

# AGENDA

## WORCESTER COUNTY COMMISSIONERS

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

June 19, 2018

- |  | <u>Item #</u>   |
|--|-----------------|
| 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 posting to fill upcoming vacancies for a Development Review and Permitting (DRP) Specialist II and a Director of Emergency Services; receiving legal advice from Counsel; and performing administrative functions  |                 |
| 10:00 - Call to Order, Prayer (Arlene Page), Pledge of Allegiance  |                 |
| 10:01 - Report on Closed Session; Review and Approval of Minutes   |                 |
| 10:10 - Chief Administrative Officer: Administrative Matters   | 1-20            |
| (Board of Education Annual Budget Certification Statement and Appropriation Transmittal Schedule; Wor-Wic Community College Expenditure Budget for FY19; Custody Account Agreement with Wilmington Trust to Invest in U.S. Treasuries; Adoption of FY19 Enterprise Fund Budgets, Assessments, Charges and Fees - Water and Wastewater, Solid Waste and Liquor Control Enterprise Funds; Mutual Aid Agreement between Sheriff and Ocean City Police Department; 2019 Grant Applications - Heroin Coordinator Position for Sheriff's Office and Healthy Lifestyles for Senior Centers; Effluent Pump for The Landings Service Area; Court House Jury Assembly Restroom Renovations; Ocean Pines Branch Library - Architectural, Building Envelope and Mechanical, Electrical and Plumbing Renovations Project; Request for Out-of-State Travel for Recreation and Parks - 2018 World Aquatic Health Conference; Acceptance of Forest Stewardship Plan for Grey's Creek Nature Park; No Cost Extension - Coastal Bays Watershed Plan; Proposed Naming of Buntings Gut west of Assateague Island; Floodplain Construction Variance Request on Greenridge Lane; Out-of-State Travel Request for County Attorney - International Municipal Lawyers Association Annual Conference; Request for Allocation of Mystic Harbour Sewer EDUs for Stockyard, Inc. Properties - Hooper's Shopping Plaza in West Ocean City; and potentially other administrative matters) |                 |
| 10:20 - Public Hearing - Water and Sewerage Plan Amendment - Amending the EDU Allocation Table for the Mystic Harbour Service Area - Frontier Town Campground Expansion  | 21              |
| 10:30 -  |                 |
| 10:40 - Chief Administrative Officer: Administrative Matters (Continued)   | 1-20, continued |
| 10:50 -  |                 |
| 11:00 -  |                 |
| 11:10 -  |                 |
| 11:20 -  |                 |
| 11:30 -  |                 |
| 11:40 -  |                 |
| 11:50 -  |                 |
| 12:00 - Questions from the Press   |                 |

Lunch

**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

June 5, 2018

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

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, 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 Yasmine Jenkins, Yashawn Cuffee, and Tamara Taylor as Correctional Officer Trainees for the Jail; posting to fill vacancies for a Roads Worker II for the Roads Division and a Mosquito Control Foreman Trainee for Public Works, a Safety Coordinator for Human Resources, a Deputy Sheriff - School Security for the Sheriff's Office, Office Assistant III for Emergency Services, and a Correctional Officer for the Jail; acknowledging the hiring Tyvonnia Braxton as Branch Manager within the Ocean City Branch Library, and Kathleen Callan as a part-time Library Services Assistant I and promotion of Alice Paterra from Branch Manager I to Branch Manager II within the Berlin Branch Library; acknowledging the promotion of Brian Trader from Deputy First Class to Corporal within the Sheriff's Office; receiving legal advice from counsel; and performing administrative functions.

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

The Commissioners reviewed and approved their open and closed work session minutes of May 8, 2015 as corrected and their regular session meeting minutes of May 15, 2018 as presented.

The Commissioners presented a proclamation to Jamie Manning, Assistant Director of Services within the Department of Social Services (DSS), Commission on Aging (COA) Director Rob Hart and others recognizing June 2018 as Elder Abuse Awareness Month and June 5 as Elder Abuse Awareness Day in Worcester County.

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The Commissioners, joined by Worcester Preparatory Lower School Head Laura Holmes and Coastal Association of Realtors (CAR) Executive Vice President Page Browning and President Joel Maher, presented a commendation recognizing student Maxi Ruggerio for her poster “Celebrate the 50<sup>th</sup> Anniversary of the Fair Housing Act,” depicting community members coming together to celebrate fair housing, which was selected by CAR and the Maryland Association of Realtors to be featured in the statewide 2019 Fair Housing Calendar.

Ivonne Lomax, Youth Program Coordinator for the Lower Shore Workforce Alliance (LSWA) updated the Commissioners on the Youth Standing Committee Strategic Plan, which serves youth and young adults between the ages of 16-24 and which has been expanded to further serve the needs of workforce development and sensitive populations. She stated that the focus of the program is on youth who have disengaged from or are at risk of dropping out of the school system and have not succeeded in finding or maintaining employment. She stated that the plan includes providing training focus groups, occupational skills, career pathway skills, and much more to help youth re-engage with the community. The Commissioners thanked Ms. Lomax for the update.

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for general housing rehabilitation work to be performed on two properties in the Pocomoke and Bishopville areas, which are to be funded through the County’s current Community Development Block Grant (CDBG) Housing Rehabilitation Grant.

Pursuant to the request of Ms. Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the following Worcester County plan updates for continued Community Development Block Grant (CDBG) eligibility: Citizen Participation Plan, Minority Business Plan, Fair Housing and Equal Opportunity Plan, and Section 3 Plan.

Pursuant to the recommendation of Budget Accountant Kim Reynolds in response to a request from Health Department officials and upon a motion by Commissioner Mitrecic, the Commissioners unanimously committed a local match of \$57,151 or 25% from the FY19 budget to match the Maryland Department of Health Administration-Sponsored Capital Program grant of \$171,453 or 75% for a total estimated project cost of \$228,604 for a renovation project to add 1,103 square feet of space to the second floor of the Worcester Addictions Cooperative Services (WACS) Center.

Pursuant to the request of Tourism Director Lisa Challenger and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the Maryland State Arts Council (MSAC) Grant Agreement, awarding Worcester County Tourism a grant of \$5,000 to design a new website for Tourism Arts & Development - Eat. Drink. Buy Art (EDBA) program. Ms. Challenger advised that the EDBA campaign is a consortium of towns that have an Arts & Entertainment District and/or a designated Main Street Community, as well as marketing professionals from each county that collectively promote the arts and shop local initiative. She concluded that all matching funds will come from participating

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jurisdictions, which include Berlin, Snow Hill, Ocean City, Cambridge, Princess Anne, Denton, Elkton, Salisbury, Centerville, and Stevensville.

Pursuant to the recommendation of Environmental Programs Director Bob Mitchell and a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign the Maryland Department of the Environment (MDE) and County Commissioners of Worcester County, Maryland First Amendment to Grant Agreement to Administer and Enforce Onsite Sewage Disposal System Regulations for Systems that Utilize Best Available Technology (BAT) for Nitrogen Removal. Mr. Mitchell stated that, subject to State budget appropriation and approvals and contingent upon the continuance of the Enabling Act, MDE will award the County \$50,000 annually to administer this program in Worcester County.

Pursuant to the request of Recreation and Parks Director Tom Perlozzo and upon a motion by Commissioner Church, the Commissioners unanimously agreed to waive the standard bid process, declared Industrial Bulb & Lighting of Baltimore, Maryland to be the sole source for the provision of Maxlite light-emitting diode (LED) lighting in the Worcester County Recreation Center (WCRC) gymnasium, and accepted their proposal for Option HP 180 for the purchase of Maxlite lighting at a total cost of \$11,994. Mr. Perlozzo explained that Maxlite LED lighting will reduce electric usage within the WCRC gymnasium by approximately 60%, resulting in an anticipated savings of \$10,000 in electric costs annually. In response to a question by Commissioner Bertino, Chief Administrative Officer Harold Higgins advised that roughly \$700,000 (which was later confirmed to be \$420,365) is available within a special revenue account from the PEPCO lawsuit, to cover such energy improvement expenses.

Pursuant to the request of Mr. Perlozzo and the recommendation of the Worcester County Recreation Advisory Board and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the list of projects for park acquisition and development as recommended and agreed to allocate FY19 Worcester County Program Open Space (POS) funding of \$564,790, with 50% of funding to be allotted for park acquisition and 50% for park development. These projects include Bishopville water-front park engineering services for Phase I development planning and permitting; John Walter Smith Park in Snow Hill multi-purpose field development and WCRC development Phase 7; Newtown Park in Pocomoke development for tennis and pickleball courts; Northern Worcester Athletic Complex in Berlin for field development and park improvements to address both multi-purpose fields and parking deficits; and Stockton Park playground replacement. Mr. Perlozzo advised that the POS grants are awarded by the Maryland Department of Natural Resources (DNR) at a 90% State and 10% County cost-share for development projects and a 100% State reimbursement for park acquisition; however, the Worcester County Land Preservation, Parks and Recreation Plan (the Plan), which must be updated every five years to identify the needs of current and future populations for recreation lands and programming and to remain eligible for POS funding, did not meet the State requirements for land acquisition. He advised that the State has amended its match to 75% State 25% County until the County can justify a return to the former 90%/10% cost-share. He stated that Recreation and Parks staff have worked with Environmental Programs and the Board of

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Education (BOE) to develop a Land Use Agreement to identify additional County land and facilities not included in the original submission, and the amended Plan will be resubmitted to the State by June 30, 2018.

Pursuant to the request of Emergency Services Director Fred Webster and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal in the amount of \$49,423.72 from Absolute Security of Salisbury, Maryland to replace eight control panels for the existing Keyscan Access Control System, which were damaged during an electrical storm on May 12, 2018. Mr. Webster stated that the County, which must fund the initial cost of the repairs, should be reimbursed for all or a portion of these costs by Local Government Insurance Trust (LGIT) upon processing of this claim.

The Commissioners met with Mr. Webster to review a request from Ocean City Emergency Services Director Joe Theobald to continue using the Worcester County portion of the legacy Enhanced Digital Access Communications System (EDACS) radio system by Ocean City first responders until fall 2018, to resolve unanticipated challenges with the new Harris Corporation P25 system technology that requires additional diagnosis, engineering, software development, field testing, and reprogramming by the Town of Ocean City. Mr. Webster confirmed that Worcester County terminated its EDACS maintenance contract with Harris Corporation as of February 2018, which included decommissioning the EDACS system. However, he stated that P25 project delays have created a situation that could be detrimental to interoperability and public safety.

In response to a question by Commissioner Bertino, Mr. Webster stated that it may cost roughly \$24,000 at \$8,000 to decommission each of the three EDACS radio system sites, utilizing in-house personnel if not completed by Harris under the existing P25 system contract with the County. Upon a motion by Commissioner Bertino, the Commissioners unanimously approved the request as presented.

The Commissioners conducted a public hearing on the proposed FY18/19 Water and Wastewater Enterprise Fund operating budgets, assessments, user charges, and other charges for each of the 11 Sanitary Service Areas (SSA) and sub-areas operated by the Worcester County Department of Public Works, Water & Wastewater (W&WW) Division, with individual rates set to cover the operating and maintenance costs for each SSA. Ms. Wilson reviewed the proposed budgets for the County's various service areas, advising that user charges cover the operation and maintenance of these facilities, and while an attempt is made to keep the rate structures similar among the service areas, these rates are SSA specific. In addition to user fees, a debt service assessment is levied to repay bonds and loans for capital water and sewer infrastructure that is financed by the County, and all assessments are based per equivalent dwelling unit (EDU), with increases proposed as follows: a debt service increase for Mystic Harbour, and a debt service reduction for Ocean Pines.

Ms. Wilson stated that there are no proposed rate increases in the Lighthouse Sound, Newark, or West Ocean City SSAs. She then reviewed the proposed rate increases in the other service areas. Assateague Point would see an increase from \$80 to \$85 per park trailer, per quarter water and sewer flat charge, increase from \$127.50 to \$135.50 per EDU per quarter

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domestic sewer flat charge, and a new grinder pump flat surcharge of \$10 per lot; Briddletown would see an increase in commercial water base rates ranging from \$45 to \$375 at present to \$49.50 to \$412.50 based on total EDUs; Edgewater Acres would see an increase from \$150 to \$160 per EDU per quarter domestic water and sewer base fee, an increase from \$88 to \$93 per EDU per quarter domestic water flat rate, and an increase from \$135 to \$140 per EDU per quarter domestic sewer flat rate; The Landings would see an increase from \$215 to \$230 per EDU per quarter domestic water and sewer base fee, and increase from \$210 to \$220 per EDU per quarter accessibility fee; Mystic Harbour would see an increase from \$163 to \$168 per EDU per quarter domestic water and sewer base fee, increase Sunset Village domestic water flat rate from \$43.75 to \$47.50 per EDU per quarter, increase from \$164.25 to \$168 per EDU per quarter domestic sewer flat charge, increase in commercial water and sewer base fees ranging from \$180 to \$1,500 at present to \$198 to \$1,650 based on total EDUs, and increase from \$54 to \$66 per EDU per quarter debt service; Ocean Pines would increase from \$154 to \$170 per EDU per quarter domestic water and sewer base fee, increase from \$146 to \$158 per EDU per quarter domestic sewer flat charge, increase White Horse Park domestic water and sewer flat rate from \$122 to \$134 per lot per quarter, increase in commercial water and sewer base fees ranging from \$180 to \$1,500 at present to \$198 to \$1,650 based on total EDUs, and decrease from \$47 to \$37 per EDU per quarter debt service; Riddle Farm would see an increase in commercial water and sewer base fees ranging from \$180 to \$1,500 at present to \$198 to \$1,650 based on total EDUs; and River Run would increase from \$48.13 to \$53.13 per EDU per quarter domestic water base fee. In addition to user fees, assessments will be levied in the Newark, Ocean Pines, Snug Harbor, Oyster Harbor, and Mystic Harbour SSAs or sub-areas to make debt payments, with all assessments to be made on an EDU basis. In closing, Ms. Wilson thanked members of the Ocean Pines, Mystic Harbour and West Ocean City Water and Sewer Advisory Councils for their assistance in developing balanced budgets.

Commissioner Purnell opened the floor to receive public comments.

There being no public comments, Commissioner Purnell closed the public hearing.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners conceptually approved the proposed FY19 W&WW Enterprise Fund operating budgets, assessments, user charges, and other charges, and agreed to adopt the formal resolution at their next meeting on June 19, 2018.

The Commissioners conducted a public hearing on the Solid Waste Enterprise Fund FY19 Requested Operating Budget of \$6,021,661, which projects a decrease in tipping fee revenues of \$195,000 and General Fund grants of \$1,033,339 for recycling and \$664,984 for Homeowner Convenience Centers (HOCCs) to cover direct and indirect overhead costs, Other Revenue of \$225,000 for capital lease expenses for an articulated loader; and transfer from Reserves of \$268,538. Ms. Wilson reviewed operational issues, stating that the Solid Waste Division consists of a Central Landfill and recycling drop-off in Newark, three Homeowner Convenience Centers (HOCCs) located in Berlin, Pocomoke and Snow Hill, and five unmanned recycling centers throughout the County that are open 24 hours a day. She reviewed the proposed budget, which maintains the current solid waste tipping fee of \$70 per ton for municipal waste and \$80 per ton for construction and demolition debris. HOCC permits remain at \$100 for the first two vehicles and \$100 for each additional vehicle within each household, and the optional

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“Pay-As-You-Throw” system at a cost of \$1 per bag for each 33-gallon bag disposed at any HOCC. Ms. Wilson thanked the Solid Waste Advisory Board members for their review during the budgeting process and for the input they bring from the community.

Commissioner Bunting expressed concern that the Solid Waste Advisory Board had not recommended any rate increases to cover the actual Solid Waste operating costs of this enterprise fund. In response to this and other questions by Commissioner Bunting, Ms. Wilson stated that the current fees are already higher than those of surrounding jurisdictions, and increasing fees would likely result in further reductions in HOCC permits being issued. She stated that this year roughly 3,400 residents purchased 4,500 HOCC permits, which generated revenues of approximately \$340,000. She agreed to provide the amount of commercial permit fee revenues generated by private haulers.

Commissioner Purnell opened the floor to receive public comments.

There being no public comments, Commissioner Purnell closed the public hearing.

A motion by Commissioner Bunting to increase fees to cover the actual Solid Waste Operating Budget for FY19 failed for lack of a second. Following further discussion and upon a motion by Commissioner Mitreic, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition, to conceptually approve the proposed FY19 Solid Waste Enterprise Fund Operating Budget and agreed to adopt the formal resolution at their next meeting on June 19, 2018, with the further understanding that staff would meet with the Commissioners to provide a comprehensive review of Solid Waste operations to determine if future changes can be made to resolve the ongoing deficits, which require regular subsidies from the County’s General Fund to sustain operations.

The Commissioners conducted a public hearing to receive comment on the proposed Liquor Control Enterprise Fund FY19 Operating Budget of \$915,000. Ms. Wilson reviewed the budget, noting that this is the last remaining facet of the former Department of Liquor Control (DLC), as wholesale operations ceased in 2016, and all of the other Shore Spirits Retail Liquor Stores (RLS) were transferred to private ownership. The proposed budget allows for continued operations of the Pocomoke retail liquor store until ownership is transferred to Kalpesh Patel at the conclusion of the license appeal process.

Commissioner Purnell opened the floor to receive public comments.

There being no public comments, Commissioner Purnell closed the public hearing.

Upon a motion by Commissioner Mitreic, the Commissioners conceptually approved the proposed Liquor Control Enterprise Fund Requested FY19 Operating Budget and agreed to adopt the formal resolution at their next meeting on June 19, 2018.

Chief Administrative Officer Harold Higgins reviewed the final proposed FY18 Operating Budget of \$190,030,719 for the coming fiscal year, which reflects a decrease of \$8,901,956 or 4.7% less than the FY18 budget, while requested expenditures of \$211,611,999 have been reduced by \$21.5 million. He stated that the approved FY19 budget maintains tax rates at their current levels of 83.5¢ per \$100 of assessed value for Real Property Taxes and 1.75% for the County’s local Income Tax Rate, and due to increasing assessments, Real Property Tax Revenue is projected to increase by \$2,880,921 or 2% in FY19. He stated that this fiscally conservative budget maintains funding for valuable public services, such as public safety,

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education, and infrastructure. He noted that the County will again use Local Impact Grant (LIG) funds from the Casino at Ocean Downs, which decreased by \$254,206, to fund the annual Worcester Technical High School debt service payment, and includes an increase of \$32,000 in the Transfer-In through budget stabilization from the General Fund to the Solid Waste Enterprise Fund of \$1,033,339 to help cover operating costs for the Recycling Center and \$664,984 to help cover operating costs for the Homeowner Convenience Centers. He advised that the County budget includes funding to the Board of Education (BOE) in the amount of \$87,199,775, which is an increase of \$2,286,999 over the FY18 budget, plus debt service of \$10,396,581 for total County funding of \$97,596,356 or 51% of the County's total estimated revenue. He stated that the BOE budget includes a \$1,752,315, which includes a step, longevity step for those eligible, and salary scale adjustments as negotiated with a 1% Cost of Living Adjustment (COLA) for teachers and a 1.5% COLA for support staff, an additional \$85,000 to support a new position for school safety, a 1% increase to Bus Contractors' hourly rates and mileage rate, and an additional \$48,664 for contractors purchasing new buses and \$45,000 for high school athletics transportation. Mr. Higgins further stated that the overall County budget for County Government employees also includes a 1% COLA and Step increment of 2.5% in July 2018 for those eligible.

Commissioner Mitrecic applauded staff for their work on the budget, but advised that he cannot support the budget based on his fellow Commissioners' denial of Ocean City's requests for an additional \$100,000 tourism advertising grant, as Ocean City's advertising of the area was directly responsible for generating \$350,000 in new room tax revenues to West Ocean City, for \$300,000 for year one of a two-year bollard installation project to improve public safety on the boardwalk, and for making haphazard cuts to certain nonprofit agencies, including the Art League of Ocean City, Delmarva Discovery Museum (DDM), Furnace Town Living Heritage Museum, and the Mar-Va Theater.

Commissioner Church stated that he would support the budget because it is a good budget, but that he shared Commissioner Mitrecic's concerns that the Commissioners were short-sighted in their cuts to certain nonprofits, specifically the DDM and the Art League of Ocean City, and their denial of funds for the Worcester County Humane Society. He stated that the reductions they made to the DDM has resulted in the DDM's director opting to take a 50% pay cut, which he felt was a travesty based on the tremendous good she is doing to grow the DDM and tourism in general in the County.

Commissioner Purnell stated that she will vote for the budget. She noted that she appreciates nonprofits because they meet needs in the community, and she is not happy that the Commissioners flat-funded the Food Bank, which provides food for children living in poverty to eat during the weekends. However, this budget year was a difficult one due to a high deficit, and County staff and the Commissioners did the best job they could do to meet the greatest number of needs, including covering Solid Waste deficits, while remaining accountable for how they spend tax dollars.

Commissioner Elder stated that the nonprofits in Worcester County are good causes, and do outstanding work to meet a diverse range of needs in the community. However, many private citizens live paycheck to paycheck, and it is their right, and not that of elected officials, to dig into shallow pockets to determine which if any nonprofit organizations they may opt to support. Therefore, it is the responsibility of the Commissioners to draw a line on spending, and he will vote for the budget.

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Upon a motion by Commissioner Bertino, the Commissioners voted 6-1, with Commissioner Mitrecic voting in opposition, to adopt Resolution No. 18-12 adopting the FY19 General Fund Expense Budget in the amount of \$190,030,719 and establishing tax rates for FY18, which reflects a real property tax rate of \$.835 per \$100 of assessed value and a local income tax rate of 1.75%, both of which remain unchanged for FY19.

The Commissioners recessed until 11:45 a.m.

Pursuant to the recommendation of Mr. Webster and upon a motion by Commissioner Bunting, the Commissioners unanimously adopted Resolution No. 18-11, authorizing the naming of a private lane off of Old Bridge Road in West Ocean City and serving properties identified on Tax Map 26 as Parcel 423, Lots A, B, and C as Hideaway Lane. Mr. Webster stated that a third home was added to this parcel of land, thus requiring the lane to be named; however, the property owners could not agree on a name, so the County assigned the name.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Bertino, the Commissioners unanimously adopted the Findings of Fact and Rezoning Resolution No. 18-1, for the rezoning of approximately 0.372 acre of land located on the west side of Golf Course Road at the southerly side of the intersection with Townsend Road north of the intersection with Sunset Avenue in West Ocean City (WOC), and more specifically identified on Tax Map 27 as Parcels 309 and 485 - Lots 12, 14, and 15 in the Tenth Tax District of Worcester County, Maryland, from R-3 Multi-Family Residential District to C-2 General Commercial District, as conceptually approved on April 17, 2018.

Pursuant to the recommendation of Mr. Tudor and upon a motion by Commissioner Elder, the Commissioners unanimously adopted the Findings of Fact and Rezoning Resolution No. 18-2, for the rezoning of approximately 7.517 acres of land located on the westerly side of MD Rt. 611 to the north of Sinepuxent Road and south of Sunset Avenue, and more specifically identified on Tax Map 26 as Parcel 274 - Lots 1A and 1B in the Tenth Tax District of Worcester County, Maryland, from C-1 Neighborhood Commercial District to C-2 General Commercial District, as conceptually approved on April 17, 2018.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved bid specifications for continued generator preventative maintenance through the Fleet Management Division of Public Works, with funds of \$30,000 available within the FY19 budget for this expense. This preventative maintenance insures that all County-owned generators are reliable and ready to provide power as needed during emergencies or power outages.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Church, the Commissioners unanimously accepted the proposal from Whiting-Turner Contracting Company of Salisbury, Maryland for Construction Management Services for the heating, ventilation, and air conditioning (HVAC) renovation project at the Court House at a fixed fee of \$8,000 for pre-construction phase services, estimated hourly services not to exceed \$27,200 for the construction

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phase, plus estimated reimbursable expenses of \$4,000 for a total cost of \$39,200. Mr. Tustin advised that funds for this project are available from the Assigned Fund Balance. In response to a question by Commissioner Bertino, Mr. Tustin stated that Whiting-Turner, which is doing fantastic work overseeing the new Berlin Branch Library construction project, is one of the only contractors in the area qualified to complete this type of work.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bunting, the Commissioners unanimously agreed to appoint John F. Collins, Jr. to the Water and Sewer Advisory Council for the Ocean Pines Service Area for the remainder of a four-year term expiring December 31, 2021 to replace Michael Reilly who resigned.

Upon recommendations by Drug and Alcohol Abuse Council (DAAC) Chairman Doug Dods and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to appoint Reverend Matthew J. D'Amario to a four-year term expiring December 31, 2021 and Health Department Prevention Director Mimi Dean as the Substance Abuse Prevention Provider for the remainder of a four-year term expiring December 31, 2019 to the DAAC, to replace Reverend Bill Sterling whose term expired and Kat Gunby who resigned, respectively. They further agreed to appoint the following individuals as advisory members of the DAAC for indefinite terms: Local Management Board Director Jessica Sexauer, Shane Ferguson, and James McQuire.

The Commissioners reviewed a memo from Wor-Wic Community College President Ray Hoy advising that, in response to a recent determination by the Maryland State Department of Education (MSDE), the Wor-Wic Local Advisory Council (LAC) for Career and Technical Education for the three Lower Eastern Shore counties will be dissolved and a new council will be created under the umbrella of the local public schools instead of the college and will include representatives from all three counties. Therefore, since the existing LAC has been dissolved, local appointments to the LAC will no longer be needed by the County Commissioners.

The Commissioners answered questions from the press, after which they adjourned for lunch and to attend a ribbon cutting at Stephen Decatur High School (SDHS) in Berlin for the newly-installed bollards, which are part of an ongoing initiative to improve school safety.

The Commissioners then adjourned to meet again on June 19, 2018.



# The Board of Education of Worcester County

6270 Worcester Highway  
Newark, Maryland 21841  
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Fax: (410) 632-0364

LOUIS H. TAYLOR  
Superintendent of Schools

H. STEPHEN PRICE  
Chief Operating Officer

JOHN R. QUINN, Ed.D.  
Chief Academic Officer

VINCENT E. TOLBERT, CPA  
Chief Financial Officer

### Board Members

WILLIAM L. GORDY  
President

ERIC W. CROPPER, SR.  
Vice-President

BARRY Q. BRITTINGHAM, SR.

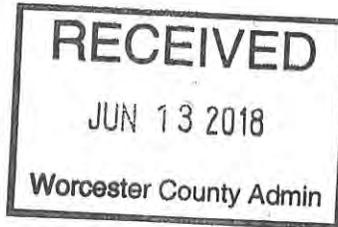
J. DOUGLAS DRYDEN

ELENA J. MCCOMAS

ROBERT A. ROTHERMEL, JR.

SARA D. THOMPSON

June 13, 2018



Mr. Harold Higgins  
Chief Administrative Officer  
Office of the County Commissioners  
Worcester County Government Center  
One W. Market Street, Room 1103  
Snow Hill, MD 21863-1195

Dear Mr. Higgins:

Attached is the Annual Budget Certification Statement, which the Board of Education must submit to the Maryland State Board of Education, detailing County funds appropriated for FY 2019. Since the state report utilizes a different format than our local budget, I have listed below the amounts approved by the County Commissioners that agrees to the total on this report.

#### Current Expense

Appropriation for Board of Education	\$86,385,293
Technology Program - Recurring	200,000
Technology Program - Non - Recurring	-0-
School Building Improvements	100,000
Total Current Expense	\$86,685,293

School Construction \$ 343,500

Debt Service \$10,396,581

Please have this form signed by Mrs. Purnell and return to me at your earliest convenience. Should you have any questions, please give me a call.

Sincerely,

Vincent E. Tolbert, CPA  
Chief Financial Officer



WORCESTER

(Local Unit)

# ANNUAL BUDGET

for the Fiscal Year Ending June 30, 2019

Authorized under §5-101, §5-102, and §5-111 of  
*Education Article of the Annotated Code of Maryland*

Refer to the *Financial Reporting Manual for Maryland Public Schools, Revised 2009*  
for definitions of accounts to be reported on this budget.

## CERTIFICATION STATEMENT

To the Board of County Commissioners or the County/City Council:  
In accordance with the requirements of the Acts of the General Assembly, and the rules and regulations of the State Board of Education, and on and with the advice of the State Superintendent of Schools, the Board of Education herewith submits the itemized school budget, showing the financial needs and estimated federal, state, local, and other revenue sources of the County/City for Current Expenses, School Construction, and Debt Service.

Agreeably, thereto you are hereby requested to provide from **County/City** sources the following appropriation, respectively:

Current Expense – Recurring Local Appropriation	\$86,685,293
Current Expense – Nonrecurring Local Appropriation	\$-0-
Total Local Appropriation	\$86,685,293
School Construction	\$343,500
Debt Service	\$10,396,581
Duly submitted by:	Date: June 15, 2018

*William T. Hardy*, President

*Louis W. Taylor*, Secretary

The above appropriations from County/City sources have been approved.

\_\_\_\_\_  
Signature of President or Chair  
of the County/City Council or County Commissioners

Preparer: Vincent E. Tolbert, CFO

Telephone: 410-632-5062

Date: 6/12/18



# The Board of Education of Worcester County

6270 Worcester Highway  
Newark, Maryland 21841  
www.worcesterk12.org  
Telephone: (410) 632-5000  
Fax: (410) 632-0364

LOUIS H. TAYLOR  
Superintendent of Schools

H. STEPHEN PRICE  
Chief Operating Officer

JOHN R. QUINN, Ed.D.  
Chief Academic Officer

VINCENT E. TOLBERT, CPA  
Chief Financial Officer

Board Members

WILLIAM L. GORDY  
President

ERIC W. CROPPER, SR.  
Vice-President

BARRY Q. BRITTINGHAM, SR.

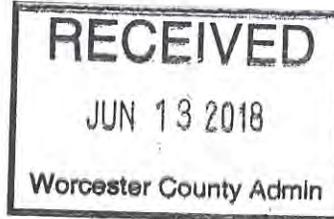
J. DOUGLAS DRYDEN

ELENA J. MCCOMAS

ROBERT A. ROTHERMEL, JR.

SARA D. THOMPSON

June 13, 2018



2

Mr. Harold Higgins  
Office of the County Commissioners  
Worcester County Government Center  
One West Market Street, Room 1103  
Snow Hill, MD 21863

Dear Mr. Higgins:

Enclosed please find the proposed County Appropriation Transmittal Schedule for Fiscal Year 2019. This schedule follows the same plan as used in past years, which takes into consideration the months that state aid is received to balance the cash flow needs from the county.

Please contact me should there be any questions or concerns with this schedule.

Sincerely,

Vincent E. Tolbert, CPA  
Chief Financial Officer



BOARD OF EDUCATION OF WORCESTER COUNTY  
COUNTY APPROPRIATION TRANSMITTAL SCHEDULE

FISCAL YEAR 2019

MONTH	REQUISITION NUMBER	AMOUNT	DATE FUNDS TRANSMITTED
July	1	\$2,724,188	Thursday, July 12, 2018
	2	2,724,188	Thursday, July 26, 2018
August	3	2,816,232	Wednesday, August 15, 2018
	4	2,816,232	Thursday, August 30, 2018
September	5	4,407,542	Friday, September 14, 2018
	6	4,407,542	Friday, September 28, 2018
October	7	4,407,542	Friday, October 12, 2018
	8	4,407,542	Tuesday, October 30, 2018
November	9	4,407,542	Thursday, November 15, 2018
	10	4,407,542	Friday, November 30, 2018
December	11	3,116,232	Wednesday, December 12, 2018
	12	2,816,232	Friday, December 21, 2018
January	13	4,407,542	Friday, January 11, 2019
	14	4,407,542	Wednesday, January 30, 2019
February	15	2,816,232	Friday, February 15, 2019
	16	2,816,232	Thursday, February 28, 2019
March	17	4,407,542	Friday, March 15, 2019
	18	4,407,542	Friday, March 29, 2019
April	19	2,816,232	Friday, April 12, 2019
	20	2,816,232	Tuesday, April 30, 2019
May	21	4,407,542	Wednesday, May 15, 2019
	22	4,407,542	Thursday, May 30, 2019
June	23	2,816,232	Thursday, June 13, 2019
	24	2,700,325	Thursday, June 27, 2019
TOTAL REQUISITIONS		\$86,685,293	
Appropriations:		\$86,385,293	Unrestricted
		200,000	Technology
		100,000	Capital Outlay
		\$86,685,293	

Approval \_\_\_\_\_

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



OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

3

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

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

To: County Commissioners  
From: Harold L. Higgins  
RE: Wor Wic Community College Spending Authority Request

Attached for your review is an updated Wor Wic Community College Expenditure Budget by Function totaling \$27,021,233 for FY2019. Dr. Hoy is seeking your approval of these expenditure categories as required by law. The County's current expenditure approval is based on the operating budget presentation totaling \$26,721,233. Dr. Hoy is seeking your spending authority at the budgeted level of \$27,021,233. Dr. Hoy believes the college can increase tuition to make up for this shortfall of \$300,000. The College has the ability to increase tuition to in-county residents up to an additional \$6.00 per credit hour to make up for the \$300,000 and the \$53,272 lost tuition stabilization grant. By granting this spending authority the County's appropriation will remain at \$2,203,762. Dr. Hoy needs your approval by June 14, 2018. Please inform me if you conceptually agree with his request and then on June 19, 2018 we will officially make the decision.

Original Presentation  
WOR-WIC COMMUNITY COLLEGE  
EXPENDITURE BUDGET BY FUNCTION  
FY 2019

	<u>AMOUNT</u>
<u>INSTRUCTION</u> This category includes expenditures for all activities that are part of the institution's instructional program, including credit and continuing education courses.	\$ 9,747,739
<u>INSTITUTIONAL SUPPORT</u> This category includes expenditures for administrative office activities including fiscal operations, information technology, institutional research, publications and resource development.	\$ 5,850,371
<u>ACADEMIC SUPPORT</u> This category includes expenditures for library services, academic administration and support services for instruction.	\$ 4,874,420
<u>PLANT</u> This category includes expenditures for the operation and maintenance of the physical plant and public safety.	\$ 3,769,258
<u>STUDENT SERVICES</u> This category includes expenditures for the offices of admissions, financial aid, registrar, counseling, recruitment, retention, student engagement and the vice president for enrollment management and student services.	\$ 2,202,445
<u>SCHOLARSHIPS</u> This category includes expenditures for scholarships and tuition waivers.	\$ 277,000
<b>TOTAL OPERATING BUDGET</b>	<u>\$ 26,721,233</u>
<u>MAINTENANCE AND REPAIR</u>	<u>\$ 547,100</u>

Note: County budget approval is by major function. Maintenance and repair is considered a major function.

Spending Authority Request

WOR-WIC COMMUNITY COLLEGE  
EXPENDITURE BUDGET BY FUNCTION  
FY 2019

	<u>AMOUNT</u>
<u>INSTRUCTION</u> This category includes expenditures for all activities that are part of the institution's instructional program, including credit and continuing education courses.	\$ 9,849,721
<u>INSTITUTIONAL SUPPORT</u> This category includes expenditures for administrative office activities including fiscal operations, information technology, institutional research, publications and resource development.	\$ 5,897,382
<u>ACADEMIC SUPPORT</u> This category includes expenditures for library services, academic administration and support services for instruction.	\$ 5,017,484
<u>PLANT</u> This category includes expenditures for the operation and maintenance of the physical plant and public safety.	\$ 3,790,736
<u>STUDENT SERVICES</u> This category includes expenditures for the offices of admissions, financial aid, registrar, counseling, recruitment, retention, student engagement and the vice president for enrollment management and student services.	\$ 2,188,910
<u>SCHOLARSHIPS</u> This category includes expenditures for scholarships and tuition waivers.	\$ 277,000
<b>TOTAL OPERATING BUDGET</b>	<b><u>\$ 27,021,233</u></b>
<u>MAINTENANCE AND REPAIR</u>	<u>\$ 547,100</u>

Note: County budget approval is by major function. Maintenance and repair is considered a major function.

**RESOLUTION ADOPTING THE WOR-WIC COMMUNITY COLLEGE  
EXPENDITURE BUDGET FOR FISCAL YEAR 2019**

WHEREAS, the County Commissioners of Worcester County, Maryland adopted the Fiscal Year 2019 Operating Budget on June 5, 2018, and deem it necessary to pass a Resolution to approve the Expenditure Budget for Wor-Wic Community College; and

WHEREAS, Section 16-301 of the Education Article of the Annotated Code of Maryland provides that each year, the Board of Trustees and the President of each Community College shall prepare and submit to the County governing body an operating budget, capital budget and long-term capital improvement plan; and

WHEREAS, Section 16-301 further provides that the County governing body shall review and approve the budget of the Community College and may reduce it; and

WHEREAS, Section 16-304 of the Education Article provides that the County governing body shall make appropriations by major functions; and

WHEREAS, the Board of Trustees and the President of Wor-Wic Community College have submitted the "Wor-Wic Community College Expenditure by Function FY 2019", attached as Exhibit "A", for approval by the County governing body.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland, that the Wor-Wic Community College Expenditure Budget by Function FY 2019, attached hereto as Exhibit A, is hereby approved.

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

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

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

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

\_\_\_\_\_  
Theodore J. Elder, Vice President

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

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

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

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

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

Exhibit A

WOR-WIC COMMUNITY COLLEGE  
EXPENDITURE BUDGET BY FUNCTION  
FY 2019

	<u>AMOUNT</u>
<u>INSTRUCTION</u> This category includes expenditures for all activities that are part of the institution's instructional program, including credit and continuing education courses.	\$ 9,849,721
<u>INSTITUTIONAL SUPPORT</u> This category includes expenditures for administrative office activities including fiscal operations, information technology, institutional research, publications and resource development.	\$ 5,897,382
<u>ACADEMIC SUPPORT</u> This category includes expenditures for library services, academic administration and support services for instruction.	\$ 5,017,484
<u>PLANT</u> This category includes expenditures for the operation and maintenance of the physical plant and public safety.	\$ 3,790,736
<u>STUDENT SERVICES</u> This category includes expenditures for the offices of admissions, financial aid, registrar, counseling, recruitment, retention, student engagement and the vice president for enrollment management and student services.	\$ 2,188,910
<u>SCHOLARSHIPS</u> This category includes expenditures for scholarships and tuition waivers.	\$ 277,000
<b>TOTAL OPERATING BUDGET</b>	<b><u>\$ 27,021,233</u></b>
<u>MAINTENANCE AND REPAIR</u>	<u>\$ 547,100</u>

Note: County budget approval is by major function. Maintenance and repair is considered a major function.



TEL: 410-632-0686  
FAX: 410-632-3003

OFFICE OF THE TREASURER

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1105  
P.O. Box 248  
SNOW HILL, MARYLAND  
21863

PHILLIP G. THOMPSON, CPA  
FINANCE OFFICER

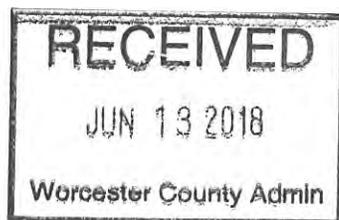
JENNIFER C. SWANTON, CPA  
ASSISTANT FINANCE OFFICER

### MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Phil Thompson, Finance Officer *PGT*  
DATE: June 12, 2018  
RE: Investments

.....

As you are aware, the current interest rate climate continues to steadily improve and we have included provisions in the approved FY19 Budget to account for the anticipated increase in interest revenue. In order to take advantage of this I have attached a Custody Account Agreement with Wilmington Trust for County signature. This would facilitate the County's investment in U.S. Treasuries in addition to and as an alternative to the Maryland Local Government Investment Pool (MLGIP) which the County has utilized for many years. The purpose of this is to take advantage longer terms (up to one year) with the U.S. Treasuries whereas the MLGIP rate of return is essentially tied to the overnight rate. All funds invested would be backed by the U.S. Treasury and this activity is in accordance with our long standing investment policy. Should you have any questions, or require additional data, please do not hesitate to contact me.



# CUSTODY ACCOUNT AGREEMENT

Wilmington Trust,  
National Association

Corporation Account

This agreement describes the terms of an account that we, the Wilmington Trust entity indicated at left, are creating for you, the entity indicated above. This agreement outlines the rights and responsibilities of each party, the services we intend to provide, the fees associated with those services, and other information you should know. Please read this agreement carefully before signing.

## 1. Our Commitments

### **We agree:**

**a) To create and maintain a custody account for you**, in which we provide safekeeping of assets.

**b) To buy, sell, accept, and transfer account assets**, in accordance with instructions from you or others you may authorize, and subject to applicable laws, regulations, and the customs and usages of the exchanges or markets where transactions are executed by you or your agents.

### **OUR CUSTODY SERVICES**

- Settle transactions in securities and currencies.
- Collect and receive all interest, dividends, principal, and any other payments and promptly credit all cash and other property received.
- Make any foreign currency exchanges that are appropriate.
- Make any payments you instruct us to make, including automatic payments.
- Invest your idle cash in shares of the money market mutual fund you have directed us to use pursuant to the Mutual Fund Disclosure, Consent and Direction Form accompanying this agreement.
- Forward to you all notices of corporate actions requiring a vote

Wilmington Trust,  
National Association

#### **ITEMS REQUIRED FOR INSTRUCTIONS**

The following items are required for each instruction from the type of account indicated. Orders that lack these items may not be executed.

**CORPORATION** Either a certificate of action of the Board of Directors or a written request signed by any of the officers indicated below.

**LLC** A written request signed by one or more of its members. If a member is a corporation, the instruction must be signed by any of the corporate officers indicated below.

**PARTNERSHIP** A written request signed by all (or less than all, if appropriate documentation is provided to us) of the general partners, or by the managing general partner. If a general partner is a corporation, its instruction must be signed by any of the corporate officers indicated below. If a general partner is itself a partnership, its instruction must be signed by all (or less than all, if appropriate documentation is provided to us), or by the managing general partner.

#### **Eligible officers**

Chairman

President

Vice President

Secretary

Treasurer

Any other officer identified in an appropriate resolution or certificate of authority

or other action (such as proxies) so that you can act on them, except for actions involving the fund used for your idle cash, on which we will vote your securities or take any action we believe is appropriate for your account.

- Process class action claims relating to assets in your account.
- Keep records of all transactions and holdings in your account.
- Provide periodic statements of account activity, asset values, tax reporting information, if applicable, and any other legally required information.
- Upon your request, use any and all assets in your account as collateral for loans you take out with us or another lender.
- At your option, invest any other assets in your choice of mutual funds from among those to which we or our affiliates provide services.
- At our option, agree to a request from you to lead or participate in a legal proceeding in connection with assets in your account, provided we have first received what, in our view, is adequate indemnification and, if applicable, adequate guarantee of expense reimbursement and compensation.
- At our option, agree to a request from you to initiate collection proceedings in connection with assets in your account, provided we have received adequate guarantee of expense reimbursement and compensation.

## 2. Your Commitments

### **You agree:**

**a) To have us open a custody account for you**, to appoint us the custodian for all assets you deliver to this account, and to allow us to provide the services described in this agreement.

**b) To provide the names and signatures of all persons authorized** to give instructions or otherwise deal with us, along with sufficient documentation showing this authorization (such as a resolution, incumbency certificate, certificate of authority and the like). In addition, you agree to indicate any limitations on an individual's authority, and to notify us in writing of any changes in these arrangements (including providing any new names, signatures, or

Wilmington Trust,  
National Association

changes of address).

**c) To accept full responsibility for all actions resulting from instructions** given by any authorized person, acknowledging that as custodian we are not responsible in any way for investment decisions regarding the assets in your account.

**d) To ensure that the instructions we receive from you, or on your behalf, are in good order.**

**e) To accept our periodic statements** as sufficient information concerning transactions in this account, unless you indicate otherwise in the signatures section or in subsequent notice to us.

**f) To notify us in writing of any discrepancy in a periodic account statement** within 30 days of the statement date, and you agree that the absence of any notice is the same as a written confirmation that you accept the statement, and all positions and transactions shown on it, as is.

**g) To provide adequate funds** to cover any overdraft or trade settlement, or the anticipated expenses of any collection or legal action we undertake on your behalf.

**h) To provide us with copies** of Articles of Incorporation/Corporate Resolutions for a corporate entity; Partnership or similar agreement for a Partnership/LLC entity; copies of Charter and Bylaws, Resolution of Board of Directors, IRS Tax Determination Letter for a Foundation/Endowment entity; tax identification number, address and other identifying information or documents we request in order for us to verify and record your identity as required by Federal laws designed to fight the funding of terrorism and money-laundering activities.

**i) To comply with all laws and regulations** that apply to you and your relationship with us.

**j) To pay us for our services to you, at our customary rates for similar accounts, with fees being calculated and deducted from your account periodically, in arrears (unless you make other arrangements), and to reimburse us for the disbursements and expenses we incur in performing these services.** Changes in our customary rates will be effective only after reasonable notice to you.

**k) To follow the appropriate procedures when closing your account, as provided in the sidebar at left.**

#### **CLOSING AN ACCOUNT**

You and we each have the power to end this agreement and close the account. There are two ways this could occur:

- you send us written instructions to close the account, signed by an authorized person(s)
- we send you written notice that we are closing your account

When an account is closed, we deliver all assets in the account to you, once we have received a receipt for them, minus any money due us under the terms of this agreement. We also provide a final statement within 30 days of the closing.

### 3. Communications Policies

**You can transmit your instructions:**

- a) **In writing**, with all necessary signatures and any other required documentation, delivered to a physical location or fax number indicated by us.
- b) **By email**, with a prompt follow-up confirmation in writing or by fax.
- c) **Verbally** (either by phone or in person), with a prompt follow-up confirmation in writing or by fax.

**You and we agree that:**

- d) **We are not obligated to act on verbal or email instructions until we have proper written confirmation.** Written instructions must be signed by someone who has authority to give instructions on the account.
- e) **All communications in connection with this agreement** will be considered valid if delivered to the applicable address on the signature page.

### 4. Rights We Reserve

**We reserve the right:**

- a) **To hire subcustodians** (including our affiliates) and depositories.
- b) **To use our affiliates to perform services** for your account (for example, brokerage services), at their and our normal rate of compensation.
- c) **To charge your account a customary fee for any overdrafts.**
- d) **To reverse any transaction carried out in error.**
- e) **To take any steps we believe reasonable** to exercise our powers and our obligations under this agreement.
- f) **To exercise any right under this agreement or applicable law at any time**, with the understanding that any delay or forbearance in executing a right will not be construed as a waiver of that right.

### 5. Limits of Our Responsibility

Wilmington Trust,  
National Association

**You agree that we are not responsible for, and agree, to the extent permitted by law, to release and indemnify us for, any loss, cost, or other damage (including attorneys' fees) that may result:**

- a) From investment management decisions and their outcomes,** this being a custody account and not an investment management account.
- b) From following the terms of this agreement.**
- c) From acting to protect assets pending their distribution or other disposition.**
- d) From any force or factor beyond our control,** such as civil disturbances, attacks, war, acts of God, power or communications system failures, or the delay or negligence of others.
- e) From acting on any instructions we reasonably believe are authentic,** or rejecting any instructions we reasonably believe are not authentic or are unauthorized.
- f) From delaying acting on any instructions that are conflicting,** incomplete, or otherwise not in good order, until we are satisfied that all issues are resolved.
- g) From assuming that all persons and entities** authorized to provide instructions are in fact whom they are certified to be (both as to individual identity and to position within an entity), until we have received a written notification otherwise.
- h) From taking, or abstaining from taking, any action based on legal advice** from your or our lawyers.
- i) From any other actions we do or do not take,** except to the extent determined to be caused by our own gross negligence or willful misconduct.

**You also agree that in any event:**

- j) We will be responsible only for direct damages,** and not for any type of indirect, special, consequential, or punitive damages, even if we are aware of the potential for such damages.
- k) We are not responsible for the accuracy of information,** including asset valuations, furnished by you or anyone else on your behalf.

Wilmington Trust,  
National Association

## 6. Terms Concerning This Agreement

### Each party agrees:

a) That this agreement is binding on us and our successors and assigns. For the avoidance of doubt, any business entity into which we may be merged or converted or with which we may be consolidated, or any entity resulting from a merger, conversion or consolidation to which we are a party, or any entity succeeding to all or substantially all of our corporate trust business, shall be the successor under this agreement without any act on the part of either of us.

b) That this agreement is binding on you and your successors and assigns, but that you will not assign this agreement without our prior written consent.

c) That if your interest in this account is assigned or terminated for any reason, you or your successors and assigns are responsible for all obligations incurred in connection with your account, whether arising before or after the assignment or termination.

d) That the provisions of Section 5, "Limits of Our Responsibility," remain in effect even after your account is closed.

e) That this agreement may not be amended except in writing, and with the approval of you and us.

f) That if any provision of this agreement is held to be invalid or unenforceable, the remaining provisions will remain in full force and effect.

## 7. Disclosures

### You understand and acknowledge:

a) That we may use account assets to pay your obligations, including any loans secured by account assets, and our fees.

b) That we may hold account assets in nominee name.

c) That any mutual funds, in which your assets are invested, including our own Wilmington family of mutual funds, are legally separate from Wilmington Trust and its corporate affiliates.

d) That Wilmington Trust receives additional fees beyond those

### CONTACT INFORMATION

Wilmington Trust

PHONE  
FAX  
EMAIL

Client

PHONE  
FAX  
EMAIL

Wilmington Trust,  
National Association

**described in the applicable fee schedule or fee agreement**  
whenever we:

- invest your money in a mutual fund or other investment fund, including any money market mutual fund that you have directed us to use for your idle cash, to which we or an affiliate provides services such as investment advisory, shareholder servicing and/or distribution services (this may include both affiliated and unaffiliated funds) and
- use one of our affiliates (such as a brokerage firm) to perform services for your account.
- The fund disclosure documents show which third parties, and which of our affiliates, provide which services and how they and we are paid.

**e) That shares of mutual funds (including money market mutual funds) and other investments funds are not bank obligations or deposits, are not insured by the FDIC, and may fluctuate in value.**

**f) That we may complete any transaction in your account as a cross-transaction with another account at Wilmington Trust, so long as the cost and quality of execution is comparable to that available at that time through channels we might have used had no cross-transaction opportunity been available.**

**g) That this agreement is governed by the laws of the State of Maryland, and that any disputes will be subject to the exclusive jurisdiction of that state's federal or state courts.**

## 8. Signatures

**By signing below:**

**a) You represent that you are authorized to execute this agreement.**

**b) You agree that you have read and understand the terms of this agreement, including:**

- |                              |   |   |
|------------------------------|---|---|
| - our commitments            | - your agreement to indemnify us          | - the terms concerning this agreement       |
| - your commitments           | - the limitations on our responsibilities | - the disclosures                           |
| - our communication policies |   | - the procedures for terminating an account |
| - the rights we reserve      |   |   |

Wilmington Trust,  
National Association

**c) You waive your right to receive transaction confirmation statements**, unless you indicate otherwise below or through subsequent notice to us in writing.

You wish to exercise your right to start receiving copies of individual confirmation statements at no expense to you.

**d) You acknowledge that we are obligated to provide** to issuers of securities held in your account (or to other parties an issuer may designate), identifying information such as your name(s), address(es), and share positions unless you object to such disclosure by checking the box below or through subsequent notice to us in writing.

You request that we withhold your identifying information from issuers and their designates.

**e) You agree to pay all fees** incurred in the operation of your accounts as described in this agreement.

**f) The officer signing for us** indicates that we understand, accept, and will abide by, the terms of this agreement.

Accepted and Agreed to by:

**Client's Name**

**Wilmington Trust:**

\_\_\_\_\_Diana Purnell\_\_\_\_\_

BY

\_\_\_\_\_President – County Commissioners  
of Worcester County, MD\_\_\_\_\_

TITLE

SIGNATURE

DATE

\_\_\_\_\_Melissa Jalace - Vasold\_\_\_\_\_

BY

\_\_\_\_\_Assistant Vice President\_\_\_\_\_

TITLE

SIGNATURE

DATE



# ON-LINE PORTFOLIO ENROLLMENT FORM

By signing below, you (the client) authorize Wilmington Trust, National Association to set up online access to your account(s) for the individuals indicated, and to maintain this access until you notify us otherwise in writing. You also state that individuals have the legal authority to access the account(s) and acknowledge that we may contact the individuals in connection with setting up this access. Further, you accept full responsibility for the consequences of your authorizations and statements above, and agree to indemnify us against any of those consequences. This agreement does not authorize any user to use information from On-Line Portfolio in third-party transactions or to provide a third party with access to On-Line Portfolio information. See On-Line Portfolio agreement for the complete license agreement.

**Client Name:**

(FIRST, MIDDLE, LAST)

 **Include intraday wire information**

**Company Name**

\_\_\_\_\_County Commissioners of Worcester  
County  
 (IF APPLICABLE)

**Address:**

\_\_\_\_\_1 W Market Street Room 1103  
 (STREET ADDRESS)  
  
 \_\_\_\_Snow Hill, MD 21863  
 (CITY, STATE, ZIP)

## Authorized On-Line Account Users

Name (First, Last)	Phone	Email	Security Answer <small>(mother's maiden name, 4-digit pin, city/town of birth, or pet's name)</small>	User ID First Choice (6-8 characters only)	User ID Second Choice (6-8 characters only)
<u>Phillip G. Thompson</u>	<u>410-632-</u> 0686	<u>pthompson@co.</u> worcester.md.us			
<u>Jennifer C. Swanton</u>	<u>410-632-</u> 0686	<u>jswanton@co.w</u> orcester.md.us			

CLIENT SIGNATURE

\_\_\_\_\_  
DATE

JOINT ACCOUNT HOLDER SIGNATURE

\_\_\_\_\_  
DATE

## ACCOUNTS (For Internal Use Only)

| ACCOUNT NUMBERS |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                 |                 |                 |                 |                 |                 |
|                 |                 |                 |                 |                 |                 |
|                 |                 |                 |                 |                 |                 |

\_\_\_\_\_Melissa Jalace - Vasold

ACCOUNT RELATIONSHIP MANAGER (PLEASE PRINT)

\_\_\_\_\_  
ACCOUNT RELATIONSHIP MANAGER SIGNATURE

\_\_\_\_\_  
DATE

**Clients:** Please fill out completely and return to your account administrator.



**Administrators:** Please supply clients with your fax number or address for their use. Upon receipt from the client, please approve and sign the enrollment, add relevant account numbers and scan to the [on-lineportfolio@wilmingtontrust.com](mailto:on-lineportfolio@wilmingtontrust.com) mailbox. Thank you.



CERTIFICATE OF AUTHORITY
for

County Commissioners of Worcester County, MD

I, Diana Purnell, the duly appointed Finance Officer/President of Client (as defined below) authorized to certify the approved actions of County Commissioners of Worcester County, MD (the "Client"), a corporation general partnership limited partnership limited liability company sole proprietorship organized or operating under the laws of hereby certify that a meeting of Client's Board of Directors or other governing body (the "Board") duly called and held, or by unanimous written consent or other method provided by applicable law or governing document, the following resolutions were duly adopted and remain in full force and effect:

RESOLVED, that the Client hereby authorizes:

Title: Finance Officer

Title: Assistant Finance Officer

Title:

Title:

Title:

(each an "Authorized Officer" and collectively, the "Authorized Officers"), or any one of them, in the name and on behalf of the Client, to complete, execute and deliver to the Global Capital Markets division of M&T Bank or any subsidiary or affiliate thereof, including, but not limited to, Wilmington Trust, National Association (collectively, "M&T Bank") agreements in a form acceptable to such Authorized Officer for the provision of custody, escrow, trust, funds transfer, investment management and investment advisory services, including any amendments and agreements or other documents related thereto and to execute or effect transactions under and give notices, certifications and instructions with respect to such agreements, as such Authorized Officer deems necessary or appropriate from time to time; and it is further

RESOLVED, that Client hereby ratifies and confirms all actions taken by it prior to the date hereof in connection with such agreements executed and delivered to M&T Bank; and it is further

RESOLVED, that the Authorized Officers are, and each of them is, hereby authorized to designate from time to time the accounts subject to such agreements, and designate from time to time the individuals who may execute or effect transactions under and give notices, certifications and instructions with respect to such agreements, such individuals designated as "Authorized Representatives;" and it is further

RESOLVED, that M&T Bank be and hereby is authorized to rely on the actual or purported signatures of any of Client's Authorized Officers and Authorized Representatives. Until M&T Bank has actually received and had a reasonable time to act on written notice from Client revoking such authority; M&T Bank shall be entitled to rely on the authority granted herein; and it is further

RESOLVED, that Client shall, to the extent permitted by applicable law, defend, indemnify and hold M&T Bank harmless from and against all liabilities, costs, and expenses (including, but not limited to, attorneys' fees and disbursements) incurred by M&T Bank in connection with the honoring of any signature, instruction or action of any Authorized Officer or Authorized Representative, or the refusal to honor any signature, instruction or action of any person who is not an Authorized Officer or Authorized Representative of Client; and it is further

RESOLVED, that these resolutions supercede all prior resolutions on the subject to which they pertain, and shall remain in full force and effect and binding upon Client until M&T Bank has actually received and had a reasonable time to act on any subsequent Certificate of Authority; provided, that these resolutions are limited in application to the services specified herein provided by the Global Capital Markets division of M&T Bank and do not supercede or affect in any way the continuing validity of other resolutions provided to M&T Bank in regard to accounts that are serviced or services that are provided by any other division or department of M&T Bank, including but not limited to accounts and services provided by Commercial Deposit Services and Treasury Management Services.

