\_\_ 4. Formally adopt the plan.
- \_\_\_\_\_ 5. Prepare the plan in final format.
- \_\_\_\_\_ 6. Submit 4 copies of the final plan to the Department, 1 copy to DNR, and 1 copy to MDP.
- \_\_\_\_\_ 7. Within 6 months after submission, the Department will approve, approve in part, or disapprove the final plan.
- \_\_\_\_\_ 8. After approval, print and distribute at least 50 copies of the plan.
- \_\_\_\_\_ 9. After approval, distribute 4 copies of the approved plan to MDE and 4 copies to DNR.

If applicable, please provide the chapter and page references from the County Plan for each item listed below. For example, include "Intro-2", "II-4", or "IV: 6-10" in the left-hand column.

26.03.01.04

### Minimum Contents of Plans

Each adopted plan shall be arranged with an introduction and a minimum of 4 chapters.

#### Introduction

1. Statement certifying that the county governing board has officially adopted the plan.
2. Statement certifying that the plan incorporates subsidiary plans; and that the governing body gave notice to subsidiary entities and provided an opportunity to be heard.
3. Statement certifying that the sections covering engineering aspects of water and sewerage projects have been prepared and reviewed for adequacy by a registered engineer licensed in the State.
4. The letter of approval from the Department.

#### Chapter I

1. A statement of the goals of the county consistent with county comprehensive planning.
2. A brief discussion, with charts, of the organization of the county government as it relates to the management of water supply and sewerage facilities.

#### Chapter II Background Information

##### 1. Physical -

- a. Maps showing aquifers, soil drainage characteristics, topography, ground water and surface water patterns.
- b. A map or table showing water quality criteria in the county.

##### 2. Population -

- a. General maps showing present and projected population distribution and density.
- b. **Table No. 1: County Population Projections**  
Including county projections, State projections, and other projections for a period of three decades.

### 3. Land Use -

- a. Maps showing existing land use, zoning, and the adopted comprehensive development plan for the county.
- b. **Table No. 2: Land in County**  
Acres and % Total Acreage for several Land Use, Zoned Land, and Comp. Plan categories.
- c. Institutions and Facilities -  
Map showing existing and proposed major public institutions, such as schools, hospitals, correction facilities, government complexes.  
Table showing the approximate populations of the facilities.

### Chapter III Water Supply Systems

- 1. Tables, maps, charts, graphs, descriptive information, and other matter regarding these systems.
- 2. Discuss ground and surface water resources including the quality and potential quantity of these sources.
- 3. Summaries of existing and projected water demands.
- 4. Summaries of existing sources of pollution or contamination related to water supplies.
- 5. A discussion of alternatives and rationale used in determining the means of providing future water supplies.
- 6. For every water service area, the following should be discussed or shown:
  - Operating agency
  - Rated and actual production
  - Type of treatment
  - Location
  - Operation and maintenance cost
  - Proposed means of financing improvements
  - For any proposed new water source: A summary of the environmental impact of its development
  - For any proposed new water supply source: Outline efforts to reduce demands
- 7. **Table No. 3: Projected Water Supply Demands and Planned Capacity**  
(The table provided for intervals of ten years over a three-decade period.)  
  
For each service area:
  - Total Population
  - Served Population
  - GPCD (gallons per capita day)

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**8. Table No. 4: Inventory of Existing Community System Wells**

Well Name or Number

Aquifer

Coordinate Location

Depth of Well

Diameter of Well

Pumping capacity

Water Quality

---

**9. Table 5: Inventory of Existing Impounded Supplies**

List of Owners, grouped in Municipal, Industrial, and Private Community Categories

Crest Elevation (above sea level)

Total Length of Dam

Flooded Area of Crest Elevation

Length of Shore Line at Crest Elevation

Area of Land Owned

Water Overflowed Crest for First Time

Capacity of Reservoir

Safe Yield (MGD)

Average Daily Withdrawal (MGD)

---

**10. Inventory of other surface water supplies showing initial and planned withdrawals (MGD).**

---

**11. Table 6: Inventory of Existing Water Treatment Facilities**

List of Owners, grouped by Municipal (public), Industrial, and Private Community / Industrial categories

Water Source

Type Treatment

Plant Coordinate Location

Rated Plant Capacity (MGD)

Average Production (MGD)

Max. Peak Flow (MGD).

Storage Capacity (MGD)

Planned Expansion MDG/Dates

Method of Sludge Disposal

Operating Agency

- \_\_\_\_\_ 12. Table 7: Inventory of Water Problem Areas Service area  
Location  
Population – Served, Unserved, Total  
Nature of Problem
- \_\_\_\_\_ 13. Table 8: Immediate, 5 and 10-year Priorities for Water Development  
Fiscal Year and Project Number  
County Priority Assigned  
Coordinate Location  
Description  
Estimated Costs (Total, Federal and/or State, Local)  
Local Costs  
Project Status - Construction Start  
Immediate Priority Projects  
5 and 10-Year Period Projects

#### **Chapter IV Sewerage Systems**

- \_\_\_\_\_ 1. Indicate locations of proposed points of waste discharge.
- \_\_\_\_\_ 2. Show how conformance of existing and programmed sewerage facilities meet or will meet the effluent limitations specified in COMAR 26.08.03.01.
- \_\_\_\_\_ 3. Contain a summary of each available point of discharge evaluation, specifically those parts pertaining to protected water uses.
- \_\_\_\_\_ 4. Discuss the rationale of selecting a planned alternative for any proposed treatment facility, pumping station, or interceptor.
- \_\_\_\_\_ 5. For every service area and community system, the following should be discussed:
- Operating agency
  - Design average and peak flows
  - Whether combined or separate collection systems
  - Level and type of treatment given
  - Sludge disposal plans
  - Condition of treatment and transmission facilities
  - Operation and maintenance costs
  - Proposed means of financing improvements

---

**6. Table No. 9: Projected Sewerage Demands and Planned Capacity**

Provide the following columns of information by service area for the next three decades:

Population: Total, Served, Unserved

GPCD (gallons)

Capacity: Demand, Planned

---

**7. Table No. 10: Inventory of Existing Sewage Treatment Plants**

Owner

Treatment Type

Coordinates

Occupied Acres

Vacant Acres

Point of Discharge

Max. Capacity Secondary

Max. Capacity Advanced

Existing Capacity

Average Flow

Peak Flow

Abandonment Date

Operating Agency

---

**8. Table No. 11: Inventory of Problem Areas**

Service Area

Problem Description

Location

Population

Acres

Treatment Capacity

Treatment Demand

Planned Correction

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**9. Table 12: Water Quality Problems due to Storm Drainage Outfalls and to Non-point Sources**

Service Area

Problem Description

Location

Reach Affected

10. **Table 13: Immediate 5 and 10-year Priorities for Sewerage Development**

Fiscal Year and Project Number  
County Priority Assigned  
Coordinate Location  
Description  
Costs:                      Total  
                                 PL 660 Eligibility  
                                 Other Federal  
                                 Local  
  
Project Schedule:      Preliminary Plans  
                                 Start Construction  
                                 Construction

11. **Marinas:** The plan shall include an inventory of problem marinas and include basic planning concepts for sanitary facilities at marinas.

**Technical Requirements of the Plan**

1. Textual materials, tables, charts, graphs, and other illustrations shall be prepared on 8 ½ X 11 inch stock or any other size that can be folded for inclusion in the binder.
2. The Maryland Coordinated Grid System shall be used to determine place locations.
3. All projections shall be made by the decade year.
4. Two maps of the entire county to a scale of approximately 1 inch equal to 1 mile showing, in general, areas served or to be served with community facilities. One map should be for sewerage facilities and the other water supply facilities.
5. Two sets of detailed maps (one for water facilities and the other for sewerage facilities) of each portion of the county shall be prepared on a minimum scale of 1 inch equals 2,000 feet and in sufficient number to show actual areas served or to be served.
6. Amendments or revisions shall be prepared so that the new or additional material may be inserted in the binder in the appropriate places to provide a continuously updated and current comprehensive water and sewerage. Each sheet of the amendment or revision should be dated to show when the change became effective.
7. Measurements can be converted to their metric equivalence when applicable.
8. Delineate on the maps existing or proposed and planned community and multi-use water and sewerage facilities, including wells; reservoirs; intakes; transmissions and feeder mains; storage facilities; interceptor and trunk sewers; pumping stations; force mains; treatment works; outfall sewers; and service areas. Show sizes, or capacities, or both, where appropriate.

\_\_\_\_\_ 9. Delineate on the maps area served by community and multi-use water and sewerage systems which are either existing or under construction. The actual bounds of areas served by these systems should be clearly indicated. The areas so shown in this category shall be shown in Table 14 and shall be referred to as W-1 for water systems and S-1 for sewerage systems.

\_\_\_\_\_ 10. **Table 14: Water and Sewerage Map Symbols**, includes (1) symbols for existing and planned water or sewerage treatment plants; water or sewerage pumping stations; water storage tanks; wells; springs; reservoirs; interceptors, outfalls, raw and treated water transmission mains; force mains; and laterals and feeder mains; and (2) identifiers for existing and planned service areas.

\_\_\_\_\_ 11. Delineate on the maps, areas to be served by extensions of existing community and multi-use water and sewerage systems, which are in the final planning stages. The areas so shown in this category shall be shown in Table 14 and shall be referred to as W-2 for water systems and S-2 for sewerage systems.

\_\_\_\_\_ 12. Delineate on the maps where improvements to construction of, new community and multi-use water supply and sewerage systems will be given immediate priority. The areas so shown in this category shall be shown in Table 14 and shall be referred to as W-3 for water systems and S-3 for sewerage systems.

\_\_\_\_\_ 13. Delineate on the maps areas where improvements to or construction of, new community and multi use water supply and sewer systems will be programmed for the 3 to 5/6 year period. The areas shown in this category shall be shown in Table 14 and shall be referred to as W-4 for water systems and S-4 for sewerage systems.

\_\_\_\_\_ 14. Delineate on the maps those areas where improvements or construction of, new community and multi-use water supply and sewerage systems are programmed for inclusion within the 6/7 through 10-year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-5 for water systems and for sewerage systems.

\_\_\_\_\_ 15. Other maps symbols shall be as shown in Table 14.

#### **26.03.01.05**

#### **Individual Water Supply and Sewerage Systems**

- \_\_\_\_\_ 1. Individual systems not permitted where community facilities are available.
- \_\_\_\_\_ 2. Interim individual systems are allowed.
- \_\_\_\_\_ 3. Individual systems are allowed where community systems are not planned.

**26.03.01.06.1      Flow Data**

**1.   Table 15: Flow Data - Wastewater Treatment Plants**

Name or service area

Design - Hydraulic (mgd)

Design - Organic (ppm)

Flow - Avg. Day (mgd)

Flow - Max. Day and Date

Development Occupancy Units - Existing

Development Occupancy Units - Anticipated - Under Const.

Development Occupancy Units - Anticipated - Not Under Const.

Building Permits for Unexpired PWAs

**2.   Table 15 A: Flow Data - Collector Sewers, Interceptors, Pumping Stations and Force Mains Sewer**

Name or type

Diameter

Flow - Avg. Day

Flow - Design

Number of Pumps

**Pumping Station**

Capacity of Each Pump

Normal Pumping Capacity

Avg. Day Pumpage

**Force Main**

Max. Day Pumpage and Date

Diameter

Design Flow

**26.03.01.07      Compliance with Maryland Water Conservation Plumbing Fixtures Act Documentation shall include:**

1. County agency responsible for enforcement.
2. Summary of county programs:
  - a. Procedures concerning certificate of occupancy;
  - b. Actions concerning sale of fixtures; and
  - c. Procedures for record plats and permits.
3. Description of changes to achieve compliance with MWCPFA.

26.03.01.08

## Financial Management of Public Sewerage Systems

1. Contents of financial management plan:
  - Description of financial roles and relationships.
  - Completed Schedule FS.
2. Before issuance of a State permit for a new public sewerage system:
  - Financial management plan must be adopted as part of the county plan and approved by the Department.
3. The proposed system has been described in a plan amendment adopted by the governing body and approved by the Department.
4. Each plan is required to treat each public sewerage system as a separate entity.
5. Timing of financial management plan submittals.
6. Requirement to send instructions for Schedule FS to county contacts.
7. Additional information, if required:
  - Inventory of plant and equipment
  - Documentation that rates are sufficient to meet O&M costs
  - Billing procedures
  - Bad debt
  - Planned projects and anticipated financing
  - Plant replacement and anticipated financing
  - Escrow accounts
  - Balance sheet

# SENATE BILL 1040

M3

(7lr1833)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Environment and Transportation* —  
Introduced by Senators Ready, Bates, Eckardt, Edwards, and Salling

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 Environment – Water and Sewer and Solid Waste Management Plan Approval

3 FOR the purpose of reducing the number of days that the Department of the Environment  
4 has to take certain actions on a certain proposed plan or a proposed revision or  
5 amendment to a certain plan; reducing the number of days of a certain extension of  
6 a certain review period; authorizing an additional extension of time for a certain  
7 review period, subject to certain notice requirements; requiring a certain notice to  
8 include certain information; requiring the Department to provide certain notice to a  
9 county of a certain approval under certain circumstances; and generally relating to  
10 approval of county water and sewer plans and solid waste management plans by the  
11 Department of the Environment.

12 BY repealing and reenacting, with amendments,

13 Article – Environment

14 Section 9–507

### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Environment**

9–507.

(a) When a county governing body submits its proposed county plan or a proposed revision or amendment of its county plan to the Department, the Department may:

(1) Approve the proposal;

(2) Disapprove the proposal;

(3) If the part approved includes all of the required elements of a county plan, approve the proposal in part and disapprove it in part; or

(4) Modify or take other appropriate action on the proposal.

(b) Before the Department approves or disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall submit the proposal:

(1) To the Department of Natural Resources for advice on natural resources matters;

(2) To the Department of Planning for advice on the consistency of the proposal with the local master plan and other appropriate matters; and

(3) To the Department of Agriculture for advice on the impact of water and sewerage service and solid waste facilities on productive or potentially productive agricultural land.

(c) (1) Except as otherwise provided in this subsection, the Department shall approve, disapprove, or partially approve and partially disapprove each proposed county plan or proposed revision or amendment to a county plan within [90] 60 days after the proposal is submitted to the Department.

(2) For good cause and after notice to the county involved, the Department may extend the [90–day] 60–DAY review period of paragraph (1) of this subsection for an additional [90] ~~90~~ 45 days.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF THE DEPARTMENT REQUIRES ADDITIONAL TIME FOR REVIEW BEYOND WHAT IS PROVIDED IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, A SUPPLEMENTAL ~~60-DAY~~ 45-DAY REVIEW PERIOD MAY BE ADDED AT THE EXPIRATION OF THE ~~30-DAY~~ 45-DAY EXTENSION AUTHORIZED IN PARAGRAPH (2) OF THIS SUBSECTION.

(II) 1. IF THE DEPARTMENT ADDS THE SUPPLEMENTAL ~~60-DAY~~ 45-DAY REVIEW PERIOD AUTHORIZED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THEY MUST PROVIDE WRITTEN NOTICE TO THE AFFECTED COUNTY, THE COUNTY DELEGATION MEMBERS OF THE GENERAL ASSEMBLY, AND THE GOVERNOR NOT LESS THAN 10 DAYS BEFORE THE EXPIRATION OF THE ~~30-DAY~~ 45-DAY EXTENSION AUTHORIZED IN PARAGRAPH (2) OF THIS SUBSECTION.

2. THE WRITTEN NOTICE REQUIRED BY SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL INCLUDE ALL ADDITIONAL REVIEW TIME REQUESTED BY THE DEPARTMENT, INCLUDING THE REASONS FOR FAILING TO COMPLETE THE REVIEW WITHIN THE TIME PERIODS PROVIDED IN THIS SECTION.

(d) (1) If the Department does not disapprove, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan within the review period provided in subsection (c) of this section, the proposal is approved.

(2) THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE OF APPROVAL, ~~WITHOUT CONDITIONS OR RESERVATIONS,~~ TO THE COUNTY IN THE EVENT THAT A LOCAL PLAN, REVISION, OR AMENDMENT RECEIVES APPROVAL IN ACCORDANCE WITH ~~THIS SECTION~~ PARAGRAPH (1) OF THIS SUBSECTION.

(e) (1) Before the Department takes any action under subsection (a) of this section, a county may use its proposed county plan or proposed revision or amendment of its county plan at the county's own risk, if the county governing body has adopted the proposed county plan, revision, or amendment.

(2) After the county governing body adopts the proposed county plan, a person shall follow the provisions of that plan except to the extent that the Department modifies or disapproves that plan.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

## **OVERVIEW**

### **MDE's Review Process for County Water and Sewerage Plans**

#### **Maryland Department of the Environment**

**Water and Science Administration**

**Water Resources Planning Division**

**November 1, 2017**

#### **Legal References:**

- **Maryland Annotated Code  
Environment Article  
Subtitle 5 - County Water & Sewerage Plans**
- **COMAR 26.03.01 - Planning Water Supply and Sewerage Systems**

#### **Subtitle 5 of the Environment Article sets forth:**

- 1) The requirement for each County to have an approved County Plan for water and sewerage as well as for solid waste;
- 2) The required contents of County Plans;
- 3) The process for reviewing County Plans;
- 4) The Department's authority to approve, disapprove or modify proposed County Plans; and
- 5) The requirements for water supply systems, wastewater disposal systems, solid waste facilities, building permits and subdivision plats to conform to approved County Plans.

A **County Plan** is defined as a comprehensive plan for adequately providing throughout the County (including all towns, municipal corporations and sanitary districts) the following facilities and services by public or private ownership:

- 1) Water supply systems;
- 2) Sewerage systems;
- 3) Solid waste disposal systems;
- 4) Solid waste acceptance facilities; and
- 5) Systematic collection and disposal of solid waste, including litter.

**At the State level, it is necessary to have an MDE-approved Water and Sewerage Plan in order to apply for:**

- 1) Water appropriation permits;
- 2) Wastewater discharge permits;
- 3) Construction permits; and
- 4) MDE grants and loans for water supply and wastewater projects.

**At the local level, it is necessary to have an MDE-approved Water and Sewerage Plan in order to apply for:**

- 1) Building permits in service areas; and
- 2) Subdivision plats in service areas.

**Please note:** The following items pertain specifically to the water and sewerage aspects of County Plans, but not necessarily to the solid waste aspects of County Plans.

Also, wherever the term "plan" is used, it means both "plans and amendments."

**Outline of the review process for County Water & Sewerage Plans (W&S Plans):**

**1) Intake**

The Water Resources Planning Division of the Water and Science Administration (WSA) receives the proposed W&S Plan and enters it into the tracking system. The Division then prepares the review folder; copies and scans the Plan; and prepares and sends the acknowledgement letter.

**2) Distribution**

We then distribute the proposed County W&S Plan to the following State agencies and MDE programs for review:

Department of Agriculture

Department of Natural Resources

Department of Planning

MDE - Compliance Program  
MDE - Sediment and Stormwater Program (only if the Plan involves a dam)  
MDE - Wastewater Permits Program  
MDE - Water Supply Program  
MDE - Wetlands and Waterways Program  
MDE - Other programs as necessary

### **3) Preparation of Comments**

Each unit listed above has 35 days to prepare comments and return their comments to the Water Resources Planning Division. The Water Resources Planning Division reviews the County Plan as well as the State agency / MDE program comments and conveys significant comments to the County (applicant). Sometimes we request supplemental information from the applicant because the proposed Plan does not adhere to the COMAR requirements.

Occasionally, we advise the applicant that it will be necessary to modify the plan in order to approve it. We usually prepare modifications only after consulting with the applicant. This often involves discussions with the County Planning Office, County Health Department, County DPW, the County's engineering consultant, and the County's elected officials. Sometimes, the WSA Director's Office will call a meeting of the WSA reviewers, Administrator of the Engineering and Capital Projects Program, the Director of the Water Quality Financing Administration, and the Assistant Attorney General in order to resolve issues. Often, MDE must discuss the proposed plan in great detail with MDP. Occasionally, an applicant requests a meeting with the WSA Director's Office in order to discuss their proposed W&S Plan.

### **4) Final Action Letter**

The Water Resources Planning Division briefs the WSA Director's Office about the proposed W&S Plan; recommends approval, modification or disapproval; and prepares the final action letter for signature.

The WSA Director or Deputy Director then signs the letter. Next, the Water Resources Planning Division copies, scans and mails the final letter. The Planning Division then scans and finalizes the file on this Plan.

## **Changes to the Review Process as a Result of SB1040**

The Annotated Code of Maryland prior to the enactment of SB1040 provided a time period of 90 days for MDE to approve, modify or disapprove a proposed County Water & Sewerage Plan. The Annotated Code also provided an extension of the review period for up to 90 days.

**As a result of SB1040 (2017 Session), there will be an initial review period of 60 days followed by a review extension of 45 days. SB1040 also provides for a third review period of 45 days if certain requirements are met.**

The shortened review period specified in SB1040 will provide less time for MDE, the Department of Natural Resources (DNR), the Department of Agriculture (MDA), and the Maryland Department of Planning (MDP) to resolve issues that come to light as a result of the review of County Water & Sewer Plans. Water & Sewer Plans contain complex information about:

- a) Population projections;
- b) Commercial and industrial projections;
- c) Future water demand;
- d) Sources of drinking water;
- e) Quality of drinking water;
- f) Locations of wells and well-head protection areas;
- g) Sizes and capacities of water lines and pumps;
- h) Unit processes for drinking water treatment;
- i) Capacities of drinking water systems;
- j) Water conservation;
- k) Drinking water system problems;
- l) Geology, including karst geology;
- m) Groundwater protection areas;
- n) Groundwater contamination areas;
- o) Reservoir watershed protection;
- p) Maps of water service areas and service category designations;
- q) Compliance issues;
- r) Schedules for water supply capital improvement projects;
- s) Future wastewater demand;
- t) Areas with failing septic systems;
- u) Shellfish harvesting areas;
- v) Receiving water standards;

- w) TMDLs;
- x) Nutrient load limitations;
- y) Sizes and capacities of sewer lines and pumps;
- z) Unit processes for wastewater treatment;
- aa) Capacities of wastewater treatment systems;
- bb) Wastewater system problems;
- cc) Maps of sewer service areas and service area designations;
- dd) Compliance issues; and
- ee) Schedules for wastewater capital improvement projects.

**In addition, the service areas shown in the County Water & Sewer Plans must be consistent with the County comprehensive land use plans.**

If the proposed County Water & Sewer Plan does not conform to the COMAR requirements, MDE will make every effort to request supplemental information from the applicant and to resolve issues within the specified review time.

**The best way to obtain timely approval of a proposed Water & Sewer Plan is for the applicant to:**

- 1) Submit a draft W&S Plan to MDE for preliminary comments (as required by COMAR);
- 2) Incorporate MDE's preliminary comments into the adopted Plan before submittal;
- 3) Submit an adopted Plan that fulfills the COMAR requirements for W&S Plans.
- 4) Submit a W&S Plan that is consistent with the County comprehensive land use plan; and
- 5) If the County anticipates applying for MDE funding, submit a plan that is consistent with MDP-approved Priority Funding Areas (PFAs) if possible.

If a County submits a draft Plan to MDE for review that is consistent with the **comprehensive plan**, is consistent with the **PFA areas**, and fulfills the **COMAR requirements**, we will make every effort to **provide preliminary comments on that Plan within six weeks**. (The COMAR regulations require the counties to submit draft Plans, but many counties do not do so.)

If the adopted Plan addresses the preliminary comments that MDE provides, we are usually able to approve the adopted W&S Plan very quickly.

**For additional information, please contact:**

Janice Outen

Water Resources Planning Division

410-271-8893

janice.ouden@maryland.gov

or

Teresa Wong

Water Resources Planning Division

410-537-3726

teresa.wong@maryland.gov



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

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NOV 14 2017

Worcester County Admin

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

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

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

**MEMORANDUM**

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** John H. Tustin, P.E., Director of Public Works *JHT*  
**DATE:** November 14, 2017  
**SUBJECT:** Standard Specifications for Water Mains and Sanitary Sewers

**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

In 1994, the County Commissioners adopted a package of Standard Specifications for construction of water and wastewater facilities. The County Water and Wastewater Department had been established as a result of the November 1993 abolishment of the Worcester County Sanitary Commission and no viable standards were in place at that time. The current standards were therefore adopted based upon available information from other jurisdictions throughout the State. p.5

Over the past year, the Department of Public Works, Water and Wastewater Division has been working to update those standards. These updated specifications include information on products and procedures that have been successfully implemented on other projects within the County. Additionally, the document adds a consolidated package of construction details and a listing of specific products approved for use when constructing water and wastewater facilities within the County for turnover to the County Commissioners for future operation and maintenance. p.16  
see note

These specifications are not all-inclusive as they are focused on construction of water and sewer pipelines, pumps and appurtenances. Although some of this information is adaptable to other facilities, mechanical and electrical equipment for pump stations and treatment facilities must still be selected as needed for each particular application.

