

AGENDA

WORCESTER COUNTY COMMISSIONERS

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

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>
Meeting Attendees are required to wear face coverings and practice social distancing.

February 16, 2021

Item #

9:00 AM - Vote to Meet In Closed Session in Commissioners' Meeting Room - Room 1101
Government Center, One West Market Street, Snow Hill, Maryland

9:01 - Closed Session: Discussion regarding the hiring of a Vehicle and Equipment Mechanic III in Public Works, and certain personnel matters; receiving legal advice from Counsel; and performing administrative functions

10:00 - Call to Order, Prayer (Pastor George Tasker), Pledge of Allegiance

10:01 - Report on Closed Session; Review and Approval of Minutes of February 2, 2021 Meeting

10:05 - Chief Administrative Officer: Administrative Matters

(AGH Update, CRICKET/CAC Update, Pending Board Appointments, Proposed Employee Events and Programs for 2021, Housing Rehab Bid Package, Housing Rehab Subordination Request, South Point - Spagnola Request, South Point - DNR Request, 911 Dispatch Server Purchase Request, Track Loader Request to Bid)

1-10

10:10

10:20

10:30 - Public Hearing on Rezoning Case 431 (Northerly Side of Ocean Gateway, East of Old Bridge Rd.)
Legislative Session: Public Hearing on Bill 21-2: Zoning Signs

11-12

10:40 -

10:50 -

11:00 -

11:30 - Questions from the Press; County Commissioner's Remarks

12:00 - Closed Session (If Necessary)

Lunch

1:00 PM - Chief Administrative Officer: Administrative Matters (If Necessary)

1-10

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

Hearing Assistance Units Available - see Weston Young, 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

February 2, 2021

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

Following a motion by Commissioner Elder, seconded by Commissioner Bunting, with Commissioner Nordstrom absent, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton. Topics discussed and actions taken included the following: advertising for a Budget Officer for County Administration and a Director for Public Works; hiring Sheree Padgett as an Emergency Communications Specialist in Emergency Services, Kirk Davis as a Master HVACR (heating, ventilation, air conditioning, and refrigeration) Mechanic within the Maintenance Division of Public Works, Jennifer Evans as a Recreation Program Manager II within Recreation, Parks, Tourism, and Economic Development; advertising internally for the position of Captain and hiring Caleb Foster as a Corrections Officer Trainee within the County Jail; certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including receiving the FY21 monthly financial update and discussing potential board appointments.

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, the Commissioners unanimously voted to adjourn their closed session at 9:49 a.m.

Commissioner Nordstrom was absent from the meeting.

After the closed session, the Commissioners reconvened in open session. Commissioner Mitrecic called the meeting to order, and following a morning prayer by Pastor Tonya McClain of Salem and Bethany United Methodist Churches of Pocomoke and pledge of allegiance, announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the open and closed session minutes of their January 19, 2021 meeting as presented.

The Commissioners presented a proclamation to Leola Smack, recognizing February as Black History Month in Worcester County and recognizing Eastern Shore natives who champion

human rights and unity, historic individuals like Reverend Charles A. Tindley who penned the Civil Rights Movement anthem *We Shall Overcome*; and those bridging gaps in our community today, individuals like Ms. Smack who became the first African American teacher at Buckingham Elementary School. Both in and out of the classroom, Ms. Smack coordinated numerous programs to benefit at-risk youth in Worcester County.

The Commissioners presented a proclamation to Krista Hill of the Worcester County Dental Center in Berlin recognizing February as Children's Dental Health Month in Worcester County. The dental center, which operates under the auspices of the Health Department, serves those age 20 and younger and pregnant women who are low income, uninsured or enrolled in the Maryland Medicaid Program.

The Commissioners presented a proclamation to Human Resources Specialist Kelly Brinkley recognizing February as National Canned Food Month. Ms. Brinkley advised that County employees began hosting an annual canned-food drive in 2017, and each year they donate the collected items to one of the area food banks feeding needy families. She stated that the items collected this year will be donated to the Spirit Kitchen at Stevenson United Methodist Church in Berlin. More than 720,000 Marylanders don't know where their next meal will come from, and 38 percent of these individuals make too much to qualify for federal assistance. Therefore, the Commissioners stand with local non-profit organizations and the Maryland Food Bank to help end hunger. To learn more about how to help feed the hungry, visit www.mdfoodbank.org.

The Commissioners presented a retirement commendation to Warden Donna Bounds, honoring her for 39 years of dedicated service to Worcester County Government, where she began her career as a Correctional Officer on March 1, 1982, was promoted to Operations Commander in 2007, Assistant Warden in 2011, and Warden in 2017. Commissioner Mitrecic noted that, under Warden Bound's watchful leadership, the County Jail is recognized as one of the finest correctional institutions in the State, earning recognition from the Maryland Commission on Corrections Standards for achieving 100% compliance for 18 consecutive years.

Public Schools Superintendent Lou Taylor presented a check to the Commissioners for \$609,580 from the fund balance that remained upon completing the Showell Elementary School (SES) construction project. Mr. Taylor thanked the Commissioners and his staff, specifically Facilities Planner Joe Price, for working together to complete the project under budget and at a substantial savings to County taxpayers.

Ocean City Development Corporation (OCDC) Executive Director Glenn Irwin and OCDC Board of Directors President Kevin Gibbs provided the Commissioners with an update about the OCDC's revitalization efforts, which included the following: Facade Program, which includes having renovated 245 buildings to date, four projects underway, \$7.1 million in private sector investment, and 6:1 leveraging of private to public funds; Green Building Initiatives Program, with 82 projects completed and seven underway, and \$1.2 in private sector investment; Business Assistance Program, with fixed interior improvements to 35 new or expanding businesses and \$2.1 million in private investment; New Construction, including 11 new hotel

units to be completed by spring 2021; Strategic Demolition Program, which includes 50 beds for seasonal housing to be completed by spring 2021, Public Art Program; Special Events, which included adjustments to protect public health at all nine events; and Upcoming OCDC Items.

Commissioner Mitrecic thanked OCDC officials for the update and their hard work to improve the downtown Ocean City and its impact on the County's tax base.

The Commissioners met with Development Review and Permitting Director Ed Tudor to discuss a request from Deeley Chester for the County to apply on his behalf for a Comprehensive Flood Management Grant to help cover the cost to raise his house. Mr. Tudor stated that the grant was already submitted to meet the January 2021 submission deadline; however according to MDE requirements, the County, not the property owner, must act as the grantee and would be responsible for 25% of project costs and overseeing the bidding process. He stated that staff supports Mr. Chester's efforts to raise the structure and it appears a single property could be eligible for this grant, the intent of the grant program is actually to address broader community issues.

Commissioner Mitrecic stated that the County could act as the applicant and require Mr. Chester through a secondary contract to fund the 25% match and any associated bid costs. In response to a question by Commissioner Bertino, Mr. Tudor stated that staff could oversee the bidding process.

Mr. Chester said that he became aware of the grant two weeks ago, the grant is available for this purpose, and he asked the Commissioners to consider his request. In response to a question by Commissioner Mitrecic, Mr. Chester stated that he would cover the 25% match and administrative costs for the bid process if awarded the grant.

A motion made by Commissioner Church authorizing the County to apply for the grant with Mr. Chester to cover all costs associated with the 25% match and bid process failed for lack of a second. The Commissioners took no further action.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the Commissioners unanimously agreed to appoint Gary Weber as the Snow Hill representative on the Solid Waste Advisory Committee for a four-year term expiring December 31, 2024.

Upon a nomination by Commissioner Church, the Commissioners unanimously agreed to appoint Don Furbay to the Solid Waste Advisory Committee for a four-year term expiring December 31, 2024.

Upon nominations by Commissioner Bunting, the Commissioners unanimously agreed to reappoint Ocean City Mayor Richard Meehan to the Local Development Council for the Ocean Downs Casino for an additional four-year term expiring December 31, 2024, and voted 6-0, with Commissioner Mitrecic abstaining due to a conflict of interests, to appoint Jake Mitrecic to the Board of Zoning Appeals for a three-year term expiring December 31, 2023.

Pursuant to the recommendation of Budget Officer Kathy Whited and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to conduct the public hearing on the FY22 County Operating Budget on May 4, 2021 virtually, with the Commissioners to be present in the meeting room. Those interested in providing public comments will be able to do so by registering in advance to speak during the hearing or by submitting written comments in

advance. Additional details about the hearing will be available in the near future.

Pursuant to the recommendation of Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo and upon a motion by Commissioner Elder, the Commissioners unanimously approved the Public Landing boat slip rental project, with slips to be leased using a lottery system at a yearly cost of \$800 for each 12-foot slip and \$1,000 for each 15-foot slip. Mr. Perlozzo stated that the County is continuing work on the boat ramp and upcoming work includes the parking lot, lighting, electrical, and water, noting that the Maryland Department of Natural Resources verbally approved a \$19,000 grant for a pump out station.

In response to questions by Commissioner Bertino, Mr. Perlozzo stated that the County will install security cameras at this location, and County Attorney Roscoe Leslie advised that the County will not accept liability for any damages that could occur to boats, and the contract will include a clause advising slip holders that they are using the facility at their own risk. In response to a question by Commissioner Bunting, Mr. Perlozzo stated that 75 feet of space remaining open on the bulkhead could be designated for transient use.

The Commissioners resumed their January 19, 2021 discussion with Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo regarding proposed cost-neutral operational changes within Economic Development to include the addition of one new position, Workforce Coordinator. Mr. Perlozzo reiterated that this proposal supports the highest and best use of taxpayer dollars, as it would eliminate the high cost for the third-party contractor for the science, technology, engineering, and math (STEM) program. He confirmed that the new position would oversee a modified STEM program for placing interns, and in particular this position would focus on workforce development in the skilled trades, agriculture, and tourism (STAT). He concluded that these changes would make the department more of a resource for the community and better able to attack the various workforce issues.

In response to a question by Commissioner Bertino, Mr. Perlozzo confirmed that the third-party contractor has provided no reports during the past 10 years to help his office gauge the success of the STEM program, and to the best of his knowledge, none of the students who participated in the STEM program have pursued STEM careers in Worcester County. Furthermore, because the County appears to be duplicating the efforts of a STEM program offered at the Worcester Technical High School (WTHS), this department would be a better resource to the community by providing opportunities to learn skilled trades to those who are not college bound.

Following much discussion and due to the absence of Commissioner Nordstrom, Commissioner Bertino made a motion, which he later withdrew to table discussions on this matter until their next meeting.

Commissioner Purnell requested staff break down their specific STAT goals, stressed that County residents need to train for full-time, year-round careers, not seasonal resort jobs, and sought clarification on how staff plans to track the success of this position. Tourism and Economic Development Director Melanie Pursel stated that her background is in workforce development, and the purpose of the Workforce Coordinator position is to bring in someone with the resources and connections to create a pipeline to train youth and under/unemployed adults for available careers in the County. She stated that this position would go beyond the STEM and STAT programs to function as a connector, similar to that of the Lower Shore Workforce

Alliance through the Tri-County Council for the Lower Eastern Shore in Salisbury, which is funded through the federal Workforce Investment Act. She stated that the County has not dedicated a lot of resources to workforce development issues, such as youth and dislocated workers, which consequently have been directed through the American Jobs Center in Salisbury, and the County needs someone to serve on the WTHS board, workforce committees, and Junior Achievement to serve as a connector between those in need of skills training with County businesses seeking to fill career positions. For example, she advised that HVAC programs can now be taught in-house, and Wor-Wic Community College offers customizable training, and the Workforce Coordinator would be able to work with these and similar groups to identify these types of opportunities. Furthermore, there are industry-driven grants available to the County to connect youth to STEM and STAT while also serving the greater business community. She stated that these things all work together with tourism to sell Maryland's Coast – Worcester County. Ms. Pursel concluded that this focus is also preventative, as the County can provide hope to youth, especially those who are not college bound, by helping them identify opportunities to train for careers, such as carpentry and HVAC.

Ms. Pursel advised that STEM is a great program, and though the County can continue to place seven or eight kids in STEM internship positions, they can also do so much more. In response to comments by Commissioner Elder, Ms. Pursel advised that it would be very difficult to hire a qualified professional as a Workforce Coordinator if this begins as a temporary role that is evaluated not just on performance but also on results, as the position would not attract a professional. Chief Administrative Officer Harold Higgins reiterated that the County has instituted job performance evaluations, and the individual to be hired for this non-classified position will be analyzed annually to determine whether he or she is meeting the metrics the Commissioners implement for this position. Ms. Pursel concurred, noting that they can put metrics in place to benchmark the success of the role.

Following much discussion and upon a motion by Commissioner Purnell, the Commissioners unanimously approved the proposed STEM and STAT changes, with staff to update the Commissioners on the success of the new Workforce Coordinator position after six months.

Pursuant to the request of Public Works Deputy Director John Ross and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal from George, Miles, and Buhr, LLC of Salisbury, Maryland in the amount of \$79,917 for construction administration phase services for the construction of an operations center at the Ocean Pines Wastewater Treatment Plant.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Church, the Commissioners unanimously accepted the proposal from EA Engineering, Science, and Technology, Inc., PBC of Hunt Valley, Maryland for Groundwater Monitoring and Analytical Services at the Central Landfill in Newark for calendar years 2021-2022 at a total cost of \$81,798.70. In response to a question by Commissioner Bertino, Mr. Tustin advised that EA Engineering provides a valuable service to the County and has developed all of the historical data on the Central Landfill. He also confirmed that the next closest contractor that could perform these services is located in Pennsylvania.

The Commissioners reviewed a letter from Heather Harmon Disque, Regional Entomologist for the Maryland Department of Agriculture (MDA) Office of Forest Pest Management (FPM), advising that her office has identified one area where gypsy moth populations may cause defoliation in Worcester County and seeking the Commissioners' interest in participating in a gypsy moth aerial suppression project in spring 2021. She further noted that, if the Commissioners agree to participate in the treatment program, the County's estimated portion of the 50/50 cost share would be \$35 per acre for approximately 88 acres for a total County cost of \$3,080 if the FPM is awarded a federal grant and \$4,840 if grant funds are not approved.

Upon a motion by Commissioner Elder, the Commissioners unanimously approved the 50% local cost share as outlined above as an authorized over-expenditure for the gypsy moth aerial suppression project to be conducted in Worcester County.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the request to hire Earth Data, Inc. on a contractual basis as the County's consultant to investigate whether potential changes and modifications are needed to the Groundwater Protection Report, which is an appendix to the County's Master Water and Sewerage Plan and approved the use of encumbered funds of up to \$10,000 for this purpose.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Church, the Commissioners unanimously approved Modification Number Two to the Department of Natural Resources (DNR) Coastal Resiliency Program Capital Projects Grant Agreement for a no-cost extension to the end date of the grant to August 31, 2021 due to project delays for State permitting stemming from the ongoing COVID-19 pandemic.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the DNR Chesapeake & Atlantic Coastal Bays 2010 Trust Fund Grant Agreement for Capital Projects – Bond Funds for grant funds of \$463,300 for the Bainbridge Pond Stormwater Management Project.

Commissioner Bunting discussed a letter from William T. Greer, III, M.D. of Bishopville stating that good cell and internet service are non-existent in his area and requesting the Commissioners advise him when they plan to take the steps necessary to secure these services. Chief Administrative Officer Harold Higgins noted that the County has partnered with Talkie of Chestertown, Maryland to address the lack of broadband infrastructure in the County by expanding high-speed broadband to unserved areas of the County. In response to a question by Commissioner Bunting, Mr. Higgins agreed to research the costs associated with equipping a tower near Ocean Pines to extend broadband and cell service to the Bishopville area for the Commissioners' consideration at a future meeting.

The Commissioners answered questions from the press, after which they adjourned at 11:47 p.m. to meet again on February 16, 2020.

Atlantic General Hospital & Health System

Fiscal 2020 In Review What's Coming in 2021

VISION

To be the leader in caring for people and advancing health for the residents of and visitors to our community.

MISSION

To provide a coordinated care system with access to quality care, personalized service and education to create a healthy community.

VALUES

We become the leaders in caring through these values:

*C*ompassion

*A*ccountability

*R*espect

*E*rror-Free

QUALITY STATEMENT

We deliver care that is accessible, safe, appropriate, coordinated, effective, and centered on the needs of individuals within a system that demonstrates continual improvement.

SAFETY

We are committed to Zero Harm for our patients, providers, care givers, and associates.

PATIENT EXPERIENCE

*W*elcoming

*O*utstanding

*W*arm

We communicate with and treat our patients as loved ones.

ETHICAL COMMITMENT

To conduct ourselves in an ethical manner that emphasizes community service and justifies the public trust.



Atlantic General Hospital & Health System

Our Vision:

To be the leader in caring for people and advancing health for the residents of and visitors to our community.

Our Mission:

To provide a coordinated care delivery system with access to quality care, personalized service and education to create a healthy community.

Strategic Planning – 2021-2025



Financial Report – Year over Year Comparison

FY19

We Billed:	\$180,090,295
We Received:	\$129,566,006
Cost of Care:	\$134,838,095
Operating Margin:	\$(5,272,089)
Community Support:	\$1,165,302*
Total Margin:	\$(7,036,891)**
(State Assessment:	\$2,125,082)

**Does not include Campaign for the Future funds*

***Includes investment loss due to market downturn*

Admissions	3,112
Ave. Length of Stay (days)	3.4
Patient Days of Care	10,463
Emergency Visits	36,541
Laboratory Visits (outpatient)	26,769
Radiology Visits (outpatient)	26,227
Surgeries (inpatient/outpatient)	6,822
Physician Visits (AGHS)	112,456
Cardiologist/Pulmonary	3,129
EKG/EEG visits (outpatient)	

FY20

We Billed:	\$171,941,613
We Received:	\$132,266,585
Cost of Care:	\$134,667,605
Operating Margin:	\$(2,401,019)
Community Support:	\$1,356,565*
Total Margin:	\$(4,334,992)**
(State Assessment:	\$2,001,492)

**Does not include Campaign for the Future funds*

***Includes investment loss due to market downturn*

Admissions	2,678
Ave. Length of Stay (days)	4.0
Patient Days of Care	10,771
Emergency Visits	31,668
Laboratory Visits (outpatient)	19,274
Radiology Visits (outpatient)	21,635
Surgeries (inpatient/outpatient)	5,954
Physician Visits (AGHS)	115,875
Cardiologist/Pulmonary	2,085
EKG/EEG visits (outpatient)	

Community Impact – Fiscal Year 2020

Community Benefits: Provided to the Community Free of Charge or at Reduced Cost

A value of more than \$15 million, with 33,472 encounters with the community.

Mission-Driven Health Care

*(Health Fairs, Flu Shot Clinics, Speakers
Bureau, Free Health Screenings, etc.)*

Other

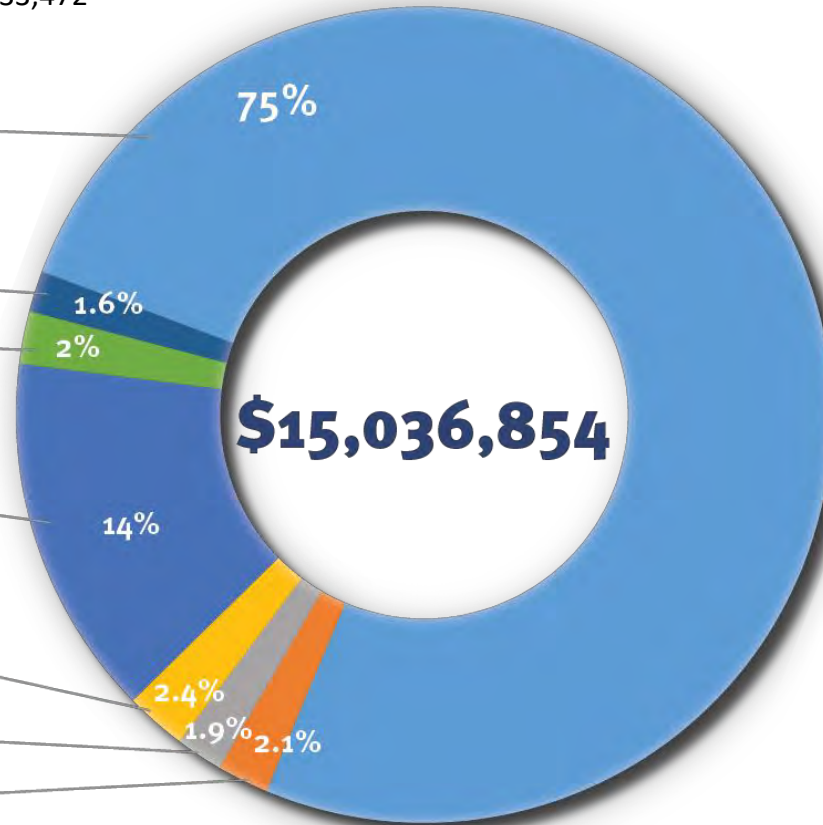
Health Professions Education

Financial Assistance / Charity Care

Medicaid Assessments

Community Needs Services

Community Benefit Operations



July 1, 2019 – June 30, 2020

Community Impact

Atlantic General Hospital and Health System

The Economy & Quality of Life

Maintains more than **930 positions** for local residents.

Total payroll of over \$59 million, which is spent in the Eastern Shore communities of Maryland, Virginia and Delaware.