IN WITNESS WHEREOF, I have executed this Certificate of Authority this \_\_\_\_ day of \_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Diana Purnell

\_\_\_\_\_  
Name:

\_\_\_\_\_  
President

\_\_\_\_\_  
Title:

"Wilmington Trust" is a service mark encompassing the trust and investment business of M&T Bank and of some of M&T Bank's subsidiaries and affiliates, serving individual and institutional clients. The subsidiaries and affiliates include Wilmington Trust Company (operating only in Delaware), Wilmington Trust, N.A., Wilmington Trust Investment Advisors, Inc., and Wilmington Trust Investment Management LLC, as well as several other investment advisor affiliates. For additional information regarding the Wilmington Trust brand, underlying entities, or products and services offered, please visit our web site at [www.wilmingtontrust.com](http://www.wilmingtontrust.com).

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CERTIFICATE OF INCUMBENCY

I hereby certify that I am the President of County Commissioners of Worcester County, MD ("Client"), and that in that capacity, I am authorized to execute and deliver this Certificate of Incumbency in the name and on behalf of Client. I further certify that each of the following individuals is the duly elected, qualified and acting incumbent of the office set forth opposite his or her name (each an "Authorized Officer"), and the specimen signature below is the genuine signature of such Authorized Officer:

Table with 5 columns: Name, Phone, Title, E-mail Address, Signature. Rows include Phillip G. Thompson and Jennifer C Swanton.

I further certify that each of the following individuals has been duly designated by an Authorized Officer as an authorized representative (each an "Authorized Representative") of the Client, and the specimen signature below is the genuine signature of such Authorized Representative:

Table with 5 columns: Name, Phone, Title, E-mail Address, Signature. This section is currently empty.

IN WITNESS WHEREOF, I have executed this Certificate of Incumbency this \_\_\_\_ day of June, 2018.

Signature:
Diana Purnell
Name:
President - County Commissioners of Worcester County MD
Title:

"Wilmington Trust" encompasses the trust and investment business of M&T Bank and of some of M&T Bank's subsidiaries and affiliates, serving individual and institutional clients. The subsidiaries and affiliates include Wilmington Trust Company (operating only in Delaware), Wilmington Trust, N.A., Wilmington Trust Investment Advisors, Inc., and Wilmington Trust Investment Management LLC, as well as several other investment advisor affiliates. For additional information regarding the Wilmington Trust brand, underlying entities, or products and services offered, please visit our web site at www.wilmingtontrust.com.



**WILMINGTON  
TRUST**

**CUSTOMER IDENTIFICATION PROGRAM (CIP)  
New and Existing Clients  
Government (U.S. and Non-U.S.)**

<b>GOVERNMENT INFORMATION</b>			
1.1) Full Legal Name: County Commissioners of Worcester County, Maryland			
1.2a) Tax/Government Identification Number: 52-6001064		1.2b) Country issuing Tax/Government Identification Number: USA	
1.3) Primary Address (enter the physical address; please no P.O. boxes; if foreign address, enter entire address in this field): 1 W Market Street, Room 1103			
City: Snow Hill	State: MD	Zip Code: 21863	Country: USA
1.4) Mailing Address (if different from above; if foreign address, enter entire address in this field): PO Box 248			
City: Snow Hill	State: MD	Zip Code: 21863	Country: USA
1.5) Primary Contact Name: Phillip G. Thompson		1.6) Primary Contact Phone: 410.632.0686 Ext. 1215	
1.7) Primary Contact Email Address: pthompson@co.worcester.md.us			
1.8) Country of Headquarters: USA		1.9) In what countries do you derive revenue? (Countries of Primary Business Operation) USA	
1.10) Website address: www.co.worcester.md.us			
1.11) Do you already have a relationship/account with M&T Bank or Wilmington Trust? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
1.12) Do you have any close associates who now hold, or who have held, any non-US political office, whether elected or appointed, or who are otherwise politically influential? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

## VERIFICATION

For non-US governmental bodies, please provide a copy of the legislation authorizing your formation. If you are organized as a non-US government-owned business entity, please also provide your business formation documents (such as company registration or articles of incorporation). For each supervisor/director/manager, please provide:

- i. Full legal name;
- ii. Role/position/title with respect to the client;
- iii. Citizenship/nationality (for individuals) or country of formation (for entities);
- iv. Mailing address (please no P.O. boxes);
- v. Date of Birth (for individuals), and
- vi. Country of primary residence (for individuals) or headquarters or principal place of business (for entities).

Client Name: County Commissioners of Worcester County, MD

Signature: \_\_\_\_\_

Print Name: Diana Purnell

Title: President

Date: June , 2018

*Important Information about Opening a New Account: To help the U.S. government fight the funding of terrorism and money laundering activities, Federal law requires us to obtain, verify, and record information that identifies each person that opens an account.*

*What this means for you: When you open an account, we will ask for your name or business name, an address, date of birth and identification number, such as a Social Security Number or Employer Identification Number that Federal Law requires us to obtain. We may ask to see your driver's license or other identifying documents that will allow us to identify you. We appreciate your cooperation.*

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>County Commissioners of Worcester County, Maryland</b>		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input checked="" type="checkbox"/> Other (see instructions) ▶ <b>Government</b>		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) <b>1 W Market Street, Room 1103</b>		Requester's name and address (optional)
6 City, state, and ZIP code <b>Snow Hill, MD 21863</b>			
7 List account number(s) here (optional)			

<b>Part I Taxpayer Identification Number (TIN)</b>																																																				
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.																																																				
Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="10" style="text-align: center;">Social security number</td> </tr> <tr> <td style="width: 20px;"> </td><td style="width: 20px;"> </td> </tr> <tr> <td colspan="10" style="text-align: center;">or</td> </tr> <tr> <td colspan="10" style="text-align: center;">Employer identification number</td> </tr> <tr> <td style="width: 20px;">5</td><td style="width: 20px;">2</td><td style="width: 20px;">-</td><td style="width: 20px;">6</td><td style="width: 20px;">0</td><td style="width: 20px;">0</td><td style="width: 20px;">1</td><td style="width: 20px;">-</td><td style="width: 20px;">0</td><td style="width: 20px;">6</td><td style="width: 20px;">4</td> </tr> </table>	Social security number																				or										Employer identification number										5	2	-	6	0	0	1	-	0	6	4
Social security number																																																				
or																																																				
Employer identification number																																																				
5	2	-	6	0	0	1	-	0	6	4																																										

<b>Part II Certification</b>	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and	
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and	
3. I am a U.S. citizen or other U.S. person (defined below); and	
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.	

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	--------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

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



5

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

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

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

June 13, 2018

TO: Worcester County Commissioners  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *Kl*.  
SUBJECT: Draft Enterprise Fund Budget Adoption Resolution  
Water and Wastewater Enterprise Fund - FY19

\*\*\*\*\*

Attached for your review and approval is a draft copy of the resolution adopting sanitary service area budgets, assessments and charges and establishing classifications for July 1, 2018 through June 30, 2019 (FY19) as conceptually approved following your public hearing on June 5, 2018.

If you should have any questions or concerns regarding this matter, please feel free to contact me.

**RESOLUTION ADOPTING SANITARY SERVICE AREA BUDGETS, ASSESSMENTS AND CHARGES AND ESTABLISHING CLASSIFICATIONS FOR JULY 1, 2018 THROUGH JUNE 30, 2019**

WHEREAS, pursuant to Section 5-310 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners of Worcester County do hereby adopt the following Sanitary Service Area budgets, assessments and charges and make the following classifications for the purpose of such budgets and assessments for the year July 1, 2018 through June 30, 2019.

I. IT IS HEREBY RESOLVED by the County Commissioners of Worcester County, Maryland that the following budgets, charges and assessments are adopted and the following classifications made:

**A. ASSATEAGUE POINTE**

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. User rates are established at \$85.00 per park trailer quarterly which includes water and sewer service.
3. User rates are established at \$135.50 per equivalent dwelling unit (hereinafter referred to as EDU) quarterly for sewer service only.
4. Grinder pump surcharge - \$10.00 per lot
5. Snug Harbor assessment for debt service is hereby established at \$162.50 per EDU quarterly.

**B. BRIDDLINGTON**

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly Domestic user rates are hereby established at \$61.00 per EDU which includes water service only.
3. Quarterly Commercial user rates are hereby established as follows:
  - a. Commercial minimum water:
    - (1) 1 EDU - \$49.50
    - (2) 2 EDUs - \$68.75
    - (3) 3 to 13 EDUs - \$137.50
    - (4) 14 to 24 EDUs - \$206.25
    - (5) 25 to 39 EDUs - \$275.00
    - (6) 40 or more EDUs - \$412.50
  - b. Additional commercial water charges based on usage as follows:
    - (1) \$9.19 per 1,000 gallons
4. Swimming pool charge - \$22.00 quarterly.
5. Irrigation system charge - \$50.00 quarterly.

**C. EDGEWATER ACRES**

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly user rates are hereby set as follows:
  - a. Domestic minimum water & sewer \$160.00
  - b. Additional water charges based on usage as follows:
    - (1) \$7.25 per 1,000 gallons up to 10,000 gallons, and
    - (2) \$8.34 per 1,000 gallons over 10,000 gallons up to 35,000 gallons, and
    - (3) \$9.00 per 1,000 gallons over 35,000 gallons up to 45,000 gallons, and
    - (4) \$15.00 per 1,000 gallons over 45,000 gallons.
  - c. Domestic water only (not metered) \$93.00
  - d. Domestic sewer only (not metered) \$140.00

3. Sewer accessibility charges are hereby established for properties not paying user charges as follows:
  - a. \$25.00 per quarter per unit based upon platted lot or existing unit or for which site plan approval has been granted by the Planning Commission.
4. The standard quarterly assessment for Sussex County debt service is hereby established at \$0.02 per linear front foot per quarter as established in the Worcester County Sanitary District Assessment records.

#### D. THE LANDINGS

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly Domestic user rates are hereby established as follows:
  - a. Domestic minimum water & sewer \$230.00
  - b. Additional domestic water and sewer charges based on usage as follows:
    - (1) \$1.60 per 1,000 gallons up to 10,000 gallons, and
    - (2) \$3.50 per 1,000 gallons over 10,000 gallons up to 25,000 gallons, and
    - (3) \$6.00 per 1,000 gallons over 25,000 gallons up to 35,000 gallons, and
    - (4) \$9.00 per 1,000 gallons over 35,000 gallons up to 45,000 gallons, and
    - (5) \$15.00 per 1,000 gallons over 45,000 gallons.
3. Unimproved Lots - Quarterly Accessibility charge \$220.00 per EDU (Not yet connected).
4. Lewis Road domestic water minimum set at \$32.00 per quarter.

#### E. LIGHTHOUSE SOUND

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly user rates are hereby established as follows:
  - a. Improved Lots - Quarterly sewer service only charge \$210.00 per EDU (Not yet connected).
  - b. Unimproved Lots - Quarterly accessibility charge \$85.00 per EDU (Not yet connected).

#### F. MYSTIC HARBOUR

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly Domestic user rates are hereby established as follows:
  - a. Domestic minimum water & sewer \$168.00
  - b. Additional domestic water and sewer charges based on usage as follows:
    - (1) \$1.60 per 1,000 gallons up to 10,000 gallons, and
    - (2) \$3.50 per 1,000 gallons over 10,000 gallons up to 25,000 gallons, and
    - (3) \$6.00 per 1,000 gallons over 25,000 gallons up to 35,000 gallons, and
    - (4) \$9.00 per 1,000 gallons over 35,000 gallons up to 45,000 gallons, and
    - (5) \$15.00 per 1,000 gallons over 45,000 gallons.
  - c. Domestic water only service (metered) shall be billed at 25% of the above rates as established in 2a and 2b.
  - d. Flat rate domestic sewer only service \$168.00
3. Quarterly Commercial user rates are hereby established as follows:
  - a. Commercial water & sewer base and usage rates as follows:
    - (1) 1 EDU - \$198.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 27,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 27,000 gallons.

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- (2) 2 EDUs - \$275.00
    - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
    - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 54,000 gallons, and
    - c. \$10.00 per 1,000 gallons over 54,000 gallons.
  - (3) 3 to 13 EDUs - \$550.00
    - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
    - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 351,000 gallons, and
    - c. \$10.00 per 1,000 gallons over 351,000 gallons.
  - (4) 14 to 24 EDUs - \$825.00
    - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
    - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 648,000 gallons, and
    - c. \$10.00 per 1,000 gallons over 648,000 gallons.
  - (5) 25 to 39 EDUs - \$1,100.00
    - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
    - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 1,053,000 gallons, and
    - c. \$10.00 per 1,000 gallons over 1,053,000 gallons.
  - (6) 40 or more EDUs - \$1,650.00
    - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
    - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 1,250,000 gallons, and
    - c. \$10.00 per 1,000 gallons over 1,250,000 gallons.
- b. Commercial water only service shall be billed at 25% of the above rates as established in 3a and 3b.
4. Bulk water (metered) \$5.00 per thousand gallons
  5. Unimproved Lots - Quarterly Accessibility charge \$150.00 per EDU (Not yet connected).
  6. Oyster Harbor - Standard assessments for debt service are hereby established at \$54.00 per EDU quarterly.
  7. Sunset Village - The Sunset Village Home Owner's Association shall pay \$47.50 per EDU quarterly for water service.
  8. Mystic Harbour sewer assessment for debt service is hereby established at \$66.00 per EDU quarterly.

#### G. NEWARK

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly user rates are hereby established as follows:
  - a. Domestic minimum water \$108.00
  - b. Domestic minimum sewer \$108.00
  - c. Domestic water \$3.50 per 1,000 gallons over 3,000 gallons based on usage
  - d. Domestic sewer \$3.50 per 1,000 gallons over 3,000 gallons based on usage
  - e. Commercial minimum water \$133.00
  - f. Commercial minimum sewer \$133.00
  - g. Commercial water \$7.00 per 1,000 gallons over 3,000 gallons based on usage
  - h. Commercial sewer \$7.00 per 1,000 gallons over 3,000 gallons based on usage
3. Assessments are hereby established at \$27.00 per EDU quarterly.
4. Classifications are established as follows:

Properties are classified as subdivisions and businesses or industrial (commercial) based upon existing use. Residential properties are classified as subdivisions and all others are classified as business or industrial. Determinations as to equivalent dwelling unit assignments are made in accordance with Section 5-310 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

## H. OCEAN PINES

1. The budget attached hereto and appropriately labeled is hereby adopted.
2. Quarterly user rates are hereby set as follows:
  - a. Domestic minimum water and sewer \$170.00
  - b. Additional domestic water and sewer charge based on usage as follows:
    - (1) \$1.60 per 1,000 gallons up to 10,000 gallons, and
    - (2) \$3.50 per 1,000 gallons over 10,000 gallons up to 25,000 gallons, and
    - (3) \$6.00 per 1,000 gallons over 25,000 gallons up to 35,000 gallons, and
    - (4) \$9.00 per 1,000 gallons over 35,000 gallons up to 45,000 gallons, and
    - (5) \$15.00 per 1,000 gallons over 45,000 gallons.
  - c. Commercial water & sewer base and usage rates as follows:
    - (1) 1 EDU - \$198.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 27,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 27,000 gallons.
    - (2) 2 EDUs - \$275.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 54,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 54,000 gallons.
    - (3) 3 to 13 EDUs - \$550.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 351,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 351,000 gallons.
    - (4) 14 to 24 EDUs - \$825.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 648,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 648,000 gallons.
    - (5) 25 to 39 EDUs - \$1,100.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 1,053,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 1,053,000 gallons.
    - (6) 40 or more EDUs - \$1,650.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 1,250,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 1,250,000 gallons.
3. Flat rate domestic sewer only service \$158.00.
4. Standard assessments for debt service are hereby established at \$37.00 per EDU quarterly.
5. Adjusted standard assessments are as follows:
  - a. Open Space Park water - 50% of standard
  - b. Open Space Park no water - 10% of standard
  - c. Applicable parcels as described in Section E(2) and E(3) of 589 Agreement - 25% of Standard.
6. Classifications are established as follows:

Properties are classified as subdivision and business or industrial based upon existing land use or committed or approved zoning or land use. Residential properties are classified as subdivisions and all others are classified as business or industrial. Open space parks and utility lots with water service are designated as Open Space Park - Water. Open space parks and utility lots without water service are designated as Open Space Park - No Water. Determinations as to equivalent dwelling unit assignments are made in accordance with Section 5-310 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

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7. White Horse Park lots shall pay a quarterly water and sewer flat rate of \$134.00 per lot.
8. The connection charges, fee schedule, and water and sewer hookup fee for River Run, Section 15A Salt Grass Cove, Section 14C Wood Duck Isle, Section 14B Terns Landing attached hereto and appropriately labeled are hereby adopted.
9. New Ocean Pines Customers who have already paid the required equity contribution do not pay the standard assessment for debt service (as referenced in item 4 above), but instead shall pay supplemental assessments for additional debt service hereby established at \$13.00 per EDU per quarter.

#### I. RIDDLE FARM

1. The budget attached hereto and appropriately labeled is hereby adopted; and
2. Quarterly Domestic user rates are hereby established as follows:
  - a. Domestic minimum water & sewer \$180.00
  - b. Additional domestic water and sewer charges based on usage as follows:
    - (1) \$1.60 per 1,000 gallons up to 10,000 gallons, and
    - (2) \$3.50 per 1,000 gallons over 10,000 gallons up to 25,000 gallons, and
    - (3) \$6.00 per 1,000 gallons over 25,000 gallons up to 35,000 gallons, and
    - (4) \$9.00 per 1,000 gallons over 35,000 gallons up to 45,000 gallons, and
    - (5) \$15.00 per 1,000 gallons over 45,000 gallons.
3. Quarterly Commercial user rates are hereby established as follows:
  - a. Commercial water & sewer base and usage rates as follows:
    - (1) 1 EDU - \$198.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 27,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 27,000 gallons.
    - (2) 2 EDUs - \$275.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 54,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 54,000 gallons.
    - (3) 3 to 13 EDUs - \$550.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 351,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 351,000 gallons.
    - (4) 14 to 24 EDUs - \$825.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 648,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 648,000 gallons.
    - (5) 25 to 39 EDUs - \$1,100.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 1,053,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 1,053,000 gallons.
    - (6) 40 or more EDUs - \$1,650.00
      - a. \$4.00 per 1,000 gallons up to 10,000 gallons, and
      - b. \$6.00 per 1,000 gallons over 10,000 gallons up to 1,250,000 gallons, and
      - c. \$10.00 per 1,000 gallons over 1,250,000 gallons.
  4. Unimproved Lots - Quarterly Accessibility charge \$140.00 per EDU (Not yet connected).

DRAFT

J. RIVER RUN

1. The budget attached hereto and appropriately labeled is hereby adopted.
2. River Run shall pay to Ocean Pines Service Area for water as provided by contract at the following rates:
  - a. Minimum quarterly water \$53.13
  - b. Additional water charges based on usage as follows:
    - (1) \$0.50 per 1,000 gallons up to 10,000 gallons, and
    - (2) \$1.09 per 1,000 gallons over 10,000 gallons up to 25,000 gallons, and
    - (3) \$1.88 per 1,000 gallons over 25,000 gallons up to 35,000 gallons, and
    - (4) \$2.81 per 1,000 gallons over 35,000 gallons up to 45,000 gallons, and
    - (5) \$4.69 per 1,000 gallons over 45,000 gallons.
3. User rates are hereby set as follows:
  - a. Sewer at \$150.00 per quarter.

K. WEST OCEAN CITY

1. The budget attached hereto and appropriately labeled is hereby adopted.
2. Quarterly user rates for sewer are hereby adopted at \$10.50 per domestic fixture and \$14.25 per commercial fixture. Swimming pools are to be charged a quarterly flat rate of \$26.75. Car washes shall be charged a quarterly rate of \$2.50 per 1,000 gallons based upon 70% of water consumption.
3. An adjusted standard assessment of 25% of standard is hereby established for platted lots in the service area that do not have sewer lines accessible to the property.
4. Classifications are adopted as follows:

Properties are classified as subdivisions and business or industrial based upon existing land use or committed zoning. Residential properties are classified as subdivisions and all others are classified as business or industrial. Determinations as to equivalent dwelling unit assignments are made in accordance with Section 5-310 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

L. LEACHATE

1. Leachate will be charged at \$0.02 per gallon

II. BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that special service fees based upon actual cost are hereby adopted for special services required on all properties in all service areas (see Attachment A).

III. BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that late fees and interest are hereby established as follows:

- A. For those bills issued on a quarterly basis the following late fees and interest shall be levied:

1. Accounts that are delinquent over 30 days from the date of billing shall be assessed a \$5.00 penalty plus 3% interest per quarter.

IV. BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that the Water and Wastewater Services departmental budget stamped as approved the 5<sup>th</sup> day of June, 2018 and on file with the Worcester County Human Resources Department are incorporated herein and made a part hereof.

V. BE IT FURTHER RESOLVED that this Resolution shall not prohibit the charging of contract charges as authorized by Section 5-310(g) of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

VI. BE IT FURTHER RESOLVED by the County Commissioners of Worcester County, Maryland that the Sanitary Service Area budgets, assessments and charges and the classifications established herein are adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

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

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

\_\_\_\_\_  
Theodore J. Elder, Vice President

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

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

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

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

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

**DRAFT**

**DRAFT**

**ATTACHMENT A**

**WATER & WASTEWATER FEES  
FY 2019 - APPROVED**

**WATER SERVICE INSTALLATION WITHOUT FIRE SERVICE**

3/4" - Existing Homes Only \$1,800

**WATER SERVICE INSTALLATION WITH FIRE SERVICE**

1.0" \$2,550

1.5" \$3,857

2.0" \$5,451

1.0" - Bridletown Domestic Water Install Only- No Meter \$1,718

1.0" - Edgewater Acres Water Service Install (at nantucket pt) \$2,675

**SEWER SERVICE INSTALLATION**

Sewer lateral \$2,606

Ocean Pines - Tank/Lateral Install and Tank Fee \$3,331

Snug Harbor Sub-Area Section 1- (Local share) \$2,775

Snug Harbor Sub-Area Section 2- (Construction Costs & Grinder Pump) \$6,800

Edgewater Acres Sewer- Sussex County Fee \$6,360

**A**

A- Fee set by Sussex County. Good through 6/30/18- subject to change after that date.

**FUTURE CAPITAL IMPROVEMENT CHARGE PER EDU**

Edgewater Water/Sewer \$600

Landings Water/Sewer \$600

Lighthouse Sound Sewer \$600

Mystic Harbour Water \$500

Mystic Harbour Sewer \$1,000

Newark Water/Sewer \$600

Ocean Pines Water/Sewer \$513

Riddle Farm Water/Sewer \$600

River Run Water/Sewer \$950

West Ocean City Sewer \$600

**DRAFT**

**ATTACHMENT A**

**WATER & WASTEWATER FEES  
FY 2019 - APPROVED**

**EQUITY CONTRIBUTIONS & CONSTRUCTION COSTS PER EDU**

Landings Service Area	
Water	\$4,666
Sewer	\$13,625
Lighthouse Sound Service Area	
Sewer	\$6,100
Mystic Harbour Service Area	
Water	\$3,000
Sewer	\$7,964
Newark Service Area	
Water/Sewer	\$8,156
Ocean Pines Service Area	
Water	\$3,000
Sewer	\$11,625
Pines Plaza Water & Sewer Construction	\$5,300
Riddle Farm Service Area	
Water (Including Route 50 Corridor Water)	\$6,323
Route 50 Corridor Water Construction	\$2,700
Sewer	\$8,896
Route 50 Corridor Sewer	\$4,926
Snug Harbour Sub-Area Section 3	
Sewer (includes equity contrib, construction costs, hookup & misc fees)	\$21,813

**B** - The additional money the County collects for the sewer is distributed per the Contract.

**MISCELLANEOUS FEES**

Termination Service Fee	\$50.00
Request Water Shut-Off	\$25.00
Request Water Turn-On	\$25.00
Call In During Non-Working Hours (If Homeowners Problem)	\$100.00
Test Water Meter (If Meter Proves To Be Accurate)	\$62.50
Returned Check	\$25.00
Request Special Meter Reading (i.e. attorney, realtor, etc.)	\$25.00
Bulk Water Sale Annual Permit Charge	\$50.00
Metered usage shall be billed at \$5.00 per thousand gallons with a \$5.00 connection charge	

**Notice of Public Hearing**  
**Worcester County Water and Wastewater Enterprise Fund**  
**FY 2018/2019 Requested Budgets and Assessments**

The Worcester County Commissioners will conduct a public hearing on the proposed operating budgets, assessments, user charges and other charges for each of the 11 sanitary service areas operated by the Worcester County Department of Public Works, Water & Wastewater Division on:

**Tuesday, June 5, 2018 at 10:40 a.m.**  
in the County Commissioners' Meeting Room  
Room 1101 Government Center, One West Market Street  
Snow Hill, Maryland 21863

The 11 sanitary service areas and proposed changes to the users fees to cover projected expenses are as follows:

**Assateague Pointe** - increase from \$80 to \$85 per park trailer per quarter water and sewer flat charge; increase from \$127.50 to \$135.50 per equivalent dwelling unit (EDU) per quarter domestic sewer flat charge; new grinder pump flat surcharge of \$10 per lot.

**Bridgetown** - increase in commercial water base fee ranging from \$45 to \$375 at present to \$49.50 to \$412.50 based on total EDU's.

**Edgewater Acres** - increase from \$150 to \$160 per EDU per quarter domestic water and sewer base fee; increase from \$88 to \$93 per EDU per quarter domestic water flat charge; increase from \$135 to \$140 per EDU per quarter domestic sewer flat charge.

**The Landings** - increase from \$215 to \$230 per EDU per quarter domestic water and sewer base fee; and increase from \$210 to \$220 per EDU per quarter accessibility fee.

**Lighthouse Sound** - no proposed changes

**Mystic Harbour** - increase from \$163 to \$168 per EDU per quarter domestic water and sewer base fee; increase South Point Village domestic water flat rate from \$43.75 to \$47.50 per EDU per quarter; increase from \$164.25 to \$168 per EDU per quarter domestic sewer flat charge; increase in commercial water and sewer base fees ranging from \$180 to \$1,500 at present to \$198 to \$1,650 based on total EDU's; and increase from \$54 to \$66 per EDU per quarter debt service.

**Newark** - no proposed changes.

**Ocean Pines** - increase from \$154 to \$170 per EDU per quarter domestic water and sewer base fee; increase from \$146 to \$158 per EDU per quarter domestic sewer flat charge; increase White Horse Park domestic water and sewer flat rate from \$122 to \$134 per lot per quarter; increase in commercial water and sewer base fees ranging from \$180 to \$1,500 at present to \$198 to \$1,650 based on total EDU's; and decrease from \$47 to \$37 per EDU per quarter debt service.

**Riddle Farm** - increase in commercial water and sewer base fees ranging from \$180 to \$1,500 at present to \$198 to \$1,650 based on total EDU's.

**River Run** - increase from \$48.13 to \$53.13 per EDU per quarter domestic water base fee.

**West Ocean City** - no proposed changes.

In addition to user fees, assessments will be levied in the Newark, Ocean Pines, Snug Harbor, Oyster Harbor, and Mystic Harbour service areas or sub-areas to make debt payments. All assessments shall be made on an equivalent dwelling unit (EDU) basis.

Copies of the proposed budgets for each service area are available from the Treasurer's Office at the Isle of Wight Complex on Route 90 and St. Martin's Neck Road, the County Library in Ocean Pines on Cathell Road, in the County Commissioners' Office, Government Center Room 1103, One West Market Street, Snow Hill, Maryland, and online at [www.co.worcester.md.us](http://www.co.worcester.md.us). For additional information contact the Worcester County Treasurer's Office at (410) 632-0686 ext. 1217.

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



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

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

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

June 13, 2018

TO: Worcester County Commissioners  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*  
SUBJECT: Draft Enterprise Fund Budget Adoption Resolution  
Solid Waste Enterprise Fund - FY19

\*\*\*\*\*

Attached for your review and approval is a draft copy of the resolution adopting the Solid Waste Enterprise Fund Budget and Fees for July 1, 2018 through June 30, 2019 (FY19) as conceptually approved following your public hearing on June 5, 2018.

If you should have any questions or concerns regarding this matter, please feel free to contact me.

**DRAFT**

**RESOLUTION NO. 18 - \_\_\_\_**

**RESOLUTION ADOPTING SOLID WASTE ENTERPRISE FUND BUDGET  
AND FEES FOR JULY 1, 2018 THROUGH JUNE 30, 2019**

WHEREAS, Worcester County owns and operates facilities for the disposal of solid waste generated in Worcester County, Maryland including the Central Landfill and several household solid waste transfer stations; and

WHEREAS, the Worcester County Commissioners established a Worcester County Landfill Enterprise Fund (which has become known as the "Solid Waste Enterprise Fund") by resolution dated June 4, 1996 to account for the revenues and expenditures associated with the daily operation of the landfill and transfer stations as well as the opening and closure of landfill cells; and

WHEREAS, it is the desire of the County Commissioners that revenues generated by the use of the Central Landfill and the County's household solid waste transfer stations be sufficient to cover all expenses related to the daily operation of the Central Landfill and transfer stations.

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of Worcester County, Maryland do hereby adopt the following Solid Waste budgets and fees for the year July 1, 2018 through June 30, 2019:

1. The Board of County Commissioners do hereby adopt a Solid Waste Enterprise Fund Expense Budget for Fiscal Year 2018/2019 in the amount of \$6,013,316 pursuant to FY 2018/2019 Solid Waste Enterprise Fund Budget attached hereto and incorporated herein.
2. The Board of County Commissioners do hereby adopt, levy, and impose the following landfill fees for Fiscal Year 2018/2019:
  - a. The landfill tipping fee for Refuse shall be \$0.70 per 20 pounds as calculated by scales located at the Central Landfill, with a minimum charge of \$10.00, and shall be subject to all other provisions for said tipping fees established by Resolution of the County Commissioners dated February 11, 1992 and as amended by resolution dated June 16, 1992.
  - b. The landfill tipping fee for Dirt, Grit, Red Ash, Sludge, Stumps, and Yard Waste shall be \$0.80 per 20 pounds as calculated by scales located at the Central Landfill, with a minimum charge of \$10.00.
  - c. The landfill tipping fee for passenger car and truck tires by weight shall be \$1.75 per 20 pounds, with a minimum charge of \$10.00.
  - d. The landfill tipping fee for industrial and tractor tires by weight shall be \$6.00 per 20 pounds, with a minimum charge of \$10.00.
  - e. The landfill tipping fee for metals shall be \$0.25 per 20 pounds, with a minimum charge of \$10.00.
  - f. The landfill tipping fee for Construction Materials, Demolition Materials, and Concrete, which may only be disposed of at the Central Landfill, shall be \$0.80 per 20 pounds, with a minimum charge of \$10.00.
  - g. The landfill tipping fee for Asbestos, which may only be disposed of at the Central Landfill, shall be \$1.50 per 20 pounds, with a minimum charge of \$10.00.
  - h. Mulch can be purchased at the Central Landfill for \$20.00 per 3 cubic yard bucket.
  - i. Passenger car tires may be disposed of at the Central Landfill for the fee of \$2.00 per tire. Any tire disposed of on the landfill will be at a charge of \$20.00 per tire.
  - j. Truck tires may be disposed of at the Central Landfill for the fee of \$10.00 per tire. Any tire disposed of on the landfill will be at a charge of \$20.00 per tire.
  - k. House trailers may be disposed of at the Central Landfill for the fee of \$1,000.00 per trailer.
  - l. Boats may be disposed of at the Central Landfill for the fee of \$0.80 per 20 pounds.

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- m. The annual license fee for any commercial hauler shall be \$25.00 for each vehicle used by said hauler to transport solid waste to the Central Landfill, and shall be subject to all other provisions for said licenses established by Resolution of the County Commissioners dated February 25, 1992.
  - n. The license fee for any Worcester County local government commercial hauler shall be \$15.00 for each vehicle used by said hauler to transport solid waste to the Central Landfill. The license will not expire until the vehicle is sold or disposed. The license fee shall be subject to all other provisions for said licenses established by Resolution of the County Commissioners dated February 25, 1992.
  - o. Fees for use of the County's homeowner convenience stations shall be either:
    - (1) An annual permit fee for unlimited use of the County's homeowner convenience stations by a single household shall be \$100.00 for the first two vehicles, and \$100.00 for the third and additional vehicles, and shall be subject to all other provisions for said permits established by Resolution of the County Commissioners dated June 16, 1992; or
    - (2) A Pay-As-You-Throw fee of \$1.00 for each 33-gallon bag disposed at any homeowner convenience station in Worcester County.
  - p. To encourage recycling within the incorporated municipalities of Worcester County, a rebate of 1% will be given for each 1% of recycled materials from the municipality, with a maximum rebate of 15%. Rebates will be refunded to the municipalities quarterly.
3. The Board of County Commissioners do hereby establish late fees and interest rates for delinquent accounts as follows:
- a. Accounts that are delinquent over 30 days from the date of billing shall be assessed a 1% per month interest charge.
4. All other fees or charges not enumerated above shall be at such amounts and rates as are currently in force or as shall be amended by resolution of the County Commissioners at which time such amended amounts and rates shall be effective.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect on July 1, 2018.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

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

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

\_\_\_\_\_  
Theodore J. Elder, Vice President

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

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

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

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

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

**DRAFT**

**Notice of Public Hearing  
Worcester County  
Solid Waste Enterprise Fund  
FY 2018/2019 Requested Operating Budget**

The Worcester County Commissioners will conduct a public hearing to receive comments on the proposed FY 2018/2019 Solid Waste Enterprise Fund Operating Budget as requested by the Worcester County Department of Public Works, Solid Waste Division on:

**Tuesday, June 5, 2018  
at 10:40 a.m.**  
in the County Commissioners' Meeting Room  
Room 1101 Government Center - One West Market Street  
Snow Hill, Maryland 21863

The Proposed Budget maintains the current solid waste tipping fees of \$70 per ton for municipal waste and \$80 per ton for construction and demolition debris. The homeowner convenience center permits will remain at \$100 for the first two vehicles, and \$100 for the third and additional vehicles within each household. As an option for homeowners, the "Pay-As-You-Throw" system will remain at a cost of \$1 per bag for each 33-gallon bag disposed at any homeowner convenience center. Copies of the detailed budget are available for public inspection at the County Commissioners' Office in Room 1103 of the County Government Center in Snow Hill or online at [www.co.worcester.md.us](http://www.co.worcester.md.us).

WORCESTER COUNTY  
2018/2019 REQUESTED OPERATING BUDGET

**SOLID WASTE ENTERPRISE FUND**

Personnel Services.....	\$2,342,258
Supplies & Materials.....	\$64,090
Maintenance & Services.....	\$1,121,000
Other Charges.....	\$763,013
Debt Service.....	\$190,000
Interfund Charges.....	\$292,300
Capital Equipment & Depreciation.....	<u>\$1,249,000</u>
TOTAL REQUESTED EXPENDITURES	\$6,021,661
Solid Waste Tipping Fees.....	\$3,285,000
Licenses & Permits.....	\$355,000
Recycling Revenue.....	\$183,200
Interest and Penalties.....	\$6,600
Other Revenue.....	\$225,000
Transfer from General Fund - Recycling.....	\$1,033,339
Transfer from General Fund - Homeowner Convenience Centers.....	\$664,984
Transfer from Reserves.....	<u>\$268,538</u>
TOTAL ESTIMATED REVENUES	\$6,021,661

For additional information, contact the Worcester County Treasurer's Office  
at 410-632-0686, ext. 1217.

**WORCESTER COUNTY**  
**Solid Waste Services**  
**Enterprise Funds**

	2017/18 Budget	2018/19 Request	(\$) Variance	(%) Variance
<b>Revenue</b>				
Tipping Fees	3,480,000	3,285,000	(195,000)	-5.60%
Permits	375,000	355,000	(20,000)	-5.33%
Recycling	173,500	183,200	9,700	5.59%
Interest & Penalties	7,000	6,600	(400)	-5.71%
Other Revenue	230,000	225,000	(5,000)	-2.17%
Transfer from GF- Recycling	1,042,255	1,033,339	(8,916)	-0.86%
Transfer from GF- Con. Cen.	624,068	664,984	40,916	6.56%
Transfer (to)/from Reserves	(28,424)	268,538	296,962	-1044.76%
	5,903,399	6,021,661	118,262	2.00%
<b>Expenditures</b>				
Personnel Services	2,210,422	2,342,258	131,836	5.96%
Supplies & Materials	61,055	64,090	3,035	4.97%
Maintenance & Services	1,138,500	1,121,000	(17,500)	-1.54%
Other Charges/Lease Pay	629,050	763,013	133,963	21.30%
Debt Service	190,000	190,000	-	0.00%
Interfund Charges	281,372	292,300	10,928	3.88%
Capital Equipment	393,000	249,000	(144,000)	-36.64%
Depreciation	1,000,000	1,000,000	-	0.00%
	5,903,399	6,021,661	118,262	2.00%

**Tipping Rates:**

	Current	Proposed	
Refuse	\$ 70.00	\$ 70.00	per ton
Dirt, Grit, Red Ash, Sludge, Stumps, and Yard Waste	\$ 80.00	\$ 80.00	per ton
Construction/Deomolition, Concrete, Boats	\$ 80.00	\$ 80.00	per ton
Asbestos	\$ 150.00	\$ 150.00	per ton
"Clean" concrete	Free	Free	per ton
House Trailers	\$ 1,000.00	\$ 1,000.00	each
Metal	\$ 25.00	\$ 25.00	per ton
Tires			
Industrial/Tractor	\$ 600.00	\$ 600.00	per ton
Truck	\$ 10.00	\$ 10.00	each
Car	\$ 2.00	\$ 2.00	each
Car - large volume	\$ 175.00	\$ 175.00	per ton
Disposed of on landfill	\$ 20.00	\$ 20.00	each

**Other:**

Convenience Center Permit	\$ 100.00	\$ 100.00	household
2nd vehicle	Free	Free	household
3rd vehicle	\$ 100.00	\$ 100.00	household
OR Pay As You Throw per 33 gallon bag	\$ 1.00	\$ 1.00	/bag
Commercial Permit	\$ 25.00	\$ 25.00	per vehicle
Commercial Permit- local government	\$ 15.00	\$ 15.00	per vehicle
Mulch purchase	\$ 20.00	\$ 20.00	per bucket

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



7

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

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

June 13, 2018

TO: Worcester County Commissioners  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *K.S.*  
SUBJECT: Draft Enterprise Fund Budget Adoption Resolution  
Liquor Control Enterprise Fund - FY19

\*\*\*\*\*

Attached for your review and approval is a draft copy of the resolution adopting the Department of Liquor Control Enterprise Fund Budget for July 1, 2018 through June 30, 2019 (FY19) as conceptually approved following your public hearing on June 5, 2018.

If you should have any questions or concerns regarding this matter, please feel free to contact me.

**DRAFT**

**RESOLUTION NO. 18 - \_\_\_**

**RESOLUTION ADOPTING WORCESTER COUNTY  
DEPARTMENT OF LIQUOR CONTROL ENTERPRISE FUND BUDGET  
FOR JULY 1, 2018 THROUGH JUNE 30, 2019**

WHEREAS, Section 15-201(a)(3) of Article 2B of the Annotated Code of Maryland created the Worcester County Department of Liquor Control effective July 1, 2011 to succeed the Worcester County Liquor Control Board for the purchase and sale of alcoholic beverages in Worcester County, Maryland; and

WHEREAS, effective July 1, 2011, Worcester County assumed the assets and liabilities of the former Worcester County Liquor Control Board and thereafter Worcester County owned or leased and operated facilities for the distribution and sale of alcoholic beverages in Worcester County, Maryland; and

WHEREAS, Worcester County is in the process of liquidating all of the aforementioned owned or leased facilities, however the sale of the Pocomoke Shore Spirits retail store is pending and therefore continues to be operated by Worcester County pending settlement; and

WHEREAS, the Worcester County Commissioners established a Worcester County Liquor Control Enterprise Fund (which has become known as the "Liquor Control Enterprise Fund") by resolution dated June 21, 2011 to account for the revenues and expenditures associated with the daily operation of the dispensary and retail stores; and

WHEREAS, it is the desire of the County Commissioners that revenues generated by the retail sale of alcoholic beverages by the Worcester County Department of Liquor Control be sufficient to cover all expenses related to the daily operation of the Pocomoke Shore Spirits retail store and to generate additional revenues as determined by the County Commissioners for distribution to the General Fund of the County and to the Town of Pocomoke City in accordance with State Law.

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of Worcester County, Maryland do hereby adopt the following Liquor Control Enterprise Fund budget for the year July 1, 2018 through June 30, 2019:

**WORCESTER COUNTY  
2018/2019 OPERATING BUDGET  
LIQUOR CONTROL ENTERPRISE FUND**

**EXPENDITURES**

Personnel Services .....	\$201,000
Supplies & Materials .....	\$14,200
Cost of Goods Sold .....	\$622,200
Maintenance & Services .....	\$59,250
Other Charges .....	\$2,500
Payout of Net Income (Loss) to County and Pocomoke City .....	\$2,600
Interfund Charges .....	<u>\$13,250</u>
 TOTAL EXPENDITURES	 \$915,000

**REVENUES**

Sales - Retail .....	<u>\$915,000</u>
 TOTAL REVENUES	 \$915,000

1b

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect on July 1, 2018.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

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

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

\_\_\_\_\_  
Theodore J. Elder, Vice President

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

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

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

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

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

**DRAFT**

**Notice of Public Hearing  
Worcester County  
Liquor Control Enterprise Fund  
FY 2018/2019 Requested Operating Budget**

The Worcester County Commissioners will conduct a public hearing to receive comments on the proposed FY 2018/2019 Liquor Control Enterprise Fund Operating Budget as requested by the Worcester County Liquor Control Department on:

**Tuesday, June 5, 2018  
at 10:40 a.m.**  
in the  
County Commissioners' Meeting Room  
Room 1101 Government Center  
One West Market Street  
Snow Hill, Maryland 21863

Copies of the detailed budget are available for public inspection at the County Commissioners' Office in Room 1103 of the County Government Center, One West Market Street, Snow Hill, Maryland 21863, or online at [www.co.worcester.md.us](http://www.co.worcester.md.us).

WORCESTER COUNTY  
2018/2019 REQUESTED OPERATING BUDGET

**LIQUOR CONTROL ENTERPRISE FUND**

Personnel Services.....	\$201,000
Supplies & Materials .....	\$14,200
Cost of Goods Sold. ....	\$622,200
Maintenance & Services.....	\$59,250
Other Charges.....	\$2,500
Payout of Net Income (Loss) to County and Pocomoke City. ....	\$2,600
Interfund Charges.....	<u>\$13,250</u>
 TOTAL REQUESTED EXPENDITURES	 \$915,000
 Sales - Retail.....	 <u>\$915,000</u>
 TOTAL ESTIMATED REVENUES	 \$915,000

For additional information, contact the Worcester County Treasurer's Office  
at 410-632-0686, ext. 1217.

**WORCESTER COUNTY**  
**Liquor Control**  
**Enterprise Funds**

	<b>2017/18 Budget</b>	<b>2018/19 Request</b>	<b>(\$)</b> Variance	<b>(%)</b> Variance
<b>Revenue</b>				
Liquor Sales - Retail	1,015,000	915,000	(100,000)	-9.85%
	<u>1,015,000</u>	<u>915,000</u>	<u>(100,000)</u>	<u>-9.85%</u>
<b>Expenditures</b>				
Cost of Goods Sold	791,700	622,200	(169,500)	-21.41%
Personnel Services	148,000	201,000	53,000	35.81%
Supplies & Materials	15,900	14,200	(1,700)	-10.69%
Maintenance & Services	26,250	59,250	33,000	125.71%
Other Charges	1,500	2,500	1,000	66.67%
Interfund Charges	12,750	13,250	500	3.92%
Payout of profits/(losses)	18,900	2,600	(16,300)	-86.24%
	<u>1,015,000</u>	<u>915,000</u>	<u>(100,000)</u>	<u>-9.85%</u>

Reggie T. Mason  
Sheriff

OFFICE OF SHERIFF



8

Douglas A. Dods  
Chief

*SINCE 1742*

ONE WEST MARKET STREET, ROOM 1001  
SNOW HILL, MARYLAND 21863-1072  
410-632-1111

June 13, 2018

Commissioner Purnell  
Worcester County Commissioner's Office  
1 West Market Street, Room 1103  
Snow Hill, Maryland 21863

Commissioner Purnell,

I have reviewed the Public Safety Aid Agreement executed by the Mayor and Council on behalf of Ocean City and wanted to let you know that I approve it.

Sincerely,

Sheriff Reggie T. Mason  
Worcester County, MD

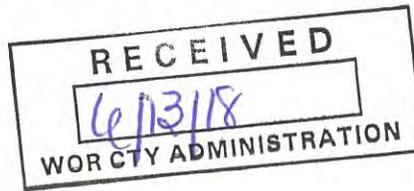
la



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Office of the Chief  
Ocean City Police Department  
6501 Coastal Highway  
Ocean City, MD 21842  
PHONE: 410-723-6633  
FAX: 410-723-4010



June 8, 2018

**MAYOR**  
RICHARD W. MEEHAN

**CITY COUNCIL**

LLOYD MARTIN  
*President*

MARY P. KNIGHT  
*Secretary*

DENNIS W. DARE  
ANTHONY J. DELUCA  
JOHN F. GEHRIG, JR.  
WAYNE A. HARTMAN  
MATTHEW M. JAMES

**CITY MANAGER**  
DOUGLAS R. MILLER

**CITY CLERK**  
DIANA L. CHAVIS

Maureen F.L. Howarth, Esquire  
Office of the County Commissioners  
Worcester County Government Center  
One West Market Street, Room 1103  
Snow Hill, MD 21863-1195

Dear Ms. Howarth:

Enclosed please find the Public Safety Mutual Aid Agreement executed by the Mayor & Council on behalf of the Town of Ocean City.

Once the Agreement has been fully executed, kindly provide me with a fully executed copy.

Sincerely,

Ross Buzzuro  
Chief of Police

RB/mmh  
Enclosure

[www.oceancitymd.gov](http://www.oceancitymd.gov)

P.O. BOX 158 • OCEAN CITY, MARYLAND • 21843-0158



City Hall - (410) 289-8221 • FAX - (410) 289-8703

2001

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**MUTUAL AID AGREEMENT AMONG THE  
SHERIFF OF WORCESTER COUNTY, THE COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND AND THE MAYOR AND CITY COUNCIL OF  
THE TOWN OF OCEAN CITY**

THIS Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the WORCESTER COUNTY Sheriff (“the Sheriff”), with the concurrence and agreement of the County Commissioners of Worcester County, Maryland (“the Commissioners”), and the MAYOR AND CITY COUNCIL OF THE TOWN OF OCEAN CITY, (“the Town”) an incorporated municipality, by and thorough the respective governing bodies and law enforcement agencies, as applicable, located in Worcester County, Maryland, collectively referred to as the “Parties.”

**WHEREAS**, it is in the public interest that law enforcement agencies throughout the State of Maryland cooperate to the greatest extent possible to provide prompt, effective and professional police services; and

**WHEREAS**, the Federal and State governments encourage law enforcement agencies to employ regional approaches to public safety planning, preparedness and responses to public safety needs; and

**WHEREAS**, all municipal police officers and deputy sheriffs (“law enforcement officers”) employed by these agencies are certified by and trained in current law enforcement techniques and have completed a course of training prescribed by the Maryland Police Training and Standards Commission pursuant to Public Safety Article, Section 3-201 *et seq.* of the Annotated Code of Maryland; and

**WHEREAS**, the Parties to this Agreement have different jurisdictional authority within Worcester County, although it is sometimes overlapping, contiguous or concurrent; specifically, deputy sheriffs have jurisdiction throughout the County, including in the Town of Ocean City; Ocean City Police Officers have jurisdiction limited to the Town’s corporate limits; and

**WHEREAS**, all Parties are aware that from time to time both emergency and non-emergency public safety and law enforcement situations have developed at locations and times in Worcester County when sufficient law enforcement resources were not immediately available to enable police to render prompt, effective and professional services to the public; and

**WHEREAS**, the Sheriff is the chief law enforcement officer in Worcester County, pursuant to the Maryland Constitution, Art. VII, § 44 and has the authority to confer jurisdiction throughout the County on local law enforcement officers for public safety reasons; and

**WHEREAS**, these Parties wish to extend prompt, effective and professional law enforcement service when needed to protect the public interest, to the extent that law enforcement resources are available; and

**WHEREAS**, the Sheriff, the Commissioners and the governing body of the Town have determined that it is in the public interest and of mutual advantage to enter into an agreement for the provision of inter-agency law enforcement services in the form of this Agreement; and

**WHEREAS**, pursuant to the authority conferred under Maryland law, Criminal Procedure Article, Sections 2-102 and 2-105 of the Annotated Code of Maryland, and Title 7, Sub-title 1 of the Public Safety Article of the Code of Public Local Laws of Worcester County, the parties enter into this agreement.

**NOW, THEREFORE**, the parties do hereby agree as follows:

1. The parties intend to assist each other to the extent permitted by law and under the terms of this Agreement subject to the notification procedures set out in MD Code Ann., Crim. Proc. Art., § 2-102 (c). Each Party agrees to adopt internal regulations to carry out this Agreement, as required by MD Code Ann., Crim. Proc. Art., § 2-102 (b)(3)(ii).

2. Powers Granted: Pursuant to law, the Sheriff does hereby grant to the police officers of the Ocean City Police Department the following authority:
- a) When an Ocean City Police Officer observes a possible violation of the criminal or motor vehicle laws within the corporate limits of the Town, and it becomes necessary to pursue the offender outside of the corporate limits, but within Worcester County, to prevent the offender's escape, or to apprehend, arrest or detain such offender or to transport the offender into the corporate limits of the Town;
  - b) While conducting an investigation into a crime that has been alleged to have occurred in the Town and it becomes necessary to continue such investigation beyond the corporate limits of the Town, but within Worcester County, and to apprehend, arrest or detain the offender(s), and to transport the offender back into the corporate limits of the Town for a misdemeanor committed in the officer's presence or for a felony crime, or if a warrant has been issued for the offender's arrest;
  - c) While transporting prisoners from the Town who have been committed to the custody of the Worcester County Jail to the jail in Snow Hill, MD, Worcester County;
  - d) When a criminal or traffic offenses occurs on property owned by the Town and within Worcester County, Maryland even if beyond the limits of the Town proper, including but not limited to the Ocean City Municipal Airport, the Town Animal Shelter, Eagle's Landing Golf Course, Keyser Point Road Property (Town

Fire Station), the Town Dump, West Ocean City Park & Ride, and any other property that may be acquired by the Town in the future;

e) While attached to any multi-agency unit, task force, or, when at the request of the Sheriff, participating in any joint assignment, operation, effort, check point, surveillance or other exercise that includes at least one member of the Sheriff's Office;

f) While conducting marine patrols on bodies of water and their tributaries outside the corporate limits of the Town , but within Worcester County;

g) When requested by the Sheriff pursuant to this Agreement; or

h) When an emergency exists.

3. The parties recognize that the members of the Sheriff's Office have concurrent jurisdiction as that described in paragraph 2, above and possess all the same powers described therein in the Town.
4. Scene Control: Command and control at a scene to which aid is requested will remain with the party making the request until the conclusion of the affected event.
5. Request: A request for assistance for mutual aid may be made by the Town or the Chief of Police of the Town or by the Sheriff or the Sheriff's designee either formally or informally and need not be made in writing. A record of the request, shall, however, be made in writing, either coincidental with the request or subsequent thereto which shall include the time of the request and the extent of the aid requested. If in the judgment of the Sheriff or Chief of Police, resources are needed and available, they may be dispatched. The requesting agency will identify when and where the resources need to report. Any said request may include the utilization

of equipment. The manner of providing assistance, as set forth in this Agreement, shall not affect the authority granted law enforcement officers in matters involving fresh pursuit as provided in Criminal Procedure Art., § 2-301, of the Annotated Code of Maryland or any other provision of law.

6. The Parties acknowledge that the acts performed pursuant to this Agreement by law enforcement officers, agents or employees and the expenditures made by any Party to this Agreement shall be deemed conclusively to be for a public and governmental purpose and each party will bear its own costs incurred by activities undertaken pursuant to this Agreement.
7. Each party retains for itself all of the immunities from liability enjoyed by that jurisdiction when acting through its law enforcement officers, agents or employees for a public or governmental purpose within its territorial limits to the same extent when acting pursuant to other lawful authority and/or Agreement beyond the territorial limits of the parties.
8. The parties acknowledge that the law enforcement officers, agents and employees, when acting pursuant to this Agreement beyond the territorial limits of the jurisdiction in which they are commissioned or employed, have all the immunities from liability and exemptions from laws, ordinances and regulations and have all of the pension, relief, disability, workers' compensation, and other benefits enjoyed by them while performing their respective duties within the territorial limits of the jurisdiction in which they are commissioned or employed. Said officers remain, for all purposes, employees of their respective jurisdictions, subject to the rules, regulations, procedures, supervision and control of those respective agencies. The

law enforcement officers, agents and employees shall not be considered joint employees of the other jurisdiction for any purpose.

9. This Agreement is strictly voluntary in nature and places no jurisdiction participating in it under any obligation to respond to a request for law enforcement services that it is unable or unwilling to honor.
10. Each of the Parties hereto shall obtain liability insurance with such companies and in such amounts as may be satisfactory to the other party and which said insurance shall be extended to cover all claims arising out of this Agreement. Self- insurance or pooled insurance may satisfy this requirement. Each of the Parties shall provide for workers compensation insurance and officer's benefits to be provided by the respective employers at all times.
11. The Parties to this Agreement agree that:
  - a) They, to the extent permitted by law, will mutually indemnify each other from all claims by third parties for property damage, personal injury or wrongful death that might arise out of the activities covered in this Agreement while personnel or equipment are in the jurisdiction responding to its request for aid.
  - b) Each Party to this Agreement will waive all claims it might have against any other Party to this Agreement for property damage, personal injury or wrongful death arising out of this Agreement while personnel or equipment are in any jurisdiction responding to that jurisdiction's request for aid, or vice versa.

12. Each Party to this Agreement agrees to cooperate fully with any other Party to this Agreement in the defense of claims, pursuant to the indemnification provisions of Paragraph 11. This cooperation will include the following:
  - a) Immediate notification to all other parties involved of any accident or incident resulting in personal injury, damage or having the potential for liability;
  - b) Recognition that each Party to this Agreement involved in an accident or incident resulting in personal injury, property damage or having the potential for liability may conduct a parallel independent investigation of such accident or incident; and
  - c) Each Party involved in such accident or incident shall make personnel, records and equipment available for purposes of the defense of any claim or suit.
13. This Agreement becomes effective upon execution by all Parties and remains in effect until any Party to this Agreement hereto cancels its participation in this Agreement by sending a written notice to each of the parties notice thirty (30) days prior the cancellation. Any Party that unreasonably fails or refuses to cooperate under the terms of this Agreement will be deemed to have waived its right to participate.
14. Representatives of the parties will meet annually, on or near the original execution date, and review the terms of this Agreement to ensure its continued validity, completeness and necessity. Failure to comply with this paragraph, however, will not affect the validity of the Agreement. If any dispute or issue arises under this Agreement, the Parties agree to resolve the issue at the lowest management level of each party. In the event the issue remains unresolved, the Parties agree to immediately escalate the issue to upper-level management (County/Municipality administrative directors) for their consideration. In all events, the Parties will

negotiate, in good faith, a mutually agreeable solution. In the event all Parties cannot agree on a solution, the issue shall be presented to the Commissioners and the Mayor & Council of the Town of Ocean City.

15. Maryland law governs the terms and enforceability of this Agreement.

**AS WITNESS** the hands and seals of the parties the day and year first above written.

WITNESS/ATTEST:

WORCESTER COUNTY SHERIFF

By: \_\_\_\_\_

\_\_\_\_\_ Date

COUNTY COMMISSIONERS OF WORCESTER  
COUNTY, MARYLAND

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_ Date

THE TOWN OF OCEAN CITY MAYOR &  
COUNCIL

Mutual Aid Agreement 2018  
Sheriff of Worcester County

By: Richard W. Meloy

By: Lloyd Marto

By: [Signature]

By: Wayne A. Hater

By: [Signature]

By: [Signature]

By: Mary T. Knight

By: [Signature]

Approved as to form and  
for legal sufficiency:

\_\_\_\_\_

Approved as to form and  
for legal sufficiency:

[Signature]  
Guy B. [Signature]

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



9

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

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

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

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

June 13, 2018

To: Harold Higgins, Chief Administrative Officer  
From: Kim Reynolds, Budget Accountant *Kim Reynolds*  
Subject: Heroin Coordinator Position – 2019 Grant Application

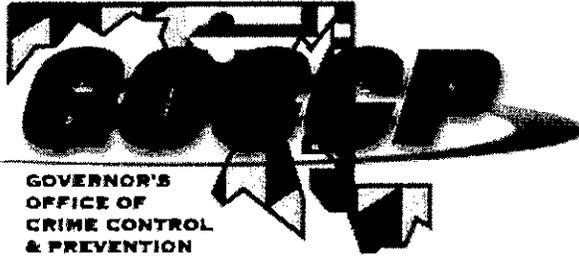
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Attached is the FY2019 Grant Application for the Heroin Coordinator Position. The Worcester County Sheriff's office is applying for personnel grant funding of this position for a third year through the Governor's Office of Crime, Control and Prevention in the amount of \$50,615.00. This grant will allow the Worcester County Criminal Enforcement Team to maintain the coordination of entering all necessary data for drug investigations, drug seizures, drug arrests, heroin and opioid overdoses and other drug-related investigation activities.