In accordance with Section PW 5-307(c) of the Public Works Article of the County Code, "The County Commissioners may, by resolution, adopt codes and standards for the construction, operation and use of sanitary facilities". While a public hearing is not required prior to adoption, the Commissioners could consider holding a public hearing if they so desire. We are recommending approval of these specifications by the County Commissioners. Once approved, we will distribute the standards and post them on our website for reference by affected design professionals and contractors who must abide by these new standards.

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

cc: John S. Ross, P.E. Deputy Director  
Jessica Wilson, CPA Enterprise Fund Controller

**RESOLUTION TO REPEAL AND REPLACE  
DESIGN GUIDELINES AND STANDARDS FOR WATER AND WASTEWATER FACILITIES  
IN WORCESTER COUNTY, MARYLAND**

WHEREAS, Section PW 5-307(c) of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland provides that the County Commissioners may, by resolution, adopt codes and standards for the construction, operation and use of sanitary facilities; and

WHEREAS, the County Commissioners of Worcester County, Maryland adopted, on March 8, 1994, a Resolution Adopting Worcester County Department of Water and Wastewater Design Guidelines; and

WHEREAS, the County Commissioners have determined the need to update the design guidelines and standards to include information on products and procedures that have been successfully implemented on other projects within the County and to provide a consolidated package of construction details and a listing of specific products approved for use when constructing water and wastewater facilities within Worcester County for turnover to the County Commissioners of Worcester County, Maryland for future operation and maintenance;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the document entitled "Worcester County, Maryland Design Guidelines for Water and Wastewater Facilities" dated March 8, 1994 is hereby repealed and replaced by the document entitled "Worcester County Department of Public Works Water and Wastewater Division - Standard Specifications and Details for Water Mains & Sewer Mains" dated November 1, 2017, which shall hereafter guide all construction, operation and use of sanitary facilities in Worcester County.

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

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

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

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

\_\_\_\_\_  
Diana Purnell, Vice President

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

\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Theodore J. Elder

\_\_\_\_\_  
Merrill W. Lockfaw, Jr.

\_\_\_\_\_  
Joseph M. Mitrecic

**§ PW 5-306. Services outside service area. [Amended 8-16-2005 by Bill No. 05-11; 12-20-2005 by Bill No. 05-15]**

- (a) Extension of services outside service area. The County Commissioners may allow sanitary services to be extended outside the boundaries of a service area to provide service by contract to another sanitary service area, shared sanitary facility, County project or facility, as determined by the County Commissioners. In all such cases the recipient of such service shall fairly compensate the sanitary service area providing service for maintenance and operation cost and for a proportionate share of the value, as determined by the County Commissioners, of the sanitary facilities required to provide the service. In emergency circumstances, service may be provided to an individual property. In the case of providing service to an individual property, the Commissioners must determine that such service is required because of a bona fide health or environmental emergency. The procedure for providing service outside the service area shall be the same as the procedure for an amendment to a sanitary service area set forth in § PW 5-305 of this Article based upon a petition filed by the owner or owners of the property requesting service or by action of the County Commissioners. The County Commissioners, in order to provide service outside the sanitary service area by contract, shall make all of the factual findings required by § PW 5-305, and the proposal must meet with all of the requirements of this section as well as the requirements of § PW 5-305. In cases where services are provided by contract outside of a sanitary service area the County Commissioners may establish rates and fees at the time of the resolution providing for such service. Such rates may be higher or lower than the rate charged within the sanitary service area providing service as determined by the County Commissioners for good cause. All rates and fees shall be subject to the annual budgetary process of § PW 5-310.
- (b) Temporary services. Upon a recommendation by the Department of Public Works, in cases where it is determined necessary, appropriate, or desirable by the County Commissioners, temporary treatment of wastewater generated in one sanitary service area may be provided in another sanitary service area and/or potable water may be supplied from one sanitary service area to another sanitary service area, provided such temporary arrangement does not exceed three hundred sixty-five consecutive days and provided an agreement shall be entered into between the service areas and executed on behalf of the County Commissioners by the Department of Public Works. No arrangement for inter-service area wastewater treatment or supply of potable water shall be made in cases where the wastewater treating area or potable water supplying area lacks sufficient capacity for such service.

**§ PW 5-307. Construction of sanitary facilities.**

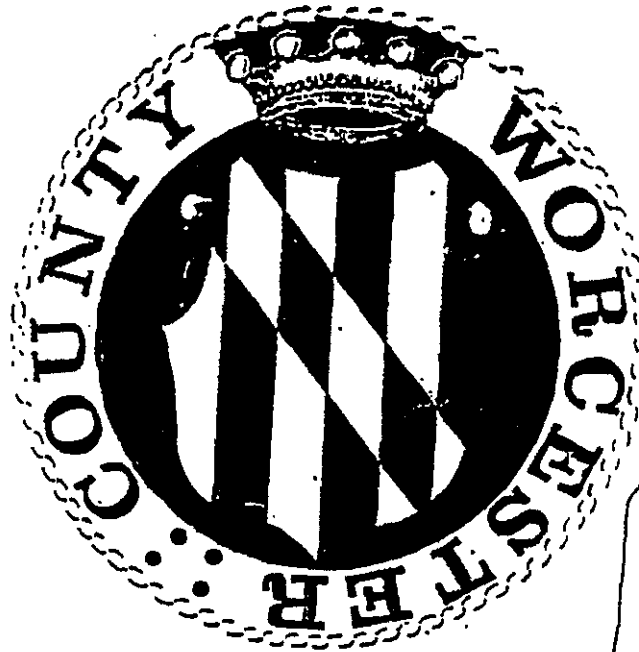
- (a) Construction by developer. Where the proposed sanitary facilities are intended to serve land which is substantially vacant and undeveloped, the developer shall be required to enter into an agreement with the County Commissioners to provide for the construction of the facilities. The agreement shall provide: (1) that the developer shall secure all necessary permits for the benefit of the county, and which may not be modified without the consent of the county, and shall construct the facilities in accordance with all required permits and applicable standards; (2) that the developer shall deed to the county

free and clear of all encumbrances, at the time of the recordation of any subdivision plat or final approval of any site plan all parcels reserved for construction of sanitary facilities; (3) that the developer shall warrant the construction and performance of the sanitary facilities for a period of not less than two years from the date of acceptance by the county and shall post construction and maintenance bonds in an amount to guarantee the warranty which in the case of a maintenance bond shall be no more than 50% of the actual cost of all equipment; (4) that upon completion of the facility and final inspection, approval and acceptance by the county, the developer shall transfer all permits and all those portions of the facility which are not already county property to the county free and clear of all liens and encumbrances and the county shall then assume operational control of the sanitary facilities; (5) for a cash deposit, if required by the resolution establishing the service area, for not less than one year of operation including reasonable reserves for replacement; (6) such requirements for payment of contractors and suppliers as may be required; (7) for any construction bond required by any applicable law or regulation; (8) for any reimbursement to developer for service provided from the facility to third parties and any formula relating thereto; and (9) for such other matters as may be determined by the County Commissioners to be necessary and appropriate. The agreement shall be recorded in the land records of Worcester County at the expense of the developer. Any sanitary facilities constructed by the developer must be of such a capacity to provide service for each equivalent dwelling unit reflected on the developer's subdivision plats or site plans. The County Commissioners may require a developer to construct sanitary facilities of a size and capacity greater than that necessary to serve the proposed development when that additional capacity is needed to serve other existing parcels within the service area. In such a case, those existing parcels shall be established as a sub-area and the sub-area shall be liable for reimbursing the developer for its proportionate share of the costs of the sanitary facilities constructed by the developer.

- (b) Construction by county. Where a sanitary service area or sub-area has been established, the sanitary facilities shall be constructed, expanded or upgraded by the county in accordance with the following procedures.

- (1) The County Commissioners shall cause to be made such studies, plans and specifications as may be necessary to solicit bids and determine the actual cost for the construction and operation of the proposed sanitary facilities.
- (2) The County Commissioners shall hold a public hearing on the cost of the project, which hearing shall be advertised at least once per week for two weeks prior to the hearing in a newspaper of general circulation in the area of the proposed service area. At the hearing the Commissioners may ask for the vote of each property owner in the service area as to whether the project should be constructed but shall not be bound by said vote.
- (3) Following the public hearing the County Commissioners may approve or reject the project for construction. If approved, the County Commissioners may advance funds or may issue bonds as may be authorized by Public General Law, for the construction of the project. The costs incurred in constructing the project shall be considered a debt of the sanitary service area which debt shall be repaid through the levying of and payment of assessments as provided for in this Subtitle.

- (c) Standards. The County Commissioners may, by resolution, adopt codes and standards for the construction, operation and use of sanitary facilities.



Current  
Design Guidelines

WORCESTER COUNTY, MARYLAND

DESIGN GUIDELINES

FOR

WATER AND WASTEWATER FACILITIES

MARCH 8, 1994

RESOLUTIONS ADOPTING "WORCESTER COUNTY DEPARTMENT OF  
WATER AND WASTEWATER DESIGN GUIDELINES"

WHEREAS, the County Commissioners have determined it necessary and appropriate to have design guidelines for water and wastewater facilities and have held public hearings to solicit public input.

NOW, THEREFORE, WE THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND DO HEREBY:

1. Adopt the "Worcester County Department of Water and Wastewater Design Guidelines" as drafted by the Department of Water and Wastewater Services and dated March 8, 1994; and

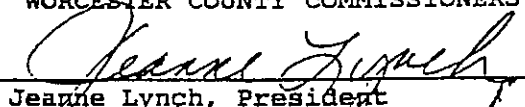
2. Resolve that those projects, or specific project portions, having already been constructed or having already received specific and documented approvals valid as of the date of this Resolution from the Worcester County Sanitary Commission or the Department of Water and Wastewater Services, are hereby exempt from those sections of the Design Guidelines which are inconsistent with the construction so already completed or with the approvals so already granted.

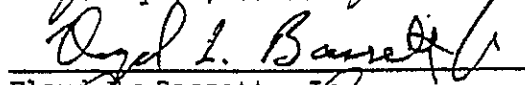
PASSED AND ADOPTED this 8th day of March, 1994.

ATTEST:

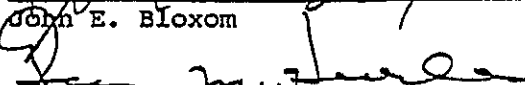
  
John A. Yankus  
Chief Administrative Officer

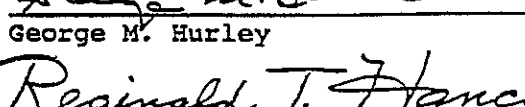
WORCESTER COUNTY COMMISSIONERS

  
Jeanne Lynch, President

  
Floyd L. Bassett, Jr.

  
John E. Bloxom

  
George M. Hurley

  
Reginald T. Hancock

WORCESTER COUNTY  
DEPARTMENT OF WATER & WASTEWATER SERVICES  
DESIGN GUIDELINES

I. GENERAL INFORMATION

- A. Water and Sewerage Systems to be owned and operated by the County shall be designed using sound engineering judgement and general guidelines:

"Design Guidelines for Sewerage Facilities", State of Maryland, dated November 20, 1978.

"Recommended Standards for Sewage Works" (Ten States Standards) latest edition.

"Recommended Standards for Water Works" (Ten States Standards) latest edition.

"Distribution System Requirements for Fire Protection" AWWA Manual B1 latest edition.

"Design Construction of Sanitary and Storm Sewers" WPCF MOP 9, dated 1969.

"Design of Municipal Wastewater Treatment Plants" WEF MOP 8, dated 1992.

"Water Quality and Treatment" AWWA Handbook, dated 1990.

- B. Engineers Report

The design engineer shall prepare an Engineers Report consisting of concept plans for water lines, sewer collection and water and wastewater treatment facilities. The report shall include estimates of capital and O & M costs. Details of the Engineers Report are specifically discussed in subsequent sections. The report shall also note phasing. The engineers report shall be approved by the County prior to execution of a Developer Agreement or preparation of final construction plans.

C. Fee Simple Property, Rights-of-Way and Easements

All sewer pump stations, water booster stations, water storage tanks, wells and water and wastewater treatment facilities shall be located on lots dedicated to the County. Lot sizes shall in accordance with the County Zoning and Subdivision Control Article. Other facilities shall be located within public rights of way or specifically dedicated easements. Rights-of-way or easements shall meet the following requirements:

1. Minimum width shall be twenty feet (20ft).
2. Multiple utilities shall provide minimum of five feet (5ft) additional width for each additional utility.
3. Center line of utility shall be no less than ten feet (10ft) from the edge of right-of-way or easement.
4. For utilities greater than ten feet (10ft) in depth, the distance from the edge of the right-a-way or easement shall be increased by one foot (1ft) for each additional foot in depth.

D. Construction Plan Standards

The construction plans shall meet the following requirements:

1. Professional seal, signature, registration number and date of engineer responsible for design of each sheet.
2. Provide signature block for County approval for each sheet.
3. Utilize 24" x 36" sheets prepared on reproducible mylar.
4. Water and Sewer drawings are separate from other plans such as roadway and drainage yet shall indicate those facilities.
5. Provide title sheet with location plans.
6. Utilize scale of 1" = 50 ft or 1" = 30 ft on plan

view with profiles of water and sewer with vertical scale of 1" = 5 ft.

7. Identify all utility lots, rights-of-way and easements.
8. Identify all survey benchmarks including horizontal and vertical datum.
9. Provide electrical detail drawings for all pertinent facilities.
10. Provide piping schematics for all pertinent facilities, e.g. interior of buildings.

E. Detailed Specifications

Detailed Specifications shall be prepared for all sewer pumping stations, water and wastewater treatment plants and water storage tanks.

F. Permitting

NPDES, Groundwater Discharge Permit, Groundwater Appropriation Permits, State Construction Permits shall all be obtained prior to start of construction.

## II. WATER SYSTEMS

A. Design Flows

1. Average flow shall be estimated as follows:
  - a. As approved by the Maryland Department of Environment.
  - b. Utilize "State Design Guidelines for Sewerage Facilities" for other types of users.
  - c. When existing water flow data is available in the case of expanding an existing development or proposing a new development similar to others in the County, such existing data may be used in determining design water flow.
2. When existing water flow data is available in the case of expanding an existing development or

processing a new development similar to others in the County, such existing data may be used in determining maximum daily flow. Irrigation needs shall be evaluated as part of the Engineers Report. In the absence of such data maximum day flow shall be equal to 2.5 times average flow.

3. When existing water flow data is available in the case of expanding an existing development or proposing a new development similar to others in the County, such existing data may be used in determining maximum hourly flow. In the absence of such data maximum hourly flow shall be determined in accordance with "Diagram for Converting Average Daily Domestic Flow to Peak Flow" contained in "Design Guidelines for Sewerage Facilities", State of Maryland, referenced in Paragraph I.A. above.
4. Where the water system is to provide for fire suppression when required by the Fire Marshall. Fire flow shall be in accordance with "AWWA Distribution System Requirements for Fire Protection".

B. Water Distribution System

1. System shall be sized to provide as a minimum the maximum Day Flow plus Fire Flow. Minimum pressure at a maximum day flow shall be 35 psi on the supply side of the service meter.
2. Minimum residual pressure during Fire Flow is 20 psi. Maximum pressure is 80 psi.
3. Provide looped distribution system as much as possible.
4. Maximum spacing for fire hydrants and valves is 500 ft. for a single family residential areas. All others (multi-family, commercial institutional,

industrial shall have a maximum spacing for fire hydrants and valves is 300 ft.

5. Mains shall be sized to provide adequate pressure as required by these Guidelines.
6. Each parcel of land shall be served by lateral service line with meter.
7. Minimum cover over water mains and laterals to the property line is 3 ft.
8. Provide 10 ft. separation between water lines and sewer lines except at crossings which require 18" vertical separation.
9. Provide separate service with County back flow protection device on all private fire lines.
10. Provide back flow protection device for various connections as required by AWWA M-14.
11. Storage facilities should have sufficient capacity, as determined from the Engineers Report, to meet domestic flows, and where fire protection is provided, fire flows.
12. A combination of pumping and storage may be used to meet maximum hour flow.
13. Water storage facilities shall be in accordance with the Engineers Report and where fire protection is provided shall include facilities which provide system reliability.
14. Water concept plan in Engineers Report shall identify all lines (with sizes) hydrants and valves and storage tank(s) (with size).

C. Water Treatment System

1. Provide a minimum of two wells with total groundwater capacity exceeding Maximum Day Flow with the largest well out of service.
2. Water Treatment Plant Capacity shall equal or exceed maximum day flow.
3. Water Treatment Plants shall be designed in accordance with "Recommended Standards for Water

March 8, 1994

Works" (Ten States Standards) latest edition. All central water supply systems shall include disinfection.

4. Iron and Manganese removal may be met as follows:
  - a. If the sum of iron and manganese in raw water is less than 1.0 milligram per liter (mg/l) treatment may be softening.
  - b. If the sum of iron and manganese in raw water is between 1.0 mg/l and 5.0 mg/l, green sand filters maybe utilized
5. All water treatment plants shall be on separate lots with setbacks, lighting, fencing, paved driveway, bathroom, landscaping & emergency generator.
6. The Engineers Report shall include test well data analyzed for quality and quantity. Also included shall be building with plant layout and a process diagram noting treatment process.
7. The construction plans shall include detailed specifications.

### III. WASTEWATER SYSTEMS

#### A. Design Flows

1. Average flow shall be estimated as follows:
  - a. As approved by the Maryland Department of Environment.
  - b. Utilize state "Design Guidelines for Sewerage Facilities" for other types of users.
  - c. When existing wastewater flow data is available in the case of expanding an existing development or proposing a new development similar to others in the County, such existing data may be used in determining design wastewater flow.
2. Peak flow shall be determined using State "Design Guidelines for Sewerage Facilities".

B. Gravity Sewers

1. System shall be sized to provide peak flow.
2. Minimum main size shall be eight inches (8"). Laterals shall be minimum six inches (6").
3. Minimum slope shall be in accordance with State "Design Guidelines for Sewerage Facilities". In flat areas to avoid excessive excavations or avoid extra pump stations the County may approve the following exceptions:

0.33% for 8" PVC Sewer	.28
0.24% for 10" PVC Sewer	.22
0.20% for 12" PVC Sewer	
4. For upper reaches with flow less than one third pipe diameter, the above exceptions shall not be granted.
5. Manhole head loss is 0.1 feet.
6. Each parcel of land shall be served by a sewer lateral.
7. Minimum cover over all mains and laterals in the right-of-way is 3ft.
8. Maximum depth is 20 feet (invert to grade). An exception may be granted by the County to avoid extra pump stations.
9. Industrial or commercial users may be required to provide sampling manhole.
10. Sewer Concept Plan in Engineers Report shall identify all lines (with sizes) slopes and tops and inverts of all manholes.

C. Vacuum Sewers and Pressure Sewers

Vacuum Sewers and Pressure Sewers may be evaluated on a project in the Engineers Report.

D. Pumping Stations and Force Mains

1. Capacity shall equal or exceed peak flow.
2. Type of station shall be as follows:
  - a. Cast in Place Dry Well - Wet Well for safe pumping capacity exceeding 2.0 mgd.

- b. Package Dry Well - Wet Well or submersible for safe pumping capacity between 0.5 mgd and 2.0 mgd inclusive.
  - c. Suction lift or submersible for capacity less than 500 gpm. Total suction lift shall not exceed 15 ft.
  - d. Ejection type of station is not allowed.
- 3. The Engineers Report shall address alarms, pump controls, flowmetering, standby power, water service with back-flow preventor, bar screen, dehumidifier, sump pump, ventilation, separate lot, fencing, paved driveway and utility lot requirements.
  - 4. Pumping stations shall be designed based on "safe capacity" which shall be defined as the capacity to pump the expected peak flow rate with the largest pumping unit out of service. Stations larger than 700 gpm may be required to provide three pumps which would include one redundant pump.
  - 5. Pump stations with capacity exceeding 700 gpm or force mains exceeding 2000 ft shall be evaluated for water hammer and may require special check valves.
  - 6. Construction plans shall include detailed specifications.
  - 7. Sewer Concept Plan shall identify location size, type and depth of all pump stations.

E. Wastewater Treatment

- 1. Plant treatment capacity shall equal average daily flow with hydraulic capacity for peak flow.
- 2. Provide separate lot with driveway, parking, bathroom, lighting, landscaping, office / lab building, fencing, and emergency generator.
- 3. The Concept Plan in Engineers Report shall include site and building layout and detailed process

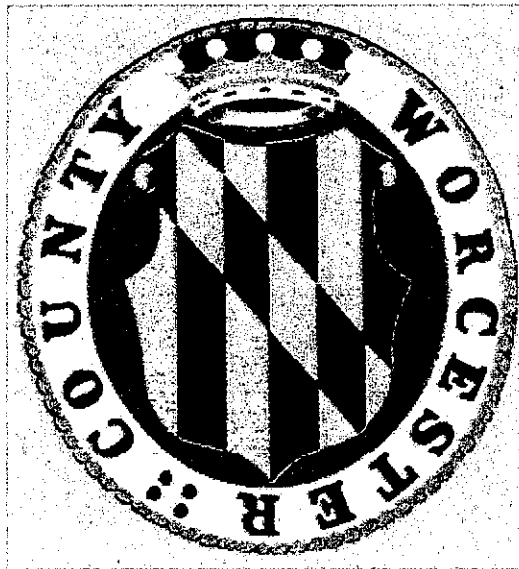
diagram indicating all treatment processes.

4. The construction documents shall include detailed specifications.

March 8, 1994

# WORCESTER COUNTY

## DEPARTMENT OF PUBLIC WORKS WATER AND WASTEWATER DIVISION



Full 236 page  
Document Available  
for review in  
County Administration  
Office and on the  
County Website at  
[www.co.worcester.md.us](http://www.co.worcester.md.us)

NOVEMBER 1, 2017

## STANDARD SPECIFICATIONS AND DETAILS FOR WATER MAINS & SEWER MAINS

WORCESTER COUNTY, MARYLAND

STANDARD SPECIFICATIONS AND DETAILS FOR

WATER MAINS AND SEWER MAINS

NOVEMBER 1, 2017

All Water and Sewer construction projects shall be built in accordance with this document and any adopted revisions. All construction documents shall incorporate the latest revision.

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

8

RECEIVED

NOV 14 2017

Worcester County Admin

JOHN H. TUSTIN, P.E.  
DIRECTOR

JOHN S. ROSS, P.E.  
DEPUTY DIRECTOR

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

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** John H. Tustin, P.E., Director   
**DATE:** November 14, 2017  
**SUBJECT:** Bid Request – Effluent Disposal Discharge Piping  
Mystic Harbour Sanitary Service Area

DIVISIONS

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

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

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

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

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

Attached for your review and approval are bid documents including the Notice to Bidders, Drawings, Specifications and Bidder's List for construction of the effluent disposal discharge connection. The work includes:

- Completion of the discharge piping between the Mystic Harbour Wastewater Treatment Plant and the storage tank at Castaways Campground;
- Installation of discharge pumps to pump the effluent to the golf course;
- Installation of the piping and controls to connect to the Eagle's Landing Golf Course irrigation system; and
- Start-up and testing services.

The total cost for this construction project is estimated to be \$500,000. Funding for the project has been committed by the USDA.

We request the County Commissioner's approval at this time to competitively bid this project. This is a time sensitive project. We are hoping to be able to fully irrigate the Eagles Landing Golf Course during 2018 and beyond.