Medical Staff of 254 includes:

Anesthesiologists/Pain Management
Cardiologists
Dermatologists
Emergency Medicine Physicians
Endocrinologist
Family Practitioners
Gastroenterologists
General Surgeons
Gynecologists
Hospitalists
Infectious Disease Specialist
Intensivists
Internists

Nephrologist
Neurodevelopmental Disabilities Specialists
Neurologists
Nurse Practitioners
Oncologists/Hematologists
Ophthalmologists
Orthopedic Surgeons
Pediatricians
Physician Assistants
Psychiatrists
Pulmonologists
Radiologists
Rheumatologist
Urologist

Expanding Access to Care



Jason Smith, DO
Urology



Bryce Blanton, MD
Psychiatry



Kanika Trehan, M.D.
General Surgery



Freaw Dejenie, MD
Gastroenterology



John Whittaker, MD
Primary Care

Expanding Access to Care

Primary and Specialty Care Access through Advanced Practice Providers



Sarah Abdella, MPAS, PA-C
Primary Care, Selbyville



Nicki Akstinas, CRNP
Women's Health, West Ocean City



Amy Sood Barshinger, CRNP
Primary Care, Ocean City



Lisa Bayles, DNP
Women's Health, West Ocean City



Michael Boyle, CRNP
Primary Care, West Fenwick



Melissa Braniff, CRNP
Women's Health, West Ocean City



Emily Laustsen, PA-C
Neurology, Berlin



Carrie Dawes, CRNP
Pediatrics, West Ocean City



Michelle Farlow, CRNP
Women's Health, Selbyville



Christina Hargis, CRNP
Primary Care, Pocomoke



Danielle Imperato, FNP-C
Primary Care, Ocean View



Craig Johnson, PA-C
Primary Care, Berlin



Corinna Kirkpatrick, CRNP
Primary Care, Ocean Pines



Alison Lathroun, PA-C
Internal Medicine, Berlin



Kathleen Morris, DNP
Primary Care, Selbyville



Gregory W. Smith, PA-C
Primary Care, Ocean City



Diane Skolka, PMHNP
Behavioral Health, Berlin



Beverly Wilson, PA-C
Primary Care + Pediatrics,
West Ocean City



Deepa Abhilash, CRNP
Atlantic ImmediCare, Berlin

Free Community Flu Clinics

Provided 1777 vaccines during our 4 public drive-through clinics
October 2020

Snow Hill | Ocean Pines | West Ocean City | Pocomoke

DRIVE THRU FLU CLINIC

**-FREE-
Open to
Community**
Ages 13+

- **October 6, 2020 | 10 am - 2 pm**
Snow Hill Senior Center
- **October 10, 2020 | 10 am - 2pm**
Ocean Pines Community Center
- **October 14, 2020 | 10 am - 2 pm**
Pocomoke Health Department
- **October 15, 2020 | 2 pm - 6 pm**
West Ocean City Park & Ride



*In partnership with Worcester
County Health Department*

COVID Vaccine Summary

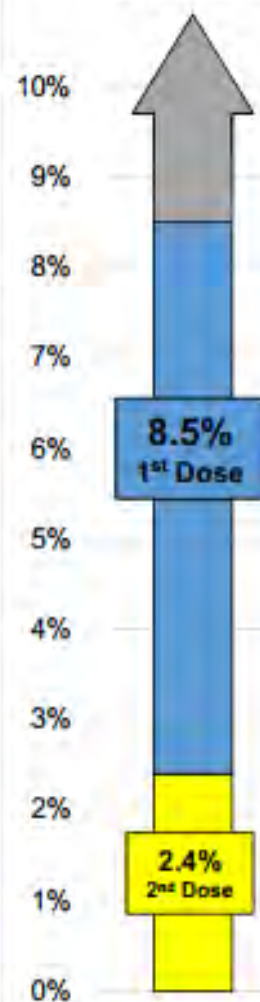
NUMBERS ARE PRELIMINARY AND SUBJECT TO CHANGE

Current as of: 02/08/2021

Percentage of Citizens Vaccinated by County Residence

	<u>Population</u>	<u>1st Dose</u>	<u>% of Pop</u>	<u>2nd Dose</u>	<u>% of Pop</u>
Allegany	70,416	8,030	11.4%	1,763	2.5%
Anne Arundel	579,234	46,511	8.0%	16,357	2.8%
Baltimore	827,370	86,486	10.5%	28,161	3.4%
Baltimore City	593,490	46,963	7.9%	16,902	2.8%
Calvert	92,525	10,589	11.4%	2,443	2.6%
Caroline	33,406	3,783	11.3%	1,269	3.8%
Carroll	168,447	16,457	9.8%	5,470	3.2%
Cecil	102,855	8,441	8.2%	1,724	1.7%
Charles	163,257	9,152	5.6%	1,423	0.9%
Dorchester	31,929	3,374	10.6%	1,038	3.3%
Frederick	259,547	26,526	10.2%	5,838	2.2%
Garrett	29,014	3,569	12.3%	1,013	3.5%
Harford	255,441	25,009	9.8%	7,913	3.1%
Howard	325,690	34,833	10.7%	10,376	3.2%
Kent	19,422	2,866	14.8%	625	3.2%
Montgomery	1,050,688	85,901	8.2%	18,393	1.8%
Prince Georges	909,327	36,897	4.1%	7,889	0.9%
Queen Annes	50,381	5,354	10.6%	1,802	3.6%
Somerset	25,616	2,318	9.0%	594	2.3%
St. Marys	113,510	12,992	11.4%	4,136	3.6%
Talbot	37,181	5,517	14.8%	1,352	3.6%
Washington	151,049	14,473	9.6%	3,876	2.6%
Wicomico	103,609	12,319	11.9%	3,791	3.7%
Worcester	52,276	7,587	14.5%	1,760	3.4%
Total (not including UNK)	6,045,680	515,947	8.5%	145,908	2.4%
Unknown and Out of State	N/A	29,134	N/A	8,730	N/A

Percentage of Maryland Citizens Vaccinated



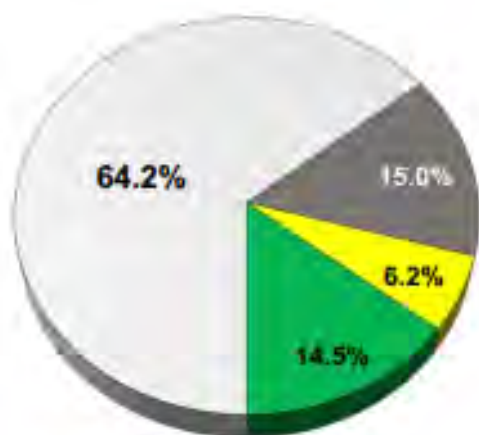
ITEM 1

COVID Vaccine Summary

NUMBERS ARE PRELIMINARY AND SUBJECT TO CHANGE

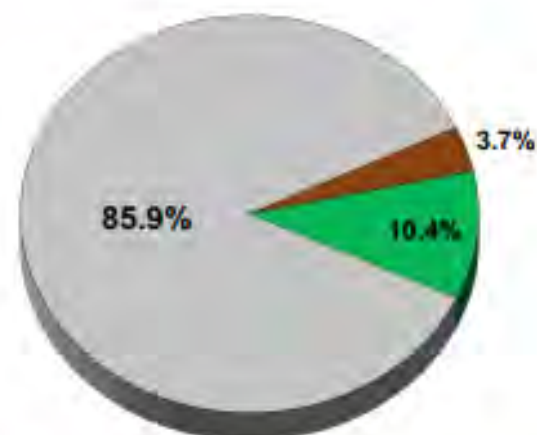
Current as of: 02/08/2021

Race (Cumulative)



□ White ■ Black ■ Asian ■ Other

Ethnicity (Cumulative)



□ Non-Hispanic ■ Hispanic ■ Other

Vaccines Administered by Race and Ethnicity

Race

	White	Black	Asian	Other
Yesterday	5,467	1,396	497	2,291
Day Prior	10,686	3,094	1,098	3,371
% Change	-48.8%	-54.9%	-54.7%	-32.0%

Ethnicity

	Non-Hispanic	Hispanic	Other
Yesterday	8,075	373	1,203
Day Prior	15,143	631	2,475
% Change	-46.7%	-40.9%	-51.4%

Cumulative Total	345,029	80,787	33,453	77,824
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Cumulative %	64.2%	15.0%	6.2%	14.5%
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461,230	19,899	55,964
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85.9%	3.7%	10.4%
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COVID-19 Response

March 1 - April: Atlantic General Hospital and Health System stood up pandemic surge response care areas

- Additional ICU space to serve as a COVID-19 ward, using existing post-anesthesia care unit (PACU)
- Partnered with BNRC to set up Med-Surg overflow area for non-COVID-19 patients
- Converted 2 South to all negative pressure rooms and modified air flow to non-recirculating; additional negative pressure areas in ER
- Set up a secondary ER to serve as respiratory care unit for any patients presenting with cold/flu-like symptoms, using former infusion center space

March 20 : Converted Atlantic Immedicare location in Ocean City to COVID-19 screening center; announced visitor restrictions for hospital and health system offices and suspension of outpatient services in preparation for surge of patients requiring COVID-19 care

April 29: Atlantic General Health System began offering video visits through FollowMyHealth as an option for patients unable to visit the office due to COVID-19 risk.

April 30: Through Blood Bank of Delmarva, Atlantic General began providing convalescent plasma as a COVID-19 treatment, as part of a Mayo Clinic study

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COVID-19 Response

Today: We have discharged from the hospital more than 225 patients who were treated for COVID-19 and continued to recover.

No staff have been infected with the virus while caring for a patient with COVID-19.

Master Facility Planning

➤ Ocean Pines



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Atlantic General Hospital & Health System

Questions/Comments?



Worcester County Child Advocacy Center



<https://youtu.be/aGSZXwhWETw>

Stand up Step Forward- Help Victims Become Survivors



OUR TEAM

- CHILD PROTECTIVE SERVICES SUPERVISOR & UNIT
- LIFE CRISIS CENTER – TRAUMA THERAPISTS
- S.A.F.E. TEAM – AGH MEDICAL INTERVENTION
- DETECTIVES – LOCAL LAW ENFORCEMENT
- FAMILY ADVOCATE
- PROSECUTORS
- ADMINISTRATIVE ASSISTANT
- EXECUTIVE DIRECTOR
- FACILITY DOG, JOSIAH





- CACS are child-focused centers that coordinate the investigation, prosecution, and treatment of child abuse while helping abused children heal. CACs emphasize the coordination of investigation and intervention services by bringing together professionals and agencies as a multidisciplinary team to create a child-focused approach to child abuse cases.
- Although some aspects of a multidisciplinary approach to child abuse can exist without a facility, a supportive, child-focused approach facility is fundamental to a CAC. The location is designed to create a sense of safety and security for the children.



Abuse carries a heavy cost.

Each year, total lifetime costs of new cases of child abuse reach approximately

\$124 billion²

The lifetime cost for each victim is

\$210,012

With treatments, CACs help society and children avoid enormous economic costs.

*Image courtesy of NCA

WHY DO WE NEED A CAC?

- Abuse is expensive for the individual AND for our community
- The negative impact for victims is far reaching
- The cost now – prevention & trauma focused intervention
- The cost later – addiction, incarceration, re-victimization
- Maryland Code, Crim. Proc. 11-928

"EACH OF THESE VICTIMS REPRESENTS A TIME THAT A CHILD IS BRAVE ENOUGH TO SPEAK UP AND A TIME THAT THE PERSON THEY TELL KNOWS WHAT TO DO NEXT."

"An 8 year old Worcester County child was sexually abused by her father and threatened her repeatedly with violence if she told anyone. Since she had learned about sexual abuse during the Erin's Law required assembly provided by her school, she told her teacher what was happening to her at home. Her father was arrested and convicted and sentenced to 22 years in jail and required to register as a sex offender. The child has completed therapy and is doing well."

"A local youth leader sexually abused multiple children in Worcester County. One child came forward and then several victims found their voice and came forward. The youth pastor was convicted on multiple charges and was sentenced to 75 years in jail and will be required to register as a sex offender for the remainder of his life."



IN 2019

167 Child physical abuse investigations

93 Child sexual abuse investigations

282 Child neglect investigations

832 Hours of trauma therapy provided by The CRICKET Center

1819 Hours of family advocacy provided by The CRICKET Center





THE GOOD NEWS!

- The CRICKET Center is established and recognized state-wide
- Fully accredited by National Children's Alliance & Maryland Children's Alliance
- Meets or exceeds all 10 standards for best practice services
- Established Board of Directors
- Established Foundation Board
- Established Community buy-in & support





And now the bad news...What we need to continue our work:

- County-Wide Prevention Effort
- April – Child Abuse Prevention Month
- April – Worcester Goes Blue for Kids
- Coming soon...



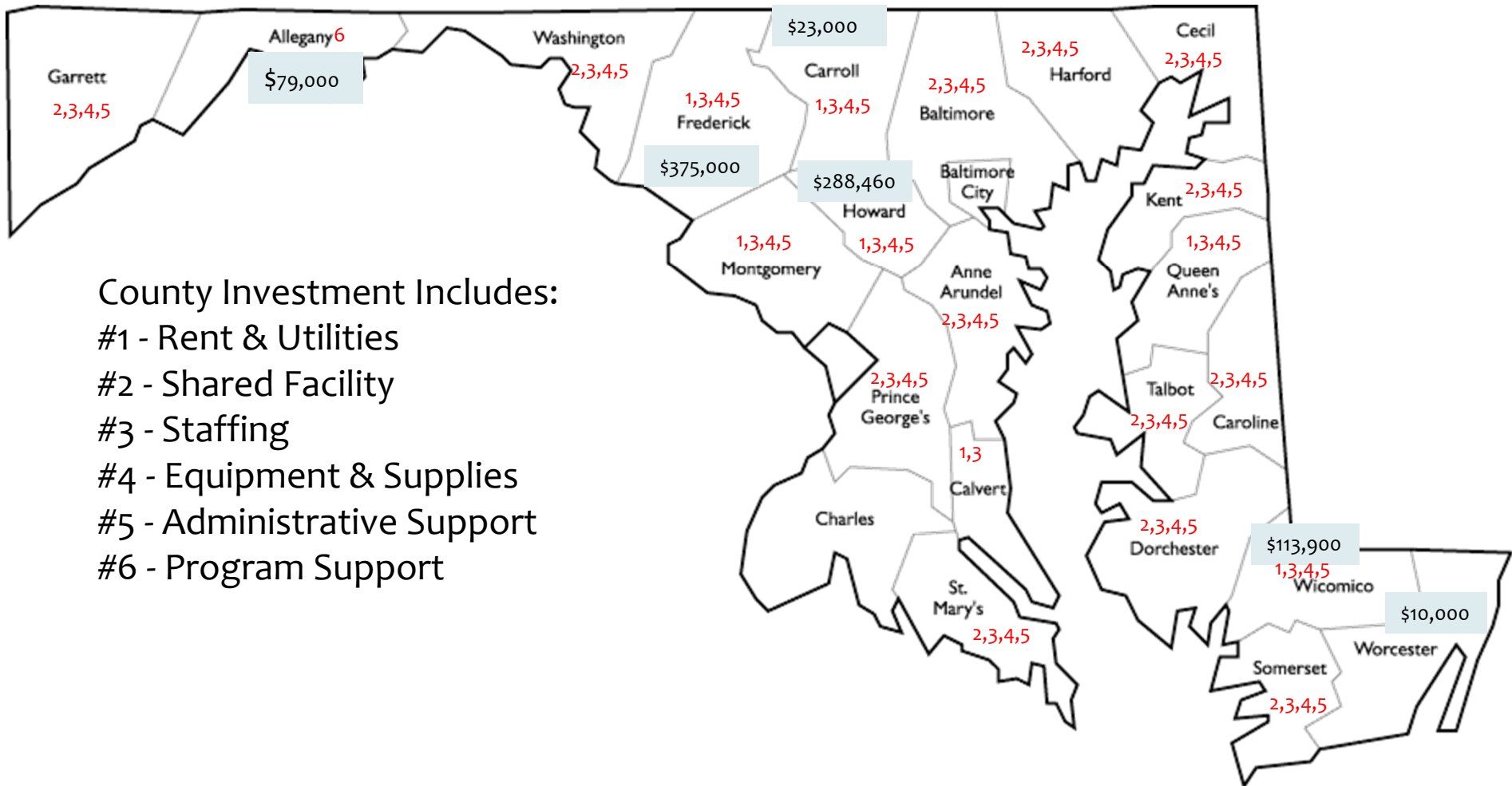


WHERE WE GO FROM HERE...



Maryland Children's Alliance

Examples of County Investment in CACs





Maryland Children's Alliance

Examples of County Investment in CACs

- ✗ Allegany - \$79,000 annually; funds are restricted to in-school prevention program.
- ✗ Baltimore – The Department of Social Services (using County and State funds) provides support for the CAC in the form of facility use, administrative support, and mental health staff.
- ✗ Calvert – The County pays for CAC rent and utilities along with a Victim Advocate position.
- ✗ Carroll - County funds are just over \$23,000 a year for rent, utilities, and travel or training, not including support staff dedicated to the CAC.
- ✗ Cecil – The County oversees the CAC and provides all operating expenses.
- ✗ Frederick – The County budget is approximately \$375,000, covering CAC rent and utilities, supplies, equipment, phones, and several staff persons.
- ✗ Harford – The State's Attorney's Office oversees and funds the Family Justice Center, half of which is dedicated to the CAC.
- ✗ Howard – The CAC is operated by the Howard County Police Department. Contractual services (rent, membership dues, etc.): \$260,000; Supplies (office supplies, various investigative equipment): \$13,460; Utilities: \$15,000.
- ✗ Prince George's – The Department of Social Services funds the CAC with a combination of County and State funds, including telephones, offices, interview rooms, conference rooms, supplies, etc. The CAC Director, CPS Educator, and administrative assistant are County positions.
- ✗ Somerset – The CAC's facility is an in-kind contribution from the County.
- ✗ Wicomico – The County provides \$113,900 for rent and covers the utilities cost along with equipment, furniture, and supplies for the facility.
- ✗ Worcester – The County provides \$10,000 to support the CAC's budget.

*Incomplete list as of October, 2020.

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



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

OFFICE OF THE
 COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
 ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

HAROLD L. HIGGINS, CPA
 CHIEF ADMINISTRATIVE OFFICER
 ROSCOE R. LESLIE
 COUNTY ATTORNEY

February 5, 2021

TO: Worcester County Commissioners
 FROM: Karen Hammer, Administrative Assistant V
 SUBJECT: Upcoming Board Appointments - Terms Beginning January 1, 2021

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (9), which have current or upcoming vacancies (15 total). I have circled the members whose terms have expired or will expire on each of these boards.

Page 2, List of Pending Board Appointments under each Commissioners name.
Please Note: WorCOA has two nominations pages 3-9

President Mitrecic - You have **One (1)** positions open:

- Marie Campione-Lawrence (**Resigned**) - replacement to the Social Services Advisory Board

Vice President Elder – You have **Two (2)** reappointment needed:

- With the passing of Ralph Shockley – Economic Development Advisory Board
- Michael Day to the Tourism Advisory Committee

Commissioner Bertino – You have **six (6)** reappointments needed:

- Donna Dillon to the Housing Review Board
- Cathy Gallagher to the Social Services Advisory Board
- James Rosenberg (Passed) - replacement to the Solid Waste Advisory Committee
- Frederick Stiehl to the Water & Sewer Advisory Council, Ocean Pines
- Bob Poremski (**Resigned**) - replacement to the Water & Sewer Advisory Council, Ocean Pines
- Vanessa Alban to the Commission for Women

Commissioner Purnell – You have **one (1)** reappointment needed:

- Ms. Teagle - replacement to the Housing Review Board per Jo Ellen Bynum

Pending Board Appointments - By Commissioner

District 1 - Nordstrom

All District Appointments Received. Thank you!

District 2 - Purnell

- p. 11 - Housing Review Board (Ms. Teagle - Request by Jo Ellen Bynum)
3 - year

District 3 - Church

All District Appointments Received. Thank you!