# Heroin Coordinator 2019 (MDSS - Her)

## Applicant: Worcester County Board of County Commissioners

### Grant Application Form



## Governor's Office of Crime Control and Prevention

Submitted: 6/12/2018

Governor's Office of Crime Control and Prevention  
100 Community Place, 1st Floor Crownsville, MD  
21032-2042 (410) 697-9338  
Email: [dinfo\\_goccp@maryland.gov](mailto:dinfo_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 checked="" 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>2018-MS-0008</b>
	Received By:	Date:



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

### Heroin Coordinator 2019 (MDSS - Her)

**Applicant:** Worcester County Board of County Commissioners

**Project Title:** Heroin Coordinator FY2019

**Worcester** Local Government

<b>Start Date:</b> 07/01/2018	<b>Submitted:</b> 6/12/2018 3:01:54 PM	<b>DUNS Number:</b> 101119399
<b>End Date:</b> 06/30/2019	<b>Funding Year:</b>	<b>SAM Expiration:</b> 2/2/2019

<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>	Purnell, Diana dpurnell@co.worcester.md.us Worcester County Board of County Commissioners County Government Center Room 1103 One West Market Street Snow Hill, MD 21863 (410) 632-1194	President       FAX: (410) 632-3131
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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>	Passwaters, Nate npasswaters@co.worcester.md.us Worcester County Sheriff's Office 1 West Market Street, Room 1001 Snow Hill, MD 21863 (410) 632-2076	HSI Task Force Officer       FAX: (410) 632-3001
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<b>Funding Summary</b>	100.0 %	Grant Funds	<b>\$50,615.00</b>	_____	_____
	0.0 %	Cash Match	<b>\$0.00</b>	_____	_____
	0.0 %	In-Kind Match	<b>\$0.00</b>	_____	_____
		<b>Total Project Funds</b>	<b>\$50,615.00</b>		

## Project Summary

Project Summary- The Worcester County Sheriff's Office is seeking grant funding to continue to support the position of Heroin Coordinator. The current grant awarded Heroin Coordinator position is embedded in the Criminal Enforcement Team, the jurisdiction's Drug Task Force. This person has entered data related to drug investigations, drug seizures, drug arrests, heroin/opioid overdoses and other drug related investigative activities into HIDTA's Case Explorer. This person has also entered telephone records into the HIDTA Communication Analysis Portal (CAP). This person has also participated in various enforcement activities with the Criminal Enforcement Team related to the distribution of illegal narcotics including heroin and other opioids. The coordinator position has served all the jurisdictions of Worcester County. The budget for the continuation of the project will cover personnel expenses and training required of the position. Justification- Personnel funds requested will support the position of Heroin Coordinator. This person will be responsible for maintenance of information into HIDTA's Case Explorer & CAP as well as assist with data extraction from cellular devices and conduct in-home analyses of overdoses for prosecutorial purposes.

## Problem Statement/Needs Justification

### Problem Statement-

In 2015 the Criminal Enforcement Team conducted a total of 152 investigations and of those 63 were related to heroin. In the same time period there were 93 arrests made and of those 51 were heroin related. In 2016, there were 79 investigations conducted with 42 of those related to heroin. In 2016, there were at least 28 arrests of which, 13 were related to heroin. In 2017, the county had an increase in heroin overdoses with almost the same number of fatalities from 2016. In 2017, CET conducted a three month joint local, state and federal investigation into a Selbyville, Delaware open air drug marketplace that was identified as supplying 96% of the heroin to Worcester County. The Heroin Coordinator was instrumental in assisting and gathering information and intelligence prior to and during the investigation of this matter, including telephone analysis. These investigations, arrests and responses to non-fatal and fatal overdoses are conducted by the narcotics task force for the county, which includes only 7 officers in total, and do not include figures from the Ocean City Narcotics Unit as they run independently in their jurisdiction. There are also 4 other municipal law enforcement agencies within the county that may conduct small scale drug investigations and complete arrests that are not included in these figures. The Criminal Enforcement Team and Ocean City Narcotics Unit have investigated 203 total overdoses for 2015-present. In 2017 and to date in 2018, this has included 21 fatal heroin/opioid overdoses. With the addition of the Heroin Coordinator as a result of the previously awarded grant, the totality of the non-fatal and fatal overdose case reporting has been brought up to date and is entered into HIDTA's Case Explorer system in a timely and complete manner. The Heroin Coordinator position has been active in community outreach efforts and participates in law enforcement liaison working groups, school groups, community groups and public health working groups. The current onboard heroin coordinator participates in the Worcester County Drug Overdose Fatality Review Team, the Worcester County Opioid Intervention Team (OIT), the Worcester County State's Attorney Opioid Task Force, the Lower Eastern Shore Law Enforcement Association, a law enforcement intelligence sharing group and a Worcester County community group known as the Worcester Warriors Against Opiate Addiction. In 2017, the Heroin Coordinator provided a presentation on the dangers of illicit Fentanyl to attendees of the Worcester Warriors Community Group. Some of those in attendance included, Maryland State Delegate Mary Beth Carozza, Executive Director Clay Stamp of the Opioid Operational Command Center, Worcester County State's Attorney Beau Oglesby, Worcester County Emergency Manager Fred Webster and Ocean City Emergency Manager Joe Theobald, among others. In March 2018, the Worcester County Heroin Coordinator was a featured presenter at the Annual State of Maryland Critical Intervention Team Conference held in Ocean City, Maryland. The Heroin Coordinator has established liaison with representatives from Atlantic General Hospital, in which education was provided about heroin stamps; in May 2018, the Worcester County Heroin Coordinator attended and participated in a roundtable discussion regarding cooperative efforts between hospital officials and law enforcement. The Delaware State Police Sussex Drug Unit contacted the Heroin Coordinator for assistance and the coordinator was able to identify the subscribers to two telephone numbers who were suspected in the distribution of heroin that led to a fatal overdose. The Heroin Coordinator established and maintains regular communication with the Ocean City Police Department Criminal analyst about fatal and non-fatal overdoses, suspected substances involved and trends in heroin and other illegal narcotics as seen by investigators. The Heroin Coordinator was trained in the use of the NCR-LinX national data base, which has been utilized to further the investigative activities of the Criminal Enforcement Team. The Heroin Coordinator provided information to both HIDTA and GOCCP about particular Heroin stamps that were associated with multiple overdoses for wider regional dissemination. In May 2018, the Washington-Baltimore HIDTA issued an intelligence bulletin based upon information provided to them about a potentially lethal heroin/fentanyl stamp from the Worcester County Heroin Coordinator. The Heroin Coordinator assisted the Lieutenant of the Criminal Enforcement Team in establishing a Naloxone acquisition and distribution program within the Worcester County Sheriff's Office. The coordinator scheduled training with the Health Department for Worcester County Deputies and members of other law enforcement officers who are assigned to the Criminal Enforcement Team. The coordinator also ensured each person who has been trained, received a voucher to receive a Naloxone kit. The coordinator continues to manage the Naloxone education and distribution program for the Worcester County Sheriff's Office. In 2017, the Heroin Coordinator assisted the Sergeant and Corporal of the Criminal Enforcement Team in the training of law enforcement officers from Maryland's Natural Resource Police, who are assigned to duty in the Counties of Worcester, Wicomico and Somerset on Maryland's Eastern Shore. The Heroin Coordinator was invited to and participated in a panel discussion held by the Worcester County Health Department. In 2017, Heroin Coordinator assisted in the writing and other administrative activities associated in obtaining a State of Maryland grant in the amount of \$15,000.00 to be used for the production and airing of public service announcements for the purpose of education and prevention in battling the current opioid crisis. In 2018, the Heroin Coordinator assisted the CET Lieutenant in writing a threat assessment for Worcester County. This threat assessment is to be presented to a Washington-Baltimore HIDTA review group as the basis for attempting to obtain the designation of Worcester County as a High Intensity Drug Trafficking Area. The Heroin Coordinator will continue to be tasked with community outreach and liaison activities to the providers of rescue assistance (EMS, hospitals and municipal LEOs) to obtain an accurate accounting of the non-fatal overdoses within the county over the next year. The Heroin Coordinator will continue to participate in the

Worcester County Drug Overdose Fatality Review Team, the Opioid Intervention Team, the State's Attorney's Opioid Task Force and all of the other entities that were previously mentioned, while continuing to conduct liaison and outreach efforts with other stake holders within the community. This position will continue to serve as the central repository for information required to be placed into HIDTA's Case Explorer and to facilitate the data extraction from all seized cellular phones involved in drug investigations countywide. The position will also act as a point of reference from HIDTA and/or the Criminal Enforcement Team to the Health Department for treatment referral for those persons who have been identified as having experienced multiple heroin and/or opioid overdoses. The addition of the Heroin Coordinator has alleviated the time and administrative demands associated with many of the aforementioned duties previously experienced by members of the Criminal Enforcement Team. Prior to the hiring of the heroin coordinator position, members of the Criminal Enforcement Team had been attempting to manage these demands but without the additional personnel it had become unmanageable given the magnitude of the heroin and opioid epidemic. Additionally, the State's Attorney for Worcester County was able to successfully prosecute a criminal defendant in May 2016 for manslaughter and CDS distribution after the distribution of heroin by the defendant lead to an overdose death. The Criminal Enforcement Team was the lead agency regarding the investigation and arrest of this individual. It is a goal of this project to enhance the prosecutorial capabilities by being able to more accurately investigate these matters and manage the data provided by cellular phones and information obtained at crime scenes. With the introduction of Fentanyl into the already deadly opioid crisis, the Heroin Coordinator position will be able to track overdoses and stamps associated with this narcotic and provide education and training to members of the Criminal Enforcement Team and other stake holders about this narcotic. Through the already established liaison and community connections, the Heroin Coordinator can continue to provide timely information to HIDTA and GOCCP about regional trends seen regarding overdoses and the substances associated with those incidents. The Heroin Coordinator has begun and will continue to enter information and intelligence into the HIDTA Case Explorer system about emerging and current drug information, gang activity and other pertinent criminal activity.

## Program Goals and Objectives

### • Goals, Objectives & Performance Measures-

- **Goal-** To increase public safety by addressing the heroin and opioid epidemic through accurate data analysis throughout Worcester County.
- **Objective-** Enter 100% of available data (drug investigations, arrests, and overdoses) into Case Explorer for dissemination of all drug-related information to HIDTA.
- **Performance measure-** number of cases entered into Case Explorer
- **Objective-** Perform data mapping, on a monthly basis, of investigations and overdoses within the county to identify patterns and trends
- **Performance measure-** number monthly mapping updates provided to Criminal Enforcement team members and other necessary law enforcement persons or agencies.
- **Goal-** To increase information sharing capabilities on all drug investigations, seizures, arrests, overdoses to improve intelligence sharing and prosecutorial actions.
- **Objective-** Seizure of all cellular phones at the crime scene of a criminal investigation as it relates to opioids.
- **Performance measure-** number of phones seized at crime scenes
- **Objective-** Use CELLEBRITE, or other extracting software, to retrieve data from seized cellular phones
- **Performance Measure-** number of phones with data extracted
- **Objective-** Examine all overdoses as a crime scene to obtain information that may be used for prosecutorial purposes
- **Performance Measure-** number of crime scenes investigated
- **Performance Measure-** number of cases prosecuted as a result of seized phones or overdoses tracked.
- **Goal-** To enhance information sharing across Worcester County to accurately track non-fatal opioid overdoses countywide
- **Objective-** Conduct outreach within all County agencies and entities that treat overdose patients (hospital, emergency medical services, municipal law enforcement, and Ocean City Police Department Narcotics Unit) within first 30 days of program activation.
- **Performance measure-** number of outreach meetings held
- **Objective-** Conduct outreach with the Public Health Entity, Worcester County Health Department, to obtain referral information for provision to the subjects of a non-fatal overdose
- **Performance measure-** number of meetings held with Worcester County Health Department behavioral health treatment division
- **Performance measure-** number of referrals provided to subjects of non-fatal overdose

## **Program Strategy/Program Logic**

### Strategy & Timeline-

The Criminal Enforcement Team had been sporadically utilizing HIDTA's Case Explorer, but the amount of time devoted to the data capturing had become unmanageable without a dedicated staff person for the task. Officers have also been trained in the use of forensic software, including Cellebrite, for the extraction of cellular phone data, but the demands exceeds the capability at this time. The hiring of the Heroin Coordinator position has lead to the timely and complete reporting of both fatal and non-fatal overdoses as well as the timely entry and analysis of seized cellular telephones. Having the Heroin Coordinator position embedded within the Criminal Enforcement Team, to handle many of the reporting and administrative duties, has allowed the investigators within the unit to maintain focus on their investigative and enforcement activities. The Worcester County Sheriff's Office seeks to retain the current position of Heroin Coordinator for 2019. The Lieutenant of the Criminal Enforcement Team is the lead on this project and responsible for working with the County Commissioners and county Human Resource Department to ensure retention of this position within the time frame established herein. The lead on this project will work with all county entities to ensure proper procurement and personnel processes are followed. If funds are approved, the current Heroin Coordinator will be retained and continue in the uninterrupted prescribed duties of the position. Any training for this staff person will be coordinated by the project lead and will be conducted before the end of the first quarter of the grant period. The individual currently in the heroin coordinator position already received the pertinent training for the position during the first grant award time frame.

## **Spending Plan**

### Spending Plan-

Personnel costs will be expended evenly in each fiscal quarter. Any additional training costs will be absorbed by Worcester County Government.

## **Management Capabilities**

### Management Capabilities-

The Criminal Enforcement Team has the most experience within the jurisdiction at managing narcotics investigations and the data analysis required within this program. The unit is currently comprised of seven investigators from the Worcester County Sheriff's Office, Maryland State Police and Ocean City Police Department, some of which are cross designated with Homeland Security Investigations in order to receive Federal authority. The Criminal Enforcement Team comes under the auspices of the Worcester County Sheriff's Office and primarily conducts felony controlled dangerous substance investigations. The Criminal Enforcement Team utilizes covert and overt personnel to conduct these controlled dangerous substance investigations. The types of controlled dangerous substance investigations that are conducted range from street level distribution investigations to Title III, telephonic intercepts investigations. The Criminal Enforcement Team also utilizes various methods of technology to assist in these investigation, including a Cellebrite mobile forensic extraction device. There are currently two investigators that are certified to utilize the Cellebrite device. The device has become integral part of controlled dangerous substance investigations, specifically overdose investigations. Recognizing that the Cellebrite device has some limitations, specifically with password protected android devices, two members of the Criminal Enforcement Team have also completed and received certification to utilize "JTAG" and "CHIP-OFF" extraction methods. These methods are utilized to extract data from cellular telephone directly from "Flash" of the cellular telephone, bypassing locking mechanisms on the cellular telephone. This method will often garner deleted information on a cellular telephone as well. Due to the rarity of this resource, the Criminal Enforcement Team has provided, and continues to provide, this resource to numerous agencies in the region, including the Maryland State Police Homicide Unit. Due to the success with information obtained utilizing the Cellebrite universal forensic extraction device, numerous felony controlled dangerous substance cases were successfully prosecuted, some of which were heroin distribution investigations that stemmed from an overdose. The Criminal Enforcement Team initiated response protocols in 2013 for overdose investigations. Each overdose that occurs, members of the Criminal Enforcement Team will respond when notified in order to further that investigation and also conduct forensic extractions on all cellular telephones that are recovered on any overdose scene.

## **Sustainability**

### Sustainability-

The Worcester County Sheriff's Office will seek Federal, State, County, and Local resources to continue this program after the grant period ends. The Office will work with other local enforcement agencies to identify resources and sources of funding that may be available. One time purchases require no additional resources and will be fully funded in this application.



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# Project Budget

## A. Budget Summary

	<b>Grant Funds</b>	<b>Cash Match</b>	<b>In-Kind Match</b>	<b>Total Award</b>
<b>Personnel</b>	\$50,615.00	\$0.00	\$0.00	\$50,615.00
<b>Operating Expenses</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>Travel</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>Contractual Services</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>Equipment</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>Other</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>Grand Total</b>	<b>\$50,615.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$50,615.00</b>



	Description of Position	Priority	Salary Type	Funding Type	Total
1	•Requested Personnel- Heroin Coordinator	1	Salary	Grant Funds	\$50,615.00

\$50,615.00
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1. •Requested Personnel- Heroin Coordinator

A fulltime staff position, with the duties described herein as a Heroin Coordinator, reporting to the Project Director. This position is currently funded. The position will continue to be responsible for entering all drug investigations, drug seizures, drug arrests, heroin and opioid overdoses, and other drug-related investigative activities into HIDTA's Case Explorer, as well as assist with law enforcement drug-related cellular phone extract uploads into HIDTA's CAP. The Heroin Coordinator will also conduct in-home analyses to further examine overdoses for prosecutorial purposes.

The grant caps fringe costs at 30% and HR has informed the Sheriff's Office that they will support the 14% difference in costs. The County will also cover a step and COLA for the position.



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## 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: 13

### Project Service Sites

#### Site 1

<b>Service Site</b>	County Wide Worcester
<b>Apt. Suite, No. Street</b>	
<b>City</b>	
<b>State &amp; Zip</b>	MD



**Certified Assurances**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

**Purnell, Diana - President**

\_\_\_\_\_  
Name and Title

**Certification Regarding Lobbying**



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

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

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

**1. LOBBYING**

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

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

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

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

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

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

A. The applicant certifies that it and its principals:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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(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 406177.

Check \_\_\_ if the State has elected to complete OJP Form 406177.

**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: Heroin Coordinator FY2019  
Federal ID Number: 52-6001064

Authorized Representative: Purnell, Diana - President

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



**WorCOA**  
Worcester County Commission on Aging, Inc.

Reviewed by Budget Accountant

Date: 6/13/18 By: Kim Reynolds

## Worcester County Commission on Aging

4767 Snow Hill Road, Snow Hill, MD 21863

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To: Harold Higgins, Chief Administrative Officer  
From: Rob Hart, Executive Director  
CC: Kelly Shannahan, Assistant Chief Administrative Officer  
Date: June 12, 2018

Re: State Senior Center Grant (SCOF)

I'm writing regarding the FY2019 Senior Center Operating Fund Grant (SCOF). We again have just received notice that there is an opportunity for funding to promote "healthy life styles" in our senior centers (\$46,403). We have received this grant in the past and used it mostly for contractors to bring in healthy programming and fitness equipment into the senior centers. The statutes and instructions for this grant outline that the applicant must be the county government which may sub-grant to another agency. They are asking to submit a copy of grant Attachment A that includes the county as the applicant with a signature from a county representative.

There is no additional cost to the county outside the current approved budget for this year.

Thank you in advance for your consideration in this matter.

# Memo

PHONE  
410.632.1277x101

FAX  
1.855.230.5496

EMAIL  
robh@worcoa.org

**APPLICATION TO THE MARYLAND DEPARTMENT OF AGING  
FOR A GRANT TO PROVIDE SERVICES FOR SENIOR CITIZENS ACTIVITIES CENTERS  
THROUGH THE SENIOR CITIZENS ACTIVITIES CENTER OPERATING FUND**

County Commissioners of Worcester County, (“Applicant” or “Agency”), like the Department, recognizes the value of senior citizens activity centers.

Therefore, the Applicant, whose Federal Tax Identification Number is 52-6001064, is applying for a senior center operating funds grant from the Department for the attached senior citizen activity center project proposal(s) within Worcester County (county).

The project proposals are set forth in Attachments B, C, D and E:

Attachment B – SCOF Grant Narrative

Attachment C – FY19 Program Summary Table

Attachment D – Senior Center Profile

Attachment E – FY19 SCOF Budget

**I. CONDITIONS OF GRANT AWARD**

Applicant acknowledges that if it is awarded a grant hereunder, it will abide by all the conditions contained in this section.

1. **Agreement Monitor:** Agency will appoint as its Agreement Monitor:

- a. Name Kimberly Reynolds
- Title Budget Accountant
- b. Address 1 West Market Street, Room 1103 Snow Hill, MD 21863
- c. Phone 410-632-1194
- d. Email kreynolds@co.worcester.md.us

2. The Agency's Agreement Monitor will be the primary point of contact with the County for matters relating to the grant.

3. **Grant Period:** Any grant awarded shall be for the term beginning July 1, 2018 and ending June 30, 2019. If the grant is awarded after the start of the designated term, Agency agrees to abide by the provisions of this grant application for the entire term.
4. An itemized budget (Attachment E) shall be submitted with each application. Agency shall use uniform accounting standards in accordance with State Finance & Procurement Article § 7-403.
5. Agency shall submit a mid-year report and an annual report within 20 days of the end of the reporting periods identified in Attachments F. Reports must be submitted in conjunction with standard fiscal reports for Quarters 2 and 4. The annual report shall include a narrative and budget detailing expenditures incurred and an itemized statement that fully and accurately accounts for how the grant funds were spent and shall be verified by an officer of the Agency.
6. Agency shall comply with any and all federal, State, and local laws concerning employees. Agency will also comply with State Finance & Procurement Article § 7-402 (State Aid to Social Organizations), as applicable.
7. Agency agrees: (a) not to discriminate in any manner against an employee or applicant for employment because of race, color, religion, creed, age, sex, marital status, national origin, ancestry, or physical or mental handicap which is unrelated in nature and extent so as not to reasonably preclude the performance of such employment, or sexual orientation, or any other characteristic that is forbidden as a basis for discrimination by applicable State and federal laws, such as Maryland law that forbids discrimination based on gender identity or genetic information; (b) to include a provision similar to that contained in subsection (a) above in any underlying subcontract, except a subcontract for standard commercial supplies or raw materials; and (c) to post and to cause subcontractors to post in conspicuous places available to employees and applicants for employment notices setting forth the substance of this clause.
8. If the Agency fails to fulfill its obligations under the grant properly and on time, or otherwise violates any provision of the grant, the Department may terminate the grant.

9. No employee of the State of Maryland, or any department, commission, agency, or branch thereof, whose duties as such an employee include matters relating to or affecting the subject matter of this grant, shall, while such employee, become or be an employee of the Agency, or any department, commission, agency or branch thereof.
10. It is understood and agreed that the Department shall not be liable in any action of tort, contract or otherwise for any actions or responsibilities of the Agency arising out of the grant.
11. Agency may not assign or subcontract all or any part of its responsibilities under grant, without the prior written approval of the Department.
12. Neither the Department nor the Agency may use or disclose any information concerning a recipient of services provided under this grant for any purpose not directly connected with the administration of such services, except upon written consent of the recipient, or as may be required by law.
13. Agency will be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. The Department will be informed when a real or potential conflict of interest and take reasonable steps to remedy the conflict in a manner that makes the recipient's interests primary and protects client's interests to the greatest extent possible. Agency will not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political, or business interests or those of their family or friends.
14. **Indemnity and Claims:**
  - a. To the fullest extent permitted by the legal instruments creating Agency and the statutes governing Agency's authority, Agency shall indemnify the State against liability for any suits, actions or claims of character arising from or relating to the performance of the Agency or its sub-grantee(s) under the grant.
  - b. The State of Maryland has no obligation to provide legal counsel or defense to the Agency or its sub-grantee(s) in the event that a suit, claim or action of any character is

brought by any person against the Agency or its sub-grantee(s) as a result of or relating to the Agency obligations under the grant.

- c. The State has no obligation for the payment of any judgments or the settlement of any claims against the Agency or its sub-grantee(s) as a result of or relating to the Agency's obligations under the grant.
  - d. The Agency shall immediately notify the Department of any claim or suit made or filed against the Agency or its subcontractors regarding any matter resulting from or relating to the Agency's obligations under the grant, and will cooperate, assist, and consult with the State in the defense or investigation of any claim, suit, or action made or filed against the State as a result of or relating to the Agency's performance under the grant.
15. All terms of the grant requiring the Department to release funds are subject to the continuing availability of State and Federal Funds. If funds are not appropriated or otherwise made available to support continuation, the State shall have the right to terminate the grant and the Agency is not entitled to recover any costs not incurred prior to termination.
16. Agency shall retain all books, records, and other documents relevant to the grant for a period of no less than three (3) years after the date of final payment, resolution of audit findings, or disposition of non-expendable property, whichever is later, and upon receipt of reasonable written notice thereof, full access thereto and the right to examine any of said materials shall be afforded federal and/or State auditors who shall have substantiated in writing a need therefore in the performance of their official duties, and such other persons as are authorized by the Department. The Agency will provide to the Department a copy of that part of any audit performed by State or independent auditors which relates to the performance of the grant and the administration of funds provided by the Department pursuant to the grant.

## **II. APPLICANT REPRESENTATIONS**

The Applicant hereby represents and warrants that:

- a) It is qualified to do business in the State of Maryland and that it will take such action as, from time to time, may be necessary to remain so qualified;



## Senior Center Operating Fund- FY 2019 Proposal

### *Health Promotion & Exercise Program*

#### **PROGRAM DESCRIPTION - EXISTING**

The Worcester County Commission on Aging plans to continue its Health Promotion and Exercise Program in all four of our Senior Centers. The program's goal is to promote activities designed to enhance the quality of life for older adults through participation in educational opportunities and exercise.

This program, previously called "Second Wind & Beyond", is offered in conjunction with other health programs throughout the county. It incorporates several evidence-based classes, exercise classes, continuing education with a focus on nutrition and health education, easy access to fitness equipment on-site, and staff support in developing individual fitness programs. Services are focused on helping seniors age gracefully, maintain mobility, and live active, independent, and healthy lives.

The list of programs includes the following, among others:

- Lifestyle Balance
- Enhance Fitness
- Yoga
- Zumba Gold
- Pilates
- Living Well with (Chronic Illness, Chronic Pain & Diabetes)
- Tai Chi

These programs, offered on a rotating basis, improve the health and well-being of Worcester County Senior Center participants and older adults in the community. We hope to attract new participants with these offerings and build new private/public partnerships.

These programs are based on research and have proven health benefits for participants. They help seniors become more independent while living on their own. Exercising allows seniors to maintain healthy lives by controlling stress, controlling blood pressure, lowering cholesterol levels, and improving balance, among many other positive lifestyle changes.

#### **PARTNERSHIP DEVELOPMENT**

Currently we partner with the Worcester County Government, Health Department, and Social Services. The county government helps by providing local funding for operations which includes staffing. We are currently working with the local AARPs, churches, and other local civic groups to promote classes at the Senior Centers. We continue to depend on MAC, Inc. for trainers certified in evidence based programs.

#### **PERFORMANCE MEASURES**

In FY18 we are averaging 6-8 participants a class and hope to reach 10-12 in FY19. We have developed a new activity evaluation form which we anticipate will allow us to collect measurable data.

We are estimating that we will serve 275 unduplicated seniors during FY2019. A survey will be taken at the end of each class to determine how seniors' lives have improved. We have a Suggestion Box near the entrance of each site and ask the participants to please comment on each session. As we gather this information, we share results, discuss possible adjustments and implement continuous quality improvement measures.

## Attachment B-FY19 SCOF Narrative

### PROJECT MANAGEMENT

The staff responsible for this program has been working with seniors for years and has been well trained in site management. The Director of Senior Programs will oversee all sites and staff to ensure accurate tracking and outcomes.

### SUSTAINABILITY

Currently there is a small fee for most of our exercise programs. We are working toward minimizing our overhead by consolidating class sites and offering a discount punch card which can be used for multiple programs. We continue to enjoy local government funding support. We continue to work toward alternative funding sources and pursuing collaborative arrangements.

### OUTREACH AND MARKETING

We are currently promoting these programs through our four senior centers, local Chambers of Commerce, local AARP chapters, and our FaceBook page, website and newsletters. We also market this program via presentations, flyers, and local media via press releases and radio and TV spots when we have that opportunity. Word of mouth from the seniors who currently participate in these programs is a big component in letting others know what we are doing.

### BUDGET NARRATIVE

The FY19 budget was designed to include classes that would be 50% funded by user fees and 50% by grant funds. Worcester County has a poverty rate of 11.3% and we project that the rate is much higher in our older adult population. We currently charge \$3 a class or \$25 for a 10 class punch card. Current services remain heavily subsidized with local county funds. Once again we have asked the municipalities to help fund our fitness activities. We believe that with a small membership fee and the support of local municipalities, some of these fitness programs will become locally sustainable.

**Attachment C****FY2018 Proposed Funding Request and Program Summary**

<b>Name of Senior Center Requesting Funding</b>	<b>Pocomoke Senior Center</b> 400-B Walnut Street Pocomoke City, MD 21851 Tel: 410-957-0391	<b>Charles and Martha Fulton Senior Center</b> 4767 Snow Hill Road Snow Hill, MD 21863 Tel: 410-632-1277	<b>Northern Worcester County Senior Center</b> 10129 Old Ocean City Blvd. Berlin, MD 21811 Tel: 410-641-0515	<b>Ocean City Senior Center</b> 104 41st Street Ocean City, MD 21842 Tel: 410-289-0824			
<b>Amount of Funding Requested</b>	<b>\$11,500</b>	<b>\$11,500</b>	<b>\$11,700</b>	<b>\$11,703</b>			
<b>Priority Focus Area</b>	<b>Health Promotion &amp; Exercise</b>	<b>Health Promotion &amp; Exercise</b>	<b>Health Promotion &amp; Exercise</b>	<b>Health Promotion</b>			
<b>Category (New, Existing, and/or Critical Need)</b>	<b>Existing and Critical</b>	<b>Existing and Critical</b>	<b>Existing and Critical</b>	<b>Existing and Critical</b>			
<b>Projected Number of Unduplicated People to be Served</b>	<b>68</b>	<b>101</b>	<b>154</b>	<b>332</b>			

**Attachment D - Senior Center Profile**

<b>*Name and Address of Senior Center</b>	<b>Pocomoke Senior Center</b> 400-B Walnut Street Pocomoke City, MD 21851 Tel: 410-957-0391	<b>Charles and Martha Fulton Senior Center</b> 4767 Snow Hill Road Snow Hill, MD 21863 Tel: 410-632-1277	<b>Northern Worcester County Senior Center</b> 10129 Old Ocean City Blvd. Berlin, MD 21911 Tel: 410-641-0515	<b>Ocean City Senior Center</b> 104 41st Street Ocean City, MD 21842 Tel: 410-289-0824	
<b>*Ownership (i.e county/city owned or privately owned?)</b>	County Owned Facility	County Owned Facility	County Owned Facility	County Owned Facility	
<b>*Physical Structure (in sq. feet)</b>	12,000	10,000	4,800	8,125	
<b>*Operating Hours</b>	830AM-3PM	830AM-3PM	830AM-3PM	830AM-3PM	
<b>*Current Programs and Activities (brief description)</b>	Senior Center open Monday-Thursday for structured activities, events, and games. Some evenings and weekends for special events including Bingo. Monthly trips and educational presentations.	Senior Center open Monday-Thursday for structured activities, events, and games. Some evenings and weekends for special events including Yoga. Monthly trips and educational presentations.	Senior Center open Monday-Thursday for structured activities, events, and games. Some evenings and weekends for special events including Pinochle and Pilates. Monthly trips and educational presentations.	Senior Center open Monday-Thursday for structured activities, events, and games. Some evenings and weekends for special events including Pinochle, Line Dancing and OC Fit Club. Monthly trips and educational presentations.	
<b>*Average Daily Participation Rate</b>	12 members	21 members	22 members	14 members	
<b>*Total number of memberships</b>	97	110	256	410	
<b>Average Daily Participation Demographics (i.e. gender, race)</b>	Male Hispanic - 0 Male Black - 1 Male White - 2 Female Black - 6 Females White - 3	Male Hispanic - 1 Male Black - 5 Male White - 2 Female Black - 8 Females White - 5	Male Hispanic - 0 Male Black - 1 Male White - 3 Female Black - 6 Females White - 12	Male Hispanic - 0 Male Black - 0 Male White - 4 Female Black - 0 Male White - 10	

Applicant/County Name: Worcester County Commission on Aging

FY2018 SCOF

Other (such as needs or concerns)	Frail and Poverty Population	Rural and Limited Access	Rural and Limited Access	Rural and Limited Access	
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Please complete the table below identifying the senior centers for which funding is requested.

**FY 2019 Senior Citizen Activities Center Operating Fund (SCOF) Budget**

**Applicant/County Name:** Worcester County Commission on Aging, Worcester County

**Total FY 2019 SCOF Budget**

Budget Categories:	Pocomoke Senior Center	Snow Hill Senior Center	Berlin Senior Center	Ocean City Senior Center
Salaries (please list positions below)	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
Fringe	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Travel	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Building Space				
Printing/Supplies	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Equipment (please specify below)	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Equipment Repairs and Maintenance	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Communications				
Utilities				
Vehicle Costs				
Contractual services (please specify below)	\$ 2,000.00	\$ 2,000.00	\$ 2,200.00	\$ 2,203.00
Training (please specify below)	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Other Costs (please specify below)	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
<b>Total Costs</b>	<b>\$ 14,100.00</b>	<b>\$ 14,100.00</b>	<b>\$ 14,300.00</b>	<b>\$ 14,303.00</b>

**Total Funding Sources**

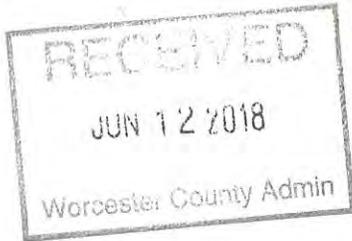
Senior Citizens Activities Center Operating Fund	\$ 11,500.00	\$ 11,500.00	\$ 11,700.00	\$ 11,703.00
Participant Donations	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Local Funds	\$ 1,100.00	\$ 1,100.00	\$ 1,100.00	\$ 1,100.00
Membership Fees (Please explain below)	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Revenue from room rentals (Please explain below)				
Other (Please explain)	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Other (Please explain)				
<b>Total Funding</b>	<b>\$ 14,100.00</b>	<b>\$ 14,100.00</b>	<b>\$ 14,300.00</b>	<b>\$ 14,303.00</b>

<b>Salaries (Please List Below)</b>				
Site Supervisor	1,500.00	1,500.00	1,500.00	1,500.00
Program Manager	2,000.00	2,000.00	2,000.00	2,000.00
Seniors Programs Director	1,000.00	1,000.00	1,000.00	1,000.00
Administrative Staff	1,000.00	1,000.00	1,000.00	1,000.00
<b>Training (Please List Below)</b>				
Exercise Instructor Certification, Health Educator Training	200.00	200.00	200.00	200.00
<b>Equipment (Please List Below)</b>				
Recumbent Bike, Seated Elliptical, Treadmill	2,000.00	2,000.00	2,000.00	2,000.00
<b>Contractual Services (Please List Below)</b>				
Exercise Instructors and Educational Presentations	2,000.00	2,000.00	2,000.00	2,000.00
<b>Other (Please List Below)</b>				
Marketing	500.00	500.00	500.00	500.00
Participation Software	1,000.00	1,000.00	1,000.00	1,000.00
<b>Membership fees (Please List Below)</b>				
Senior Center Membership Fees	500.00	500.00	1,000.00	1,000.00
<b>Other Revenue (Please List Below)</b>				
Fundraisers	500.00	500.00	500.00	500.00



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



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

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

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

**MEMORANDUM**

**TO: Harold L. Higgins, Chief Administrative Officer**  
**FROM: John H. Tustin, P.E., Director of Public Works** *JHT*  
**DATE: June 12, 2018**  
**SUBJECT: Landings Service Area - Effluent Pump**

DIVISIONS

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

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

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

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

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

.....  
The pump used to pump treated wastewater effluent to the injection wells at the Landings Wastewater Treatment Plant has failed. The plant was originally provided with a spare pump so the plant remains fully operational.

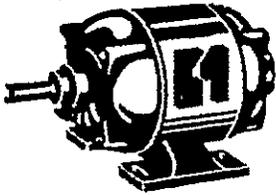
Attached is a proposal to repair the effluent pump at a cost of \$10,896 and a proposal for a new pump from Sherwood Logan and Associates in the amount of \$10,525. Sherwood Logan is the local representative for Flygt Pump, the brand we continue to standardize across all of the Water and Wastewater operations. Clearly, the option of replacing the pump is recommended. Funding is available in the 2017/18 budget Wastewater Plant Maintenance Account (535.6500.030) for this purchase.

We are requesting permission to waive the formal bidding process for this pump as we continue with our standardization efforts and purchase it directly from the local supplier.

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

**Attachments**

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



# SQUARE ONE ELECTRIC SERVICE CO

347 FORK BRANCH ROAD  
DOVER, DE 19904  
Phone: (302)-678-0400 / Fax: (302)-678-8331

## Job Estimate

<b>Job No.:</b>	063944
<b>Recv'd Date:</b>	05/15/18
<b>Page:</b>	1

<b>Sold To:</b>	Customer Number: WOC001	<b>Ship To:</b>	Ship To Number: 000001
	<b>WORCHESTER COUNTY WWTP</b> 1000 SHORE LANE BERLIN, MD 21811		<b>WORCHESTER COUNTY WWTP</b> RIDDLE FARM 11401 GRAYS CORNER ROAD BERLIN, MD 21811
	Contact: SHANE ODEGAARD Telephone: 410-202-6213 Fax: 000-000-0000		Contact: SHANE ODEGAARD Telephone: 410-202-6213 Fax: 000-000-0000

Job Number	Recv'd Date	Sales Code	Location	Ship Via	Terms
063944	05/15/18	050		OUR TRUCK	NET 30 DAYS

<b>Customer PO</b>	SHANE	<b>PO Release</b>		<b>Misc Number</b>	
--------------------	-------	-------------------	--	--------------------	--

Item #	Description	Extension
	<p>Nameplate Data: HP:10, SYNCH RPM:17, MFG:FLYGT EXPLOSION PROOF PUMP, PHASE:3, MODEL:3127-090S04.70, VOLTAGE:230/460, AMPS:13/25</p> <p>UNIT FAILED INCOMING ELECTRICAL TESTS; REWIND NEEDED.</p> <p>WORKSCOPE INCLUDES:</p> <ul style="list-style-type: none"> <li>- DISMANTLE COMPLETE</li> <li>- CHECK MECHANICAL FITS</li> <li>- CLEAN &amp; INSPECT PARTS</li> <li>- STRIP &amp; CLEAN CORE IRON</li> <li>- REWIND STATOR; DIP I NCLASS H RESIN</li> <li>- FURNISH &amp; INSTALL NEW REPAIR KIT (BEARINGS, SEALS); IMPELLER; LEAK DETECTOR; CABLE UNIT &amp; CABLE*; AND MISC. HARDWARE</li> <li>- REASSEMBLE</li> <li>- RE-UL CERTIFY</li> <li>- PERFORM FINAL TESTS &amp; REFINISH EXTERIOR</li> </ul> <p>* CABLE IS 30'. IF WE CAN SHORTEN IT BY 2' THEN DEDUCT \$765.00 FROM REPAIR PRICE</p> <p><b>OPTION 1:</b> REPAIR \$10,896.00 2-4 WEEK LEAD TIME FOR PARTS</p> <p><b>OPTION 2:</b> NEW PUMP \$13,636.00 10-12 WEEK LEAD TIME +FRT</p>	

Repair estimate valid for 30 calendar days  
from the above date.

Total is plus sales tax if applicable.

Based Upon Our Standard Terms And Conditions.

# **SHERWOOD-LOGAN & ASSOCIATES, INC.**

2140 Renard Court  
Annapolis, MD 21401  
Office Phone: (410) 841.6810

6/6/18

Attn: Gary Serman  
Worcester County Wastewater Dept.  
1000 Shore Lane  
Berlin, MD 21811

RE: Landings WWTP Effluent Pumps: Flygt CP3127.091 pump proposal

Mr. Serman,

Sherwood-Logan & Associates is pleased to provide you Flygt CP3127.091 submersible pump pricing per below;

Quantity One (1) – Flygt CP3127.091 HT to match your existing effluent pumps with serial no.'s 3127.090-0470251-53 with 484 impeller, 10HP/460V/3 phase explosion-proof rated motor, 50' of cable, FLS & factory testing.

Total Price including estimated freight: \$10,525.00

\*Delivery: 8 – 10 weeks ARO

Exclusions: MiniCas module, discharge connection, guide rail brackets, lifting chain, davit crane, hoist, ancillary hardware not specified above, controls/control panel, installations, guiderails, floats & valves

Please feel free to contact me at the number below if you have any questions or require additional information & thank you for your request.

Sincerely,

John Logan  
2140 Renard Court  
Annapolis, MD 21401  
Phone: 410.841.6810 ext. 326  
logan.j@sherwoodlogan.com

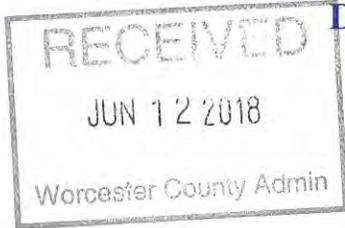


12

Worcester County

DEPARTMENT OF PUBLIC WORKS

6113 TIMMONS ROAD  
SNOW HILL, MARYLAND 21863



MEMORANDUM

JOHN H. TUSTIN, P.E.  
DIRECTOR

JOHN S. ROSS, P.E.  
DEPUTY DIRECTOR

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

**TO: Harold L. Higgins, Chief Administrative Officer**  
**FROM: John H. Tustin, P.E., Director** *JHT*  
**DATE: June 11, 2018**  
**SUBJECT: Worcester County Courthouse Jury Assembly Restroom Renovations Project Cost Reduction Recommendations**

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

A meeting was held with the lowest bidder, K.B. Coldiron, Inc. to determine where project costs could be reduced for the subject project. Items considered were labor costs for night shift work, demolition constraints, alternate products for toilet partitions, electrical work, wall and floor tile products and heights, plumbing fixtures plus counter materials. The floor plan was also evaluated internally and it was concluded that Becker Morgan's design was suitable for the project goals. Summarized below is a list of cost savings for your consideration for this project.

ITEM	PRICE REDUCTION CONSIDERATION	COST
	<b>LOW BID TOTAL</b>	<b>132,870.00</b>
1	Normal Work Shift vs. Overtime Premium	-3,950.00
2	Omit Removal of All Existing Wall Tile	-1,400.00
3	Alternate Toilet Partitions – Use Steel Partitions (baked enamel) in lieu of the bid-specified HDPE-Plastic/Poly	-1,405.00
4	Omit Electrical Work - Lights, Branch Circuits, Mechanical Equipment...To be provided by Worcester County DPW Maintenance Division	-9,880.00
5	Use full height 4"x4" ceramic wall tile in lieu of the bid-specified Wonder porcelain plank-style tile	-6,425.00
6	Use Wilsonart laminate countertop in lieu of the bid-specified Meganite solid surface materials	-1,420.00
	<b>REVISED TOTAL</b>	<b>108,390.00</b>

At this juncture, the Courts are adamant that the planned changes be implemented. So, it is recommended that the County Commissioners award this project to K.B. Coldiron, Inc. for \$108,390.00. Funding for this project is available from Unassigned Funds.

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

cc: Kenneth J. Whited, Maintenance Superintendent

ITEM	DESCRIPTION		OPTION 1	OPTION 2	OPTION 3
	<b>PRICE REDUCTION CONSIDERATION</b>	<b>LOW BIDDER EVALUATION &amp; RESPONSE</b>	<b>132,870.00</b>	<b>132,870.00</b>	<b>132,870.00</b>
1	Normal Work Shift vs. Overtime Premium	25% Night Shift Premium Deduction/Demo @ Night Included	-3,950.00	-3,950.00	-3,950.00
2	Omit Removal of All Existing Wall Tile	Removal Omitted... <i>Note: ADA Dimension Concerns May Require CO If Conflict Found</i>	-1,400.00	-1,400.00	-1,400.00
3	Alternate Toilet Partitions - Bid Specified HDPE (Plastic/Poly) vs. Steel (Powder Coated or Baked Enamel) vs. Plastic Laminate vs. S.P.C. (Soid Phenolic)	Steel Baked Enamel Supplied	-1,405.00	-1,405.00	-1,405.00
4	Omit Electrical Work - Lights, Branch Circuits, Mechanical Equipment	Omitted Electrical... <i>Note: Mechanical Equipment Included</i>	-9,880.00	-9,880.00	-9,880.00
5	Wall Tile @ Wainscot Ht. vs. Full Ht.	Install Bid-Specified Wonder Porcelain Tile to Wainscot Ht. & Add Paint Above Wainscot Tile			-3,325.00
6	Alternate Wall Tile - Considerations...Size, Mfg./Type - Dal Tile ceramic vs. Wonder porcelain	Standard 4"x4" Ceramic Supplied		-6,425.00	
7	Alternate Countertop Products - Wilsonart, Corian, Swanstone vs. Bid-Specified Meganite	Wilsonart Supplied	-1,420.00	-1,420.00	-1,420.00
8		No Wall Tile - Add Painted Walls	-10,335.00		
<b>TOTAL</b>			<b>104,480.00</b>	<b>108,390.00</b>	<b>111,490.00</b>

2

John Tustin

---

**From:** Ken Whited  
**Sent:** Monday, June 11, 2018 11:54 AM  
**To:** John Tustin  
**Cc:** Carole E. Hankins; Michael Hutchinson  
**Subject:** Fwd: 2017 Courthouse Jury Assy Restroom Renovation Project - Bid Reduction Considerations.xlsx

Sent from my iPhone

Begin forwarded message:

**From:** Gary Feeheley <[gary@kbcoldiron.com](mailto:gary@kbcoldiron.com)>  
**Date:** May 19, 2018 at 10:55:52 AM EDT  
**To:** 'Ken Whited' <[kenwhited@co.worcester.md.us](mailto:kenwhited@co.worcester.md.us)>  
**Subject:** RE: 2017 Courthouse Jury Assy Restroom Renovation Project - Bid Reduction Considerations.xlsx

Looks ok.

---

**From:** Ken Whited <[kenwhited@co.worcester.md.us](mailto:kenwhited@co.worcester.md.us)>  
**Sent:** Friday, May 18, 2018 4:36 PM  
**To:** Gary Feeheley <[gary@kbcoldiron.com](mailto:gary@kbcoldiron.com)>  
**Subject:** 2017 Courthouse Jury Assy Restroom Renovation Project - Bid Reduction Considerations.xlsx

Gary: I have revise the attached and hopefully it reflects our discussions and the options for savings. Please review and provide your comments.

John Tustin

---

**From:** Ken Whited  
**Sent:** Monday, June 11, 2018 11:53 AM  
**To:** John Tustin  
**Cc:** Carole E. Hankins; Michael Hutchinson  
**Subject:** Fwd: Worcester County Bathrooms.pdf  
**Attachments:** Worcester County Bathrooms.pdf; ATT00001.htm

I will send Gary's approval of my summarized options.

Sent from my iPhone

Begin forwarded message:

**From:** "Gary Feeheley" <[gary@kbcoldiron.com](mailto:gary@kbcoldiron.com)>  
**To:** "Ken Whited" <[kenwhited@co.worcester.md.us](mailto:kenwhited@co.worcester.md.us)>  
**Subject:** **FW: Worcester County Bathrooms.pdf**

Ken,

See attached. Call me with any questions. The alternate tile would be a 4"x4" standard Home Depot brand.

Regards,

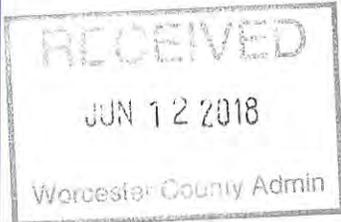
Gary

The Commissioners met with Public Works Director John Tustin to review staff's recommendation to reject the three bids received for the Court House jury assembly restroom renovation project. Mr. Tustin stated that the bids for renovating two restrooms and one custodial closet were too high due to labor costs to secure the prisoner transport area and basement, Court system noise restrictions, and the higher-end products specified by the architect for wall and floor finishes. Following some discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously rejected all bids and authorized staff to work with the low bidder, KB Coldiron, Inc. of Frankford, Delaware, to complete a comprehensive product evaluation to determine alternate products, and to develop a summary of project selection, pricing, and recommendations to reduce the total project cost for the Commissioners' future consideration.



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



**MEMORANDUM**

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

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

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

**TO: Harold L. Higgins, Chief Administrative Officer**  
**FROM: John H. Tustin, P.E., Director** *JHT*  
**DATE: June 11, 2018**  
**SUBJECT: Worcester County Library – Ocean Pines Branch**  
**Architectural, Building Envelope & MEP Renovations**  
**Request for Guaranteed Maximum Price CM Services**

DIVISIONS

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

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

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

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

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

The Whiting-Turner Contracting Company has completed the bid phase services for the subject project and have assembled their Guaranteed Maximum Price to complete the project. Summarized below are the sub-contractors selected for the project.

- Division 06A-General Trades...K.B. Coldiron, Inc.
- Division 07A-Roofing...Northeast Contracting Corporation
- Division 22 & 23-Plumbing & HVAC...Joseph M. Zimmer, Inc.
- Division 26-Electrical...Lywood Electric, Inc.

Attached for your review is the financial summary of costs for the Base Bid Guaranteed Maximum Price plus the Owner-selected alternates to install 50-year shingles, replacement dormer louvers and motorized blinds for the arched gable windows. The GMP total, including the alternates, is \$1,254,639.00

At this time, with construction industry growth increasing on the Eastern Shore, it has been reported that contractor availability will become increasingly limited. This project received minimal participation from prospective bidders. It is believed that the County would be best served by moving forward with this project to retain today's pricing and the resources that bid this project. Therefore, it is requested that the County award the Guaranteed Maximum Price contract to The Whiting-Turner Contracting Company for the price stated including the alternates listed.

Funding is available from Assigned Fund Balance for this project.

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

Attachment

cc: Kenneth J. Whited, Maintenance Superintendent



**The Whiting-Turner Contracting Company**

[www.whiting-turner.com](http://www.whiting-turner.com)

**Project Name:** *WORCESTER COUNTY PUBLIC LIBRARY - OCEAN PINES BRANCH: ARCHITECTURAL, BUILDING ENVELOPE & MEP RENOVATIONS*

**Type of Proposal** *GUARANTEED MAXIMUM PRICE (GMP)*

**Date:** *June 11, 2018*

**Project Location:** *BERLIN, MARYLAND*

**Owner:** *WORCESTER COUNTY*

**WT VP/ Group:** *Jim Martini Senior Vice President  
Scott Saxman- Vice President*

**Architect:** *The Design Group*

**Engineer:** *Structural - GMB  
MEP - Gipe Associates, Inc.  
Skin Consultant - Construction Systems Group Inc.*

**Document Set:** *100% CONSTRUCTION DOCUMENTS*

**Project Description:** *Roof Replacement, Interior Architectural Repairs and HVAC Upgrade*

**Table of Contents:**

- A. Summary Tabulation*
- B. Exclusions - Clarifications*
- C. General Conditions & Requirements*
- D. Allowances*
- E. Trade Package Tabulations*
- F. Drawing & Document List*
- G. Schedule*

**Worcester County - Ocean Pines Library**

GMP  
Ocean Pines, MD

**Summary of Accounting**

	Lump Sum Base Bid	ALT# 1 50 Year Shingles	ALT# 2 Replace Dormer Louvers	ALT # 3 Duct Cleaning	AL# 4 Replace Window Shade	Recommended Contractor
				NOT APPLICABLE		
				NOT ACCEPTED		
Div 01A - General Requirements	\$ 90,125	-	-	-	-	Whiting-Turner
Div 01B - Allowances	\$ 50,000	-	-	-	-	Whiting-Turner
Div 06A - General Trades	\$ 79,045	-	-	-	\$ 6,280	KB Coldiron
Div 07A - Roofing	\$ 385,685	\$ 8,300	\$ 44,000	-	-	North East Contracting
Div 22 & 23 - Plumbing & HVAC	\$ 330,100	-	-	\$ 14,500	-	Zimmer
Div 26 - Electrical	\$ 16,200	-	-	-	\$ 1,850	Lywood
<b>SUBTOTAL OF ALL DIVISIONS</b>	<b>\$ 951,155</b>	<b>\$ 8,300</b>	<b>\$ 44,000</b>	<b>\$ 14,500</b>	<b>\$ 8,130</b>	
Construction Contingency (10%)	\$ 95,116	\$ 830	\$ 4,400	\$ 1,450	\$ 1,450	Contingency
Design Administration During Construction	\$ 65,000	\$ -	\$ -	\$ -	\$ -	
Project Commissioning Services - GIPE	\$ 10,000					
General Liability Insurance (1%)	\$ 11,113	\$ 91	\$ 484	\$ 160	\$ 96	
Building Permit	\$ -	\$ -	\$ -	\$ -	\$ -	By Owner
<b>SUBTOTAL</b>	<b>\$ 1,132,383</b>	<b>\$ 9,221</b>	<b>\$ 48,884</b>	<b>\$ 16,110</b>	<b>\$ 9,676</b>	
Performance and Payment Bond (1%)	\$ 11,324					
Construction Manager @ Risk Fee (3.5%)	\$ 39,633	\$ 323	\$ 1,711	\$ 403	\$ 242	
Builders Risk	\$ 1,172	\$ 10	\$ 51	\$ 17	\$ 10	
<b>GMP</b>	<b>\$ 1,184,512</b>	<b>\$ 9,554</b>	<b>\$ 50,646</b>	<b>\$ -</b>	<b>\$ 9,928</b>	<b>\$ 1,254,639</b>

W

<b>PROJECT:</b> Worcester County - Ocean Pines Library	
<b>LOCATION:</b> Ocean Pines, MD	
<b>CLARIFICATIONS</b>	
<b>Clarifications</b>	<b>Description</b>
1	Whiting-Turner will carry the Builder's Risk Insurance.
2	Payment and Performance Bonds are included.
3	This GMP does not include an owner contingency for unforeseen existing conditions
4	The GMP does not include cost for building permits
5	Whiting-Turner excludes cost and scope associated with hazardous materials inspection, testing, and abatement.
6	The Whiting-Turner project allowances included cover barriers, signage, repairs, temporary protection, landscaping repairs, and air sealing portions of the building. The allowances will be used after approval from Worcester County, tracked by Whiting-Turner on a time and material basis. All remaining allowances will be returned to the owner at the completion of the project. All work above and beyond what is included in the allowances shall be treated as owner contingency and may result in additional cost to the GMP.