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

Attachments

cc: John S. Ross, P.E. Deputy Director  
Jessica Wilson, Enterprise Fund Controller

## **BIDDERS' LIST**

### Mystic Harbour Effluent Disposal Connections

Bunting & Murray Construction Corp.  
RD 1, Box 140A  
Selbyville DE 19975  
Phone: 302-436-5144  
Fax: 302-436-1753  
[carrie@buntingandmurray.com](mailto:carrie@buntingandmurray.com)

Hopkins Construction, Inc  
18904 Maranatha Way, #1  
Bridgeville, Delaware 19933  
Phone: 302-337-3366  
Fax: 302-337-3317  
[www.hopcon.com](http://www.hopcon.com)

George & Lynch, Inc  
150 Lafferty Lane  
Dover, Delaware 19901  
Phone: 302-328-6275  
Fax: 302-328-8998  
[mmcgonigal@geolyn.com](mailto:mmcgonigal@geolyn.com)

Bennett Construction, Inc.  
515 S. Camden Avenue  
Fruitland MD 21826  
Phone: 410-749-3116  
Fax: 410-749-6088  
[bruceg@bennett-construction.com](mailto:bruceg@bennett-construction.com)

A-del Construction Company, Inc.  
10 Adel Drive  
Newark, DE 19702-1331  
Email - [cfairer@a-del.com](mailto:cfairer@a-del.com)  
Phone: (302) 893-3964  
Fax: (302) 453-9550

Dixie Construction Company, Inc.  
260 Hopewell Road  
Churchville, MD 21028  
Phone: (410) 879-8055  
Fax: (410) 241-5586  
[ebrown@dixieconst.com](mailto:ebrown@dixieconst.com)

A.P. Croll & Son, Inc.  
PO Box 748  
22997 Lewes-Georgetown Highway  
Georgetown, DE 19947  
Phone: 302-856-6177  
Fax: 302-856-3482  
[mail@apcroll.com](mailto:mail@apcroll.com)

Teal Construction, Inc.  
PO Box 779 – 19903  
612 Mary Street  
Dover, DE 19903  
Phone: 302-678-9500  
Fax: 302-678-9715  
[CR1647@TealConstruction.com](mailto:CR1647@TealConstruction.com)

Black Construction  
P.O. Box 978  
Dover, DE 19903  
Phone: 302-734-3447  
Fax: 302-678-1709

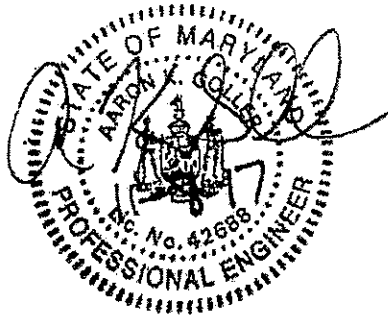
CONTRACT DOCUMENTS  
CONTRACT NO. 0085B030  
USDA – RURAL DEVELOPMENT PROJECT

MYSTIC HARBOR EFFLUENT  
DISCHARGE DISPOSAL

FOR

WORCESTER COUNTY COMMISSIONERS  
DEPARTMENT OF PUBLIC WORKS  
WATER AND SEWER DIVISION  
SNOW HILL, MARYLAND

Full Set of  
Plans and  
Specifications  
Available in  
County Administration  
Office



Prepared by:

DAVIS, BOWEN & FRIEDEL, INC.  
601 East Main Street, Suite 100  
Salisbury, MD 21804  
410-543-9091

NOVEMBER 2017

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**Appendix**

County Roads Permit  
Erosion Sediment Control Exemption  
Stormwater Waiver

**MYSTIC HARBOR EFFLUENT DISCHARGE DISPOSAL****WORCESTER COUNTY, MD****ADVERTISEMENT FOR BIDS**

Sealed Bids, in duplicate, for the construction of the **MYSTIC HARBOR EFFLUENT DISCHARGE DISPOSAL** will be received by **WORCESTER COUNTY COMMISSIONERS**, at the **OFFICE OF THE COUNTY COMMISSIONERS, ROOM 1103 – WORCESTER COUNTY GOVERNMENT CENTER, ONE WEST MARKET STREET, SNOW HILL, MARYLAND 21863**, until 1:00PM local time on **January 8, 2018**, at which time the Bids received will be publicly opened and read.

The Project consists of the installation of a pump station skid, forcemain extensions, SCADA upgrades, meter additions, valve vaults, construction of a wooden weir, and associated electrical connections Work includes furnishing all equipment, material, and labor for the work described in the bid document drawings and specifications.

Bids will be received for a single prime Contract. Bids shall be on a lump sum and unit price basis, with additive alternate bid items as indicated in the Bid Form.

The Issuing Office for the Bidding Documents is: **WORCESTER COUNTY COMMISSIONERS**, at the **OFFICE OF THE COUNTY COMMISSIONERS, ROOM 1103 – WORCESTER COUNTY GOVERNMENT CENTER, ONE WEST MARKET STREET, SNOW HILL, MARYLAND 21863**

Bidding Documents may be obtained from **DiCarlo Precision Instruments, Inc. 2006 Northwood Drive, Salisbury, Maryland 21804 (410-749-0112)**. The date that the Bidding Documents are transmitted by the Issuing Office will be considered the prospective Bidder's date of receipt of the Bidding Documents. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda if any, obtained from sources other than the Issuing Office.

A pre-bid conference will be held at **10:00AM** local time on **December 8, 2017** at **OFFICE OF THE WATER AND WASTEWATE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS, 1000 SHORE LANE, OCEAN PINES, MD 21811**. Attendance at the pre-bid conference is highly encouraged but is not mandatory.

After opening, Bids will be forwarded to the Department of Public Works for tabulation, review, and recommendation to the County Commissioners for their consideration and Bid Award at a future meeting. In awarding the Bid, the Commissioners reserve the right to reject any and all Bids, wave formalities and technicalities therein, and to accept whatever Bid they determine to be in the best interest of the County, while considering the lowest or best Bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

Bid security shall be furnished in accordance with the Instructions to Bidders.

Inquiries shall be directed to:

Owner: **Worcester County Department of Public Works**

By: **Mr. John Ross, P.E.**

Title: **Deputy Director of Public Works**

Phone: **410-641-5251 - Ext. 2412**

Date: **November 21, 2017**

**++ END OF ADVERTISEMENT FOR BIDS ++**

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**ARTICLE 1 – DEFINED TERMS**

1.01 Terms used in these Instructions to Bidders have the meanings indicated in the General Conditions and Supplementary Conditions. Additional terms used in these Instructions to Bidders have the meanings indicated below:

A. *Issuing Office* – The office from which the Bidding Documents are to be issued.

**ARTICLE 2 – COPIES OF BIDDING DOCUMENTS**

2.01 Complete sets of the Bidding Documents may be obtained from the Issuing Office in the number and format stated in the advertisement or invitation to bid.

2.02 Complete sets of Bidding Documents shall be used in preparing Bids; neither Owner nor Engineer assumes any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.

2.03 Owner and Engineer, in making copies of Bidding Documents available on the above terms, do so only for the purpose of obtaining Bids for the Work and do not authorize or confer a license for any other use.

**ARTICLE 3 – QUALIFICATIONS OF BIDDERS**

3.01 This section has been deleted in its entirety from the original EJCDC C-200.

**ARTICLE 4 – SITE AND OTHER AREAS; EXISTING SITE CONDITIONS; EXAMINATION OF SITE; OWNER'S SAFETY PROGRAM; OTHER WORK AT THE SITE**

4.01 *Site and Other Areas*

A. The Site is identified in the Bidding Documents. By definition, the Site includes rights-of-way, easements, and other lands furnished by Owner for the use of the Contractor. Any additional lands required for temporary construction facilities, construction equipment, or storage of materials and equipment, and any access needed for such additional lands, are to be obtained and paid for by Contractor.

4.02 *Existing Site Conditions*

A. Subsurface and Physical Conditions; Hazardous Environmental Conditions

1. The Supplementary Conditions identify:

- a. those reports known to Owner of explorations and tests of subsurface conditions at or adjacent to the Site.
- b. those drawings known to Owner of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities).
- c. reports and drawings known to Owner relating to Hazardous Environmental Conditions that have been identified at or adjacent to the Site.
- d. Technical Data contained in such reports and drawings.

2. Owner will make copies of reports and drawings referenced above available to any Bidder on request. These reports and drawings are not part of the Contract Documents, but the Technical Data contained therein upon whose accuracy Bidder is entitled to rely, as provided in the General Conditions, has been identified and established in the Supplementary Conditions. Bidder is responsible for any

interpretation or conclusion Bidder draws from any Technical Data or any other data, interpretations, opinions, or information contained in such reports or shown or indicated in such drawings.

3. If the Supplementary Conditions do not identify Technical Data, the default definition of Technical Data set forth in Article 1 of the General Conditions will apply.
- B. **Underground Facilities:** Information and data shown or indicated in the Bidding Documents with respect to existing Underground Facilities at or contiguous to the Site are set forth in the Contract Documents and are based upon information and data furnished to Owner and Engineer by owners of such Underground Facilities, including Owner, or others.
- C. **Adequacy of Data:** Provisions concerning responsibilities for the adequacy of data furnished to prospective Bidders with respect to subsurface conditions, other physical conditions, and Underground Facilities, and possible changes in the Bidding Documents due to differing or unanticipated subsurface or physical conditions appear in Paragraphs 5.03, 5.04, and 5.05 of the General Conditions. Provisions concerning responsibilities for the adequacy of data furnished to prospective Bidders with respect to a Hazardous Environmental Condition at the Site, if any, and possible changes in the Contract Documents due to any Hazardous Environmental Condition uncovered or revealed at the Site which was not shown or indicated in the Drawings or Specifications or identified in the Contract Documents to be within the scope of the Work, appear in Paragraph 5.06 of the General Conditions.

#### 4.03 *Site Visit and Testing by Bidders*

- A. Bidder shall conduct the required Site visit during normal working hours, and shall not disturb any ongoing operations at the Site.
- B. Bidder is not required to conduct any subsurface testing, or exhaustive investigations of Site conditions. **However, Bidder is responsible for making reasonable inspections of Site conditions in accordance with Article 5 hereof.**
- C. On request, and to the extent Owner has control over the Site, and schedule permitting, the Owner will provide Bidder access to the Site to conduct such additional examinations, investigations, explorations, tests, and studies as Bidder deems necessary for preparing and submitting a successful Bid. Owner will not have any obligation to grant such access if doing so is not practical because of existing operations, security or safety concerns, or restraints on Owner's authority regarding the Site.
- D. Bidder shall comply with all applicable Laws and Regulations regarding excavation and location of utilities, obtain all permits, and comply with all terms and conditions established by Owner or by property owners or other entities controlling the Site with respect to schedule, access, existing operations, security, liability insurance, and applicable safety programs.
- E. Bidder shall fill all holes and clean up and restore the Site to its former condition upon completion of such explorations, investigations, tests, and studies.

#### 4.04 *Owner's Safety Program*

- A. Site visits and work at the Site may be governed by an Owner safety program. As the General Conditions indicate, if an Owner safety program exists, it will be noted in the Supplementary Conditions.

#### 4.05 *Other Work at the Site*

- A. Reference is made to Article 8 of the Supplementary Conditions for the identification of the general nature of other work of which Owner is aware (if any) that is to be performed at

the Site by Owner or others (such as utilities and other prime contractors) and relates to the Work contemplated by these Bidding Documents. If Owner is party to a written contract for such other work, then on request, Owner will provide to each Bidder access to examine such contracts (other than portions thereof related to price and other confidential matters), if any.

#### ARTICLE 5 – BIDDER’S REPRESENTATIONS

5.01 It is the responsibility of each Bidder before submitting a Bid to:

- A. examine and carefully study the Bidding Documents, and any data and reference items identified in the Bidding Documents;
- B. visit the Site, conduct a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfy itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work;
- C. become familiar with and satisfy itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work;
- D. carefully study all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings;
- E. consider the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder’s safety precautions and programs;
- F. agree, based on the information and observations referred to in the preceding paragraph, that at the time of submitting its Bid no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of its Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents;
- G. become aware of the general nature of the work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents;
- H. promptly give Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder discovers in the Bidding Documents and confirm that the written resolution thereof by Engineer is acceptable to Bidder;
- I. determine that the Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work; and
- J. agree that the submission of a Bid will constitute an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, that without

exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

#### ARTICLE 6 – PRE-BID CONFERENCE

- 6.01 A pre-Bid conference will be held at the time and location stated in the invitation or advertisement to bid. The pre-Bid conference is not mandatory, but Bidders are encouraged to attend and participate in the pre-Bid conference. Representatives of Owner and Engineer will be present to discuss the Project. Engineer will transmit to all prospective Bidders of record such Addenda as Engineer considers necessary in response to questions arising at the conference. Oral statements may not be relied upon and will not be binding or legally effective.

#### ARTICLE 7 – INTERPRETATIONS AND ADDENDA

- 7.01 All questions about the meaning or intent of the Bidding Documents are to be submitted to Engineer in writing. Interpretations or clarifications considered necessary by Engineer in response to such questions will be issued by Addenda delivered to all parties recorded as having received the Bidding Documents, **but it shall be the Bidder's responsibility to make inquiry as to the addenda issued.** Questions received less than seven days prior to the date for opening of Bids may not be answered. Only questions answered by Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
- 7.02 Addenda may be issued to clarify, correct, supplement, or change the Bidding Documents. **All Bidders shall acknowledge receipt of all Addenda on the Bid Form. Failure to do so will result in Bid rejection.**

#### ARTICLE 8 – BID SECURITY

- 8.01 A Bid must be accompanied by Bid security made payable to Owner in an amount of **five (5%)** percent of Bidder's maximum Bid price (determined by adding the base bid and all alternates) and in the form of a certified check, bank money order, or a Bid bond (on the form included in the Bidding Documents) issued by a surety meeting the requirements of Paragraphs 6.01 and 6.02 of the General Conditions. **The Bid Bond included in the Bidding Documents must be completed and submitted with the Bid. All Bids without the properly executed Bid Bond in the format as required herein may be rejected.**
- 8.02 The Bid security of the apparent Successful Bidder will be retained until Owner awards the contract to such Bidder, and such Bidder has executed the Contract Documents, furnished the required contract security, and met the other conditions of the Notice of Award, whereupon the Bid security will be released. If the Successful Bidder fails to execute and deliver the Contract Documents and furnish the required contract security within 20 days after the Notice of Award, Owner may consider Bidder to be in default, annul the Notice of Award, and the Bid security of that Bidder will be forfeited, **in which case the Bid security accompanying the proposal shall become the property of Owner. The next low Bidder in order of Bid price shall then be considered the lowest responsive Bidder and the Contract will be awarded to him. Should this Bidder default, the next low Bidder shall be considered and so on. In each case, a defaulting Bidder forfeits the Bid security.**
- 8.03 The Bid security of other Bidders that Owner believes to have a reasonable chance of receiving the award may be retained by Owner until the earlier of seven days after the Effective Date of the Contract or 61 days after the Bid opening, whereupon Bid security furnished by such Bidders will be released.

**ARTICLE 9 – CONTRACT TIMES**

- 9.01 After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time (as duly adjusted pursuant to the Contract for completion and readiness for final payment, Contractor shall pay Owner \$1080.00 for each day that expires after such time until the Work is completed and ready for final payment. Bidders must be prepared to complete the work within the Contract term as defined in these documents and as noted as the completion date on the Notice To Proceed.

**ARTICLE 10 – LIQUIDATED DAMAGES**

- 10.01 Provisions for liquidated damages, if any, for failure to timely attain a Milestone, Substantial Completion, or completion of the Work in readiness for final payment, are set forth in the Agreement.

**ARTICLE 11 – SUBSTITUTE AND “OR-EQUAL” ITEMS**

- 11.01 The Contract for the Work, if awarded, will be on the basis of materials and equipment specified or described in the Bidding Documents, and those “or-equal” or substitute or materials and equipment subsequently approved by Engineer prior to the submittal of Bids and identified by Addendum. No item of material or equipment will be considered by Engineer as an “or-equal” or substitute unless written request for approval has been submitted by Bidder and has been received by Engineer at least 15 days prior to the date for receipt of Bids in the case of a proposed substitute and 5 days prior in the case of a proposed “or-equal.”. Each such request shall comply with the requirements of Paragraphs 7.04 and 7.05 of the General Conditions. The burden of proof of the merit of the proposed item is upon Bidder. Engineer’s decision of approval or disapproval of a proposed item will be final. If Engineer approves any such proposed item, such approval will be set forth in an Addendum issued to all prospective Bidders. Bidders shall not rely upon approvals made in any other manner. **Substitutes and “or-equal” materials and equipment may be proposed by Contractor in accordance with Paragraphs 7.04 and 7.05 of the General Conditions after the Effective Date of the Contract.**
- 11.02 All prices that Bidder sets forth in its Bid shall be based on the presumption that the Contractor will furnish the materials and equipment specified or described in the Bidding Documents, as supplemented by Addenda. Any assumptions regarding the possibility of post-Bid approvals of “or-equal” or substitution requests are made at Bidder’s sole risk.
- 11.03 If an award is made, Contractor shall be allowed to submit proposed substitutes and “or-equals” in accordance with the General Conditions.

**ARTICLE 12 – SUBCONTRACTORS, SUPPLIERS, AND OTHERS**

- 12.01 Bidders must submit to Owner a list of the Subcontractors proposed for each type of work identified in the Bid Form.

If Owner or Engineer, after due investigation, has reasonable objection to any proposed Subcontractor, Supplier, individual, or entity, Owner may, before the Notice of Award is given, request apparent Successful Bidder to submit an acceptable substitute, in which case apparent Successful Bidder shall submit a substitute, Bidder’s Bid price will be increased (or decreased) by the difference in cost occasioned by such substitution, and Owner may consider such price adjustment in evaluating Bids and making the Contract award.

- 12.02 If apparent Successful Bidder declines to make any such substitution, Owner may award the Contract to the next lowest Bidder that proposes to use acceptable Subcontractors, Suppliers, or other individuals or entities. Declining to make requested substitutions will constitute grounds for forfeiture of the Bid security of any Bidder. Any Subcontractor, Supplier, individual, or entity so listed and against which Owner or Engineer makes no written objection prior to the giving of the Notice of Award will be deemed acceptable to Owner and Engineer subject to subsequent revocation of such acceptance as provided in Paragraph 7.06 of the General Conditions.
- 12.03 **Contractor shall not be required to employ any Subcontractor, Supplier, individual, or entity against whom Contractor has reasonable objection.**
- 12.04 **The Contractor shall not award work to Subcontractor(s) in excess of the limits stated in SC 7.06.**
- 12.05 **Subcontractors shall be duly licensed in the State of Maryland and meet the requirements of COMAR.**
- 12.06 **Each Bidder shall complete the "Listing of Subcontractors" in its entirety. Failure to do so may render the Bid Form non-responsive and may be grounds for its rejection by Owner.**
- 12.07 Contractor shall provide Owner within thirty (30) days of signing the Agreement copies of all business or occupational licenses required of Subcontractors that will perform work on the Contract. If a Subcontractor is hired or contracted more than twenty (20) days after Contractor signed the Agreement the occupational or business licenses of the Subcontractors shall be provided to Owner within ten (10) days of being contracted or hired. These timeframes do not preclude Owner from making an earlier request for a copy of the business or occupational licenses of the Subcontractors in performing an investigation of a Subcontractor under this Article.

#### ARTICLE 13 – PREPARATION OF BID

- 13.01 The Bid Form is included with the Bidding Documents.
- A. All blanks on the Bid Form shall be completed in ink or **typewritten** and the Bid Form signed in ink. Erasures or alterations shall be initialed in ink by the person signing the Bid Form. A Bid price shall be indicated for each section, Bid item, alternate, adjustment unit price item, and unit price item listed therein. **Failure to comply may be cause for rejection. No allowances, segregated Bids or assignments will be considered. State all amounts in numerical figures. A Bidder shall make no additional stipulations on the Bid Form to qualify his Bid by attachments or any other matter. Stipulations or qualifications will be subject to Bid rejection.**
- 13.02 A Bid by a corporation shall be executed in the corporate name by a corporate officer (whose title must appear under the signature). The corporate address and state of incorporation shall be shown. The corporate seal shall be affixed and attested by the corporate secretary or an assistant corporate secretary.
- 13.03 A Bid by a limited liability company shall be executed in the name of the firm by a member or other authorized person. The state of formation of the firm and the official address of the firm shall be shown.
- 13.04 A Bid by an individual shall show the Bidder's name and official address.
- 13.05 A Bid by a joint venture shall be executed by an authorized representative of each joint venturer in the manner indicated on the Bid Form. The official address of the joint venture shall be shown.

- 13.06 All names shall be printed in ink below the signatures.
- 13.07 The Bid shall contain an acknowledgment of receipt of all Addenda, the numbers of which shall be filled in on the Bid Form.
- 13.08 The Bid shall contain the State of Maryland business license, or Bidder shall submit evidence in writing that it has initiated the license process in accordance with the State of Maryland Code and provide a written covenant that it shall obtain such license prior to the award of the Contract and attach such covenant to the Bid. Bidder's state contractor license number, if any, shall also be shown on the Bid Form.
- 13.09 **Each Bid must be accompanied by the completed Certification of Bidder, Listing of Subcontractors, and any other required bid submission forms.**

#### ARTICLE 14 – BASIS OF BID

14.01 *Lump Sum*

- A. Bidders shall submit a Bid on a lump sum basis as set forth in the Bid Form.

14.02 *Unit Price*

- A. Bidders shall submit a Bid on a unit price basis for each item of Work listed in the unit price section of the Bid Form.
- B. The "Bid Price" (sometimes referred to as the extended price) for each unit price Bid item will be the product of the "Estimated Quantity" (which Owner or its representative has set forth in the Bid Form) for the item and the corresponding "Bid Unit Price" offered by the Bidder. The total of all unit price Bid items will be the sum of these "Bid Prices"; such total will be used by Owner for Bid comparison purposes. The final quantities and Contract Price will be determined in accordance with Paragraph 13.03 of the General Conditions.
- C. Discrepancies between the multiplication of units of Work and unit prices will be resolved in favor of the unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum.

14.03 *Allowances*

- A. For cash allowances the Bid price shall include such amounts as the Bidder deems proper for Contractor's overhead, costs, profit, and other expenses on account of cash allowances, if any, named in the Contract Documents, in accordance with Paragraph 13.02.B of the General Conditions.

#### ARTICLE 15 – SUBMITTAL OF BID

- 15.01 Within each copy of the Bidding Documents, the Bid Form is to be completed and submitted with the Bid security and the other documents required to be submitted under the terms of Article 7 of the Bid Form.
- 15.02 A Bid shall be received no later than the date and time prescribed and at the place indicated in the advertisement or invitation to bid and shall be **sealed** in a plainly marked package with the Project title, **the Bid Opening date and time, and the Bidder's name, address and Maryland license number. Each bid shall be completed on the forms provided.** If a Bid is sent by mail or other delivery system, the sealed envelope containing the Bid shall be enclosed in a separate package plainly marked on the Lower right hand corner with the notation "BID ENCLOSED – Eagles Landing Irrigation." A mailed Bid shall be addressed to **WORCESTER COUNTY**, at the

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

- 15.03 Bids received after the date and time prescribed for the opening of bids, or not submitted at the correct location or in the designated manner, will not be accepted and will be returned to the Bidder unopened. **Oral, telegraphic, electronic, or telephonic Bids are invalid and will not receive consideration.**

#### **ARTICLE 16 – MODIFICATION AND WITHDRAWAL OF BID**

- 16.01 A Bid may be withdrawn by an appropriate document duly executed in the same manner that a Bid must be executed and delivered to the place where Bids are to be submitted prior to the date and time for the opening of Bids. Upon receipt of such notice, the unopened Bid will be returned to the Bidder.
- 16.02 If a Bidder wishes to modify its Bid prior to Bid opening, Bidder must withdraw its initial Bid in the manner specified in Paragraph 16.01 and submit a new Bid prior to the date and time for the opening of Bids.
- 16.03 **Bids may not be withdrawn within sixty (60) days after the Bid Opening.**

#### **ARTICLE 17 – OPENING OF BIDS**

- 17.01 Bids will be opened at the time and place indicated in the advertisement or invitation to bid and, unless obviously non-responsive, read aloud publicly. An abstract of the amounts of the base Bids and major alternates, if any, will be made available to Bidders after the opening of Bids.

#### **ARTICLE 18 – BIDS TO REMAIN SUBJECT TO ACCEPTANCE**

- 18.01 All Bids will remain subject to acceptance for the period of time stated in the Bid Form, but Owner may, in its sole discretion, release any Bid and return the Bid security prior to the end of this period.

#### **ARTICLE 19 – EVALUATION OF BIDS AND AWARD OF CONTRACT**

- 19.01 Owner reserves the right to reject any or all Bids, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional Bids. Owner will reject the Bid of any Bidder that Owner finds, after reasonable inquiry and evaluation, to not be responsible.
- 19.02 If Owner awards the contract for the Work, such award shall be to the responsible Bidder submitting the lowest responsive Bid.
- 19.03 Evaluation of Bids
- A. In evaluating Bids, Owner will consider whether or not the Bids comply with the prescribed requirements, and such alternates, unit prices, and other data, as may be requested in the Bid Form or prior to the Notice of Award.
- 19.04 In evaluating whether a Bidder is responsible, Owner will consider the qualifications of the Bidder and may consider the qualifications and experience of Subcontractors and Suppliers proposed for those portions of the Work for which the identity of Subcontractors and Suppliers must be submitted as provided in the Bidding Documents.
- 19.05 Owner may conduct such investigations as Owner deems necessary to establish the responsibility, qualifications, and financial ability of Bidders and any proposed Subcontractors or Suppliers.

**ARTICLE 20 – BONDS AND INSURANCE**

- 20.01 Article 6 of the General Conditions, as may be modified by the Supplementary Conditions, sets forth Owner's requirements as to performance and payment bonds and insurance. When the Successful Bidder delivers the Agreement (executed by Successful Bidder) to Owner, it shall be accompanied by required bonds and insurance documentation.