District 4 - Elder

- p. 10 - Economic Development Advisory Board (Ralph Shockley) 4-year
p. 16 - Tourism Advisory Committee (Michael Day) - 4-year

District 5 - Bertino

- p. 11 - Housing Review Board (Donna Dillon) - 3-year
p. 13 - Social Services Advisory Board (Cathy Gallagher) - 3-year
p. 15 - Solid Waste Advisory Committee (James Rosenberg) - 4-year
p. 17 - Water & Sewer Advisory Council - Ocean Pines (Frederick Stiehl and Bob Poremski) - 4-year
p. 18 - Commission for Women (Vanessa Alban) - 3-year

District 6 - Bunting

All District Appointments Received. Thank you

District 7 - Mitrecic

- p. 13 - Social Services Advisory Board (Marie Campione-Lawrence) - 3-year

All Commissioners

- p. 3 - (1) Commission on Aging Board (Clifford Gannett)
p. 12 - (1) Local Development Council for Ocean Downs Casino (Mark Wittmyer and- At-Large - business or institution representative in immediate proximity to Ocean Downs) - 4-year
p. 15 - (1) Solid Waste Advisory Committee (Jamey Latchum - Town of Berlin) 4-year
p. 17 - (2) Water and Sewer Advisory Council - Ocean Pines (Frederick Stiehl and Bob Poremski) - 4-year

COMMISSION ON AGING BOARD

Reference: By Laws of Worcester County Commission on Aging
- As amended July 2015

Appointed by: Self-Appointing/Confirmed by County Commissioners

Function: Supervisory/Policy Making

Number/Term: Not less than 12; 3 year terms, may be reappointed
Terms Expire September 30

Compensation: None

Meetings: Monthly, unless otherwise agreed by a majority vote of the Board

Special Provisions: At least 50% of members to be consumers or volunteers of services provided by Commission on Aging, with a representative of minorities and from each of the senior centers; one County Commissioner; and Representatives of Health Department, Social Services and Board of Education as Ex-Officio members

Staff Contact: Worcester County Commission on Aging, Inc. - Snow Hill
John Dorrough, Executive Director or Rob Hart, Acting Deputy Director
(410-632-1277)

Current Members:

Member's Name	Resides/Represents	Years of Term(s)
Cynthia Malament	Berlin	07-19
Lloyd Parks	Girdletree	08-11-14-17, 17-20
Clifford Gannett	Pocomoke City	*12-14-17, 17-20
Tommy Tucker	Snow Hill	09-12-15-18, 18-21
Tommy Mason	Pocomoke	15-18, 18-21
Helen Whaley	Berlin	*16-18, 18-21
Rebecca Cathell	Agency - Maryland Job Service	
Lou Taylor	Agency - Worcester County Board of Education	
Roberta Baldwin	Agency - Worcester County Department of Social Services	
Rebecca Jones	Agency - Worcester County Health Department	
Madison J. Bunting, Jr.	Worcester County Commissioners' Representative	
Fred Grant	Snow Hill	*15-16, 16-19, 19-22
Joyce Cottman	Berlin	*16, 16-19, 19-22
James Covington	Pocomoke City	*18-20, 20-23
Bonita Ann Gisriel	Ocean City	*18-20, 20-23
Carolyn Dryzga	Ocean Pines	*18-20, 20-23

Dr. Mark Bowen
& Mr. Samuel Henri
Nominated
pages 4-9

* = Appointed to fill an unexpired term

Prior Members:

Since 1972

Virginia Harmon
 Maude Love
 Dr. Donald Harting
 John C. Quillen
 Violet Chesser
 William Briddell
 Harrison Matthews
 John McDowell
 Mildred Brittingham
 Maurice Peacock
 Father S. Connell
 Rev. Dr. T. McKelvey
 Samuel Henry
 Rev. Richard Hughs
 Dorothy Hall
 Charlotte Pilchard
 Edgar Davis
 Margaret Quillen
 Lenore Robbins
 Mary L. Krabill
 Leon Robbins
 Claire Waters
 Thelma Linz
 Oliver Williams
 Michael Delano
 Father Gardiner
 Iva Baker
 Minnie Blank
 Thomas Groton III
 Jere Hilbourne
 Sandy Facinoli
 Leon McClafin
 Mabel Scott
 Wilford Showell
 Rev. T. Wall
 Jeaninne Aydelotte
 Richard Kasabian
 Dr. Fred Bruner
 Edward Phillips
 Dorothy Elliott
 John Sauer
 Margaret Kerbin
 Carolyn Dorman
 Marion Marshall
 Dr. Francis Ruffo
 Dr. Douglas Moore
 Hibernia Carey
 Charlotte Gladding
 Josephine Anderson
 Rev. R. Howe
 Rev. John Zellman
 Jessee Fassett
 Delores Waters
 Dr. Terrance A. Greenwood
 Baine Yates
 Wallace T. Garrett
 William Kuhn (86-93)
 Mary Ellen Elwell (90-93)
 Faye Thornes
 Mary Leister (89-95)

William Talton (89-95)
 Sunder Henry (89-95)
 Josephine Anderson
 Saunders Marshall (90-96)
 Louise Jackson (93-96)
 Carolyn Dorman (93-98)
 Constance Sturgis (95-98)
 Connie Morris (95-99)
 Jerry Wells (93-99)
 Robert Robertson (93-99)
 Margaret Davis (93-99)
 Dr. Robert Jackson (93-99)
 Patricia Dennis (95-00)
 Rev. C. Richard Edmund (96-00)
 Viola Rodgers (99-00)
 Baine Yates (97-00)
 James Shreeve (99-00)
 Tad Pruitt (95-01)
 Rev. Walter Reuschling (01-02)
 Armond Merrill, Sr. (96-03)
 Gene Theroux
 Blake Fohl (98-05)
 Constance Harmon (98-05)
 Catherine Whaley (98-05)
 Wayne Moulder (01-05)
 Barbara Henderson (99-05)
 Gus Payne (99-05)
 James Moeller (01-05)
 Rev Stephen Laffey (03-05)
 Anne Taylor (01-07)
 Jane Carmean (01-07)
 Alex Bell (05-07)
 Inez Somers (03-08)
 Joanne Williams (05-08)
 Ann Horth (05-08)
 Helen Richards (05-08)
 Peter Karras (00-09)
 Vivian Pruitt (06-09)
 Doris Hart (08-11)
 Helen Heneghan (08-10)
 Jack Uram (07-10)
 Robert Hawkins (05-11)
 Dr. Jon Andes
 Lloyd Pullen (11-13)
 John T. Payne (08-15)
 Sylvia Sturgis (07-15)
 Gloria Blake (05-15)
 Dr. Jerry Wilson (Bd. of Ed.)
 Peter Buesgens (Social Services)
 Deborah Goeller (Health Dept.)
 George "Tad" Pruitt (05-17)
 Bonnie C. Caudell (09-17)
 Larry Walton (13-18)

* = Appointed to fill an unexpired term



*Our mission is to enhance the quality of life for Worcester County residents 50 years and older.
Our vision is to provide programs and services that promote active, independent and healthy lifestyles.*

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

February 1, 2021

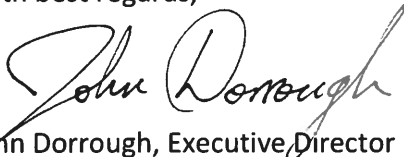
Dear Worcester County Commissioners,

The Board of Directors of the Worcester County Commission on Aging has approved Samuel Henry (from district 3) and Dr. Mark Bowen (from district 6) for consideration of appointment as new board members. Their background information and pictures are attached.

The Nomination Committee highly recommended their approval to the full board after background checks, reference checks and personal interviews were conducted.

We submit these candidates to the Commissioners for consideration and request they be appointed as members of the Board of Directors effective March 1, 2021. We believe both gentlemen will bring a unique set of perspectives and skills to the table that will positively impact our board's dynamic and chemistry.

With best regards,

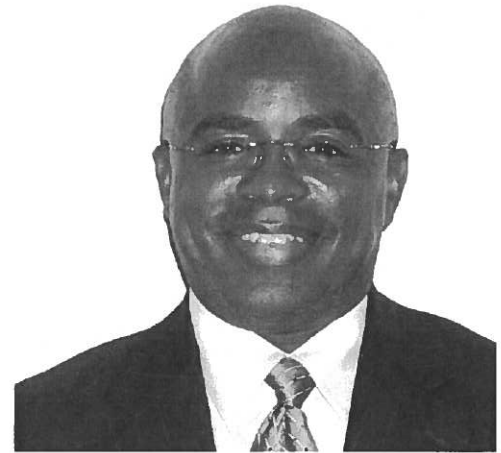

 John Dorrough, Executive Director

Worcester Commission on Aging

Community for Life • Worcester Adult Medical Day Services • Senior Care • Senior Ride • Meals On Wheels
 Berlin 50plus Center • Ocean City 50plus Center • Pocomoke City 50plus Center • Snow Hill 50plus Center

4767 Snow Hill Road • PO Box 159 • Snow Hill, Maryland 21863

410.632.1277 • FAX 855.230.5496 • info@worcoa.org • www.worcoa.org

Dr. MARK L. BOWEN, Ed.D**EDUCATIONAL BACKGROUND**

1994 - 1996 Covington Theological Seminary,
Doctor of Religious Education
 1992 - 1994 Wilmington College, Admitted to
 candidacy for *Doctor of Education Degree*
 1992 Salisbury University, *Master of*
Education, Concentration in Counseling
 1988 University of Maryland, *Bachelor of Arts*, Major in Social Sciences Education
 1983 - 1985 Morgan State University, Concentration in Political Science

PROFESSIONAL EXPERIENCE*October 2019-Present*

Coastal Hospice and Palliative Care
 Salisbury, MD
 Provider and Community Relations Liaison

January 2006 - Present

U.S. Department of Homeland Security
 Washington, DC

National Educator for the G.R.E.A.T. Program

Provide education and training for police officers in the areas of curriculum, instructional methodology and learning theory. Supported and encouraged innovation, experimentation and risk taking.

January 2009 - April 2011

State of Maryland Department of Juvenile Justice
 Baltimore, Maryland

Director of Gang Intelligence

Responsibilities include implementation of the Governor's Kaizen Project to reduce gang violence. This initiative consists of implementing a comprehensive gang violence reduction strategy that consists of information sharing, identification and enforcement, training, prevention and intervention. Supervised Gang Intervention Unit.

July 2004 - January 2009

Worcester County Sheriff's Office
 Snow Hill, Maryland

Dr. Mark Bowen

2

DEPUTY SHERIFF

Perform regulatory and law enforcement work to protect the lives and property of county citizens. Duties include maintaining custody and transporting of prisoners, court security, locating and arresting wanted fugitives, testifying in court, patrol functions, D.A.R.E. Instructor and School Resource Officer.

Maryland Police Training Commission Certification at the Eastern Shore Criminal Justice Academy.

February 1993 - December 2009

University of Maryland Eastern Shore
Princess Anne, Maryland

Sojourner-Douglass College
Salisbury, Maryland

ASSISTANT COLLEGE COORDINATOR FOR CONTINUING EDUCATION / VISITING LECTURER/ADJUNCT FACULTY

Maintain appropriate records on all students, prepare students' academic and activity schedules, and provide information to students as outlined by the College Coordinator and the Vice President for Academic Affairs and work with the Maryland Department of Corrections, the Maryland State Department of Education and the University of Maryland in carrying out the goals of the college program. Plan lessons and instruct courses in the Social Sciences and Education Departments of the University of Maryland and Sojourner-Douglass College.

July 2000 - July 2004

Board of Education for Wicomico County
Salisbury, Maryland

Board of Education for Dorchester County
Cambridge, Maryland

SUPERVISOR

Elementary Education, Early Childhood Development, Youth Employment Training Program, Elementary Library Media Services, Even Start, Inter-Agency and Governmental Collaborations, Pupil Personnel Services, Home and Hospital Instruction and Homeless Education, Guidance and Counseling Services, School Nurses Program and Security Services.

Providing support in the areas of curriculum, instructional programs and staff development. Support and encourage innovation, experimentation and risk-taking by teachers and principals to rethink and redesign the way things are done. Responsible for improving the capacity of early care and educational programs to promote school readiness. Provide education and training for parents, care givers, teachers, guidance personnel, administrators and early home visiting programs in maintaining effective control of student attendance and other related matters. Provide leadership in other areas of the school program, including minority education, business partnerships, summer school, and the magnet program while securing other resources for instruction. Supervision of School Resource Officers and D.A.R.E Program.

July 1997 - June 2000

Buckingham Elementary School
Berlin, Maryland

PRINCIPAL

Carried out the policies of the state and county board of education and the law of Maryland. Assumed major responsibility for the total instructional program of the school and for the overall organization and administration of the school. Interpreted the school program to the local community and developed a program

Dr. Mark Bowen

3

of community relations. Assisted teachers in improving their instructional abilities and their relationships with pupils, parents and other teachers. Provided materials of instruction and assisted teachers in using them effectively. Kept records and made reports as required by the Superintendent and his staff. Responsible for the supervision of school property. Established and maintained sound student discipline practices and a climate conducive to learning. Managed the fiscal resources of the school responsibly. Reported to the Superintendent of Schools and performed other related duties as required.

July 1992 - June 1997

Wicomico Middle School
Salisbury, Maryland

Snow Hill Middle School
Snow Hill, Maryland

ASSISTANT PRINCIPAL

Duties included monitoring student attendance, scheduling substitutes, administering breakfast program, coordinating building security, handling discipline, organizing assemblies, supervising clerical and cafeteria staff, managing the Maryland School Performance Program, assisting in the overall leadership and management of the school and completing other tasks as assigned by the principal.

August 1988 - July 1992

Berlin Middle School
Berlin, Maryland

TEACHER

Planned lessons and instructed Grades 6, 7 and 8 social studies classes. Served as Social Studies Task Writer for the Maryland School Performance Assessment Program.

May 1984 - August 1992

Ocean City Police Department
Ocean City, Maryland

POLICE OFFICER/CRIME PREVENTION SPECIALIST

ADMINISTRATION DIVISION/COMMUNITY SERVICES SECTION/CRIME PREVENTION UNIT (1990 - 1992)

Conducted security surveys, organized neighborhood watch communities, set up McGruff houses, arranged and presented anti-theft seminars to businesses, held anti-drug seminars, interacted with the public, made arrests, testified in court and counseled disadvantaged youth.

CRIMINAL INVESTIGATION DIVISION/SPECIAL OPERATIONS SECTION/NARCOTICS UNIT (1989 - 1990)

Duties included working in a plain clothes capacity as a detective assigned to the narcotics units.

PATROL DIVISION/COMMUNITY POLICING SECTION/TRAFFIC SAFETY UNIT (1986 - 1989)

Duties included services to the community, conducting routine patrols and protecting the lives and property of the town residents. Received training as an accident investigator, handled all personal injury and department accidents as assigned and enforced all traffic laws of the state and municipality.

CADET / PUBLIC SAFETY AIDE (1984 - 1986)

Assisted the officers in the daily function of their duties. Assigned primarily to the property and evidence section.

Samuel Henry
Resident of West Ocean City

- Sam and wife are originally from South Jersey near the Philadelphia area. Started vacationing in Ocean City in 1991. Bought a vacation home here in 2006 and came down all the time.
- Liked West Ocean City so much, bought present home in Oyster Harbor in 2013 to be retirement home and moved here permanently in 2015.
- Active in the Ocean City 50plus Center



Most recent work history

- Worked for General Electric in the GE Energy Division, Solar Power, for twelve years as an electrical engineer.
- Worked for MDAVIS Inc. in their Industrial Controls Panel Shop as a Project Engineer for Controls and Instrumentation for 4 years. Retired in 2015.

ECONOMIC DEVELOPMENT ADVISORY BOARD

Reference: County Commissioners' Resolutions of March 1976, 4/16/85, 9/16/97, 5/4/99 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory
Provide the County with advice and suggestions concerning the economic development needs of the County; review applications for financing; review Comprehensive Development Plan and Zoning Maps to recommend to Planning Commission appropriate areas for industrial development; review/comment on major economic development projects.

Number/Term: 7/4-Year - Terms expire December 31st

Compensation: \$50 per meeting as expense allowance

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner
Members may be reappointed

Staff Contact: Economic Development Department - Melanie Pursel (410-632-3110)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Term(s)</u>
Ralph Shockley	D-4, Elder	Snow Hill	*08-09-13-17, 17-21
Robert Fisher	D-6, Bunting	Snow Hill	87-92-97-01-05-09-13-17, 17-21
Ashley Harrison	D-7, Mitrecic	Ocean City	19-21
Steven Habeger	D-5, Bertino	Ocean Pines	19-23
Natoshia Collick Owens	D-2, Purnell	Ocean Pines	*15-19, 19-23
Joe Schanno	D-3, Church	West Ocean City	*19-20, 20-24
Marc Scher	D-1, Nordstrom	Pocomoke	*19-20, 20-24

Prior Members: Since 1972

George Gering	Mary Humphreys	Michael Avara (99-03)
Margaret Quillin	Theodore Brueckman	Annette Cropper (00-04)
Robert W. Todd	Shirley Pilchard	Billie Laws (91-08)
Charles Fulton	W. Leonard Brown	Anne Taylor (95-08)
E. Thomas Northam	Charles Nichols (92-97)	Mary Mackin (04-08)
Charles Bailey	Jeff Robbins (97-98)	Thomas W. Davis, Sr. (99-09)
Terry Blades	Colleen Smith (94-98)	Mickey Ashby (00-12)
Roy Davenport	Tommy Fitzpatrick (97-99)	Priscilla Pennington-Zytkowicz (09-14)
M. Bruce Matthews	John Rogers (92-98)	Barbara Purnell (08-15)
Barbara Tull	Jennifer Lynch (98-99)	Timothy Collins (03-15)
Tawney Krauss	Don Hastings (92-99)	Joshua Nordstrom (12-16)
Dr. Francis Ruffo	Jerry Redden (92-00)	William Sparrow (16-18)
William Smith	Keith Mason (98-00)	Greg Shockley (14-18)
Saunders Marshall	Bob Pusey (99-00)	Tom Terry (15-19)
Elsie Marshall	Harold Scrimgeour (00-02)	John Gloriosio (08-19)
Halcolm Bailey	Scott Savage (98-03)	
Norman Cathell	Gabriel Purnell (91-03)	

* = Appointed to fill an unexpired term

Updated: December 1, 2020
Printed: February 3, 2021

HOUSING REVIEW BOARD

Reference: Public Local Law §BR 3-104

Appointed by: County Commissioners

Function: Regulatory/Advisory
To decide on appeals of code official's actions regarding the Rental Housing Code. Decide on variances to the Rental Housing Code.
Review Housing Assistance Programs.

Number/Term 7/3 year terms
Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: As Needed

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

Staff Support: Development Review & Permitting Department
Jo Ellen Bynum, Housing Program Administrator - 410-632-1200, x 1171

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Terms(s)</u>
Donna Dillon	D-5, Bertino	Ocean Pines	08-11-14-17, 17-20
Sharon Teagle	D-2, Purnell	Ocean Pines	00-12-15-18, 18-21
Jake Mitrecic	D-7, Mitrecic	Ocean City	15-18, 18-21
C. D. Hall	D-1, Nordstrom	Pocomoke	10-13-16-19, 19-22
Debbie Hileman	D-6, Bunting	Ocean Pines	10-13-16-19, 19-22
Chase Church	D-3, Church	Ocean Pines	*19-20, 20-23
Scott Tingle	D-4, Elder	Snow Hill	14-17-20, 20-23

Prior Members:

Phyllis Mitchell	Albert Bogdon (02-06)
William Lynch	Jamie Rice (03-07)
Art Rutter	Howard Martin (08)
William Buchanan	Marlene Ott (02-08)
Christina Alphonsi	Mark Frostrom, Jr. (01-10)
Elsie Purnell	Joseph McDonald (08-10)
William Freeman	Sherwood Brooks (03-12)
Jack Dill	Otho Mariner (95-13)
Elbert Davis	Becky Flater (13-14)
J. D. Quillin, III (90-96)	Ruth Waters (12-15)
Ted Ward (94-00)	John Glorioso (*06-19)
Larry Duffy (90-00)	
Patricia McMullen (00-02)	
William Merrill (90-01)	
Debbie Rogers (92-02)	
Wardie Jarvis, Jr. (96-03)	

* = Appointed to fill an unexpired term

Updated: January 19, 2021
Printed: February 5, 2021

LOCAL DEVELOPMENT COUNCIL FOR THE OCEAN DOWNS CASINO

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

Appointed by: County Commissioners

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

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

Compensation: None

Meetings: At least semi-annually

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

Staff Contacts: Kim Moses, Public Information Officer, 410-632-1194
Roscoe Leslie, County Attorney, 410-632-1194

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Represents/Resides</u>	<u>Years of Term(s)</u>
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
Gee Williams °	Dist. 3 - Church	Resident - Berlin	09-13-17, 17-21
Bob Gilmore	Dist. 5 - Bertino	Resident - Ocean Pines	*19-21
David Massey °	At-Large	Business - Ocean Pines	09-13-17, 17-21
Bobbi Sample	Ocean Downs Casino	Ocean Downs Casino	17-indefinite
Cam Bunting °	At-Large	Business - Berlin	*09-10-14-18, 18-22
Matt Gordon	Dist. 1 - Nordstrom	Resident - Pocomoke	19-22
Mary Beth Carozza		Maryland Senator	14-18, 18-22
Wayne A. Hartman		Maryland Delegate	18-22
Charles Otto		Maryland Delegate	14-18, 18-22
Roxane Rounds	Dist. 2 - Purnell	Resident - Berlin	*14-15-19, 19-23
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19, 19-23
Steve Ashcraft	Dist. 6 - Bunting	Resident - Ocean Pines	*19-20, 20-24
Gary Weber	Dist. 4 - Elder	Resident - Snow Hill	*19-20, 20-24
Mayor Rick Meehan °	At-Large	Business - Ocean City	*09-12-16-20-24

Prior Members:

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

Since 2009

Todd Ferrante ° (09-16)
Joe Cavilla (12-17)
James N. Mathias, Jr. ° (09-18)
Ron Taylor ° (09-14)
James Rosenberg (09-19)
Rod Murray ° (*09-19)

Charlie Dorman (12-19)

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

SOCIAL SERVICES ADVISORY BOARD

Reference: Human Services Article - Annotated Code of Maryland - Section 3-501

Appointed by: County Commissioners

Functions: Advisory
Review activities of the local Social Services Department and make recommendations to the State Department of Human Resources.
Act as liaison between Social Services Dept. and County Commissioners.
Advocate social services programs on local, state and federal level.

Number/Term: 9 to 13 members/3 years
Terms expire June 30th

Compensation: None - (Reasonable Expenses for attending meetings/official duties)

Meetings: 1 per month (Except June, July, August)

Special Provisions: Members to be persons with high degree of interest, capacity & objectivity, who in aggregate give a countywide representative character.
Maximum 2 consecutive terms, minimum 1-year between reappointment
Members must attend at least 50% of meetings
One member (ex officio) must be a County Commissioner
Except County Commissioner, members may not hold public office.