**WORCESTER COUNTY COMMISSIONERS OFFICE  
OCEAN PINES LIBRARY WATERPROOFING  
GMP SUBMISSION  
GENERAL REQUIREMENTS**

REVISED: June 11, 2018  
SCHEDULE: 65 Days, 520 Hours

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	Quantity	Unit Cost	Extension	Comments
<b>General Requirements</b>			<b>\$ 90,125</b>	
<b>0135 Special Procedures</b>			<b>\$ 47,200</b>	
WT Staffing				
Superintendent	- hrs	85.00	\$ -	
Project Engineer	520 hrs	65.00	\$ 33,800	
Project Manager	120 hrs	95.00	\$ 11,400	
Preconstruction Costs	ls		\$ -	
I.C Cleaning (1 Carpenter/Labr	40 hrs	50.00	hrs \$ 2,000	
Temporary Partitions	225 SF		SF \$ -	
Monitoring I.C Equipment	1 ls		ls \$ -	
ILSM Allowance	1 al		al \$ -	
Temp. Loading Dock	ls		ls \$ -	
<b>01 52 Construction Facilities</b>			<b>\$ 1,250</b>	
Office Trailers	mo	500.00 /mo	\$ -	
Conference Trailers	- mo	3,000.00 /mo	\$ -	
Owner Trailers	- mo	3,000.00 /mo	\$ -	
BIM Big Room Trailer	- mo	3,000.00 /mo	\$ -	
BIM Big Room IT Equipment &	- mo	3,000.00 /mo	\$ -	
Office Complex /Maintenance	- mo	- /mo	\$ -	
Conex Boxes	mo	100.00 /mo	\$ -	
Guard/Gatekeeper Stations	- mo	- /mo	\$ -	
Multi-Function Copier/Fax	- ls	- /ls	\$ -	
Multi-Function Copier/Fax Mair	- mo	100.00 /mo	\$ -	
Large Format Printer	- mo	/mo	\$ -	
Projector & Screen	- mo	/mo	\$ -	
Office Furniture	sta	/sta		
Office Phone System	- ls	- /ls	\$ -	
Phone Landline Service	- mo	- /mo	\$ -	
Misc. Office Supplies	- mo	300.00 /mo	\$ -	
Computers & Software	- ea	- /ea	\$ -	Included in staffing
Computers Maintenance	- mo	- /mo	\$ -	Included in staffing
Office Complex Networking	- ls	- /ls	\$ -	Included in Phone System
Travel Expenses	- all	- /all	\$ -	
Blue Prints / Printing / CAD Dw	1 ls	750.00 /ls	\$ 750	
Postage and Shipping	1 ls	500.00 /ls	\$ 500	
Radios (Site)	- all	/all	\$ -	
Cell Phones / Nextels	- mo	- /mo	\$ -	Included in staffing
Bottle Water Station	- mo	75.00 /mo	\$ -	
First Aid Kit	- all	150.00 /all	\$ -	
<b>01 54 Construction Aids</b>			<b>\$ 7,925</b>	
Personnel Protective Equipment	ea	500.00 /ea	\$ -	
Safety Nets	sf	/sf	\$ -	
Temporary Pumps	ea	/ea	\$ -	
Scaffolding - Erect/Dismantle/Freight	ea	/ea	\$ -	
Scaffolding Rental	mo	/mo	\$ -	
Mast Climbers -	ea	/ea	\$ -	
Mast Climber Rental	mo	/mo	\$ -	
Mast Climber Fuel	mo	/mo	\$ -	



**WORCESTER COUNTY COMMISSIONERS OFFICE**

**OCEAN PINES LIBRARY WATERPROOFING**

**GMP SUBMISSION**

**GENERAL REQUIREMENTS**

REVISED: June 11, 2018

SCHEDULE: 65 Days, 520 Hours

Z:\share\017131 - Ocean Pines Library Documents\00 - Bidding and Front End\017131 - Ocean Pines Library Bid Comparison 06.11.18.xlsx\Cover

	Quantity	Unit Cost	Extension	Comments
Swing Staging	ea		/ea \$ -	
Material/Personnel Hoist Rental	mo	12,000.00	/mo \$ -	
Hoist - Erect/Dismantle/Freight	ea	18,000.00	/ea \$ -	
Hoist - Electric Feed	ea	10,000.00	/ea \$ -	
Hoist Operator	hr	50.00	/hr \$ -	
Hoist Pad/Pit Install - Remove	ls	7,500.00	/ls \$ -	
Tower Crane - Foundation	ea	60,000.00	/ea \$ -	
Tower Crane - Mob/Demob	ea	85,000.00	/ea \$ -	
Tower Crane - Rental & Maintenance	mo	20,000.00	/mo \$ -	
Tower Crane Operator	mo	12,000.00	/mo \$ -	
Small Tools / Supplies	8 mo	500.00	/mo \$ 4,000	
General Site Safety / Maintenance (1 Laborers)	65 hr	45.00	/hr \$ 2,925	
Lull / Operator	mo	11,250.00	/mo \$ -	
Temporary Elevator Operator	hr	35.00	/hr \$ -	None assumed
Temporary Fire Extinguishers	4 ea	250.00	/ea \$ 1,000	
Job Truck	mo	1,000.00	/mo \$ -	
Misc. Equipment Rentals / Repairs	mo	200.00	/mo \$ -	
Misc. Materials	all	5,000.00	/all \$ -	
Testing & Inspection / Survey	- ls	15,000.00	/ls \$ -	See Allowances
<b>01 55 Vehicular Access and Parking</b>			<b>\$ -</b>	
Temporary Access Roads	sy		/sy \$ -	
Temporary Access Roads Maint.	mo		/mo \$ -	
Temporary Walks	sf		/sf \$ -	
General Site Staging Stabilization	sy	15.00	/sy \$ -	
Snow Removal	all	-	/all \$ -	By site contractor
Parking Fees	Al	300,000.00	/Al \$ -	
<b>01 56 Temporary Barriers and Enclosures</b>			<b>\$ 21,750</b>	
General Site Safety / Maintenance (1 Carp)	hr	50.00	/hr \$ -	
Temporary Enclosure for Heat/Cool.	sf	7.00	/sf \$ -	
Temporary Barricades	1 ls	10,000.00	/ls \$ 10,000	
Temporary Handrail	lf	5.00	/lf \$ -	
Temporary Fencing	750 lf	15.00	/lf \$ 11,250	
Temporary Protective Walkways	sf	10.00	/sf \$ -	
Temporary Egress & Signage	1 ls	500.00	/ls \$ 500	
Watchmen/Security Services	hr	50.00	/hr \$ -	
Water Intrusion Protection - Temporary	sf	5.00	/sf \$ -	
Water Intrusion Protection - Perimeter	sf	5.00	/sf \$ -	
Protect Existing Finishes	ls	25,000.00	/ls \$ -	
New Floor Protection	ls	25,000.00	/ls \$ -	
<b>01 57 Temporary Controls</b>			<b>\$ -</b>	
Sediment and Erosion Controls	all		/all \$ -	By Site Contractor
<b>01 58 Project Identification</b>			<b>\$ 1,000</b>	
Project Sign	1 ls	1,000.00	/ls \$ 1,000	
Temporary Safety & Wayfindin	- all	10,000.00	/all \$ -	
Employee Identification System (Badg	ls	1,000.00	/ls \$ -	
Employee Identification System (Shirts	ls	1,000.00	/ls \$ -	
<b>01 71 Examination and Preparation</b>			<b>\$ 3,000</b>	
Construction Layout	1 ls	3,000.00	/ls \$ 3,000	

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**WORCESTER COUNTY COMMISSIONERS OFFICE**  
**OCEAN PINES LIBRARY WATERPROOFING**  
**GMP SUBMISSION**  
**GENERAL REQUIREMENTS**

REVISED: June 11, 2018  
 SCHEDULE: 65 Days, 520 Hours

Z:\share\017131 - Ocean Pines Library Documents\00 - Bidding and Front End\017131 - Ocean Pines Library Bid Comparison 06.11.18.xlsx\Cover

	Quantity	Unit Cost	Extension	Comments
Laser Locatiing	mo	1,000.00	/mo \$ -	
Utility Locating	mo	1,000.00	/mo \$ -	
Field Surveys/Investigation	mo	1,000.00	/mo \$ -	
<b>01 74 Cleaning and Waste Management</b>			<b>\$ 8,000</b>	
Interim Clean-up	hr	25.00	/hr \$ -	
Dumpsters	8 mo	1,000.00	/mo \$ 8,000	
Temporary Dumpster Pads Install/Remea	ea	2,000.00	/ea \$ -	
Street Cleaning	mo	300.00	/mo \$ -	
Window Cleaning	all	15,000.00	/all \$ -	
Final Cleaning	sf	0.75	/sf \$ -	

<b>PROJECT: Worcester County - Ocean Pines Library</b>		
<b>LOCATION: Ocean Pines, MD</b>		
<b>SIZE:</b>	-	<b>sq ft</b>
		<b>Estimate</b>
<b>Whiting - Turner Contracting Master Bid Tabulation Worksheet</b>		
<b>Allowances</b>	<b>Whiting-Turner</b>	
<b>DIVISION 01B - Allowances</b>		
Glazing & Sealant Allowance	\$ -	Included in NE Con quote See Clarifications for description of services
General Construction Allowance	\$ 25,000.00	
Lanscaping / Site Repair	\$ 10,000.00	
Air Seal	\$ 15,000.00	
<b>DIVISION 01B - Allowances</b>	<b>\$ 50,000.00</b>	
<b>Bond Amount</b>	<b>N/A</b>	
None		
<b>ADD ALTERNATES</b>	<b>\$ -</b>	
<b>Total</b>	<b>\$ 50,000.00</b>	

**Recommendation** Whiting-Turner **\$ 50,000.00**

**Owner Approval** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print \_\_\_\_\_

00

PROJECT: Worcester County - Ocean Pines Library

LOCATION: Ocean Pines, MD

Whiting - Turner Contracting Master Bid Tabulation Worksheet

General Trades	KB Coldiron				
<b>DIVISION 06A - General Trades</b>					
Base Bid	\$ 79,045.00				
Alternate # 4 - Replace Motor Shade	\$ 6,280.00				
<b>DIVISION 06A - General Trades</b>	<b>\$ 79,045.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Bond Amount					
<b>ADD ALTERNATES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total</b>	<b>\$ 79,045.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>N/A</b>	<b>N/A</b>

Recommendation KB Coldiron \$ 79,045.00

Owner Approval \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print \_\_\_\_\_

6



PROJECT: Worcester County - Ocean Pines Library

LOCATION: Ocean Pines, MD

Whiting - Turner Contracting Master Bid Tabulation Worksheet

Mechanical & Plumbing	Zimmer				
<b>DIVISION 23 - Heating, Ventilating, and Air-Conditioning</b>					
Base Bid	\$ 330,100.00				
Alternate # 3 - Duct Cleaning	\$ 14,500.00				
<b>DIVISION 23 - Heating, Ventilating, and Air-Conditioning</b>	<b>\$ 330,100.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Bond Amount</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>ADD ALTERNATES</b>	<b>\$ 14,500.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total</b>	<b>\$ 344,600.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>N/A</b>

Recommendation Zimmer \$ 330,100.00

Owner Approval \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print

PROJECT: Worcester County - Ocean Pines Library

LOCATION: Ocean Pines, MD

Whiting - Turner Contracting Master Bid Tabulation Worksheet

Electrical & Fire Alarm	Rommel Electric	Lywood			
<b>DIVISION 26 – Electrical</b>					
Base Bid	\$ 19,414.00	\$ 16,200.00			
Add electric for one window	\$ 1,700.00	\$ 1,850.00			
<b>DIVISION 26 – Electrical</b>	<b>\$ 19,414.00</b>	<b>\$ 16,200.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Bond Amount</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>ADD ALTERNATES</b>	<b>\$ 1,700.00</b>	<b>\$ 1,850.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total</b>	<b>\$ 21,114.00</b>	<b>\$ 18,050.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Recommendation Lywood \$ 16,200.00

Owner Approval \_\_\_\_\_  
Signature Date

Print \_\_\_\_\_

<b>Civil / Architectural / Structural / MEP Drawings</b>		
<b>Drawing No.</b>	<b>Description</b>	<b>Date</b>
CS.1	Cover Sheet	03/26/18
<b><u>CSG Drawings</u></b>		
P-1	Roof Plan	03/26/18
D-1	Underlayment Installation	03/26/18
D-2	Starter Course Installation	03/26/18
D-3	Gutter/Eave Detail	03/26/18
D-4	Step Flashing Detail	03/26/18
D-5	Vent Pipe Flashing Detail	03/26/18
D-6	Kick-out Flashing Installation	03/26/18
D-7	Valley Underlayment	03/26/18
D-8	Isometric Masonry Sidewall Counterflashing	03/26/18
D-9	Section Masonry Sidewall Counterflashing	03/26/18
D-10	Masonry Throughwall Flashing	03/26/18
D-11	Downspout Overflow	03/26/18
D-12	Shingle Fastening Pattern	03/26/18
<b><u>TDG Drawings</u></b>		
A1.0	Notes	03/21/18
A2.1	Floor Plans and RCP's	03/21/18
A3.1	Roof Plan and Exterior Elevations	03/21/18
A4.1	Gable End Modifications	03/21/18
A4.2	Sections and Details	03/21/18
A4.3	Dormer Modifications	03/21/18
A5.1	Interior Elevations	03/21/18
A5.2	Interior Elevations	03/21/18
<b><u>Gipe Drawings</u></b>		
<b><u>Mechanical</u></b>		
M0.1	Legend & Abbreviations - HVAC	03/26/18
MD1.1	First Floor Plan - HVAC Demolition	03/26/18
MD1.2	Second Floor Plan - HVAC Demolition	03/26/18
MD2.1	Part Plans - HVAC Demolition	03/26/18
M1.1	First Floor Plan - HVAC New Work	03/26/18
M1.2	Second Floor Plan - HVAC New Work	03/26/18
M2.1	Part Plans - HVAC New Work	03/26/18
M3.1	Details - HVAC	03/26/18
M3.2	Details - HVAC	03/26/18
M4.1	Control Diagrams - HVAC	03/26/18
M5.1	Schedules - HVAC	03/26/18

Ocean Pines Library

<b>Electrical</b>		
E.01	Legend & Abbreviations - Electrical	03/26/18
ED1.1	First Floor plan - Electrical Demolition	03/26/18
ED1.2	Second Floor Plan - Electrical Demolition	03/26/18
E1.1	First Floor Plan - Electrical New Work	03/26/18
E1.2	Second Floor Plan - Electrical New Work	03/26/18
E3.1	Details - Electrical	03/26/18
E3.2	Details - Electrical	03/26/18
E4.1	Schedules - Electrical	03/26/18

<b>Civil / Architectural / Structural / MEP Specifications</b>		
<b>Spec. Number</b>	<b>Description</b>	<b>Date</b>
<b>Introductory Information</b>		
00 00 10	Table of Contents	03/22/18
00 00 15	List of Drawing Sheets	03/22/18
<b>WT Specifications - Bidding Requirements</b>		
00 01 00	Invitation to Bid	03/22/18
00 02 00	Bid Advertisement	03/22/18
00 03 00	Bid Form	03/22/18
00 03 50	Labor and Billing Rates	03/22/18
00 04 00	Application for Payment Forms	03/22/18
00 04 10	Forms: Lien Releases, Warranties, Etc.	03/22/18
00 05 00	General and Specific Scopes	03/22/18
00 05 50	Construction Schedule	03/22/18
00 06 00	Contract Forms	03/22/18
00 06 10	Bond Forms	03/22/18
00 06 20	Certificate of Insurance	03/22/18
00 07 00	Loss Control Program	03/22/18
00 07 10	Jobsite Rules	03/22/18
00 07 20	Safety, Harassment, and Conduct Rules	03/22/18
00 07 30	Punch List Procedures	03/22/18
00 07 40	Quality Control Program	03/22/18
00 08 70	WT Insurance Program	03/22/18
Appendix A	Testing and Balancing Report	03/22/18
<b>CSG Specifications</b>		
<b>General Conditions of Contract</b>		
00 01 00	Instruction to Bidders: AIA A701-1997	03/26/18
00 03 00	Bid Form for Roofers	03/26/18
00 05 00	Agreement Form - Whiting-Turner Contract Documents	03/26/18
00 06 00	Certificates of Insurance & Performance Bond: AIA A312-2010	03/26/18
00 08 00	Supplementary Conditions	03/26/18
<b>Div 01</b>	<b>General Requirements</b>	
00 10 10	Summary of Work	03/26/18
00 10 25	Payment	03/26/18
00 10 40	Coordination	03/26/18
00 10 90	Standards	03/26/18
00 12 00	Project Meetings	03/26/18
00 13 40	Shop Drawings, Product Data, and Samples	03/26/18
00 15 10	Temporary Facilities	03/26/18
00 16 30	Products & Substitutes	03/26/18
00 17 00	Project Closeout	03/26/18
<b>Div 02</b>	<b>Site Work</b>	
00 20 70	Selective Demolition	03/26/18
<b>Div 04</b>	<b>Masonry</b>	
00 45 00	Masonry Restoration	03/26/18
<b>Div 06</b>	<b>Wood</b>	
00 61 00	Rough Carpentry	03/26/18

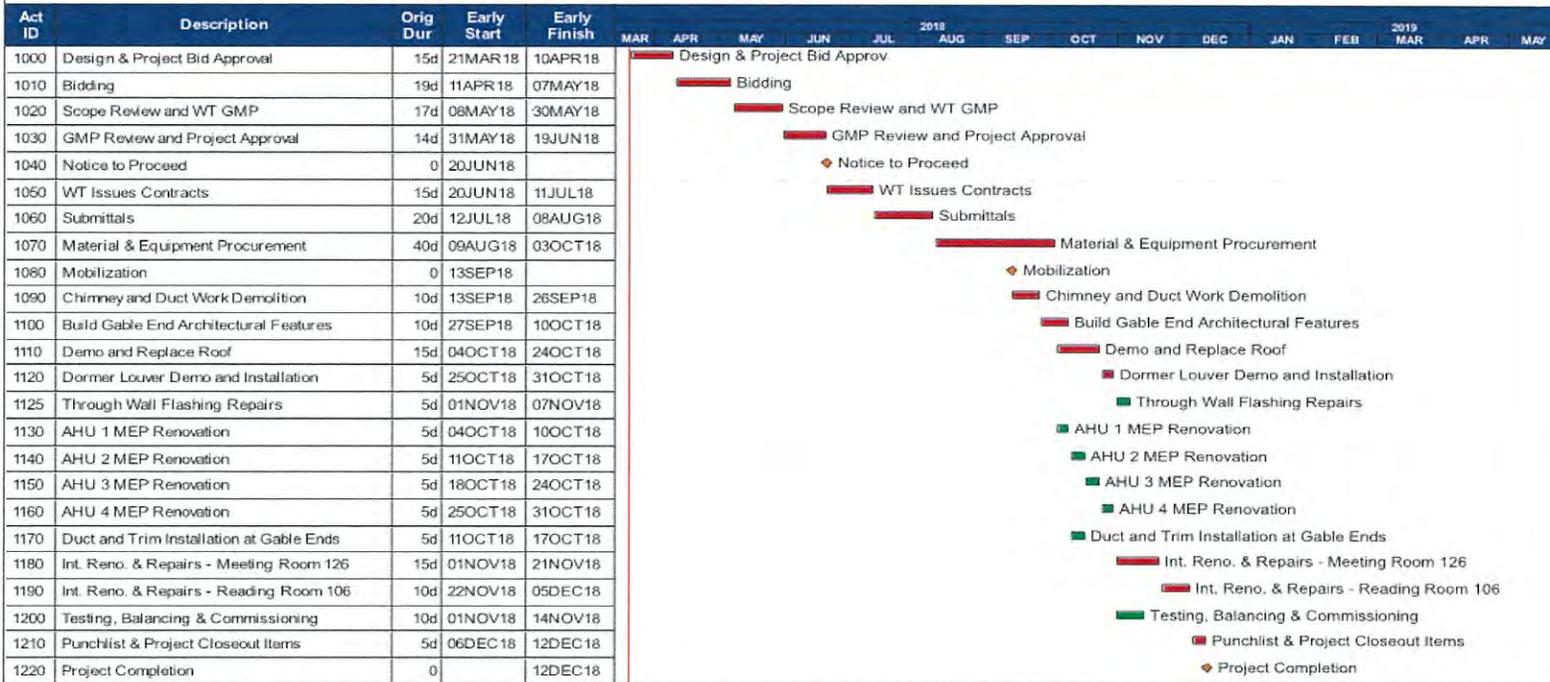
<b>Div 07</b>	<b>Thermal &amp; Moisture Protection</b>	
00 75 36	Architectural-Grade Asphalt Shingles	03/26/18
00 76 20	Sheet Metal Flashing and Trim	03/26/18
00 79 00	Joint Sealers	03/26/18
<b>Div 08</b>	<b>Doors and Windows</b>	
00 88 00	Glazing	03/26/18
<b>Div 15</b>	<b>Mechanical</b>	
01 51 00	Temporary Mechanical Disconnects and Reconnects	03/26/18
01 54 00	Roof Drainage and Related Plumbing	03/26/18
	<b>Referenced AIA Documents</b>	
	AIA Document G701-1997	
	AIA Document G702-1983	
	AIA Document G703-1983	
	AIA Document G704-1983	
	AIA Document G706-1970	
	AIA Document G706A-1970	
	AIA Document G707-1970	
	AIA Document G707A-1971	
	<b>TDG Specifications</b>	
<b>Div 07</b>	<b>Thermal &amp; Moisture Protection</b>	
<b>Div 07</b>	<b>Thermal &amp; Moisture Protection</b>	
<b>Div 08</b>	<b>Openings</b>	
08 11 13	Steel Doors and Frames	
<b>Div 09</b>	<b>Finishes</b>	
<b>Div 10</b>	<b>Specialties</b>	
<b>Div 12</b>	<b>Furnishings</b>	
<b>Div 21</b>	<b>Fire Suppression</b>	
	<b>Gipe Specifications</b>	
<b>Div 01</b>	<b>General Requirements</b>	
01 91 13	General Commissioning Requirements	03/26/18
01 91 15	HVAC Commissioning Requirements	03/26/18
<b>Div 07</b>	<b>Thermal &amp; Moisture Protection</b>	
07 94 13	Fire Protection, HVAC & Plumbing Penetration Firestopping	03/26/18
<b>Div 23</b>	<b>HVAC</b>	
23 05 00	Common Work Results for HVAC	03/26/18
23 05 05	HVAC Piping, Fittings, and Valves	03/26/18
23 05 48	Vibration Controls for HVAC, Plumbing, and Fire Protection Equip	03/26/18

Ocean Pines Library

23 05 93	Testing, Adjusting, and Balancing for HVAC and Plumbing	03/26/18
23 06 00	Heating, Ventilating, and Air Conditioning Equipment	03/26/18
23 06 01	Evaporative DX Cooling Coils	03/26/18
23 06 02	Condensing Units	03/26/18
23 07 01	HVAC Insulation	03/26/18
23 09 00	Instrumentation and Controls of HVAC and Plumbing Systems	03/26/18
23 30 00	HVAC Air Distribution	03/26/18
23 31 23	Existing HVAC Air Distribution System Cleaning	03/26/18
<b>Div 26</b>	<b><u>Electrical</u></b>	
26 05 00	Common Work Results for Electrical	03/26/18
26 05 19	Conductors and Cables	03/26/18
26 05 26	Grounding and Bonding	03/26/18
26 05 28	Electrical Firestopping	03/26/18
26 05 29	Hangers and Supports	03/26/18
26 05 33	Raceways and Boxes	03/26/18
26 05 53	Electrical Identification	03/26/18
26 27 26	Wiring Devices	03/26/18
26 28 13	Fuses	03/26/18
26 28 16	Disconnect Switches and Circuit Breakers	03/26/18

**WORCESTER COUNTY LIBRARY  
OCEAN PINES BRANCH**

**BID SCHEDULE**



Start date	21MAR18
Finish date	12DEC18
Data date	21MAR18
Run date	24MAY18
Page number	1A
© Primavera Systems, Inc.	

**ARCH / BLDG ENV/ MEP RENOVATIONS**

- Early bar
- Progress bar
- Critical bar
- Summary bar
- ◆ Start milestone point
- ◆ Finish milestone point



OFFICE OF THE  
COUNTY COMMISSIONERS

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

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

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

**PAID**  
4/5/18 @ 8:35am

April 5, 2018

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

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 April 12, 2018. Thank you.

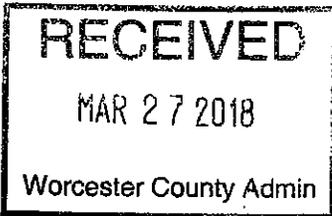
### BID ADVERTISEMENT & PREQUALIFICATION

#### WORCESTER COUNTY LIBRARY – OCEAN PINES BRANCH ARCHITECTURAL, BUILDING ENVELOP, & MEP RENOVATIONS BERLIN, MD

The Whiting-Turner Contracting Company, on behalf of the Worcester County Commissioners, is currently soliciting bids for construction of the Worcester County Library - Ocean Pines Branch Architectural, Building Envelop and MEP Renovations. This project consists of demolition of the existing chimney stacks, gable end architectural features, a complete roof replacement, dormer louver replacement, exterior masonry flashing repair, mechanical upgrades, and minor interior finishes repair. Bid documents, bid packages and proposal forms are available on Whiting-Turner's ftp site: <https://whitingturner.sharepoint.com/:f:/r/sites/017131OceanPines/Shared%20Documents/Bid%20Documents?csf=1&e=x9NIis>. Interested subcontractors are encouraged to attend a **pre-bid meeting to be held at 1:00 PM on Monday, April 23rd 2018**, at the Ocean Pines Library Conference Room (11107 Cathell Road, Berlin MD). All contractors must be qualified by The Whiting-Turner Contracting Company for their bid to be considered. Pre-qualification forms are available on Whiting-Turner's ftp site and shall be emailed to [Tim.Edmondson@Whiting-Turner.com](mailto:Tim.Edmondson@Whiting-Turner.com). **Sealed bids will be accepted until 1:00 PM on Monday, May 7th, 2018** in the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863. Envelopes shall be marked "**Proposal for Ocean Pines Library - (Bid Package)**" in the lower left-hand corner. Bids will be opened and publicly read aloud in the Board Room (First Floor Government Center). After opening of bids, The Whiting-Turner Contracting Company will be evaluating and conducting scope reviews for the purpose of providing the Worcester County Commissioners a Guaranteed Maximum Price Proposal. In awarding the proposal, the Commissioners reserve the right to reject any and all proposals, waive formalities, informalities and technicalities therein, and to take whatever proposal they determine to be in the best interest of the County considering lowest or best proposal, quality of goods and work, time of delivery or completion, responsibility of subcontractors being considered, previous experience of subcontractors with County contracts, or any other factors they deem appropriate. All inquiries shall be directed in writing to Tim Edmondson at [Tim.Edmondson@Whiting-Turner.com](mailto:Tim.Edmondson@Whiting-Turner.com).

*Citizens and Government Working Together*

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

JOHN H. TUSTIN, P.E.  
DIRECTOR

JOHN S. ROSS, P.E.  
DEPUTY DIRECTOR

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

MEMORANDUM

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** John H. Tustin, P.E., Director *JHT*  
**DATE:** March 27, 2018  
**SUBJECT:** Worcester County Library – Ocean Pines Branch  
Architectural/Building Envelope/HVAC Renovation  
Bid Request

DIVISIONS

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

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

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

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

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

The Whiting – Turner Contracting Co. has worked with their subcontracted design team of The Design Group, Construction Systems Group, Inc. and Gipe Associates, Inc. and completed the design phase for the subject project. The completed design and bidding documents are fully prepared for public bidding. Whiting-Turner's Design Phase Services contract with the County includes facilitating the bidding process with bid review and a Guaranteed Maximum Price recommendation for the project. Included in this request are the bidding documents that consisting of architectural, building envelope and HVAC plans and specifications plus Whiting-Turner's Bid Advertisement (Notice to Bidders) & Prequalification form and Project Manual which is the same format that was used for the Berlin Library bid process.

In closing, once the bidding is complete, it is believed that the County would be best served by entering into a Guaranteed Maximum Price contract with The Whiting-Turner Contracting Company to provide construction management services through completion of the project.

Funding is available in Assigned Fund Balance for this project.

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

Attachments

cc: Ken Whited

**APPROVED**  
Worcester County Commissioners  
Date HT 4/4/18

20



RECEIVED  
JUN 12 2018  
Worcester County Admin

MEMORANDUM

14

TO: Kelly Shannahan, Assistant Chief Administrative Officer  
FROM: Tom Perlozzo, Director of Recreation and Parks  
DATE: June 8, 2018  
SUBJECT: Out of State Travel

The 2018 World Aquatic Health Conference is celebrating its 15<sup>th</sup> year being the industry's leading educational conference on aquatics. This year the conference will be held in Charleston, South Carolina from October 10-12, 2018. Experts from around the world will be holding seminar sessions at the Marriott Hotel. An overview of just a few sessions being offered is learning how to effectively manage aquatic staff, explaining strategies to prevent drownings, teaching techniques to improve safety for pool patrons, and the instruction of factors in water treatment chemicals.

This conference will be excellent for networking with other professionals. Currently, the department runs youth swim lessons at Shad Landing and adult aqua-nut class, a warm water therapy class, at Cedar Chapel. Staff would also be influenced in new ways to promote our aquatic programs to gain program participation.

A total of 43 seminars will be offered within the two-day conference. Both **Kelly Buchanan** and **Brianna Goddard** would split up to learn as much as possible and work together to improve the aquatics programs and provide a safe environment for our participants in Worcester County by *Increasing Fun While Reducing Risk*.

Both Kelly and Brianna are lifeguards and Certified Pool Operators.

Price Estimated for 2 Program Managers

Registration Fees	\$445.00	x2	=	\$890.00
Conference Book (1)	\$ 50.00	x1	=	\$ 50.00
Air Plane – Round Trip	\$272.00	x2	=	\$554.00
Hotel Cost-W/R	\$174.00	x2	=	\$348.00
Food – 3 Dinners/Snacks	\$ 80.00	x2	=	\$160.00
	<b>TOTAL</b>		=	<b>\$1,992.00</b>

The funds are budgeted in the FY 19 budget. Thank you and please feel free to reach out if you have any questions.

cc: Kelly Rados

# Shaping the Future Through Aquatic Research and Education



**The 15th Annual World  
Aquatic Health™ Conference  
October 10–12, 2018**



**NATIONAL SWIMMING  
POOL FOUNDATION®**  
*Keeping Pools Safer. Keeping Pools Open.*

**The 1st Annual WAHCity  
Broadcast Event  
October 11–12, 2018**



**October 10-12**  
**Charleston, SC**



**October 11-12**  
**6 Cities Near You**

**Conference Locations**

In 2017, a record number of attendees from 42 U.S. states and 12 nationalities gained valuable knowledge at the WAHC. Countries represented included the United States, Australia, Austria, Canada, China, France, Israel, the Marshall Islands, Mexico, Ukraine, the United Arab Emirates, and the United Kingdom.

**Who Should Attend?**

- Pool Operators
- Service Technicians
- Aquatic Managers
- EH Officials
- Academia
- Pool Builders
- Aquatic Retailers

**Why Attend?**

- Professional Dev.
- Continuing Education
- Current Research
- Aquatic Health Benefits
- Renew Love for Aquatics
- Get Inspired
- Networking

**NEW this Year! Six locations near you.**

WAHCity is an NSPF-hosted event where we will broadcast the *Elements of WAHC* from the WAHC in Charleston to six different locations in the U.S. and Canada. Visit a Great Wolf Lodge near you in one of these cities:

- Boston, MA
- Colorado Springs, CO
- Dallas, TX
- Los Angeles, CA
- Minneapolis, MN
- Niagara Falls, Ontario

**How to Register**

To register for the WAHC, a WAHCity location, or to discover details about sessions and speakers, view our sponsors, and more, visit [www.theWAHC.org](http://www.theWAHC.org) or call (719) 540-9119.

**The WAHC Host Location**

Charleston Marriott  
 170 Lockwood Blvd.  
 Charleston, SC 29403



Experience true southern hospitality and modern accommodations at the Charleston Marriott. The location overlooks the Ashley River with easy access to beautiful downtown historic Charleston, the old city market, and local area beaches. The hotel amenities including high-speed wireless internet, shuttle service to the historic district, state of the art business and fitness centers. Unwind enjoying the Ashley River sunset with a cocktail at the roof top bar, Aqua Terrace.

To reserve a room at our group rate of \$174 per night plus taxes, go to [www.theWAHC.org](http://www.theWAHC.org) or call (843) 723-3000 and mention the conference

If you are unable to attend the host location in Charleston, view ten sessions from WAHC on the same day, pre- and post-conference networking with regional attendees, sponsor tables, a closing reception, and a behind-the-scenes tour of the Great Wolf Lodge. Plus, get discounted room rates at the Great Wolf Lodge with a suite and 4 complimentary waterpark passes.

To reserve a room at a Great Wolf, go to [www.theWAHC.org](http://www.theWAHC.org) and register for a WAHCity location. After registering, hotel reservation information will be provided.



lc



**October 10-12**  
**Charleston, SC**



**October 11-12**  
**6 Cities Near You**

**Keynote Presentations**

**Thursday, October 11**  
**The Health Benefits Of**  
**Water Activity**  
*Eadric Bressel, Ph.D.*



A critical review of the scientific literature will reveal that aquatic activities are either more beneficial or on par with land-based activities for improving physical and cognitive health. However, there is an interesting disconnect between the populations tested in the research and actual majority of pool users in America. For example, the majority of populations tested in the research are people with disabilities or younger healthy adults and the majority of pool users, as reported by the CDC, are children and teens. It seems there is a missed opportunity for gaining profits in the aquatic profession.

This presentation will provide evidence-based suggestions for marketing aquatic activities to those with disabilities and the elite athletes. If you are a swimming pool facility manager or manufacturer and were looking for ways to better market your facility or equipment, this information could be useful to you.

Dr. Eadric Bressel is a professor and director of the movement research clinic at Utah State University (USU) in Logan, Utah. His aquatic research examines neuromechanical adaptations to therapeutic exercise. With his academic appointment in the Department of Kinesiology and Health Science at USU Eadric is a member of the American College of Sports Medicine.

**Friday, October 12**  
**The Art Of Innovation**  
*Feras Irikat*



Feras Irikat is a designer with a modern vision, a global perspective, and the confidence to take an unexpected path. Both a trailblazer and a tastemaker, Feras' style is informed by art, architecture and travel, and he interprets these cues for today's lifestyle through the innovative use of color, texture and technology.

Regarded as an innovator in the design industry for his unusual approach to color and creative direction, Feras has partnered with a variety of companies for more than 18 years to produce furniture, textiles and tile collections. He is a multi-dimensional marketing and branding professional with a talent to build strong teams and brand visibility in a variety of markets.

Learn how to think like a Trend-Master and embrace a culture of innovation. In this presentation, Feras Irikat, director of design and marketing for Lunada Bay Tile, will teach participants how to implement the culture of innovation in everyday business practice. Learn to capture, analyze and process socio-cultural and psychological research to forecast consumer, design and market trends.





**October 10-12**  
**Charleston, SC**



**October 11-12**  
**6 Cities Near You**

**Pre- & Post-Conference Events**

**Interested in Hosting a Meeting at the WAHC or WAHCity?**

NSPF offers several opportunities for a complimentary and convenient place to meet with your group. Contact us for information or to schedule a meeting.

CPO Certification Course  
 October 10, 8:00am- 5:00pm

Earning a CPO Certification provides individuals with a better understanding of the operator's role in pool care, basic pool operation, and risk reduction. Widely accepted in many states and countries as the standard of care for education, this comprehensive course includes Pool Operator Primer online course, the classroom course on 10/10, NSPF Pool & Spa Operator Handbook, and the certification fee.



9th Annual Environmental Health Leader's Symposium  
 October 10, 10:00am - 2:00pm

This symposium allows environmental health officials to gather from jurisdictions around the country to share information on how to protect patrons at public pools and spas. It includes a lunch roundtable format as well as sessions on Legionnaires, plan review, inspector training, and dog paddle events. Free to WAHC registrants, \$25 for non-registrants. Email [susan.wichmann@nspf.org](mailto:susan.wichmann@nspf.org) for more information.

Advanced Service Technician Course  
 October 10, 8:00am - 5:00pm

A 45-50 hour blended training designed to provide service professionals with the knowledge to do their jobs better, including equipment installation, maintenance and repair. Plus, NSPF helps you promote your business by targeting visitors in your area to your website. Course includes 7 online modules, the classroom course on 10/10, NSPF Pool & Spa Operator Handbook, certification fee, and promotion of your business.



Instructor Update Meeting  
 October 10, 3:00 - 5:00pm

NSPF Instructors are encouraged to attend the International NSPF Instructor Meeting held at the WAHC each year. Awards are presented to top instructors and new products/ programs are introduced in detail. Engage with other Instructors and NSPF staff to provide feedback on things that are going well and things that need to be improved.



Insider's Tour  
 October 10, 9:00am - 2:00pm

Take a special tour of local, unique aquatic facilities to gain different perspectives on design, equipment and operation. Lunch and transportation is covered in the \$65 fee.

USA Swimming Build-A-Pool Conference  
 October 13, 8am -5pm & October 14, 8am - 1pm

The Regional Build-A-Pool Conference will offer plans for programming facilities for sustainability plus innovative ideas and examples for new building and renovations. Contact the conference team for more information.





**October 10-12**  
Charleston, SC



**October 11-12**  
6 Cities Near You

**WAHC Charleston Schedule at a Glance**

**WAHCity Schedule at a Glance**

**WEDNESDAY, OCTOBER 10**

7:30 am - 6:00 pm WAHC Registration Open  
 8:00 am - 12:00 pm NSPF Instructor Course\*  
 8:00 am - 5:00 pm CPO Certification Course\*  
 8:00 am - 5:00 pm AST Certification™ Course\*  
 9:00 am - 2:00 pm Insider's Tour\*  
 10:00 am - 2:00 pm 9th Annual Environmental Health Leader's Symposium\* (only for EH Officials)  
 3:00 pm - 5:00 pm Instructor Update Meeting (only for NSPF Instructors)  
 6:30 pm - 9:00 pm Welcome Reception



**THURSDAY, OCTOBER 11**

7:00 am - 5:30 pm WAHC Registration Open  
 7:15 am - 8:15 am Speaker's Breakfast\*  
 7:30 am - 8:30 am Continental Breakfast  
 8:30 am - 9:30 am Keynote: *The Health Benefits of Water Activity*  
 9:30 am - 10:00 am Refreshment Break  
 10:00 am - 12:00 pm Seminars  
 12:00 pm - 1:30 pm Buffet Lunch  
 2:30 pm - 3:00 pm Refreshment Break  
 3:00 pm - 5:00 pm Seminars

**FRIDAY, OCTOBER 12**

7:30 am - 4:00 pm WAHC Registration Open  
 7:30 am - 8:30 am Continental Breakfast  
 8:30 am - 9:30 am Keynote: *The Art Of Innovation*  
 9:30 am - 10:00 am Refreshment Break  
 10:00 am - 12:00 pm Seminars  
 12:00 pm - 1:30 pm Buffet Lunch  
 1:30 pm - 3:30 pm Seminars  
 3:30 pm - 4:30 pm Farewell Function

**THURSDAY, OCTOBER 11**

8:00 am - 5:30 pm Registration Open  
 9:00 am - 10:00 am Keynote: *The Health Benefits of Water Activity*  
 10:00 am - 10:30 am Refreshment Break  
 10:30 am - 12:30 pm Seminars  
 12:30 pm - 2:00 pm Lunch  
 2:00 pm - 3:00 pm Seminar  
 3:00 pm - 3:30 pm Break  
 3:30 pm - 5:30 pm Seminars

**FRIDAY, OCTOBER 12**

8:00 am - 3:30 pm Registration Open  
 9:00 am - 10:00 am Keynote: *The Art of Innovation*  
 10:00 am - 10:30 am Refreshment Break  
 10:30 am - 12:30 pm Seminars  
 12:30 pm - 2:00 pm Lunch  
 2:00 pm - 3:00 pm Seminar  
 3:00 pm - 3:30 pm Closing Reception  
 3:30 pm Great Wolf Tour (only 40 spots available)

**\* Pre-Registration Required**

**2018 Conference Timeline**

April 2 Opening Registration  
 June 1 Advanced Registration  
 August 1 Regular Registration  
 September 12 Great Wolf Lodge Reservation Deadline  
 September 13 Charleston Marriott Reservation Deadline  
 October 10-12 The WAHC  
 October 11 & 12 WAHCity





**October 10-12**  
**Charleston, SC**



**October 11-12**  
**6 Cities Near You**

**WAHC Charleston Symposia by Day (WAHCity sessions in purple)**

**THURSDAY, OCTOBER 11**

**Keynote Address**

8:30 am	<b>Eadric Bressel, Ph.D.</b>	The Health Benefits of Water Activity: Who Benefits the Most and has Our Industry Missed an Opportunity for Profit?
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**Elements of WAHC**

10:00 am	<b>Michael Beach, Ph.D</b>	The Scientific State of Aquatics and Charting the Future
11:00 am	<b>Julie Gilchrist, M.D.</b>	Drowning Risk Factors and Prevention Strategies
1:30 pm	<b>Darla Goeres, Ph.D.</b>	Understanding Biofilms: How to Minimize Their Impact
3:00 pm	<b>Ernest "Chip" Blatchley III, Ph.D.</b>	Links Between Water and Air Quality in Chlorinated Swimming Pools
4:00 pm	<b>Joe Stefanyak</b>	Lifeguarding Evolution: Understanding Lifeguarding and What is on the Horizon

**New Industry Technology**

10:00 am	<b>Michael Geyer</b>	Benefits of Ultra Fine Bubble Technology
11:00 am	<b>Greg Rankin</b>	Using Innovation and Proven Technologies to Challenge Conventional Legionella Testing Paradigms and Save Lives
1:30 pm	<b>Vance Fiegle</b>	Surface-bound Organic Contamination, Disinfection Byproducts (DBP) And Swimming Pool Filtration
3:00 pm	<b>John Ireland, Alessandro Orio &amp; Innocenzo Pochini</b>	The Nature of Reflectivity and How it Affects Biofilm
4:00 pm	<b>Dustin Kauffman &amp; Ken Gibson</b>	What is Chlorine Dioxide and Why You Should Learn About It Now

**RWI Prevention**

10:00 am	<b>Ashkahn Jahromi, Graham Talley &amp; Roy Vore, Ph.D.</b>	The Microbiology of Float Tanks
11:00 am	<b>Gerhard Weiss, M.Sc</b>	Crypto Stress Testing and Bench-marking: How can You Rate Your Facility
1:30 pm	<b>LCDR Jasen Kunz, MPH, REHS</b>	Legionnaire's Disease: Steps to Reduce Risk in Aquatic Venues
3:00 pm	<b>Gerhard Weiss, M.Sc</b>	Cleaning and Disinfection of Different Circulation System Components
4:00 pm	<b>Michele Hlavsa, RN, MPH</b>	Outbreaks: Crypto, Legionella, and Pseudomonas and Other Healthy Swimming Updates





October 10-12  
Charleston, SC



October 11-12  
6 Cities Near You

**WAHC CHARLESTON SYMPOSIUM DAY (WAHC SYMPOSIUMS IN PURPLE)**

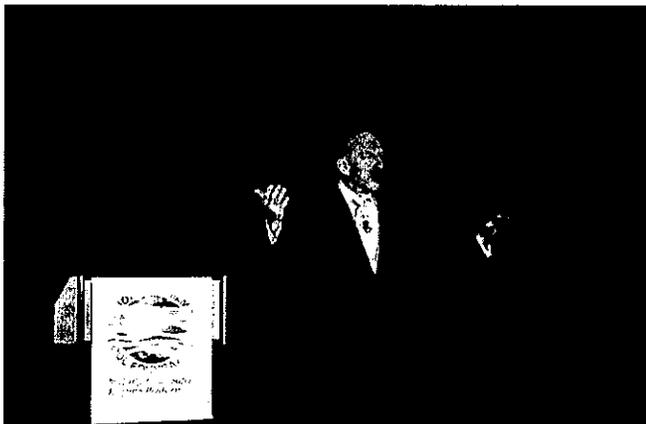
**THURSDAY, OCTOBER 11, *continued***

**Facility Management & Design**

- 10:00 am *Dennis Berkshire* ADA in Aquatics: A 360 View
- 11:00 am *Sylvia Lam* Partnerships Allow Our Industry to Grow and Thrive
- 1:30 pm *Kevin Post & Matt Haynes, MBA* Key Data To Capture And Document To Better Manage Facilities
- 3:00 pm *Mike Espino & Lindsay Mondick* Being Water Safe at the Y and in the Community
- 4:00 pm *Doug Whiteaker* Standard of Care in Design, Construction and Implementation to Improve Water and Air Quality

**Advanced Service Concepts**

- 10:00 am *Mike Dooley* Leadership Strategies For Managers
- 11:00 am *Paolo Benedetti, SWD Master & Bob Barzilay, CBP, CSP, CPO, SWD* Career Progression: Commercial, Residential, And Building/Renovation
- 1:30 pm *Darrell Doust* Chemicals Included or Chemical Plus?
- 3:00 pm *Paul Oman* Establishing Internal Controls: Checks and Balances that Help to Avoid Fraud
- 4:00 pm *Steve Getzoff, Michael Oostman, & Derek Downey* Effective Risk Management Strategies: How to Locate, Hire, Train, Implement and Protect Your Aquatic Staff, and Your Organization





**October 10-12**  
**Charleston, SC**



**October 11-12**  
**6 Cities Near You**

**WAHC Charleston Symposium Day (WAHC City sessions in purple)**

**FRIDAY, OCTOBER 12**

**Keynote Address**

8:30 am *Feras Irikat* The Art of Innovation

**Elements of WAHC**

10:00 am *James Amburgey, Ph.D.* Applying Filtration Science to Your Pool and Future Filtration Needs  
 11:00 am *Scott Bowron* See No Evil, Hear No Evil! Who is Watching the Kids!  
 1:30 pm *Michael Beach, Ph.D.* We Heard A Lot, Now What Do We Do With It  
 2:30 pm *Michael Beach, Ph.D., Darla Goeres, Ph.D., Joe Stefanyak, James Amburgey, Ph.D. & Scott Bowron* Panel Discussion with Elements of WAHC Speakers - Question and Answer Session

**Increasing Fun and Reducing Risk**

10:00 am *Julie Gilchrist, M.D.* What Low and Middle Income Countries Can Teach Us About Drowning Prevention  
 11:00 am *Adam Katchmarchi* A Decade of Lessons and Successes from The National Drowning Prevention Alliance  
 1:30 pm *Morag MacKay* National Water Safety Plans: What Are They, How Do They Help and What Can The United States Learn From Countries Where They are Already in Place?  
 2:30 pm *Moderator: Julie Gilchrist, M.D.* Drowning Prevention Success Stories

**Improving Water And Air Quality**

10:00 am *Kevin Boyer* Prevention of Bather Exposure to Chlorine Gas: A Report of Progress by The American Chemistry Council Task Force  
 11:00 am *Ernest "Chip" Blatchley III, Ph.D., P.E., BCEE, F. ASCE* Effects of Treatment Process Changes on Air and Water Quality in an Indoor Pool  
 1:30 pm *Dennis Berkshire* Having Different Automation Systems Working Together: What Works and What Doesn't  
 2:30 pm *Moderator: Ernest "Chip" Blatchley III, Ph.D., P.E., BCEE, F. ASCE* Water and Air Quality Success Stories

**Design And Engineering**

10:00 am & 1:30 pm *Feras Irikat* 2018 and Beyond  
 11:00 am & 2:30 pm *Feras Irikat* Color Psychology





October 10-12  
Charleston, SC



October 11-12  
6 Cities Near You

Plan Your Trip to Charleston in Advance



**Local Information - Charleston, South Carolina**

Charleston Marriott puts you near everything— including outdoor fun and a host of attractions.

On Site

- Saffire Restaurant & Bar
- Aqua Terrace Roof-Top Bar
- Daily Grind Coffee House
- Fitness Center
- Heated Outdoor Pool

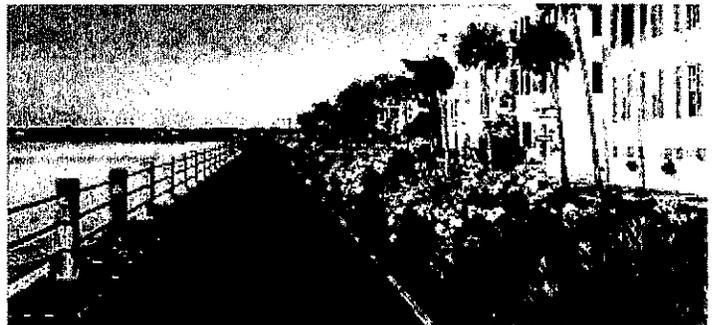
Restaurants

- Halls Chophouse - 2 miles
- Basil Thai Restaurant - 1.9 miles
- R Kitchen - 1.3 miles
- Hank's Seafood - 2.3 miles
- Hominy Grill - 1.3 miles

Attractions Near By

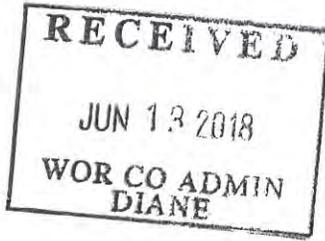
- Historic Downtown Charleston
- Fort Sumter National Monument
- Local Area Beaches
- Old City Jail Ghost Tour
- Nathaniel Russell House Museum

Visitor's Bureau  
[www.charlestoncvb.com](http://www.charlestoncvb.com)



[www.theWAHC.org](http://www.theWAHC.org) | [conference@nspf.org](mailto:conference@nspf.org)  
719-540-9119





15

**Worcester County**  
Department of Environmental Programs

**Memorandum**

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

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

**Subject:** Grey's Creek Nature Park  
Forest Stewardship Plan

**Date:** June 12, 2018

To review, the Greys Creek Nature Park is managed by the Worcester County Department of Recreation and Parks as a local passive nature park supporting environmental education programs in conjunction with the Maryland Coastal Bays Program. This property includes 22 islands and totals 574 acres. The County Commissioners on February 6, 2018 gave approval to move forward with the preparation of the Forest Stewardship Plan for this property by Parker Forestry.

As the attached memo from Mr. Bradford attests, this plan is now complete. County staff from Environmental Programs and Recreation and Parks, along with staff from the Maryland Coastal Bays Program (MCB) reviewed this document. Similar to the Ilia Fehrer Nature Preserve, the county staff along with our MCB partners, comprise an informal advisory committee for the property to review management and planning strategies for restoration and enhancement activities. They find that this document is well written and acceptable for our purposes and intentions for this property.

The plan is written to address two primary sets of objectives.

1. Preserving and enhancing native species, habitat and maintain soil and water quality.
2. Utilizing and improving the recreational and educational opportunities on the site.

A well thought out resource conservation plan helps landowners identify and understand the value of their land and better predict the effects of any resource harvesting or disturbance of the property. This will be especially relevant as we seek to restore and enhance this park.

1a

I concur with staff's findings would respectfully recommend at this time that County Commissioners accept the plan as prepared so the committee can plan and pursue opportunities for renovation, restoration, and educational projects at this park. As noted during the February meeting, the Department of Recreation and Parks will expend funds for this service from Account # 100.1602.517.7180 - FY16 CREP Grant Deferred Revenue

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

#### Attachments

cc: David Bradford/Dep. Director, Env. Programs  
Katherine Munson/Planner V, Env. Programs  
Tom Perlozzo/Director, Recreation & Parks  
Bill Rodriguez/Parks Superintendent, Recreation & Parks



DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

**Worcester County**

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

LAND PRESERVATION PROGRAMS  
STORMWATER MANAGEMENT  
SEDIMENT AND EROSION CONTROL  
SHORELINE CONSTRUCTION  
AGRICULTURAL PRESERVATION  
ADVISORY BOARD

WELL & SEPTIC  
WATER & SEWER PLANNING  
PLUMBING & GAS  
CRITICAL AREAS  
FOREST CONSERVATION  
COMMUNITY HYGIENE

## MEMORANDUM

DATE: June 12, 2018  
TO: Robert J. Mitchell, Director  
FROM: David M. Bradford Jr., Deputy Director *DMB*  
SUBJECT: Grey's Creek Nature Park – Forest Stewardship Plan

---

Back in January of this current year, we received approval from the County Commissioners to allow Parker Forestry to proceed with the drafting of a Forest Stewardship plan for the Grey's Creek Nature Park. As we have discussed, this comprehensive management plan gives the framework to perform necessary maintenance, monitoring, and implementation of our goals and objectives for the property.

Parker Forestry has recently completed the plan and County staff along with members of the committee have since reviewed the plan and find the document to be well written and acceptable for our purposes and objectives. I have attached a copy of the management plan and associated documents for your review. The plan is also written to be flexible enough so that in the event that we need to make revisions and/or modifications in the future it is very easy to accomplish. This management plan covers the next 15 years (2033).

Once approved by the County Commissioners, the associated fee for the plan will be paid for by available funds from the Recreation & Parks Department.

Please let me know if you have any questions.

Enclosures: Forest Management Plan (14 pages)  
Topographic Map (1 page)  
Aerial Image (1 page)  
Soils Map (1 page)

Cc: Tom Perlozzo, Director, Recreation & Parks (email)  
Bill Rodriguez, Parks, Superintendent (email)  
Frank Piorko, MCBP (email)  
Katherine Munson, Natural Resources Planner (email)  
Stacey Esham, Parker Forestry (email)

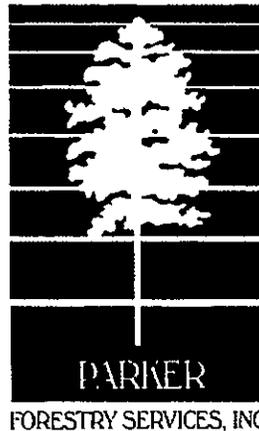
## FOREST MANAGEMENT PLAN

Worcester County Commissioners  
Greys Creek Nature Park  
13236 Rollie Road East  
Bishopville, MD 21813  
Map 11, Parcel 2  
District 5, Account # 011175  
Assessed Acreage 574.18  
Coastal Bay Watershed  
Sub-watershed #02130102

W. Allen "Skip" Jones, Jr.  
Stacey C. Esham  
John F. Connors

MD LICENSED PROFESSIONAL FORESTER  
ASSOCIATION OF CONSULTING FORESTERS  
SOCIETY OF AMERICAN FORESTERS  
SAF CERTIFIED FORESTER

P.O. BOX 2171  
SALISBURY, MD 21802  
410-546-9696  
FAX: 410-546-1018



Prepared by: Stacey Esham  
Parker Forestry Services, Inc.  
MD Registered Forester #616  
May 2018

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## **FOREST LOCATION & OWNERSHIP:**

This large waterfront property is situated on the south side of Williamsville Road, east of Rollie Road fronting on Swan Gut and Grey's Creek in the northeastern portion of Worcester County near Williamsville, Delaware. This tract was acquired from Douglas Weidman in 2006. It had been in the Weidman family for over 50 years. This tract is identified on Worcester County Assessment Map 11, as parcel 2. The property account number is 011175 located in the fifth election district. Maryland Grid Coordinates are 228-1340. The approximate lat/long coordinates are N38°44'61", W75°11'192".

## **STEWARDSHIP PURPOSE**

By following a Management Plan you will be part of a program that promotes ecologically responsible resource management through the following actions and values:

1. Managing for long-term forest health, productivity, diversity, and quality.
2. Conserving and/or enhancing water quality, wetlands, soil productivity, biodiversity, cultural, historical and aesthetic resources.

## **LANDOWNERS OBJECTIVES OR GOALS:**

The following recommendations are designed to achieve the *current* objectives of the landowner. At this time it is the plan of the landowner, to follow these recommendations; **however**, the landowner reserves the right to change their objectives at any time and is in no way bound to adhere to the recommendations of this plan.

1. **Primary Objective – Natural Heritage, Habitat Protection, Soil conservation and water quality protection**

Preserving and enhancing native species, habitat and maintaining soil and water quality.

2. **Secondary Objective – Recreation & Education**

Utilizing and improving the recreational and educational opportunities on the site.

## **FOREST STEWARDSHIP CONSIDERATIONS:**

### **Aesthetics**

Aesthetics are an important factor in the long-term management of this forest. This tract adjoins the Hidden Harbor subdivision in an increasingly developing area. Any prescribed activities should consider their aesthetic impact. In addition stand ages and silvicultural activities that enhance aesthetics should be prioritized.

### **Threatened and Endangered Animals & Plants**

According to available Maryland Department of Natural Resources maps there is a Bald Eagle Nest Identified on the site. This nest has been observed in the field, although it is not known if the nest is currently active. Federal Bald Eagle Management Guidelines would be necessary to ensure minimal disturbance to the eagle. This tract fronts directly on Grey's Creek and Swan Gut. As a result most of this site is situated within the Coastal Bay Critical Area (1000' from mean high water level of a tributary of the Coastal Bay). Any planned silvicultural activities scheduled to occur within the Critical Area should be accompanied by comments from the MD Dept. of Natural Resources Forest Service Heritage Division. These comments would then need to be incorporated into a Critical Area Timber Harvest Plan, which would need to be approved by the Worcester County Forestry Board. At minimum a 100' Buffer will be required along the tidal marsh and ditches. In addition portions of this tract may be considered primary (FID) Forest Interior Dwelling bird habitat. Planned timber harvests should utilize guidelines as described in the FIDS Timber Harvest Guidelines prepared by the MD DNR in 1999. These will include specific harvest considerations as well as minimizing activities to outside of the typical FID breeding season (April 1-July 31).

### **Cultural/Heritage Resources**

According to MD Historical Society overlays of this tract, no sites of historic significance are found on this property. However, there were two home sites on this tract based on maps of the St. Martins Election District shown in the 1877 Atlas of Worcester County.

### **Forest Health and Protection**

Periodic professional inspections should occur to ensure overall forest health. The primary forest pests to be concerned with would be the southern pine beetle, particularly as this site is prone to salt intrusion which would put the trees under stress. In addition to insects and diseases, non-native invasive species should also be monitored. Invasive species compete with native species for available resources. The invasive common reed or phragmites (*Phragmites australis*) can be found in abundance on this tract, both along the edges of the marsh as well as in several of the wetland ponds. Phragmites can be controlled chemically but considering how widespread it is could be problematic to control throughout. Identification of invasive species and minimizing their spread is important to maintaining a healthy forest.

### **Recreational Opportunities**

This land affords excellent recreational opportunities including canoeing, kayaking, fishing, bird watching and hiking. While opportunities for hunting a number of game species, including whitetail deer, wild turkey and waterfowl are also abundant. Several hiking trails as well as a boat launch are proposed for this tract to take advantage of this very diverse property. Active monitoring of these woodlands will help ensure its overall health as well as providing a unique educational experience.

### **Soil and Water Quality and Protection**

There are a number of soil types found on this tract, some of which are considered hydric. Any silvicultural activities which could disturb hydric soils or non-tidal wetlands should utilize Best

Management Practices. BMPs are very important in protecting and maintaining soil and water quality. Best Management Practices (BMPs) for timber harvesting are as follows.

- Use high flotation tires on logging equipment.
- Log during relatively dry periods to avoid rutting and compacting of the soil.
- Locate loading decks on the highest possible ground and away from ditches and/or streams when possible.
- Use wooden mats or wood chips on the loading deck and haul roads.
- Use temporary structures for stream and ditch crossings; remove them upon completion.
- Remove any logging debris from the streams/ditches, which may inadvertently fall into them.

As mentioned above, this property is found directly on Grey's Creek and Swan Gut as well as numerous tidal ditches. Streamside Management Zones (SMZs), no-cut buffers and Critical Area Buffers should all be considered in order to protect and maintain water quality as well as to minimize soil erosion. At minimum these buffers should be at least 50' and in some instances should be expanded in order to adequately ensure water quality.

### **Riparian and Wetland Areas**

There are both tidal and non-tidal wetlands identified on this tract, according to the U.S.G.S. National Wetland Inventory. These include a (E1OWLX) Estuarine Subtidal Open Water wetland, a (E2EM5P) Estuarine Intertidal Emergent Narrow-leaved Persistent wetland, (E2EM5PD) Estuarine Intertidal Emergent Narrow-leaved Persistent Partially Ditched/Drained wetland and a (POWZX) Palustrine Open Water Excavated wetland. Most of these wetlands adjoin the various waterways within the tract. In order to protect these wetlands and waterways there are a number of measures that should be considered. As mentioned in the previous section SMZ buffers, no-cut buffers and Critical Area buffers should be utilize.

### **Timber**

There are several different age classes and timber types situated within this tract. Based on the landowners primary goals and objectives intensive timber management is not a focal point for management. However, in instances where timber harvesting will improve or maintain overall forest health they will be considered. Forest management activities which include commercial thinning, clearcut harvesting, selective harvesting, tree planting and herbicide treatments are all possible activities in the future.

### **Wildlife**

Providing wildlife habitat areas is very important in the management of this tract and has been accomplished through ownership by keeping the tract as a wooded parcel. A multitude of wildlife species including: whitetail deer, gray squirrel, eastern cottontail rabbit, raccoon, red fox, wild turkey and bald eagle can all be observed well as a variety of waterfowl species. This parcel will continue to offer an array of habitat types and successional stages through the life cycles of the various units. Other specific wildlife recommendations that should be considered are guidelines for FID habitat described and outlined in the FIDS/Forestry Task Force

## Chesapeake Bay Critical Area Timber Harvest Plan Guidelines.

### Property Lines

Establishing and maintaining the property boundary lines is strongly recommended using some form of boundary line evidence (fencing, posted signs, paint, etc.). This is very important in identifying ownership and property line location as well preventing trespassing.