**ARTICLE 21 – SIGNING OF AGREEMENT**

- 21.01 When Owner issues a Notice of Award to the Successful Bidder, it shall be accompanied by the unexecuted counterparts of the Agreement along with the other Contract Documents as identified in the Agreement. Within 20 days thereafter, Successful Bidder shall execute and deliver the required number of counterparts of the Agreement (and any bonds and insurance documentation required to be delivered by the Contract Documents) to Owner. Owner shall deliver one fully executed counterpart of the Agreement to Successful Bidder. Owner shall not be bound by these Contract Documents by agreement until both parties have executed the Agreement, and a fully executed Agreement has been delivered to Contractor.

**ARTICLE 22 – STATE TAXES**

- 22.01 The Contractor shall be responsible for requesting an exempt status from the Owner for the payment of any state taxes, if any, assessed in relation to the Work, including but not limited to gross receipt taxes.

**ARTICLE 23 – CONTRACTS TO BE ASSIGNED**

- 23.01 This section has been deleted in its entirety from the original EJCDC C-200.

**ARTICLE 24-WAGE RATE REQUIREMENTS**

- 24.01 If the contract price is in excess of \$100,000, provisions of the Contract Work Hours and Safety Standards Act at 29 CFR 5.5(b) apply.
- 24.02 State of Maryland Prevailing Wage Rates and Davis Bacon Wage Rates DO NOT apply to this project.

**ARTICLE 25 – REGULATIONS**

- 25.01 If a conflict exists between the federal, state, and local regulations in the Contract Documents, the most stringent requirement will govern.
- 25.02 The Contractor is hereby advised that this contract must meet the requirements the Consolidated Appropriations Act, 2014 (Act), including the "American Iron and Steel (AIS)" per section 436 that requires Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) assistance recipients to use iron and steel products that are produced in the United States for projects for the construction, alteration, maintenance, or repair of a public water system or treatment works.

**BID FORM**

MYSTIC HARBOR EFFLUENT DISCHARGE DISPOSAL  
WORCESTER COUNTY CONTRACT

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**ARTICLE 1 – BID RECIPIENT**

1.01 This Bid is submitted to:

**OFFICE OF THE COUNTY COMMISSIONERS  
ROOM 1103  
WORCESTER COUNTY GOVERNMENT CENTER  
ONE WEST MARKET STREET  
SNOW HILL, MARYLAND 21863**

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

**ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS**

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

**ARTICLE 3 – BIDDER’S REPRESENTATIONS**

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations

obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

#### ARTICLE 4 – BIDDER'S CERTIFICATION

##### 4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
  - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
  - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.
- E. There has been no violation of copyrights or patent rights in manufacturing, producing or selling the product or services shipped or ordered as a result of this Bid. The successful

Bidder shall, at his own expense, defend any and all actions or suits charging such infringements, and will save Worcester County, and its appointed and elected officials, officers, partners, directors, employees, and agents harmless from any and all liability, loss, or expense occasioned by any such violation.

**ARTICLE 5 – BASIS OF BID**

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

ITEM NO.	DESCRIPTION OF WORK	SIZE OR DEPTH	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE
1.	Mobilization, Bonds, and Insurance (Max. 5% of Base Bid )	--	LS	--		
2.	Furnish and Install Effluent Pump Station (Complete)	--	LS	1		
3.	Furnish and Install Force Main	8"	LF	940		
4.	Furnish and Install Flow Meter Vault	--	EA	2		
5.	Furnish and Install Automated Valve Vault	--	LS	1		
6.	Clean and Perform CCTV Inspection of the Pond Connector Pipe		LF	350		
7.	Furnish and Install all Materials and Labor Required for the Eagles Landing Pond Weir	--	LS	1		
8.	Furnish and Install Plug Valves	8"	EA	8		
9.	Furnish and install Electrical Equipment and Programming	--	LS	--		
<b>Contingency Items (if and as directed by Engineer)</b>						
10.	Miscellaneous Excavation & Backfill for Test Pitting	--	CY	200		
11.	Furnish & Place Select Backfill	--	CY	5,000		
12.	Excavation Below Subgrade & Gravel Refill	--	CY	60		
13.	Furnish & Place Miscellaneous Concrete	--	CY	20		
14.	Furnish and Install Additional Fittings <u>NOT</u> Shown on the Plans	All Sizes and Types	LBS	1,000		
<p style="text-align: right;"><b>TOTAL BASE BID \$</b> _____</p> <p><b>(Written Amount)</b> _____</p>						

- 5.02 Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

#### **ARTICLE 6 –**

#### **ARTICLE 6 – TIME OF COMPLETION**

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

#### **ARTICLE 7 – ATTACHMENTS TO THIS BID**

- 7.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid Bond;
  - B. Listing of Proposed Subcontractors;
  - C. List of Major Products or Equipment;
  - D. State of MD contractor license; or evidence that Contractor has initiated the license process and a written covenant to obtain such license prior to the award of the Contract.
  - E. Certification Regarding Compliance With Equal Opportunity Requirements/Non-Segregated Facilities Certification;
  - F. If Bid amount exceeds \$10,000, signed Compliance Statement (RD 400-6). Refer to specific equal opportunity requirements set forth in the Supplemental General Conditions;
  - G. If Bid amount exceeds \$25,000, signed Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions (AD-1048);
  - H. If Bid amount exceeds \$100,000, signed RD Instruction 1940-Q, Exhibit A-1, Certification for Contracts, Grants, and Loans; and
  - I. Certification of Bidder
- 7.02 The Bidder's failure to provide a proper and current copy of its contractor license or evidence in writing that it has initiated the license process may result in rejection of its Bid.

#### **ARTICLE 8 – DEFINED TERMS**

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

**ARTICLE 9 – BID SUBMITTAL**

BIDDER:

By:

*Signature* \_\_\_\_\_*Printed name* \_\_\_\_\_

Attest:

*Signature* \_\_\_\_\_*Printed name* \_\_\_\_\_

Title: \_\_\_\_\_

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

Address for giving notices:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

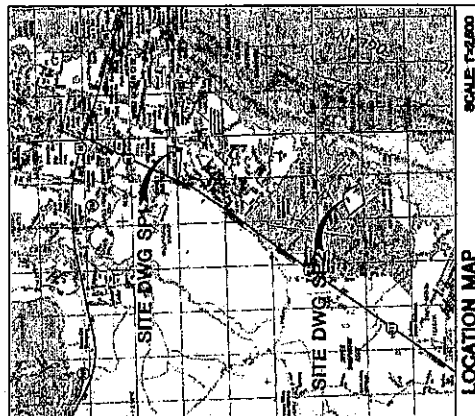
Fax Number: \_\_\_\_\_

Contact Name and e-mail address: \_\_\_\_\_  
\_\_\_\_\_

Bidder's License No.: \_\_\_\_\_

***Affix Corporate Seal  
and Acknowledge  
All Addenda***

**DISTRICT NO. 3, WORCESTER COUNTY, MARYLAND**  
**CONTRACT NO. 0085B030.A01 JULY 2017**



## GENERAL NOTES

- [illegible]

## ABBREVIATION TABLE

[illegible]

## INDEX OF DRAWINGS:

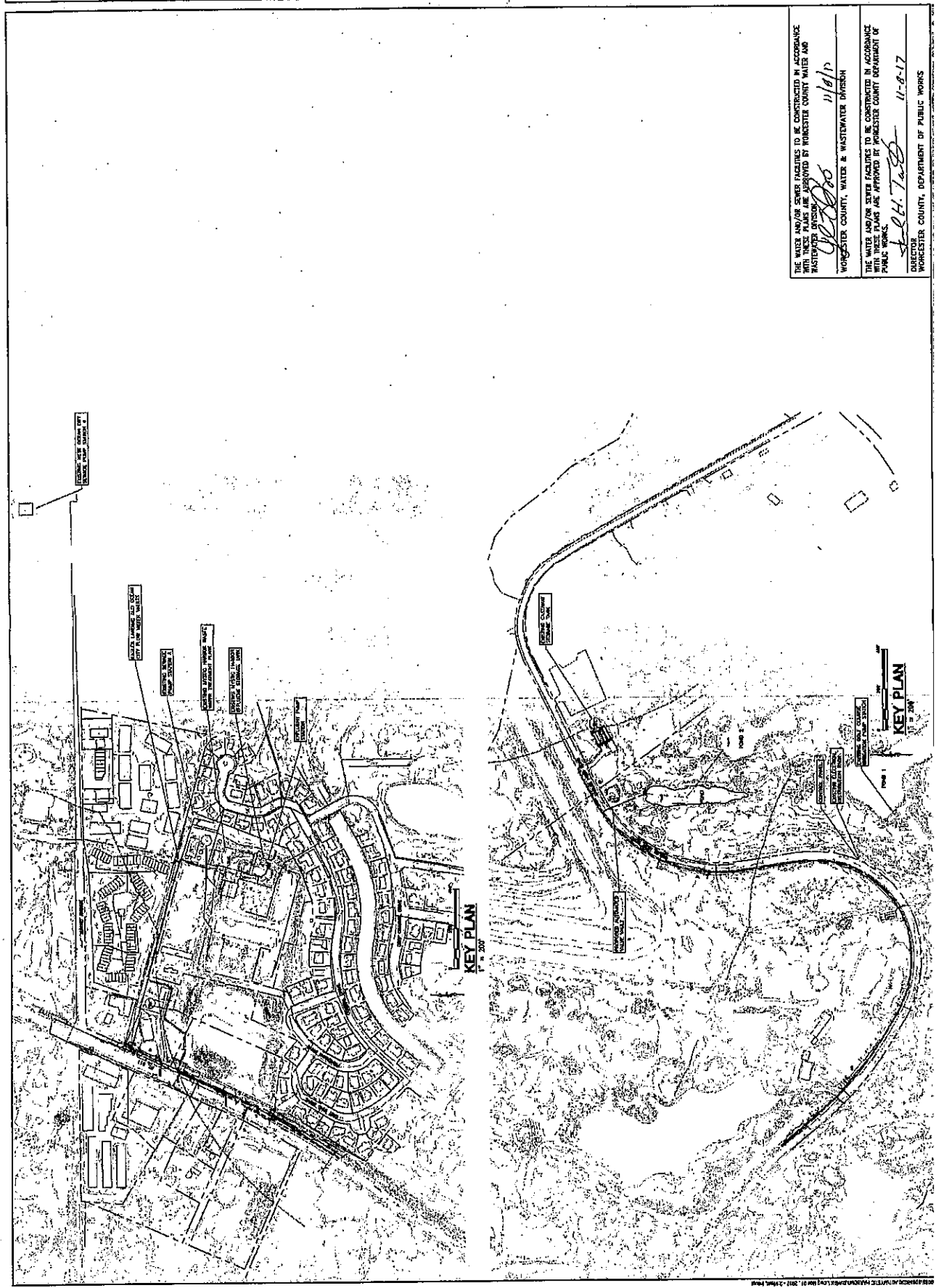
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THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY WATER AND

WASTEWATER DIVISION  
Worcester County, Water & Wastewater Division  
4/25/17

THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY DEPARTMENT OF

PUBLIC WORKS  
10-23-17

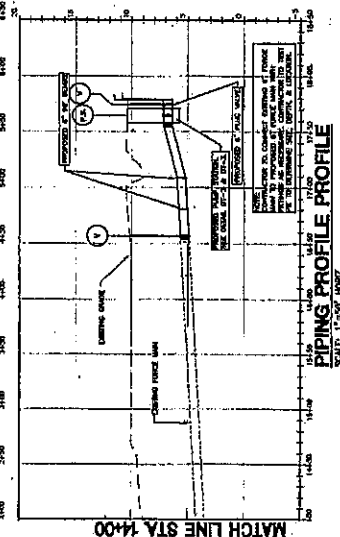
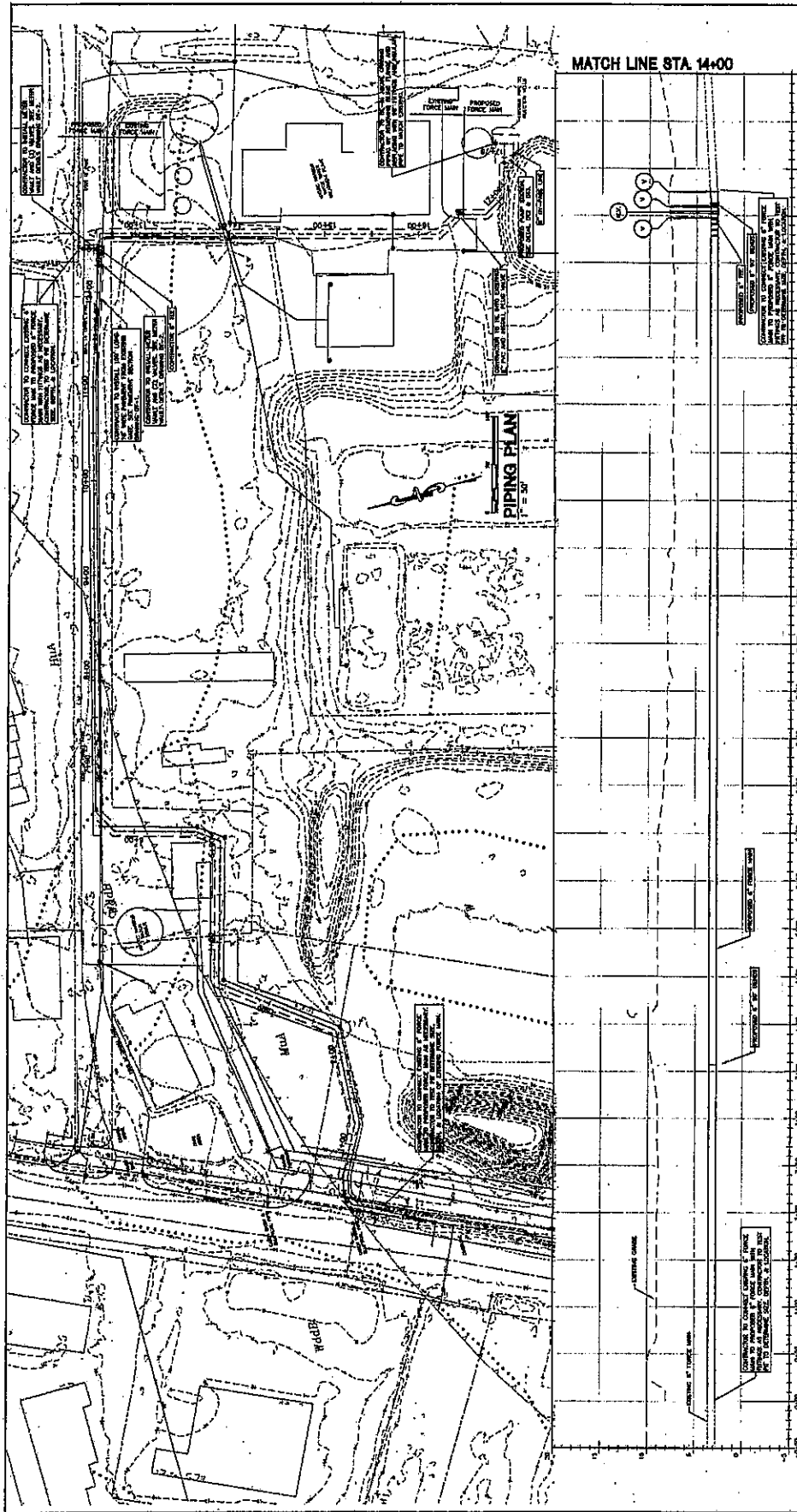


DATE	JULY 2017
FROM	AS NOTED
THRU	FAR
NO. OF	00058030A01

MYSTIC HARBOUR EFFLUENT DISCHARGE DISPOSAL  
WORCESTER COUNTY PUBLIC WORKS  
DISTRICT NO. 3, WORCESTER COUNTY, MARYLAND

**DAVIS,  
BOWEN &  
FRIEDEL, INC.**

**SITE PLAN**



THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY WATER AND WASTEWATER DIVISION.

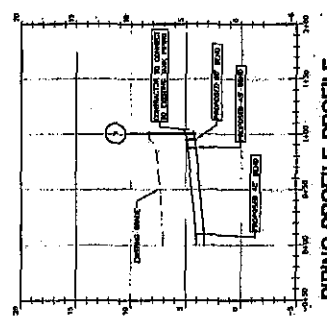
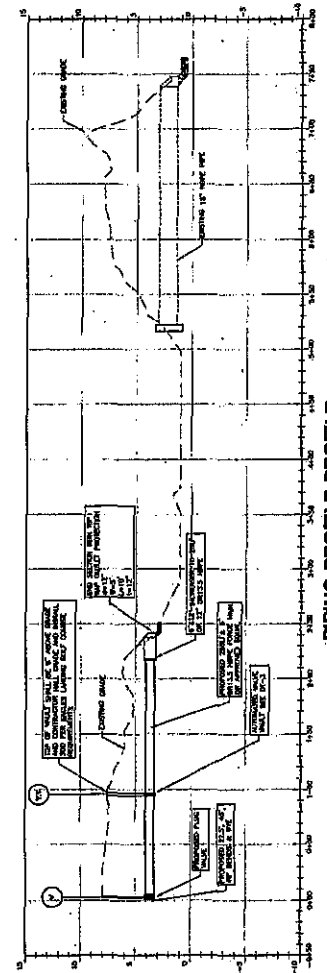
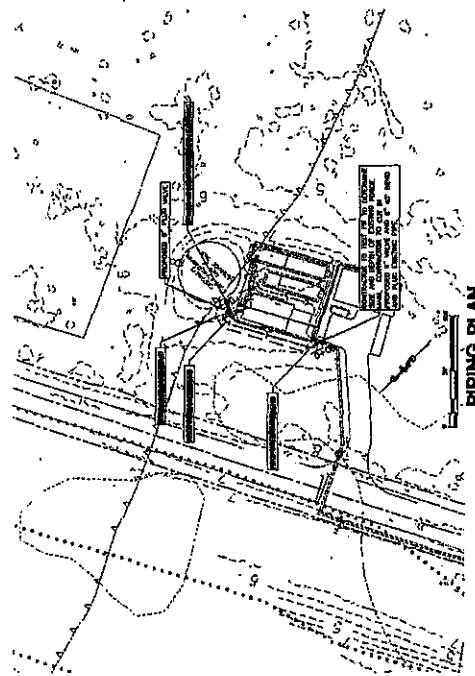
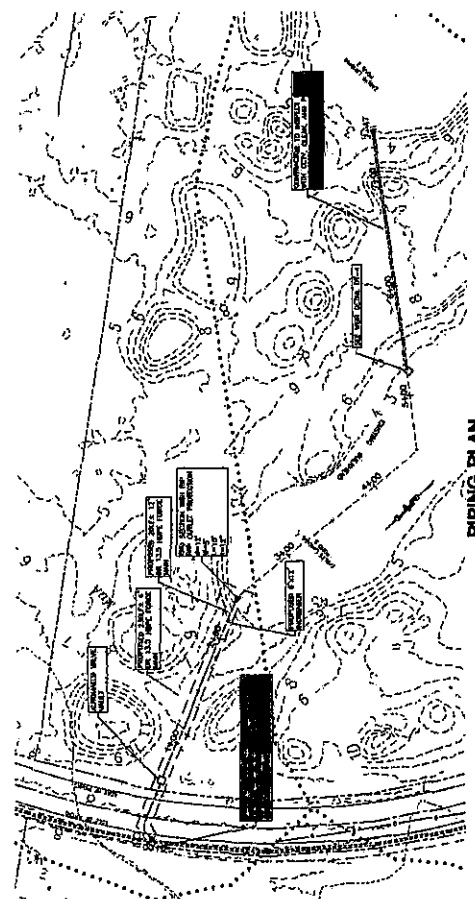
*[Signature]* 10/25/17  
WORCESTER COUNTY, WATER & WASTEWATER DIVISION

THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WINCHESTER COUNTY DEPARTMENT OF PUBLIC WORKS.

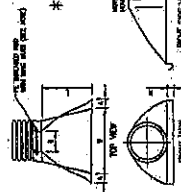
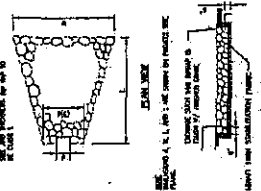
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MYSTIC HARBOUR EFFLUENT DISCHARGE DISPOSAL  
WORCESTER COUNTY PUBLIC WORKS  
DISTRICT NO. 3, WORCESTER COUNTY, MARYLAND

**DAVIS, BOWEN & FRIEDEL, INC.**



Angle, deg	$\lambda$	$\delta$ (rad)	$\mu$	$\zeta$	$\eta$
0°	0.00°	0.0000	0.00°	74.00°	00.00°
15°	0.26°	0.0045	0.00°	53.95°	20.07°
30°	0.52°	0.0090	0.00°	30.00°	40.00°
45°	0.78°	0.0135	0.00°	14.00°	59.93°
60°	1.04°	0.0180	0.00°	0.00°	79.90°
75°	1.30°	0.0225	0.00°	0.00°	99.87°

[illegible]

**HDPE END SECTION DETAILS**

**RIPRAP OUTLET PROTECTION**  
**NOT TO SCALE**

THE WATER AND SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THIS ORDER ARE AUTHORIZED BY RESOLUTION 10/23/17  
WATERSEWER DISTRICT  
DIRECTOR  
WORCESTER COUNTY, WATER & WASTEWATER DIVISION

THE WATER AND SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE AUTHORIZED BY WORCESTER COUNTY DEPARTMENT OF PUBLIC WORKS  
DIRECTOR  
WORCESTER COUNTY, DEPARTMENT OF PUBLIC WORKS



10

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

COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

November 15, 2017

TO: Worcester County Commissioners  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*  
SUBJECT: Upcoming Board Appointments - Terms Beginning January 1, 2018

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Attached, please find copies of the Board Summary sheets for the remaining County Boards or Commissions (26) which have current or upcoming vacancies (56 total). They are as follows: Adult Public Guardianship Board (4); Commission on Aging Board (5), Agricultural Preservation Advisory Board (1), Agricultural Reconciliation Board (1), Building Code Appeals Board (1), Drug & Alcohol Abuse Council (3), Economic Development Advisory Board (2), Board of Electrical Examiners (1), Ethics Board (2), Housing Review Board (2), Local Management Board/Initiative to Preserve Families Board (1), Board of Library Trustees (1), Local Development Council for the Ocean Downs Casino (4), Lower Shore Workforce Investment Board (1), Planning Commission (1), Property Tax Assessment Appeal Board (1, with 3 nominees to Governor), Recreation Advisory Board (2), Social Services Board (3), Solid Waste Advisory Committee (3), Tourism Advisory Committee (2), Water and Sewer Advisory Councils - Mystic Harbour (1), Ocean Pines (3) and West Ocean City (2), Commission for Women (5), Wor-Wic Community College Local Advisory Council (2), and Board of Zoning Appeals (3). 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 31<sup>st</sup>. Current members will continue to serve beyond their term until they are either reappointed or a replacement is named. Please consider these reappointments or new appointments during November and December so I can notify the board members and staff contacts preferably prior to the end of the calendar year.

Please also note that following your last meeting, we have submitted letters to the county agencies requesting nominees for their representatives on the various Boards from which nominations are required. In addition, Public Information Officer Kim Moses submitted a press release notifying the public of these upcoming vacancies and encouraging interested citizens to contact our office if they wish to volunteer to serve on any of these County boards or commissions. I will forward letters from volunteers for your consideration as they are received.