Staff Contact: Roberta Baldwin, Director of Social Services - (410-677-6806)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Cathy Gallagher	D-5, Bertino	Ocean Pines	*13-14-17, 17-20
Faith Coleman	D-4, Elder	Snow Hill	15-18, 18-21
Harry Hammond	D-6, Bunting	Bishopville	15-18, 18-21
Diana Purnell	ex officio - Commissioner		14-18, 18-22
Sharon Dryden	D-1, Nordstrom	Pocomoke City	*20-21
Voncelia Brown	D-3, Church	Berlin	16-19, 19-22
Mary White	At-Large	Berlin	*17-19, 19-22
Maria Campione-Lawren	D-7, Mitrecic	Ocean City	16-19, 19-22
Nancy Howard	D-2, Purnell	Ocean City	09-16-17-20, 20-23

Resigned

* = Appointed to fill an unexpired term

SOCIAL SERVICES BOARD (Continued)

Prior Members: (Since 1972)

James Dryden	Jeanne Lynch (00-02)
Sheldon Chandler	Michael Reilly (00-03)
Richard Bunting	Oliver Waters, Sr. (97-03)
Anthony Purnell	Charles Hinz (02-04)
Richard Martin	Prentiss Miles (94-06)
Edward Hill	Lakeshia Townsend (03-06)
John Davis	Betty May (02-06)
Thomas Shockley	Robert "BJ" Corbin (01-06)
Michael Delano	William Decoligny (03-06)
Rev. James Seymour	Grace Smearman (99-07)
Pauline Robertson	Ann Almand (04-07)
Josephine Anderson	Norma Polk-Miles (06-08)
Wendell White	Anthony Bowen (96-08)
Steven Cress	Jeanette Tressler (06-09)
Odetta C. Perdue	Rev. Ronnie White (08-10)
Raymond Redden	Belle Redden (09-11)
Hinson Finney	E. Nadine Miller (07-11)
Ira Hancock	Mary Yenney (06-13)
Robert Ward	Dr. Nancy Dorman (07-13)
Elsie Bowen	Susan Canfora (11-13)
Faye Thomes	Judy Boggs (02-14)
Frederick Fletcher	Jeff Kelchner (06-15)
Rev. Thomas Wall	Laura McDermott (11-15)
Richard Bundick	Emma Klein (08-15)
Carmen Shrouck	Wes McCabe (13-16)
Maude Love	Nancy Howard (09-16)
Reginald T. Hancock	Judy Stinebiser (13-16)
Elsie Briddell	Arlette Bright (11-17)
Juanita Merrill	Tracey Cottman (15-17)
Raymond R. Jarvis, III	Ronnie White (18-19)
Edward O. Thomas	Wayne Ayer *(19-20)
Theo Hauck	
Marie Doughty	
James Taylor	
K. Bennett Bozman	
Wilson Duncan	
Connie Quillin	
Lela Hopson	
Dorothy Holzworth	
Doris Jarvis	
Eugene Birckett	
Eric Rauch	
Oliver Waters, Sr.	
Floyd F. Bassett, Jr.	
Warner Wilson	
Mance McCall	
Louise Matthews	
Geraldine Thweat (92-98)	
Darryl Hagy (95-98)	
Richard Bunting (96-99)	
John E. Bloxom (98-00)	
Katie Briddell (87-90, 93-00)	
Thomas J. Wall, Sr. (95-01)	
Mike Pennington (98-01)	
Desire Becketts (98-01)	
Naomi Washington (01-02)	
Lehman Tomlin, Jr. (01-02)	

* = Appointed to fill an unexpired term

Updated: November 17, 2020
Printed: February 5, 2021

SOLID WASTE ADVISORY COMMITTEE

Reference: County Commissioners' Resolution 5/17/94 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory
Review and comment on Solid Waste Management Plan, Recycling Plan, plans for solid waste disposal sites/facilities, plans for closeout of landfills, and to make recommendations on tipping fees.

Number/Term: 11/4-year terms; Terms expire December 31st.

Compensation: \$50 per meeting expense allowance, subject to annual appropriation

Meetings: At least quarterly

Special Provisions: One member nominated by each County Commissioner; and one member appointed by County Commissioners upon nomination from each of the four incorporated towns.

Staff Support: Solid Waste - Solid Waste Superintendent - Mike Mitchell - (410-632-3177)
Solid Waste - Recycling Coordinator - Mike McClung - (410-632-3177)
Department of Public Works - John Tustin - (410-632-5623)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Vaughn White	D-2, Purnell	Berlin	*19-21
Jamey Latchum	Town of Berlin		*17, 17-21
Hal Adkins	Town of Ocean City		*20-21
George Linvill	D-1, Nordstrom	Pocomoke	14-18, 18-22
James Rosenberg	D-5, Bertino	Ocean Pines	*06-10-14-18, 18-22
George Dix	D-4, Elder	Snow Hill	*10-10-14-18, 18-22
Mike Poole	D-6, Bunting	Bishopville	11-15-19, 19-23
Granville Jones	D-7, Mitrecic	Berlin	*15-16-20, 20-24
Michelle Beckett-El Soloh	Town of Pocomoke City		*19-20, 20-24
Gary Weber	Town of Snow Hill		20-24
Don Furbay	D-3, Church	Berlin	20-24

Prior Members: (Since 1994)

Ron Cascio (94-96)
Roger Vacovsky, Jr. (94-96)
Lila Hackim (95-97)
Raymond Jackson (94-97)
William Turner (94-97)
Vernon "Corey" Davis, Jr. (96-98)
Robert Mangum (94-98)
Richard Rau (94-96)
Jim Doughty (96-99)
Jack Peacock (94-00)
Hale Harrison (94-00)

Richard Malone (94-01)
William McDermott (98-03)
Fred Joyner (99-03)
Hugh McFadden (98-05)
Dale Pruitt (97-05)
Frederick Stiehl (05-06)
Eric Mullins (03-07)
Mayor Tom Cardinale (05-08)
William Breedlove (02-09)
Lester D. Shockley (03-10)
Woody Shockley (01-10)
John C. Dorman (07-10)
Robert Hawkins (94-11)
Victor Beard (97-11)

Mike Gibbons (09-14)
Hank Westfall (00-14)
Marion Butler, Sr. (00-14)
Robert Clarke (11-15)
Bob Donnelly (11-15)
Howard Sribnick (10-16)
Dave Wheaton (14-16)
Wendell Purnell (97-18)
George Tasker (*15-20)
Rodney Bailey *19
Steve Brown *10-19
Bob Augustine 16-19
Michael Pruitt *15-19

* = Appointed to fill an unexpired term

Updated: February 2, 2021
Printed: February 5, 2021

TOURISM ADVISORY COMMITTEE

Reference: County Commissioners' Resolution of May 4, 1999 and 03-6 of 2/18/03

Appointed by: County Commissioners

Function: Advisory
Advise the County Commissioners on tourism development needs and recommend programs, policies and activities to meet needs, review tourism promotional materials, judge tourism related contests, review applications for State grant funds, review tourism development projects and proposals, establish annual tourism goals and objectives, prepare annual report of tourism projects and activities and evaluate achievement of tourism goals and objectives.

Number/Term: 7/4-Year term - Terms expire December 31st

Compensation: \$50 per meeting expense allowance

Meetings: At least bi-monthly (6 times per year), more frequently as necessary

Special Provisions: One member nominated by each County Commissioner

Staff Contact: Tourism Department – Melanie Pursel, Director of Tourism 410-632-3110

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)²</u>
Michael Day	D-4, Elder	Snow Hill	*19
Josh Davis	D-5, Bertino	Berlin	*19-21
Lauren Taylor	D-7, Mitrecic	Ocean City	13-17, 17-21
Gregory Purnell	D-2, Purnell	Berlin	14-18, 18-22
Barbara Tull	D-1, Nordstrom	Pocomoke	03-11-15-19, 19-23
Ruth Waters	D-6, Bunting	Bishopville	19-23
Elena Ake	D-3, Church	West Ocean City	*16-20, 20-24

Prior Members: Since 1972

Isaac Patterson ¹	Barry Laws (99-03)	Molly Hilligoss (15-18)
Lenora Robbins ¹	Klein Leister (99-03)	Denise Sawyer (*18-19)
Kathy Fisher ¹	Bill Simmons (99-04)	Isabel Morris (11-19)
Leroy A. Brittingham ¹	Bob Hulburd (99-05)	
George "Buzz" Gering ¹	Frederick Wise (99-05)	
Nancy Pridgeon ¹	Wayne Benson (05-06)	
Marty Batchelor ¹	Jonathan Cook (06-07)	
John Verrill ¹	John Glorioso (04-08)	
Thomas Hood ¹	David Blazer (05-09)	
Ruth Reynolds (90-95)	Ron Pilling (07-11)	
William H. Buchanan (90-95)	Gary Weber (99-03, 03-11)	
Jan Quick (90-95)	Annemarie Dickerson (99-13)	
John Verrill (90-95)	Diana Purnell (99-14)	
Larry Knudsen (95)	Kathy Fisher (11-15)	
Carol Johnsen (99-03)	Linda Glorioso (08-16)	
Jim Nooney (99-03)	Teresa Travatello (09-18)	

* = Appointed to fill an unexpired term

¹ = Served on informal ad hoc committee prior to 1990. Committee abolished between 1995-1999

² = All members terms reduced by 1-year in 2003 to convert to 4-year terms

Updated: December 1, 2020

Printed: February 5, 2021

**WATER AND SEWER ADVISORY COUNCIL
OCEAN PINES SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 5/4-year terms
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget.

Meetings: Monthly

Special Provisions: Must be residents of Ocean Pines Service Area

Staff Support: Department of Public Works - Water and Wastewater Division
John Ross - (410-641-5251)

Current Members:

<u>Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Frederick Stiehl	Ocean Pines	*06-08-12-16, 16-20
Gregory R. Sauter, P.E.	Ocean Pines	17-21
John F. (Jack) Collins, Jr.	Ocean Pines	*18-21
James Spicknall	Ocean Pines	07-10-14-18, 18-22
Bob Poremski	Ocean Pines	*17-19, 19-23

resigned

Prior Members: (Since 1993)

Andrew Bosco (93-95)
Richard Brady (96-96, 03-04)
Michael Robbins (93-99)
Alfred Lotz (93-03)
Ernest Armstrong (93-04)
Jack Reed (93-06)
Fred Henderson (04-06)
E. A. "Bud" Rogner (96-07)
David Walter (06-07)
Darwin "Dart" Way, Jr. (99-08)
Aris Spengos (04-14)
Gail Blazer (07-17)
Mike Hegarty (08-17)
Michael Reilly (14-18)

* = Appointed to fill an unexpired term

COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

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

Compensation: None

Meetings: At least monthly (3rd Tuesday at 5:30 PM - alternating between Berlin and Snow Hill)

Special Provisions: 7 district members, one from each Commissioner District
 4 At-large members, nominations from women's organizations & citizens
 4 Ex-Officio members, one each from the following departments: Social Services, Health & Mental Hygiene, Board of Education, Public Safety
 No member shall serve more than six consecutive years

Contact: Liz Mumford and Tamara White, Co-Chair
 Worcester County Commission for Women - P.O. Box 1712, Berlin, MD 21811

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Vanessa Alban	D-5, Bertino	Ocean Pines	17-20
Darlene Bowen	D-2, Purnell	Pocomoke	*19-21
Elizabeth Rodier	D-3, Church	Bishopville	18-21
Kimberly List	D-7, Mitrecic	Ocean City	18- 21
Gwendolyn Lehman	At-Large	OP, Berlin	*19-21
Mary E. (Liz) Mumford	At-Large	W. Ocean City	*16, 16-19, 19-22
Coleen Colson	Dept of Social Services		19-22
Hope Carmean	D-4, Elder	Snow Hill	*15-16-19, 19-22
Windy Phillips	Board of Education		19-22
Tamara White	D-1, Nordstrom	Pocomoke City	17-20, 20-23
Kris Heiser	Public Safety – State Attorney Office		21-24
Susan Childs	D-6, Bunting	Berlin	21-24
Terri Shockley	At-Large	Snow Hill	17-20, 20-23
Laura Morrison	At-Large	Pocomoke	*19-20, 20-23
Kelly O'Keane	Health Department		17-20, 20-23

Prior Members: Since 1995

Ellen Pilchard^c (95-97)
 Helen Henson^c (95-97)
 Barbara Beaubien^c (95-97)
 Sandy Wilkinson^c (95-97)
 Helen Fisher^c (95-98)
 Bernard Bond^c (95-98)
 Jo Campbell^c (95-98)
 Karen Holck^c (95-98)
 Judy Boggs^c (95-98)
 Mary Elizabeth Fears^c (95-98)
 Pamela McCabe^c (95-98)
 Teresa Hammerbacher^c (95-98)
 Bonnie Platter (98-00)
 Marie Velong^c (95-99)

Carole P. Voss (98-00)
 Martha Bennett (97-00)
 Patricia Ilczuk-Lavanceau (98-99)
 Lil Wilkinson (00-01)
 Diana Purnell^c (95-01)
 Colleen McGuire (99-01)
 Wendy Boggs McGill (00-02)
 Lynne Boyd (98-01)
 Barbara Trader^c (95-02)
 Heather Cook (01-02)
 Vyoletus Ayres (98-03)
 Terri Taylor (01-03)
 Christine Selzer (03)
 Linda C. Busick (00-03)

Gloria Bassich (98-03)
 Carolyn Porter (01-04)
 Martha Pusey (97-03)
 Teole Brittingham (97-04)
 Catherine W. Stevens (02-04)
 Hattie Beckwith (00-04)
 Mary Ann Bennett (98-04)
 Rita Vaeth (03-04)
 Sharyn O'Hare (97-04)
 Patricia Layman (04-05)
 Mary M. Walker (03-05)
 Norma Polk Miles (03-05)
 Roseann Bridgman (03-06)
 Sharon Landis (03-06)

* = Appointed to fill an unexpired term

^c = Charter member

Prior Members: Since 1995 (continued)

Dr. Mary Dale Craig (02-06)	Michelle Bankert *(14-18)
Dee Shorts (04-07)	Nancy Fortney (12-18)
Ellen Payne (01-07)	Cristi Graham (17-18)
Mary Beth Quillen (05-08)	Alice Jean Ennis (14-17)
Marge SeBour (06-08)	Lauren Mathias Williams *(16-18)
Meg Gerety (04-07)	Teola Brittingham *(16-18)
Linda Dearing (02-08)	Jeannine Jerscheid *(18-19)
Angela Hayes (08)	Shannon Chapman *(17-19)
Susan Schwarten (04-08)	Julie Phillips (13-19)
Marilyn James (06-08)	Bess Cropper (15-19)
Merilee Horvat (06-09)	Kelly Riwniak *(19-20)
Jody Falter (06-09)	
Kathy Muncy (08-09)	
Germaine Smith Garner (03-09)	
Nancy Howard (09-10)	
Barbara Witherow (07-10)	
Doris Moxley (04-10)	
Evelyne Tyndall (07-10)	
Sharone Grant (03-10)	
Lorraine Fasciocco (07-10)	
Kay Cardinale (08-10)	
Rita Lawson (05-11)	
Cindi McQuay (10-11)	
Linda Skidmore (05-11)	
Kutresa Lankford-Purnell (10-11)	
Monna Van Ess (08-11)	
Barbara Passwater (09-12)	
Cassandra Rox (11-12)	
Diane McGraw (08-12)	
Dawn Jones (09-12)	
Cheryl K. Jacobs (11)	
Doris Moxley (10-13)	
Kutresa Lankford-Purnell (10-12)	
Terry Edwards (10-13)	
Dr. Donna Main (10-13)	
Beverly Thomas (10-13)	
Caroline Bloxom (14)	
Tracy Tilghman (11-14)	
Joan Gentile (12-14)	
Carolyn Dorman (13-16)	
Arlene Page (12-15)	
Shirley Dale (12-16)	
Dawn Cordrey Hodge (13-16)	
Carol Rose (14-16)	
Mary Beth Quillen (13-16)	
Debbie Farlow (13-17)	
Corporal Lisa Maurer (13-17)	
Laura McDermott (11-16)	
Charlotte Cathell (09-17)	
Eloise Henry-Gordy (08-17)	

* = Appointed to fill an unexpired term

c = Charter member

Updated: July 21, 2020

Printed: February 5, 2021

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



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

OFFICE OF THE
 COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
 ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

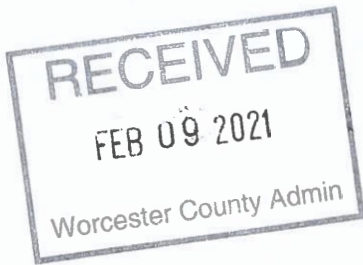
HAROLD L. HIGGINS, CPA
 CHIEF ADMINISTRATIVE OFFICER
 ROSCOE R. LESLIE
 COUNTY ATTORNEY

February 4, 2021

TO: Harold L. Higgins, CPA, Chief Administrative Officer
 FROM: Karen Hammer, Office Assistant V
 SUBJECT: Proposed Employee Events and Programs - 2021

As you are aware, over the past several years the County Commissioners have sponsored events and programs for the Worcester County Government employees to improve morale and demonstrate their support and appreciation of County staff. These events have been extremely successful and sincerely appreciated by County employees. Therefore, I am proposing that the County Commissioners approve the following "Worcester County Government Employee Appreciation" events program for 2021:

1. **Night at The Shorebirds** – Date TBA – The County is Pre-paid for this event due to Covid-19 cancellation of games in 2020. Awaiting the 2021 schedule.
 Tickets would be free for each employee with additional tickets for family and friends sold for \$5 each. Total cost to the County would be \$1,000 (for 200 tickets), less income from ticket sales. In 2019, we needed 178 tickets, 77 distributed to staff and 103 sold to family and friends for a net cost of \$485 to the County.
2. **Jolly Roger Day** – Sunday, August 15, 2021, from 10:00am until 6:00 pm. This event is at **no cost to the County** as we sell wristbands to County employees and their family and friends at the generous pricing offered by Buddy Jenkins and the Jolly Roger staff. While prices have increased slightly, prices for 2020, estimated as follows: (\$13) per person for the day at Splash Mountain; with add-ons including 2-hour Go-Kart rides (\$13), Extreme Rides (\$13), Amusement Rides and Mini Golf (\$8) and /or Mini Golf (\$4).



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

Memorandum

To: Worcester County Commissioners

CC: File

From: Jo Ellen Bynum 

Date: 2/8/2021

Re: Housing Rehabilitation Program Bid Package

Attached please find a bid package for a septic system replacement needed for an owner-occupied single family home in the Stockton area. This project is proposed to be funded by the County's current CDBG Housing Rehabilitation grant, MD-20-CD-22. Please review and approve to be placed out for the County's competitive bid process.

**NOTICE TO SEPTIC SYSTEM INSTALLERS
INVITATION TO BID
Housing Rehabilitation
Worcester County, Maryland**

The Worcester County Commissioners are currently accepting separate bids for rehabilitation work to be performed on a single-family home located in the Stockton area of Worcester County. Bid specification packages and bid forms are available to experienced septic system installers and may be picked up from the Office of the County Commissioners, Worcester County Government Center, One West Market Street - Room 1103, Snow Hill, Maryland 21863, obtained online at www.co.worcester.md.us under the "Bids" drop-down menu in the lower right hand side of the home page, or by calling the Commissioners' Office at 410-632-1194 to request a package by mail.

The project is proposed to be funded by the Community Development Block Grant (CDBG) Program and is thus subject to all applicable Equal Opportunity and Civil Rights guidelines. **Sealed bids will be accepted until 1:00 p.m. on Monday, March 8, 2021** in the Office of the County Commissioners at the above address at which time they will be opened and publicly read aloud. Envelopes shall be marked **"Housing Rehabilitation Bid – March 8, 2021"** in the lower left-hand corner. Bids will be reviewed by staff and awarded by the County Commissioners at a future meeting. In awarding the bids, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bids they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

All inquiries regarding the bid specifications shall be directed to the Environmental Programs Inspector, Ed Lawson, at 410-632-1220. All other inquiries shall be directed to Jo Ellen Bynum, Housing Program Administrator, at 410-632-1200, ext. 1171.

WORCESTER COUNTY HOUSING REHABILITATION PROGRAM

GENERAL SPECIFICATIONS

These specifications cover general items of information relating to this bid solicitation. Detailed specifications for the homes to be rehabilitated are attached. Bids will be accepted until 1:00 p.m. on Monday, March 8, 2021 at the Worcester County Commissioners Office, Room 1103, One West Market Street, Snow Hill, Maryland 21863 at which time they will be opened and read aloud. General telephone inquiries should be directed to the County's Housing Consultant, Jo Ellen Bynum, at 410-632-1200, ext. 1171. Questions of a technical nature may be directed to the Environmental Programs Inspector, Eddie Lawson, at 410-632-1220. Contractor **must** schedule a pre-bid meeting with Eddie Lawson prior to submitting a bid. Bids must be mailed or delivered in person; faxed bids are not acceptable. Bids must be clearly marked "Housing Rehabilitation Bid – March 8, 2021". Each bid must be signed and dated.

Contractor qualifications: Any contractor who has not submitted a Contractor Qualification form to the Program within the past six (6) months must complete and return the enclosed form. Contractors for this contract must be an experienced septic installer as well as possess active liability insurance (\$100,000/\$300,000 for personal injury and \$50,000/\$100,000 for property damage).