### FOREST SOILS (USDA Soil Survey Worcester Co., MD, 2004)

There is a variety of soil types found on this tract; they are listed below. They range from excessively drained to tidally flooded.

#### (As) – Askecksy loamy sand

Askecksy soils are found in small pockets throughout the tract, they are very deep and poorly drained. The site index at base age 50 is 90' for loblolly pine.

#### (Be) – Beaches

These small areas are found along several of the small islands adjoining Grey's Creek and marsh.

#### (Bh) – Berryland mucky loamy sand

Berryland soils are found on low-lying flats and broad depressions. They are very deep and very poorly drained. The site index at base age 50 is 60' for pitch pine.

#### (Br) – Broadkill mucky silt loam

Broadkill soils are found along Grey's Creek and are identified as tidal marsh.

#### (CeA) – Cedartown-Rosedale complex, 0-2% slopes

#### (CeB) – Cedartown-Rosedale complex, 2-5% slopes

The Cedartown soil series are very deep and somewhat excessively drained. They are found on uplands and ancient dunes within the Coastal Plain. The site index at base age 50 is 85' for loblolly pine.

#### (Ek) Elkton sandy loam

Elkton soils are very deep and poorly drained, often found in small depressions or lowland flats. The site index at base age 50 is 78' for loblolly pine.

#### (Fa) – Fallsington sandy loam

Fallsington soils are partially hydric, they are very deep and poorly drained often found on lowland flats and depressions. The site index at base age 50 is 90' for loblolly pine.

#### (Hu) – Hurlock sandy loam

Hurlock soils are very deep and poorly drained they are partially hydric and found on broad depressions and low-lying flats. The site index at base age 50 is 85' for loblolly pine.

#### (In) – Indiantown silt loam

Indiantown soils are very deep and very poorly drained, they are found on narrow flood plains

throughout the Coastal Plain. They are often occasionally flooded. The site index at base age 50 is 100' for bald cypress.

(Ke) – Kentuck silt loam

The Kentuck series are very deep and very poorly drained. They are very similar to the Othello series and are associated with low-lying areas. The site index at base age 50 is 70' for loblolly pine.

(KsA) – Klej loamy sand, 0-2% slopes

(KsB) – Klej loamy sand, 2-5% slopes

Klej soils are very deep and moderately well drained, found on low-lying uplands. They are partially hydric. The site index at base age 50 is 80' for loblolly pine.

(Mu) – Mullica-Berryland complex

This soil complex is very deep and very poorly drained found on low-lying flats. Site Index at base age 50 is 60' for pitch pine.

(Pu) – Purnell peat

Purnell soils are found in tidal areas along the coastal bay; formed from the organic deposits of salt tolerant vegetation.

(RuA) – Runclint loamy sand, 0-2% slopes

(RuB) – Runclint loamy sand, 2-5% slopes

Runclint soils are very deep, well drained soils. The site index at base age 50 is 70' for loblolly pine.

(Su) – Sunken mucky silt loam

Sunken mucky soils are very deep and poorly drained. They are slightly elevated areas found throughout tidal marshes. The site index at base age 50 is 40' for loblolly pine.

(TP) – Transquaking and Mispillion soils

The Transquaking soils are very deep and very poorly drained, found along coastal shorelines. They are tidally flooded daily.

(Uz) – Udorthents

These soils are mapped where the soil material has been moved, filled in or worked by machinery. The site index at base age 50 is 60' for loblolly pine.

**GENERAL WOODLAND DESCRIPTION:**

Unit 1 Pine – 31.9 acres

Unit one is situated south of Williamsville Road adjoining the neighboring farm fields, near the head of Swan Gut. This stand is approximately 95 years old and dominated by loblolly pine that would be considered sawtimber. These trees average in size from 12 to 20 inches in diameter with many larger specimens common throughout the stand. There are also a number of hardwood species within the over-story, particularly in the northern portion. These include red maple (*Acer rubrum*), sweet gum (*Liquidambar styraciflua*), black gum (*Nyssa sylvatica*),

water oak (*Quercus nigra*), southern red oak (*Quercus falcata*), white oak (*Quercus alba*), willow oak (*Quercus phellos*) and scarlett oak (*Quercus coccinea*). The mid-story contains a number of tree species including American holly (*Ilex opaca*), sweet gum, red maple and black gum. The average basal area within the stand is 133 square feet. The understory is fairly open, although greenbrier (*Smilax rotundifolia*), bayberry (*Morella pensylvanica*), blueberry (*Vaccinium spp.*), poison ivy (*Toxicodendron radicans*) as well as variety of grasses can be found. Phragmites is also common along the marsh edge. There are several old shallow borrow pits within the stand. In the southeasterm portion of the stand near Grey's Creek a bald eagle nest was observed. Some tree mortality can be observed within the stand particularly along the edges of the marsh. In addition there is old gypsy moth damage in the northern portion of the stand. Considering the age of the stand and the fact that portions have been stressed due to salt intrusion the area should be monitored periodically for any southern pine beetle indicators. No silvicultural activity is planned at this time.

Unit 2 Misc. Hwd./Pine – 25.1 acres, Unit 4 – 9.7 acres, Unit 6 – 47.9 acres

These units were planted crop fields established in 2002. A variety of trees and shrubs were planted. Today the most common species include loblolly pine, bald cypress (*Taxodium distichum*), green ash (*Fraxinus pensylvanica*), American sycamore (*Platanus occidentalis*), American plum (*Prunus Americana*), persimmon (*Diospyros virginiana*), willow oak, sweet gum and pin oak (*Quercus palustris*). The mid-story contains a variety of trees and woody plants including eastern red cedar (*Juniperas virginiana*), sweet gum, red maple, bayberry and poison ivy. Various grasses including phragmites are found throughout the understory. The average tree size within these units ranges from six to 12 inches with an average basal area of 118 square feet. The old field ditches that once served to drain these fields have been plugged. This has dramatically changed the hydrology within these stands as surface water can be found throughout, particularly around the man-made wetlands and ponds. Phragmites is abundant within these stands. No insects or disease outbreaks were observed within these stands. There is an old access road that runs through unit six that is to be improved to provide better walking access into the forest.

Unit 3 Misc. Hwd./Pine – 0.9 acres, Unit 8 – 6.1 acres

These two small blocks of woodland are found along the edges bordering the marsh. These two areas are uneven aged and comprised of a number of tree species including loblolly pine, eastern red cedar, black cherry (*Prunus serotina*), red maple, black gum, willow oak and southern red oak. Greenbrier, bayberry, poison ivy and phragmites are abundant in the understory. The average tree size ranges from 12 to 20 inches. The average basal area is 90 square feet. No active insects or disease problems were noted.

Unit 5 Pine/Hwd. – 1.2 acres, Unit 9 – 14.0 acres

These small loblolly pine dominated blocks are essentially upland islands bordering the marsh. Many of these areas are only accessible by water. The trees within these areas average from 12 to 20 inches in diameter. The average basal area in these areas is 158 square feet. Although loblolly pine is the dominant species sweet gum, black gum, southern red oak, American holly, black cherry and sassafras can all be found. Greenbrier, poison ivy and phragmites are also common in the understory. Mortality along the marsh edges is common.

Unit 7 Pine – 28.5 acres

This over-stocked stand of loblolly pine is situated south of Williamsville Road, near the head of Swan Gut. Most of this area was harvested in 2001-02 by Smurfit-Stone Container, although there is a narrow rim of residual trees bordering the marsh. The stocking level averages 150 square feet within this overstocked thicket, with an average tree size between six and 12 inches. There is very little understory within this stand due to the stocking levels. A commercial thinning would be beneficial for this stand. No significant insect or disease problems were noted.

Unit 10 Pond areas - 7.8 acres

Unit 11 Marsh - 389.2 acres

Unit 12 Field - 0.3 acres

Unit 13 Driveway - 0.2 acres

Unit 14 House Lot - 3.1 acres

### **Recommended Practices**

The following recommendations are designed to achieve the *current* objectives of Worcester County. At this time it is the County's plan to follow these recommendations; **however**, they reserve the right to change objectives at any time and are in no way bound to adhere to the recommendations of this plan.

### **Primary Objectives - Preserving and enhancing native species, diversity, habitat, soils and water quality while promoting outdoor recreation and education.**

Promoting and maintaining the overall health of the forest is the primary goal in the ownership of this woodland. This goal will place the protection of natural heritage, native species, diversity, habitat, soils and water quality at the top of the county's management focus. In general management activities will be guided with the goal of protecting and maintaining habitat in its natural state. Coupling this goal with the recreational and educational opportunities of this property will result in a more passive approach to management. In managing this property, assistance from both local and state agencies is vital in planning future planned activities. These activities, which will revolve around outdoor recreation, could include a variety of options from eco-tourism to more traditional pursuits such as waterfowl and deer hunting. As mentioned a hiking trail is planned to provide better foot access through the various forests.

Careful and periodic monitoring efforts, including annual site visits and aerial inspections should be the primary periodic activity for this property. Inspections of the tract to monitor the stands growth rate and overall condition as well as insects and diseases are vital. Insects such as the Southern Pine Beetle and Gypsy Moth are both harmful and if left unchecked could lead to widespread mortality. Insect infestations, diseases or non-native species which may be found to jeopardize forest health may necessitate silvicultural activities such as timber harvesting and/or pesticide/herbicide application. Such activities should include aesthetic buffers as well as timing considerations as part of their planning.

A number of harvest types would be applicable if necessary and desired, these include: commercial thinning and regeneration harvest. Each method would have its specific place and merit. Typically as stands of pine grow older it is recommended that commercial thinning be conducted, once the stands of pine reach the age (usually 20-25 years) and size that it is economically feasible to thin. By removing the diseased, crooked and suppressed trees early in the life of the stand, a good growth rate will be maintained on the dominant and co-dominant trees. This practice improves the size and quality of the residual trees and serves as a deterrent to insects and diseases.

At some point in the life of the stand a regeneration harvest may be necessary or desired. As several of these stands are dominated by loblolly pine a regeneration harvest type would be applicable. Loblolly pine is considered a shade-intolerant species, one that grows best in full sunlight. As a result a regeneration harvest is most effective when trying to re-establish the site with loblolly pine. This regeneration method has been utilized on unit seven within this property. Very little competing vegetation remains after the harvest to interfere with the young pine seedlings. Although, in the process of the timber harvest dead snags, cavity trees, hollow logs and piles of limbs are left behind. Along with this debris small unharvested pockets also remain providing an important habitat component for the future stand. This collection of treetops, small wooded patches and cavity trees serve as wildlife corridors and shelter within the harvest site. By removing the forest overstory sunlight is now abundant, also promoting the growth of herbaceous plants.

At this time no harvesting activity is planned imminently, however any future timber harvests should be planned and conducted by a licensed professional working for the landowner striving to achieve the landowner's specific objectives and ensuring compliance with all local and federal regulations. Critical Area regulations and non-tidal wetland regulation would all need to be followed in the event of harvest activities.

Many of these stands are situated directly on Grey's Creek and Swan Gut. Typically buffers are utilized when recommending silvicultural practices within such areas in order to minimize sedimentation. In general woodland helps to filter nutrients and runoff from neighboring adjoining lands. Maintaining riparian buffers not only serve as natural filters but play a role in maintaining our wooded habitat along the Coastal Bays. Maintaining wooded buffers (50'-300') will continue to ensure water quality while providing habitat. In addition, Best Management Practices (BMPs) that are recommended for harvesting and that are a part of the Standard Erosion and Sediment Control Plan and BMPs for harvesting in Non-tidal Wetlands should be followed when implementing any harvest on this site.

#### **WILDFIRE PROTECTION:**

It is important that wildfire be carefully monitored and prevented. Wildfire endangers homes, causes potential soil erosion by removing the litter layer on the forest floor and destroying wildlife plants and trees. The primary causes of wildfire in Maryland are debris burning, arson and from children playing with fire. The Maryland Forest Service enforces the "Forest Fire Regulations" in Maryland. Forest fire danger is ordinarily most severe during the spring (March-May) and fall (October-December). All open-air burning activities require a permit

from the Authorities. If a wildfire occurs contact emergency services (#911) immediately. Landowners can reduce the risk of wildfire by establishing and maintaining access through forest roads and trails to be used for forest fire suppression.

APPENDIX A

FOREST MANAGEMENT ACTIVITIES TIMETABLE:

	<b>Acreage</b>	<b>Year</b>	<b>Practice</b>
Entire Tract	565.9	2018-2033	annual site inspections

APPENDIX B

(see pages 15-17)

## APPENDIX C

### GENERAL WOODLAND MANAGEMENT INFORMATION

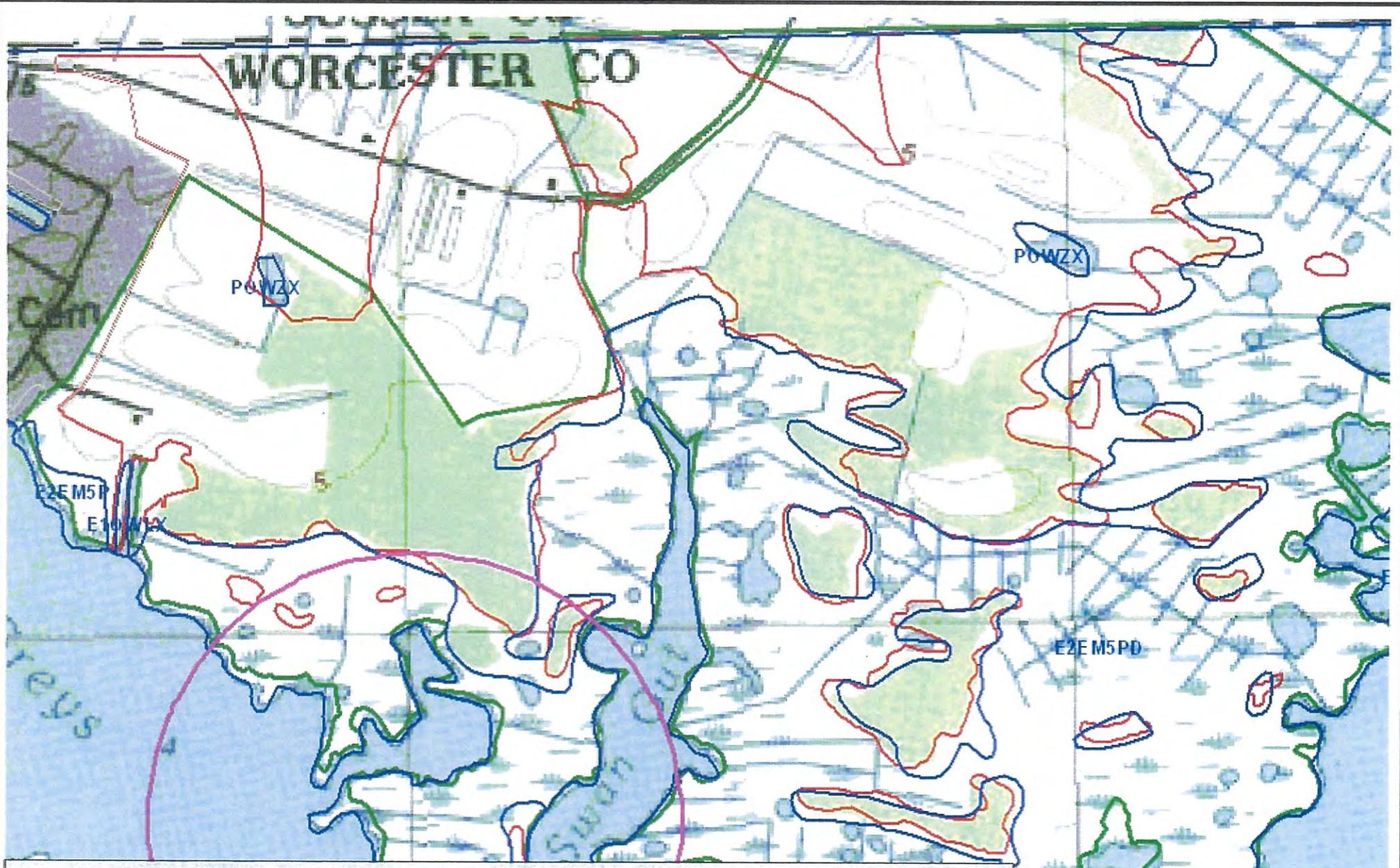
Woodland inspections at least every two years are highly desirable. The landowner or his or her agent can do these inspections. Special attention should be given to the following:

1. The condition of the trees
  - A. color
  - B. vigor
  - C. presence of new growth
2. Suspicion of or the presence of harmful insects
  - A. chewed needles
  - B. discolored or dead growing tips
  - C. web material on the trees
  - D. the presence of frass (a sawdust-like material)
  - E. the insects themselves
3. Appearance of disease
  - A. discoloration of leaves
  - B. fungus growth on stems or branches
  - C. wilting of growing tips
  - D. general lack of vigor
4. Competition of surrounding vegetation

If any of these conditions are seen, contact a professional forester for evaluation and treatment. Periodic inspection of the stand keeps the landowner informed about the condition of his woodlot. This is helpful in correcting small problems before they become more pronounced.

- ✧ Throughout the growth period of the stand, diligence in maintaining boundary lines via Posted Signs, fencing and/or frequent painting is important in identification and the prevention of trespass.

WORCESTER CO



Environmental Features Map

SSPRA Overlay

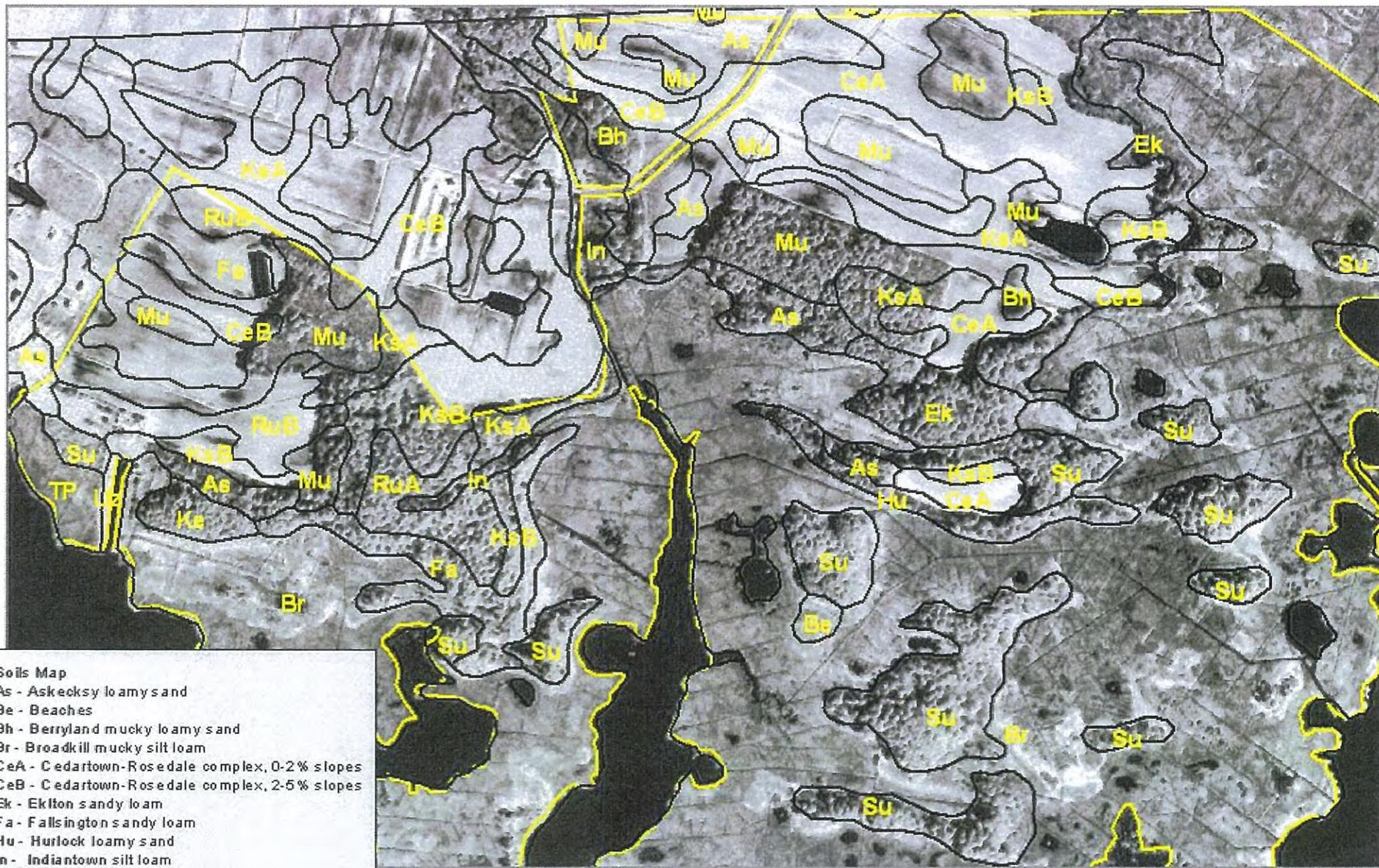
-  GROUP 1
-  GROUP 2
-  GROUP 3
-  GROUP 4
-  NWI Overlay
-  RCA
-  Tract

NWI Key

- E1OWLX - Estuarine Subtidal Open Water Excavated Wetland
- E2EM5P - Estuarine Intertidal Emergent Narrow-leaved Persistent Wetland
- E2EM5PD - Estuarine Intertidal Emergent Narrow-leaved Persistent Partially Ditched/Drained Wetland
- POWZX - Palustrine Open Water Excavated Wetland

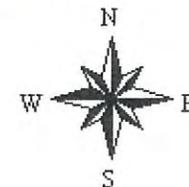


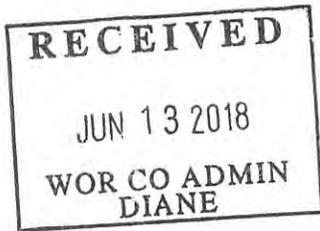




**Soils Map**

- As - Askecksy loamy sand
- Be - Beaches
- Bh - Berryland mucky loamy sand
- Br - Broadkill mucky silt loam
- CeA - Cedartown-Rosedale complex, 0-2% slopes
- CeB - Cedartown-Rosedale complex, 2-5% slopes
- Ek - Ekilton sandy loam
- Fa - Fallsington sandy loam
- Hu - Hurlock loamy sand
- In - Indiantown silt loam
- Ke - Kentuck silt loam
- KsA - Klej loamy sand, 0-2% slopes
- KsB - Klej loamy sand, 2-5% slopes
- Mu - Mullica-Berryland complex
- Pu - Purnell peat
- RuA - Runculint loamy sand, 0-2% slopes
- RuB - Runculint loamy sand, 2-5% slopes
- Su - Sunken mucky silt loam
- TP - Transquaking & Mispillions soils
- Uz - Uderthents





**Worcester County**  
Department of Environmental Programs

16

## Memorandum

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

**From:** Robert J. Mitchell, LEHS 

**Subject:** Memorandum of Agreement – No Cost Extension  
Coastal Bays Watershed Plan

**Date:** June 12, 2018

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We are writing to present another extension of the FY 2015 Memorandum of Agreement for the funding of a watershed plan for the Maryland Coastal Bays Watershed in Worcester County. The extension we are working under expires at the end of June 2018 and there is still work to complete on the project.

We have delivered a final draft of the plan to MDE and EPA last year for comments and have been working with both parties to revise and rework the plan to complete the a-thru-i EPA watershed objectives. We are still revising and re-informing this plan. The latest developments still include a potential work scope increase to analyze additional area-specific implementation activities and re-input them back into the plan, a concentration now on a single bay sub-watershed with the rest added later, more information regarding Delaware's contributions and reductions to our watersheds, and a proposal to add-on to the existing contract to re-engage the Center for Watershed Protection in providing additional work for the document. That would be accomplished utilizing an ad-on grant from the Maryland Coastal Bays Program. We have resolved an earlier matter involving reconsideration of watershed monitoring data and State of Maryland monitoring activities for inclusion in the plan.

We would respectfully request that the County Commissioners authorize President Purnell to sign this no-cost extension so we may continue our work on this plan.

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

### Attachments

cc: David Bradford  
Katherine Munson

**Citizens and Government Working Together**

**CONTRACT NUMBER: U00P6400389**  
**AMENDMENT #4**  
**TO THE TERMS OF THE MEMORANDUM OF AGREEMENT**  
**BETWEEN THE**  
**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
**AND**  
**COUNTY COMMISSIONERS OF WORCESTER COUNTY**

**RE:** Worcester County Watershed Plan for Priority Watersheds within the Maryland Coastal Bays Drainage Area FFY-2015 GRTS#8

**PURPOSE:** To provide a no-cost extension to the term of the Memorandum of Agreement U00P6400389 ("Agreement") by and between the Maryland Department of the Environment (hereinafter "Department") and County Commissioners of Worcester County (hereinafter "Grantee").

**WHEREAS:** The original term of the Agreement was August 1, 2015 to June 30, 2018 as amended in Amendment #3 and the Grantee has requested additional time to complete the work specified in the scope of work, and the Department has agreed to this request.

**NOW, THEREFORE,** in consideration of the mutual covenants contained herein, the Department and the Grantee agree as follows:

1. The term of the Agreement is hereby extended from June 30, 2018 to June 30, 2020 with no additional cost to the Department.
2. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect, except that:
  - (a) The Grantee shall submit a quarterly report within 15 days after the end of each calendar quarter during the additional term of the Agreement in accordance with Attachment B of the Agreement, and
  - (b) The due date for the final report and final invoice as specified in Attachment B of the Agreement shall be June 30, 2020.
3. This Amendment shall be effective on the date that it is signed by the Department.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Kelly Shannahan

17

**From:** O'Donnell, Matthew <mjodonnell@usgs.gov>  
**Sent:** Tuesday, June 5, 2018 1:17 PM  
**To:** Diana Purnell  
**Cc:** James Church; commissioners; Jen Chadwick-Moore -MHT-; Roger Barlow  
**Subject:** Request for the Worcester County Commissioners' opinion on a proposal to name a small waterway  
**Attachments:** map of Buntings Gut.jpg; Buntings Gut case summary.docx; Buntings Gut proposal.pdf; Worcester County Commissioners Buntings Gut recommendation form.doc; DNC Commemorative Names policy.pdf

The Honorable Diana Purnell, President  
Worcester County Commissioners

[dpurnell@co.worcester.md.us](mailto:dpurnell@co.worcester.md.us)

Issue: Proposal to apply a new name to a small unnamed waterway west of Assateague Island

Dear President Purnell:

As you may know, the U.S. Board on Geographic Names (BGN) is responsible by law for standardizing geographic names for use by the departments and agencies of the Federal Government. The BGN has received a proposal from a GIS Specialist with Assateague Island National Seashore to apply the new name Buntings Gut to an unnamed waterway on the west side of Assateague Island about 15 mi. southwest of Ocean City.

Because local opinion is important to the BGN, we would like the opinion of the Worcester County Commissioners concerning this issue. We ask that you please share this request with any offices or others who might have an interest in this proposal. We have already received support for the proposal from the National Park Service.

The name would commemorate Clayton Bunting (1893-1963), who, in 1945 purchased a hunting lodge along the waterway, on property known locally as the "Bunting's property" and near a bridge known locally as "Bunting's Bridge". The GIS specialist requests the new name because the U.S. Geological Survey is planning to install a water level gauge at a bridge that crosses the waterway and so it would be useful if the feature had an official name.

This proposal will be listed on the BGN's Review List #432, which will be posted at [http://geonames.usgs.gov/domestic/quarterly\\_list.htm](http://geonames.usgs.gov/domestic/quarterly_list.htm) in early July. The case summary is attached for your review and convenience. Also attached are the original proposal, a map of the waterway, and a Geographic Name Proposal Recommendation form to facilitate a response from your office. Also included is a copy of the BGN's Commemorative Names Policy as you review the proposal. Once we receive your response, we will ask the Maryland State Names Authority (copied on this email) for their recommendation.

Thank you for your consideration of this request and we look forward to hearing from you. Meanwhile, if you have any questions, please don't hesitate to contact us. We may be contacted by mail at the address below; by telephone at (703) 648-4553; by fax at (703) 648-4549; or by e-mail at [BGNEEXEC@usgs.gov](mailto:BGNEEXEC@usgs.gov).

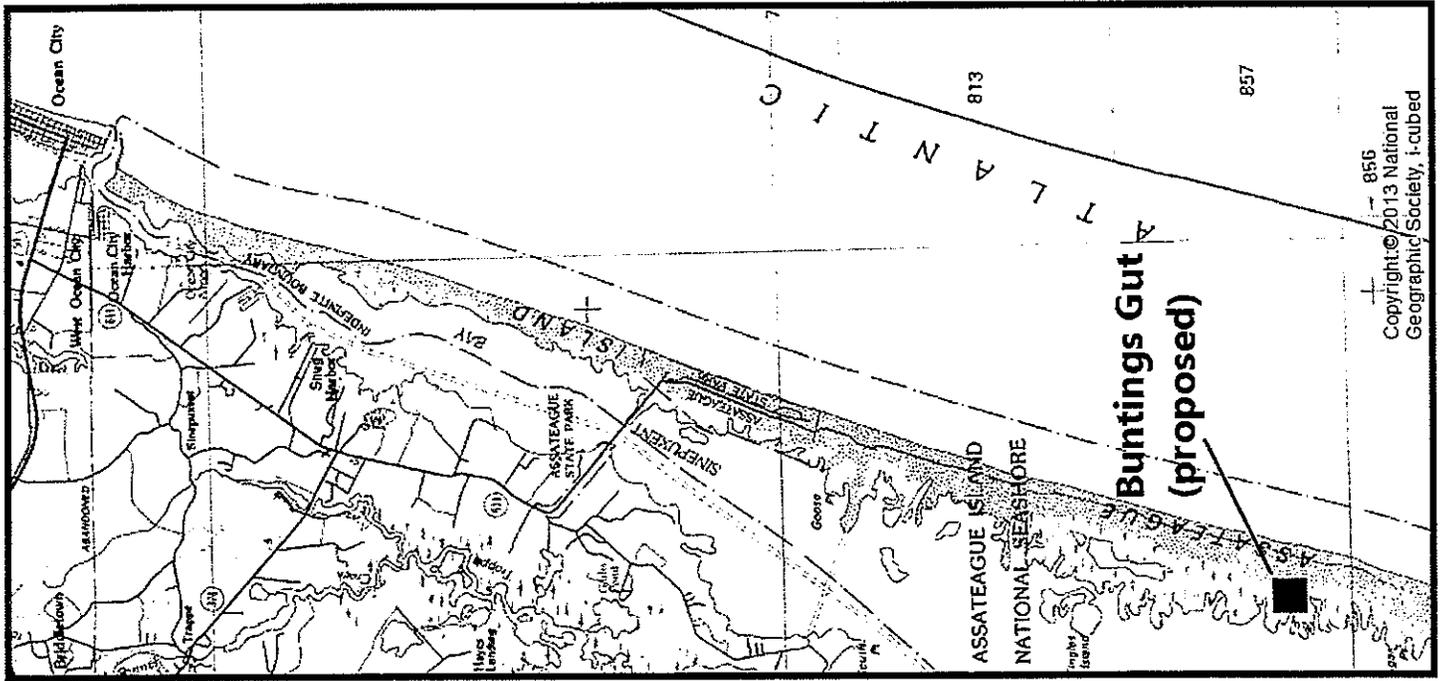
Sincerely,

Matt O'Donnell, research staff  
For Lou Yost, Executive Secretary  
U.S. Board on Geographic Names  
U.S. Geological Survey  
12201 Sunrise Valley Drive  
MS 523  
Reston VA 20192-0523

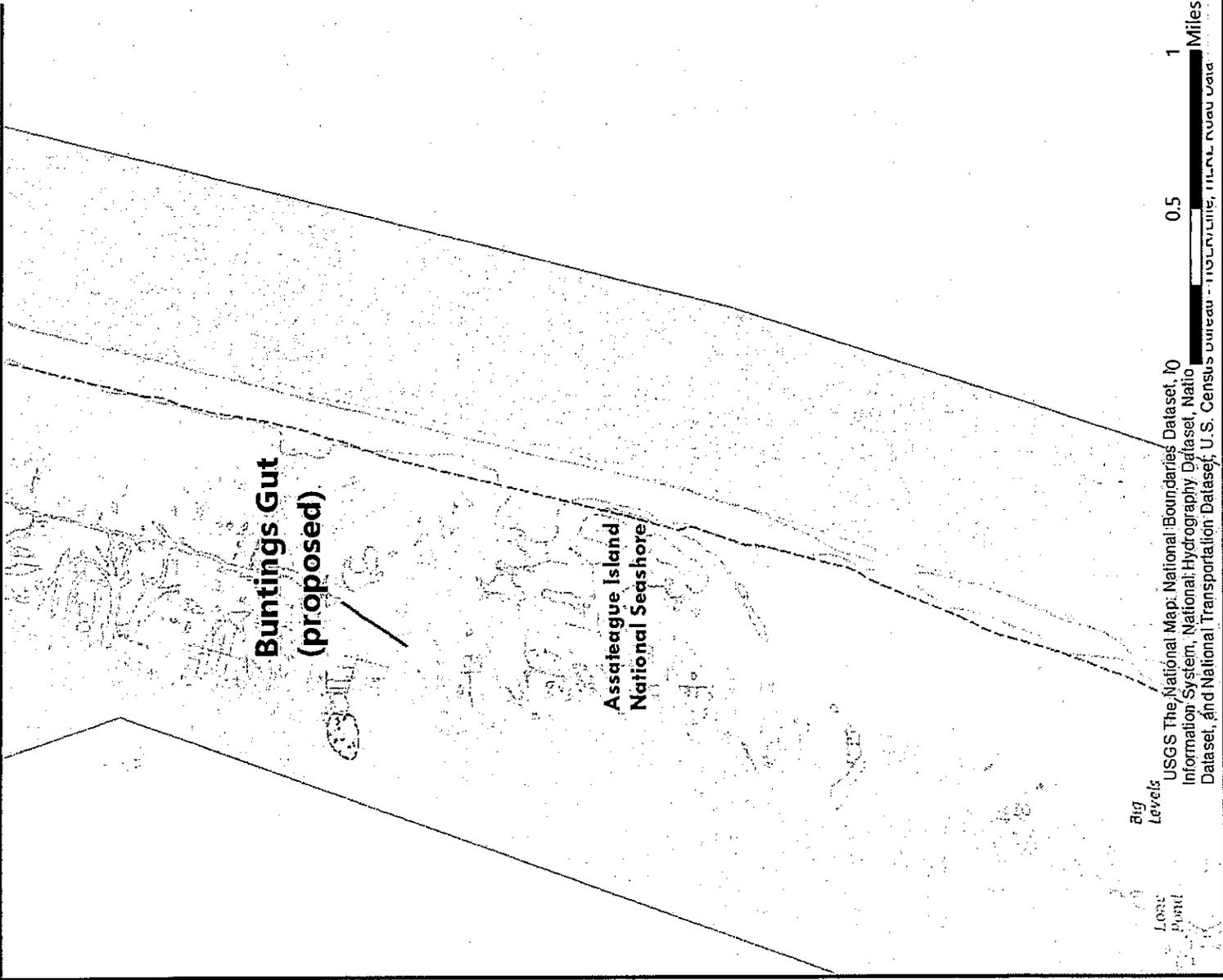
cc:  
The Honorable James "Bud" C. Church, District 3 Commissioner, [jchurch@co.worcester.md.us](mailto:jchurch@co.worcester.md.us)  
[commissioners@co.worcester.md.us](mailto:commissioners@co.worcester.md.us)

Jennifer Chadwick-Moore, Maryland State Names Authority, [jen.chadwick-moore@maryland.gov](mailto:jen.chadwick-moore@maryland.gov)  
Roger Barlow, U.S. Geological Survey Liaison for DC, Maryland, New Jersey, Delaware, and Chesapeake Bay, [rbarlow@usgs.gov](mailto:rbarlow@usgs.gov)

Matt O'Donnell | Xcellent Technology Solutions, Inc.  
Contractor in support of U.S. Board on Geographic Names | Domestic Names Committee  
Phone/fax: 703.648.4553 / 703.648.4549  
Email: [mjodonnell@usgs.gov](mailto:mjodonnell@usgs.gov)  
Room 1C112 (in library offices)



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Approved  
Promulgation authorized  
Executive Secretary  
Domestic Geographic Names

UNITED STATES  
BOARD ON GEOGRAPHIC NAMES

CASE BRIEF (Domestic)

**Buntings Gut:** gut; 0.7 mi. long; in Assateague Island National Seashore on the W side of Assateague Island, 15 mi. SW of Ocean City; the name commemorates Clayton Bunting (1893-1963), who in 1945 purchased a hunting lodge along the gut, on property known locally as the "Bunting's property" and near a bridge known locally as "Bunting's Bridge"; Worcester County, Maryland; 38°08'21"N, 75°11'03"W; USGS map – Tingles Island 1:24,000.

[https://geonames.usgs.gov/pls/gazpublic/getesricoor?p\\_lat=38.139286&p\\_longi=-75.184196](https://geonames.usgs.gov/pls/gazpublic/getesricoor?p_lat=38.139286&p_longi=-75.184196)

Proposal: new commemorative name for an unnamed feature

Map: USGS Tingles Island 1:24,000

Proponent: Neil Winn; Berlin, MD

Administrative area: Assateague Island National Seashore

Previous BGN Action: None

Names associated with feature:

GNIS: No record

Local Usage: None found

Published: None found

Case Summary: The new name Buntings Gut is proposed for a 0.7-mile-long gut in Assateague Island National Seashore in Worcester County. The proponent, a GIS specialist at the park, reports that during storms, water from the Atlantic Ocean enters Chincoteague Bay through the gut. He states that the U.S. Geological Survey is planning to install a water level gauge at a bridge that crosses the gut and so it would be useful if the feature had an official name. The proposed name was suggested in reference to an old hunting lodge located adjacent to the gut that was owned by the Bunting family. A National Oceanic and Atmospheric Administration tidal bench mark at the bridge is named "Bunting's Bridge."

The Maryland Inventory of Historic Properties lists the Bunting's Gunning Lodge, noting that it was likely built in 1942 and bought in 1945 by Clayton Bunting (1893-1963). Clayton Bunting was a pioneer in Delaware's nursery industry and owned businesses in Selbyville, Delaware. Following his death, the property passed to his son Eugene Bunting, and in 1968 it was acquired by the National Park Service.

GNIS lists two streams named Bunting Branch approximately 20 miles to the north; these streams are presumably named in association with the nearby community of Bunting in Sussex County, Delaware. It is unknown if there is any connection between the names of these features and the Bunting family in question, although the community is 3.6 miles east of Selbyville where the Bunting family lived.

Proposed by: Neil Winn; Berlin, MD

Submitted by: same

Prepared by: M. O'Donnell

Case ID: 4891

Reviewed by: J.Runyon

Date: 5/4/18

Date: same

Date: 5/17/18

Quarterly Review List: 432

Date: 5/29/18



U.S. BOARD ON GEOGRAPHIC NAMES

GEOGRAPHIC NAME PROPOSAL RECOMMENDATION

Proposed Geographic Name Buntings Gut

This is to notify the U.S. Board on Geographic Names that the:

Worcester County Commissioners  
(Name of government entity, organization, or individual)

recommends that the U. S. Board on Geographic Names:

- Approve the Proposed Name
- Reject the Proposed Name
- Take Action as Specified Below
- Render a Decision Without Our Recommendation

Comments (the following factors contributed to this recommendation; attach supporting documentation if appropriate):

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone)

\_\_\_\_\_  
(City, State, ZIP Code)

\_\_\_\_\_  
(E-mail)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Return this form to: U.S. Board on Geographic Names  
U.S. Geological Survey  
523 National Center  
Reston VA 20192-0523  
Telephone: (703) 648-4552  
Fax: (703) 648-4549  
E-mail: BGNEXEC@usgs.gov

DOMESTIC GEOGRAPHIC NAME PROPOSAL SUMMARY

PROPOSE NEW OR CHANGE NAME

Name Proposal ID:  
9433

Date Created:  
04-MAY-18

Date Submitted:  
04-MAY-18

Proposed Name:  
Bunting's Gut

Action Requested:  
Name an unnamed feature

Existing Name:  
-

Unnamed Evidence:  
-

Locally Used:  
No

Locally Used Years:  
-

Local Conflict:  
No

Local Conflict Detail:  
-

Additional Details:  
-

FEATURE INFORMATION

GNIS Feature ID:  
-

Feature class:  
GUT

Descriptive information:  
Approximately 3500 feet long running east/west and connected to Chincoteague Bay. During storm events overwash from the Atlantic Ocean enters Chincoteague Bay through this channel.

**Meaning or significance:**

Adjacent to a retention property managed by the National Park Service historically owned by the Bunting family. Locals familiar with the site refer to the remaining defunct structure as Bunting's property and the bridge over this waterway as Bunting's Bridge.

**Commemorative:**

No

**Biographical information:**

-

**Supporting materials:**

No

**SUPPORTING MATERIALS**

No information entered.

**STATES AND COUNTIES**

State Name	County Name
Maryland	Worcester

**GEOGRAPHIC COORDINATES**

Obtained From	Describe Other	Lat Deg	Min	Sec		Long Deg	Min	Sec		Decimal Lat	Decimal Long	Details
Geographic Information System	-	38	8	17.7	N	75	10	54.6	W	-	-	-

**ADMINISTRATIVE AREAS**

Administrative Area Type	Administrative Area Name	Details
National Park	-	Assateague Island National Seashore

**MAPS AND DOCUMENTS WITH NAME**

No information entered.

**OTHER (VARIANT) NAMES AND THEIR SOURCE**

No information entered.

**AUTHORITIES**

No information entered.

**SUBMITTERS AND PREPARERS**

Role	Last Name	First Name	Phone	Email Address	Physical Address	City	State	Zip	Company	Title
SUBMITTER	Winn	Neil	4433591559	neil_winn@nps.gov	7206 National Seashore Lane	Berlin	Maryland	21811	National Park Service	GIS Specialist

DGNP Guest

## CHAPTER 3. DOMESTIC GEOGRAPHIC NAMES POLICIES

### Policy III. Commemorative Names

Human influence on the land has taken many forms. One of the more prominent forms has been the association of people's names with the landscape. This has resulted in the adoption of many personal names and nicknames for identifying geographic features, such as mountains and streams.

**Sec. 1 The BGN will consider proposals to apply names or nicknames of deceased persons to geographic features in the United States and areas under its jurisdiction. The BGN will only accept proposals for names that are intended to honor a person or persons deceased at least five years. The BGN will disapprove names that could be construed to honor living persons.**

**Sec. 2 The person being honored should have had either some direct or long-term association with the feature, or have made a significant contribution to the area, community, or State in which it is located.**

**Sec. 3 A proposal commemorating an individual with outstanding national or international recognition may be approved even if the person was not directly associated with the geographic feature.**

**Sec. 4 A proposal to revise or eliminate an existing personal commemorative name will usually be disapproved unless the proponent presents a compelling justification.**

**Sec. 5 The BGN discourages the use of an individual's full name in a feature name. Exceptions are occasionally made to avoid ambiguity (see Policy IX. Long Names, Sec. 2).**

**Sec. 6 Commemorative name proposals must meet the same basic criteria required of other name proposals.**

#### Guidelines

A proposal to commemorate an individual should include evidence of local support for the proposed name and its application. Such evidence may be in the form of letters from the appropriate governing authorities and local residents, as well as, where appropriate, from historical societies, service organizations, etc.

The proponent must provide biographical information about the intended honoree(s), including his/her full name(s), death date(s), and evidence of any association with the feature proposed for naming (e.g., any evidence of local civic contribution). If the intended honoree has not been deceased at least five years, the proposal will be returned to the proponent with a request that it be resubmitted once the waiting period has passed.

## **CHAPTER 3. DOMESTIC GEOGRAPHIC NAMES POLICIES**

Examples of past decisions by the BGN have indicated “direct association” or “significant contribution” when the person being commemorated was:

- an early or long-time resident,
- a developer, restorer, or maintainer of the feature,
- a donor of land to local, State, Tribal, or Federal governments, and
- a person who played a large part in protecting the land for public benefit.

A person’s death on or at a feature, such as in a mountaineering accident or automobile or plane crash, does not necessarily meet the “direct association” criterion.

The BGN recognizes that personal names are often linked to an individual or family whose name has come to be associated with the feature. Commemoration in these cases may be appropriate. Ownership or management of the land or the feature may not meet the “significant contribution” criterion.

This policy does not apply to proposals for pets (nonhumans) (see Policy XII. Animal Names).



18

DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1200 / FAX: 410-632-3008  
[www.co.worcester.md.us/drp/drpindex.htm](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: Harold L. Higgins, Chief Administrative Officer  
FROM: Edward A. Tudor, Director *EAT*  
Development Review and Permitting  
DATE: June 12, 2018  
RE: Floodplain Construction Variance Request - 12242 Greenridge Lane

\*\*\*\*\*

Attached herewith you will find a memorandum from William Bradshaw, Building Administrator/County Engineer, regarding a floodplain variance request submitted by John Jarvis relative to the above referenced property. The specific nature of the request concerns a detached residential garage/storage building totaling 800 square feet in area. Of pole building construction, this structure has a floor elevation 0.7 feet below the base flood elevation. Our Code currently requires that all residential accessory structures greater than 300 square feet in area be elevated above the base flood elevation.

A building permit for this structure was issued on April 27, 2017. The permit indicated that the proposed building was located in an AE flood zone, with a required base flood elevation of 5 feet, NAVD '88. It was not discovered until the receipt of the elevation certificate that the floor of the pole building was below the required base flood elevation. The building is provided with flood vents as required for enclosed areas below the base flood elevation. It was clear from my phone conversation with Mr. Jarvis that he believed the builder was aware and had taken the necessary steps to ensure the floor elevation met the minimum requirements. He also stated that the new pole building was replacing a smaller accessory structure that was closer to the nontidal wetlands buffer.

As required by our Code, the application and supporting documents were provided to the State Coordinating Office of the National Flood Insurance Program for their comment. A copy of the comments from Kevin Wagner, Community Assistance Program Manager, is attached herewith.

I would like to point out two other relevant points. First, if this detached garage was attached to the principle structure, the floor elevation could be below the base flood elevation provided that the area was vented, as this structure is. Secondly, Mr. Wagner refers to a guidance memo from FEMA Region III dated November 7, 2016. This memo provides new guidance that was not in effect in 2015 when we last updated our ordinance. At that time we were told quite specifically that the maximum size for an accessory structure with an enclosed area below the base flood elevation without a variance was 300 square feet. This new memorandum changes the limit to 600 square feet but eliminates the ability to apply for a

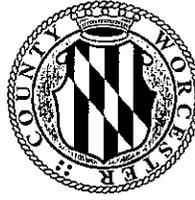
variance for a larger structure. While we have not been told that we must make the change at this time, I suspect it will be forthcoming sometime in the future.

The County Commissioners are not required to hold a public hearing for this variance request. I believe sufficient information has been provided for them to take action on this request. Should the County Commissioners see fit to grant the requested variance, I recommend that it be subject to the corrections noted in Mr. Wagner's letter. Additionally, Section § BR 2-307(c) requires that the County Commissioners make specific findings of fact on all evaluations, all relevant factors, requirements specified in other sections of the regulations, and the 12 specific items stated in the section. I will be happy to prepare the required findings and a resolution of approval should the County Commissioners see fit to grant the request.

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

EAT/phw

cc: Bill Bradshaw, Building Administrator/County Engineer



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1200 / FAX: 410-632-3008  
[www.co.worcester.md.us/drp/drpindex.htm](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:** Ed Tudor, Director of Development Review and Permitting  
**FROM:** William Bradshaw, Building Administrator  
**DATE:** May 16, 2018  
**SUBJECT:** Floodplain Construction Variance Request – 12242 Greenridge Lane

As you know, DRP is in receipt of a variance request to the Worcester County Floodplain Management ordinance for the subject property. The variance request pertains specifically to a pole barn structure (800 square feet) which was built with enclosed area below base flood elevation. Worcester County Floodplain Construction regulations BR 2-305(g)(1) adopted July 16, 2015 requires all accessory structures above 300 square foot in total floor area to be above the base flood elevation.

Per the County floodplain regulations, the variance request and supporting documentation was sent to the State Coordinating Office of the National Flood Insurance Program (NFIP) for comment. The State comments have been returned and are attached for the Department use and to determine County disposition regarding the request. The State's comments address limitations for granting variances BR 2-307(d) which are not included in the owner's request and consideration for relevant factors BR-307(c) attached. Other State comments include required flood venting requirements and elevation certificate documentation. As a follow-up to the comments, the State additionally included comments to include a deed recorded Declaration of Restriction/Non Conversion Agreement restricting the area to be limited to parking and storage should the variance be granted. Also, if a variance is granted the State requires a County letter sent to the owner with notification of increased insurance rates to be applied by the NFIP.

The owner's request, as attached in the application, is that the finished floor of the accessory structure remain at 4.3 feet. The existing lot elevation is higher than the elevation where the primary residence is constructed. A smaller old accessory structure was removed in the location where the pole structure is located.

If there are questions, please let me know. Thank you.

**SUBJECT: Floodplain Construction Variance Request – 12242 Greenridge Lane**  
Page 2

**Attachments**

State of Maryland NFIP Coordinating Office Letter dated 5/4/18 & email dated 5/7/18  
Owner Application for Variance Request, 12242 Greenridge Lane  
Permit Application  
Permit Drawings  
Proposed site Plan  
Elevation Certificate for constructed Building  
Site GIS Image with spot elevations – for information  
Worcester County Floodplain Variance Ordinance Section BR 2-307



**Maryland**  
Department of  
the Environment

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

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

May 4, 2018

Mr. William Bradshaw  
Building Administrator  
Worcester County Government  
Department of Development Review and Permitting  
One West Market Street, Room 1201  
Snow Hill, MD 21863

Re: Floodplain Variance Request – Pole Barn,  
12242 Greenridge Lane, Ocean City, MD 21842

Dear Mr. Bradshaw:

Thank you for the opportunity to comment on an after-the-fact floodplain variance request submitted to the Worcester County Commissioners by Mr. John Jarvis, owner of the above-referenced property. According to the variance application, and other documents provided by the County, the applicant is requesting a variance to allow a 20' x 40' (800 square feet) pole barn to remain as constructed. Per § BR 2-305(g)(1) of the Code of Public Local Laws of Worcester County, Maryland, Title BR 2 Construction Regulations, Subtitle III Floodplain Management (hereinafter referred to as "the Code"), accessory structures are limited to 300 square feet when not elevated.

The structure is located in the 100-year tidal floodplain of Herring Creek in flood Zone AE (EL 5) as mapped by the Federal Emergency Management Agency (FEMA) on Flood Insurance Rate Map (FIRM) Panel No. 24047C0160H, dated July 16, 2015. A copy of a portion of the effective FIRM is enclosed for your convenience. **The Base Flood Elevation (BFE) for the site is 5 feet NAVD 88.**

Based on the information provided for this review, the State Coordinating Office of the National Flood Insurance Program (NFIP) offers the following comments for the Worcester County Commissioners' consideration:

1. The variance request did not address the limitations for granting variances specified in § BR 2-307(d) of the Code.
2. The "Certification of Engineered Flood Openings" provided with the Elevation Certificate is incomplete. The building address was not identified.

3. Only flood openings that are below the BFE shall be counted towards the venting requirement. See the definition for "lowest floor" in § BR 2-302(b) of the Code, and also § BR 2-305(d)(3).
4. Machinery or equipment wasn't identified on the Elevation Certificate, but if added, shall meet § BR 2-304(d) of the Code.
5. All other requirements of the Code shall be met.
6. The FEMA Region III Office issued a memo about an upper size limit for accessory structures dated November 7, 2016 that our office distributed to all communities on November 29, 2016. The memo indicates FEMA will require all communities to adopt regulations that limit the size of accessory structures constructed in the special flood hazard area, and below the BFE, to 600 square feet. A copy of the memo is enclosed.
7. For guidance on the NFIP regulations concerning the requirement for openings in below-Base Flood Elevation foundation walls and walls of enclosures for buildings located in Zones A, AE, A1-A30, AR, AO, and AH, see the FEMA NFIP Technical Bulletin 1, *Openings in Foundation Walls and Walls of Enclosures* (August 2008). A copy can be downloaded from FEMA's website at: <https://www.fema.gov/media-library/assets/documents/2644>.
8. For guidance on the NFIP regulations concerning the required use of flood-damage resistant construction materials for building components located below the BFE in Special Flood Hazard Areas, see the FEMA NFIP Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements* (August 2008). A copy can be downloaded from FEMA's website at: <https://www.fema.gov/media-library/assets/documents/2655>.
9. Please ensure variances are applied consistently throughout the community. For additional guidance on variances, see the Floodplain Management Bulletin, *Variances and the National Flood Insurance Program* (FEMA P-993). A copy can be downloaded from FEMA's website at: <https://www.fema.gov/media-library/assets/documents/99703>.

The County Commissioners should carefully consider whether this variance will meet the considerations for variances identified in § BR 2-307(c) of the Code and limitations for granting variances specified in § BR 2-307 (d) of the Code.

If approved, a record of all variance actions, including justification for their issuance, shall be maintained by Worcester County, and shall be available upon request by FEMA or the State NFIP Office. In addition, the County Commissioners shall notify, in writing, any applicant to whom a variance is granted to construct or substantially improve a building or structure with its lowest floor below the elevation required by these regulations that the variance is to the floodplain management requirements of these regulations only and that the cost of Federal flood insurance will be commensurate with the increased risk, with rates up to Twenty-Five Dollars per One Hundred Dollars of insurance coverage. See § BR 2-307(a) of the Code.

Mr. Bradshaw  
May 4, 2018  
Page 3

Thank you again for the opportunity to provide comments. If you have any questions, please contact me at 301-689-1495 or [kevin.wagner@maryland.gov](mailto:kevin.wagner@maryland.gov).

Sincerely,



Kevin G. Wagner  
Community Assistance Program Manager  
State NFIP Coordinating Office

Enclosures (2)

cc: Ed Tudor, Director of Development Review and Permitting, Worcester County  
Dave Guignet, State NFIP Coordinator, Maryland Department of the Environment  
File



Kevin Wagner -MDE- <kevin.wagner@maryland.gov>

**Re: Comments on Floodplain Variance Request - Pole Barn, 12242 Greenridge Lane, Ocean City, MD 21842**

Kevin Wagner -MDE- <kevin.wagner@maryland.gov> Mon, May 7, 2018 at 8:38 AM  
To: "William Bradshaw, Jr., P.E." <bbradshaw@co.worcester.md.us>  
Cc: Dave Guignet -MDE- <dave.guignet@maryland.gov>, Ed Tudor <etudor@co.worcester.md.us>

Bill,

One thing I forgot to mention in the letter, but is discussed in the memo, is to require a Declaration of Land Restriction/Nonconversion Agreement be recorded with the deed to try to prevent the enclosed area from being converted into something other than for parking, access and limited storage.

Sincerely,  
Kevin

Sent from my iPhone

On May 4, 2018, at 12:48 PM, Kevin Wagner -MDE- <kevin.wagner@maryland.gov> wrote:

Bill,

In response to your request for comments from the State NFIP Coordinating Office on a floodplain variance request for the subject project, please see the attached letter and referenced enclosures.

If you have any questions, please let me know.

Sincerely,  
Kevin

<changingMD.png>

**Kevin G. Wagner**  
Community Assistance Program Manager  
State NFIP Coordinating Office  
Maryland Department of the Environment  
160 South Water Street  
Frostburg, MD 21532  
301-689-1495 (office) | 240-362-2143 (cell)  
kevin.wagner@maryland.gov



<Ltr\_Bradshaw\_12242GreenridgeLn\_Var\_05042018.pdf>

<FM24047C0160H.pdf>

<Accessory Structures Memo.pdf>

**FEMA REGION III MEMO:  
Accessory Structures in the Special Flood Hazard Area**

**MEMORANDUM FOR:** All Region III NFIP Communities

**FROM:** Region III Floodplain Management and Insurance Branch

**THROUGH:** State NFIP Coordinator's Office

**SUBJECT:** Guidance for adopting a square footage upper limit for accessory structures to be placed or constructed below the base flood elevation.

**DATE:** November 7, 2016

Any community that wishes to participate in the National Flood Insurance Program (NFIP) must adopt the minimum standards found in the federal regulations to be eligible. See 44 CFR §§59.22 and 60.3. The minimum standards of the program address two types of structures, residential and non-residential. A structure is defined as *a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.* See 44 CFR §59.1. It is important to note that because structures are defined as walled and roofed buildings, development such as carports with open sides, development with three or fewer walls, gazebos, and pavilions are not considered structures and do not have to meet the elevation or floodproofing requirements of 44 CFR §60.3.

For new and substantially improved structures in the riverine special flood hazard area, residential structures must be elevated to or above the base flood elevation and non-residential structures must be elevated or dry-floodproofed to or above base flood elevations. See 44 CFR §60.3(c)(2) & (3). For new and substantially improved structures in the coastal special flood hazard area, space below the lowest floor must be free of obstruction or constructed with non-supporting breakaway walls, open wood lattice, or insect screening intended to collapse under wind and water loads. See 44 CFR §60.3(e)(5).

The federal regulations define an appurtenant structure as *a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.* See 44 CFR 59.1. They do not define accessory structures nor are there provisions or exceptions that allow for appurtenant or accessory structures to be treated as anything other than a non-residential structure. Absent an exception, accessory structures fall within the regulatory definition of a structure and in riverine areas have to be elevated to or above base flood elevation or made watertight (dry-floodproofed) below the base flood elevation and in coastal areas must be elevated to or made watertight below the BFE in addition to being free of obstruction or with breakaway walls. See 44 CFR 59.1.