4 P. 43

## **Pending Board Appointments - By Commissioner**

- District 1 - Lockfaw**
- p. 20 - Local Development Council for Ocean Downs Casino (Ron Taylor - for remainder of term through 2018) - 4-year
  - p. 25 - Social Services Board (Tracey Cottman) - 3-year
  - p. 34 - Commission for Women (Laura McDermott) - 3-year
- District 2 - Purnell**
- p. 25 - Social Services Board (Arlette Bright) - 3-year
  - p. 27 - Solid Waste Advisory Committee (Wendell Purnell) - 4-year
- District 3 - Church**
- p. 15 - Ethics Board (Bruce Spangler) - 4-year
  - p. 16 - Housing Review Board (John Glorioso) - 3-year
  - p. 20 - Local Development Council for Ocean Downs Casino (Gee Williams) - 4-year
  - p. 24 - Recreation Advisory Board (Norman Bunting, Jr.) - 4-year
  - p. 31 - Water and Sewer Advisory Council - Mystic Harbour (Martin Kwesko) - 4-year
  - p. 33 - Water and Sewer Advisory Council - West Ocean City (Todd Ferrante and Keith Swanton) - 4-year
  - p. 42 - Board of Zoning Appeals (David Dypsky) - 3-year
- District 4 - Elder**
- p. 13 - Economic Development Advisory Board (Ralph Shockley) - 4-year
  - p. 16 - Housing Review Board (Scott Tingle) - 3-year
  - p. 22 - Planning Commission (Brooks Clayville) - 5-year
  - p. 41 - Wor-Wic Community College Local Advisory Council (Christina Welch - Snow Hill area) - 3-year
- District 5 - Bertino**
- p. 20 - Local Development Council for Ocean Downs Casino (Jim Rosenberg) - 4-year
  - p. 25 - Social Services Board (Cathy Gallagher) - 3-year
  - p. 30 - Tourism Advisory Committee (Teresa Travatello) - 4-year
  - p. 32 - Water and Sewer Advisory Council - Ocean Pines (Frederick Stiehl, Michael Reilly, and Mike Hegarty) - 4-year
  - p. 34 - Commission for Women (Charlotte Cathell) - 3-year
- District 6 - Bunting**
- p. 8 - Agricultural Preservation Advisory Board (Kathy Drew) - 4-year
  - P. 10 - Building Code Appeals Board (Richard P. Mueller) - 4-year
  - P. 13 - Economic Development Advisory Board (Robert Fisher) - 4-year
  - p. 15 - Ethics Board (Richard Passwater) - 4-year
  - p. 24 - Recreation Advisory Board (Chris Klebe) - 4-year
  - p. 32 - Water and Sewer Advisory Council - Ocean Pines (Frederick Stiehl, Michael Reilly, and Mike Hegarty) - 4-year
  - p. 41 - Wor-Wic Community College Local Advisory Council (Arlene Page - Bishopville area) - 3-year
- District 7 - Mitrecic**
- p. 14 - Board of Electrical Examiners (Michael Patchett) - 3-year
  - p. 30 - Tourism Advisory Committee (Lauren Taylor) - 4-year
  - p. 42 - Board of Zoning Appeals (Glenn Irwin) - 3-year

### **All Commissioners**

- p. 3 - (4) Adult Public Guardianship Board (Brandy Trader, Debbie Ritter, Jack Ferry, Dean Perdue) - 3-year
- p. 8 - (1) Agricultural Preservation Advisory Board (Kathy Drew) - 4-year
- p. 9 - (1) Agricultural Reconciliation Board (Betty McDermott - At-Large) - 4-year
- p. 11 - (3) Drug and Alcohol Abuse Council (Colleen Wareing - Knowledge of Substance Abuse Treatment; Rev. Bill Sterling and Karen Johnson - Knowledge on Substance Abuse Issues) - 4-year
- p. 17 - (2) Local Management Board (Eloise Henry Gordy) - 3-year
- p. 20 - (1) Local Development Council for Ocean Downs Casino (David Massey - At-Large - business or institution representative in immediate proximity to Ocean Downs) - 4-year
- p. 21 - (1) Lower Shore Workforce Investment Board (Donna Weaver - Business Representatives) - 4-year

**All Commissioners - (continued)**

- p. 23 - Property Tax Assessment Appeal Board (Robert D. Rose - Pocomoke area) - must submit 3 nominees to Governor for his consideration in making this appointment - 5-year
- p. 28 - (1) Water and Sewer Advisory Council - Mystic Harbour (Martin Kwesko) - 4-year
- p. 29 - (3) Water and Sewer Advisory Council - Ocean Pines (Frederick Stiehl, Michael Reilly, and Mike Hegarty) - 4-year
- p. 30 - (2) Water and Sewer Advisory Council - West Ocean City (Todd Ferrante and Keith Swanton) - 4-year
- p. 34 - (2) Commission for Women (Alice Jean Ennis - At-Large-Pocomoke, and Eloise Henry Gordy - At-Large-Snow Hill) - 3-year
- p. 41 - (2) Wor-Wic Community College Local Advisory Council (Christina Welch - Snow Hill area, and Arlene Page - Bishopville area) - 3-year

**All Commissioners (Awaiting Nominations)**

- p. 5 - (5) Commission on Aging Board (George "Tad" Pruitt and Bonnie C. Caudell - Snow Hill, Lloyd Parks - Girdletree, Larry Walton - Ocean Pines, and Clifford Gannett - Pocomoke) - self-appointed by Commission on Aging & confirmed by County Commissioners- 3-year to Sept 30
- p. 18 - (1) Board of Library Trustees (Rosemary S. Keech - Ocean Pines) - upon nominations from Library Board - 5-year
- p. 27 - (2) Solid Waste Advisory Committee (Steve Brown - upon nominations from Town of Ocean City, and Jamey Latchum - upon nominations from Town of Berlin) - 4-year
- p. 34 - (2) Commission for Women (Corporal Lisa Maurer - Public Safety nominee - Sheriff's Office) - 3-year

## 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>
Brandy Trader	Non-profit Soc. Service Rep.	*15-17
Debbie Ritter	Commission on Aging Rep.	*07-08-11-14, 14-17
Jack Ferry	Professional in field of disabilities	*14, 14-17
Dean Perdue	Person with physical disability	08-11-14, 14-17
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
The Rev. Guy H. Butler	Lay Person	*99-01-04-07-10-13-16, 16-19
Connie Wessels	Lay Person	*15-16, 16-19

\* = 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)

## 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>
George "Tad" Pruitt	Snow Hill	05-08-11-14, 14-17
Lloyd Parks	Girdletree	08-11-14, 14-17
Larry Walton	Ocean Pines	*13-14, 14-17
Bonnie C. Caudell	Snow Hill	*09-11-14, 14-17
Clifford Gannett	Pocomoke	*12-14, 14-17
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
Rebecca Cathell	Agency - Maryland Job Service	
Dr. Jerry Wilson	Agency - Worcester County Board of Education	
Peter Buesgens	Agency - Worcester County Department of Social Services	
Deborah Goeller	Agency - Worcester County Health Department	
Madison J. Bunting, Jr.	Worcester County Commissioners' Representative	

\* = Appointed to fill an unexpired term

## Prior Members:

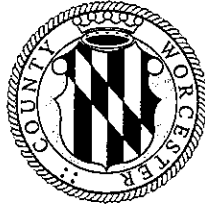
## Since 1972

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)

\* = Appointed to fill an unexpired term

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



COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
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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

November 13, 2017

Rob Hart, Executive Director  
Commission on Aging  
4767 Snow Hill Rd  
Snow Hill, MD 21863

RE: Nominations for Members of the Commission on Aging Board

Dear Mr. Hart:

As I believe you are aware, the terms of the following five members of the Worcester County Commission on Aging Board of Directors expired on September 30, 2017:

Tad Pruitt	Snow Hill
Lloyd Parks	Girdletree
Larry Walton	Ocean Pines
Bonnie Caudell	Snow Hill
Clifford Gannett	Pocomoke City

Please discuss this matter with the Commission on Aging Board and submit their nominations for new appointments or reappointments to fill these vacancies as soon as possible in order to restore full membership to the Commission on Aging Board of Directors.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact me at this office.

Sincerely,

Kelly Shannahan  
Assistant Chief Administrative Officer

KS/fac  
cc: Worcester County Commissioners  
Board Book  
H:\CCBOARDS\Commission on Aging request for nominations.wpd

## 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>
Kathy Drew	Bunting	D-6, Bishopville	** 06-09-13, 13-17
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

### 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)

## 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>
Richard P. Mueller	D-6 - Bunting	Bishopville	98-05-09-13, 13-17
Jim Wilson	D-3 - Church	Berlin	02-06-10-14, 14-18
Mark Bargar	D-4 - Elder	Berlin	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

### 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)

## DRUG AND ALCOHOL ABUSE COUNCIL

Reference: PGL Health-General, Section 8-1001

Appointed by: County Commissioners

Functions: Advisory  
Develop and implement a plan for meeting the needs of the general public and the criminal justice system for alcohol and drug abuse evaluation, prevention and treatment services.

Number/Term: At least 18 - At least 7 At-Large, and 11 ex-officio (also several non-voting members)  
At-Large members serve 4-year terms; Terms expire December 31

Compensation: None

Meetings: As Necessary

Special Provisions: Former Alcohol and Other Drugs Task Force was converted to Drug and Alcohol Abuse Council on October 5, 2004.

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

### Current Members:

<u>Name</u>	<u>Representing</u> <u>At-Large Members</u>	<u>Years of Term(s)</u>
Colleen Wareing	Knowledge of Substance Abuse Treatment	*06-09-13, 13-17
Rev. Bill Sterling	Knowledge of Substance Abuse Issues	13-17 - moved / Replace
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
Kat Gunby	Substance Abuse Prevention Provider	*16-19
Kim Moses	Knowledgeable on Substance Abuse Issues	08-12-16, 16-20
Karen Johnson	Knowledgeable on Substance Abuse Issues	*14-16, 16-20 - moved / Replace

### Ex-Officio Members

Rebecca Jones	Health Officer	Ex-Officio, Indefinite
Roberta Baldwin	Social Services Director	Ex-Officio, Indefinite
Spencer Lee Tracy, Jr.	Juvenile Services, Regional Director	Ex-Officio, Indefinite
Trudy Brown	Parole & Probation, Regional Director	Ex-Officio, Indefinite
Beau Oglesby	State's Attorney	Ex-Officio, Indefinite
Burton Anderson	District Public Defender	Ex-Officio, Indefinite
Sheriff Reggie Mason (Doug Dods)	County Sheriff	Ex-Officio, Indefinite
William Gordy (Eloise Henry Gordy)	Board of Education President	Ex-Officio, Indefinite
Diana Purnell	County Commissioners	Ex-Officio, Indefinite
Judge Thomas Groton (Jen Bauman)	Circuit Court Administrative Judge	Ex-Officio, Indefinite
Judge Gerald Purnell (Tracy Simpson)	District Court Administrative Judge	Ex-Officio, Indefinite
Donna Bounds	Warden, Worcester County Jail	Ex-Officio, Indefinite

### Advisory Members

Lt. Earl W. Starnier	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.	

### Prior Members:

Since 2004

Vince Gisriel	Aaron Dale
Michael McDermott	Garry Mumford
Marion Butler, Jr.	Sharon Smith
Judge Richard Bloxom	Jennifer Standish
Paula Erdie	
Tom Cetola	
Gary James (04-08)	
Vickie Wrenn	
Deborah Winder	
Garry Mumford	
Judge Theodore Eschenburg	
Andrea Hamilton	
Fannie Birckhead	
Sharon DeMar Reilly	
Lisa Gebhardt	
Jenna Miller	
Dick Stegmaier	
Paul Ford	
Megan Griffiths	
Ed Barber	
Eloise Henry-Gordy	
Lt. Lee Brumley	
Ptl. Noal Waters	
Ptl. Vicki Fisher	
Chief John Groncki	
Chief Arnold Downing	
Frank Pappas	
Captain William Harden	
Linda Busick (06-10)	
Sheriff Chuck Martin	
Joel Todd	
Diane Anderson (07-10)	
Joyce Baum (04-10)	
James Yost (08-10)	
Ira "Buck" Shockley (04-13)	
Teresa Fields (08-13)	
Frederick Grant (04-13)	
Doris Moxley (04-14)	
Commissioner Merrill Lockfaw	
Kelly Green (08-14)	
Sheila Warner - Juvenile Services	
Chief Bernadette DiPino - OCPD	
Chief Kirk Daugherty -SHPD	
Mike Shamburek - Hudson Health	
Shirleen Church - BOE	
Tracy Tilghman (14-15)	
Marty Pusey (04-15)	
Debbie Goeller	
Peter Buesgens	

## 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>
Ralph Shockley	D-4, Shockley	Snow Hill	*08-09-13, 13-17
Robert Fisher	D-6, Bunting	Snow Hill	87-92-97-01-05-09-13, 13-17
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

### 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>
Michael Patchett (ME-5)	D-7, Mitrecic	West Ocean City	08-11-14, 14-17
Duane Duncan (ME-5)	D-3, Church	Berlin	*05-12-15, 15-18
Steve Kolarik (EG-5)	D-6, Bunting	Bishopville	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

(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

Updated: November 7, 2017  
Printed: November 9, 2017

## 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 31<sup>st</sup>

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>
Bruce Spangler	D-3, Church	Berlin	*02-05-09-13, 13-17
Richard Passwater	D-6, Bunting	Berlin	09-13, 13-17
Mickey Ashby	D-1, Lockfaw	Pocomoke	14-18
Faith Mumford	D-2, Purnell	Snow Hill	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

### 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)	
Mary Yenney (98-05)	
Bill Ochse (99-07)	
Randall Mariner (00-08)	

## HOUSING REVIEW BOARD

Reference: Public Local Law §BR 3-104

Appointed by: County Commissioners

Function: Regulatory/Advisory  
To decide on appeals of code official's actions regarding the Rental Housing Code. Decide on variances to the Rental Housing Code.  
Review Housing Assistance Programs.

Number/Term 7/3 year terms  
Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: As Needed

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

Staff Support: Development Review & Permitting Department  
Jo Ellen Bynum, Housing Program Administrator - 410-632-1200, x 1171

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Terms(s)</u>
John Glorioso	D-3, Church	Ocean Pines	*06-11-14, 14-17
Scott Tingle	D-4, Elder	Snow Hill	14-17
Donna Dillon	D-5, Bertino	Ocean Pines	08-11-14, 14-17
Sharon Teagle	D-2, Purnell	Ocean Pines	00-12-15, 15-18
Jake Mitrecic	D-7, Mitrecic	Ocean City	15-18
C. D. Hall	D-1, Lockfaw	Pocomoke	10-13-16, 16-19
Debbie Hileman	D-6, Bunting	Ocean Pines	10-13-16, 16-19

### Prior Members:

Phyllis Mitchell	Albert Bogdon (02-06)
William Lynch	Jamie Rice (03-07)
Art Rutter	Howard Martin (08)
William Buchanan	Marlene Ott (02-08)
Christina Alphonsi	Mark Frostrom, Jr. (01-10)
Elsie Purnell	Joseph McDonald (08-10)
William Freeman	Sherwood Brooks (03-12)
Jack Dill	Otho Mariner (95-13)
Elbert Davis	Becky Flater (13-14)
J. D. Quillin, III (90-96)	Ruth Waters (12-15)
Ted Ward (94-00)	
Larry Duffy (90-00)	
Patricia McMullen (00-02)	
William Merrill (90-01)	
Debbie Rogers (92-02)	
Wardie Jarvis, Jr. (96-03)	

\* = Appointed to fill an unexpired term

# WORCESTER COUNTY'S INITIATIVE TO PRESERVE FAMILIES BOARD

Previously - Local Management Board; and Children, Youth and Family Services Planning Board

Reference: Commissioners' Resolution No. 09-3, adopted on January 6, 2009

Appointed by: County Commissioners

Functions: Advisory/Policy Implementation/Assessment and Planning  
- Implementation of a local, interagency service delivery system for children, youth and families;  
- Goal of returning children to care and establishment of family preservation within Worcester County;  
- Authority to contract with and employ a service agency to administer the State Service Reform Initiative Program

Compensation: \$50 Per Meeting for Private Sector Members

Number/Term: 9 members/5 Public Sector, 4 Private Sector with 3-year terms  
51% of members must be public sector  
Terms expire December 31<sup>st</sup>

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>
Eloise Henry Gordy	At-Large - J. Purnell	Snow Hill	*07-08-11-14, 14-17
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
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)	Rev. Pearl Johnson (05-07)	Jerry Redden
Sandra Oliver (94-97)	Peter Fox (05-07)	Jennifer Standish
Velmar Collins (94-97)	Lou Etta McClafin (04-07)	Anne C. Turner
Catherine Barbieri (95-97)	Bruce Spangler (04-07)	Marty Pusey
Ruth Geddie (95-98)	Sharon DeMar Reilly	Virgil L. Shockley
Rev. Arthur George (94-99)	Kathy Simon	Dr. Jon Andes (96-12)
Kathey Danna (94-99)	Vickie Stoner Wrenn	Dr. Ethel M. Hines (07-13)
Sharon Teagle (97-99)	Robin Travers	Deborah Goeller
Jeanne Lynch (98-00)	Jordan Taylor (09)	Andrea Watkins (13-17)
Jamie Albright (99-01)	Aaron Marshall (09)	
Patricia Selig (97-01)	Allen Bunting (09)	
Rev. Lehman Tomlin (99-02)	LaTrele Crawford (09)	
Sharon Doss	Sheriff Charles T. Martin	
Rick Lambertson	Joel Todd, State's Attorney	
Cyndy B. Howell	Ed Montgomery (05-10)	
Sandra Lanier (94-04)	Edward S. Lee (07-10)	
Dr. James Roberts (98-04)	Toni Keiser (07-10)	
Dawn Townsend (01-04)	Judy Baumgartner (07-10)	
Pat Boykin (01-05)	Claudia Nagle (09-10)	
Jeannette Tresler (02-05)	Megan O'Donnell (10)	
Lou Taylor (02-05)	Kiana Smith (10)	
Paula Erdie	Christopher Bunting (10)	
	Simi Chawla (10)	

## 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>
Rosemary S. Keech	Ocean Pines	12-17
Frederick Grant	Snow Hill	13-18
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

### Prior Members: Since 1972

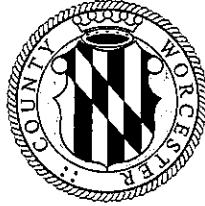
Herman Baker  
Lieselette Pennewell  
Edith Dryden  
Clifford D. Cooper, Jr.  
Klein Leister  
Evelyn Mumford  
Ann Eschenburg  
Barbara Ward  
Donald F. McCabe  
Fannie Russell  
Stedman Rounds  
Donald Turner  
Sarah Dryden  
L. Richard Phillips  
Barbara Bunting  
Joanne Mason

Jere Hilbourn  
Janet Owens  
Ruth Westfall  
Helen Farlow  
Judy Quillin  
Gay Showell  
Susan Mariner  
Jacqueline Mathias  
Ann S. Coates (88-97)  
Jim Dembeck (91-97)  
Bill Waters (88-98)  
Geraldine Thweatt (97-98)  
Martha Hoover (87-99)  
Eloise Henry-Gordy (98-00)  
William Cropper (91-01)  
Ms. Willie Gaddis (89-01)

Leola Smack (99-02)  
Jean Tarr (94-04)  
Lois Sirman (01-06)  
Amanda DeShields (00-07)  
David Nedrow (04-09)  
Belle Redden (99-09)  
Beverly Dryden Wilkerson (06-10)  
John Staley (97-11)  
James Gatling (01-11)  
Shirley Dale (02-12)  
Edith Barnes (07-13)  
Richard Polhemus (11-16)  
Richard Warner Davis (11-16)

\* = Appointed to fill an unexpired term

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



COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

November 13, 2017

Jennifer Ranck, Director  
Worcester County Library  
307 N. Washington St.  
Snow Hill, MD 21863

RE: Upcoming Vacancy on Worcester County Board of Library Trustees

Dear Ms. Ranck:

As I believe you are aware, the term of Ms. Rosemary S. Keech as a member of the Board of Library Trustees is scheduled to expire on December 31, 2017. The Worcester County Commissioners have requested that you discuss this matter with the Board of Library Trustees and submit your recommendation for reappointment or a new appointment to fill this upcoming vacancy at your earliest convenience so that the County Commissioners can approve this Board Appointment before the end of this calendar year.

Thank you for your attention to this matter. If you should have any questions or concerns, please feel free to contact me at this office.

Sincerely,

Kelly Shannahan  
Assistant Chief Administrative Officer

KS/fac  
cc: Worcester County Commissioners  
Board Book

H:\CCBOARDS\Library Board Nomination Request.wpd

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

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

Appointed by: County Commissioners

Function: Advisory

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

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

Compensation: None

Meetings: At least semi-annually

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

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

## **Current Members:**

<u>Member's Name</u>	<u>Nominated By</u>	<u>Represents/Resides</u>	<u>Years of Term(s)</u>
Ron Taylor °	Dist. 1 - Lockfaw	Resident - Pocomoke	*09-10, 10-14
Mayor Gee Williams °	Dist. 3 - Church	Resident - Berlin	09-13, 13-17
Jim Rosenberg °	Dist. 5 - Boggs	Resident - Ocean Pines	09-13, 13-17
David Massey °	At-Large	Business - Ocean Pines	09-13, 13-17
Cam Bunting °	At-Large	Business - Berlin	*09-10-14, 14-18
James N. Mathias, Jr. °		Maryland Senator	09-10-14, 14-18
Mary Beth Carozza		Maryland Delegate	14-18
Charles Otto		Maryland Delegate	14-18
Roxane Rounds	Dist. 2 - Purnell	Resident - Berlin	*14-15, 15-19
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
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)	
Mike Pruitt ° (09-12)	
Norman H. Conway ° (09-14)	
Michael McDermott (10-14)	
Diana Purnell ° (09-14)	
Linda Dearing (11-15)	

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

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

Reference: Workforce Investment Act of 1998, Section 117

Appointed by: County Commissioners

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

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

Compensation: None

Meetings: Quarterly (January, April, July, October) on the 2<sup>nd</sup> Wednesday

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

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

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

<u>Name</u>	<u>Resides/Agency</u>	<u>Term</u>	<u>Representing</u>
Donna Weaver	Berlin	*08-09-13, 13-17	Business Rep.
Geoffrey Failla	Whaleyville	*15-18	Business Rep.
Jason Cunha	Pocomoke	*16-18	Business Rep.
Walter Maizel	Bishopville	*12, 12-16, 16-20	Private Business Rep.
Robert "Bo" Duke	Ocean City	*17, 17-21	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)	
Joe Mangini (97-03)	
Linda Wright (99-04)	
Kaye Holloway (95-04)	
Joanne Lusby (00-05)	
William Greenwood (97-06)	
Gabriel Purnell (04-07)	
Walter Kissel (03-07)	

## PLANNING COMMISSION

Reference: Public Local Law ZS §1-112

Appointed by: County Commissioners

Functions: Advisory/Regulatory  
Make investigations and recommendations regarding zoning text and map amendment applications; recommend conditional rezoning; make recommendations to the Board of Zoning Appeals; review public projects, proposed facility development plans, regulations and standards; review and approve site plans; review and make recommendations regarding residential planned communities; review and approve subdivision plats.

Number/Term: 7/5 years; Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: 1 regular meeting per month; additional meetings held as necessary

Special Provisions: Historically - one member from each Commissioner District, plus two At-Large members; one member per district once expanded to seven districts.

Staff Contact: Department of Development Review & Permitting  
Edward A. Tudor, Director (410-632-1200, ext. 1100)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Brooks Clayville	D-4, Shockley	Snow Hill	02-07-12, 12-17
Marlene Ott	D-5, Boggs	Ocean Pines	08-13, 13-18
Betty M. Smith	D-2, Purnell	Berlin	*07-09-14, 14-19
Jay Knerr	D-7, Mitrecic	Berlin	14-19
Jerry Barbierri	D-1, Lockfaw	Pocomoke	*12-15, 15-20
Mike Diffendal	D-3, Church	Berlin	10-15, 15-20
Richard L. Wells	D-6, Bunting	Bishopville	11-16, 16-21

### Prior Members:

Since 1972

David L. Johnson  
N. Paul Joyner  
Daniel Trimper, IV  
Hugh F. Wilde  
Warren Frame  
Roland E. Powell  
Harry Cherrix  
W. David Stevens  
Granville Trimper  
J. Brad Aaron  
Lester Atkinson  
Paul L. Cutler  
Edward R. Bounds  
Edward Phillips  
Vernon McCabe

R. Blaine Smith  
Edward A. Tudor  
Terry Bayshore  
Larry Widgeon  
Charles D. "CD" Hall  
Ernest "Sandy" Coyman  
Rev. Donald Hamilton  
Dale Stevens  
Marion L. Butler, Sr.  
Ron Cascio (96-97)  
Louie Paglierani (90-99)  
Robert Hawkins (96-99)  
Ilia Fehrer (94-99)  
Rob Clarke (99-00)  
W. Kenny Baker (97-02)

James Jarman (99-03)  
Harry Cullen (00-03)  
Ed Ellis (96-04)  
Troy Purnell (95-05)  
Larry Devlin (04-06)  
Tony Devereaux (03-07)  
Wilbert "Tom" Pitts (99-07)  
Doug Slingerland (07-08)  
Carolyn Cummins (90-94, 99-09)  
Madison "Jimmy" Bunting (05-10)  
Jeanne Lynch (06-11)  
H. Coston Gladding (96-12)  
Wayne A. Hartman (09-14)

\* = Appointed to fill an unexpired term

## 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
Howard G. Jenkins	Ocean Pines	03-04, *04-08, 08-13, 13-18
Gary M. Flater (Alternate)	Snow Hill	13-18
Larry R. Fry	Ocean Pines	*10-13-14 (alt.), 14-19

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	
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: June 3, 2014  
Printed: June 6, 2014

## RECREATION ADVISORY BOARD

Reference: County Commissioners' Action 6/13/72 and Resolution of 12/27/83 and Resolution 97-51 of 12/23/97 and Resolution 03-6 of 2/18/03

Appointed by: County Commissioners

Function: Advisory  
Provide the County with advice and suggestions concerning the recreation needs of the County and recommendations regarding current programs and activities offered.  
Review and comment on proposed annual Recreation Department budget.