Completion of job: Contractors are expected to commence work within thirty (30) days of the issuance of the Notice To Proceed. Work must be completed within sixty (60) days of commencement of job. If anticipated start date and completion schedule is different than outlined above, please write estimated dates on enclosed Bid Form.

Contracting Policy: Attached to this bid is a copy of the Rehabilitation Program Guidelines. Contractors are urged to read this document carefully.

Bid Submission Checklist

- ☐ Contractor Qualification Form
- ☐ Contractor Conflict of Interest Disclosure Form
- ☐ Bid Form- on your company letterhead using Worcester format
- ☐ Scope of Work with Line Item Breakdown- all lines completed and total price
- ☐ Section 3 Compliance Bid Form * if you are not a Section 3 employer and expect no new hires, check 3rd option and enter "0" new employees
- ☐ Section 3 Business Certification * if you are not Section 3 employer check bottom option; unable to certify
- ☐ Attended Pre-bid meeting: X Required Not Required
- ☐ Signed Bid Submission Checklist

 Signature

 Date

Please check off items submitted above, sign and include this checklist with your submission package. If you have any questions as to if a previously submitted Contractor Qualification Form has expired, please contact Jo Ellen Bynum at 410-632-1200, ext. 1171. Bids submitted with no Contractor Qualification form on file dated within the past 6 months may not be considered. Please note HUD 4010 enclosed for informational purposes; Davis Bacon is not required for this project.

**WORCESTER COUNTY HOUSING REHABILITATION PROGRAM
CONTRACTOR QUALIFICATION FORM**

Contractor _____

Address _____

Phone Number _____

Federal I.D. or S.S. # _____

Insurance Company, Agent, & Coverages: _____

List of Company Officers: _____

List of Licenses Currently Held:

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

_____ MBR Number	_____ Exp. Date
------------------	-----------------

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

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

Trade References (2)

_____ Name	_____ Phone
------------	-------------

_____ Name	_____ Phone
------------	-------------

Client References (2)

_____ Name	_____ Phone
------------	-------------

_____ Name	_____ Phone
------------	-------------

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

Is contractor on HUD's debarred list? _____ Yes _____ No

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

_____ Minority Business Enterprise

_____ Women's Business Enterprise

_____ Disadvantaged Business Enterprise

_____ Section 3 Employer

Conflict of Interest Disclosure
Contractor*

All businesses submitting bids for projects and activities which include funding through the Maryland Community Development Block Grant Program must disclose any potential conflict of interest. A conflict of interest may occur if the business owner/principals are related to or have a business relationship with an employee, officer or elected official of Worcester County. If it is determined there is a conflict of interest or potential conflict of interest, you may not be selected even if your bid is determined to be the lowest, most qualified. The County can request for the State of Maryland CDBG Program to review and make a determination which could result in a waiver allowing for approval.

1. Are owner(s)/principal(s) ever been an employee, agent, consultant, officer, elected official or appointed official of Worcester County? ☐ Yes ☐ No
If yes, please identify: _____
2. Are owner(s)/principal(s) related (including through marriage or domestic partnership) to an employee, agent, consultant, officer, elected or appointed official of Worcester County?
☐ Yes ☐ No If yes, please identify: _____
3. Do owner(s)/principal(s) have a business or professional relationship with anyone identified under Question #1? ☐ Yes ☐ No
If yes, please identify: _____

I/We certify that the above information is true and correct. I/We understand that providing false statements or information is grounds for termination of assistance and is punishable under federal law.

Signed: _____ Date: _____

Name: _____ (Print)

Signed: _____ Date: _____

Name: _____ (Print)

**For all non-construction contracts and for single family housing rehabilitation only*

9/2017

For Grantee Use Only:

CDBG Grant Number:	Date Received:
<input type="checkbox"/> Conflict of Interest does not exist <input type="checkbox"/> Conflict of Interest exists	
Date Sent to State:	<input type="checkbox"/> Waiver Granted <input type="checkbox"/> Waiver Denied

MARYLAND CDBG PROGRAM I PROCUREMENT

SECTION 3 COMPLIANCE BID FORM

Name of Business: _____

Address of Business: _____

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

Business Activity: _____

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

OR

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

OR

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

I attest that the above information is true and correct.

Signature_____
Print Name_____
Title_____
Date

SECTION 3 BUSINESS CERTIFICATION

Business Name: _____

Project Name: _____

I certify that the firm of _____ (business name) qualifies as a Section 3 Business, and that it meets one of the following definitions of a Section 3 Business:

- _____ 1. 51% or more of the ownership of this company is owned by one or more persons who qualify as a Section 3 Person.
- _____ 2. Currently, at least 30% of the permanent, full time employees are currently Section 3 Persons or, within three years of the date of first employment, were Section 3 Persons.

I understand that if I am awarded this contract, I will be required to provide documentation as evidence to support my self-certification that this business qualifies as a Section 3 Business. The documentation will include, but is not limited to, source documentation related to total household income, acceptable income certification from a housing authority or government housing agency, and copies of Section 3 Self-Certification forms for each employee.

Signature of Chief Executive Officer_____
Date

_____ We currently are unable to register as a Section 3 Business. I have received a list of Section 3 certified subcontractors from Worcester County for my consideration when hiring subs.

*No Section 3 businesses on HUD registry as of 2/8/21

Contractor Date

WORCESTER COUNTY IS REQUESTING QUOTATIONS FROM QUALIFIED
CONTRACTORS FOR REPAIRS TO:

PROPERTY OF: **John Jones**

ADDRESS: 5316 Little Mill Road
Stockton, MD 21864

TELEPHONE: 757-894-0928

TOTAL QUOTE: _____

CONTRACTOR: _____ DATE: _____

NO QUOTATIONS AFTER: 03/08/21

PART ONE: GENERAL CONDITIONS

PART TWO: SCOPE OF WORK

PART ONE – GENERAL CONDITIONS

- 1) The Contractor shall coordinate all work in progress with the homeowner so as not to severely disrupt living conditions. Inside work which is disruptive, or displaces the use of the kitchen, bathroom, or bedrooms, shall be pursued continuously on normal working days.
- 2) The Contractor shall be responsible for removing and replacing furniture and other articles, to and from other storage areas on premises, as needed to allow work space or to protect such possessions. Provide plastic film protection over all furniture (if not removed), carpets, finished floors, etc. – also install film at doorways as required.
- 3) The Contractor shall remove all excess material, construction debris, and other existing debris and material specified herein, to an approved dumpsite off premises. Work area shall be broom swept at the end of each work day.
- 4) The Contractor shall contact the Program Inspector or Housing Administrator for direction in the event that coordination or clarification problems arise with the homeowner or other contractors.
- 5) The Contractor shall coordinate closely with the homeowner as to which possessions are considered “junk and debris” and which are valuable before hauling anything away.
- 6) The Contractor shall leave all work areas on the premises in a neat and clean condition, and shall instruct the homeowner in the care and use of all installed equipment and appliances. Owner’s manuals and warranty booklets are to be provided to the homeowner for all applicable equipment, appliances, and materials.
- 7) The Contractor shall not undertake or engage in any additional work intended to be billed to the Program as an “extra” or as additional cost to the original contract without a written change order signed by the Program Inspector, Housing Administrator, and homeowner. A written change order as outlined above is also

ITEM 5

required for substitutions or additions to the original scope of work not involving additional costs.

- 8) The Contractor shall obtain and pay for all building, plumbing, electrical, well, septic and other permits required for specified work.
- 9) The Contractor shall call for all inspections required by County law as well as inspections to receive draw payments and any special inspections required by the Program Inspector. All work shall conform to code.
- 10) All of the above general conditions shall be adhered to unless otherwise specifically described in the following scope of work.

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

BID FORM

***must be signed to be valid**

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

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

Total Quote : \$ _____

Date Available To Start: _____

Date: _____

Signature

Typed Name

Title

Company Name

Address

Phone Number(s)

John Jones
5316 Little Mill Road
Stockton, MD 21864
TM 86 Parcel 249
757-894-0928

Septic Scope of Work

- Site visits are required. Any prospective bidder needs to set up an onsite appointment with Eddie Lawson of Environmental Programs and the owner to review prior to submitting bid.
- 3 lines, 65 feet long each, with 2 foot wide trenches
- Installation 0 inch - elevation shots required. Slope is an issue.
- Dug out 4 to 5 feet and backfilled with approved sand (final depth to be determined at meeting on site).
- Minimum 1,000 gallon septic tank is required with lift station and pump. Include electrical hook up in bid.
- Final stabilization of seeding and straw is required.
- Replace plumbing to tank from house
- All disturbed areas at septic site, including stockpile area, to be cleaned up and graded.
- Any tree clearing, brush removal, trash removal, etc., bidder feels will be needed to included to complete this scope of work will need to be considered in their bid price.
- Obtain County Environmental Programs final approval before heavy equipment is pulled from the jobsite.
- The permit fee of \$325 must be included in quote

Date of site visit: _____

Project Total= _____

Date: _____

Signature

Typed Name

Title

Company Name

Address

Phone Number(s)

Federal Labor Standards Provisions**U.S. Department of Housing
and Urban Development
Office of Labor Relations****Applicability**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

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

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

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

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

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

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

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

4. Apprentices and Trainees.

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1 01 0, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part: "Whoever, for the purpose of . . . influencing in any way the action of such Administration..... makes, utters or publishes any statement knowing the same to be false..... shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

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

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

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

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

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

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

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

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

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

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

REHABILITATION GUIDELINES FOR WORCESTER COUNTY,
MARYLAND

INTRODUCTION

This rehabilitation plan sets forth the guidelines and procedures governing the operation of the Worcester County Housing Rehabilitation Program.

This program will make available financial and/or technical assistance for the rehabilitation of eligible substandard housing units located in the unincorporated areas of Worcester County. Rehabilitation work will correct deficiencies in the eligible home and make the units safe, sound and sanitary for the occupants. All properties will be rehabilitated to the County's Livability Code.

The legal authority for this rehabilitation program comes from the applicable grant agreement for the Community Development Block Grant Program administered by the Maryland Department of Housing and Community Development.

The local governing bodies, contractors, subcontractors, vendors and applicants for rehabilitation assistance are required to abide by a number of State and Federal laws, and may be required to sign documents certifying their compliance.

The Civil Rights Act of 1964

Executive Order 11246 concerning Equal Employment Opportunity
Standards of Conduct for the CDBG recipients – Conflict of Interest

Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity

Standard of Equal Opportunity Construction Contract Specifications

Certification of Non-Segregated Facilities for Contracts over \$10,000

Title VI of Civil Rights Act of 1964

Section 109 of Housing & Community Development Act of 1974

Section 3 Compliance

Age Discrimination Act of 1975

Section 504 Affirmative Action for Handicapped Lead Based Paint Hazards

Access to/Maintenance of Records

Past experience with the Program has shown that there are sufficient applicants to utilize the available funds. If this should cease to be the case, the Administration will market the Program via newspaper and television stories, public service announcements, and contacts with civic and charitable organizations.

The County Commissioners shall have the right to waive certain limits and eligibility criteria on a case-by-case basis as justified by unusual circumstances and with the approval of the State.

SECTION I – ELIGIBILITY

1. Beneficiaries of the Program must be of low-to-moderate income, as defined by income limits provided by the Maryland Department of Housing and Community Development.

The limits may be revised from time to time. Current limits are as follows:

Persons Per Household	Maximum Annual Income
1	40,600
2	46,400
3	52,200
4	58,000
5	62,650
6	67,300
7	71,950
8	76,600

2. The dwelling to be rehabilitated must be located within the unincorporated areas of Worcester County or in a township that does not receive CDBG funding.
3. The dwelling must be in substandard condition and economically feasible of being brought into compliance with the standards of the County's Livability Code. Exceptions may be made for emergency cases to correct an immediate threat to the health and safety of the occupant(s). All health and safety problems will be documented on a separate form.
4. Program emphasis is the rehabilitation of owner-occupied dwellings, however, landlords who rent to persons of low-to-moderate income may be considered for CDBG funded interest subsidies for bank loans, provided such assistance has been approved by the State.
5. Owner-occupants must not own any house other than the one to be rehabilitated under the program and must not have substantial assets which would enable the applicant to secure rehabilitation funds from other sources.
6. If the dwelling lies within a flood zone, the applicant must agree to obtain flood insurance coverage.
7. Vacant dwellings may be considered for rehabilitation if the dwelling has been vacated due to its substandard condition, and if the owner agrees to occupy the dwelling upon completion.
8. Applicants without property insurance must obtain such insurance prior to the initiation of any work.
9. Homes owned by more than 1 party (other than a husband and wife who reside together) may be rehabilitated even if not all members reside in the home. At least one of the owners must live in the home. All others must sign all program documents, including the application and the final loan documents.
10. The total income of all persons residing in the house will be counted. The income of household members who are presented as residing temporarily in the house will be counted for eligibility purposes until evidence is that the person has moved out.

II. APPLICATION PROCEDURES

1. Applications will be accepted continuously. The following must be submitted prior to application review and underwriting: property tax bill; proof of insurance or commitment to obtain such on property; verification of mortgage (if applicable); and proof of income. The following will be acceptable as proof of income: social security or pension award letters, last two pay stubs, W-2 form for the previous year, or income tax returns. Mortgage verification forms will be used. Employment verification forms will be used at the discretion of the Administrator.
2. The number of applicants which meet eligibility guidelines will be referred to the Program Inspector for completion of a preliminary inspection. This will occur during the times in which the program has sufficient funds to handle the stream of applicants coming in. Preliminary inspections will not be completed for “backlogged” applicants. The purpose of the preliminary inspection is to determine whether the rehabilitation is economically feasible and to determine the health and safety violations which will end in the prioritization of applications. Preliminary inspections will be made in writing and will include the estimated cost time.
3. The Administrator will perform general prioritization of applications for the purpose of presentation to the review board. Priorities are covered in Section III, “Selection”.
4. Excess housing demand will be partially addressed by the prioritization discussed in #3, above. In addition, applicants deemed to have greater repayment ability will be referred to the State Special Loans Programs. Consideration will be given in developing programs which will expend the CDBG funds in a timely manner, but yet maximize the number of families served. A prioritized waiting list will be developed so that as more funds become available, families will be reviewed in priority order. All Special Loans Programs cases will be handled using regular SLP procedures
5. Underwriting will be performed prior to presentation to the Housing Review Board. The Administrator will utilize the State Special Loans Program underwriting form. Applicants who expend more than 28% of their income for housing expenses will be deemed unable to repay a loan.
6. The Administrator will prepare recommendations for action by the Review Board and will mail this material to the Board in advance of the meeting at which action is being requested. In order to receive a conditional grant, the applicant must meet one of the following criteria: have income below 80% of the AREA median; be 62 years of age or older; or is spending more than 30% of his gross income on housing, exclusive of utilities.

III. SELECTION

1. Efforts will be made to provide assistance on a first-come, first-served basis, however, severity of need will take precedence. Severity of need will be based on the following criteria:
 - One or more occupants of the dwelling is age 62 or older.
 - One or more occupants of the dwelling is handicapped.
 - Condition of the dwelling is a threat to the health and/or safety of the occupants.
 - Total household income is below 50% of the County median.
2. The Housing Review Board will meet as needed. The Board will review applications and recommendations from the Program Administrator and will make decisions as to which shall be funded and the method of financing. Grievances and appeals against the decision of the Housing Review Board will be made in writing within 30 days after notification of the Board's decision. Additional information not presented at the time of the meeting must be requested with the request for an appeal hearing. Appeals will be referred to the County Administrator who will act on them within 30 days of receipt. Applicants may further appeal to the County Commissioners within 30 days after the decision of the County Administrator. Applicants will be notified of the grievance procedures upon notification of action by the Board on their cases.
3. Upon application approval, the Administrator will send appropriate documentation to the Maryland Historical Trust for the Section 106 review.
4. The Inspector will perform a detailed, written work-up for each approved case.

IV. STRUCTURE OF FINANCIAL ASSISTANCE

1. The average amount of assistance is expected to be \$20,000. The maximum grant amount will be \$30,000. Total improvements may exceed \$30,000 if the after-rehab value of the dwelling is in excess of all mortgage amounts and the home can be brought into compliance using what is still considered to be moderate to of these substantial rehabilitation guidelines. CDBG Awards exceeding \$30,000 shall be in the form of 0% interest loans; payment amounts to be determined using the Special Loans Program underwriting worksheet. Recipients must make payments as scheduled to the County Treasurer's Office until the entire principal amount of the debt is retired; there is no expiration on the term of the loans. The Board may alternatively elect to supplement the \$30,000 maximum grant amount with loan funding through the State Special Loans Program. Payment and interest would be set by SLP according to their Program guidelines and loans would be serviced through their agency.
2. In cases of the sale or cash-out re-financing of rehabilitated properties, the County must be re-paid the balance of the loan or grant per the terms outlined in the agreement. Reverse mortgages are not permitted while liens are still in effect. The following tiered system applies for liens placed on houses rehabilitated through a CDBG grant:
 - Tier I- \$0 to \$12,500 grant requires a five (5) year lien

Tier II- \$12,501 to \$25,000 grant requires a ten (10) year lien

Tier III- \$25,001 to \$30,000 grant requires a fifteen (15) year lien.

A tiered portion of the grant amount must be repaid if the dwelling is sold after rehabilitation and prior to the expiration of the grant term. Repayment is required according to the following schedule:

For five year liens:

Sale in the first year:	100% grant repayment
Sale in the second year	80% grant repayment
Sale in the third year	60% grant repayment
Sale in the fourth year	40% grant repayment
Sale in the fifth year	20% grant repayment

The grant mortgage will be released after the fifth year and no repayment is required thereafter.

For ten year liens:

Sale in the first year:	100% grant repayment
Sale in the second year	90% grant repayment
Sale in the third year	80% grant repayment
Sale in the fourth year	70% grant repayment
Sale in the fifth year	60% grant repayment
Sale in the sixth year	50% grant repayment
Sale in the seventh year	40% grant repayment
Sale in the eighth year	30% grant repayment
Sale in the ninth year	20% grant repayment
Sale in the tenth year	10% grant repayment

The grant mortgage will be released after the tenth year and no repayment is required thereafter.

For fifteen year liens:

Sale in the first year:	100% grant repayment
Sale in the second year	93% grant repayment
Sale in the third year	87% grant repayment
Sale in the fourth year	80% grant repayment
Sale in the fifth year	73% grant repayment
Sale in the sixth year	67% grant repayment
Sale in the seventh year	60% grant repayment
Sale in the eighth year	53% grant repayment
Sale in the ninth year	47% grant repayment
Sale in the tenth year	40% grant repayment
Sale in the eleventh year	33% grant repayment
Sale in the twelfth year	27% grant repayment
Sale in the thirteenth year	20% grant repayment
Sale in the fourteenth year	13% grant repayment

V. REHABILITATION ACTIVITIES

- Page 6 of 12

general specifications which detail the level of materials and workmanship quality.

VI. CONTRACTING

1. The County will advertise publicly for bids based on the work write-up prepared by the Rehabilitation Specialist. Minority and female owned firms will be encouraged to bid.
2. Contractors must complete a Qualification Form to be considered as an eligible bidder.
3. Bids will be reviewed for accuracy and responsibility and a recommendation for award will be provided to the County Commissioners. Bids will generally be awarded to the lowest bidder. The County Commissioners reserve the right to accept or reject any or all bids.
4. The County may limit the number of contracts to be awarded to one contractor during any one bid solicitation and may negotiate with other bidders for remaining contracts.
5. Following award, the Owner-Contractor Agreement will be executed by the contractor and homeowner. The Program Administrator will then issue a Notice to Proceed.
6. The contractor may request progress payments as often as needed. Payments are made following inspection by the Program Inspector and upon approval by the Program Administrator. The contractor may receive up to 75% of the total contract in this manner; the final 25% will not be paid until satisfactory completion of a final inspection and the achievement of lead clearance on applicable projects. The homeowner, Program Inspector, contractor and Program Administrator are required to sign-off on the final payment request in order for payment to be processed.
7. All work involving well and septic installation will be bid separately and will not require the certification of the Program Inspector. The Administrator will work directly with the Environmental Programs Department for this procurement. E.P. will also perform the inspections.
8. The inspector will obtain the owner's signature on the Certificate of Completion prior to the final payment being made. If there is a dispute, the inspector and Program Administrator will make the determination and document the reasons for such.
9. Any homeowner who has problems with the work after its completion, (i.e., leaking pipes) should contact the Program Administrator who will

request the inspector to ascertain the cause of the problem. If the time frame is within the one-year guarantee period, all efforts will be made to encourage the Contractor to correct the problems voluntarily. If this should prove unfeasible, the program will engage the services of another contractor to correct the work, if ample funds are available.

VII. PERMITTING PROCESS

1. The Housing Administrator will send a copy of the final work write-up to the applicable Permitting Department for a permit review. The Permitting Department will respond with a written memo listing the permits required for the project and the code which is used by the jurisdiction. The Administrator will provide the contractor with a copy of this memo when the Owner-Contractor Agreement is signed.
2. The contractor will contact the property owner to sign the permit and submit the permit to the local Permitting Department along with any required drawings or site plan and all applicable fees .
3. The contractor will notify the Department of Planning, Permits and Inspections and the Housing Administrator of the construction start date.