In 1985 and 1986, memorandums were released by FEMA addressing the treatment of accessory structures. The latter document was written by the Assistant Administrator for the Office of Loss Reduction (OLR) and directly addressed requirements for detached garages that are not elevated:

If feasible, OLR would recommend that detached garages be elevated to or above the base flood elevation to minimize damage to the garage and to vehicles and contents stored in the

garage. However, if a detached garage constituted a minimal investment and was used only for parking or limited storage, that garage could have its floor below the base flood elevation provided that it was constructed in accordance with previously established policy on accessory structures. At a minimum, detached garages which are not elevated so that their floor is at or above the base flood elevation would have to be designed and constructed to meet the following requirements.

1. Use of the garage must be limited to parking or limited storage.
2. The garage must be built using unfinished and flood damage resistant materials.
3. The garage must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure (and meet the §60.3(c)(5) openings requirement if the FY 86 Proposed Rule provision becomes final).
4. Any mechanical and utility equipment in the garage must be elevated to or above the base flood elevation or floodproofed.
5. The garage must comply with floodplain encroachment provisions at §60.3(c)(10) or (d)(3).

In order to permit detached garages which are not elevated or dry floodproofed, the community would have to include these or equivalent provisions in its ordinances or require the issuance of variances.

Published in 1993, Technical Bulletin 7-93: Wet Floodproofing Requirements also discussed accessory structures and more specifically than the memorandum, addressed size on page 3: “**Accessory structures**, used solely for parking (*two-car detached garages or smaller*) or limited storage (*small, low-cost sheds*)” (*emphasis added*).

There is also published information specific to accessory structure in V zones. FEMA Technical Bulletin 5-08 (August 2008) states, “...the term “small” means less than or equal to 100 square feet in size, and “low cost” means \$1,000 or less. Some States and communities recommend other values.” See TB 5-08, p. 18. This Technical Bulletin allows for reasonable small and low cost structures that are anchored to resist flotation and have openings to equalize the hydrostatic pressure during a flood. See FEMA Bulletin 5-08, p. 18. Limiting the size of an accessory structure prevents the construction of structures that are costly to replace and create dangerous debris in the event of flooding.

FEMA Region III in conjunction with FEMA Headquarters staff, FEMA floodplain management staff nation-wide, and our state partners has determined how to define small and low cost accessory structures. The intent in establishing a definition for small and low cost accessory structures is to provide limited relief from the minimum requirement that all new or substantially improved accessory structures be elevated to or dry floodproofed above the base flood elevation within the Special Flood Hazard Area. The needs and circumstances of each state were considered when establishing an upper limit for accessory structure size. To maintain consistency, Region III will only consider the below language or more restrictive language for community ordinances to be compliant when addressing accessory structures. Furthermore, FEMA Region III suggests that all permits for accessory structures, even if granted by variance, include a Non-Conversion Agreement. The Non-Conversion Agreement will be signed by both the community official and the homeowner to ensure that the accessory structure does not subsequently get converted to living space. The agreement would also alert future homeowners to development restrictions.

### Note on Insurance Implications:

There are also potential flood insurance ramifications for Accessory Structures. Under the Standard Flood Insurance Policy (SFIP), an "Appurtenant Structure" (which is a subset of Accessory Structures) is very narrowly defined as "a detached garage servicing a 1-4 family dwelling." While the SFIP contains an extension of coverage to detached garages, this coverage is limited to no more than 10 percent of the amount of building coverage carried on the dwelling. And, this coverage does not apply to any detached garage "used or held for use for residential, business, or farming purposes".

While nearly any Accessory Structure may be insured under its own separate flood insurance policy as long as it has two or more outside rigid walls and a fully secured roof and is affixed to a permanent site, the cost of insurance will be based on full-risk (elevation) rates and will also include a \$250.00 annual surcharge.

### Ordinance integration:

**Option 1:** If a [*Name of State*] community chooses to prohibit accessory structures in their ordinance, the community should state that prohibitive language in their ordinance including a provision in the variance section stating that a variance will not be granted for accessory structures.

**Option 2:** If a [*Name of State*] community chooses not to specifically address accessory structures in their ordinance, applications for this type of development in the special flood hazard area would have to follow the provisions in the local ordinance for a variance. The minimum requirements for a variance are included in 44 CFR §60.6. In addition to variance requirements, add language for the conditions for a variance for accessory structures:

- May not exceed 600 square feet.
- anchored to prevent floatation, collapse, and lateral movement (44 CFR §60.3(b)(3)(i));
- constructed with flood-resistant materials (44 CFR §60.3(b)(3)(ii));
- electrical, ventilations, and other service facilities located to prevent water from entering (44 CFR §60.3(b)(3)(iv));
- be used solely for parking, access, and storage (44 CFR §60.3(c)(5));
- and be designed to automatically equalize hydrostatic forces on exterior walls by allowing for the entry and exit of flood waters (44 CFR §60.3(c)(5)).
- A signed Non-Conversion Agreement is required and shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

**Option 3:** If a [*Name of State*] community chooses to include language related to accessory structures, the [*Name of State Model Ordinance*] provides the upper limit of [*number agreed upon by the State NFIP coordinator and FEMA Region III*].\* Development of this type is required to meet all other minimum standards in 44 CFR Part 60 including the following:

- anchored to prevent floatation, collapse, and lateral movement (44 CFR §60.3(b)(3)(i));
- constructed with flood-resistant materials (44 CFR §60.3(b)(3)(ii));
- electrical, ventilations, and other service facilities located to prevent water from entering (44 CFR §60.3(b)(3)(iv));
- be used solely for parking, access, and storage (44 CFR §60.3(c)(5));
- and be designed to automatically equalize hydrostatic forces on exterior walls by allowing for the entry and exit of flood waters (44 CFR §60.3(c)(5)).

\*If the upper limit used in this language is less than 600 square feet, the *[Name of State]* community must include a provision in the variance section that variances to the accessory structure size limit are not to exceed 600 square feet. Suggested language is provided below.

**Suggested language for accessory structures:**

*Accessory structures* shall comply with the elevation requirements and other requirements of *[Section with provisions for elevation requirement]* or, if not elevated or dry flood proofed, shall:

- (1) Not be used for human habitation;
- (2) Be limited to not more than *[number agreed upon by the State NFIP coordinator and FEMA Region III]* square feet in total floor area;
- (3) Be useable only for parking of vehicles or limited storage;
- (4) Be constructed with flood damage-resistant materials below the base flood elevation;
- (5) Be constructed and placed to offer the minimum resistance to the flow of floodwaters;
- (6) Be anchored to prevent flotation;
- (7) Have electrical service and mechanical equipment elevated to or above the base flood elevation;
- (8) shall be provided with flood openings which shall meet the following criteria:
  - (a) There shall be a minimum of two flood openings on different sides of each enclosed area; if a building has more than one enclosure below the lowest floor, each such enclosure shall have flood openings on exterior walls.
  - (b) The total net area of all flood openings shall be at least 1 square inch for each square foot of enclosed area (non-engineered flood openings), or the flood openings shall be engineered flood openings that are designed and certified by a licensed professional engineer to automatically allow entry and exit of floodwaters; the certification requirement may be satisfied by an individual certification or an Evaluation Report issued by the ICC Evaluation Service, Inc.

- (c) The bottom of each flood opening shall be 1 foot or less above the higher of the interior floor or grade, or the exterior grade, immediately below the opening.
  - (d) Any louvers, screens or other covers for the flood openings shall allow the automatic flow of floodwaters into and out of the enclosed area.
- (9) For accessory structures that are [*number agreed upon by the State NFIP coordinator and FEMA Region III*] but no larger than 600 square feet in area (footprint) and that are below the base flood elevation, a variance is required as set forth in [*variance section of the ordinance*]. If a variance is granted, a signed Declaration of Land Restriction (Non-Conversion Agreement) shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

**Suggested language to obtain a variance for accessory structures: (to be inserted as an item in the variance section)**

- (1) No variance shall be granted for an accessory structure exceeding 600 square feet. A signed Non-Conversion Agreement is required as a condition of receiving the variance. The Agreement must be recorded with the Deed. If a variance is granted and the accessory structure is not elevated or dry flood proofed, conditions in [*Section with provisions for Accessory structures*] apply.

**Conclusion:**

This memo establishes the framework for compliant local ordinance language related to accessory structures. Ordinances that do not adhere to the options provided in this memo will be found non-compliant. Existing community ordinances that do not have accessory structure language consistent with this memo will be required to incorporate compliant language when there is a map change, a Community Assistance Visit review, a change in the Code of Federal Regulations, or upon the discovery of other non-compliant language.

At this time, Guidance on agricultural accessory structures in the Special Flood Hazard Area is forthcoming from FEMA's Building Science Branch at Headquarters. Please be aware that this memo will be reevaluated when any new guidance is released.

**State-Wide Implementation plan:**

1. Final memo: November 4, 2016
2. Distribute Memo to State NFIP Coordinators: November 7, 2016
3. Distribute Memo to communities through NFIP State Coordinators: November – December 2016
4. Discuss Memo with State NFIP Coordinators: COMPLETED
5. Require all communities adopting an updated ordinance to be compliant with memo: January 1, 2017



MAP SCALE 1" = 1000'

0 1000 2000 FEET

PANEL 0160H

**FIRM**

FLOOD INSURANCE RATE MAP  
 WORCESTER COUNTY,  
 MARYLAND  
 AND INCORPORATED AREAS

PANEL 160 OF 450

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
WORCESTER COUNTY	240003	0160	H

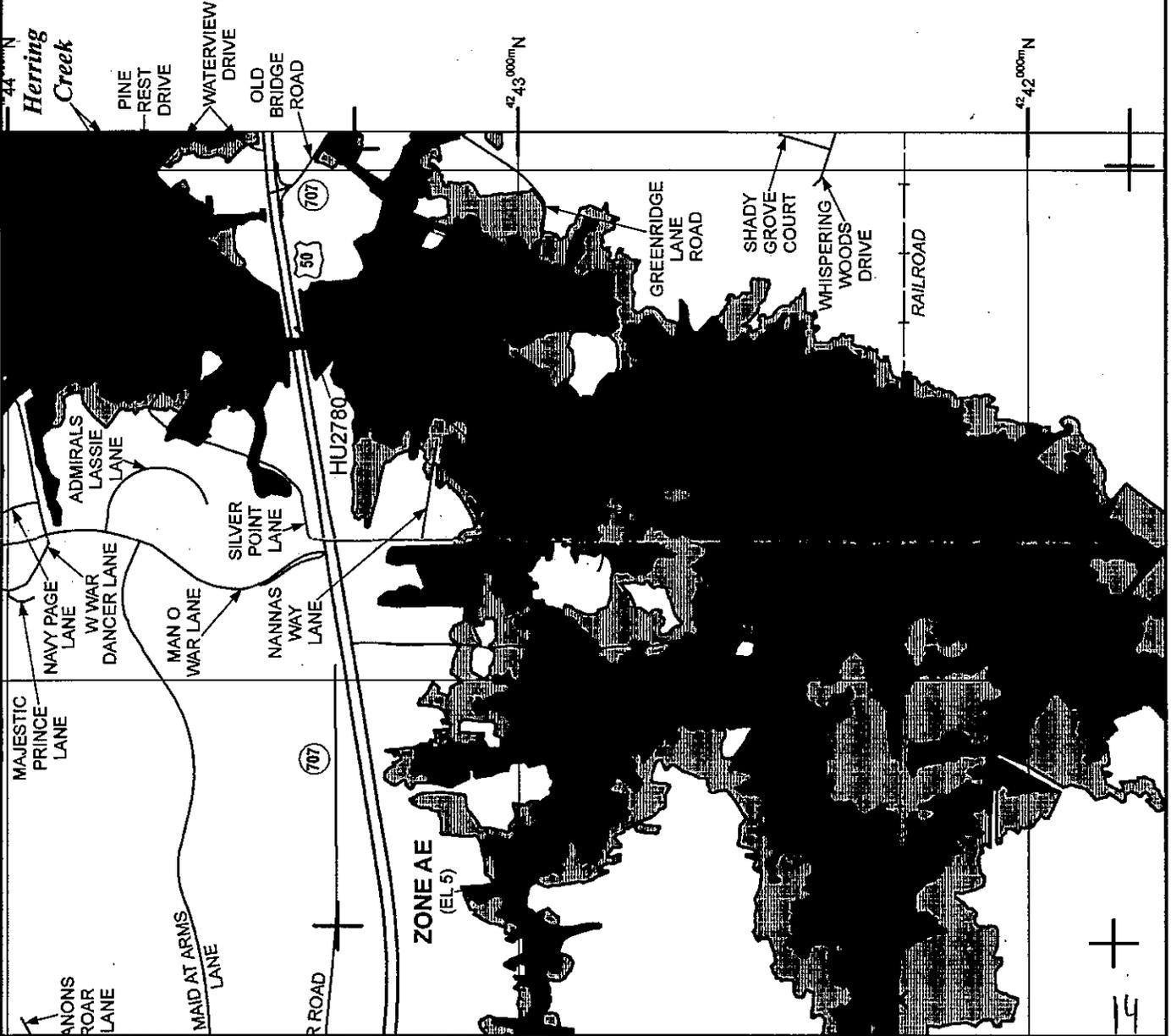
Notice to User: The Map Number shown below should be used in all correspondence and applications for insurance coverage.



MAP NUMBER  
 24047C0160H  
 EFFECTIVE DATE  
 JULY 16, 2015

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



14



WORCESTER COUNTY COMMISSIONERS  
 c/o Dept. of Dev. Review & Permitting  
 One W. Market St., Room 1201  
 Snow Hill, MD 21863  
 (410) 632-1200

Applic. No: \_\_\_\_\_  
 Date Filed: 4/17/18  
 Hearing Date: \_\_\_\_\_  
 Decision: \_\_\_\_\_  
 Applic. Fee: \$250.00

APPLICATION FOR A VARIANCE  
 TO THE WORCESTER COUNTY FLOODPLAIN MANAGEMENT ORDINANCE

Owner: John Jarvis  
 Address: 12242 GREENRIDGE LANE, OCEAN CITY, MD 21842  
 Telephone No.: 443-580-4692 E-mail Address: JJARVISPOOLS@AOC.COM  
 Applicant Name, Address, Telephone No. and E-mail Address (if different from above)

Pursuant to §BR2-307 of the Worcester County Floodplain Management Ordinance, enacted or as amended, request is hereby made for:  
Flood plain VARIANCE

LOCATION OF PROPERTY: On (N)(S)(E)(W) side of \_\_\_\_\_ Road  
 Tax Map 26, Parcel 191, Section \_\_\_\_\_, Block \_\_\_\_\_, Lot PARCEL A  
 Base Flood Elevation 5 feet, NAVD 1988, FIRM Map Panel # 24047C0160, effective date: 7-16-2015

BUILDING OR STRUCTURE: Circle one: ST MOD PF MAN Other \_\_\_\_\_  
 \*\* A location survey showing in detail the existing and proposed improvements is required with the submittal of this application.

DESCRIBE REQUEST IN DETAIL: (Refer to criteria set forth in §BR2-307- attach separate sheet, if necessary)  
leave existing elevation of necessary AS it is higher already than the existing residence to which it is used for

Owner/Applicant understands and has verified that the proposed structure relative to this variance request must also be in compliance with all other governing regulations prior to issuance of the permit.

Signature of Owner(s) [Signature]

Signature of Applicant [Signature]

V



# Permit Application

**WORCESTER COUNTY DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING**  
One West Market Street, Room 1201  
Snow Hill, Maryland 21863  
Phone: 410-632-1200 Fax: 410-632-3008

(Office Use Only)  
Application No. 17038  
Submittal Date: 3/23/17  
Permit Fee: \$100  
F.M. Fee \_\_\_\_\_  
HBGF Fee \_\_\_\_\_  
Date Issued: 4/10/17  
Expiration Date: 4/12/18

- Building Permit                       Zoning Permit                       Demolition Permit

ENTERED

Address of Property 12242 Greenridge Lane Road KUH  Road  Collector  Arterial

Other Description \_\_\_\_\_ Area 45.52 Acres \_\_\_\_\_

PFA No Tax ID # 10-277833 Zoning District R-2

Tax Map 26 Parcel 191 Section \_\_\_\_\_ Block \_\_\_\_\_ Lot A Unit \_\_\_\_\_

USE OR STRUCTURE Construct new 20' x 40' pole barn and (remove small shed.)

Minimum Required Setbacks: Front Yard 25 Feet from:  Front Property Line  Center of Road Right of Way  
*Flagged Forest*

Rear Yard 30 Ft. Left Yard 8 Ft. Right Yard 8 Ft.

I.R.C. Review JMT/ob 4-11-17  
 I.B.C. Review \_\_\_\_\_  
 Planning Commission \_\_\_\_\_  
 In accordance with site plan approved by \_\_\_\_\_ on \_\_\_\_\_

Zoning Approval Janet W Davis 3-28-17  
 Other Approval \_\_\_\_\_

Floodplain Zone AE Elevation 5 MSL  
 Elevation Certificate required  
 Non-conversion Agreement required  
 Structure must be anchored and vented

The lowest habitable floor level of any dwelling, including basements, garages, etc. shall meet the elevation required under the Worcester County Floodplain Management Law.

County Roads Engineer \_\_\_\_\_  
 State Roads Engineer \_\_\_\_\_  
 Health Dept. \_\_\_\_\_  
 Fire Marshal \_\_\_\_\_  
 Liquor License \_\_\_\_\_

**Environmental Programs**

Water Supply Private  Sewage Disposal private  
 Env. Programs Kim A. Klump, LEAS 3/27/2017  
 SEC/SWM NA < 5000 ft  
 Critical Area (C.A.) 3/31/17

Designation RCA BMA 100'

Forestry \_\_\_\_\_  
 Plan No. \_\_\_\_\_

17-0328

Architect Name and License

Estimated Construction Cost \$ 15,400.00

Engineer Name and License

ALSO REQUIRED:

Electrical Permit

Plumbing Permit

Gas Permit

Consolidation

CAFO

Foundation Survey

As-Constructed Survey

Landscape I & M

Other

Bonds: type: amount \$

The applicant hereby certifies under penalty of perjury as follows: 1) that he/she is authorized to make this application; 2) that all information provided by the applicant, whether on an original application or on an application for a revision, is true and correct, including all information on any attachments hereto; 3) that he/she will comply with all regulations of Worcester County which are applicable hereto; 4) that he/she will perform no work on the above property not specifically described in this application; 5) that any misrepresentation or misstatement of facts or any change without approval shall constitute grounds for denial and/or revocation of the permit; 6) that he/she grants County officials the right to enter onto the property for the purpose of inspecting the work permitted and posting notices; 7) that he/she assumes all responsibility to determine, request and obtain any and all required Federal, State or County permits necessary to implement this permit; and 8) that it shall be unlawful to occupy any building or structure or change the use of land until a zoning/occupancy certificate has been issued by the Department.

Expiration: If the work described in this permit has not had a substantial start (approved foundation inspection) within 12 months from the date of issuance, such permit shall expire. If the work described has not been substantially completed (approved framing inspection) within 24 months of date of issuance, such permit shall expire. The Department may grant a single 12 month extension upon written request by the applicant, if such request is found to be reasonable and necessary for the orderly completion of the project. Expired permits shall become null and void.

Send to ICW

Owner John Jarvis Address PO Box 701 Ocean City, MD 21843-0701

Phone 443-880-4692 E-Mail jjarvispools@aol.com

Signature: [Handwritten Signature]

Applicant owner Address

Phone E-Mail

Signature:

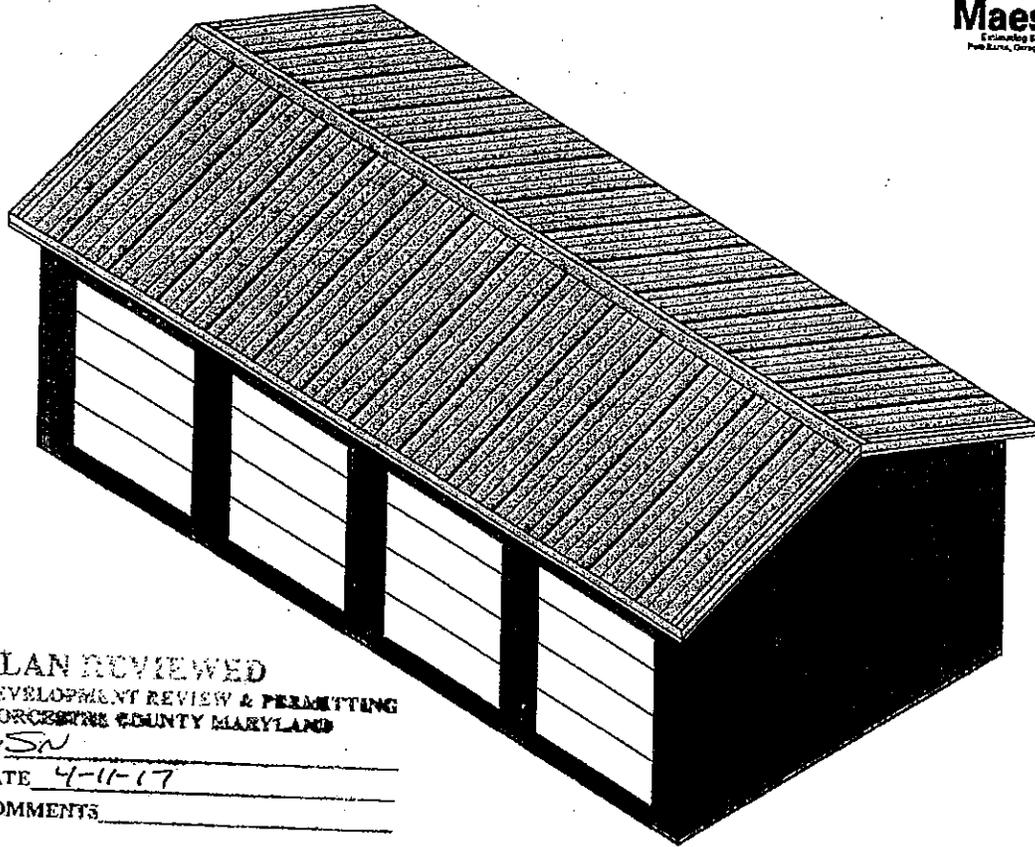
Relationship to Owner: Owner/Applicant ID No.

Builder Diamond State Pole Buildings Address PO Box 163 Magnolia, DE 19962

License # 103938 Phone 302-387-1710 E-Mail

V

Construction  
**Maestro**  
CADD Software  
For AutoCAD, Revit & Micro



PLAN REVIEWED  
DEVELOPMENT REVIEW & PERMITTING  
WORCESTER COUNTY MARYLAND  
BY SN  
DATE 4-11-17  
COMMENTS \_\_\_\_\_

John Jarvis  
20X40X10

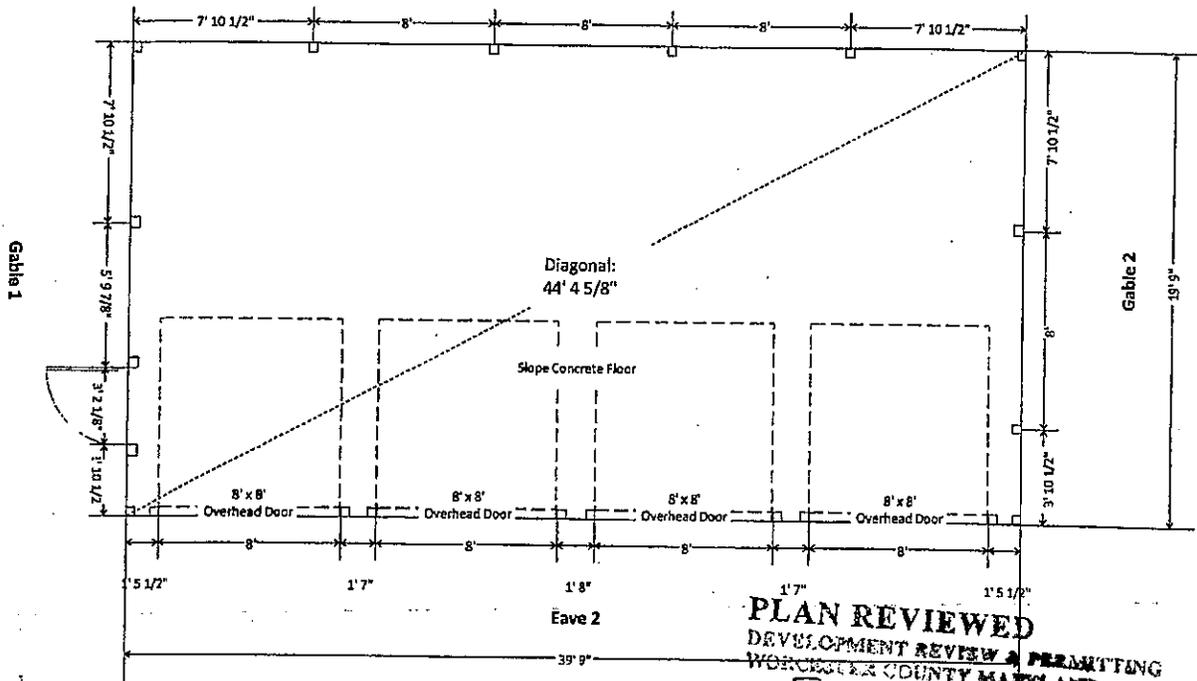
**FILE SET**

V

POLE LAYOUT  
Agricultural Use, 800 sq. ft.

Construction  
**Maestro**  
A Division of  
The McGraw-Hill Companies

Eave 1



John Jarvis  
Estimate Number: 3229  
2/13/2017

FILE SET

PLAN REVIEWED  
DEVELOPMENT REVIEW & PERMITTING  
WORCESTER COUNTY MARYLAND  
BY SU  
DATE 4-11-17  
COMMENTS \_\_\_\_\_

# V

## CROSS SECTION

ROOF LAYER 1: RFOIL SINGLE BUBBLE WHITE/FOIL 750  
1/8 IN X 72 IN X 125 FT  
ROOF LAYER 2: COPPER G-RIB STEEL PANEL

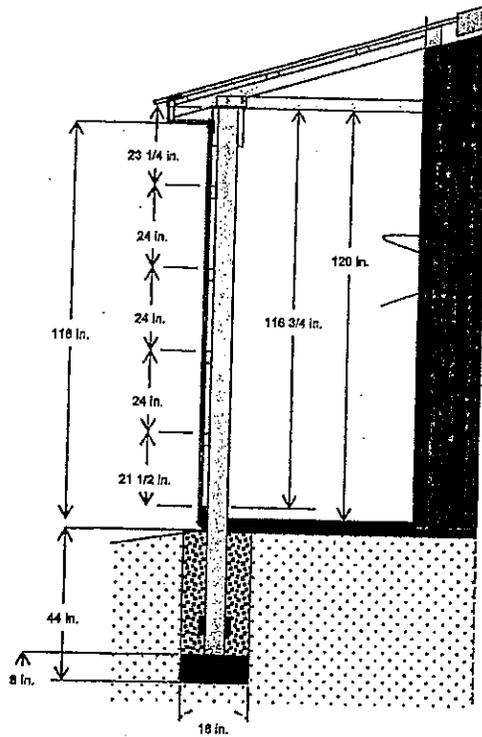
PURLINS: 2 X 4 SPF #2/BETTER FASTENED LAYING FLAT  
SUB FACIA: 2 X 6 SPF #2/BETTER  
FACIA COVERING: BRITE WHITE STEEL 1 1/2 IN. X 5 1/2 IN. ANGLE 6 X 10 FT 0 IN  
UNDEREAVE: GEORGA PACIFIC WHITE VINYL CENTER  
VENT SOFFIT 12 IN X 12 FT

CORNER POSTS: GRABER 3 PLY 4.5 X 5.25  
INTERMEDIATE POSTS: GRABER 3 PLY 4.5 X 5.25  
SPACING 8 FT O.C.  
EXTERIOR CARRIER: SYP #1 2 X 12 WITH 4- 3 3/4" FASTENMASTER LAGS AT EACH CARRIER/POST CONNECTION  
INTERIOR CARRIER: SYP #1 2 X 12 WITH 4- 3 3/4" FASTENMASTER LAGS AT EACH CARRIER/POST CONNECTION  
EXTERIOR WALL GIRTS: SPF #2/BETTER 2 X 4  
WALL LAYER 1: CLAY G-RIB STEEL PANEL

EXTERIOR SKIRT BOARD: TREATED 2 X 8

SIDING BEGINS 4 1/4 IN. BELOW THE TOP OF SKIRT BOARD

EARTH GRADE BEGINS 7 IN. BELOW THE TOP OF SKIRT BOARD



4/12 PITCH TRUSS SYSTEM WITH A STANDARD HEEL  
(HEEL HEIGHT: 0-3-15 OR 4 IN.)  
TRUSS SPACING: 48 IN. O.C.  
TRUSS LOADING INFORMATION: TCU/TCDL/BCU/BCDL  
20-5-0-5  
TOTAL TRUSS LOADING = 30 P.S.F.  
BRACE PER TRUSS MANUFACTURER'S  
RECOMMENDATIONS

INTERIOR FINISHED FLOOR HT. WILL BE 3 1/4 IN.  
BELOW THE TOP OF THE SKIRT BOARD  
4 IN. CONCRETE FLOOR W/STRUCTURAL STRENGTH -  
3500 P.S.I.

UNDISTURBED SOIL OR COMPACTED SAND FILL  
BACKFILL HOLE WITH SAND/GRAVEL FILL & COMPACT  
18 IN. WIDE X 8 IN. THICK PIER FOOTING USING RED-  
MIX CONCRETE  
WITH MINIMUM STRENGTH 2500 P.S.I.

BARRIER BETWEEN SIDE METAL AND TREATED SKIRT  
BOARD  
POST CLEATS: TREATED 2 X 6 ON EACH SIDE OF POST  
STARTING 6 IN. ABOVE THE FOOTING

*Needs to  
be treated  
for ground  
contact*

*Not Red-mix  
it must be filled with  
Concrete*

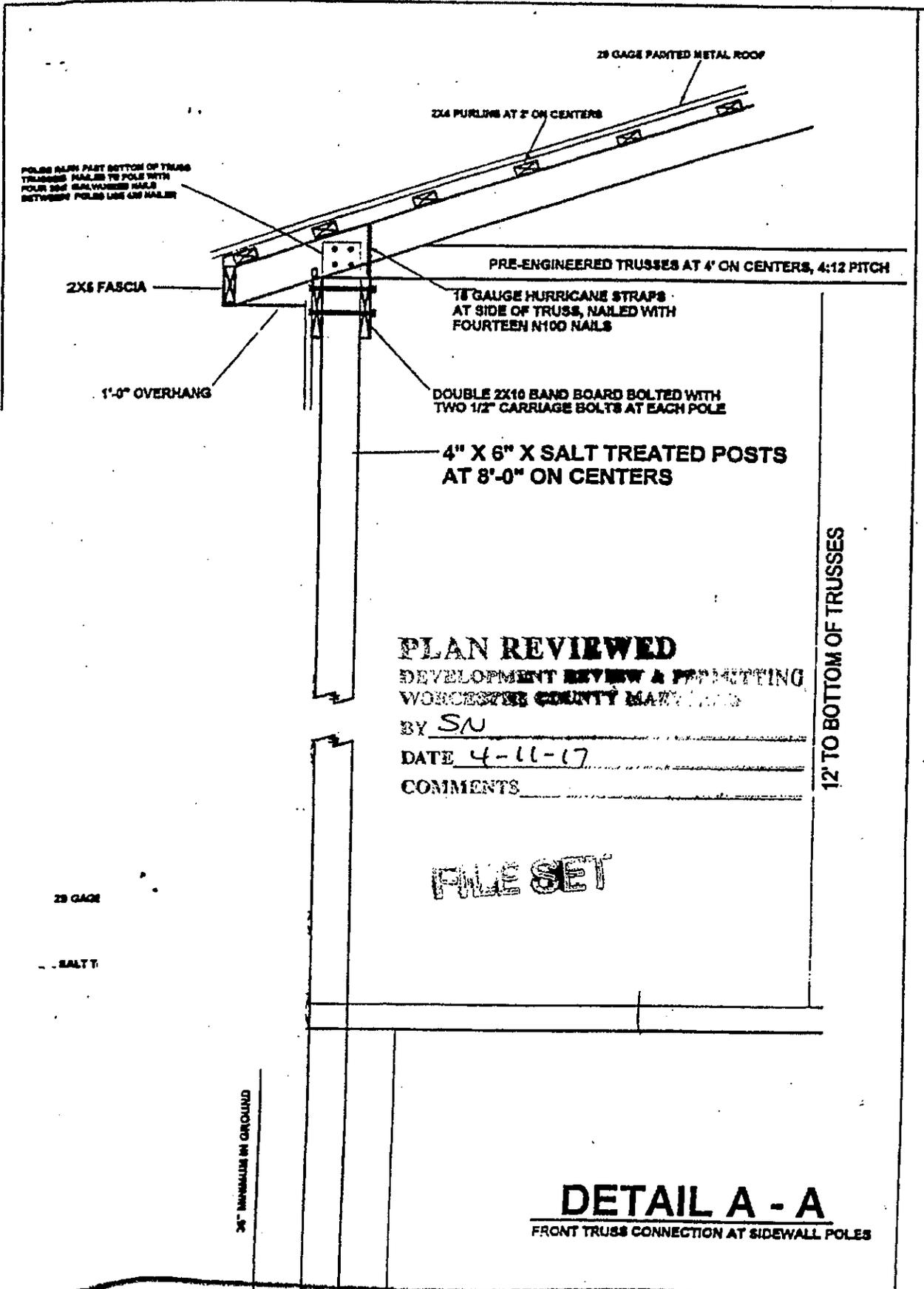
FILE SET

PLAN REVIEWED  
DEVELOPMENT REVIEW & PERMITTING  
WORCESTER COUNTY (MARYLAND)

BY SN  
DATE 9-11-17  
COMMENTS \_\_\_\_\_

FILE SET

V



POLES BURN PAST BOTTOM OF TRUSS  
TRUSSES NAILED TO POLE WITH  
FOUR 3/4\"

28 GAUGE PAINTED METAL ROOF

2X6 PURLINE AT 2' ON CENTERS

PRE-ENGINEERED TRUSSES AT 4' ON CENTERS, 4:12 PITCH

2X6 FASCIA

18 GAUGE HURRICANE STRAPS  
AT SIDE OF TRUSS, NAILED WITH  
FOURTEEN #100 NAILS

1'-0" OVERHANG

DOUBLE 2X10 BAND BOARD BOLTED WITH  
TWO 1/2" CARRIAGE BOLTS AT EACH POLE

4" X 6" X SALT TREATED POSTS  
AT 8'-0" ON CENTERS

**PLAN REVIEWED**  
DEVELOPMENT REVIEW & PERMITTING  
WORCESTER COUNTY MASSACHUSETTS  
BY SU  
DATE 4-11-17  
COMMENTS \_\_\_\_\_

12' TO BOTTOM OF TRUSSES

**FILE SET**

28 GAUGE

SALT T

36" MINIMUM IN GROUND

**DETAIL A - A**  
FRONT TRUSS CONNECTION AT SIDEWALL POLES

**EACH POLE 18" MINIMUM DIAMETER HOLE FILLED WITH CONCRETE**

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT OF WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.

**ENVIRONMENTAL PROGRAMS**

Approval of this site plan is given for BP #17-0328 for  
 20' x 40' pole barn & remove 134SF shed  
 Tax Map 26 Parcel 191 Lot A

HERRING CREEK

**FORESTRY:**

CRITICAL AREA: 206 3/31/17  
 Swapping lot coverage, no increase  
 WATER & SEWAGE: Kim D. Klump, LEHS  
 3/27/2017

Worcester County DDRP

Permit Number 17-0328

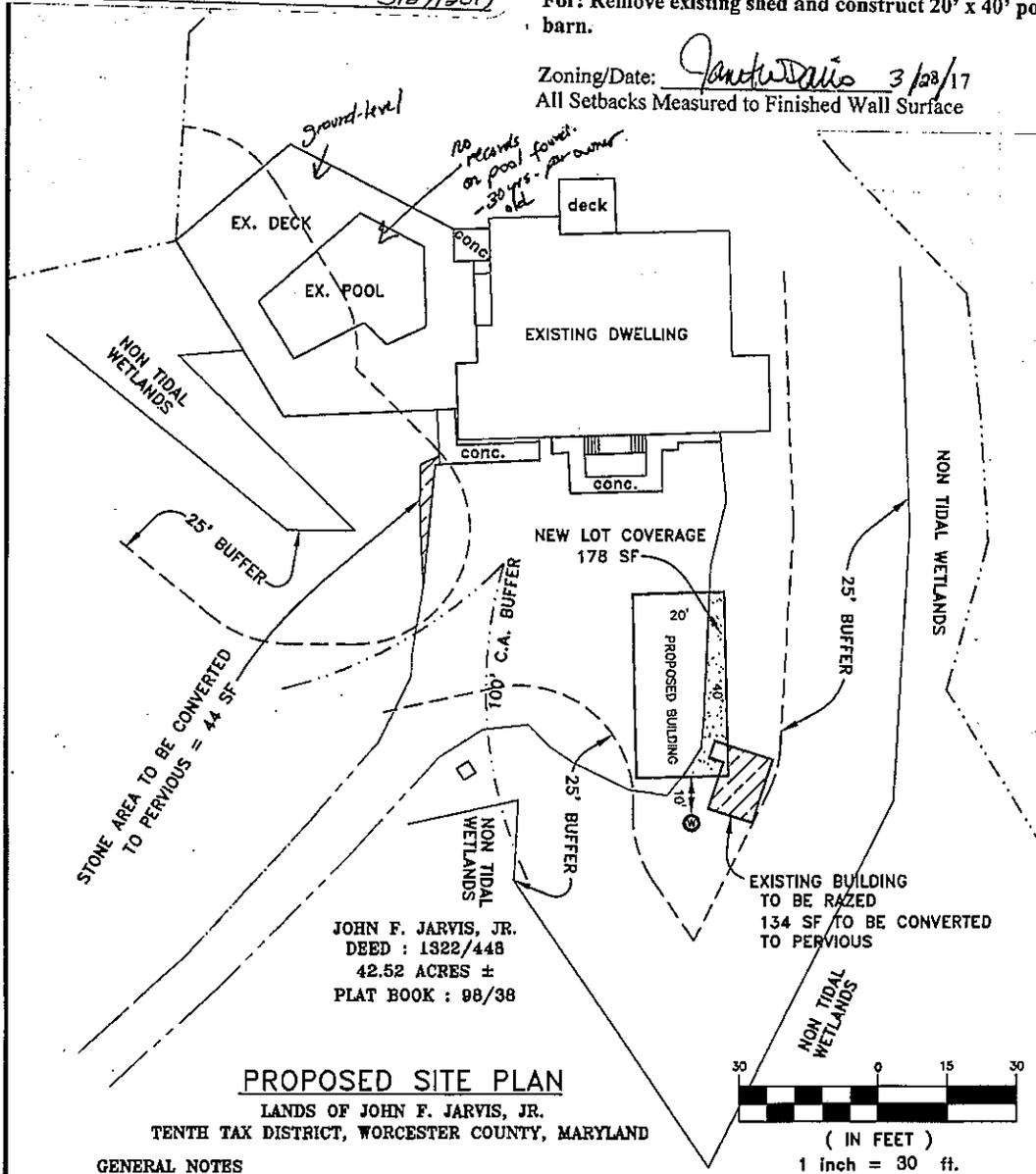
TM:26 P:191 L:A

Greenridge Lane Road

For: Remove existing shed and construct 20' x 40' pole barn.

Zoning/Date: Janet Davis 3/28/17

All Setbacks Measured to Finished Wall Surface



JOHN F. JARVIS, JR.  
 DEED : 1322/448  
 42.52 ACRES ±  
 PLAT BOOK : 98/38

**PROPOSED SITE PLAN**

LANDS OF JOHN F. JARVIS, JR.  
 TENTH TAX DISTRICT, WORCESTER COUNTY, MARYLAND

**GENERAL NOTES**

1. EX. ZONING: R-2  
 ZONING SETBACKS:  
 FRONT: 25', SIDES: 8', REAR: 30'
2. FLOOD ZONE: AE (BFE=5) PER FIRM  
 NO. 24047C0160H DATED 7-16-2015.
3. CRITICAL AREA : RESOURCE CONSERVATION AREA
4. P/O PARCEL 191 - TAX MAP 26 (PARCEL A)  
 TAX ACC'T. #10-277833
5. SITE ADDRESS : GREENRIDGE LANE RD., OCEAN CITY

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

SURVEYING · LAND PLANNING  
 10535 RACETRACK ROAD · BERLIN MARYLAND 21811  
 (410) 641-8553 · 641-8773

DRAWN BY F.G.L. JR.  
 FILE NO. 11562-17  
 DATE 3-27-2017

# ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name John Jarvis, Jr.		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. Greenridge Lane Road		Company NAIC Number:
City Ocean City	State Maryland	ZIP Code 21842
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Parcel 191 - Tax Map 26 - (Parcel A)		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Accessory Building</u>		
A5. Latitude/Longitude: Lat. <u>38° 19' 55"</u> Long. <u>75° 07' 48"</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983		
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>1 B</u>		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s) <u>800</u> sq ft		
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>2</u>		
c) Total net area of flood openings in A8.b <u>1,670</u> sq in		
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
A9. For a building with an attached garage:		
a) Square footage of attached garage <u>N/A</u> sq ft		
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____		
c) Total net area of flood openings in A9.b _____ sq in		
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No		

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number Worcester County 240083		B2. County Name Unincorporated area		B3. State Maryland	
B4. Map/Panel Number 24047 C 0160	B5. Suffix H	B6. FIRM Index Date 7-16-2015	B7. FIRM Panel Effective/ Revised Date 7-16-2015	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 5

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:  
 FIS Profile  FIRM  Community Determined  Other/Source: \_\_\_\_\_

B11. Indicate elevation datum used for BFE in Item B9:  NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?  Yes  No  
 Designation Date: \_\_\_\_\_  CBRS  OPA

23

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. Greenridge Lane Road			Policy Number:	
City Ocean City	State Maryland	ZIP Code 21842	Company NAIC Number	

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:     Construction Drawings\*     Building Under Construction\*     Finished Construction

\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized:   DOWNS   Vertical Datum:   NAVD 1988  

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929     NAVD 1988     Other/Source: \_\_\_\_\_

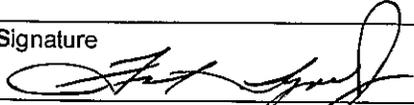
Datum used for building elevations must be the same as that used for the BFE.

		Check the measurement used.
a) Top of bottom floor (including basement, crawlspace, or enclosure floor) _____	4.3	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor _____	N/A	<input type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only) _____	N/A	<input type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab) _____	N/A	<input type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) _____	none	<input type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG) _____	3.6	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG) _____	3.9	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support _____	3.9	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?     Yes     No     Check here if attachments.

Certifier's Name Frank G. Lynch, Jr.	License Number Maryland #10782 Delaware #502
Title President	
Company Name Frank G. Lynch, Jr. & Associates, Inc.	
Address 10535 Racetrack Road	
City Berlin	State Maryland
	ZIP Code 21811
Signature 	Date 09/07/2017
	Telephone 410-641-5353



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

1. This certificate is strictly for the use of the building owner as named hereon.
2. See attached "Certificate of Engineered Flood Opening" for Model #1632C5 (two in building).

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# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. Greenridge Lane Road			Policy Number:	
City Ocean City	State Maryland	ZIP Code 21842	Company NAIC Number	

## SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

## SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name			
Address	City	State	ZIP Code
Signature	Date	Telephone	

Comments

Check here if attachments. 25



**ELEVATION CERTIFICATE**

**BUILDING PHOTOGRAPHS**

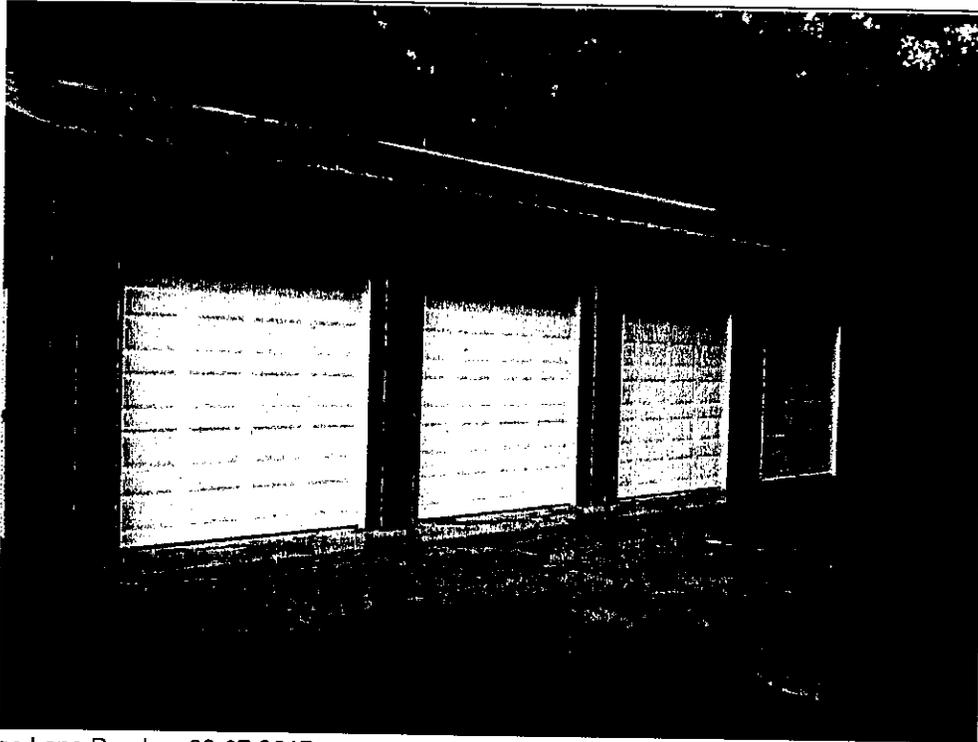
See Instructions for Item A6.

OMB No. 1660-0008

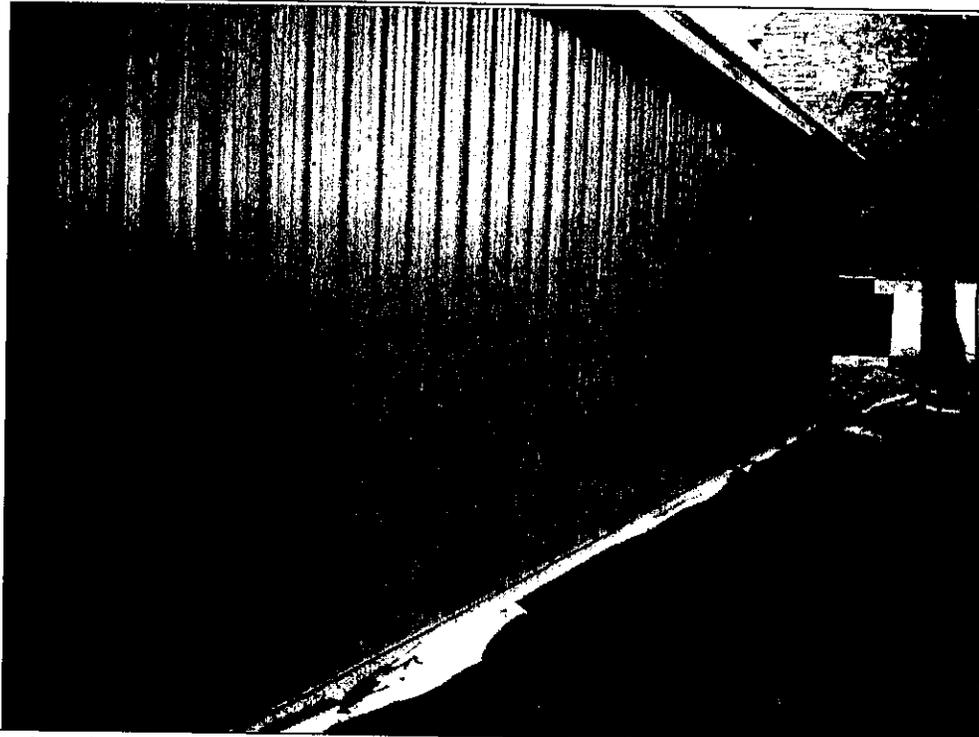
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. Greenridge Lane Road			Policy Number:
City Ocean City	State Maryland	ZIP Code 21842	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Front View of Greenridge Lane Road on 09-07-2017.



Rear View of Greenridge Lane Road on 09-07-2017.

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**ELEVATION CERTIFICATE**

**BUILDING PHOTOGRAPHS**

Continuation Page

OMB No. 1660-0008

Expiration Date: November 30, 2018

**IMPORTANT: In these spaces, copy the corresponding information from Section A.**

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.  
Greenridge Lane Road

**FOR INSURANCE COMPANY USE**

Policy Number:

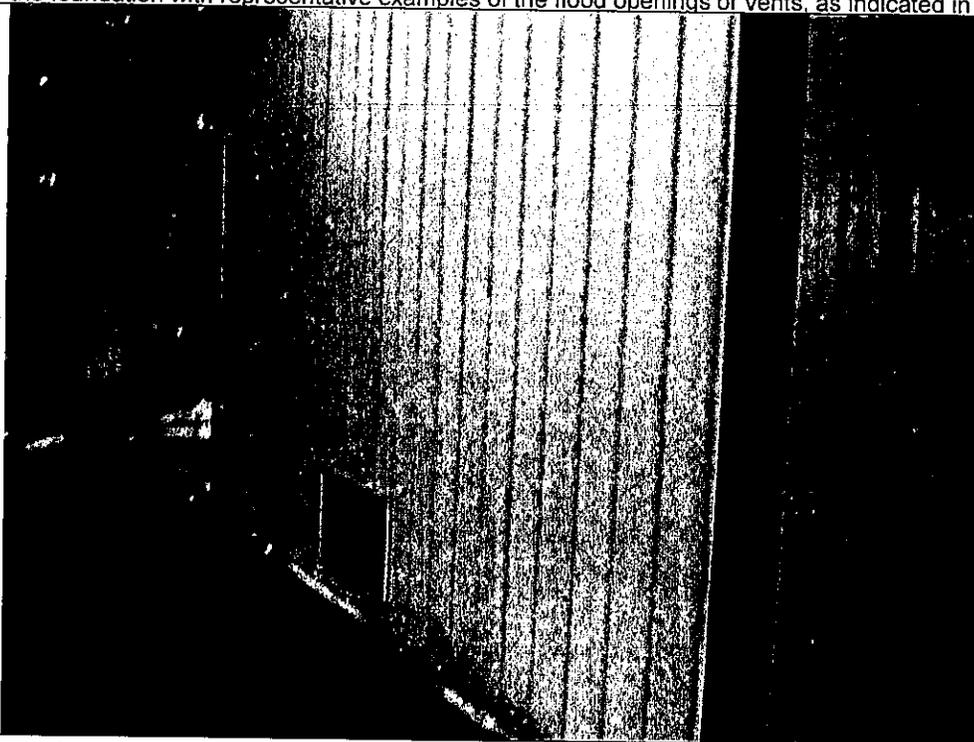
City  
Ocean City

State  
Maryland

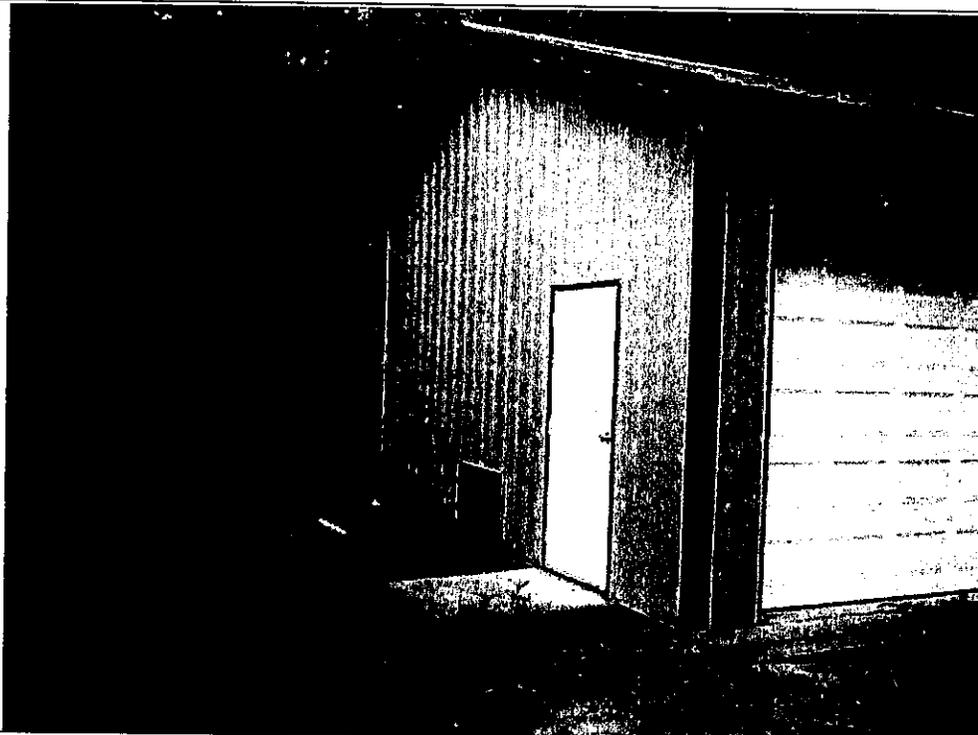
ZIP Code  
21842

Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Right Side View of Greenridge Lane Road on 09-07-2017.



Left Side View of Greenridge Lane Road on 09-07-2017.

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# Certification of Engineered Flood Openings

In accordance with NFIP, FEMA TB 1-08, and ASCE/SEI 24-05

I hereby certify that the **Crawl Space Door Systems flood vents 816CS, 1220CS, 1232CS, 1616CS, 1624CS, 1632CS, 2032CS, 2424CS, and 2436CS** are designed in accordance with the requirements of the NFIP "Flood Insurance Manual" (2011) to provide automatic equalization of hydrostatic flood forces by allowing for the entry and exit of floodwaters, when properly installed and sized as set forth below. This certification follows the design requirements and specifications established in FEMA Technical Bulletin 1-08, "Openings in Foundation Walls and Walls of Enclosures Below Elevated Buildings in Special Flood Hazard Areas", and the ASCE Standard for "Flood Resistant Design and Construction" (ASCE/SEI 24-05).

## Design Characteristics

Section 2.6.2.2 of ASCE 24 provides an equation to determine the required net area of engineered openings ( $A_o$ ) for a given enclosed area ( $A_e$ ). This equation is based on the hydraulic formula for the flow rate across sharp edged orifices. I have utilized this equation to calculate 1) the respected flow rate through the individual openings between louvers; 2) the flow rate through the main frame opening in case the louver is blown out during a flood event; and 3) the flow rate of water flowing through louver blades following hydraulic short tube theory. The ultimate maximum total enclosed area ( $A_e$ ) that can be serviced by a single vent has then been determined by utilizing the lowest flow rate of the three assessed scenarios for each vent and is listed in Table 1.

These values are based on the following assumptions:

- In absence of reliable data, the rates of rise and fall have been assumed with 5 feet/hour;
- The (maximum) difference between the exterior and interior floodwater levels has been assumed with 1 foot during base flood conditions;
- A factor of safety of 5 has been assumed, which is consistent with design practices related to protection of life and property;
- The net area of openings ( $A_o$ ) as provided by the manufacturer.

*)	Model	H x W [in]	$A_o$ [in <sup>2</sup> ]	$A_e$ [ft <sup>2</sup> ]
<input type="checkbox"/>	816CS	8 x 16	105	205
<input type="checkbox"/>	1220CS	12 x 20	235	500
<input type="checkbox"/>	1232CS	12 x 32	305	645
<input type="checkbox"/>	1616CS	16 x 16	180	395
<input type="checkbox"/>	1624CS	16 x 24	310	670
<input type="checkbox"/>	1632CS	16 x 32	405	895
<input type="checkbox"/>	2032CS	20 x 32	630	1240
<input type="checkbox"/>	2424CS	24 x 24	570	1230
<input type="checkbox"/>	2436CS	24 x 36	850	1765

Table 1 Maximal total enclosed area ( $A_e$ ) that can be served by each individual model based on the given net area of engineered openings ( $A_o$ )

## Installation Requirements and Limitations

This certification will be voided if the following installation requirements and limitations are not enforced:

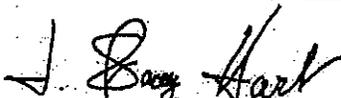
- There shall be a minimum of two openings on different sides of each enclosed area;
- The bottom of each required opening shall be no more than 1ft above the adjacent ground level;
- No temporary (e.g. during cold weather) or permanent solid cover may be placed into or over the flood vent that would block the automatic entry or exit of floodwaters at any time;
- Where analysis indicates rates of rise and fall greater than 5 ft/hr, the total enclosed area as given in Table 1 shall be reduced accordingly to account for the higher rates of rise and fall.

## Identification of the Building and Installed Flood Vents

The flood vent models marked in Table 1\*) are being installed at the following building:

Building Address

## Certifying Design Professional

Name	J. Stacey Hart		
Title	President, J. Stacey Hart & Associates, Inc.		
Address	PO Box 6, Snow Hill, MD 21863		
Type of License	Professional Engineer	01/17/2014	
License #	22798	Signature:	
Issuing State	Maryland		



§ BR 2-307. Variances.