Number/Term: 7/4-year term  
Terms expire December 31st

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

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner

Staff Support: Recreation Department - Mr. Paige Hurley (410) 632-2144, ext. 105

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Norman Bunting, Jr.	D-3, Church	Berlin	*16-17
Chris Klebe	D-6, Bunting	Bishopville	*11-13, 13-17
Alvin Handy	D-2, Purnell	Ocean City	06-10-14, 14-18
John Gehrig	D-7, Mitrecic	Ocean City	14-18
Shawn Johnson	D-4, Elder	Snow Hill	15-19
Mike Hooks	D-1, Lockfaw	Pocomoke	12-16, 16-20
Missy Denault	D-5, Bertino	Berlin	*15-16, 16-20

### Prior Members: Since 1972

Howard Taylor	Cyrus Teter	Gregory Purnell (83-96)	Sonya Bounds (12-15)
Arthur Shockley	Warren Mitchell	Vernon Redden, Jr. (83-98)	Burton Anderson (05-15)
Rev. Ray Holsey	Edith Barnes	Richard Ramsay (93-98)	William Regan (02-16)
William Tingle	Glen Phillips	Mike Daisy (98-99)	
Mace Foxwell	Gerald Long	Cam Bunting (95-00)	
Nelson Townsend	Lou Ann Garton	Charlie Jones (98-03)	
J.D. Townsend	Milton Warren	Rick Morris (03-05)	
Robert Miller	Ann Hale	Gregory Purnell (97-06)	
Jon Stripling	Claude Hall, Jr.	George "Eddie" Young (99-08)	
Hinson Finney	Vernon Davis	Barbara Kissel (00-09)	
John D. Smack, Sr.	Rick Morris	Alfred Harrison (92-10)	
Richard Street	Joe Lieb	Janet Rosensteel (09-10)	
Ben Nelson	Donald Shockley	Tim Cadotte (02-12)	
Shirley Truitt	Fulton Holland (93-95)	Craig Glover (08-12)	
		Joe Mitrecic (10-14)	

\* = Appointed to fill an unexpired term

## SOCIAL SERVICES 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
Arlette Bright	D-2, Purnell	West Ocean City	*11, 11-14, 14-17
Cathy Gallagher	D-5, Boggs	Ocean Pines	*13-14, 14-17
Diana Purnell	ex officio - Commissioner		14-18
Faith Coleman	D-4, Elder	Snow Hill	15-18
Harry Hammond	D-6, Bunting	Bishopville	15-18
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

← Replace

## SOCIAL SERVICES BOARD

(Continued)

### Prior Members: (Since 1972)

James Dryden	Naomi Washington (01-02)
Sheldon Chandler	Lehman Tomlin, Jr. (01-02)
Richard Bunting	Jeanne Lynch (00-02)
Anthony Purnell	Michael Reilly (00-03)
Richard Martin	Oliver Waters, Sr. (97-03)
Edward Hill	Charles Hinz (02-04)
John Davis	Prentiss Miles (94-06)
Thomas Shockley	Lakeshia Townsend (03-06)
Michael Delano	Betty May (02-06)
Rev. James Seymour	Robert "BJ" Corbin (01-06)
Pauline Robertson	William Decoligny (03-06)
Josephine Anderson	Grace Smearman (99-07)
Wendell White	Ann Almand (04-07)
Steven Cress	Norma Polk-Miles (06-08)
Odetta C. Perdue	Anthony Bowen (96-08)
Raymond Redden	Jeanette Tressler (06-09)
Hinson Finney	Rev. Ronnie White (08-10)
Ira Hancock	Belle Redden (09-11)
Robert Ward	E. Nadine Miller (07-11)
Elsie Bowen	Mary Yenney (06-13)
Faye Thornes	Dr. Nancy Dorman (07-13)
Frederick Fletcher	Susan Canfora (11-13)
Rev. Thomas Wall	Judy Boggs (02-14)
Richard Bundick	Jeff Kelchner (06-15)
Carmen Shrouck	Laura McDermott (11-15)
Maude Love	Emma Klein (08-15)
Reginald T. Hancock	Wes McCabe (13-16)
Elsie Briddell	Nancy Howard (09-16)
Juanita Merrill	Judy Stinebiser (13-16)
Raymond R. Jarvis, III	
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: February 21, 2017  
Printed: February 23, 2017

## 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)

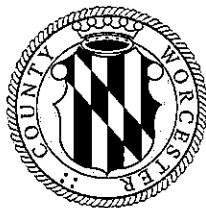
### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Wendell Purnell	D-2, Purnell	Berlin	97-09-13, 13-17
Steve Brown	Town of Ocean City		*10-13, 13-17
Jamey Latchum	Town of Berlin		*17
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

### Prior Members: (Since 1994)

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

\* = Appointed to fill an unexpired term



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

COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

November 9, 2017

Honorable Richard W. Meehan  
Mayor & Council of Ocean City  
P. O. Box 158  
Ocean City, MD 21842

RE: Nomination of Ocean City Representative on the Worcester County Solid Waste Advisory Committee

Dear Mayor Meehan:

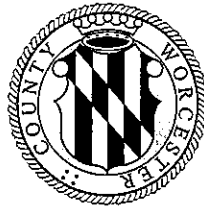
Please be advised that the Worcester County Commissioners recently began to consider appointments to various County boards and commissions for which members' terms are scheduled to expire at the end of this year. Upon review of our records, we recently determined that Steve Brown, the Town of Ocean City's representative on the Worcester County Solid Waste Advisory Committee, is scheduled to expire on December 31, 2017. Since the establishing resolution for the Solid Waste Advisory Committee provides that one member shall be nominated from each of the incorporated towns, we would appreciate receiving your nomination for this upcoming vacancy as soon as possible so that the Commissioners can make this appointment in November or December of this year.

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,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\OC Request for Solid Waste Board.wpd



COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

November 9, 2017

Honorable William "Gee" Williams, III  
Mayor & Council of Berlin  
10 William St.  
Berlin, MD 21811

RE: Nomination of Berlin Representative on the Worcester County Solid Waste Advisory Committee

Dear Mayor Williams:

Please be advised that the Worcester County Commissioners recently began to consider appointments to various County boards and commissions for which members' terms are scheduled to expire at the end of this year. Upon review of our records, we recently determined that Jamey Latchum, the Town of Berlin's representative on the Worcester County Solid Waste Advisory Committee, is scheduled to expire on December 31, 2017. Since the establishing resolution for the Solid Waste Advisory Committee provides that one member shall be nominated from each of the incorporated towns, we would appreciate receiving your nomination for this upcoming vacancy as soon as possible so that the Commissioners can make this appointment in November or December of this year.

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,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\Berlin Request for Solid Waste Board.wpd

*Citizens and Government Working Together*

## 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)<sup>2</sup></u>
Teresa Travatello	D-5, Boggs	Ocean Pines	09-13, 13-17 ←
Lauren Taylor	D-7, Gulyas	Ocean City	13-17
Gregory Purnell	D-2, Purnell	Berlin	14-18
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

Resigned/Repla.

### Prior Members: Since 1972

Isaac Patterson <sup>1</sup>	Barry Laws (99-03)
Lenora Robbins <sup>1</sup>	Klein Leister (99-03)
Kathy Fisher <sup>1</sup>	Bill Simmons (99-04)
Leroy A. Brittingham <sup>1</sup>	Bob Hulburd (99-05)
George "Buzz" Gering <sup>1</sup>	Frederick Wise (99-05)
Nancy Pridgeon <sup>1</sup>	Wayne Benson (05-06)
Marty Batchelor <sup>1</sup>	Jonathan Cook (06-07)
John Verrill <sup>1</sup>	John Glorioso (04-08)
Thomas Hood <sup>1</sup>	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)	

\* = Appointed to fill an unexpired term

1 = Served on informal ad hoc committee prior to 1990, Committee abolished between 1995-1999

2 = All members terms reduced by 1-year in 2003 to convert to 4-year terms

**WATER AND SEWER ADVISORY COUNCIL  
MYSTIC HARBOUR SERVICE AREA**

Reference: County Commissioners' Resolutions of 11/19/93 and 2/1/05

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area;  
review amendments to Water and Sewer Plan; make recommendations on  
policies and procedures; review and recommend charges and fees; review  
annual budget for the service area.

Number/Term: 7/4-year terms  
Terms Expire December 31

Compensation: 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>
Martin Kwesko	Mystic Harbour	13-17
Richard Jendrek <sup>c</sup>	Bay Vista I	05-10-14, 14-18
Carol Ann Beres	Ocean Reef	14-18
Joseph Weitzell <sup>c</sup>	Mystic Harbour	05-11-15, 15-19
Bob Hunt	Deer Point	*06-11-15, 15-19
David Dypsky	Teal Marsh Center	*10-12-16, 16-20
Mary Martinez	Whispering Woods	*16, 16-20

**Prior Members: (Since 2005)**

John Pinnero<sup>c</sup> (05-06)  
Brandon Phillips<sup>c</sup> (05-06)  
William Bradshaw<sup>c</sup> (05-08)  
Buddy Jones (06-08)  
Lee Trice<sup>c</sup> (05-10)  
W. Charles Friesen<sup>c</sup> (05-13)  
Alma Seidel (08-14)  
Gerri Moler (08-16)

**WATER AND SEWER ADVISORY COUNCIL  
OCEAN PINES SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 5/4-year terms  
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget.

Meetings: Monthly

Special Provisions: Must be residents of Ocean Pines Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
John Ross - (410-641-5251)

**Current Members:**

<u>Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Frederick Stiehl	Ocean Pines	*06-08-12, 12-16
Michael Reilly	Ocean Pines	*14-17 ←
Mike Hegarty	Ocean Pines	*08-09-13, 13-17
James Spicknall	Ocean Pines	07-10-14, 14-18
Bob Poremski	Ocean Pines	*17-19

*Resigned/Replace*

**Prior Members: (Since 1993)**

Andrew Bosco (93-95)  
Richard Brady (96-96, 03-04)  
Michael Robbins (93-99)  
Alfred Lotz (93-03)  
Ernest Armstrong (93-04)  
Jack Reed (93-06)  
Fred Henderson (04-06)  
E. A. "Bud" Rogner (96-07)  
David Walter (06-07)  
Darwin "Dart" Way, Jr. (99-08)  
Aris Spengos (04-14)  
Gail Blazer (07-17)

\* = Appointed to fill an unexpired term

**WATER AND SEWER ADVISORY COUNCIL  
WEST OCEAN CITY SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area;  
review amendments to Water and Sewer Plan; make recommendations on  
policies and procedures; review and recommend charges and fees; review  
annual budget for the service area.

Number/Term: 5/4-year terms  
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget

Meetings: Monthly

Special Provisions: Must be residents/ratepayers of West Ocean City Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
John Ross - (410-641-5251)

**Current Members:**

<u>Member's Name</u>	<u>Resides/Ratepayer of</u>	<u>Terms (Years)</u>
Todd Ferrante	West Ocean City	13-17
Keith Swanton	West Ocean City	13-17
Deborah Maphis	West Ocean City	95-99-03-07-11-15, 15-19
Gail Fowler	West Ocean City	99-03-07-11-15, 15-19
Andrew Delcorro	West Ocean City	*14-16, 16-20

**Prior Members: (Since 1993)**

Eleanor Kelly<sup>c</sup> (93-96)  
John Mick<sup>c</sup> (93-95)  
Frank Gunion<sup>c</sup> (93-96)  
Carolyn Cummins (95-99)  
Roger Horth (96-04)  
Whaley Brittingham<sup>c</sup> (93-13)  
Ralph Giove<sup>c</sup> (93-14)  
Chris Smack (04-14)

\* = Appointed to fill an unexpired term  
<sup>c</sup> = Charter member

# COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

Number/Term: 1 1/3-year terms; Terms Expire December 31

Compensation: None

Meetings: At least monthly (3<sup>rd</sup> Tuesday at 5:30 PM - alternating between Berlin and Snow Hill)

Special Provisions: 7 district members, one from each Commissioner District  
 4 At-large members, nominations from women's organizations & citizens  
 4 Ex-Officio members, one each from the following departments: Social Services, Health & Mental Hygiene, Board of Education, Public Safety  
 No member shall serve more than six consecutive years

Contact: Eloise Henry-Gordy, Chair  
 Worcester County Commission for Women - P.O. Box 1712, Berlin, MD 21811

## Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Laura McDermott	D-1, Lockfaw	Pocomoke City	*11-13, 13-16
Charlotte Cathell	D-5, Bertino	Ocean Pines	*09-11-14, 14-17
Alice Jean Ennis	At-Large	Pocomoke	14-17
Eloise Henry-Gordy	At-Large	Snow Hill	08-11-14, 14-17
Corporal Lisa Maurer	Public Safety - Sheriff's Office		*13-14, 14-17
Teola Brittingham	D-2, Purnell	Berlin	*16-18
Michelle Bankert	D-3, Church	West Ocean City	*14-15, 15-18
Bess Cropper	D-6, Bunting	Berlin	15-18
Nancy Fortney	D-7, Mitrecic	Ocean City	12-15, 15-18
Lauren Mathias Williams	At-Large	Berlin	*16-18
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
Kelly O'Keane	Health Department		17-20

Resigned /  
Replace

## Prior Members: Since 1995

Ellen Pilchard<sup>c</sup> (95-97)  
 Helen Henson<sup>c</sup> (95-97)  
 Barbara Beaubien<sup>c</sup> (95-97)  
 Sandy Wilkinson<sup>c</sup> (95-97)  
 Helen Fisher<sup>c</sup> (95-98)  
 Bernard Bond<sup>c</sup> (95-98)  
 Jo Campbell<sup>c</sup> (95-98)  
 Karen Holck<sup>c</sup> (95-98)  
 Judy Boggs<sup>c</sup> (95-98)  
 Mary Elizabeth Fears<sup>c</sup> (95-98)  
 Pamela McCabe<sup>c</sup> (95-98)  
 Teresa Hammerbacher<sup>c</sup> (95-98)  
 Bonnie Platter (98-00)  
 Marie Velong<sup>c</sup> (95-99)

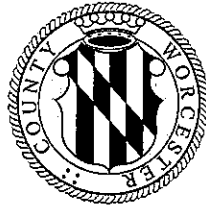
Carole P. Voss (98-00)  
 Martha Bennett (97-00)  
 Patricia Ilczuk-Lavanceau (98-99)  
 Lil Wilkinson (00-01)  
 Diana Purnell<sup>c</sup> (95-01)  
 Colleen McGuire (99-01)  
 Wendy Boggs McGill (00-02)  
 Lynne Boyd (98-01)  
 Barbara Trader<sup>c</sup> (95-02)  
 Heather Cook (01-02)  
 Vyoleetus Ayres (98-03)  
 Terri Taylor (01-03)  
 Christine Selzer (03)  
 Linda C. Busick (00-03)

Gloria Bassich (98-03)  
 Carolyn Porter (01-04)  
 Martha Pusey (97-03)  
 Teole Brittingham (97-04)  
 Catherine W. Stevens (02-04)  
 Hattie Beckwith (00-04)  
 Mary Ann Bennett (98-04)  
 Rita Vaeth (03-04)  
 Sharyn O'Hare (97-04)  
 Patricia Layman (04-05)  
 Mary M. Walker (03-05)  
 Norma Polk Miles (03-05)  
 Roseann Bridgman (03-06)  
 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)



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

COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
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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

November 9, 2017

Jeff McMahon, Fire Marshal  
Worcester County Fire Marshal's Office  
One W. Market St., Room 1302  
Snow Hill, MD 21863

RE: Request for Nominations for Public Safety Representative on Commission for Women

Dear Mr. McMahon:

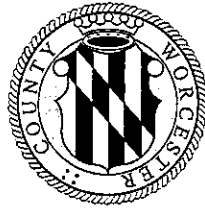
Please be advised that the Worcester County Commissioners have begun to consider appointments to various County boards and commissions for which members' terms are scheduled to expire at the end of this year. Upon review of our records, we recently determined that the term of Corporal Lisa Maurer of the Worcester County Sheriff's Office, who currently serves as the Public Safety Representative on the Worcester County Commission for Women, is scheduled to expire on December 31, 2017. We are therefore requesting your consideration for submitting a nominee from your office to fill this upcoming vacancy. I have included a copy of the Board Summary Sheet for the Commission for Women as well as the County law and by-laws which outline the duties and responsibilities for the Commission for Women which you may find helpful in determining an appropriate nominee for this position. We would appreciate receiving your nomination for this upcoming vacancy as soon as possible so that the Commissioners can decide on the appointment of this position in November or December of this year.

Thank you for your consideration and assistance in 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,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\Commission on Women.Fire Marshal.wpd



COMMISSIONERS  
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COUNTY COMMISSIONERS

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COUNTY ATTORNEY

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

November 9, 2017

Donna Bounds, Warden  
Worcester County Jail  
P. O. Box 189  
Snow Hill, MD 21863

RE: Request for Nominations for Public Safety Representative on Commission for Women

Dear Warden Bounds:

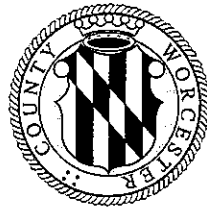
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Thank you for your consideration and assistance in this matter. If you should have any questions or concerns, please feel free to contact either me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\Commission on Women.Jail.wpd



COMMISSIONERS  
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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

November 9, 2017

Honorable Reggie Mason  
Worcester County Sheriff  
One W. Market St., Room 1001  
Snow Hill, MD 21863

RE: Request for Nominations for Public Safety Representative on Commission for Women

Dear Sheriff Mason:

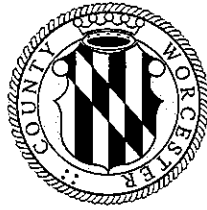
Please be advised that the Worcester County Commissioners have begun to consider appointments to various County boards and commissions for which members' terms are scheduled to expire at the end of this year. Upon review of our records, we recently determined that the term of Corporal Lisa Maurer of the Worcester County Sheriff's Office, who currently serves as the Public Safety Representative on the Worcester County Commission for Women, is scheduled to expire on December 31, 2017. We are therefore requesting your consideration for submitting a nominee from your office to fill this upcoming vacancy. I have included a copy of the Board Summary Sheet for the Commission for Women as well as the County law and by-laws which outline the duties and responsibilities for the Commission for Women which you may find helpful in determining an appropriate nominee for this position. We would appreciate receiving your nomination for this upcoming vacancy as soon as possible so that the Commissioners can decide on the appointment of this position in November or December of this year.

Thank you for your consideration and assistance in 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,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\Commission on Women.sheriff.wpd



COMMISSIONERS  
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THEODORE J. ELDER  
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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

November 9, 2017

Fred Webster, Director  
Emergency Services  
One W. Market St., Room 1002  
Snow Hill, MD 21863

RE: Request for Nominations for Public Safety Representative on Commission for Women

Dear Mr. Webster:

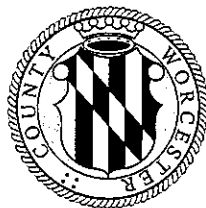
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Thank you for your consideration and assistance in this matter. If you should have any questions or concerns, please feel free to contact either me or Kelly Shannahan, Assistant Chief Administrative Officer, at this office.

Sincerely,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\Commission on Women.911.wpd



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

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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

November 9, 2017

Honorable Beau Oglesby  
State's Attorney  
106 Franklin St.  
Snow Hill, MD 21863

RE: Request for Nominations for Public Safety Representative on Commission for Women

Dear Mr. Oglesby:

Please be advised that the Worcester County Commissioners have begun to consider appointments to various County boards and commissions for which members' terms are scheduled to expire at the end of this year. Upon review of our records, we recently determined that the term of Corporal Lisa Maurer of the Worcester County Sheriff's Office, who currently serves as the Public Safety Representative on the Worcester County Commission for Women, is scheduled to expire on December 31, 2017. We are therefore requesting your consideration for submitting a nominee from your office to fill in this upcoming vacancy. I have included a copy of the Board Summary Sheet for the Commission for Women as well as the County law and by-laws which outline the duties and responsibilities for the Commission for Women which you may find helpful in determining an appropriate nominee for this position. We would appreciate receiving your nomination for this upcoming vacancy as soon as possible so that the Commissioners can decide on the appointment of this position in November or December of this year.

Thank you for your consideration and assistance in 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,

Madison J. Bunting, Jr.  
President

MJB/KS/fac  
cc: Kelly Shannahan, Assistant Chief Administrative Officer  
Board Book  
H:\CCBOARDS\Commission on Women.SAO.wpd

## WOR-WIC LOCAL ADVISORY COUNCIL

Reference: Wor-Wic Local Advisory Council Responsibilities Guidelines

Appointed by: County Commissioners

Function: Advisory to Wor Wic Community College  
- Review and comment on plans; attend budget hearings; identify Wor Wic graduates who have achieved success in their field, serve as resource

Number/Term: 5/3 years, with automatic reappointment for 2<sup>nd</sup> 3-year term (since 2008)  
Terms Expire June 30

Compensation:

Meetings: As Needed

Special Provisions: 5 members from Wicomico County  
5 members from Worcester County

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Christina Welch	Shockley	Snow Hill	11-14, 14-17
Arlene Page	Bunting	Bishopville	11-14, 14-17
Kelly Beck	Boggs	Ocean Pines	12-15, 15-18
Willie Jackson	Lockfaw	Pocomoke	*11-13-16, 16-19
Jay Knerr	Gulyas	Berlin	13-16, 16-19
Caroline Bloxom	(ex-officio - Worcester County Board of Education)		
Merry Mears	(ex-officio - Worcester County Economic Development)		

### Prior Members:

Nathan Pearson	Kim Payne (98-00)
Andrea Ulrich	Helen Hammerman (97-00)
Russell Blake	Alfred Harrison (98-01)
Klein Leister	Melvin Stein (00-03)
John Staley	Mary Knight (01-04)
Steve Habeger	Dr. Arnold L. Torres (00-04)
Donna Clark	Barbara Derrickson (00-05)
Kenny Baker	Jeffrey Chapman (02-05)
Leroy Hall	Mary Ann Moore (03-06)
Rosalie Smith (93-96)	Michael Dean (04-07)
Patrick Henry (93-96)	Paul Kahn (04-07)
Jerry Richards (94-97)	Barbara Beaubien (06-08)
Louise Gulyas (95-98)	Jennifer Lynn JL Cropper (05-11)
Amanda Schummer (95-98)	Bill Bruning (99-02, 05-11)
Diana Purnell (96-99)	Jerry Barbierri (07-11)
Christine Rayne (96-99)	Lawrence Downs (08-12)
Ernestine Bailey (99-00)	Mary Knight (07-13)

\* = Appointed to fill an unexpired term

## BOARD OF ZONING APPEALS

Reference: Public Local Law - ZS §1-116

Appointed by: County Commissioners

Function: Regulatory  
Hear and decide on applications for special exceptions, variances from the setback or area provisions of the Zoning Ordinance, and on appeals where there is an alleged error in the application of the Zoning Ordinance; grant expansions of nonconforming uses.

Number/Term: 7 members (as of 1-31-97 per Bill 96-14)/3 years  
Terms expire December 31st

Compensation: \$50 per meeting, plus mileage for site inspections (policy)

Meetings: 2 per month

Special Provisions: None

Staff Contact: Department of Development Review & Permitting  
Jennifer Keener - Zoning Administrator (410-632-1200, ext. 1123)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
David Dypsky	D-3, Church	Ocean City	*11-14, 14-17
Glenn Irwin	D-7, Mitrecic	Ocean City	14-17
Thomas Babcock	D-4, Elder	Whaleville	15-18
Robert M. Purcell	D-6, Bunting	Bishopville	*11-12-15, 15-18
Larry Fykes	D-1, Lockfaw	Pocomoke	*16, 16-19
Larry Duffy	D-2, Purnell	Berlin	*17-19
Joseph W. Green, Jr.	D-5, Bertino	Ocean Pines	*05-08-11-14-17, 17-20

### Prior Members: (Since 1972)

Robert B. Jackson  
Ruth Spinak  
Merrill Lockfaw  
Winnie Williams  
Randolph F. Wilkerson  
Cashar J. Hickman  
E. Paige Boston  
Elbridge Murray  
Gary McCabe  
Harley Day  
Charles Lynch  
Dwight E. Campbell  
T. Clay Groton  
Albert Berger  
Clifford Dypsky  
Donald Jones

George Ward, Jr. (92-95)  
Doris Glover (91-95)  
Marion Marshall (90-96)  
Madison Bunting (90-96)  
Howard "Buzz" Taylor (97-98)  
Edward Bounds (90-99)  
Marion Butler, Sr. (96-99)  
Dwight Campbell (95-00)  
Larry Widgeon (94-00)  
Robert Ewell (95-01)  
Lester Shockley (99-02)  
Robert Mitchell (02-05)  
Janice Foley (99-05)  
Richard Outten (00-06)  
Doug Parks (00-06)  
Brian Roberts (06)

Dale Smack (01-06)  
Lou Taylor (05-08)  
Jerre F. Clauss (98-10)  
Mike Diffendal (08-10)  
James E. Clubb, Jr. (06-11)  
Joe Fehrer, Jr. (06-12)  
Beth Gismondi (96-14)  
Bill Bruning (12-15)  
Robert L. Cowger, Jr. (10-16)  
Rodney C. Belmont (07-17)

\* = Appointed to fill an unexpired term



# PRESS RELEASE

Worcester County Government ♦ Phone (410) 632-1194 ♦ Fax (410) 632-3131

TO: Local Media  
FROM: Worcester County Commissioners  
DATE: November 9, 2017  
FOR RELEASE: Immediately  
TOPIC: Openings available on several Worcester County boards and commissions  
CONTACT: Kim Moses, public information officer, at (410) 632-1194

---

## **Openings available on several Worcester County boards and commissions**

Worcester County currently has openings on 27 boards and commissions. County residents interested in volunteering to fill these open seats are invited to contact the County Commissioners, identifying the boards or commissions that are of interest to them.