VIII. FINAL REHABILITATION DOCUMENTS

1. Once the contract for the work is awarded, the Administrator will prepare the following documents for signature by the homeowner:
 - Owner-Contractor Agreement
 - Lead Paint Notice
 - Grant/Loan Agreement
 - Promissory Note
 - Notice of Right of Rescission
 - FHEO Self Identification Form

In addition, a copy of the work write-up will be included in this mailing.

2. When the documents are returned to the Administrator, he or she will obtain the signature of the contractor on the Owner-Contractor Agreement. Once this is done, the Contractor will be given a Notice to Proceed.
3. The Grant/Loan Agreement will be recorded in the Office of the Clerk of Court.
4. Copies of the promissory note and Grant/Loan Agreement will be provided to the County Treasurer's Office upon signing and recordation.

**BID AND CONTRACT PROCEDURES
WORCESTER COUNTY HOUSING REHABILITATION PROGRAM**

It shall be the policy of the Worcester County Rehabilitation Program to maximize participation by minority contractors. The Program Administrator shall consult all available resources for names of minority contractors.

The procedures contained herein apply only to work funded in whole or in part with County CDBG funds. Other agencies which supplement the CDBG funds have the option of using their own procedures.

CONTRACTOR QUALIFICATION

1. An advertisement soliciting interested rehabilitation contractors shall be placed in local newspapers by the Worcester County Housing Rehabilitation Program on behalf of the property owner. This ad will contain the information necessary to request a bid package and the date that bids are due.
2. Bid packages will be mailed to those contractors requesting them.
3. Bid packages will be mailed to those contractors known to be active in the area. The following will be required of contractors:
 - a. Adequate liability insurance (\$100,000/\$300,000 for personal injury and \$100,000 for property damage), listing agent's name, amount, expiration date and name of insurer.
 - b. Name of the company bank
 - c. The names of the usual subcontractors
 - d. The names and addresses of at least two (2) recent residential rehabilitation or remodeling customers
 - e. A list of all principal officers of the company
 - f. Number and date of the Maryland Home Improvement License
4. Contractors meeting the qualifications above will be deemed acceptable and will be allowed to bid on the rehabilitation projects. This privilege is contingent on the fact that no contractor is on HUD's debarred list, has filed bankruptcy or is otherwise deemed ineligible. The Housing Specialist/Inspector and the Housing Rehabilitation Program Administrator and award of the bid by the County Commissioners shall make final selection of the contractor after an evaluation of the bid. The name of contractors who do not perform satisfactorily will be submitted to the County Commissioners with a recommendation that they not be allowed to bid on future projects.

5. Contractors will return completed and sealed bid packages to the Budget Officer no later than the date established in the advertisement. No bids will be accepted after this deadline. Faxed bids are not acceptable.
6. No items are to be omitted. All bids are to be totaled on the first page of the work write-up and signed by the contractor on the last page. Any bid which contains omitted items will be disqualified.
7. The jobs are to be bid on an individual basis, group bidding is not allowed.
8. Any questions concerning the substance of the work write-up should be clarified before the bid is submitted. No change orders may be made without the approval of the Worcester County Housing Rehabilitation Program Administrator. The submitting of bids shall be taken as a contractor's acknowledgement of the adequacy of the scope of work unless the bid is accompanied by a statement expressing the contractor's questions or concerns.
9. Bids will be reviewed by the Housing Specialist/Inspector and the Program Administrator. All bids will be opened publicly and read aloud at a specified time.
10. The contract for approved applications will be awarded consistent with the County's purchasing policy. Generally this will be the low bidder provided that he or she has met all eligibility criteria, and that the bid covers all items on the work write-up and that the bid appears to be feasible and responsive. The County Commissioners will award the contract at a regular meeting. It is the general policy of the program to use general contractors. However, there may be instances where work to only one trade is to be done. In these cases, the Administrator may solicit the appropriate subcontractor. All well and septic work will be bid separately.
WORCESTER COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

CONTRACT PROCEDURES

1. A contract for construction work financed by a rehabilitation grant or loan shall be undertaken between the contractor and the property owner. The County will not be a party to such a contract, but will act on the recipient's behalf in bidding, contract award and inspections of work completed.
2. The form of the contract shall be as follows: a single document, containing the general conditions and specifications for the work performed. The bid form is included in the contract by reference.
3. General contract provisions shall be required in all rehabilitation construction contracts, including:

- A provision that a written “Proceed to Work” order within a “to be determined” number of days is issued
 - A provision that the Contractor will be paid the contract price according to a payment schedule specified within the contract when work is satisfactorily completed. Payment will be made as soon as possible after receipt of the contractor’s invoice and for final payments receipt of release of liens by the contractors, suppliers and laborers involved.
4. The Contractor shall be required to follow the following provisions:
- Comply with all County inspection requirements
 - Perform all work in accordance with applicable standards and requirements, whether or not covered by the work specifications.

OWNER/CONTRACTOR DISPUTES

If a dispute between the homeowner and contractor concerning workmanship, quality of materials, or scope of work occurs, the Program Inspector will meet with both parties to discuss their concerns. The Program Inspector will advise the homeowner and contractor, in writing, of the recommended resolution. If both parties are not satisfied with the recommended resolution, they may respond in writing to the Program Administrator within 10 days of the date of the notice from the Inspector. The Program Administrator will meet with the homeowner, contractor and inspector at the property, listen to the concerns of all parties and evaluate the disputed work. The Program Administrator will respond in writing within 10 days of the meeting. If the homeowner or contractor do not accept the final resolution of the Program, the dispute will be referred for independent arbitration as provided for in the terms of the Worcester County Housing Rehabilitation Owner-Contractor Agreement.

CHANGE ORDERS

It is the policy of the Worcester County Housing Rehabilitation Program to carefully evaluate change orders. Every effort will be made to ensure that the work write-ups are complete and accurate representations of the work to be done in accordance with program guidelines. We require contractors to clarify any questions regarding the work write-up prior to the submission of a bid.

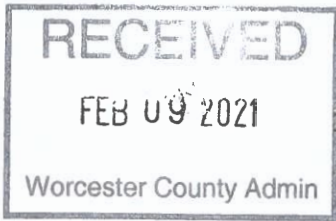
For other items on which change orders may be required, the following procedures will apply, regardless of whether the request for a change is initiated by the contractor or a homeowner:

1. The contractor is required to telephone both the Program Administrator and the Project Inspector with a verbal explanation of the situation.

2. The Project Inspector will visit the job site to render an opinion on the need for the change. If the Project Inspector recommends denial of the change order, this decision shall be final.
3. If the Project Inspector finds that the request is justified, he will so inform the Program Administrator who will render the final judgment. The Inspector will also give his opinion as to the reasonable cost of the proposed change.
4. Change orders which would bring the total grant amount above the maximum are not permitted. In cases of this nature, every attempt will be made to substitute a change for an originally approved item which is of lesser importance or to seek funds from other programs.
5. The Program Administrator will require the contractor to fill out and sign a change order form prior to permitting work to proceed.

RECRUITMENT OF MINORITY, SMALL, AND FEMALE CONTRACTORS

It is the policy of the County to attempt to recruit and assist small, female and minority contractors. Solicitations for bids will be placed in local newspapers. Additionally, the Administrator will attempt to locate such contractors and place them on the builder's list. He/she will consult such sources as the Maryland Department of Transportation Business Directory, the Lower Shore Contractors Association (a minority association), Shore-Up!, and O.U.R. Community, as well as any other group known to have knowledge of minority, small and female contractors.




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

Memorandum

To: Worcester County Commissioners
CC: File
From: Jo Ellen Bynum 
Date: 2/9/2021
Re: Housing Rehabilitation Program Grant Subordination Request

Attached please find a subordination agreement submitted by Embrace Home Loans on behalf of Ronald and Cordia Manuel. The Manuels were recipients of housing rehabilitation assistance in July 2020 in the form of a CDBG grant. They are seeking to re-finance their existing first mortgage and obtain cash out to finance additional repairs needed to their roof and heating system that we were unable to fund through our programs.

Due to the estimated cost of rehabilitation at this property exceeding 50% of the tax-assessed value, the Manuel's case required a waiver from the State CDBG Office. Our waiver request was granted, but only to cover the costs of emergency repairs to their sewage disposal system, environmental clean up and temporary relocation. Since then, the Manuels have applied to other programs and lending agencies for funding of the additional repairs.

Embrace Home Loans has approved a loan in the amount of \$48,000 to re-finance the first mortgage and provide them with \$24,438 cash out which they wish to use for the necessary repairs. In order for the Manuels to receive enough money for repairs, the County will need to agree to remain in second position via the execution of the subordination agreement, rather than require the pay-off of the grant lien. The lending agency has submitted an appraisal valuing the property at \$85,000, which is sufficient to cover the new first mortgage (\$48,000) and the County's \$15,501 lien. Per the CDBG grant agreement, this lien amount decreases by 10% per year and will be satisfied in full July 2030.

ITEM 6

The following supporting documents are attached for your review as you consider this request: appraisal, Embrace's loan estimate outlining the terms of the new mortgage, the County grant agreement, and letter from homeowner.

Dear Commissioners:

We are writing to request a special exception to allow the Rehab program grant/loan to stay in place so we can refinance our home. We applied first through the state and JoEllen in Worcester County to have more work done to our house, but because our total home value at the time was not enough, we were turned down for the larger repair project.

The grant/loan amount we were approved for only covered the emergency sewer repair and crawl space cleanup to make our house liveable again. But we still need to fix our heat pump that doesn't work and needs replacement and also the house needs a new roof. Nothing we are planning to do is cosmetic, they are just necessary repairs.

We are only taking enough cash out of the refinance to cover these expenses and necessary repairs to our home, but if we pay back the grant/loan, we won't be left with enough money to do either of those repairs we mentioned above.

We are trying to take care of our home, and we have always worked very hard to make our payments. Unfortunately, both of us have suffered health setbacks over the past few years that do not allow us to work anymore and we struggle to make our monthly payments with nothing ever leftover to do these larger home repair projects.

We have worked hard to get our credit in good shape so that we were able to get approved for this loan on our own and didn't need to ask for more help. Thank you for your consideration in allowing the grant/loan to stay in place.

Ron and Cordia Manuel

Ronald Manuel
Cordia Manuel

Name
Housing Loan/Grant Agreement
Page 1 of 3

MD-20-CD-22
WORCESTER COUNTY
HOUSING REHABILITATION
5 YEAR LOAN/CONDITIONAL GRANT AGREEMENT
(awards up to \$12,500)

THIS AGREEMENT, made and entered into this **20th day of February 2020**, by and between the County Commissioners for Worcester County, a body politic of the State of Maryland, party of the first part (hereinafter "County") and **Ronald Manuel and Cordia Manuel**. (hereinafter "Owners").

WHEREAS, the County having received a Community Development Block Grant pursuant to the Housing and Community Development Act of 1974, has undertaken a program of rehabilitation of certain properties within the County; and

WHEREAS, the Owner is desirous of rehabilitating his property, hereinafter described; and

WHEREAS, the Owner is an occupant of said property and meets the eligibility criteria which are applicable to said rehabilitation program.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

In consideration of the sum of **Five Thousand Two Hundred Seventy-Two Dollars (\$5,272.)** paid by the County to the Owner for the sole purpose of providing funds for the rehabilitation of the property known as **410 W. Market Street, Snow Hill** and located in the election district of Worcester County, Maryland, said property being conveyed to Owner by **deed dated April 4, 2001**, and recorded among the Land Records of Worcester County in **Liber 3068 at Folios 019-025**, the Owner agrees as follows:

1. **\$ 5,272.00** of the rehabilitation financing is provided to the Owner as a conditional grant with no obligation for repayment unless title to said property is transferred within five (5) years of the date of this Agreement. If the title to said property is acquired by any other person other than the Owner, for any reason, within the next five years, said Owner or his personal representative agrees to repay the County in the following manner:

Transfer within one year from the date hereof -	100%
Transfer within two years from the date hereof -	80%
Transfer within three years from the date hereof -	60%
Transfer within four years from the date hereof -	40%
Transfer within five years from the date hereof -	20%

REC'D APR 30 2020

DPP
Worcester Government Center
One W. Market St., Room 1201
Snow Hill, MD 21863

Name
Housing Loan/Grant Agreement
Page 2 of 3

Five years from the date hereof, Owner will be under no obligation to repay any of the conditional grant amount.

2. \$0 of the rehabilitation financing is provided to the Owner as a loan, bearing interest at the rate of 0%, to be repaid in accordance with the Promissory Note executed by the Owner on _____ and attached hereto as Exhibit A . The Owner may repay any or all of the loan amount, in advance, with no fee or penalty.
3. The Owner will maintain insurance on the Property for at least the amount of the rehabilitation improvements. Worcester County shall be named as loss payee for the period that the Owner is obligated to the County as herein provided.
4. This Agreement shall constitute a lien upon the subject property but shall be immediately released by the County upon compliance with the terms stated herein.
5. This Agreement may not be assigned in any manner by the Owner.
6. This Contract shall be binding upon the heirs, assigns, and personal representatives of the Owner until the terms of paragraph 1 are complied with, and this contract shall be recorded among the Land Records of Worcester County.
7. This Agreement is conditional upon the Owner's receipt of funding from the State Special Loans Program for the balance of the rehabilitation contract and closing costs associated with the loan.

Name
Housing Loan/Grant Agreement
Page 3 of 3

AS WITNESS, the hands and seals of the Parties hereto:

By: [Signature] [Signature]
Witness Owner - Ronald Manuel
By: [Signature] [Signature]
Witness Owner- Cordia Manuel

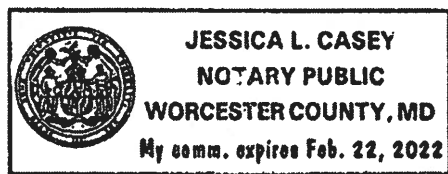
STATE OF MARYLAND,

I HEREBY CERTIFY that on this 20th day of February 2020, before me, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared **Ronald and Cordia Manuel**, Owners named in the foregoing Agreement, and each acknowledged the foregoing Agreement to be his act.

[Signature] 2/20/2020
Notary Public
My Commission Expires: 2/22/22

LR - Government
Instrument 0.00
Agency Name: Wor Co
Instrument List:
Agreement / Easement
Describe Other: Manuel
Ref:
=====

Total: 0.00
05/01/2020 09:37
CC23-AGT
#13648603 CC0104 -
Worcester
County/CC01.04.01 -
Register 01



APR 3 0 2020 The foregoing instrument
filed for record and is accordingly recorded
among the land records of Worcester County,
Maryland.

[Signature] Clerk

SUBORDINATION AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2021, by County Commissions for Worcester County, a body politic of the State of Maryland, hereinafter sometimes called "Lender";

WHEREAS, **Ronald Manual and Cordia Manual**, (hereinafter sometimes referred to as "Borrower") executed a Worcester County Housing Rehabilitation 5 Year Loan/Conditional Grant dated February 20, 2020 and recorded among the Land Records of Worcester County, Maryland, in Liber No. 7646, folio 190, et seq.; and

WHEREAS, **Embrace Home Loans** (hereinafter sometimes referred to as "New Lender"), has made a loan of Forty Eight Thousand Dollars (\$48,000.00) to Borrower, which said loan is to be secured by Deed of Trust of even date herewith on the hereinafter described property; and

WHEREAS, the said New Lender has requested said Lender to subordinate the lien and effect of its Grant Lien to the Deed of Trust of even date herewith, and the Lender has agreed to do so.

NOW, THEREFORE, THIS SUBORDINATION AGREEMENT, WITNESSETH: That for and in consideration of the premises and the sum of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, the parties do hereby covenant and agree as follows:

1. The property described in the Deed of Trust of even date herewith referred to herein is more particularly described as follows:

See Attached Exhibit A

2. The Lender does hereby subordinate its lien to the lien of the Deed of Trust to **Embrace Home Loans** (hereinafter referred to as "New Lender") of even date herewith, for the purpose of rendering that Deed of Trust superior to the lien of the Grant Lien dated **February 20, 2020**.

3. The Lender hereby acknowledges and agrees that (I) the Deed of Trust of even date herewith to the New Lender is, and shall constitute, the first, prior and superior lien on and against the premises; and (ii) that its Grant Lien dated **February 20, 2020** is, and shall hereafter be, subordinate and inferior to the aforesaid Deed of Trust of even date herewith to the New Lender.

4. This Subordination Agreement shall be binding upon the said parties hereto, their successors and assigns, and shall operate to the benefit of Embrace Home Loans, its successors and assigns, and any purchasers at any foreclosure sale instituted pursuant to the Deed of Trust.

5. The Lender hereby agrees to execute, acknowledge and deliver such further instruments as may be necessary to effect the purpose of this subordination.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

ATTEST:

County Commissioners of Worcester County,
Maryland

BY: _____ (SEAL)
Joseph Metrecic, President

STATE OF _____, COUNTY OF _____, to wit:

I HEREBY CERTIFY that on this _____ day of _____, 2021,
before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally
appeared Joseph Metrecic, the President of County Commissioners of Worcester County, and
acknowledged the foregoing Subordination Agreement to be its act.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires:

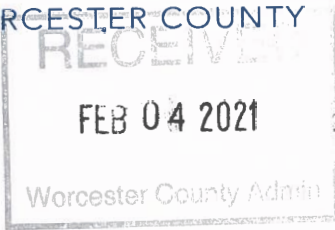
EXHIBIT A (LEGAL DESCRIPTION)

ALL that property lying and being in the Second Election District of Worcester County, Maryland, and being described as follows: Beginning at an iron pipe set in the ground on the westerly side of Market Street in the Town of Snow Hill, Maryland, at the northerly corner of the lot hereby described, and being also the northerly corner of the property which was conveyed unto Virgil H. Pruitt and Pearl L. Pruitt, his wife, from Dewey W. Pusey and wife by Deed dated October 24, 1947, and recorded among the Land Records of Worcester County, Maryland, in Liber C.W.N. No. 20, folio 246, et seq., and running thence from said beginning point by and with the westerly side of said Market Street South 4 degrees 01 minutes West the distance of 50.0 feet and South 1 degree 13 minutes West the distance of 25.0 feet to a point; thence running North 74 degrees 04 minutes West to intersect the North 45 degrees 36 minutes East 547.0 foot line of the property of Kenneth D. Gibbons and Rosalie T. Gibbons, his wife, described in the deed to them from the said Virgil H. Pruitt and wife dated May 27, 1969, and recorded among the aforesaid Land Records in Liber F.W.H. No. 253, folio 246, et seq.; thence running by and with said last-mentioned line North 45 degrees 36 minutes East to an iron pipe set in the ground at a point which is North 75 degrees 04 minutes West the distance of 72.75 feet from the aforesaid place of beginning; thence reversing said last mentioned line and running South 75 degrees 04 minutes East the distance of 72.75 feet to the place of beginning; the improvements thereon being known as 410 W. Market Street, Snow Hill, MD 21863 (Tax Account No. 02-017369).



Worcester County Recreation & Parks

6030 Public Landing Road | Snow Hill MD 21863 | (410) 632-2144 | www.PlayMarylandsCoast.org



MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
Weston Young, Assistant Chief Administrative Officer
Roscoe Leslie, County Attorney

FROM: Tom Perlozzo, Director of Recreation, Parks, Tourism & Economic Development

DATE: February 4, 2021

SUBJECT: South Point- Spagnola

Please find attached the information from the file concerning a July 11, 2019 discussion with the Commissioners and a request from Mark Spagnola, Captain, Dusk to Dawn.

The request came to the Recreation Department from Mr. Spagnola. Per the code, it was taken before the commissioners. Also, please know, the Department of Recreation & Parks was only used as a conduit for the request and did not endorse the request.

The residents at the boat ramp seemed to object to the opportunity. Since the request, there's been an additional home built adjacent to the ramp as well. Please let me know if there's any questions.

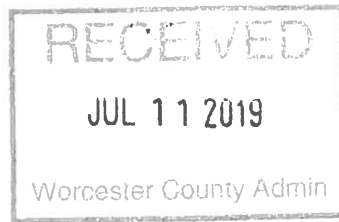
cc: Kelly Rados
Jacob Stephens



Worcester County
Department of Recreation & Parks

Tom Perlozzo, Director

6030 Public Landing Road, Snow Hill, Maryland 21863
410.632.2144 • Fax: 410.632.1585



MEMORANDUM

5

TO: Harold L. Higgins, Chief Administrative Officer
Kelly Shannahan, Assistant Chief Administrative Officer
FROM: Tom Perlozzo, Director of Recreation and Parks
DATE: July 11, 2019
SUBJECT: Public Boat Ramp Use – South Point

Please be advised that Mr. Mark Spagnola, Captain, Dusk to Dawn (dusktodawnbowfishing.com) Fishing Charters has requested a special use permit as identified in section CG 4-406 (f) for use at South Point Boat Ramp.

Mr. Spagnola has utilized the South Point ramp to launch and retrieve. His services would not appear to provide any material impact on the Recreation and Parks Department.

Should you approve the request, the department would suggest that only a pick-up and drop-off would be permitted and that no advertising either on his web site or at the boat ramp, overnight storage boats, materials or equipment, etc, should be permitted.

cc: Bill Rodriguez, Parks Superintendent
Maureen Howarth, County Attorney
Ed Tudor, Director DRP

Kelly Shannahan

Subject: FW: Public boat ramp use**From:** Marc Spagnola [mailto:marc@dusktodawnbowfishing.com]**Sent:** Wednesday, June 26, 2019 11:31 AM**To:** Kelly Shannahan <kellys@co.worcester.md.us>**Subject:** Public boat ramp use

To whom it may concern;

I am writing this letter in order to request a special use permit as identified in (f) of Bill No. 88-10.