(a) General. The County Commissioners of Worcester County, Maryland shall have the power to consider and authorize or deny variances from the strict application of the requirements of these regulations. A variance shall be approved only if it is determined to not be contrary to the public interest and where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in an unnecessary hardship. Upon consideration of the purposes of these regulations, the individual circumstances, and the considerations and limitations of this section, the County Commissioners may attach such conditions to variances as they deem necessary to further the purpose of these regulations. The County Commissioners shall notify, in writing, any applicant to whom a variance is granted to construct or substantially improve a building or structure with its lowest floor below the elevation required by these regulations that the variance is to the floodplain management requirements of these regulations only and that the cost of federal flood insurance will be commensurate with the increased risk, with rates up to twenty-five dollars per one hundred dollars of insurance coverage. A record of all variance actions, including justification for issuance, shall be maintained pursuant to § BR 2-303(b)(11).

(b) Application for a variance.

- (1) The owner of property, or the owner's authorized agent, for which a variance is sought shall submit an application for a variance to the Floodplain Administrator.
- (2) At a minimum, the application shall contain the following information: name, address, and telephone number of the applicant and property owner; legal description of the property; parcel map; description of the existing use; description of the proposed use; site map showing the location of flood hazard areas, designated floodway boundaries, flood zones, base flood elevations, and flood protection setbacks; description of the variance sought; and reason for the variance request. Variance applications shall specifically address each of the considerations in § BR 2-307(c).
- (3) If the application is for a variance to allow the lowest floor (A Zones) or bottom of the lowest horizontal structural member (V Zones and Coastal A Zones) of a building or structure below the applicable minimum elevation required by these regulations, the application shall include a statement signed by the owner that, if granted, the conditions of the variance shall be recorded on the deed of the property.

(c) Considerations for variances. The Floodplain Administrator shall request comments on variance applications from the Maryland Department of the Environment (National Flood Insurance Program State Coordinator) and shall provide such comments to the County Commissioners. In considering variance applications, the County Commissioners shall consider and make findings of fact on all evaluations, all relevant factors, requirements specified in other sections of these regulations, and the following factors:

- (1) The danger that materials may be swept onto other lands to the injury of others.
- (2) The danger to life and property due to flooding or erosion damage.

- (3) The susceptibility of the proposed development and its contents (if applicable) to flood damage and the effect of such damage on the individual owner.
- (4) The importance of the services to the community provided by the proposed development.
- (5) The availability of alternative locations for the proposed use which are not subject to, or are subject to less, flooding or erosion damage.
- (6) The necessity to the facility of a waterfront location, where applicable, or if the facility is a functionally dependent use.
- (7) The compatibility of the proposed use with existing and anticipated development.
- (8) The relationship of the proposed use to the Comprehensive Plan and Hazard Mitigation Plan for that area.
- (9) The safety of access to the property in times of flood for passenger vehicles and emergency vehicles.
- (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
- (11) The costs of providing government services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (12) The comments provided by the Maryland Department of the Environment (National Flood Insurance Program State Coordinator).

(d) Limitations for granting variances. The County Commissioners of Worcester County, Maryland shall make an affirmative decision on a variance request only upon:

- (1) A showing of good and sufficient cause. Good and sufficient cause deals solely with the physical characteristics of the property and cannot be based on the character of the improvement, the personal characteristics of the owner/inhabitants, or local provision that regulates standards other than health and public safety.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.
- (3) A determination that the granting of a variance for development within any designated floodway, or flood hazard area with base flood elevations but no designated floodway, will not result in increased flood heights beyond that which is allowed in these regulations.
- (4) A determination that the granting of a variance will not result in additional threats to public safety, extraordinary public expense, nuisances, fraud or victimization of the public, or conflict with existing laws.

- (5) A determination that the building, structure or other development is protected by methods that minimize flood damages.
- (6) A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

**§ BR 2-308. Enforcement.****(a) Compliance required.**

- (1) No building, structure or development shall hereafter be located, erected, constructed, reconstructed, improved, repaired, extended, converted, enlarged or altered without full compliance with these regulations and all other applicable regulations.
- (2) Failure to obtain a permit shall be a violation of these regulations and shall be subject to penalties in accordance with § BR 2-309.
- (3) Permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the specific activities set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction of such specific activities that are contrary to that authorization shall be deemed a violation of these regulations.

**(b) Notice of violation and stop-work order.** If the Floodplain Administrator determines that there has been a violation of any provision of these regulations, the Floodplain Administrator shall give notice of such violation to the owner, the owner's authorized agent, and the person responsible for such violation, and may issue a stop-work order. The notice of violation or stop-work order shall be in writing and shall:

- (1) Include a list of violations, referring to the section or sections of these regulations that have been violated;
- (2) Order remedial action which, if taken, will effect compliance with the provisions of these regulations;
- (3) Specify a reasonable period of time to correct the violation;
- (4) Advise the recipients of the right to appeal; and
- (5) Be served in person; or
- (6) Be posted in a conspicuous place in or on the property and sent by registered or certified mail to the last known mailing address, residence, or place of business of the recipients.

**§ BR 2-309. Violations and penalties.**

- (a) Violations. Any person who violates any provision of this Subtitle is guilty of a misdemeanor, and, upon conviction in a court of competent jurisdiction, is subject to a



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

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

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

Note: Also consider  
rescheduling second meeting  
in October to October 23

To: Harold Higgins, Chief Administrative Officer  
From: Maureen Howarth, County Attorney *MH*  
Re: Out of State Travel  
Date: June 12, 2018

I am requesting permission for out of state travel to Houston, Texas for the International Municipal Lawyers Association annual conference. The costs for the trip were included in our office's budget for FY 19. The conference begins on October 16<sup>th</sup> and ends on October 21<sup>st</sup>. The tentative program agenda is attached. The conference is geared toward county and municipal attorneys. I have attended the conference in previous years and found the work sessions to be very valuable and wide ranging in topic. Participating in continuing education is of upmost importance as the field of local government law is diverse.

Estimated cost for the conference:

Registration	\$825
Lodging	\$1,150 (5 nights)
Flight	\$400
Meals	\$295 (GSA rate for Houston \$59)
Fuel/BWI	\$130
Parking &Tolls	\$40
Transportation	\$100 (to and from airport)
Total	\$2,940

Funds are available within account 100.1001.6510.020 (\$2,940). If you have any questions, please let me know. Thank you for your consideration of my request.



# 83rd Annual Conference

October 17-21, 2018 - Houston, TX

TENATATIVE and Subject to Change

## Wednesday, October 17th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:15PM		Registration		
8:30AM to 12:00PM		BOD Breakfast / Meeting		
8:30AM to 4:45PM	CODE	Code Program	See Full Schedule Below.	
8:30AM to 5:00PM	ILGL	ILGL Program	See Full Schedule Below.	
2:00PM to 3:00PM		Large Population Meeting		TBD
3:15PM to 4:45PM		State League		TBD
5:00PM to 6:00PM		State League Reception	The meeting will include a presentation on the legislative push that the telecommunications industry is making to preempt local governments' ability to regulate the rights of way as well as other issues arising involving preemption in state legislatures that would benefit from a lobbying focus.	TBD

# Thursday, October 18th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:30PM		Registration		
7:30AM to 8:30AM		Past President Breakfast		
8:30AM to 12:00PM	CODE	Code Program	See Full Schedule Below.	
9:00AM to 10:30AM		Work Session: Disruptive Technology	This presentation will explore emerging disruptive technology issues like dockless bikes and scooters among others.	Dana Cuberson
9:00AM to 10:30AM		Municipal Finance: SEC Update		Robert Doty
10:30AM to 10:45AM		Coffee Break		
10:45AM to 12:15PM		Looking in the Rearview Mirror on the Costliest Natural Disaster Year in US History	Panel discussion on lessons learned - This panel will discuss lessons learned on their pre and post recovery efforts, resilience endeavors, best practices and trends moving forward.	Mary Beth Coburn, Catherine Ures & Robin Jackson
10:45AM to 12:15PM		Construction Contracts Drafting Initiative		Doug Black
12:00PM to 2:00PM		Lunch on your own		
2:00PM to 3:00PM		Challenges at your Local Government Council Meeting: From the Elected Official to Disruptive Speakers	The first presenter will focus on when the elected official is the problem. This presentation will offer insight into how to deal with, diffuse, and manage contentious relationships among elected officials. The second presenter will pivot to the issue of disruptive speakers at local government council meetings.	Christopher Balch & Valerie Flores
2:00PM to 3:00PM		Telecommunications – an overview of federal law for Municipalities: Funding Opportunities; Infrastructure; Spectrum		Albert Catalano & Wes Wright
2:00PM to 3:00PM		Substance Abuse / Mental Health Presentation		TBD
2:00PM to 3:00PM		Rural Communities / Small Communities Presentation		TBD <b>Moderator:</b> Douglas Haney
2:00PM to 3:00PM		Insurance Coverage Checklist		TBD
2:00PM to 3:00PM		Litigation Topic		Alana Rotter & Nancy Olson

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
2:00PM to 3:00PM		AI in Legal: The Role of Data and Domain Expertise	Artificial Intelligence applications start with data. AI requires a combination of domain expertise, content, and technical expertise. This session, led by a Research Director on Thomson Reuters' R&D team, will explore the types of data that go into AI systems, and the importance of legal domain knowledge in leveraging that data.	Tonya Custis
2:00PM to 3:00PM		Stormwater & Wastewater Update	Municipalities have been facing increasingly difficult challenges in managing stormwater, wastewater, and sewage sludge from wastewater treatment plants. At the same time, enforcement of environmental regulations against municipalities is becoming more common and, in some cases, can result in dramatic civil penalties. This session will provide an overview of the regulatory programs, trends, and enforcement in the areas of municipal stormwater, combined sewers, disposal and use of sewage sludge and biosolids, and other related issues, including how municipalities can minimize their exposure to enforcement.	Scott Gould, Ade Bakare & Steve Matzura
3:00PM to 3:15PM		Coffee Break		
3:15PM to 4:15PM		Challenges at your Local Government Council Meeting: From the Elected Official to Disruptive Speakers	The first presenter will focus on when the elected official is the problem. This presentation will offer insight into how to deal with, diffuse, and manage contentious relationships among elected officials. The second presenter will pivot to the issue of disruptive speakers at local government council meetings.	Christopher Balch & Valerie Flores
3:15PM to 4:15PM		Telecommunications – an overview of federal law for Municipalities: Funding Opportunities; Infrastructure; Spectrum		Albert Catalano & Wes Wright
3:15PM to 4:15PM		Substance Abuse / Mental Health Presentation		TBD
3:15PM to 4:15PM		Rural Communities / Small Communities Presentation		TBD <b>Moderator:</b> Douglas Haney
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3:15PM to 4:15PM		Litigation topic		Alana Rotter & Nancy Olson

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
3:15PM to 4:15PM		AI in Legal: The Role of Data and Domain Expertise	Artificial Intelligence applications start with data. AI requires a combination of domain expertise, content, and technical expertise. This session, led by a Research Director on Thomson Reuters' R&D team, will explore the types of data that go into AI systems, and the importance of legal domain knowledge in leveraging that data.	Tonya Custis
3:15PM to 4:15PM		Stormwater & Wastewater Update	Municipalities have been facing increasingly difficult challenges in managing stormwater, wastewater, and sewage sludge from wastewater treatment plants. At the same time, enforcement of environmental regulations against municipalities is becoming more common and, in some cases, can result in dramatic civil penalties. This session will provide an overview of the regulatory programs, trends, and enforcement in the areas of municipal stormwater, combined sewers, disposal and use of sewage sludge and biosolids, and other related issues, including how municipalities can minimize their exposure to enforcement.	Scott Gould, Ade Bakare & Steve Matzura
		Welcome Reception		

# Friday, October 19th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:00AM to 5:15PM		Registration		
7:00AM to 8:00AM		State Breakfast		
8:00AM to 8:45AM		Opening Ceremonies		
8:00AM to 5:30PM	TCAA	TCAA Program	See Full Schedule Below	
8:45AM to 5:00PM	Canada	Canadian Day	See Full Schedule Below	
8:45AM to 10:15AM		Powering your Community: Municipal Legal issues in the age of Renewable Energy Generation and Sustainability	The program will be a primer for municipal practitioners in areas where development of local renewable energy facilities, through P3 contracts, host community agreements, net metering or power purchase agreements impacts or involves local municipal counsel. The program will introduce concepts such as community aggregation, net metering, renewable portfolio standard programs that impact development of local projects, understanding federal and state energy policy that impact development of local facilities, and how to protect municipalities when structuring deals with project developers, including a "traps for the unwary" checklist. A case study of a municipal renewable solar energy development on brownfields site will be presented.	Steven Torres & Louise Seeba
8:45AM to 10:15AM		Homelessness		Andrea Barraclough
10:15AM to 10:30AM		Coffee Break		
10:30AM to TBD		Nominating Committee Meeting		
10:30AM to 12:00PM		Telecommunications - Managing Rights-of-Way: The New Hub for Wireless, Internet of Things and Smart City Applications		Gerard Lederer, Joseph Van Eaton & Gail Karish
10:30AM to 12:00PM		First Amendment Work Session		TBD
12:00PM to 1:30PM		Luncheon: Rhyne Award / Keynote		
1:35PM to 2:35PM		Employment Law: Hiring Checklist		TBD
1:35PM to 2:35PM		Justice Department Oversight of Local Governments		John Hessel & Apollo Carey

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
1:35PM to 2:35PM		How to Overhaul your Solid Waste Franchise Agreement	China has significantly limited the mixed recycling it will accept from the United States. With the imposition of tariffs, this situation is constantly changing. On the west coast, China's rejection of mixed recycling has had a huge impact on local governments managing solid waste and recycling franchises. The rest of the country faces different challenges with these agreements. The first presenter will discuss: (1) considerations in negotiating a franchise agreement (including a 50 state survey of statutes regarding solid waste franchises) and (2) the changing recycling market and how local jurisdictions can approach this issue with flexibility and nimbleness.	Amanda Guile-Hinman
2:40PM to 3:40 PM		Litigation Section Meeting		<b>Chairs:</b> Timothy Coates & Patricia Beety
2:40PM to 3:40 PM		University Cities Meeting		<b>Chair:</b> Michael May
2:40PM to 3:40 PM		Employment Law Section Meeting: Diversifying the Public-Safety Sector: A practical approach to incorporating under-represented groups into fire departments and law enforcement organizations	This will be a collaborative presentation about the realities of diversifying organizations that have historically struggled with inclusiveness. In addition to covering the laws that affect workplace diversity, there will be a discussion about real-world successes and challenges, as well as practical tips for creating and maintaining more diverse public-safety departments.	Kelly Albin & Deidra Sullivan <b>Chairs:</b> Robin Cross & Lindsay Rose
2:40PM to 3:40 PM		Telecommunications Section Meeting		<b>Chairs:</b> Michael Watza & Daniel White
2:40PM to 3:40 PM		International Committee Meeting		<b>Chair:</b> Benjamin Griffith
2:40PM to 3:40 PM		Concurrent Presentation TBD		TBD
3:40PM to 3:55 PM		Coffee Break		
3:55PM to 4:55PM		Land Use Section Meeting		<b>Chairs:</b> Susan Trevarhten, ulian Grant & Ron Shaver

<b>TIME</b>	<b>TRACK</b>	<b>TITLE</b>	<b>DESCRIPTION</b>	<b>SPEAKERS</b>
3:55PM to 4:55PM		Finance / Economic Development Section Meeting	The first presentation will focus on how to approach the bankruptcy of a large business receiving economic development funds from a city.	Miles Riley <b>Chairs:</b> Robert Doty, Julian Grant & George Hypolite
3:55PM to 4:55PM		Environmental Law Section Meeting: Too Many Environmental Problems, Too Little Time: Tips on Handling Environmental Liability in Transactions and Litigation		<b>Chair:</b> Gene Tanaka & Michelle Butlin
3:55PM to 4:55PM		Technology Section Meeting		<b>Chairs:</b> Peter Haskel & Chris Weema
3:55PM to 4:55PM		County Department Meeting		<b>Chair:</b> Marc Hansen
3:55PM to 4:55PM		General Government Section Meeting		<b>Chairs:</b> Glenn Gimbut & Alecia Mayberry Mosadomi
5:00PM to 5:45PM		Listserv Meeting		TBD

# Saturday, October 20th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:15PM		Registration		
7:45AM to 9:00AM		WONK Breakfast		
9:00AM to 10:30AM		Local Governments and the Opioid Crisis	The national opioid epidemic has impacted virtually every city, town and county across the country, taking lives, destroying careers and costing localities billions of dollars in medical, social services, workers compensation, insurance and law enforcement expense. As of May 2018, an estimated 1000 municipalities have filed against the opioid manufacturers, distributors, prescribers and purveyors—with many more still assessing the best response. This panel will discuss the opioid litigation including the relative merits of filing in-state or in the National Prescription Opiate MDL, the current status of the litigation, and some of the remedial efforts that state and local governments are undertaking to address the crisis.	Aelish Baig <b>Moderator:</b> Erich Eiselt
9:00AM to 10:30AM		Land Use: Fair Housing Act		Brian Connolly
10:30AM to 10:45AM		Coffee Break		
10:45AM to 12:15PM		Social Media and Local Governments: Issues for Elected Officials and Policy Issues for Local Governments Own Use	The first part of this presentation will be focused on First Amendment and transparency issues with government social media, including redacting comments, limiting links, candidate social media, and public access and archiving.	Frayda Bluestein & Leo Rogers
10:45AM to 12:15PM		Employment Law: Handling Complaints of Harassment in the "Me Too" Era and Workplace Investigations		TBD
12:15PM to 2:00PM		Lunch		
2:00PM to 5:00PM		Land Use / Mobile Workshops		TBD
2:00PM to 5:00PM	CODE	Code Mobile Workshop		

## Sunday, October 21st, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:45AM to 12:10PM		Registration		TBD
8:00AM to 8:45AM		Business Meeting		TBD
8:45AM to 9:45AM		Work Session TBD		TBD
9:45AM to 10:00AM		Coffee Break		TBD
10:00AM to 11:00AM		Case Law Update		Douglas Haney
11:05AM to 12:05PM		Ethics: Scandal - How to be a Real Life Municipal Gladiator	Presenters will use recent examples to demonstrate the municipal attorney's responsibilities to government officials and employees under investigation or indictment for criminal offenses. Presenters will provide a road map for dealing with public officials, the community and media during the crisis. Additionally, presenters will provide the legal framework of the ABA Model Rules of Professional Conduct, constitutional law, and the interplay of criminal procedure and local disciplinary rules of professional conduct.	Leah Hayes & Akilah Mance

## TCAA Program

### Friday, October 19, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 9:15AM	TCAA	Welcome and Opening Remarks		Dotty Palumbo
9:15AM to 9:45AM	TCAA	Service Animals	An overview of Texas and Federal Law regarding accommodation of Assistance or Service Animal in Public Places. Includes basic legal definitions and a summary of required modifications and methods of treatment of animals and their owners.	Mick McKamie
9:45 AM to 10:15AM	TCAA	ADA Facility Compliance – What to do When the Feds Come Knocking		Ryan Henry
10:30AM to 11:00AM	TCAA	Public Information Act: How to Effectively Intake, Process, and Respond to Requests		Ryan Mitchell
11:00AM to 11:30AM	TCAA	Political Hot Topics in Land Use (Confederate Monuments, Street Naming, Affordable Housing, Etc.)		Terry Welch
11:30AM to 12:00PM	TCAA	Recent Federal Cases of Interest to Cities		Randy Montgomery
1:55PM to 2:10PM	TCAA	Business Meeting	Election of TCAA Officers and Passing of the Gavel	
2:10PM to 2:40PM	TCAA	Top Employment Law Challenges in the Workplace		Victoria Huynh
2:40PM to 3:10PM	TCAA	“Like” it or Not: Developing Social Media Guidelines for City Employees		Mari McGowan
3:10PM to 3:40PM	TCAA	Legislative Forecast		Scott Houston
3:55PM to 4:25PM	TCAA	A Legal Perspective on City Efforts to Create Innovation-friendly Environments for Entrepreneurs and Startups		Lisa Mares
4:25PM to 5:25	TCAA	Anti-Slapp Suits		Derra Purnell

**ILGL Program**  
**Institute For Local Government Lawyers**  
**Wednesday, October 17, 2018**

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM	ILGL	Registration Opens		
8:30AM to 8:45AM	ILGL	Opening Remarks		TBD
8:45AM to 9:30AM	ILGL	Sunshine Laws - Key Concepts and Hot Topics		TBD
9:40AM to 10:40AM	ILGL	Parliamentary Procedure		TBD
10:40AM to 10:55AM	ILGL	Coffee Break		
10:55AM to 11:40AM	ILGL	Fundamentals of Municipal Finance and Borrowing		TBD
11:40AM to 11:45AM	ILGL	Morning Program Evaluations		
11:45AM to 12:45PM	ILGL	Lunch Break		
12:45PM to 1:30PM	ILGL	Land Use 101		TBD
1:40PM to 2:25PM	ILGL	Personnel and Employment Law		TBD
2:25PM to 2:40PM	ILGL	Coffee Break		
2:40PM-3:40PM	ILGL	Ethics		TBD
3:50PM to 4:50PM	ILGL	Negotiations		TBD
4:50PM to 5:00PM	ILGL	Afternoon Program Evaluations		
5:00PM	ILGL	Finish		



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

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

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

June 8, 2018

TO: Worcester County Commissioners  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*  
On Behalf Of Worcester County Sewer Committee  
SUBJECT: Request for Allocation of EDUs for Stockyard Inc. Properties

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Please be advised that on May 8, 2018 we received a completed and corrected application from Stockyard Inc. (Owners, Pete and Royette Shepherd) for the allocation of nine (9) equivalent dwelling units (EDUs) of sanitary sewer service from the Mystic Harbour Sanitary Service Area (SSA) to serve the proposed Hooper's Shopping Plaza adjacent to Hooper's Crab House in West Ocean City. The subject property is identified on Tax Map 27 as Parcels 569 and 587. The request was subsequently reviewed by the Worcester County Sewer Committee at our meeting on June 7, 2018. On behalf of the committee, I offer the following staff report for your consideration with regard to this request:

**Summary of Request:** Stockyard Inc. is requesting to purchase 9 EDUs of sanitary sewer service from the Mystic Harbour SSA to serve the subject properties which are proposed for the development of a shopping plaza (primarily on parcel 587). The applicant will also be required to connect to the Mystic Harbour water system if the sewer EDUs are allocated to this project. The subject properties are located on the north side of Ocean Gateway (U.S. Route 50) just west of Hooper's Crab House at the foot of the Harry W. Kelley Memorial Bridge into Ocean City, are approximately 4.18 acres in area (Parcel 569 is 2.25 acres and Parcel 587 is 1.93 acres), currently zoned C-2 General Commercial, and are designated S-1 in the County Water and Sewerage Plan which indicates an area of existing or planned sewer service to be built within 2-years, but does not guarantee any service or obligate the provision of services in that time frame. These properties lie within the overlay district in both the Mystic Harbour SSA and the West Ocean City SSA. The subject area is currently unimproved and is utilized for overflow parking and special events for Hooper's Crab House which is located on Parcel 569.

The current site plan for the proposed Hooper's Shopping Plaza indicates a 53 seat coffee house (with a design flow estimation of 1,325 gallons per day (gpd)), 12,811 square feet of retail space (641 gpd), and 7,999 square feet of office space (719 gpd) for total estimated flow of 2,685 gpd. At a rate of 300 gallons per day per EDU and since we round up to determine EDUs required, in order to serve the proposed Hooper's Shopping Plaza, a total of 9 EDU's are required.

**Previous Allocation of EDUs to this Property:** Please note that while there are currently no Mystic Harbour SSA EDU's allocated to these properties, Parcel 569 has an allocation of thirty-eight (38) sewer EDU's from the West Ocean City SSA to serve Hooper's Crab House. The Sewer Committee suggests that a boundary line adjustment, or some other similar legally binding agreement, be required of the applicant to separate the proposed shopping plaza on parcel 587 from Hooper's Crab House on parcel 569, and specifically to memorialize that the allocation of EDUs from the Mystic Harbour SSA are assigned to parcel 587 while the EDUs from the West Ocean City SSA will remain on parcel 569 to serve Hooper's Crab House.

**Current Available Capacity - North:** There are currently 294 EDUs allocated in Area 1 (north of the airport), in which the subject property is located, which have not yet been purchased. These remaining EDUs have been allocated for the following uses: Infill and Intensification (148 EDUs), Vacant or Multi-Lot properties (80 EDUs), Single Family Dwellings (17 EDUs), and Commercial (49 EDUs). Given the nature of this request and the current zoning of the property, we suggest that the "Commercial" allocation would be the most appropriate category from which to consider assigning these EDUs. Granting 9 EDU's from the "Commercial" allocation for Stockyard, Inc. would require allocating 3% (9 of 294) of the total remaining EDU's in Area 1 and 18% (9 of 49) of the remaining "Commercial" EDU's in the Mystic Harbour SSA.

**Background on Original Allocation of New Sewer Capacity in Mystic Harbour:** The expansion of the Mystic Harbour WWTP and funding from USDA in 2008 was predicated upon the need for infill and intensification of properties along the Route 50 commercial corridor and vicinity, service to vacant or multi-lot properties, single family dwellings converting from septic systems to public sewer, and commercial properties. The Worcester County Planning Commission recommended a rating system to rank priority allocations of the additional EDUs with highest priority to (1) infill lots, (2) expansion of existing facilities, (3) replacement of septic tanks, and (4) new developments. This request appears to be in keeping with priority 1 above since it will result in infill of these undeveloped properties in West Ocean City.

**Options for Commissioners' Action on the Request:**

Option 1 - Approve the request for allocation of 9 EDUs of sewer service from Area 1 (North) of the Mystic Harbour SSA to serve the Stockyard Inc. properties, with EDU's allocated from the "Commercial" category, and a required boundary line adjustment or other legal agreement to specify that the EDUs shall serve the shopping center.

Option 2 - Approve a portion of the request for 9 EDU's of sewer service from Area 1 (North) of the Mystic Harbour SSA to serve the Stockyard Inc. properties, with EDU's allocated from the "Commercial" category or from another of the available categories as follows:

- **Area 1 (north):** 148 EDUs - Infill and Intensification
- 80 EDUs - Vacant or Multi-Lot properties
- 17 EDUs - Single Family Dwellings
- 49 EDUs - Commercial

Option 3 - Deny the request for 9 EDUs of sewer service from the Mystic Harbour SSA to serve the Stockyard Inc. properties.

The Sewer Committee will be available to answer any questions which you may have with regard to this application in order for you to make the most informed decision on this request.

**Allocation of Sewer EDUs in Mystic Harbour Sanitary Service Area (New Capacity as of 4/17/18)**

<b>North of Airport, North of Antique Road, East and West of Route 611 - "Area 1"</b>	<b>Original Allocation</b>	<b>Current Adjusted Allocation</b>	<b>Sold and In Service</b>	<b>Sold and Not In Service</b>	<b>Remaining Allocation</b>	<b>Footnotes</b>
Infill and Intensification of Properties in "Area 1"	154	148	0	0	148	3
Vacant or Multi-lot Properties in "Area 1"	80	80	0	0	80	
Single Family Dwellings	17	17	0	0	17	
Commercial Properties in "Area 1"	80	80	0	31	49	4, 5, 7, 8
<b>Subtotal EDUs in "Area 1"</b>	<b>331</b>	<b>325</b>	<b>0</b>	<b>31</b>	<b>294</b>	
<b>Airport and South of Airport, East of Route 611 - "Area 2"</b>						
Commercial Infill South of Airport	20	20	0	0	20	
Vacant or Multi-lot Properties	4	4	0	2	2	6
Assateague Greens Executive Golf Course/Range-9-holes	6	6	0	0	6	
Ocean City Airport, Clubhouse and Humane Society	32	32	32		0	1
Church	5	5	0	0	5	
Single Family Dwellings	20	20	0	1	19	9
Castaways Campground	88	88	88		0	2
Frontier Town Campground	130	166	0	166	0	3
Commercial Portion of Frontier Town Campground	30	0			0	
<b>Subtotal EDUs in "Area 2"</b>	<b>335</b>	<b>341</b>	<b>120</b>	<b>169</b>	<b>52</b>	
<b>TOTAL EDUs</b>	<b>666</b>	<b>666</b>	<b>120</b>	<b>200</b>	<b>346</b>	

Note: See attached map for location of EDU allocations

Footnotes:

- 1 - Transferred 32 EDUs to Town of Ocean City on June 3, 2014 as part of the Eagles Landing Spray Irrigation MOU.
- 2 - Sold 88 EDUs to Castaways Campground on July 3, 2014.
- 3 - Sold 166 EDUs to Frontier Town Campground on March 30, 2017 by transferring 30 EDUs from Frontier Town Commercial allocation and 6 EDUs from "infill and intensification of properties in Area 1" allocation as agreed by Commissioners on September 19, 2017.
- 4 - Sold 14 EDUs to Park Place on May 16, 2017.
- 5 - Hampton Inn bought 40 EDUs from Mitch Parker and bought an additional 13 EDUs from the County on August 28, 2017.
- 6 - Approved the sale of 2 EDU's to Victor H. Birch Property on March 20, 2018.
- 7 - Approved the sale of 1 EDU to Eugene Parker Trust Property on April 3, 2018.
- 8 - Approved the sale of 3 EDU's to L & B Ocean City, LLC Properties on April 3, 2018.
- 9 - Approved the sale of 1 EDU to Michael Jay Deem Property on April 17, 2018.

Worcester County - Department of Public Works - Water and Wastewater Division  
Mystic Harbour Sewer Service Application

Name: Stockyard Inc (owner name)  
West Side 50 (shopping center name) Date: 4.30.2018

Mailing address: 12913 Ocean Gateway Ocean City, MD

Address of service location: 12913 per Keynote Ocean Gateway Dr. 21842

Property identification (acct# & map/parcel): RED FOR 00739/00212 Parcel 0568

Type of project (circle one below):  
Single Family Minor Site Plan Major Site Plan Residential Planned Community  
Map 27  
Acct# 10-016649

Type of service requested (circle one): Residential Commercial

If commercial, list type of business, square footage and number of seats in restaurant (if applicable):

MULTIPLE BUSINESSES INCLUDING OFFICE SHOP

EDU's/gallons assigned to property: 0 EDU's to be purchased: 9.0

If developer new construction, will you be providing the meter (circle one): Yes No N/A

Name & license number of licensed plumber providing connection from meter to building:  
TOP

Name & phone number of person in contact with regards to this application/account:  
Harriet Boyette Shepherd 239-227-1181

Signature: [Signature] Date: 4.30.2018

RECEIVED  
APR 30 2018  
Worcester County Treasurer  
Clerk [Signature]

- Attachments required to be submitted with application:
- Single Family- Copy of permit application.
  - Minor Site Plans- Copy of TRC report or documentation of administrative waiver.
  - Major Site Plans- Copy of TRC report.
  - Residential Planned Community- Copy of Planning Commission's findings/recommendation for Step 1.

NOTICE: Please review attached Resolution No. 17-19 which details the EDU allocation process and the time frame in which the EDUs must be utilized or returned to the County for future allocation and utilization. If mains are to be installed by applicant a separate "Small Sewer and Water Project Agreement" will be required.

OFFICE USE ONLY:

Date received: 4/30/18 By: Jessica Wilson

Environmental Programs approval: \_\_\_\_\_ Date: \_\_\_\_\_

Treasurer's Office approval: \_\_\_\_\_ Date: \_\_\_\_\_

Public Work's approval: \_\_\_\_\_ Date: \_\_\_\_\_

FEES PAID:

Deposit \$1,000 per EDU X 9 (EDU's) = \$ 9,000

Remaining Balance \$6,700 per EDU X \_\_\_\_\_ (EDU's) = \$ \_\_\_\_\_

Date received: 4/30/18 By: Jessica Wilson

RETURN TO:  
Worcester County Treasurer's Office,  
Attn: Jessica Wilson  
P.O. Box 349  
Snow Hill, MD 21863

FULL POLICY ATTACHED AND INCORPORATED.

Completed  
Signed  
application

RECEIVED  
MAY 08 2018  
Worcester County Treasurer  
Clerk [Signature]

SHEPHERD

[Signature]  
5/7/18

NO.	DATE	REMARKS

DATE: 4-11-18  
 CDTF PROJ. NO. 18-029  
 DESIGN BY: M  
 DRAWN BY: NE  
 SCALE AS NOTED  
 STAGE: SITE PLAN APPROV  
 DWG FILE:

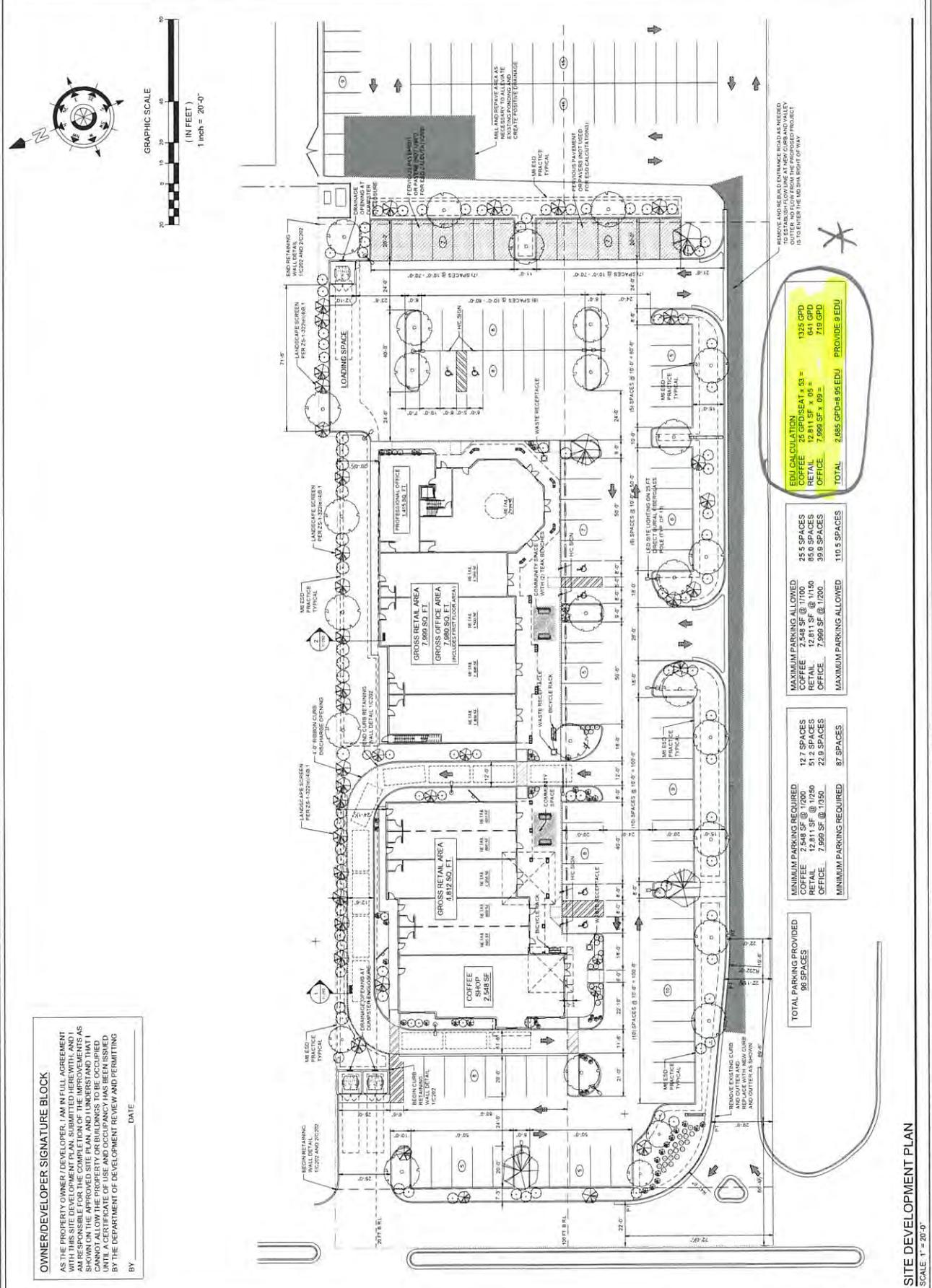
**HOOPER'S SHOPPING**  
 TAX MAP 27, PARCEL 587,569  
 WORCESTER COUNTY, MARYLAND

**LOT 17**  
 ARCHITECTURE  
 ENGINEERING  
 INCORPORATED

118 WASHINGTON ST. • SUITE 100 • BALTIMORE, MARYLAND  
 (410) 784-7274 • FAX (410) 746091

**SITE DEVELOPMENT PLAN**

**200**  
**C**



**OWNER/DEVELOPER SIGNATURE BLOCK**

AS THE PROPERTY OWNER / DEVELOPER, I AM IN FULL AGREEMENT WITH THIS SITE DEVELOPMENT PLAN, SUBMITTED HEREWITH, AND I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THAT I AS SHOWN ON THE APPROVED SITE PLAN, AND UNDERSTAND THAT I CANNOT ALLOW THE PROPERTY OR BUILDINGS TO BE OCCUPIED UNTIL A CERTIFICATE OF USE AND OCCUPANCY HAS BEEN ISSUED BY THE DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

REMOVE AND REBUILD ENTRANCE WALKWAY AS NEEDED TO ESTABLISH FLOW LINE AT NEW CORNER VALLEY TO ENTER THE 40' 2" R/W RIGHT OF WAY

USE CALCULATION	PROVIDE 3 EDU
OFFICE	1325 GPD
RETAIL	641 GPD
OFFICE	719 GPD
<b>TOTAL</b>	<b>2,685 GPD @ 95 EDU</b>

MAXIMUM PARKING ALLOWED	MAXIMUM PARKING ALLOWED
OFFICE	35.5 SPACES
RETAIL	85.6 SPACES
OFFICE	39.6 SPACES
<b>TOTAL</b>	<b>160.7 SPACES</b>

MINIMUM PARKING REQUIRED	MINIMUM PARKING REQUIRED
OFFICE	17.7 SPACES
RETAIL	51.2 SPACES
OFFICE	22.8 SPACES
<b>TOTAL</b>	<b>91.7 SPACES</b>

TOTAL PARKING PROVIDED
96 SPACES

**SITE DEVELOPMENT PLAN**  
 SCALE: 1" = 20'-0"

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
<b>Account Identifier:</b>		<b>District - 10 Account Number - 016649</b>							
Owner Information									
<b>Owner Name:</b>		STOCKYARD INC			<b>Use:</b>		COMMERCIAL		
<b>Mailing Address:</b>		12913 OCEAN GATEWAY OCEAN CITY MD 21842			<b>Principal Residence:</b>		NO		
					<b>Deed Reference:</b>		/06739/ 00212		
Location & Structure Information									
<b>Premises Address:</b>		12913 OCEAN GATEWAY HWY OCEAN CITY 0-0000 Waterfront			<b>Legal Description:</b>		2.25 AC N SIDE R-50 LT LN ADJ BTW P-569/587/707		
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>	<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>	<b>Plat No:</b>
0027	0008	0569		71R0				2016	Plat Ref: 241/51
<b>Special Tax Areas:</b>				<b>Town:</b>			NONE		
				<b>Ad Valorem:</b>					
				<b>Tax Class:</b>					
<b>Primary Structure Built</b>	<b>Above Grade Living Area</b>	<b>Finished Basement Area</b>	<b>Property Land Area</b>	<b>County Use</b>					
2003	10,036 SF		2,2500 AC						
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>			
		RESTAURANT							
Value Information									
		<b>Base Value</b>	<b>Value</b>	<b>Phase-in Assessments</b>					
			As of	As of		As of			
			01/01/2016	07/01/2017		07/01/2018			
<b>Land:</b>		2,275,000	2,202,500						
<b>Improvements</b>		1,449,400	1,411,900						
<b>Total:</b>		3,724,400	3,614,400	3,614,400		3,614,400			
<b>Preferential Land:</b>		0		0					
Transfer Information									
<b>Seller:</b> SEASIDE VILLAGE COMMUNITY ASSOCIATION INC				<b>Date:</b> 03/29/2016			<b>Price:</b> \$0		
<b>Type:</b> NON-ARMS LENGTH OTHER				<b>Deed1:</b> /06739/ 00212			<b>Deed2:</b>		
<b>Seller:</b> REED ANNA H				<b>Date:</b> 06/05/1991			<b>Price:</b> \$100,000		
<b>Type:</b> NON-ARMS LENGTH OTHER				<b>Deed1:</b> RHO /01735/ 00513			<b>Deed2:</b>		
<b>Seller:</b> SHEPHERD HARRY E & ANNA H &				<b>Date:</b> 06/05/1991			<b>Price:</b> \$0		
<b>Type:</b>				<b>Deed1:</b> RHO /01735/ 00510			<b>Deed2:</b>		
Exemption Information									
<b>Partial Exempt Assessments:</b>	<b>Class</b>				07/01/2017		07/01/2018		
<b>County:</b>	000				0.00				
<b>State:</b>	000				0.00				
<b>Municipal:</b>	000				0.00 0.00		0.00 0.00		
<b>Tax Exempt:</b>				<b>Special Tax Recapture:</b>					
<b>Exempt Class:</b>				NONE					
Homestead Application Information									
<b>Homestead Application Status:</b> No Application									

6

Real Property Data Search

Search Result for WORCESTER COUNTY

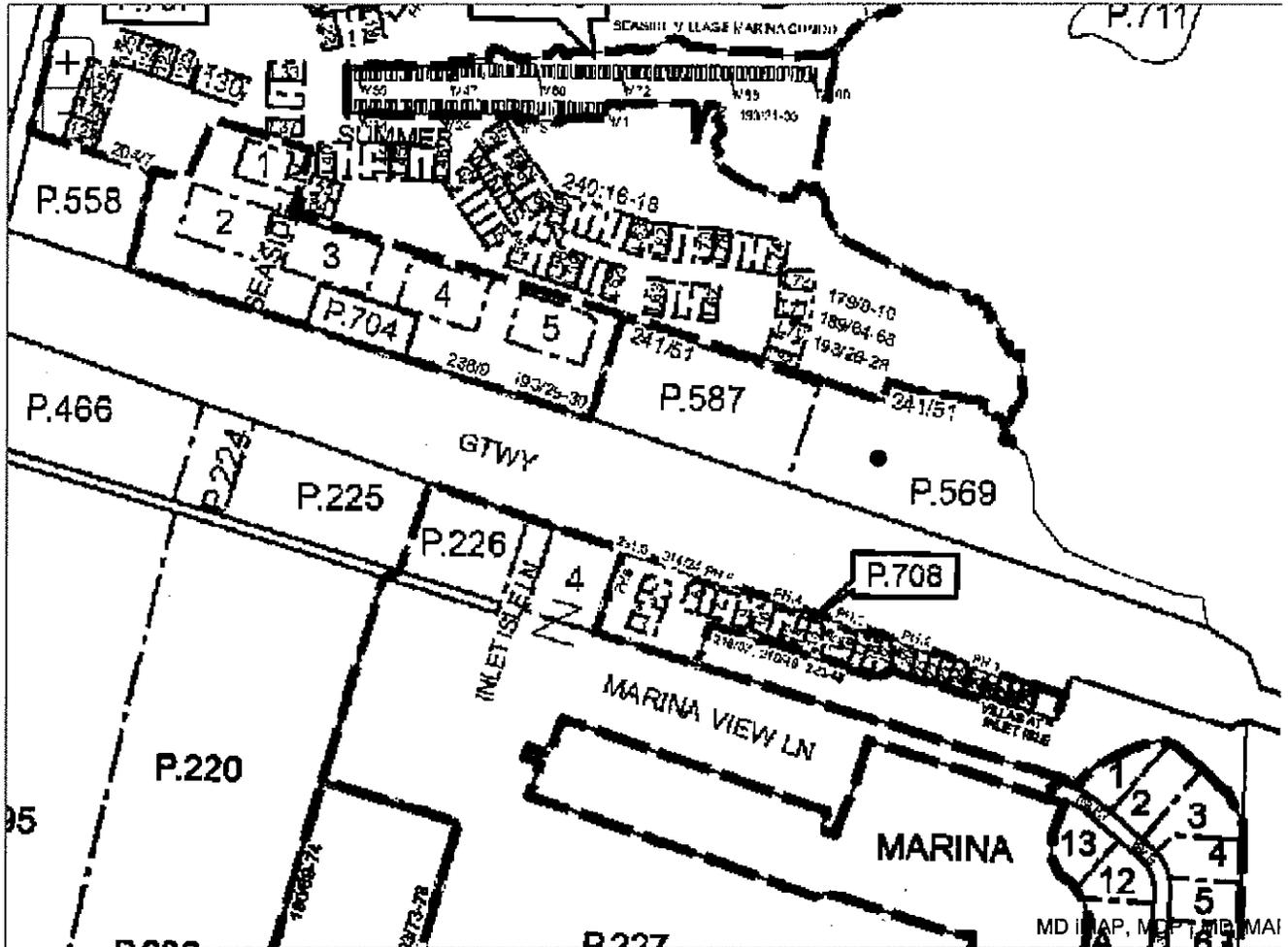
View Map		View GroundRent Redemption			View GroundRent Registration					
<b>Account Identifier:</b>		<b>District - 10 Account Number - 210666</b>								
Owner Information										
<b>Owner Name:</b>	STOCKYARD INC			<b>Use:</b>	COMMERCIAL					
<b>Mailing Address:</b>	12913 OCEAN GATEWAY OCEAN CITY MD 21842			<b>Principal Residence:</b>	NO					
				<b>Deed Reference:</b>	/01735/ 00513					
Location & Structure Information										
<b>Premises Address:</b>	OCEAN GATEWAY HWY OCEAN CITY 21842-0000			<b>Legal Description:</b>	1.93 ACS NORTH SIDE R-50 LT LN ADJ BTW P-569/587/707					
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>	<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>	<b>Plat No:</b>	
0027	0008	0587		71B0				2016	Plat Ref: 241/51	
<b>Special Tax Areas:</b>				<b>Town:</b>			NONE			
				<b>Ad Valorem:</b>						
				<b>Tax Class:</b>						
<b>Primary Structure Built</b>	<b>Above Grade Living Area</b>		<b>Finished Basement Area</b>		<b>Property Land Area</b>		<b>County Use</b>			
					1.9300 AC					
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>				
Value Information										
			<b>Base Value</b>	<b>Value</b>	<b>Phase-in Assessments</b>					
				As of	As of		As of			
				01/01/2016	07/01/2017		07/01/2018			
<b>Land:</b>			1,012,500	984,100						
<b>Improvements</b>			0	0						
<b>Total:</b>			1,012,500	984,100	984,100	984,100				
<b>Preferential Land:</b>			0		0					
Transfer Information										
<b>Seller:</b> REED ANNA H				<b>Date:</b> 06/05/1991			<b>Price:</b> \$25,000			
<b>Type:</b> NON-ARMS LENGTH OTHER				<b>Deed1:</b> RHO /01735/ 00513			<b>Deed2:</b>			
<b>Seller:</b> SHEPHERD HARRY E & ANNA H &				<b>Date:</b> 06/05/1991			<b>Price:</b> \$0			
<b>Type:</b>				<b>Deed1:</b> RHO /01735/ 00510			<b>Deed2:</b>			
<b>Seller:</b> SEIBOLD JOHN P & BERIT MARIA				<b>Date:</b> 08/19/1988			<b>Price:</b> \$16,800			
<b>Type:</b> NON-ARMS LENGTH OTHER				<b>Deed1:</b> RHO /01468/ 00288			<b>Deed2:</b>			
Exemption Information										
<b>Partial Exempt Assessments:</b>	<b>Class</b>			07/01/2017		07/01/2018				
<b>County:</b>	000			0.00						
<b>State:</b>	000			0.00						
<b>Municipal:</b>	000			0.00 0.00		0.00 0.00				
<b>Tax Exempt:</b>				<b>Special Tax Recapture:</b>						
<b>Exempt Class:</b>				NONE						
Homestead Application Information										
<b>Homestead Application Status:</b> No Application										
Homeowners' Tax Credit Application Information										
<b>Date:</b>										

7

Worcester County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

District: 10 Account Number: 016649



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

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

Property maps provided courtesy of the Maryland Department of Planning.

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

8

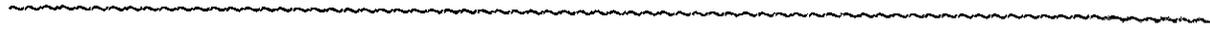
**TECHNICAL REVIEW COMMITTEE**

STAFF PERSON: Jennifer K. Keener DATE OF MEETING: February 14, 2018  
PROJECT: Hoopers Shopping Plaza – Proposed construction of two mixed use buildings consisting of 17,350 square feet, located at the northeasterly intersection of US Route 50 (Ocean Gateway) and Inlet Isle Lane, Tax Map 27, Parcels 569 & 587, Tax District 10, C-2 General Commercial District

APPLICANT(S) IN ATTENDANCE: \_\_\_\_\_  
\_\_\_\_\_

TRC MEMBERS IN ATTENDANCE:

- \_\_\_\_\_ Keener, Zoning Administrator
- \_\_\_\_\_ Campbell, DRP Specialist II
- \_\_\_\_\_ Miller, Building Plans Reviewer III
- \_\_\_\_\_ Mitchell, Environmental Programs
- \_\_\_\_\_ Klump, Environmental Programs
- \_\_\_\_\_ Bradford, Environmental Programs
- \_\_\_\_\_ Birch, Environmental Programs
- \_\_\_\_\_ Gerthoffer, Environmental Programs
- \_\_\_\_\_ Phipps-Dickerson, Environmental Programs
- \_\_\_\_\_ Owens, Fire Marshal
- \_\_\_\_\_ Adkins, County Roads
- \_\_\_\_\_ Berdan, County Roads
- \_\_\_\_\_ Wilson, State Highway Admin.
- \_\_\_\_\_ Ross, W & WW, DPW
- \_\_\_\_\_ Clayville, Planning Commission Rep.



X Under the terms of Section ZS 1-325(f)(2), this application is considered to be a major site plan. Ten copies of the revised site plan which address the comments noted within must be submitted to this office no later than 4:30 P.M. on Wednesday, February 14, 2018 in order to be eligible to be placed on the Planning Commission's agenda scheduled for Thursday, March 1, 2018, or Wednesday, March 21, 2018 to be placed on the agenda for Thursday, April 5, 2018. Confirmation of an approved Stormwater Management/Sediment Erosion Control Site Development Plan must be obtained no later than 4:30 P.M. on Friday, February 16, 2018 or March 23, 2018 (as applicable), otherwise the application will not be scheduled for the upcoming Planning Commission meeting. The applicant and specified representatives will be notified by mail of the tentative time at which this application will be considered by the Planning Commission on the above date. Should you have any questions regarding the attached comments, please feel free to contact the respective Technical Review Committee member.



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

# Worcester County

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

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

## WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE February 14, 2018

**Jennifer K. Keener, Zoning Administrator (ext. 1123)**  
Department of Development, Review and Permitting  
Worcester County Government Office Building  
One West Market Street, Room 1201  
Snow Hill, MD 21863  
(410) 632-1200

\*\*\*\*\*

**Project:** Hoopers Shopping Plaza – Proposed construction of two mixed use buildings consisting of 17,350 square feet, located at the northeasterly intersection of US Route 50 (Ocean Gateway) and Inlet Isle Lane, Tax Map 27, Parcels 569 & 587, Tax District 10, C-2 General Commercial District

### GENERAL COMMENTS:

- A. In order to obtain a Building Permit, the applicant must submit the following to the Department:
  - 1. Submit a complete Building Permit application, along with the initial fee of \$300.00 made payable to "Worcester County",
  - 2. Submit four (4) sets of complete construction plans (footing, foundation, framing, floor plan and building elevations (front, rear and sides). The construction plans must be sealed by an architect. The plans must be prepared in accordance with the applicable International Building Code, Energy Code, and ADA Code;
  - 3. Submit four (4) sets of the site plan as approved by the Technical Review Committee or the Planning Commission.
- B. Once the permit is issued, the applicant must coordinate all necessary inspections with the respective Building/Housing/Zoning Inspector. The Department requires 24 hour notice for all inspections. The inspector, once on site, may require special or additional inspections than normal.
- C. **In order to obtain a Certificate of Use and Occupancy, all of the necessary inspections must be completed and approved by the various inspections agencies (building, zoning, plumbing, electrical, water, sewage, health, roads, etc.). Two sets of As-Builts (illustrating all lighting, landscaping, parking, signs and etc.) must be submitted at least one week prior to the anticipated occupancy of the building, structure or use of land activity. The Department has 48 hours from the last inspection in which to process a Certificate of Use and Occupancy. Please note that it is unlawful to occupy (employees or patrons) a structure without benefit of a Certificate of Use and Occupancy.**

Any questions relative to the permit or bonding process should be directed to Jennifer K. Keener at (410) 632-1200, extension 1123.

SPECIFIC COMMENTS:

This project is subject to, but not limited to, the following sections of the Zoning and Subdivision Control Article:

ZS 1-117	Administrative Adjustments
ZS 1-210	C-2 General Commercial District
ZS 1-305	Lot requirements generally
ZS 1-306	Access to structures
ZS 1-317	Commercial development, industrial development & industrial parks
ZS 1-319	Access and traffic circulation requirements
ZS 1-320	Off-street parking areas
ZS 1-322	Landscaping and buffering requirements
ZS 1-323	Exterior lighting
ZS 1-324	Signs
ZS 1-325	Site plan review
ZS 1-326	Classification of highways

This project is also subject to the *Design Guidelines and Standards for Commercial Uses*.

1. This project requires a variance to the rear yard setback. Such variance must be approved or the building made compliant with the setback prior to the scheduling of this project for review and approval with the Planning Commission;
2. Please clarify the rear property line. There is a dark dashed line, and a lighter dashed line. The actual current property line per the Boundary Line Adjustment with Seaside Village needs to be clearly identified to prevent confusion;
3. Please review the awning on the site plan and the building elevations for the coffee shop/food tenant. Under §ZS 1-305, an awning cannot project into the front yard setback more than 3' without a variance. Please dimension the distance from the property line to the awning on the site plan to ensure compliance with these provisions, or to request a variance to the front yard setback;
4. Just as an FYI – Given the parking requirements for the existing and proposed uses, any outdoor special events (bike week, Jeep week, etc.) can only be held in the parking that is over and above the minimum required parking, and outside of the required yard setbacks. Based on the current parking chart, that is approximately 18 parking spaces;
5. Please add a note to the cover sheet referencing the existing Temporary Declaration of Consolidation and the recording Liber and Folio. Given the design of the project, this Temporary DOC will be required to remain in full effect for the duration of this project;
6. If there will be a phasing of the construction of this development, I would recommend that a phasing plan be included with this project review so that we can ensure the necessary parking, landscaping, etc. have been provided for each phase;
7. Per our previous discussions (and the sign logo on the building elevations), the “food” tenant will actually be a coffee shop, which has a different parking calculation. Please confirm, and revise if necessary;
8. Please identify the gross square footage of the second floor office space on the site plan within

- the building footprint as you have identified the other uses;
9. The parking calculation used for both the retail and office spaces is based on a shopping center calculation requiring a minimum of 10 mixed use establishments. Since the plans are close to the threshold, please keep in mind that the parking requirements could change if you obtain tenants that require two or more of the spaces. You may wish to calculate these areas independently to prevent any issues in the future;
  10. The parking calculations on the site plan sheet C200 doesn't match the parking calculations on sheet C600. The office square footages are different. Which is correct?
  11. Within the parking chart, please also identify the maximum parking calculation. Parking may be provided up to, but not over the maximum allowed;
  12. Any parking that is provided over the minimum and up to the maximum shall be of a pervious design in accordance with §ZS 1-320(f)(1) meeting a 12% void rate. Please update the site plan to identify which spaces will be pervious, and update the stormwater management plan to reflect these conditions as well. Calculation of the parking as identified in No. 8 above may help you to reduce the total number of spaces that would have to meet a pervious design;
  13. Please provide a handicap signage detail, indicating "Reserved", "Van Accessible", and "No Parking in Access Aisle" with arrow. Such signs shall be mounted a minimum of 84" from grade to the bottom of the sign. On the site plan, please use a symbol and identify it in a legend to reflect the placement of the signs at the head of the handicap spaces (and not in front of the access aisles);
  14. Please provide bike racks in the amount as specified by each use in §ZS 1-320. The standards for the bike rack design can be found in §ZS 1-320(f)(12);
  15. Trash receptacles are required to be provided throughout the development in accordance with §ZS 1-320(f)(6) for retail and food service establishments;
  16. Under the provisions of §ZS 1-321, only one loading space is allowed. While it has been provided, it is not likely to be utilized by the food/coffee establishment or retail area in the westerly building. You may want to consider adding a second loading space in this area;
  17. A lighting plan is required to be submitted in accordance with the requirements of §ZS 1-317(a)(14), §ZS 1-323 and Section 18 of the *Design Guidelines and Standards for Commercial Uses*. The plan shall address both on-building and site lighting;
  18. Within the landscape legend, please indicate the total quantity of each plant type to be provided and the height at the time of planting. For trees within the parking area, there is a minimum requirement of 1.5" caliper and 10' in height;
  19. Please provide the planting and installation details per §ZS 1-322(d)(7), and the maintenance plan per §ZS 1-322(d)(8);
  20. Landscape screening is required where a commercial development adjoins any residential zoning district. Therefore, the rear property line is required to be screened per §ZS 1-322(e)(4)B.1. and it is required to be 10' in depth per Section 17(b)(8) of the *Design Guidelines and Standards for Commercial Uses*. The Planning Commission can modify or waive these requirements where they find appropriate due to special conditions or circumstances. If a waiver will be requested, please detail the request in writing with the Planning Commission submission;
  21. Per §ZS 1-322(f)(1), a minimum of one tree is required to be provided for each 6 parking spaces within landscape islands in the parking area. There are currently 7 trees provided, and 16 total required. Several of the large shrubs within the landscape islands will need to be

- changed to trees to meet this requirement;
22. In accordance with §ZS 1-322(g), a maintenance and replacement bond for required landscaping is mandatory for a period not to exceed two years in an amount not to exceed one hundred and twenty-five percent of the installation cost. A landscape estimate from a nursery will be required to be provided at permit stage to accurately determine the bond amount. If the Department of Environmental Programs will be holding a Critical Area bond on some or all of the plantings, our Department will not require an additional bond for the same plants. Confirmation from the Department of Environmental Programs on what plants are covered will be required prior to permitting;
  23. Please provide written confirmation from the State Highway Administration that the existing entrance off of Inlet Isle Lane is sufficient for this use;
  24. Approvals will also be required from the Department of Environmental Programs relative to water and sewer as well as Critical Area and Stormwater Management prior to the Department granting signature approval;
  25. Please add the following statement with a signature block for the owner/ developer to sign prior to final signature approval: "As the property owner/developer, I am in full agreement with this site plan submitted herewith, and I am responsible for the completion of the improvements as shown on the approved site plan, and I understand that I cannot allow the property or buildings to be occupied until a Certificate of Use and Occupancy has been issued by the Department of Development, Review and Permitting."
  26. In accordance with §ZS 1-325(e)(1)F., all major site plans shall submit the final project in an electronic format tied to Maryland State Plane Coordinates;
  27. All signage is subject to §ZS 1-324 and Section 15 of the *Design Guidelines and Standards for Commercial Uses*. Typically, signage will be reviewed and approved at the permitting stage. However, given that there is existing signage on this site in association with the Hoopers Restaurant, I have the following comments for consideration:
    - a. The two freestanding signs that currently exist are considered non-conforming. Under the current freestanding signage regulations, the Department would be able to permit one freestanding sign totaling 150 square feet and 9 feet in height maximum for the overall development (existing restaurant included). Since the existing signs are larger than what would be provided for under current regulations, only copy area changes to the existing square footage would be allowed. Should you wish to relocate one of the signs closer to this portion of the development, it would require action by the Board of Zoning Appeals (to relocate a non-conformity). The property owner is responsible for allocating the copy area of all signage;
    - b. There is a sign at the intersection of US Route 50 and Inlet Isle Lane that was installed without permits directing traffic to the restaurant. This sign is required to be removed;
    - c. FYI - With respect to on-building signage, the Zoning Code bases the allowance of copy area on the unit frontage where the principal entrance is located for each unit. For the second floor offices that only have one principal building access, the copy area for that portion is only counted once. The square footage is then allocated to the development as a whole. At the permitting stage for the buildings when the final entrance locations are determined, the Department will maintain a spreadsheet of the total copy area allowed, and what has been permitted. The developer is responsible for determining what amount of copy area each tenant is allowed to permit, and consideration should be

given early on so that the final few tenants are not left with little or zero signage allowances.