Vacancies are available on the Adult Public Guardianship Board, Commission on Aging Board, Agricultural Preservation Advisory Board, Agricultural Reconciliation Board, Building Code Appeals Board, Drug & Alcohol Abuse Council, Economic Development Advisory Board, Board of Electrical Examiners, Ethics Board, Housing Review Board, Local Management Board/Initiative to Preserve Families Board, and Board of Library Trustees. Vacancies are also available on the Local Development Council for the Ocean Downs Casino, Lower Shore Workforce Investment Board, Planning Commission, Property Tax Assessment Appeal Board, Recreation Advisory Board, Social Services Board, Solid Waste Advisory Committee, Tourism Advisory Committee, Commission for Women, Wor-Wic Community College Local Advisory Council, Board of Zoning Appeals, and Water and Sewer Advisory Councils in Mystic Harbour, Ocean Pines, and West Ocean City.

Please send a letter of interest, along with a resume or cover letter outlining any pertinent experience, to the County Commissioners at [admin@co.worcester.md.us](mailto:admin@co.worcester.md.us) or Worcester County Government Center, One West Market Street, Room 1103, Snow Hill, Maryland 21863.



11

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

COMMISSIONERS  
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JAMES C. CHURCH  
THEODORE J. ELDER  
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

November 15, 2017

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*  
SUBJECT: Waiver of County Commissioners' Scheduled Salary Increase

\*\*\*\*\*

As you are aware, the Worcester County Commissioners' salary was established by Resolution No. 05-34, adopted on November 15, 2005 (see attached). This resolution established that "the salary of the County Commissioners shall be \$25,000 each per year." However, this resolution also included a cost-of-living clause whereby their salary would "be automatically increased at the beginning of each term equal to the cost-of-living increase awarded to county employees during the prior term." Prior to their 2010-2014 term, and given the economic situation at that time, the County Commissioners opted to waive their scheduled salary increase of 12.5%, so their salary remained at \$25,000 each per year (see Resolution No. 10-5 attached). Prior to their 2014-2018 term, the Commissioners took no action on this matter and as a result, their salaries increased by 4% to \$26,000 each per year, which was the total cost-of-living increases granted to County employees from FY11 to FY14. Since that time, county employees have received a total cost-of-living increase of 1.5% as follows:

- FY15 budget adopted on June 3, 2014 = 0.5%
- FY16 budget adopted on June 2, 2015 = 0.0%
- FY17 budget adopted on June 7, 2016 = 0.0%
- FY18 budget adopted on June 6, 2017 = 1.0%
- Total cost-of-living adjustment adopted during last 4 fiscal years = 1.5%

Without any further action by the County Commissioners, their salary would automatically increase by 1.5 % for the 2018-2022 term to \$26,390 each per year. However, I understand that the County Commissioners prefer to waive their scheduled salary increase. Therefore, attached please find a draft resolution to waive the County Commissioners' scheduled salary increase for the 2018-2022 term.

P.5

Please present this draft resolution to the Commissioners for their consideration at their next meeting. If you should have any questions or concerns with regard to this matter, please feel free to contact me.

RESOLUTION NO. 05 - 34

**RESOLUTION ESTABLISHING SALARIES AND ALLOWANCES  
FOR COUNTY COMMISSIONERS FOR THE 2006-2010 TERM**

WHEREAS, Section CG 2-103 of the County Government Article of the Code of Public Local Laws of Worcester County, Maryland provides that the salaries of the County Commissioners shall be set by Resolution of the County Commissioners; and

WHEREAS, the salaries of elected officials may not be changed during their term in office and must be established for said term prior to the commencement of said term; and

WHEREAS, 2006 is an election year for all County Commissioners and the terms of said County Commissioners shall commence after November 2006; and

WHEREAS, County Commissioner salaries and allowances were last revised by Resolution No. 98-23 adopted on May 19, 1998 for the 1998-2002 term of office; and

WHEREAS, the County Commissioners established a County Commissioners' Salary Review Committee to study County Commissioners' salaries and recommend an appropriate salary for the Commissioners for the 2006-2010 term, whose report was submitted to the County Commissioners for review at their meeting of September 20, 2005; and

WHEREAS, the County Commissioners' Salary Review Committee recommended an annual salary of up to \$25,000 each and an annual local expense allowance of \$3,000 each for mileage and related fees in recognition that the complexity and magnitude of the duties of these elected officials continue to increase substantially each year and considering that the cost of living has increased over the past eight years and the County has granted cost-of-living increases for County employees during that time; and

WHEREAS, the County Commissioners' Salary Review Committee further recommended that beginning with the 2010-2014 term, the Commissioners' annual salary be automatically increased at the beginning of each term equal to the cost-of-living increase awarded to county employees during the prior term, unless rescinded, and reviewed every four years by an independent committee of citizens.

NOW, THEREFORE, BE IT RESOLVED, by the County Commissioners of Worcester County that the County Commissioners shall receive such compensation and allowances for the term of office commencing after the election of November 2006 as indicated below:

1. The salary of the County Commissioners shall be \$25,000 each per year. They shall also receive a local expense allowance for traveling and other general expenses in the amount of \$250 per month.
2. The County Commissioners may also be entitled to receive an allowance or reimbursement for such other specific extraordinary expenses incurred in the course of their official duties as may have been specifically authorized and approved by the County Commissioners.

3. Beginning with the 2010-2014 term and for each term thereafter unless revised or rescinded by resolution of the County Commissioners, the Commissioners' salary shall be automatically increased at the beginning of each term equal to the cost-of-living increase awarded to county employees during the prior term.
4. This Resolution shall remain in effect for successive Boards of County Commissioners unless amended by resolution prior to the general election held prior to the election for the office of County Commissioners for the forthcoming term.


BE IT FURTHER RESOLVED by the County Commissioners of Worcester County that this Resolution shall take effect upon the commencement of the 2006-2010 term; and

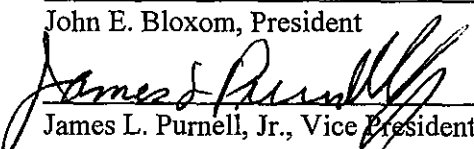
BE IT FURTHER RESOLVED by the County Commissioners of Worcester County that on or before May 1, 2008, the County Commissioners shall appoint a County Commissioners' Salary Review Committee to study County Commissioners' salaries and recommend an appropriate salary for the Commissioners for the 2010-2014 term.

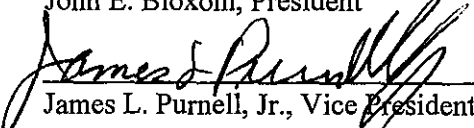
PASSED AND ADOPTED this 15<sup>th</sup> day of November, 2005.


ATTEST:

WORCESTER COUNTY COMMISSIONERS

  
Gerald T. Mason  
Chief Administrative Officer

  
John E. Bloxom, President

  
James L. Purnell, Jr., Vice President

  
Judith O. Boggs

  
Thomas A. Cetola

  
James C. Church

  
Louise L. Gulyas

  
Virgil L. Shockley

RESOLUTION NO. 10 - 5

**RESOLUTION WAIVING COUNTY COMMISSIONERS'  
SCHEDULED SALARY INCREASE FOR THE 2010-2014 TERM**

WHEREAS, the County Commissioners of Worcester County adopted, on November 15, 2005, a Resolution Establishing Salaries and Allowances for County Commissioners for the 2006-2010 term; and

WHEREAS, Section 3 of the above referenced resolution provided that beginning with the 2010-2014 term and for each term thereafter unless revised or rescinded by resolution of the County Commissioners, the Commissioners' salary shall be automatically increased at the beginning of each term equal to the cost-of-living increase awarded to county employees during the prior term; and

WHEREAS, although cost-of-living increases were awarded to county employees during the 2006-2010 term totaling a cumulative 12.5%, declining revenues forced the Commissioners to withhold a cost-of living increase in the current fiscal year (FY10) and projections indicate that a cost-of-living adjustment is unlikely to be awarded in the coming fiscal year (FY11); and

WHEREAS, the Commissioners have determined that it would be prudent to waive the County Commissioners' scheduled salary increase for the 2010-2014 term due to the current economic conditions.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Commissioners do hereby waive the scheduled salary increase of 12.5% for the 2010-2014 term; and


AND, BE IT FURTHER RESOLVED that other than this one-time waiver of the scheduled salary increase, all provisions of Resolution No. 05-34 establishing salaries and allowances for County Commissioners for the 2006-2010 term as adopted on November 15, 2005 shall remain in full force and effect for the Commissioners' 2010-2014 term and beyond.

PASSED AND ADOPTED this 19<sup>th</sup> day of January 2010.

ATTEST:


  
Gerald T. Mason  
Chief Administrative Officer


WORCESTER COUNTY COMMISSIONERS

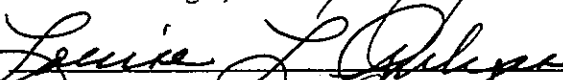
  
James C. Church, President

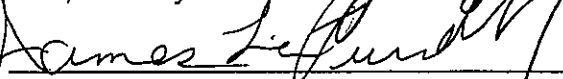
**Absent**


Linda C. Busick, Vice President

  
Judith O. Boggs

  
Robert L. Cowger, Jr.

  
Louise L. Gulyas

  
James L. Purnell, Jr.

  
Virgil L. Shockley

DRAFT

RESOLUTION NO. 17 - \_\_\_\_

**RESOLUTION WAIVING COUNTY COMMISSIONERS'  
SCHEDULED SALARY INCREASE FOR THE 2018-2022 TERM**

WHEREAS, the County Commissioners of Worcester County adopted, on November 15, 2005, a Resolution Establishing Salaries and Allowances for County Commissioners for the 2006-2010 term; and

WHEREAS, Section 3 of the above referenced resolution provided that beginning with the 2010-2014 term and for each term thereafter unless revised or rescinded by resolution of the County Commissioners, the Commissioners' salary shall be automatically increased at the beginning of each term equal to the cost-of-living increase awarded to county employees during the prior term; and

WHEREAS, although cost-of-living increases were awarded to county employees during the 2014-2018 term totaling a cumulative 1.5%, the Commissioners have determined that it would be prudent to waive the County Commissioners' scheduled salary increase for the 2018-2022 term.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the Commissioners do hereby waive the scheduled salary increase of 1.5% for the 2018-2022 term; and

AND, BE IT FURTHER RESOLVED that other than this waiver of the scheduled salary increase, all provisions of Resolution No. 05-34 establishing salaries and allowances for County Commissioners for the 2006-2010 term as adopted on November 15, 2005 shall remain in full force and effect for the Commissioners' 2018-2022 term and beyond.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2017.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

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

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

\_\_\_\_\_  
Diana Purnell, Vice President

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

\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Theodore J. Elder

\_\_\_\_\_  
Merrill W. Lockfaw, Jr.

\_\_\_\_\_  
Joseph M. Mitrecic

**NOTICE OF PUBLIC HEARING  
DISSOLUTION OF SANITARY SERVICE AREA FOR  
SOUTH POINT VILLAGE TOWNHOMES  
WORCESTER COUNTY, MARYLAND**

12

The Worcester County Commissioners have determined that the South Point Village Townhomes Sanitary Service Area is no longer necessary since this development now receives public water service from the Mystic Harbour Sanitary Service Area and are therefore proposing dissolution of the South Point Village Townhomes Sanitary Service Area in accordance with the provisions of Sections PW 5-311 and PW 5-305 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

The South Point Village Sanitary Service Area was established on January 21, 1997 by Resolution No. 97-5 for the purposes of providing potable water service to the South Point Village Condominium. The sanitary service area includes the following parcel: Worcester County Tax Map 27, Parcel 252, Tax Account I.D. # 10-238277, located at the southwest corner of the intersection of Old Bridge Road (MD Route 707) and Stephen Decatur Highway (MD Route 611), which is within the boundary of the Mystic Harbour Sanitary Service Area.

The proposal is to dissolve the South Point Village Townhomes Sanitary Service Area since the Mystic Harbour Sanitary Service Area has been providing this community with potable water service for the past fifteen (15) years. In 1999, the County Commissioners accepted water supply facilities constructed to serve the South Point Village Townhomes community. In 2003, bond funding was provided which enabled the South Point Village Townhomes Community to connect to the Mystic Harbour water system. Since connection to the Mystic Harbour water system, the South Point Village Townhomes community facilities have not been used. On August 1, 2017, the debt incurred to connect South Point Village Townhomes to the Mystic Harbour water system was paid in full. This connection provided potable water for the thirty-six (36) equivalent dwelling units (EDUs) serving the South Point Village Townhomes. Once dissolved, the Department of Public Works will remove the treatment equipment from a building owned by the South Point Village Townhomes Homeowners Association (HOA), allowing the HOA full access and responsibility for the building.

The staff investigation of the proposal to dissolve the sanitary service area found that: the South Point Village Townhomes are now being served by the Mystic Harbour Sanitary Service Area (MHSSA) for their potable water needs which is desirable for the comfort, convenience, health, safety and welfare of the people to be served and no longer need a separate system; the continued provision of potable water service from MHSSA is feasible from an engineering standpoint and from an economic standpoint; the proposal is in the best interest of the public health, safety and welfare of the residents of the County; the proposal will not be unduly detrimental to the environment; and the continued operation of the MHSSA facilities will be in accordance with all required permits and applicable standards.

A public hearing on the proposed dissolution of the South Point Village Townhomes Sanitary Service Area will be held on

**TUESDAY, NOVEMBER 21, 2017  
at 10:30 A.M.**

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

A copy of the staff report on the proposed dissolution of the South Point Village Townhomes Sanitary Service Area, and any associated documents, may be obtained from County Administration, Room 1103 (1<sup>st</sup> Floor) - Government Center, One West Market Street, Snow Hill, Maryland. These documents may be reviewed during the regular business hours of 8:00 A.M. to 4:30 P.M., Monday through Friday (except Holidays). Anyone having questions should contact John Tustin, P.E., Director of Public Works, at (410) 632-5623.

All interested citizens are encouraged to attend the hearing and express their views on the proposed dissolution of the service area. Both written and oral testimony will be accepted.

THE WORCESTER COUNTY COMMISSIONERS

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RECEIVED

SEP 27 2017

Worcester County Admin



**Worcester County**  
**DEPARTMENT OF PUBLIC WORKS**

6113 TIMMONS ROAD  
SNOW HILL, MARYLAND 21863

Public Hearing  
November 21, 2017

**MEMORANDUM**

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** John H. Tustin, P.E. Director of Public Works  
**DATE:** September 27, 2017  
**SUBJECT:** South Point Village Townhomes  
Water Supply Facilities

APPROVED  
Worcester County Commissioners

Date: 10/3/17

**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

In late 1998/early 1999, the County Commissioners accepted water supply facilities constructed to serve the South Point Village Townhomes for operation and created the South Point Village Townhomes Sanitary Service Area. The Commissioners accepted the treatment equipment that was used to supply the community water and the equipment was located within a building owned by the South Point Village Townhomes Community Homeowners Association (HOA).

In 2003, funding was provided through a bond issue to allow the South Point Village Community to connect to the Mystic Harbour Water System. Since connecting to the Mystic Harbour Water System, the water treatment facilities at South Point Village have not been used.

On August 1, 2017, the debt incurred to connect South Point Village Townhomes to the Mystic Harbour System was paid in full; therefore, the Department would request that the County Commissioners dissolve this Service Area. Once dissolved, the department would remove the treatment equipment from the building, allowing the HOA to assume full responsibility for the building.

Under PW §5-311 "Dissolution", The County Code states as follows:

"Where the County Commissioners determine that a sanitary service area or sub-area is no longer necessary based upon the criteria set forth in § PW 5-305(b)(2)A through § PW 5-305(b)(2)E, the sanitary service area or sub-area may be dissolved in accordance with the procedures in this Subtitle for establishment."

§ PW 5-305(b)(2)A through § PW 5-305(b)(2)E provides the following criteria:

- A. Desirability of the facility for comfort, convenience, health, safety and welfare of the people who will or in the future may be served by the proposal.

- B. Feasibility of construction and operation from an engineering standpoint as well as from an economic standpoint of the proposal.
- C. Whether or not the proposal is in the best interest of the public health, safety and welfare of all residents of the county.
- D. Whether or not the proposal will not be unduly detrimental to the environment of the county.
- E. Whether or not the design and operation of any facility included in the proposal is in accordance with all required permits and applicable standards.

Considering that the Mystic Harbour Service Area has been providing this community water for the past 15 years, the criteria listed above is being met. The final step in dissolving the service area would be to provide the required notice and hold a public hearing to receive comments on the proposal.

We are available to discuss this matter at your convenience.

cc: John Ross  
Robert Mitchell

- (m) Assessment appeals. Any person alleging an error in the application of the criteria or standards used in determining the number of equivalent dwelling units assessed, or in the calculation of some other method of assessment allowed under the provisions of this section, or the procedures adopted to implement the assessment system, shall be entitled to appeal, in individual cases, such assessments to the County Commissioners within such time periods and in accordance with such procedures as the County Commissioners may from time to time adopt by resolution. There shall be no appeal from the assessment methods or procedures. In the event of a reduction in assessment, the property owner shall be entitled to a refund for the then current year only.

**§ PW 5-311. Dissolution.**

Where the County Commissioners determine that a sanitary service area or sub-area is no longer necessary based upon the criteria set forth in § PW 5-305(b)(2)A through § PW 5-305(b)(2)E, the sanitary service area or sub-area may be dissolved in accordance with the procedures in this Subtitle for establishment.

**§ PW 5-312. Additional provisions.**

Nothing contained in this Subtitle shall be construed to limit or diminish any other powers or authority relating to the provision of water or wastewater service granted to the county under the Environment Article of the Annotated Code of Maryland or any other provisions of public general law. Where such other powers are in conflict with provisions of this Subtitle then the provisions of this Subtitle shall govern without any such limitation.

**§ PW 5-313. Effect on existing agreements.**

Nothing in this Subtitle shall abrogate or amend any such terms of any legally enforceable agreement entered into between any developer or sanitary service area and the Worcester County Sanitary District or the County Commissioners enforceable and in effect on the effective date hereof (including, but not limited to, the agreement made on the 25th day of November, 1997, by and between MH Utilities Corporation, Mystic Harbour Water and Wastewater Services, Inc. and the Worcester County Commissioners) to the extent that the provisions of this Subtitle are in conflict with matters specifically and directly addressed in said terms, otherwise the provisions of this Subtitle shall apply. Specifically, however, where such agreements provide for transfer of facilities, expansion of service areas, or service outside service areas, then the provisions of the agreement shall govern.

**§ PW 5-314. Decision of Commissioners to be final.**

Any person who has been denied a permit, license or approval by any county department or official acting pursuant to this Subtitle may, in writing within 30 days of such action, apply to the County Commissioners for a review of such action. The Commissioners shall provide the applicant with a right to be heard thereon upon at least 15 days notice. The decision of the Commissioners shall be final and not subject to any appeal to any board or court.

**§ PW 5-305. Sanitary service areas, sub-areas and amendments.**

- (a) Criteria for establishment. A sanitary service area may be created only if it can be demonstrated, and the County Commissioners find that the establishment is (1) necessary for the existing or future health, safety and welfare of the public in general or is in the best interest of the county at large, and (2) feasible financially and from an engineering standpoint. A sanitary service area may include non-contiguous parcels. Parcels wholly within the boundaries of a service area may be excluded from the service area.
- (b) Procedure. The procedure for the establishment of a sanitary service area, sub-area or amendment thereto shall be as follows:

- (1) Initiation of the process for sanitary service areas or sub-areas to be established or amended may be by petition or by action of the County Commissioners as follows:

- A. By petition. The owner or owners of property may petition the County Commissioners for the establishment of a sanitary service area to serve that sub-area or amendment thereto. The petition must describe the geographic area proposed for the sanitary service area, sub-area or amendment. The petition shall be on such forms as prescribed by the County Commissioners and must be signed by not less than 67% of the property owners in the proposed service area, sub-area or amended area. The petition shall be accompanied by a plat of the proposed service area, drawings, maps, plans, studies, construction information and other information as may be required by the County Commissioners.
- B. By action of the County Commissioners. If the County Commissioners determine that the establishment of a sanitary service area, sub-area or amendment thereto may be desirable in accordance with the criteria in this Subtitle, then the Commissioners may pass a resolution providing for an investigation of such proposed sanitary service area, sub-area or amendment.

- (2) Action on Petition or Resolution. The Commissioners shall make an investigation and evaluation of the proposal set forth in the petition or resolution. In evaluating the proposal, the Commissioners shall consider the following:

- A. Desirability of the facility for comfort, convenience, health, safety and welfare of the people who will or in the future may be served by the proposal.
- B. Feasibility of construction and operation from an engineering standpoint as well as from an economic standpoint of the proposal.
- C. Whether or not the proposal is in the best interest of the public health, safety and welfare of all residents of the county.
- D. Whether or not the proposal will not be unduly detrimental to the environment of the county.
- E. Whether or not the design and operation of any facility included in the proposal is in accordance with all required permits and applicable standards.

- (3) Hearing. The Commissioners shall hold at least one public hearing on the proposed establishment of a sanitary service area, sub-area or amendment thereto which shall be advertised at least once per week for two consecutive weeks prior to the hearing in a newspaper of general circulation in the area of the proposed action. The public hearing may be held in conjunction with any other public hearing required for the approval of the proposal.

A. (Reserved)<sup>8</sup>

- (4) Approval/Disapproval. Following the public hearing the Commissioners may approve the proposal and establish a service area, sub-area or amend the same by resolution. The resolution shall specify and include: (1) the name of the service area or sub-area; (2) a geographic description of the service area or sub-area; (3) a description of the proposed sanitary facilities and a plan and schedule for the construction of the facilities; (4) the number of equivalent dwelling units to be served in the sanitary service area or sub-area; (5) an allocation of the equivalent dwelling units for existing parcels and for parcels planned for development; and (6) such other matters as the County Commissioners may deem appropriate. A copy of the resolution agreement implementing same and a plat of the boundaries of the service area or sub-area shall be recorded among the land records of the county. The County Commissioners may deny the proposal if it is found that the proposal is not necessary for the existing or future health, safety and welfare of the public in general or if the proposal is not feasible financially or from an engineering standpoint. Should construction of any facilities fail to commence within ten years from the date of the resolution, the County Commissioners may dissolve the service area or sub-area as herein provided. The decision of the County Commissioners shall be final. The resolution shall establish a special taxing district.
- (5) Cost and fees. In the case of a petition, all costs expended and fees, as from time to time prescribed by the County Commissioners, shall be paid by the petitioners at such time as demanded by the County Commissioners, provided, however, that the County Commissioners may determine that in a case where the petition is for the correction of existing conditions which are hazardous to the public health and the environment, the Commissioners may waive the fees or costs. In addition, the County Commissioners may pay such fees and costs and charge them to the service area or sub-area upon its establishment. Nothing herein shall preclude the County Commissioners from making other expenditures for studies or evaluations necessary to protect the health, safety and welfare of the people of the county and the environment.

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8. Editor's Note: Former Subsection (b)(3)A, which provided special provisions for hearings in the Ocean Pines Sanitary Service Area, was repealed 9-16-2003 by Bill No. 03-9.