My background is as follows; I have been a licensed charter captain, and Worcester County Resident for 5 years. Over that time I have utilized regional boat ramps from Virginia to Delaware and as far west as the Chesapeake. As you are aware, some ramps in certain counties are paid ramps while others are public. Over my 10 years of operation, I have never had an issue where utilizing any ramp is concerned. Last September an issue regarding my use of Worcester County's South Point Ramp emerged and continues. As of this request it is important to point out that like the public and many charter captains alike, I do use the site to launch and retrieve my water craft and while on the water, I utilize the parking area for my vehicle and trailer. Finally at no point has commercial business ever been conducted on county property.

As already mentioned, I utilized access points throughout the region. My usage of South Point provides a safety factor for Worcester County visitors since it is most prudent to launch close as opposed to running long distances in rough water where inclement weather is always an important consideration. Additionally, I provide a service for which there is a demand as I have been serving satisfied customers for 10 years. Finally, my activities add to broaden the economic base, promote lodging, food and beverage, etc., which ultimately drive local revenues.

Furthermore, and without going into specific detail, it would become clearly apparent to anyone who takes a moment to review the present situation, that the utilization of many county ramps by others pursuing a commercial end is simply common place. The purpose of this writing is twofold; first my hope is to be granted my request for a special permit as made available in section (f) of Bill No. 88-10. Secondly, I would urge the county to adopt a procedure that considers the issuance of permits where activities similar to mine are concerned as the demand for sought after services that I and others provide to visitors is being constrained simply due to the economics of water access.

In closing, I appreciate your consideration of my request. As you can imagine the matter is extremely important to me in terms of my livelihood, and therefore, I urge you to reach out with any questions you may have prior to your review of the matter.

Sincerely,

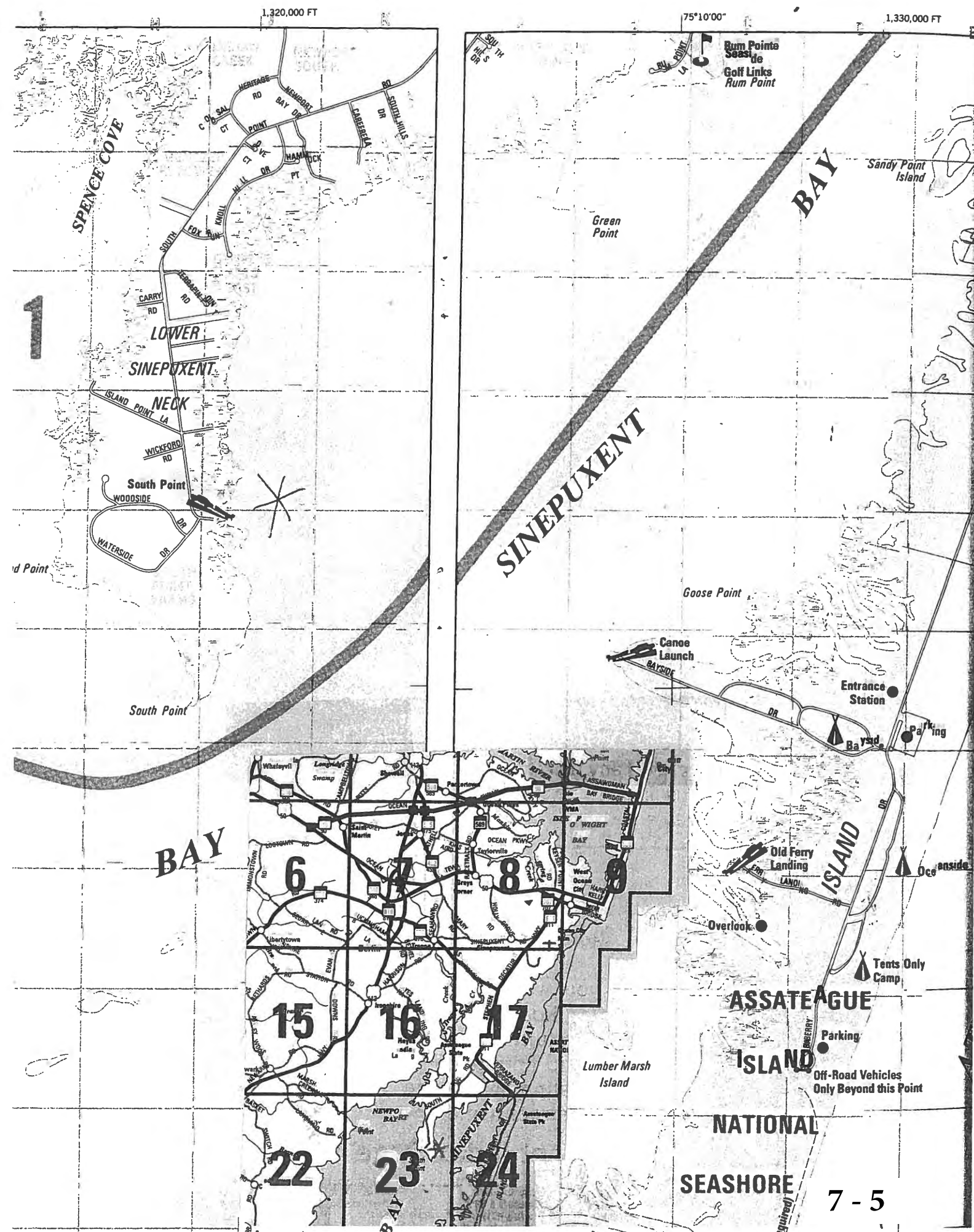
Marc A. Spagnola

Marc Spagnola
7173241649

Ordinance No. 35, the West Ocean City Harbor Management Ordinance previously in effect.

§ CG 4-406. County landings. [Added 9-13-1988 by Bill No. 88-10]

- (a) "County landings" defined. Used herein, the term "county landing" shall mean any dock, harbor, wharf, pier or ramp owned, maintained or operated by the County Commissioners of Worcester County except the West Ocean City Harbor.
- (b) Limitation on use. All county landings shall be used exclusively for the landing and retrieval of watercraft and ancillary activities thereto as herein set forth.
- (c) "Ancillary activities" defined. "Ancillary activities" mean:
 - (1) Parking of vehicles used for transporting watercraft or passengers utilizing the landing.
 - (2) Crabbing and fishing.
 - (3) Such other activities as may from time to time be permitted by the County Commissioners. [Added 1-12-1993 by Bill No. 92-19]
- (d) Prohibited activities. The following activities are prohibited at county landings:
 - (1) Commercial activities, including loading and unloading of produce, seafood, freight or merchandise.
 - (2) Tenting, camping or sleeping.
 - (3) Storage or warehousing of personal property.
 - (4) Anchoring, docking, mooring or tying up to any county landing or piling associated therewith.
- (e) Impoundment of property. Any personal property [except for motor vehicles as permitted by Subsection (c) hereof] left at any county boat landings shall be subject to impoundment by the County Commissioners or County Sheriff, who may charge a fee upon redemption in an amount sufficient to cover the cost of impoundment.
- (f) Special use permits. Any person wishing a special use permit for an activity not permitted hereunder may apply, in writing, to the County Commissioners, who may, in their sole discretion, grant such permit.
- (g) Violations. Any person violating the provisions hereof shall be guilty of a civil infraction. Each day of a violation constitutes a separate offense.



Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.
6200 COASTAL HIGHWAY, SUITE 200
OCEAN CITY, MARYLAND 21842
www.ajgalaw.com

GUY R. AYRES, III (1945-2019)
M. DEAN JENKINS
JAMES W. ALMAND
WILLIAM E. ESHAM, III
MARK SPENCER CROPPER
BRUCE F. BRIGHT
HEATHER E. STANSBURY
MAUREEN F. L. HOWARTH
RYAN D. BODLEY
VICTORIA O'NEILL
SPENCER AYRES CROPPER

EMAIL ADDRESS:
mcropper@ajgalaw.com

(410) 723-1400
FAX (410) 723-1861

February 1, 2021

OF COUNSEL
HAROLD B. GORDY, JR.

Mr. Joseph M. Mitrecic
President
Worcester County Commissioners
One West Market Street
Snow Hill, MD 21863

RE: Request for Special Use Permit at South Point Boat Ramp

Dear President Mitrecic:

I represent Captain Marc Spagnola, who owns and operates Dusk to Dawn Fishing Charters. In the spring of 2019, Tom Perlozzo, on behalf of Mr. Spagnola, filed a request with the Worcester County Commissioners for a Special Use Permit that would allow Mr. Spagnola (on a very limited basis) to use the South Point boat ramp as part of his bow fishing charter business. I did not represent Mr. Spagnola at that time and, therefore, was not involved. By his letter dated July 16, 2019, Harold L. Higgins, on behalf of the Commissioners, informed Mr. Spagnola that the Special Use Permit request had been denied.

Since being retained by Mr. Spagnola, I have researched the matter and drawn certain conclusions. First, Mr. Spagnola's desired use of the ramp is not discernable from many other forms of permitted recreational use, except that he is compensated financially. In fact, he could take his family or friends bow fishing at any time and use the ramp. As long as he is not compensated, it is not in violation of Section CG 4-406 of the Worcester County Code. This is vastly different than when multiple marine contractors (and others) use the same boat ramp in support of their businesses, but don't seem to be cited or interfered with by law enforcement or the County (see photos attached as Exhibit "A").

Secondly, a text amendment to Section CG 4-406 does not seem to be likely. I proposed a text amendment to your attorney, Roscoe Leslie, in July 2020. After we exchanged emails and had discussions on the telephone, it did not appear as though we (Roscoe and I) were going to be successful drafting language that would facilitate Mr. Spagnola's use, while also addressing certain concerns expressed by the Commissioners.


I am respectfully asking that the Commissioners provide me the opportunity to present this request on behalf of Mr. Spagnola. There is information that was not previously provided as

Mr. Joseph M. Mitrecic
February 1, 2021
Page 2

part of the initial request that I am confident would justify a reconsideration. That can only occur if I am given the opportunity to appear before the Commissioners and plead Mr. Spagnola's case. If I am unable to achieve a different outcome, at least it would not be due to a lack of effort on my part or the refusal of the Commissioners to give me the opportunity. Please let me know if the Commissioners are willing to do so.

I look forward to hearing from you.

Very truly yours,



Mark Spencer Cropper

Enclosures

cc: Roscoe Leslie
Marc Spagnola

MSC:slc

Exhibit “A”







JUST-RITE MARINE INC.
410-641-9961

MCLB 083(E)
MHIC 71561
O.C. 30542

FACILITY FOR LAUNCHING
AND RETRIEVAL OF
AMATEUR RAIL
SAVING ON APLAND
PROHIBITED. NO LOADING
IS PERMITTED
NOTICE
PROHIBITED. NO LOADING
IS PERMITTED
NO. CT. 104 - 10401.01

MD 4820 BL

JUST-RITE MARINE INC.
410-641-9961



JUST-RITE MARINE INC.
410-641-9961

NCLR 0431E
MHIC 71501
O.C. 30542

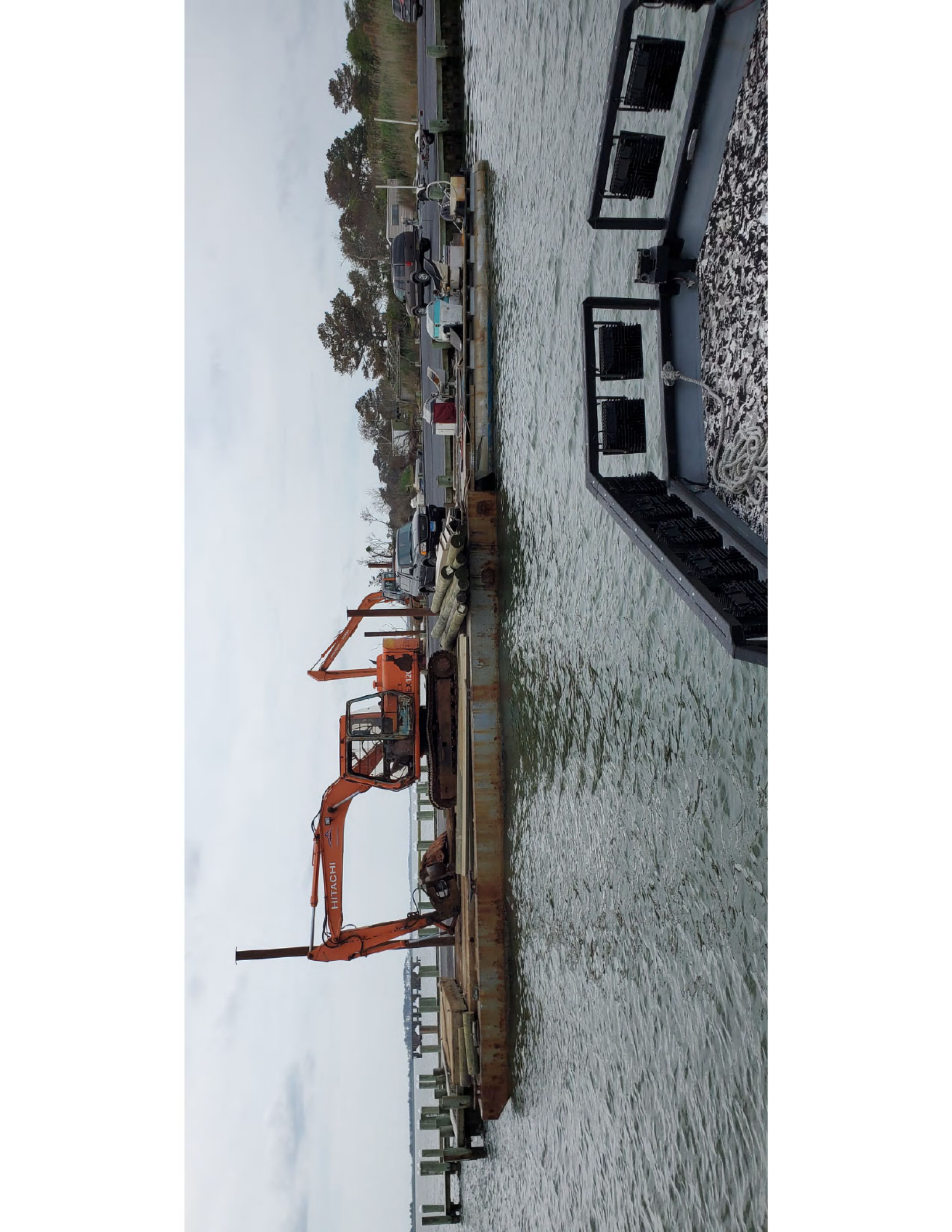
MD 4120 EL
JUST-RITE MARINE INC.
410-641-9961

JUST-RITE MARINE INC.
410-641-9961
P.O. BOX 1000
P.O. BOX 1000
P.O. BOX 1000

MERCURY
40 HP
40 HP
40 HP










Worcester County
Department of Environmental Programs

Memorandum

To: Tom Perlozzo, Director, Recreation and Parks and Economic Development

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

Subject: Request for Special Use Permit
South Point Boat Ramp

Date: January 25, 2021

Maryland DNR, working with the Maryland Coastal Bays Program, Audubon Maryland-DC, and local volunteers have been working to install four (4) wooden nesting platforms in the Coastal Bays at a location on the western shore of Assateague Island (map attached). The sites were chose to minimize disruptions to the existing wetland areas and area shielded somewhat from high wave energy areas in the open bay. This would be a conservation project designed to benefit state listed endangered birds on order to provide safe nesting sites for the *Common Tern* and *Black Skimmer*.

Accordingly, the use of the South Point Boat Ramp is requested to assemble and launch these structures. They are requesting to utilize a 50ft by 70ft portion of the northwest area of the ramp parking lot for this project.

The use of County boat landings for any use not specifically listed under § CG 4-406 (c) are allowed under the discretion of the Worcester County Commissioners by issuance of a special use permit under § CG 4-406 (f). The attached letter from the Associate Director of Wildlife and Heritage Service for MD-DNR requests a special use permit for the use of the small portion of the ramp parking lot. They are proposing a rented fence to protect the materials, a limited timeframe (March 1 to April 30) to use the ramp before prime boating season, they are clear of the ramp itself, and they would return the area to its original condition.

The Department of Environmental Programs will issue a local shoreline permit for this project and the application process is underway and they expect a wetland license by MDE and a Letter of Permission from the Corps of Engineers to be issued by April 1. There will be regulatory oversight from the local level to the federal level for the proposed construction and, provided they stick to

their stated timeframe and abide by the lot area and restoration limits from their request letter, we would recommend that this group receive permission to utilize the South Point ramp for this worthwhile habitat enhancement project.

If you have any questions or need any additional information please let me know. Attached as well is an area diagram and project descriptions that accompany their latter. I will be available for any presentation of this request to the County Commissioners.

Attachments

cc: David Bradford
Jenelle Gerthoffer
Katherine Munson



*Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary*

Tom Perlozzo
Director of Recreation and Parks, Tourism & Economic Development
6030 Public Landing Road
Snow Hill, MD 21863

February 5, 2021

Dear Director Perlozzo,

This letter is to request temporary use of a portion of the South Point Boat ramp to facilitate a conservation project to benefit state listed endangered birds. This effort is being undertaken by a partnership of Maryland DNR, the Maryland Coastal Bays Program and Audubon Maryland-DC. The project will install an artificial nesting island made up of wooden raft units in Chincoteague Bay in April 2021 to provide a nesting site for two state-endangered colonial waterbird species, Common Tern and Black Skimmer. A detailed description of the project is attached.

Our partnership has been working with the regulatory agencies to plan this project. The project is currently under review by MDE and US Army Corps of Engineers (USACE). It will be permitted with a wetland license by MDE and a Letter of Permission under Section 10 by USACE. MDE has given our partnership a commitment to issue the permit by early April 2021.

We respectfully request the use of a 50'X70' area of the northwest corner of the ramp (see Exhibit A) between March 1 and April 30, 2021 to construct eight 8'X16' rafts made of wood and held up by wheeled dock floats. We had originally planned to use a different site for the construction process but that site recently became unavailable.

We plan to receive delivery of the materials (including lumber, floats and metal hardware) on March 1 or shortly afterwards, and to complete the construction of the rafts by March 31. In early April we plan to receive delivery of six cubic yards of broken clam shell to be loaded onto the rafts as nesting substrate for birds. The rafts will then be towed by boat to the installation site in Chincoteague Bay between South Point Spoils and Assateague Island. Raft construction will be undertaken by a small team of contractors, project staff and volunteers. The construction team will bring in a small portable generator to provide electricity for power tools.

In order to prevent interference with the materials and rafts, we plan to protect the construction site by erecting a rented fence around it. The fenced construction site is sufficiently distant from the boat ramp itself to allow boaters room to turn trailers and provide full access to the water.

When raft construction is complete, and the rafts are deployed, we will remove the fence and any remaining materials and equipment to leave the site in the same condition as prior to using it.

This project is time-sensitive because the terns and skimmers that we hope to attract return to the Coastal Bays for the nesting season in late April and May. We need to have the floating island in place at this time. We ask for a timely review of this request so that the project is not delayed, and reiterate that, until very recently, we were not expecting to need the use of the boat ramp. The boat ramp is now the only feasible construction site option available to allow the project to move forward on time.

ITEM 8

We thank you for your consideration of this request and look forward to working with Worcester County on this important conservation project to save these iconic birds of Maryland's coast. Please do not hesitate to contact me, or the project staff listed below, if you have any questions.

Sincerely,



Jonathan McKnight
Associate Director, Wildlife and Heritage Service
E-mail: jonathan.mcknight@maryland.gov

Attachments:

1. Bird nesting island project description.
2. Exhibit A: Boat ramp area needed (map image)

Project staff contacts:

David Brinker, Maryland DNR: dave.brinker@maryland.gov ; Phone: 410-375-6431
David Curson, Audubon Maryland-DC: david.curson@audubon.org ; Phone: 410-558-2473
Dave Wilson, Community Conservation Consulting: marshhawk67@gmail.com ; 443-523-2201
Kevin M. Smith, Maryland Coastal Bays Program: ksmith@mdcoastalbays.org

NESTING RAFTS IN MD COASTAL BAYS - QUESTIONS 5 AND 11

Question 5: Project description**Summary**

The goal of this collaborative project is to provide urgently needed nesting habitat for state Endangered colonial waterbirds, specifically Common Tern (*Sterna hirundo*) and Black Skimmer (*Rhynchops niger*), in the Coastal Bays. In 2021, DNR and partners will construct and place a cluster of four wooden, floating nesting platforms in shallow open water in the Coastal Bays near South Point Spoils Island in order to provide a safe nest site for the above species. This project was presented at the JE meeting on September 30th 2020.

Project Need

Common Tern and Black Skimmer are listed as Endangered in Maryland because they require a specialized nesting habitat, on sandy beaches, free of mammalian predators, just above high tide. This habitat typically is found on barren islands, which have been eroding due to sea level rise, and thus the birds have suffered steep declines in the state in recent years. Both of these species are colonial waterbirds, which nest in large, densely-packed colonies as a defense measure against predators. Over the past 30 years, breeding pairs of Black Skimmer have declined over 95% and Common Tern breeding pairs have declined more than 90%. In 2020, neither of these species nested successfully in the Coastal Bays, and Black Skimmer is at imminent risk of being lost as a breeding species in Maryland, as it does not regularly nest outside the Coastal Bays system in the state. These precipitous population declines are due to very low nesting success, which is caused by three main factors:

- The erosion and loss of nesting islands from sea level rise and increasing storm severity.
- Human disturbance, primarily by visitors in boats, at nesting islands during the breeding season.
- Predation of eggs and chicks by large gulls, crows, and mammalian predators such as raccoon and fox. Great-horned Owls have also been known to take adult birds from Coastal Bays tern colonies at night.