The following are comments relative to the *Design Guidelines and Standards for Commercial Uses*:

28. FYI – this development is located within the Seaside Architectural Tradition as defined by Section 5;
29. In accordance with Section 16(b)(1), pedestrian and bicycle circulation is required to be provided for within the development’s property lines. However, these features are provided for within the US Route 50 (Ocean Gateway) right-of-way. The sidewalk does exist at the southerly entrance to the site (intersection of Route 50 and Inlet Isle Lane), and connection into the property per Section 16(b)(3) could potentially be provided. The Planning Commission will have to determine whether to waive one or both items;
30. Section 16(b)(5) requires that the walkways/ crosswalks (such as those provided at the drive-thru) be demarcated with a change in surface materials and are recommended to be pervious;
31. Seating (i.e. benches) shall be provided every 100’ along the front façades of the buildings;
32. A landscape buffer is required to be provided along Inlet Isle Lane that is a minimum of 6 feet wide (4’ or 5’ is what is provided) per Section 17(b)(5);
33. A minimum of 50% of the perimeter of the building is required to be landscaped, a minimum of 5’ wide and located no more than 10’ from the building per Section 17(b)(7);
34. Section 11(b)(4) requires that any building façade facing required parking shall provide an entrance meeting the standards of this section. Building 1 does not have one where the coffee/ food tenant will be located due to the design;
35. Section 19 requires a community space to be provided. Please review the standards and identify on the site plan where it is being met (dimension the space, provide seating and identify two features);
36. Please identify the pitches of the various roof structures per Section 8. I will then be able to verify compliance with Section 8(b)(2);
37. Are any of the roof structures parapet walls or are the mechanicals simply screened with the fencing? If parapets are involved, please identify the roof line as well as the parapet height so that I can verify compliance with Section 8(b)(4) & (5);
38. Section 10(b)(1)B & C require recesses and projections based on the width of the building for public façades. The rear of Buildings 1 and 2 are considered public façades because they are within 75’ of a property line. The rear of Building 2 does not have any recesses or projections. The westerly side of Building 1 has a projection of 12’ wide, but does not meet the minimum of 17.4’ required;
39. With respect to transparency, a minimum of 25% shall be provided, and a maximum of 40% is allowed. Below is a summary chart based on the public façades:

	Building 1	Building 2
Front (south)	39.5%	45.3%
Rear (north)	0%	8.6%
Side	(west) 6.2%	(east) 30%

40. Section 10(b)(1)M requires that building floors be defined with trim bands or masonry block courses. This is only applicable for Building 2 at the rear;
41. Please identify the colors of the building per Section 12;
42. Section 13 requires that there be changes in material, color or texture every 30';
43. Section 20(b)(5) requires that any mechanicals that are not roof mounted be screened and the general areas need to be shown on the architectural plans and site plan;

Under Section 2 of the *Design Guidelines and Standards for Commercial Uses*, the Planning Commission is able to grant a waiver to the requirements contained within, so long as the applicant can meet the three circumstances listed. Please keep in mind that if a similar standard is listed in the Zoning Code and does not allow for a waiver, that standard cannot be waived.



WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE

Department of Development Review & Permitting  
Worcester County Government Center  
1 W. Market St., Room 1201  
Snow Hill, Maryland 21863  
410-632-1200, Ext. 1151  
pmiller@co.worcester.md.us

\*\*\*\*\*

Project: Hoopers Shopping Plaza

Date: 2/14/2018

Tax Map: 27 Parcel: 569 & 587 Section: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

STANDARD COMMENTS

1. Items listed in this review are not required for Technical Review Committee approval.
2. Provide complete code review. List type of construction, use groups, height and area, occupant loads, live, dead and other structural loads.
3. Soils report required at time of building permit application.
4. Compaction reports due at all footings and slab inspections as well as any site work and structural fill.
5. Complete sealed architectural, structural, mechanical, plumbing and electrical plans are required.
6. Provide information for wind, snow and seismic loads.
7. Special inspections (Third party) required per IBC Chapter 17 for steel, concrete, masonry, wood, prepared fill, foundations and structural observations.
8. Provide plan for owner's special inspection program, list inspections and inspection agencies.
9. A Maryland Registered Architect must seal plans. This architect or architectural firm will be considered the architect of record.
10. A pre-construction meeting will be required before any work starts.
11. Provide complete accessibility code requirements and details.
12. List on construction documents all deferred submittals.
13. Truss and other shop drawings will be required prior to installation.
14. **Architect / Engineer to provide verification construction is in accordance with approved plans and specifications prior to final inspection.**
15. **Please provide your design professional with a copy of these comments.**

## SITE SPECIFIC COMMENTS

1. Current Codes: 2015 International Building Code  
2015 International Energy Conservation Code  
2015 International Mechanical Code  
2014 NEC  
**(Worcester County Commissioners will have a hearing to adopt 2017 NEC on 2/20/2018 with an effective date of 6/1/2018).**  
Maryland Accessibility Code  
2010 ADA Standards for Accessible Designs  
**(In 2018 the Maryland Codes Administration will begin the process of adopting the 2018 International Codes)**
2. Wind Design: 130 MPH (assumed); Risk category II; Exposure "C"
3. Complete sealed architectural, structural, mechanical, plumbing and electrical plans are required.
4. ADA: Provide all details and specifications per 2010 ADA design standards.
5. Provide all information per section C103.2: **"Information on construction documents of 2015 IECC".**
6. Provide an Energy Compliance Report and lighting plan (wattage report).
7. Designate flood zones and map panel numbers on survey.
8. All tenants to file for permits prior to occupancy of unit.

There is not enough information provided at this time to provide additional comments.



DEPARTMENT OF ENVIRONMENTAL PROGRAMS

Worcester County

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

LAND PRESERVATION PROGRAM  
STORMWATER MANAGEMENT  
SEDIMENT AND EROSION CONTROL  
SHORELINE CONSTRUCTION  
AGRICULTURAL PRESERVATION  
ADVISORY BOARD

WELL & SEPTIC  
WATER & SEWER PLANNING  
PLUMBING & GAS  
CRITICAL AREAS/FORESTRY  
COMMUNITY HYGIENE

MEMORANDUM

DATE: January 30, 2018  
TO: Worcester County Technical Review Committee  
FROM: Joy S. Birch, Natural Resources Specialist  
RE: February 14, 2018, Technical Review Committee Meeting

Hoopers Shopping Plaza– Proposed construction of a two mixed use buildings consisting of 17,350 square feet, Tax Map 27, Parcels 569 & 587.

Critical Area: This project is located in the Atlantic Coastal Bays Critical Area (ACBCA) program boundary designated Intensely Developed Area (IDA) within buffer management area A-15 and is also non- waterfront.

1. Address all requirements of the Critical Area Site Plan see NR 3-109 (d) (1).
2. Provide us with a Critical Area Report see NR 3-109 (d) (2).
3. Provide documents that the site will meet the 10% pollution reduction requirements. The Department can provide you with a copy of the worksheet if needed.
4. Illustrate and/or provide documentation that the 15% afforestation requirement will be accomplished.
5. Please provide a lot coverage breakdown of what is existing and proposed.
6. Please add the standard Atlantic Coastal Bays Critical Area note: **Worcester County Atlantic Coastal Bays Critical Area Law:** *This property lies within the Worcester County Atlantic Coastal Bays Critical Area. Any and all proposed development activities must meet the requirements of Title 3 (Land and Water Resources), Subtitle 1 (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Local Laws, as from time to time amended, in effect at the time of the proposed development activities.*

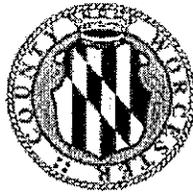
7. Add the Critical Area designation "IDA" Intensely Developed Area. Note that it is within a buffer management area of A-15 and also non waterfront.
8. This project meets the requirement for the Maryland Critical Area Commission Project Notification parameters, therefore copies of the plan, Critical Area Report, 10% rule compliance details, and all other pertinent documents when submitted, will be forwarded to Commission Staff for review and comment.
9. Please provide us a Critical Area Review Fee of \$ 304.50 for the Major Site Plan.

Storm Water Management & Erosion and Sediment Control:

**This project is subject to the Worcester County Stormwater Ordinance. The project has obtained Concept Plan approval.**

General Provisions:

- All Erosion and Sediment controls should comply with the 2011 Maryland Standards and Specifications for Erosion and Sediment Control.
- All Stormwater Management practices shall be designed to meet the requirements of the 2007 Maryland Stormwater Management Act.
- All projects over one (1) acre shall be required to file for a General Permit / Notice of Intent (NOI) for construction activity through Maryland Department of Environment. This is mandated through the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES). Any permits to be issued by Worcester County for disturbance that exceeds one acre will not be issued without NOI authorization being obtained prior to.



**Worcester County**  
Department of Environmental Programs  
Environmental Programs Division

**Memorandum**

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**To:** Technical Review Committee (TRC) for February 14, 2018 Meeting  
**From:** Environmental Programs Staff  
**Subject:** Hoopers Shopping Plaza, TM 27 P 569 & 587  
**Date:** January 23, 2018

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Environmental Programs comments are based on the plans submitted. These comments are subject to change every time a change is made to the plans that affect water and/or sewage for this site. We have the following comments:

1. The restaurant has 38 EDUs which equates to 426 seats total indoors and outdoors. There is no extra sewage flow figured for the Micro Brewery or the Parasailing/Jet-ski rentals on parcel 569, so the existing allotment of sanitary capacity is tapped out for any new uses. Sewage EDUs and Water EDUs will need to be purchased for this new use on parcel 589 and p/o parcel 569. Based on the plans submitted the breakdown is as follows:

Office space 1,415SF x 0.09 = 127.35 GPD

Retail space 13,775 SF x 0.05 = 686.75 GPD

814.1 GPD total/280 = 2.9 or 3 EDUs/300 = 2.7 or 3 EDUs

These use designations do not include restaurants or other services which would require more sewage flow. EDUs must be purchased and fees paid before final site plan approval can be given by Environmental Programs.

As detailed above, it appears that this use will require 814.1 GPD requiring 3 EDUs of sewer flow. The owner can purchase all three sewer EDUs from the Mystic Harbour Sanitary Service Area. To do that, an application and deposit must be presented to Ms. Jessica Wilson, Enterprise Fund Controller, who will begin the processing for a Mystic Sewer allocation to be reviewed by the County Commissioners for approval.

**Citizens and Government Working Together**

2. Commercial Plumbing Plans will need to be submitted for review with building permit and a \$250 review fee submitted.
3. Public water is available to the property and three (3) water EDUs will need to be acquired and hook-up charges paid. Please contact Jessica Wilson, Enterprise Fund Controller for these applications and fees. She can be reached at 410-632-0686 ext. 1217.
4. An EDU Chart will need to be placed on the site plan and will also need to identify the sanitary area that will supply capacity to this project (Mystic Harbour).
5. Gas permits will be needed as well, if utilized. Gas is available to this property.
6. As part of the site utility work, a plumbing permit will need to be obtained for work outside the building.

**Citizens and Government Working Together**

**WORCESTER COUNTY  
DEPARTMENT OF PUBLIC WORKS  
WATER & WASTEWATER DIVISION  
INTEROFFICE MEMORANDUM**

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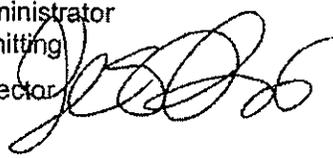
**TO:** Jennifer K. Keener, Zoning Administrator  
Development Review and Permitting

**FROM:** John S. Ross, P.E., Deputy Director

**DATE:** February 2, 2018

**SUBJECT:** TRC Meeting February 14, 2018

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**I. Site Plan Review**

- A. Hoopers Shopping Plaza – Proposed construction of two mixed use buildings consisting of 17,350 square feet, located at the northeasterly intersection of US Route 50 (Ocean Gateway) and Inlet Isle Lane, Tax Map 27, Parcels 569 & 587, Tax District 10, C-2 General Commercial District, Stockyard, Inc., property owner/ Iott Architecture & Engineering, Inc., architect;
1. Confirm that adequate EDU's are assigned to the project
  2. Provide a sewer connection detail at the existing manhole and identify the existing manhole as the limit of County responsibility
  3. Provide a detail of the water meter pit and identify the meter pit as the limit of County responsibility
  4. Add a 4" gate valve at the connection to the existing waterline

Cc: John Tustin



GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1003  
SNOW HILL, MARYLAND 21863-1194  
TEL: 410-632-5666  
FAX: 410-632-5664

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## TECHNICAL REVIEW COMMITTEE COMMENTS

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**PROJECT: Hoopers Shopping Plaza**  
**LOCATION: Tax Map 271 ; Parcel 569 & 587**  
**CONTACT: Stockyard, Inc.**  
**MEETING DATE: February 14, 2018**

**TRC #: 2018028**

**COMMENTS BY: Matthew Owens**  
**Chief Deputy Fire Marshal**

---

As you requested, this office has reviewed plans for the above project. Construction shall be in accordance with applicable Worcester County and State of Maryland fire codes. This review is based upon information contained in the submitted TRC plans only, and does not cover unsatisfactory conditions resulting from errors, omissions or failure to clearly indicate conditions. A full plan review by this office is required prior to the issuance of a building permit. The following comments are noted from a fire protection and life safety standpoint.

### Scope of Project

The proposed construction of two mixed use buildings consisting of 17,350 square feet.

### General Comments

1. A water supply for fire protection shall be identified indicating the following:
  - a. Water Source
  - b. Engineering study for reliability of water source
  - c. Size (in gallons) of water source
  - d. Replenishment of water supply
  - e. Diameter of in ground pipe
  - f. Number of hydrants
  - g. Location of hydrants
  - h. Roadway width and surface types
  - i. Distance from hydrant to roadway
2. If public water source, approved plans by the public works department.
3. Water source plans must be approved prior to recording of plat.

- 
4. Fire hydrants shall be located within 3 ft. of curb line. Placement of fire hydrants shall be coordinated with this office prior to installation.
  5. Obstructions shall not be placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately visible and accessible.
  6. All underground water mains and hydrants **shall be installed, completed, and in service** prior to construction work or as soon as combustible material accumulates, which ever comes first. A stop work order will be issued if fire hydrants are not in service prior to construction work start.
  7. Fire Lanes shall be provided at the start of a project and shall be maintained throughout construction. Fire lanes shall be not less than 20 ft. in unobstructed width, able to withstand live loads of fire apparatus, and have a minimum of 13 ft. 6 in. of vertical clearance. Fire lane access roadways must be established prior to construction start of any structure in the project. Failure to maintain roadways throughout the project will be grounds to issue stop work orders until the roadway access is corrected.
  8. Coordinate 9-1-1 addressing with Worcester County Department of Emergency Services (410) 632-1311.

#### Specific Comments

1. Provide and maintain the fire code compliant fire rated separation between the proposed tenant spaces.
2. Depending on the type of occupancy and the square footage of the space, sprinkler and fire alarm protection may be required.
3. Complete set of building plans shall be submitted and approved prior to start of construction.
4. No further comments at this time.

**MDOT**  
MARYLAND DEPARTMENT  
OF TRANSPORTATION  
STATE HIGHWAY  
ADMINISTRATION

Larry Hogan  
Governor  
Boyd K. Rutherford  
Lt. Governor  
Pete K. Rahn  
Secretary  
Gregory Slater  
Administrator

February 9, 2018

Ms. Jennifer Keener, Zoning Administrator  
Department of Developing, Review and Planning  
Worcester County Government Center  
One West Market Street, Room 1201  
Snow Hill MD 21863

Dear Ms. Keener:

Thank you for the opportunity to review the submittal for the proposed Hoopers Shopping Plaza, located at the northeasterly intersection of US route 50 (Ocean Gateway) and Inlet Isle Lane, in Worcester County. The plan proposes the construction of two mixed use buildings, consisting of 17,350 square feet. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the plans and we are pleased to respond.

MDOT SHA recommends that the southern access point be closed, as it presents potential safety and site circulations concerns. If stacking were to accumulate to the radius of the access to US 50 east, it could potentially disrupt the functional area of the intersection. This access will also create a significant increase in vehicles making a u-turn movement to access US 50 west, which could lead to a number of site circulation complications. Due to the potential impacts to the intersection of Inlet Isle Lane and US 50, we are requesting that a Traffic Impact Study (TIS) be submitted to MDOT SHA to determine the impacts and necessary improvements to the surrounding State roadway network.

If you have any questions, or require anything additional, please contact Mr. Dan Wilson, Access Management Consultant, via email at [dwilson12@sha.state.md.us](mailto:dwilson12@sha.state.md.us), or call him directly at 410-677-4048. He will be happy to assist you.

Sincerely,



*FOR* James W. Meredith  
District Engineer

cc: Mr. Hicham Baassiri, Assistant District Engineer-Project Development, MDOT SHA  
Mr. Dennis Rodgers, Resident Maintenance Engineer, MDOT SHA  
Mr. Dan Wilson, Access Management Consultant, MDOT SHA



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

**MEMORANDUM**

JOHN H. TUSTIN, P.E.  
DIRECTOR

JOHN S. ROSS, P.E.  
DEPUTY DIRECTOR

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

**TO:** Jennifer Kenner, Zoning Administrator  
Rita Campbell, DRP Specialist II  
**FROM:** Frank J. Adkins, Roads Superintendent (FA)  
**DATE:** January 22, 2018  
**SUBJECT:** TRC Meeting – February 14, 2018

DIVISIONS

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

ROADS  
TEL: 410-632-2244  
FAX: 410-632-0029

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

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

WATER AND  
WASTEWATER  
TEL: 410-631-5251  
FAX: 410-631-5185

Section 1-325 Site Plan Review

**A. Hoopers Shopping Plaza**

1. Borders State Highway. No comments at this time.

cc: John H. Tustin, P.E.

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21

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

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

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

May 22, 2018

**FAXED**  
5/22/18 @ 9:17 am

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

Please print the attached notice in *The Daily Times/Worcester County Times/Ocean Pines Independent and Ocean City Digest/Ocean City Today* on May 31, 2018 and June 7, 2018. Thank you.

### NOTICE OF PUBLIC HEARING

AMENDMENT TO *WORCESTER COUNTY WATER AND SEWERAGE PLAN*  
**TO AMEND THE EDU ALLOCATION TABLE FOR THE  
MYSTIC HARBOUR SANITARY SERVICE AREA**  
WORCESTER COUNTY, MARYLAND

The Worcester County Commissioners will hold a public hearing to consider a requested amendment to the *Worcester County Comprehensive Water and Sewerage Plan* as submitted by Bob Mitchell, Director of Environmental Programs, on behalf of the Worcester County Commissioners, to amend the Equivalent Dwelling Unit (EDU) Allocation Table for the available sewage treatment capacity in the Mystic Harbour Sanitary Service Area. The proposed amendment seeks to revise the EDU Allocation Table for the Mystic Harbour Service Area to allocate 34 EDU's from the "Infill and Intensification" category in Area 1 (north of the airport) to the Frontier Town Campground category in Area 2 (south of the airport) to accommodate a 101 campsite expansion on the existing campground property.

The public hearing on this application will be held on

**TUESDAY, JUNE 19, 2018**

**at 10:20 a.m.**

in the

COUNTY COMMISSIONERS MEETING ROOM  
Room 1101 - County Government Center  
One West Market Street, Snow Hill, Maryland 21863

The case file may be reviewed at the Department of Environmental Programs, Room 1306 - Worcester County Government Center, Snow Hill, Maryland 21863 between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday (except holidays). Interested parties may also call 410-632-1220, ext. 1601.

THE WORCESTER COUNTY COMMISSIONERS  
*Citizens and Government Working Together*

**RECEIVED**  
JUN 13 2018  
WOR CO ADMIN  
DIANE



**Worcester County**  
Department of Environmental Programs

**Memorandum**

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

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

**Subject: Public Hearing**  
**Worcester County Comprehensive Water and Sewerage Plan**  
**Mystic Harbour Sanitary Service Area**  
**To Amend the EDU Allocation Table**  
**Case No. (SW 2018-02)**

**Date:** June 12, 2018

The Planning Commission met June 7, 2018 and reviewed this application. We are writing to forward the Planning Commission's finding of consistency with the *Comprehensive Development Plan* and their recommendation to amend the *Comprehensive Water and Sewerage Plan* for an amendment to revise the sewer EDU allocation table for the Mystic Harbour Service Area.

The applicant requests a revision of the EDU sewer allocation table for new capacity in the Mystic Harbour Sewer Planning Area in *The Plan*. The Sewer EDU Allocation Table was included in the Maryland Department of Environment's modified approval of the Frontier Town amendment to *The Plan* (approval October 29, 2015) and the modified approval of the Mystic Harbour Waste Water Treatment Plant expansion amendment (approved November 25, 2015). The amendment would modify the Allocation of Sewer EDUs (table and map) in the Mystic Harbour SSA to reassign thirty four (34) sewer EDU's from the Infill and Intensification designation for properties in Area 1 (North of Airport) to the Frontier Town Campground designation in Area 2 (South of Airport). The capacity is intended to serve a proposed 101 campsite expansion of the Frontier Town Campground. Anticipated infrastructure changes include connecting force/gravity mains within the campground property for the new campsites to connect to the force main and pump station currently under construction to convey the sewage from the existing campground to the Mystic Harbour WWTP.

The County Commissioners, after reviewing this request, map approve or disapprove the proposed amendment. Enclosed are the following attachments:

1. Environmental Program's transmittal letter to the Planning Commission with *Plan* insert changes; and

**Citizens and Government Working Together**

2

2. Minutes for the Planning Commission meeting on June 7, 2018

As always, I am available at any time for the presentation and any to answer questions on this matter.

Attachment

cc: WS File – Mystic Harbour Revision of Allocation of Sewer EDUs (SW 2018-2)



DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1306  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1220 / FAX: 410-632-2012

LAND PRESERVATION PROGRAMS  
STORMWATER MANAGEMENT  
SEDIMENT & EROSION CONTROL  
SHORELINE CONSTRUCTION  
AGRICULTURAL PRESERVATION  
ADVISORY BOARD

WELL & SEPTIC  
WATER & SEWER PLANNING  
PLUMBING & GAS  
CRITICAL AREAS  
FOREST CONSERVATION  
COMMUNITY HYGIENE

May 30, 2018

Worcester County Planning  
Commission  
Government Center  
1 West Market Street  
Room 1201  
Snow Hill, MD 21863

RE: Transmittal- Draft Comprehensive Water and  
Sewerage Plan Amendment –Mystic Harbour  
Revision of Allocation of Sewer EDUs  
(SW-2018-02)

Dear Commissioners:

We are writing to forward the proposed *Worcester County Comprehensive Water and Sewerage Plan (The Plan)* amendment to revise the EDU allocation table for the Mystic Harbour Service Area to *The Plan*, for your review and comments.

The Department of Environmental Programs is the applicant on behalf of the Worcester County Commissioners. The applicant requests a revision of the EDU sewer allocation table for new capacity in the Mystic Harbour Sewer Planning Area in *The Plan*. The Sewer EDU Allocation Table was included in the Maryland Department of Environment's modified approval of the Frontier Town amendment to *The Plan* (approval October 29, 2015) and the modified approval of the Mystic Harbour Waste Water Treatment Plant expansion amendment (approved November 25, 2015). The amendment would modify the Allocation of Sewer EDUs (table and map) in the Mystic Harbour SSA to reassign thirty four (34) sewer EDU's from the Infill and Intensification designation for properties in Area 1 (North of Airport) to the Frontier Town Campground designation in Area 2 (South of Airport). The capacity is intended to serve a proposed 101 campsite expansion of the Frontier Town Campground. The new campsites are proposed to connect to the Mystic Harbour WWTP utilizing a pump station and force main currently under construction for the initial connection of the existing 584 campsites at the Frontier Town campground. The new 101 sites will be located on the existing Frontier Town property.

The sewer EDU allocation table was included in the Maryland Department of Environment's (MDE) modified approval of the Frontier Town and Mystic Harbour amendments to *The Plan*.

Other than a relabeling of the assigned EDUs within the service area on the map, this amendment also does not seek to amend or intensify the wastewater planning areas approved as modified by MDE in Resolution 14-26, with respect to the mapped planning areas in Figure 4-14.

In order to complete this project, the following infrastructure will be needed:

- Anticipated infrastructure changes include connecting force/gravity mains within the campground property for the new campsites to connect to the force main and pump station conveying the sewage from the existing campground to the Mystic Harbour WWTP.

To summarize, this amendment is prepared to revise the allocation of sewer EDUs within the Mystic Harbour Sewer Planning Area.

The Planning Commission is tasked by Section 1.4 of *The Plan* ("Procedures for Plan Amendments") to make a finding as to whether this amendment would be consistent with *The Comprehensive Plan*. The Planning Commission may also submit its project comments and recommendations. The findings and comments will be submitted to the County Commissioners. The County Commissioners will hold a public hearing and then take action on the proposal.

### **Comprehensive Plan Policies**

The comprehensive plan assigns five land use designations to the West Ocean City and Mystic Harbour sewer planning area. These designations include commercial center, existing developed area, institutional, green infrastructure, and agriculture.

Existing Developed Centers are defined (p. 13) as follows:

- Existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained.
- Not designated as growth areas, these areas should be limited to infill development.

Commercial Centers are defined (p. 16) as follows:

- This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses.

Agriculture is defined (p. 18) as follows:

- This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted.
- Residential and other conflicting land uses although permitted are discouraged.

Institutional is defined (p. 20) as follows:

- Major public properties and facilities.

Green Infrastructure is defined (p. 19) as follows:

- Designated to preserve environmentally significant areas and to maintain the environmental functionality of the county's landscape.

The comprehensive plan goes on to state:

Chapter One, "Introduction" states:

- Provide for adequate public services to facilitate the desired amount and pattern of growth (p.8).

Chapter Three, "Natural Resources" states:

- Provides a goal that Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources (...) clean surface and ground water (p.33).
- Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources...clean surface and ground water (p. 33).
- Improve water bodies on the "Impaired Water Bodies (303d) List" to the point of their removal from this list (p. 33).

Chapter Three, "TMDLs" states:

- "all reasonable opportunities to improve water quality should be undertaken as a part of good faith efforts to meet the TMDL standards." (p.36)

Chapter Six, "Public Infrastructure" states:

- Consistent with the development philosophy, facilities and services necessary for the health, safety, and general welfare shall be cost effectively provided (p.70).
- Plan for efficient operation, maintenance, and upgrades to existing sanitary systems as appropriate (p. 73).
- Provide for the safe and environmentally sound water supply and disposal of wastewater generated in Worcester County (p.73).
- Use land application of treated wastewater as the preferred wastewater disposal method where appropriate (p. 73).
- Sewer systems should be sized to serve their service areas' planned for land uses (p. 74).

Chapter Seven, "Transportation", under Transportation Policies, Projects, and Recommendations, MD 611 (p. 85), states:

- Growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system.

### **Zoning**

The *Planning Area* has already been approved under various amendments and is appropriately zoned for the current and proposed uses planned for the existing sanitary area properties.

### **Staff's Comments**

Staff comments are submitted below for your consideration. The Department of Public Works has no comments at this time.

1. This proposal seeks to meet new demand generated by infill development within the planning areas. The project would provide service to areas designated by the comprehensive plan and comprehensive water and sewerage plan for public sewer service.
2. The *Planning Area's* comprehensive plan designations and zoning permits the proposed uses. Any construction in the *Planning Area* would be required to meet the provisions of the storm water program, critical area, and other local and state regulatory requirements.
3. This proposal does not require the expansion of the treatment facilities capability and can be adequately handled in the upgraded Mystic Harbour WWTP.
4. Current land use patterns will not change as a result of this project which is entirely located within the current property boundaries of the existing campground.
5. *The Plan* states that proposed amendments must be consistent with *The Comprehensive Plan* and existing zoning classifications. As proposed, the project appears to be consistent with *The Comprehensive Plan* and existing zoning.

If you need further information, please contact us.

Sincerely,



Robert J. Mitchell, LEHS  
Director

Attachments

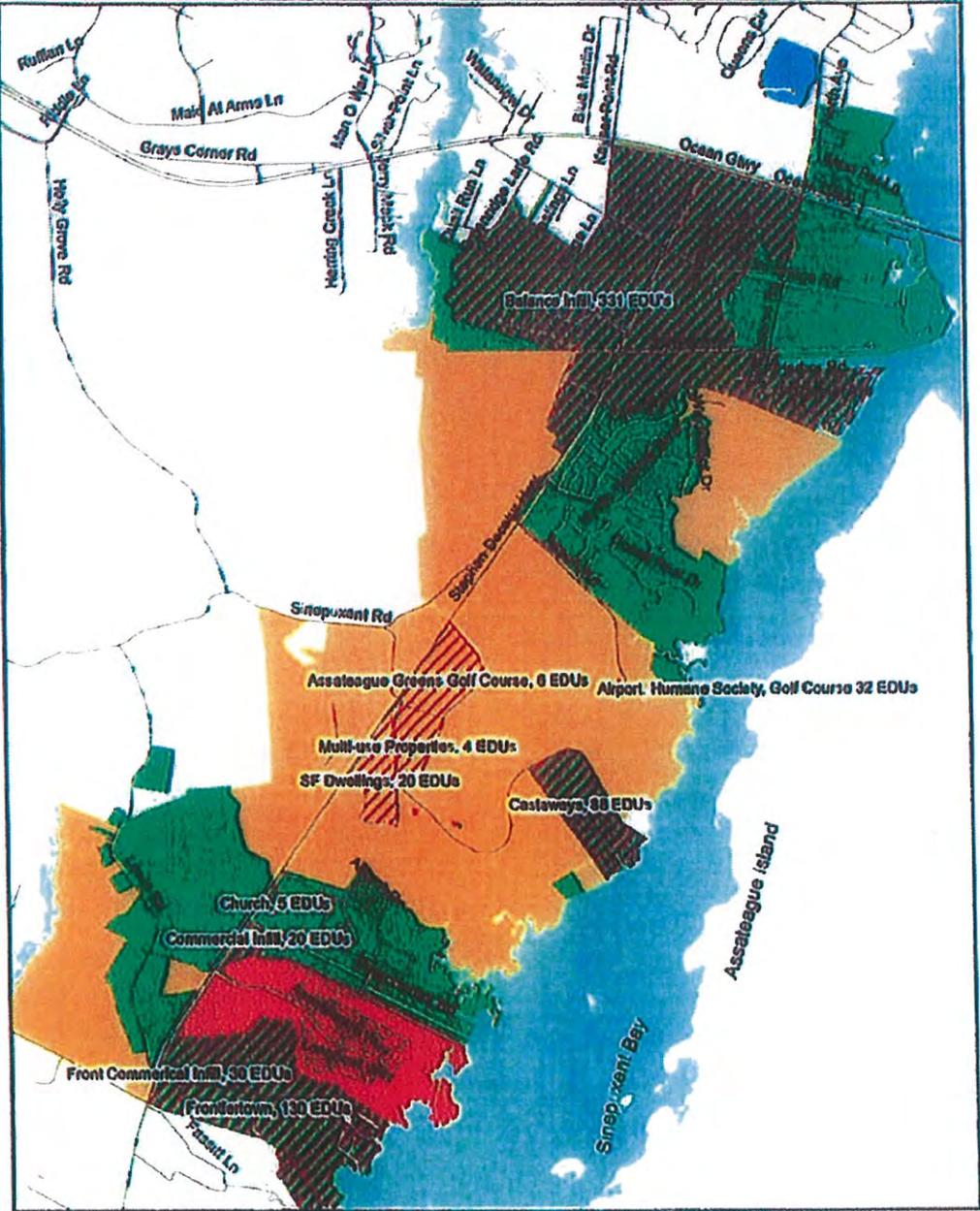
cc: WS Amendment File (SW 2018-02)

# **Attachment 1**

## **Plan Insert Changes**

**Existing and Revised Figure 4-14  
Existing and Revised Sewer Allocation  
Table (Page 4-31.6)  
Revised Mystic Sewer Narrative Insert  
(Page 4-31.4)**

**MDE Modification to the Frontier Town Sewer Amendment  
Amendment Modification effective October 29, 2015**



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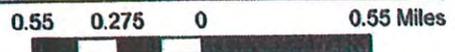
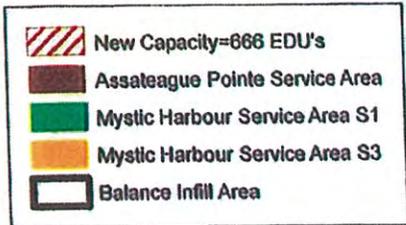
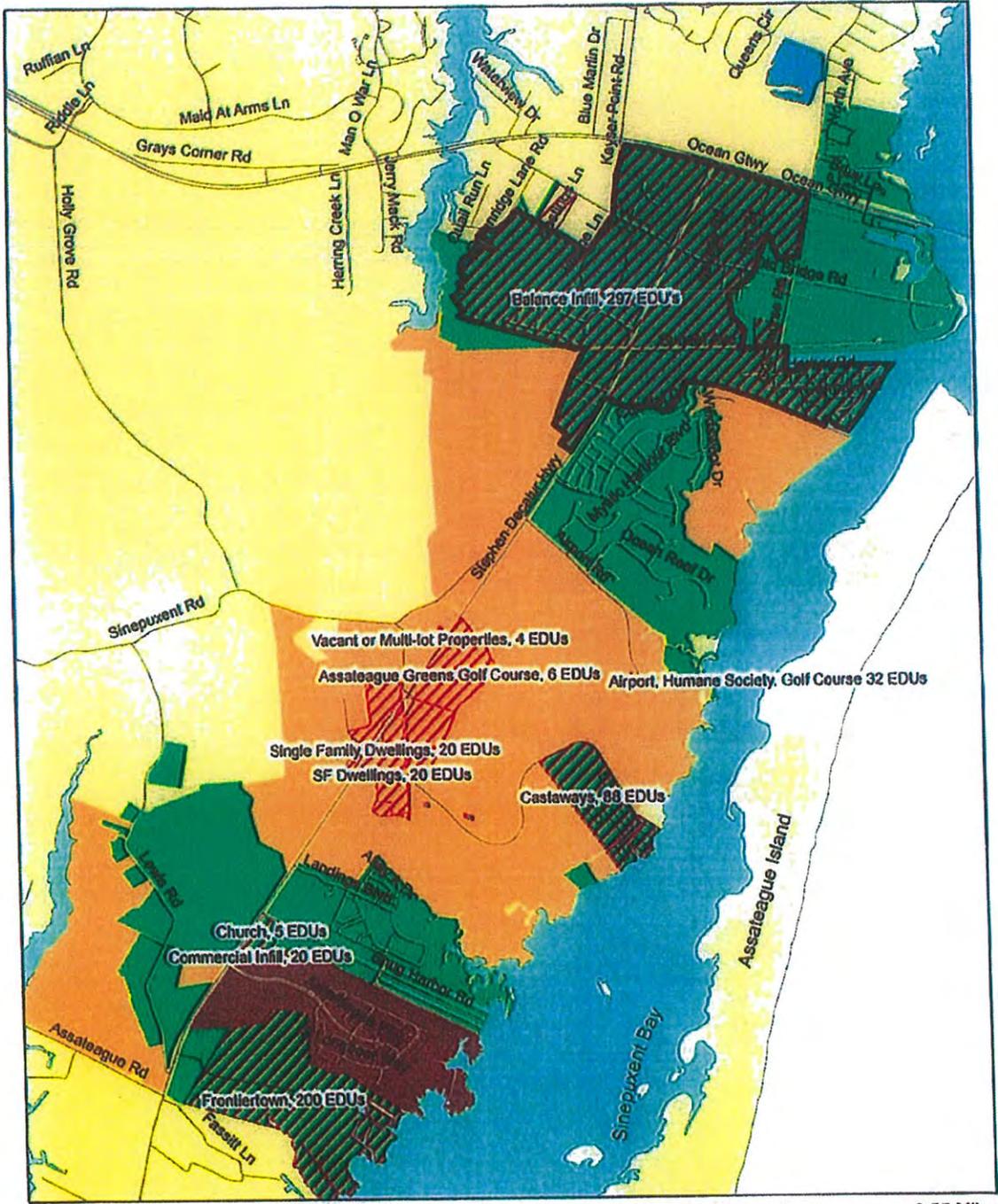


**FIGURE 4-14**

Existing

**Figure M  
Mystic Harbour Sewer Planning Area  
Proposed Mystic Capacity--686 EDU's**

Prepared by the Worcester County  
Department of Environmental Programs  
June 2016



**FIGURE 4-14**  
**New**  
 Mystic Harbour Sewer Planning Area  
 New Mystic Capacity--666 EDU's  
 Revised Figure M  
 Mystic Harbour Environmental Report  
 Prepared by the Worcester County  
 Department of Environmental Programs  
 May 18, 2018

**MDE Modification to the Frontier Town Sewer Amendment  
Amendment Modification effective October 29, 2015**

<b>EDUs in MYSTIC HARBOUR SANITARY SERVICE AREA (New Capacity)</b>	
<b>North of Airport, North of Antique Road, East and West of Rt 611</b>	
<b>80</b>	<b>Vacant of Multi-lot Properties "Area 1"</b>
<b>80</b>	<b>Commercial Properties - "Area 1"</b>
<b>17</b>	<b>SF Dwellings</b>
<b>154</b>	<b>Infill and intensification of properties in "Area 1"</b>
<b>331</b>	<b>Subtotal EDUs</b>
<b>Airport and South of Airport, East of Rt 611</b>	
<b>4</b>	<b>Vacant or multi-lot properties</b>
<b>6</b>	<b>Assateague Greens Executive Golf Course/Range - 9 holes</b>
<b>5</b>	<b>Church</b>
<b>20</b>	<b>SF Dwellings</b>
<b>32</b>	<b>Airport/Clubhouse/Humane Society</b>
<b>88</b>	<b>Castaways Campground</b>
<b>130</b>	<b>Frontier Town Campground</b>
<b>30</b>	<b>Commercial Portion of Frontier Town</b>
<b>20</b>	<b>Additional Commercial Infill South of Airport</b>
<b>335</b>	<b>Subtotal EDUs</b>
<b>666</b>	<b>TOTAL</b>

Note: These EDUs are mapped on Figure M attached to this report.

**Allocation of Sewer EDUs in Mystic Harbour Sanitary Service Area (New Capacity as of 4/17/18)**

<b>North of Airport, North of Antique Road, East and West of Route 611 - "Area 1"</b>	<b>Original Allocation</b>	<b>Current Adjusted Allocation</b>	<b>Sold and In Service</b>	<b>Sold and Not In Service</b>	<b>Remaining Allocation</b>	<b>Footnotes</b>
Infill and Intensification of Properties in "Area 1"	154	114	0	0	114	3, 10
Vacant or Multi-lot Properties in "Area 1"	80	80	0	0	80	
Single Family Dwellings	17	17	0	0	17	
Commercial Properties in "Area 1"	80	80	0	31	49	4, 5, 7, 8
<b>Subtotal EDUs in "Area 1"</b>	<b>331</b>	<b>291</b>	<b>0</b>	<b>31</b>	<b>260</b>	
<b>Airport and South of Airport, East of Route 611 - "Area 2"</b>						
Commercial Infill South of Airport	20	20	0	0	20	
Vacant or Multi-lot Properties	4	4	0	2	2	6
Assateague Greens Executive Golf Course/Range-9-holes	6	6	0	0	6	
Ocean City Airport, Clubhouse and Humane Society	32	32	32		0	1
Church	5	5	0	0	5	
Single Family Dwellings	20	20	0	1	19	9
Castaways Campground	88	88	88		0	2
Frontier Town Campground	130	200	0	166	34	3, 10
Commercial Portion of Frontier Town Campground	30	0			0	
<b>Subtotal EDUs in "Area 2"</b>	<b>335</b>	<b>375</b>	<b>120</b>	<b>169</b>	<b>86</b>	
<b>TOTAL EDUs</b>	<b>666</b>	<b>666</b>	<b>120</b>	<b>200</b>	<b>346</b>	

Note: See attached map for location of EDU allocations

Footnotes:

- 1 - Transferred 32 EDUs to Town of Ocean City on June 3, 2014 as part of the Eagles Landing Spray Irrigation MOU.
- 2 - Sold 88 EDUs to Castaways Campground on July 3, 2014.
- 3 - Sold 166 EDUs to Frontier Town Campground on March 30, 2017 by transferring 30 EDUs from Frontier Town Commercial allocation and 6 EDUs from "infill and intensification of properties in Area 1" allocation as agreed by Commissioners on September 19, 2017.
- 4 - Sold 14 EDUs to Park Place on May 16, 2017.
- 5 - Hampton Inn bought 40 EDUs from Mitch Parker and bought an additional 13 EDUs from the County on August 28, 2017.
- 6 - Approved the sale of 2 EDU's to Victor H. Birch Property on March 20, 2018.
- 7 - Approved the sale of 1 EDU to Eugene Parker Trust Property on April 3, 2018.
- 8 - Approved the sale of 3 EDU's to L & B Ocean City, LLC Properties on April 3, 2018.
- 9 - Approved the sale of 1 EDU to Michael Jay Deem Property on April 17, 2018.
- 10 - Proposed Water and Sewerage Plan Amendment - 34 EDUs from "infill and intensification of properties in Area 1" to Frontier Town Campground for Expansion - initiated by County Commissioners on May 15, 2018.

5. **Resolution 08-23** (September 2, 2008). Approved the replacement and expansion of the Mystic Harbour wastewater treatment plant from .25MGD to .45MGD. This amendment was denied by MDE due to inconsistencies with the county's new comprehensive plan.
6. **Resolution 09-16** (July 7, 2009). Approved the replacement and expansion of the Mystic Harbour wastewater treatment plant from .25 MGD to .45 MGD and amended the designations (from S-1 to S-3) of portions of the service area to align them with the comprehensive plan. The amended areas were designated "agriculture" or "green infrastructure" by the comprehensive plan. Also, in response to MDP comments, provisions to address failing on-site septic systems and other such systems contributing nutrients to the Coastal Bays were included.
7. **Resolution 14-23** (October 21, 2014) Add two outfalls to the Mystic Harbour WWTP and increase discharge flow for the WWTP from 250,000 gpd to 450,000 gpd. Added golf course as irrigation and the Ocean City system as a redirection discharge location. Monitoring meters, pumping improvements, connection mains and spray construction were all part of the infrastructure improvements envisioned. MDE MODIFICATION WAS TO ADOPT THE MYSTIC AMENDMENT with the incorporation of the *Mystic Harbour Sanitary Service Area Environmental Report* into the Master Water and Sewerage Plan and the EDU allocation table and service area map included in that report.
8. **Resolution 14-24** (November 18, 2014) Expanded the Mystic Harbour sewer planning area to include the existing Frontier Town campground so they could connect to the Mystic WWTP by way of a pump station and force main. Infrastructure improvements to abandon the septic systems in the campground and provide a connection to the force main and pump station were also part of the amendment. The initial connection was estimated at 160 EDUs. MDE MODIFICATION TO THE AMENDMENT – Included EDU allocation table and modified service area map from the *Mystic Harbour Sanitary Service Area Environmental Report*.
9. **Resolution 18-xx** (date) This amendment revised the Allocation of Sewer EDUs in the Mystic Harbour Sanitary Service Area (SSA) as reflected in *The Plan*. The Sewer EDU Allocation Table was included in the Maryland Department of Environment's modified approval of the Frontier Town amendment to *The Plan* (approval October 29, 2015) and the modified approval of the Mystic Harbour Waste Water Treatment Plant expansion amendment (approved November 25, 2015). The amendment modifies the Allocation of Sewer EDUs (table and map) in the Mystic Harbour SSA to reassign thirty four (34) sewer EDU's from the Infill and Intensification designation for properties in Area 1 (North of Airport) to the Frontier Town Campground designation in Area 2 (South of Airport). The capacity is intended to serve a proposed 101 campsite expansion of the Frontier Town Campground. The new campsites are proposed to connect to the Mystic Harbour WWTP utilizing a pump station and force main currently under construction for the initial connection of the existing 584 campsites at the Frontier Town campground. The new 101 sites will be located on the existing Frontier Town property.

**Worcester County Planning Commission  
Meeting Minutes**

**Meeting Date:** June 7, 2018

**Time:** 1:00 P.M.

**Location:** Worcester County Government Office Building, Room 1102

**Attendance:**

**Planning Commission**

Mike Diffendal, Chair

Marlene Ott

Betty Smith

Jerry Barbierra

Rick Wells

Brooks Clayville

**Staff**

Maureen Howarth, County Attorney

Ed Tudor, Director, DDRP

Jennifer Keener, Zoning Administrator

Robert Mitchell, Director, DEP

**I. Call to Order**

**II. Administrative Matters**

- A. Review and approval of minutes, May 3, 2018** — As the first item of business, the Planning Commission reviewed the minutes of the May 3, 2018 meeting. Following the discussion it was moved by Ms. Ott, seconded by Mr. Wells and carried unanimously to approve the minutes as submitted. Mr. Diffendal and Mr. Clayville abstained.
- B. Review and approval of minutes, May 10, 2018** — As the next item of business, the Planning Commission reviewed the minutes of the May 10, 2018 meeting. Following the discussion it was moved by Ms. Ott, seconded by Ms. Smith and carried unanimously to approve the minutes as submitted.
- C. Board of Zoning Appeals agenda, June 14, 2018** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for June 14, 2018. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

**III. Water and Sewer Plan Amendment**

As the next item of business, the Planning Commission reviewed an application associated with the addition of certain informational items in *The Plan* for the Mystic Harbour Sanitary Area (SW 2018-2). Robert Mitchell, Director of Environmental Programs, presented the request on behalf of the applicant, the Worcester County Commissioners.

Mr. Mitchell explained that the applicant is requesting a revision of the EDU sewer allocation table for new capacity in the Mystic Harbour Sewer Planning Area in *The Plan*. This revision is to provide sewer sanitary capacity to serve a proposed 101 campsite expansion of the Frontier Town campground. He also explained that the Sewer EDU Allocation Table was included in the Maryland Department of Environment's modified approval of the Frontier Town amendment to *The Plan* (approval October 29, 2015) and the modified approval of the Mystic Harbour Waste Water Treatment Plant expansion amendment (approved November 25, 2015). The amendment would modify the Allocation of Sewer EDUs (table and map) in the Mystic Harbour sewer planning area to reassign thirty four (34) sewer EDU's from the Infill and Intensification

designation for properties in Area 1 (North of Airport) to the Frontier Town Campground designation in Area 2 (South of Airport). The Mystic Harbour sewer planning area Figure 4-14 would also be revised to be reflective of the EDU changes in the capacity notations on the map. Specifically, the map label for the northern area Balance Infill EDU allocation would be lowered 34 EDUs, and the label for the Frontier Town property in the southern district would be increased by 34 EDUs.

Mr. Mitchell reviewed the staff report noting the consistencies found for such a development in the Comprehensive Plan and proposed improvements would be permitted in accordance with existing zoning within the property boundaries of the current campground.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Clayville and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

#### **IV. Miscellaneous**

Mr. Tudor referenced the memorandum that the Planning Commission members should have received by now which strongly recommends that each member attend a review session in person. He offered staff's assistance in making the necessary arrangements for the session of their choice.

**VII. Adjourn** – The Planning Commission adjourned at 1:11 P.M.

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Betty Smith, Secretary

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Jennifer K. Keener

expansion or enlargement of water production, treatment, or distribution facilities or any sewage treatment, disposal, or collection facilities as may be necessary to accommodate the new developments.

#### 1.4 PROCEDURES FOR PLAN AMENDMENTS

##### 1.4.1 General

Proposed amendments to the Water and Sewerage Plan will be considered by the County Commissioners only if the amendments are consistent with the provisions of the Comprehensive Development Plan and existing zoning classification. If a proposed water or sewage project is not consistent with the existing zoning classification, the amendment may be proposed in conjunction with an application for zoning reclassification. In such event the Water and Sewerage Plan amendment hearing shall be conducted jointly with the rezoning hearing.

##### 1.4.2 Application for Amendments

All applications for amendments to the Comprehensive Water and Sewerage Plan shall be filed with the Department of Planning, Permits and Inspections. Applications shall contain such information and shall be submitted on such forms as promulgated by the Department (see Appendix D). In addition to the information required, the Department may require such additional information as determined necessary to properly evaluate the application. A fee, as set by Resolution of the County Commissioners, shall be submitted with the application.

##### 1.4.3 Review

The application shall be reviewed by the Environmental Programs Section and the Planning Section of the Department of Planning, Permits and Inspections and shall be submitted to the Planning Commission for its review. If appropriate, the application shall also be forwarded to the Department of Water and Wastewater Services for review and comments. If additional technical review is required the Department of Planning, Permits and Inspections may, with the approval of the County Commissioners, arrange for independent technical advice on the application. The applicant shall be notified of the need for such additional technical advice and shall be required to reimburse the County for the cost of such. The Department of Planning, Permits and Inspections shall submit the application, along with the recommendation and comments of the Environmental Programs Section, the Planning Section and Planning Commission, to the County Commissioners for a public hearing.

#### **1.4.4 County Commissioners' Approval**

Upon submission of the application and recommendations, a public hearing on the requested amendment shall be advertised as required by law and regulation. Notices shall be sent to any affected municipality, the Department of Water and Wastewater Services, and the State Department of the Environment. The County Commissioners may approve, disapprove, or approve with amendments and conditions the requested amendments to the Comprehensive Water and Sewerage Plan. The approved amendments shall be forwarded to the State Department of the Environment for review and approval by that agency. Upon notification from the State Department of the Environment that the amendment has been approved by the State it shall be incorporated into the Worcester County Comprehensive Water and Sewerage Plan.

Amendments which do not pertain to the addition or deletion of water or sewer systems and which are considered to be relatively minor revisions, such as the upgrading of a water service area from W-3 to W-1, can be processed by administrative procedures delegated to the Department of Planning, Permits and Inspections as opposed to requiring a public hearing before the County Commissioners. Such minor amendments must go through the same review process at the local level as major amendments, as described in 1.4.3. They must be considered by the Planning Commission and found to be consistent with the County's Comprehensive Development Plan and must subsequently be reviewed and approved by the County Commissioners. The County Commissioners' Resolution officially approving such minor amendments as well as the pertinent revised narrative, charts, tables or maps, must be forwarded to the State Department of the Environment annually.

#### **1.4.5 Biennial Update**

As required by State regulation, the Water and Sewerage Plan shall be updated biennially. The Department of Planning, Permits and Inspections shall supply data forms to all owners and operators of water and sewerage systems for the submission of amendments or changes as may be required.

All amendments and changes shall be reviewed by the Department of Planning, Permits and Inspections, the Planning Commission and the Department of Water and Wastewater Services if appropriate. The County Commissioners shall hold a public hearing on the update and proposed changes.

(q) *Water supply system.* — (1) "Water supply system" means a publicly or privately owned or operated:

(i) Source and the surrounding area from which water is supplied for drinking or domestic purposes; and

(ii) Structure, channel, or appurtenance used or intended to be used to prepare water for use or to deliver water to a consumer.

(2) "Water supply system" does not include the plumbing system inside any building that is served by the water supply system. (1983, ch. 542, § 2; 1984, ch. 762; 1992, ch. 295.)

*Revision of subtitle.* — Chapter 542, Acts 1983, effective July 1, 1983, repealed former §§ 9-501 through 9-517 and the subtitle heading "County Plans" and enacted present §§ 9-501 through 9-521 to be under the new subtitle heading "County Water and Sewerage Plans."

*University of Baltimore Law Review.* — For comment concerning federal, State and local regulation of hazardous and nonhazardous waste management, see 17 U. Balt. L. Rev. 114 (1987).

*Grant of authority to adopt or amend plan.* — This subtitle does not authorize a

county council itself to adopt or amend a county's solid waste management plan. That authority is granted to the "county governing body" or the "governing body of the county." *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Stated in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

Cited in *Sugarloaf Citizens Ass'n v. Northeast Md. Waste Disposal Auth.*, 323 Md. 641, 594 A.2d 1115 (1991); *Gregory v. Board of County Comm'rs*, 89 Md. App. 635, 599 A.2d 469 (1991).

§ 9-502. Scope of subtitle.

(a) *Systems not requiring water for human or animal consumption.* — Unless the operation of a water supply system would interfere with a cleanup or remediation action of the Department, this subtitle does not prohibit the installation or operation of a water supply system that is used only to supply water for purposes other than human or animal consumption.

(b) *Counties exempt from subtitle.* — If a county is exempt from the provisions of this subtitle, the county may not receive funds from the sanitary facilities fund.

(c) *Conflict with other laws, rules, or regulations.* — Any rule or regulation adopted under this subtitle does not limit or supersede any other county, municipal, or State law, rule, or regulation that provides greater protection to the public health, safety, or welfare. (1983, ch. 542, § 2; 1989, ch. 25.)

Quoted in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

Stated in *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert.

dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

§ 9-503. County plans — Required; review by governing body of county; revision or amendment.

(a) *Requirement.* — Each county shall have a county plan or a plan with adjoining counties that:

(1) Is approved by the Department;

(2) Covers at least the 10-year period next following adoption by the county governing body; and

(3) Deals with:

(i) Water supply systems;

(ii) Sewerage systems;

(iii) Solid waste disposal systems;

(iv) Solid waste acceptance facilities; and

(v) The systematic collection and disposal of solid waste, including litter.

(b) *Review by governing body of county.* — Except as provided in § 9-515 of this subtitle, each county governing body shall review its county plan at least once every 3 years in accordance with a schedule set by the Department.

(c) *Revision or amendment.* — Each county governing body shall adopt and submit to the Department a revision or amendment to its county plan if:

(1) The governing body considers a revision or amendment necessary; or

(2) The Department requires a revision or amendment.

(d) *Public hearing prior to adoption.* — (1) Before a county governing body adopts any revision or amendment to its county plan or adopts a new county plan, the governing body shall:

(i) Conduct a public hearing on the county plan, revision, or amendment that may be conducted jointly with other public hearings or meetings; and

(ii) Give the principal elected official of each municipal corporation that is affected notice of the county plan, revision, or amendment at least 14 days before the hearing.

(2) (i) Notice of the time and place of the public hearing, together with a summary of the plan, revision, or amendment, shall be published in at least 1 newspaper of general circulation in the county once each week for 2 successive weeks, with the first publication of notice appearing at least 14 days before the hearing.

(ii) Notice of the public hearing may be a part of the general notice listing all other items to be considered during the public hearing or meeting. (1983, ch. 542, § 2; 1985, ch. 224; 1988, ch. 101; 1989, ch. 820; 1990, ch. 6, § 2; 1994, ch. 661, § 2.)

EXPLANATION

Section 9-503 (b) of the Environment Article requires counties to conduct at least a biennial review of their ten-year plans concerning water and sewage systems and solid waste facilities. Staff recommends this requirement be

modified to require review at least every three years. The Department of the Environment has agreed with this change; the triennial review would be consistent with the review of several other programs under the Department