**RESOLUTION NO. 17- \_\_\_\_**

**RESOLUTION DISSOLVING THE  
SOUTH POINT VILLAGE SERVICE AREA**

Add to  
DRAFT  
12

WHEREAS, pursuant to Section PW 5-305 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland, and by Resolution No. 97-5 adopted on January 21, 1997, the County Commissioners of Worcester County, Maryland established the South Point Village Service Area to provide potable water service for 36 equivalent dwelling units in the South Point Village development, described as lots 1, 2, 3, 4, 5, 6, and 7 on a plat entitled "Land of Paul T. Scott, Worcester County, Maryland", which said plat is recorded among the Land Records of Worcester County, Maryland, in plat book O.D.C. No. 2, Folio 46; including unit nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Tax Account I.D. # 10-238277, located at the southwest corner of the intersection of Old Bridge Road (MD Route 707) and Stephen Decatur Highway (MD Route 611), in West Ocean City, Worcester County, Maryland; and

WHEREAS, in 2003, bond funding was provided which enabled the South Point Village development to connect to the water system in the Mystic Harbour Sanitary Service Area; since that time the South Point Village water system has not been used, the debt incurred to connect the South Point Village development to the Mystic Harbour water system was paid in full on August 1, 2017, and the South Point Village Service Area may now be dissolved; and

WHEREAS, the staff investigation of the proposal to dissolve the sanitary service area found that: the South Point Village Townhomes are now being served by the Mystic Harbour Sanitary Service Area (MHSSA) for their potable water needs which is desirable for the comfort, convenience, health, safety and welfare of the people to be served and no longer need a separate system; the continued provision of potable water service from MHSSA is feasible from an engineering standpoint and from an economic standpoint; the proposal is in the best interest of the public health, safety and welfare of the residents of the County; the proposal will not be unduly detrimental to the environment; and the continued operation of the MHSSA facilities will be in accordance with all required permits and applicable standards; and

WHEREAS, the County Commissioners held a duly advertised public hearing on November 21, 2017 to consider the proposal for dissolution of the South Point Village Service Area;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland, that the South Point Village Service Area as identified on Worcester County Tax Map 27, Parcel 252, Tax Account I.D. # 10-238277, located at the southwest corner of the intersection of Old Bridge Road (MD Route 707) and Stephen Decatur Highway (MD Route 611), in West Ocean City, Worcester County, Maryland, is hereby dissolved and the Worcester County Department of Public Works is hereby authorized to remove the treatment equipment from a building owned by the South Point Village Homeowners Association (HOA), allowing the HOA full access and responsibility for the building.

DRAFT

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

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

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

\_\_\_\_\_  
Diana Purnell, Vice President

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

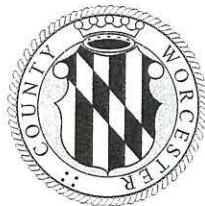
\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Theodore J. Elder

\_\_\_\_\_  
Merrill W. Lockfaw, Jr.

\_\_\_\_\_  
Joseph M. Mitrecic

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



13

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

COMMISSIONERS  
MADISON J. BUNTING, JR., PRESIDENT  
DIANA PURNELL, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
JAMES C. CHURCH  
THEODORE J. ELDER  
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

October 18, 2017

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

**FAXED**  
*10/17/17 @ 5:27pm*

Please print the attached Notice of Introduction of Bill 17-11 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on November 2, 2017 and November 16, 2017. Thank you.

### NOTICE OF INTRODUCTION OF BILL 17-11 WORCESTER COUNTY COMMISSIONERS

Take Notice that **Bill 17-11 (Zoning - Self-Storage Centers in the C-2 General Commercial District)** was introduced by Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell on October 17, 2017.

A fair summary of the bill is as follows:

§ ZS 1-210(b)(3)(B). (Repeals and reenacts this subparagraph regarding principal permitted uses and structures in the C-2 General Commercial Zoning District to increase the permitted gross floor area for self-storage centers from fifteen thousand square feet to forty-thousand square feet.)

#### A Public Hearing

will be held **on Bill 17-11** at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, **on Tuesday, November 21, 2017 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](http://www.co.worcester.md.us).

THE WORCESTER COUNTY COMMISSIONERS

1a

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 17-11

BY: Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell  
INTRODUCED: October 17, 2017

A BILL ENTITLED

AN ACT Concerning

Zoning -Self-Storage Centers in the C-2 General Commercial District

For the purpose of amending the Zoning and Subdivision Control Article to increase the maximum permitted gross floor area of self-storage centers in the C-2 General Commercial District.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Section § ZS 1-210(b)(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. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing and self-storage centers, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, and the total gross floor area of all business establishments on a parcel shall not exceed one hundred thousand square feet in gross floor area. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area and for self-storage centers the total square footage shall not exceed forty thousand square feet of gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

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 \_\_\_\_\_, 2017.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

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

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

\_\_\_\_\_  
Diana Purnell, Vice President

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

\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Theodore J. Elder

\_\_\_\_\_  
Merrill W. Lockfaw, Jr.

\_\_\_\_\_  
Joseph M. Mitrecic

11b



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DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

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

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

MEMORANDUM

Introduced as  
Bill 17-11 - Public Hearing  
on November 21, 2017

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Edward A. Tudor, Director  
DATE: October 10, 2017  
RE: Text Amendment Application - Self-Storage Centers  
in the C-2 General Commercial District

\*\*\*\*\*

The Department is in receipt of a text amendment application submitted by Mr. Hugh Cropper, IV on behalf of his client, Arden Center, LLC seeking to amend the C-2 General Commercial District regulations to allow self-storage facilities up to 40,000 square feet in gross floor area as opposed to the current limitation of 15,000 square feet. Mr. Cropper's original application proposed to amend § ZS 1-210(b)(3) of the Zoning and Subdivision Control Article to provide that self-storage facilities could be greater than 15,000 square feet by special exception and to also renumber § ZS 1-210(c)(16) as (c)(17) and create a new subsection § ZS 1-210(c)(16) that would permit self-storage centers up to 40,000 square feet.

Upon review the staff felt that since self-storage was much like warehousing which is already allowed to be up to 100,000 square feet in gross floor area in the C-2 General Commercial District by right, it was not necessary to stipulate that self-storage up to 40,000 square feet required a special exception. The staff then proposed much simpler text amendment language to allow the self-storage up to 40,000 square feet in gross floor area as a permitted principal use. Mr. Cropper readily concurred with the staff's assessment and adopted our language as his revised application.

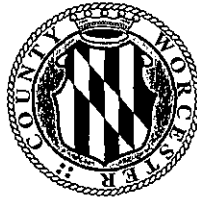
The Planning Commission reviewed the text amendment application and staff report at its meeting on October 5, 2017 and concurred with the staff recommendation. As a result the Planning Commission gave a unanimous favorable recommendation to the version prepared by the staff and adopted by Mr. Cropper.

A copy of the entire text amendment file is attached herewith for your reference. An electronic version of the proposed language in bill form has also been transmitted to your office for your use should one of the County Commissioners wish to introduce it at the upcoming legislative session.

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

Attachment

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



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

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

## MEMORANDUM

TO: Edward A. Tudor, Director  
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*  
DATE: October 5, 2017  
RE: Planning Commission Recommendation - Text Amendment Application -  
Self-Storage Centers in the C-2 General Commercial District

\*\*\*\*\*

The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding the above referenced text amendment application. The Planning Commission reviewed this application at its meeting on October 5, 2017. The text amendment application was submitted by Hugh Cropper, IV on behalf of John Salm and seeks to amend the Zoning and Subdivision Control Article to permit self-storage centers greater than 15,000 square feet in gross floor area but not exceeding 40,000 square feet in gross floor area in the C-2 General Commercial District by special exception. Specifically, the text amendment as submitted by Mr. Cropper seeks to add a phrase to existing § ZS 1-210(b)3 to cite a proposed special exception to read as follows:

- B. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, **EXCEPT BY SPECIAL EXCEPTION IN ACCORDANCE WITH § ZS 1-210(C)(16)**, and the total gross floor area of all business establishments on the parcel shall not exceed one hundred thousand square feet. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

Furthermore, Mr. Cropper seeks to renumber existing § ZS 1-210(c)(16) as § ZS 1-210(c)(17) and create a new § ZS 1-210(c)(16) to read as follows:

- (16) Self-storage centers in excess of fifteen thousand square feet of gross floor area, but not exceeding forty thousand square feet of gross floor area.

As you are aware, warehousing is at present permitted to be up to 100,000 square foot in gross floor area in the C-2 General Commercial District, yet self-storage is limited to 15,000 square feet. These two uses, although not exactly the same, are very similar. Under the C-2 General Commercial District regulations self-storage centers are grouped with contractors' shops, storage yards, and wholesale businesses, all of which are also limited to 15,000 square feet in gross floor area for a single business establishment. Additionally, all are permitted principal uses. Given that the C-2 General Commercial District is intended to provide for more intense commercial development serving populations of 3,000 or more within an approximate ten- to twenty-minute travel time, the staff concluded self-storage centers of not more than 40,000 square feet in gross floor area are appropriate in that district. Additionally, because the use is similar to warehousing which is allowed to be up to 100,000 square feet in gross floor area by right in that district, the staff does not feel there is a need to stipulate that self-storage centers not exceeding 40,000 square feet be a special exception. Therefore, the staff recommended that any proposed text amendment that is favorably recommended read as follows, with proposed new language shown in **bold**:

Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing **and self-storage centers**, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, and the total gross floor area of all business establishments on a parcel shall not exceed one hundred thousand square feet in gross floor area. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area **and for self-storage centers the total square footage shall not exceed forty thousand square feet of gross floor area**. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

The Planning Commission concurred with the staff's conclusions and felt that self-storage centers not exceeding 40,000 square feet in gross floor area were an appropriate permitted principal use for the C-2 General Commercial District. The Planning Commission subsequently concurred with the revised language prepared by the staff and gave a favorable recommendation to the text amendment application as amended.

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

Draft Bill

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 17-

BY:

INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

Zoning -Self-Storage Centers in the C-2 General Commercial District

For the purpose of amending the Zoning and Subdivision Control Article to increase the maximum permitted gross floor area of self-storage centers in the C-2 General Commercial District.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Section § ZS 1-210(b)(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. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing and self-storage centers, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, and the total gross floor area of all business establishments on a parcel shall not exceed one hundred thousand square feet in gross floor area. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area and for self-storage centers the total square footage shall not exceed forty thousand square feet of gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

Proposed New  
Language

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 \_\_\_\_\_, 2017.

ATTEST:

WORCESTER COUNTY  
COMMISSIONERS

imperative. Commercial structures and uses must be compatible with the community and the County's character. Strip commercial forms of development are strongly discouraged.

(b) Permitted principal uses and structures. The following uses and structures are permitted in the C-2 District:

(1) Motels and hotels. Minimum lot requirements shall be: lot area, forty thousand square feet [see § ZS 1-305(l) hereof]; lot area per unit, one thousand square feet; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-325 hereof.

(2) Retail or service establishments.

A. These include:

1. Retail businesses.
2. Personal service businesses.
3. Restaurants, fast-food restaurants, convenience food stores, bars and nightclubs, including entertainment and dancing, but not including dry nightclubs.
4. General and professional offices.
5. Indoor commercial recreation establishments, such as bowling alleys, arcades and theaters.
6. Doctors offices and clinics for human outpatient medical treatment.
7. Bakery, laundry or dry cleaning establishments.
8. Veterinary clinics or kennels, including outside pens and runways.
9. Self-service or full-service car washes.
10. Funeral homes.
11. Body piercing or tattoo establishments.
12. Commercial parking lots and parking garages.

B. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet. Furthermore, the gross floor area, including storage, for any single business establishment shall not exceed sixty thousand square feet and the total gross floor area of all business establishments on the parcel shall not exceed one hundred thousand square feet, subject to the provisions of § ZS 1-325 hereof. See additional provisions in Subsection (f) of this section.

(3) Contractors' shops, wholesale establishments, warehousing, and storage.

A. These include:

1. Contractors' shops, equipment and material storage yards, such as electrician, carpenter, plumber, HVAC, sheet metal, sign painting, printing, upholstery, furniture, painting or interior decorating, including retail sales, merchandise fabrication and repair.

2. Wholesale businesses, including packaging, warehousing, storage and distribution but excluding fuels and other flammable liquids or explosives.
3. Self-storage centers.

B. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, and the total gross floor area of all business establishments on the parcel shall not exceed one hundred thousand square feet. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

Proposed to  
be Revised

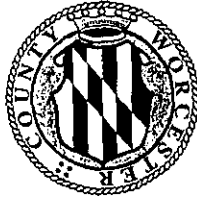
(4) Vehicle, watercraft and equipment sales and service establishments.

A. These include:

1. Automotive, farm implement, manufactured home, recreational vehicle, watercraft, truck or equipment sales, service or rental establishments, including fuel and parts sales.
2. Sale and repair of agricultural and seafood implements and supplies, fertilizer, grain and feed. Facilities for the bulk handling of fertilizer, grain and other materials shall be located at least two hundred feet from all perimeter property lines and public road rights-of-way.

B. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. The total square footage shall not exceed fifty thousand square feet in gross floor area and any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed four acres. Furthermore, other than display areas such outdoor uses shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. Display areas shall be landscaped in accordance with § ZS 1-322(e)(3) hereof. See additional provisions in Subsection (f) of this section.

- (5) Manufactured homes for nonresidential uses, limited to the uses permitted in the C-2 District and subject to the lot requirements specified for such uses, subject to the provisions of §§ ZS 1-314 and ZS 1-325 hereof.
- (6) Nursing facilities and assisted living facilities. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, twenty feet; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-325 hereof.



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

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TEL: 410-632-1200 / FAX: 410-632-3008  
[www.co.worcester.md.us/drp/drpindex.htm](http://www.co.worcester.md.us/drp/drpindex.htm)

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

## MEMORANDUM

TO: Worcester County Planning Commission  
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*  
DATE: September 18, 2017  
RE: Text Amendment Application - Self-Storage Centers  
in the C-2 General Commercial District

\*\*\*\*\*

The attached text amendment application was submitted by Hugh Cropper, IV, attorney, on behalf of John Salm and seeks to amend the Zoning and Subdivision Control Article to permit self-storage centers greater than 15,000 square feet in gross floor area but not exceeding 40,000 square feet in gross floor area in the C-2 General Commercial District by special exception. Specifically, the text amendment as submitted by Mr. Cropper seeks to add a phrase to existing § ZS 1-210(b)3 to cite a proposed special exception to read as follows:

- B. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, **EXCEPT BY SPECIAL EXCEPTION IN ACCORDANCE WITH § ZS 1-210(c)(16)**, and the total gross floor area of all business establishments on the parcel shall not exceed one hundred thousand square feet. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

Furthermore, Mr. Cropper seeks to renumber existing § ZS 1-210(c)(16) as § ZS 1-

210(c)(17) and create a new § ZS 1-210(c)(16) to read as follows:

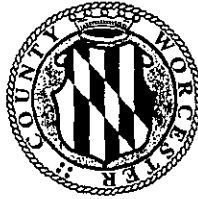
- (16) Self-storage centers in excess of fifteen thousand square feet of gross floor area, but not exceeding forty thousand square feet of gross floor area.

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. At present, warehousing is permitted to be up to 100,000 square foot in gross floor area in the C-2 General Commercial District, yet self-storage is limited to 15,000 square feet. These two uses, although not exactly the same, are very similar. Under the C-2 General Commercial District regulations self-storage centers are grouped with contractors' shops, storage yards, and wholesale businesses, all of which are also limited to 15,000 square feet in gross floor area for a single business establishment. Additionally, all are permitted principal uses. Given that the C-2 General Commercial District is intended to provide for more intense commercial development serving populations of 3,000 or more within an approximate ten- to twenty-minute travel time, the staff concludes self-storage centers of not more than 40,000 square feet in gross floor area are appropriate in that district. Additionally, because the use is similar to warehousing which is allowed to be up to 100,000 square feet in gross floor area by right in that district, the staff does not feel there is a need to stipulate that self-storage centers not exceeding 40,000 square feet be a special exception. Therefore, on behalf of the staff I would recommend that any proposed text amendment that is favorably recommended read as follows, with proposed new language shown in **bold**:

Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing **and self-storage centers**, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, and the total gross floor area of all business establishments on a parcel shall not exceed one hundred thousand square feet in gross floor area. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area **and for self-storage centers the total square footage shall not exceed forty thousand square feet of gross floor area.** Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

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

cc: Edward A. Tudor  
Maureen Howarth  
Jennifer Keener



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

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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  
DATE: September 18, 2017  
RE: Text Amendment Application - Self-Storage Centers  
in the C-2 General Commercial District

\*\*\*\*\*

Pursuant to your request I have reviewed the above referenced text amendment application submitted by Mr. Hugh Cropper, IV on behalf of his client, Arden Center, LLC. Mr. Cropper is proposing to amend and add certain provisions to § ZS 1-210 to allow self-storage centers up to 40,000 square feet by special exception in the C-2 General Commercial District. The current limitation is 15,000 square feet of self-storage centers. The limitation for general warehousing in the district, however, is 100,000 square feet.

In reviewing this proposal it occurs to me that, although certainly not exactly the same, self-storage centers are somewhat of a warehousing-type use. The current 15,000 square foot limitation on a single business establishment covers not only self-storage centers but also covers a smattering of other uses, including contractors' shops, storage yards, wholesale businesses, etc. In my opinion the self-storage use is more akin to the warehousing use and less to these other uses. As such I do not think we necessarily even need to require a special exception for the self-storage use up to 40,000 square feet. With that being said, I suggest the language of the proposed amendment be revised to allow self-storage centers up to 40,000 square feet in area as a permitted use. I have taken the liberty to restructure the language to accommodate this suggestion. My proposed language for amendment to § ZS 1-210(b)(3)B is as follows:

Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing and self-storage centers, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, and the total gross floor area of all business establishments on a parcel shall not exceed one hundred thousand square feet in gross floor area. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area and for self-storage centers the total square footage shall not exceed forty thousand square feet of gross floor area. Any outdoor areas devoted to storage, repaid, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

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



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

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ZONING DIVISION  
BUILDING DIVISION  
ADMINISTRATIVE DIVISION

DATA RESEARCH DIV  
CUSTOMER SERVICE DIV  
TECHNICAL SERVICES DIV

MEMORANDUM

To: Phyllis Wimbrow, Deputy Director  
From: Jennifer Keener, Zoning Administrator *JKK*  
Date: September 12, 2017  
Re: Text Amendment Application – Self-Storage Centers Greater than 15,000 square feet in Gross Floor Area in the C-2 General Commercial District

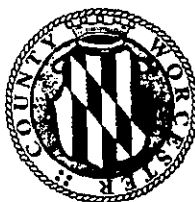
.....

This memorandum is in response to your request for comments on the revised text amendment submitted by Hugh Cropper, IV, Esquire seeking to increase the gross floor area of self-storage centers in the C-2 General Commercial District. The amendment would allow self-storage facilities to be over 15,000 square feet and up to 40,000 square feet by special exception.

Upon review of the similar uses listed in that subsection, the warehousing aspect of a wholesale business is allowed to be up to 100,000 square feet in gross floor area by right. Such a use will have a much higher turnover rate, usually by large delivery vehicles on a regular basis. Self-storage facilities by their nature are not as frequented as often. The added layer of review by the Board of Zoning Appeals will give further consideration to such use.

Many of the existing self-storage developments were constructed under previous zoning codes that did not place a maximum square footage restriction on the amount of gross floor area in the C-2 (or former B-2) District. Therefore, there are many existing developments that well exceed the 15,000 square foot threshold and would be considered non-conforming under current standards. This amendment would make many developments conforming special exceptions.

Based on this request, I have no objection to the proposed language as presented.



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: Edward A. Tudor, Director  
Jennifer K. Keener, Zoning Administrator  
Maureen Howarth, County Attorney  
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*  
DATE: August 22, 2017  
RE: Text Amendment Application - Self-Storage Centers Greater than 15,000 Square Feet in Gross Floor Area in the C-2 General Commercial District

The attached text amendment application has been submitted by Hugh Cropper, IV on behalf of John Salm and seeks to amend the Zoning and Subdivision Control Article to permit self-storage centers greater than 15,000 square feet in gross floor area but not exceeding 40,000 square feet in gross floor area in the C-2 General Commercial District by special exception. Specifically, the text amendment as submitted by Mr. Cropper seeks to add a phrase to existing § ZS 1-210(b)3 to cite a proposed special exception to read as follows:

- B. Minimum lot requirements shall be: lot area, six thousand square feet [see § ZS 1-305(l) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of § ZS 1-325 hereof. Furthermore, with the exception of warehousing, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, **EXCEPT BY SPECIAL EXCEPTION IN ACCORDANCE WITH § ZS 1-210(c)(16)**, and the total gross floor area of all business establishments on the parcel shall not exceed one hundred thousand square feet. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with § ZS 1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

Furthermore, Mr. Cropper seeks to renumber existing § ZS 1-210(c)(16) as § ZS 1-210(c)(17) and create a new § ZS 1-210(c)(16) to read as follows:

- (16) Self-storage centers in excess of fifteen thousand square feet of gross floor area, but not exceeding forty thousand square feet of gross floor area.

I anticipate scheduling this text amendment for consideration by the Planning Commission in October or November. So that I may incorporate them into the staff report, please submit your comments to me no later than September 18, 2017.

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

attachment

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

Please Type or  
Print in Ink

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

---

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

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

Date Received by Development Review and Permitting: \_\_\_\_\_

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. \_\_\_\_\_

B. Taxpayer of Worcester County. XXX

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

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

A. Section Number: ZS 1-210 (b) (3) B

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

C. Proposed revised text, addition or deletion:

See Attached

III. Reasons for Requesting Text Change:

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

See Attached

IV. Signature of Applicants

Signature: John by: John Salm, Jr. - President  
Tux3 Enterprises Inc, Manager for  
Arden Center, LLC

Printed Name of Applicant: Arden Center, LLC

Mailing Address: P.O. Box 397, Berlin, MD 21811

Phone Number: 410-641-0126 E-Mail: jsalm@iwse.com

Date: July 27, 2017

Signature of Attorney

Signature: [Signature]

Printed Name of Attorney: Hugh Cropper IV

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

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

Date: July 27, 2017

V. General Information Relating to the Text Change Request.

- A. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- B. Procedure for Text Amendments - Text amendments shall be passed by the County Commissioners of Worcester County as Public Local Laws according to legally required procedures, with the following additional requirements. Any proposed amendment shall first be referred to the Planning Commission for

recommendation. The Planning Commission shall make a recommendation within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have any 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 need not be considered.

SECTION <sup>1</sup>~~2~~-210(b)(3)B:

- B. Minimum lot requirements shall be: lot area, six thousand square feet [see §ZS1-305(1) hereof]; lot width, sixty feet; front yard setback, twenty-five feet [see §ZS1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet and subject to the provisions of §ZS1-325 hereof. Furthermore, with the exception of warehousing, the gross floor area, including storage, for any single business establishment shall not exceed fifteen thousand square feet, **EXCEPT BY SPECIAL EXCEPTION IN ACCORDANCE WITH SECTION ZS<sup>16</sup>~~1~~-210(c)(1),** and the total gross floor area of all business establishments on the parcel shall not exceed one hundred thousand square feet. For warehousing the total square footage shall not exceed one hundred thousand square feet in gross floor area. Any outdoor areas devoted to storage, repair, fabrication, display, and similar uses shall not exceed two acres and shall be buffered from adjoining properties in accordance with §ZS1-322(e)(2) hereof. See additional provisions in Subsection (f) of this section.

Section <sup>1</sup>~~2~~-210(c)(<sup>16</sup>~~15~~) shall be renumbered to (<sup>17</sup>~~16~~), and a new section <sup>16</sup>~~15~~ will be added as follows:

<sup>16</sup>~~(15)~~ **Self-Storage Centers in excess of fifteen thousand square feet of gross floor area, but not exceeding forty thousand square feet of gross floor area.**

Respectfully Submitted,



Hugh Cropper IV  
Attorney for Arden Center, LLC

**REASONS WHY THE PROPOSED TEXT CHANGE  
IS NECESSARY AND REQUESTED**

This is a request for a Text Amendment to permit self-storage centers in a C-2, General Business District, in excess of 15,000 square feet of gross floor area, by special exception.

By virtue of the November 3, 2009 Comprehensive Rezoning, the former B-2, General Business District was split into two separate provisions: C-2, General Commercial District, and C-3, Highway Commercial District.

The purpose of the C-3, Highway Commercial District is to provide for the largest and most intense commercial development, functioning as Regional Centers. Such uses shall be limited to sites with appropriate access to arterial highways. In other words, the typical big box stores such as Wal-Mart, Home Depot, etc.

Presumably as a result of this policy, self-storage centers in the C-2, General Business District are limited to 15,000 square feet gross floor area.

The applicant believes that self-storage centers should serve smaller neighborhoods. Self-storage centers should be located adjacent to, or in close proximity to, established neighborhoods.

By contrast, the C-3, Highway Commercial District, is intended to serve populations of 25,000 or more within an approximate 30 minute travel time.

15,000 square feet of gross floor area is a severe limitation on a self-storage center. It barely justifies operating a first class facility, with some climate controlled units, office, grounds maintenance, landscape maintenance, etc. The economy of scale requires more than 15,000 square feet.

The 15,000 square foot limitation is also punitive for larger properties. It is really unfair

for a parcel of ten contiguous acres zoned C-2, General Commercial District, to be limited to only 15,000 square feet of self-storage center.

The applicant recognizes that there may be locations where self-storage centers are inappropriate, so the applicant has suggested that self-storage centers over 15,000 square feet (and up to 40,000 square feet) be permitted by special exception. Therefore, it will require a public hearing, and an opportunity to determine if a particular location is poorly suited for the business. For the foregoing reasons, among others, the applicant respectfully requests that the Text Amendment be recommended by the Planning Commission, and granted by the Worcester County Commissioners.

Respectfully Submitted.



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