In order to try to recover breeding populations of these two species in Maryland, we are working with the U.S. Army Corps of Engineers over the long term to create and maintain dredge material islands in the Coastal Bays. Several sandy islands in the Coastal Bays were rebuilt with dredge spoil between 2011 and 2015, but most of these rebuilt islands have already eroded away, and are no longer available as nesting sites for colonial waterbirds. Skimmer Island, adjacent to Ocean City and long a thriving colony of terns and skimmers, is now a tiny remnant with no suitable nesting sites for birds. A report detailing the plight of colonial waterbirds and their nesting islands in the Coastal Bays was produced by Audubon in 2019 (see attachment).

In the short-term, stopgap measures are urgently needed to recover tern and skimmer breeding populations. We propose to use artificial nesting platforms to provide nesting habitat in the short-term given the dire situation for these species. Assuming this is successful, we would like to place the platforms each year for at least six years (length requested for MDE permit). Partners with Md DNR on this project include Audubon and Maryland Coastal Bays Program (MCBP). Audubon staff on the project include Audubon Maryland-DC's Director of Bird Conservation and staff from

National Audubon's Seabird Institute, who have considerable experience with similar projects around the United States.

Nesting Platform design

We will construct and place four wooden nesting platforms in the Coastal Bays at a single location. The platform construction will be based on a detailed design used successfully by the Toronto and Region Conservation Authority in an embayment on Lake Erie (see attachment: "Common Tern Nesting Rafts: A Construction Guide", Revised Fall 2017). The basic design is a wooden frame with buoyancy provided by foam-filled dock floats. Each of the four rafts will be 16 feet by 16 feet, and each will be covered with pea gravel and/or crushed oyster shell to a depth of 1 -2 inches as a nesting substrate. A wooden edge wall around the platform prevents chick falls, and simple wooden chick shelters will be placed to provide shade and protection from aerial predators (see photos below from Lake Erie project). Each raft will be secured by anchors and chains at each corner. Anchors will be made of material heavy enough to prevent being dragged across the floor of the Bays during storm events.



Half of underlying wooden platform structure,



Common Terns on nesting platform in Lake Erie

Platform construction

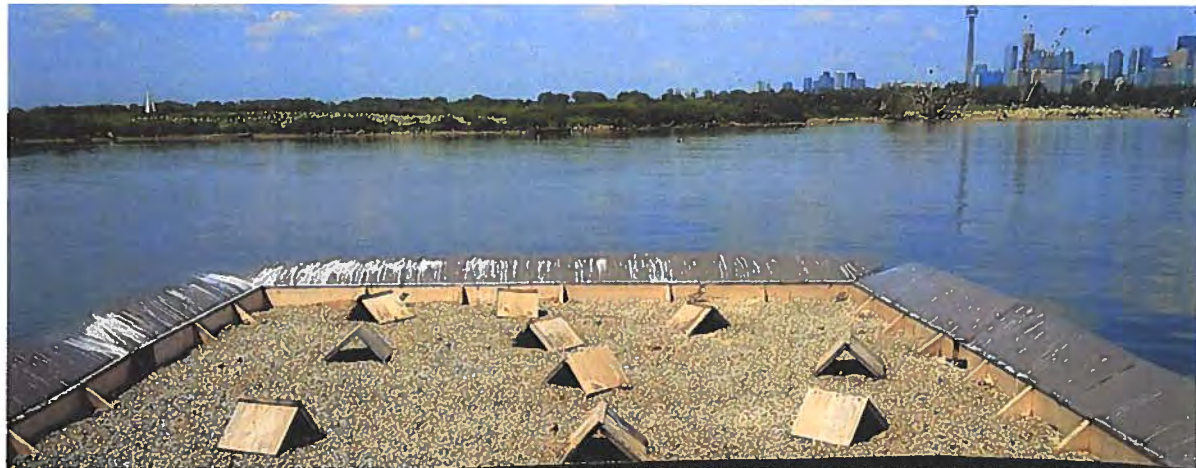
DNR has contracted Audubon Maryland-DC to arrange for the construction of the platforms, and Audubon, in partnership with MCBP, has identified two experienced builders to plan, coordinate and execute the construction, assisted by volunteers from the community. The construction guide will be followed closely with several exceptions: all fittings, lumber, anchors, etc. will be made of marine-grade materials to be suitable for the marine environment; and the metal predator guard shown in the photo below may be omitted due to the low likelihood of mammalian predators reaching the platforms in their open water location. Omitting the predator guard will make construction and transport of the platforms easier.

The platforms will most likely be constructed in a modular fashion (two 8 by 16 foot frame sections per platform), and transported by road to the closest public boat launch at South Point for final assembly. Final construction of the platforms, including addition of the pea gravel/oyster shell

nesting substrate, will be completed on shore prior to transportation across water to the placement site.



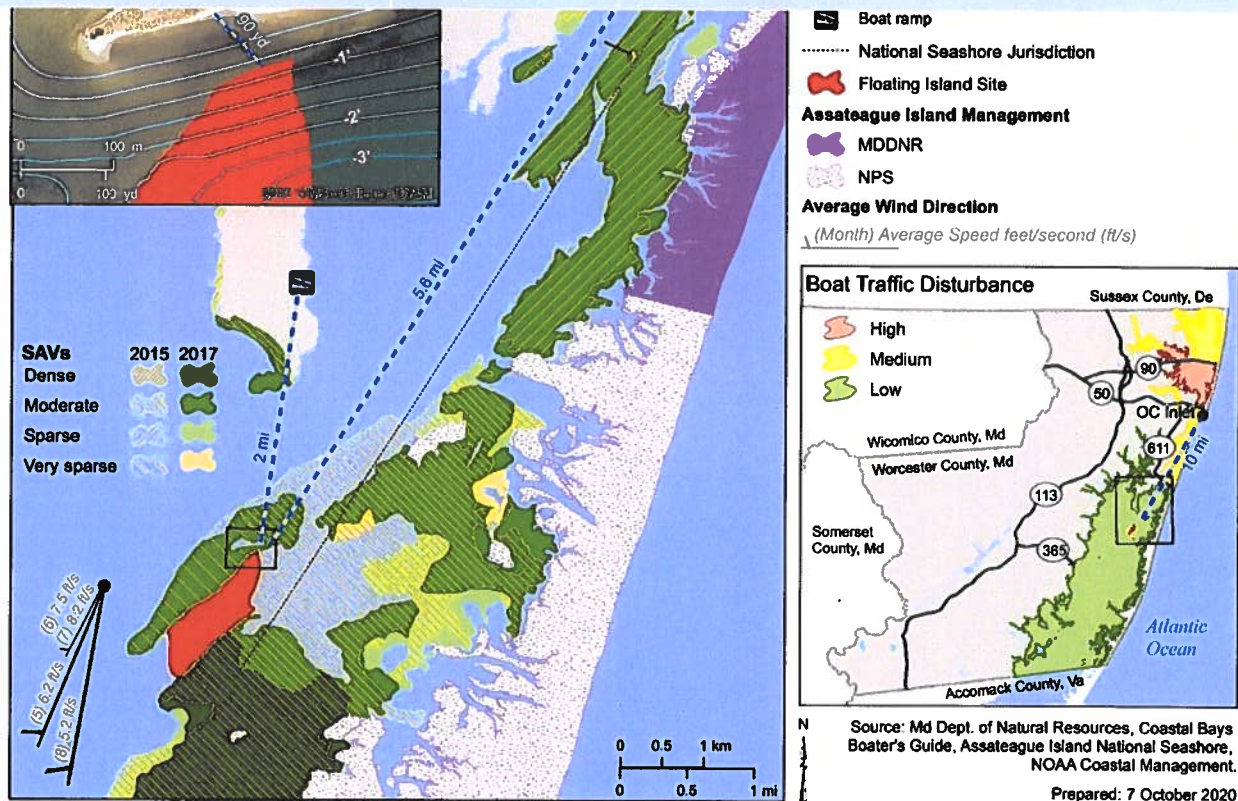
Completed platform at Lake Erie with predator guards, and pea gravel on top of decking.



South Point Spoils Island. South Point Spoils is a part of Onepuxent Bay WMA and hosts a large breeding colony of herons, egrets and ibises, but no nesting large gulls or other birds that might act as predators on the terns nesting on the platforms. This site was selected as the most appropriate location for the project based on a GIS analysis that included the factors in Table 1.

This location is secluded and receives little boat traffic due to its distance from Ocean City and its position on the opposite side of South Point Spoils Island from the main north-south Coastal Bays navigation channel. It is a relatively low wave energy location because it is in a shallow part of the bay system, and sheltered by South Point Spoils to the north and west.

Factor	Notes
SAV	Avoid
Wind and waves	Select sheltered site with low wave energy
Substrate and depth	Sandy substrate (not silt). Shallow water
Proximity to Sinepuxent WMA	DNR wants the rafts to be within/close to WMA system
Predators	Site away from gull colonies and away from mainland (Great-horned Owls)
Human disturbance/navigation channels	Low boat traffic area, away from navigation channel. Chincoteague is less disturbed than Isle of Wight/Sinepuxent.
Proximity to public boat ramp	Ease of access. Close to a less-used boat ramp is ideal.
Simplicity of permitting	Avoid National Park Service areas.



In order to provide some flexibility in siting the platforms, and because SAV was last mapped in this area in 2015 and 2017, we are defining the project site as an area about 1 mile by 1/3 mile wide, shown in red on the location map above. We will determine the exact project site within the target area immediately prior to installing the platforms, and in doing so will make sure to avoid SAV beds. Currently, our favored location within this area is toward the northern end within 200 yards of South Point Spoils Island. On a recent site visit in September 2020, it was noted that SAV density declined with distance from South Point Spoils Island and that SAV was sparse at 120 yards south of the island. The SAV we did find was primarily widgeon grass rather than eel grass. The water depth here is between 2 and 2.5 feet.

Nesting platform installation

Staff from DNR WHS, Audubon and MCBP will collaborate to transport the platforms from the construction site to the project location. The completed platforms will be towed by motor boat to the project location near South Point Spoils Island. Once onsite, the shallow depth and sandy substrate will allow the platforms to be easily maneuvered into place and anchored. . The platforms will be placed in a square formation with approximately 10 ft between the platforms to allow for limited lateral movement.

Up to 100 decoy birds, made to resemble Common Terns and Black Skimmers, will be placed on the platforms, and a solar-powered sound system will broadcast tern and skimmer calls to attract breeding birds to the platforms. This method of social attraction has been developed by Audubon at numerous project sites in recent decades, and is a standard and successful technique to attract these species to colony nesting areas. Wooden chick shelters will be placed on the platforms to offer chicks protection from intense sun and avian predators. Audubon and MCBP will recruit volunteers from the community to construct the chick shelters and assist with platform installation.

DNR will post COMAR signs at the platform site to deter disturbance by boaters. Each platform will be clearly labeled with a contact name, address and phone number so that anyone discovering a platform in an unexpected location (should it come loose from its moorings), or otherwise in need of attention, can contact the appropriate project team member.

The platforms will be installed at the project site at the beginning of April and left in place through the bird nesting season. Depending on condition of the platforms, they may be left in place over winter or if necessary, repaired, and placed in storage over the winter., (Might be very difficult to find a storage place in the area)

Monitoring

The platforms, decoys, sound system and nesting activity by birds will be monitored regularly throughout the bird breeding season by WHS staff and volunteers coordinated by WHS, Audubon Maryland-DC, and MCBP, using techniques that WHS has employed for colonial waterbirds over the last 30 years. Visits to the site will take place about every 1-2 weeks but may vary based on balancing the need for monitoring the structures and the birds with negative impacts of human disturbance. We will consider the use of a drone for monitoring if it is a possible and desirable option.

Adaptive management and the need for flexibility

The success of this strategy of placing floating platforms as nesting sites for endangered seabirds will depend greatly on the ability to employ an adaptive management approach to respond to issues as they arise. Flexibility is essential, and we will consider making minor adjustments to the platforms and also to their location within the mapped project area, as necessary through the breeding season.

In addition, in the event of a major setback, for example a significant predation event at the platforms, the project team will need to consider moving them to a location outside the mapped project area from one year to the next within the 6-year period of the permit. We have identified other potential alternate locations, at Green Run Bay and Sinepuxent Bay near the former Mark 14 island. If the nesting platforms need to be moved after the first or a subsequent year, we would determine exact placement of the platforms at the best alternate location using the same GIS analysis, including avoidance of SAV.

Overview map of project location, and alternate locations:



Question 11.

The mapped project area is outside any areas of mapped occurrence of SAV in the past five years (see project location map in project description above). Two years of SAV survey data are available, in 2015 and 2017, and a recent site visit in September 2020 confirmed that SAV is sparse at the northern end of the mapped project area, 120 yards from South Point Spoils Island which is currently our preferred location. We will reconfirm this immediately prior to placing the platforms next April.

According to MD DNR surveys oyster reefs are not present in this region of the Coastal Bays.

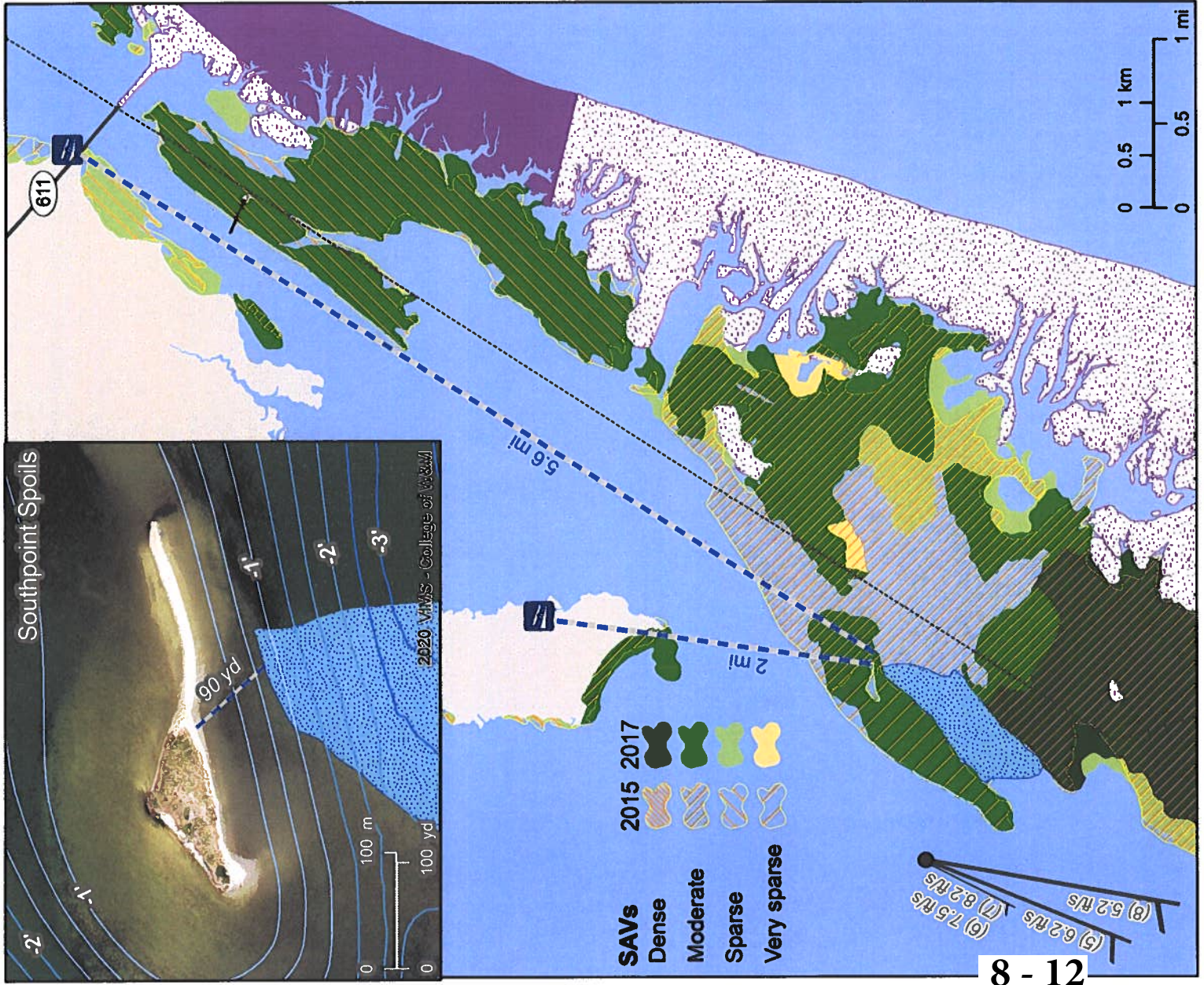
Attachments:

1. Maryland Coastal Bays Colonial Waterbird and Islands Report, 2019.
2. Common Tern Nesting Rafts. A construction guide.



Floating Island Site Chincoteague Bay, Md

ITEM 8



Source: Md Dept. of Natural Resources, Coastal Bays
Boater's Guide, Assateague Island National Seashore,
NOAA Coastal Management.

Prepared: 7 October 2020



DEPARTMENT OF
INFORMATION TECHNOLOGY

Worcester County

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

To: Harold Higgins, Chief Administrative Officer

From: Brian Jones, Director of IT

A handwritten signature in black ink, appearing to read "Brian Jones".

Re: Dispatch Server – CAD 911 Server

Date: February 5, 2021

We have two very critical servers that are responsible for 911 CAD, Jail JMS and the Sheriff's Office RMS data. These servers are over eight years old and have exceeded their usable life. We solicited our CAD vendor for three hardware configuration options.

1. Dell \$177,695.20
2. HP \$187,976.80
3. Stratus \$304,691.20

I recommend option #2 for **\$187,976.80**. The above hardware expenditure was approved in the FY21 budget. The prices include onsite support, onsite software configuration and data migration along with redundancy support from Neverfail.

We do not know what NextGen911 will bring in regards to future requirements and hardware but I am comfortable going with option 2 without sacrificing hardware reliability.

Cc: Billy Birch



Stratus

ITEM 9

Quote prepared on:

February 01, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

Quote #: Q-34032

Quote expires on: April 27, 2021

Quote prepared for:

Brian Jones

Worcester County Sheriff's Office

Worcester County Dept. of Emergency Services

SNOW HILL, MD 21863-1193

410-632-1311

Thank you for your interest in CentralSquare. CentralSquare provides software that powers over 8,000 communities. More about our products can be found at www.centralsquare.com.

WHAT SOFTWARE IS INCLUDED?

PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
		Software Subtotal		Extended_Price USD
		Discount		- Software_Discount USD
		Software Total		Software_Total USD

WHAT SERVICES ARE INCLUDED?

DESCRIPTION	TOTAL
Public Safety Project Management Services - Fixed Fee	5,850.00
Public Safety Technical Services - Fixed Fee	23,010.00
Newcom Installation Services Implementation Services	19,554.00
Newcom Travel & Living Expenses Estimate Travel & Living Expenses	3,500.00
Services Total	51,914.00 USD

WHAT HARDWARE IS INCLUDED?

PRODUCT NAME	QUANTITY	UNIT PRICE	TOTAL
Newcom Miscellaneous Hardware Hardware	1	234,028.00	251,927.20
Shipping & Handling	1	850.00	850.00
Hardware Total			252,777.20 USD

QUOTE SUMMARY

Services Subtotal 51,914.00 USD

MORE INFORMATION AT CENTRALSQUARE.COM

Quote prepared on:

February 01, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

Hardware Subtotal 252,777.20 USD**Quote Total** 304,691.20 USD

WHAT ARE THE RECURRING FEES?

TYPE	AMOUNT
FIRST YEAR MAINTENANCE TOTAL	\$17,899.20
FIRST YEAR SUBSCRIPTION TOTAL	\$0.00

The amount totals for Maintenance and/or Subscription on this quote include only the first year of software use and maintenance. Renewal invoices will include this total plus any applicable uplift amount as outlined in the relevant purchase agreement.

This Quote is not intended to constitute a binding agreement. The terms herein shall only be effective once incorporated into a definitive written agreement with CentralSquare Technologies (including its subsidiaries) containing other customary commercial terms and signed by authorized representatives of both parties.

BILLING INFORMATION

Fees will be payable within 30 days of invoicing.

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Prices shown do not include any taxes that may apply. Any such taxes are the responsibility of Customer. This is not an invoice.

For customers based in the United States or Canada, any applicable taxes will be determined based on the laws and regulations of the taxing authority(ies) governing the "Ship To" location provided by Customer on the Quote Form.

MORE INFORMATION AT [CENTRAL SQUARE.COM](https://centralsquare.com)

Quote prepared on:

February 01, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

PURCHASE ORDER INFORMATION

Is a Purchase Order (PO) required for the purchase or payment of the products on this Quote Form? (Customer to complete)

Yes [] No []

Customer's purchase order terms will be governed by the parties' existing mutually executed agreement, or in the absence of such, are void and will have no legal effect.

PO Number: _____

Initials: _____



Quote

Ship To Name	Worcester County Department of Emergency Services	Quote Number	00005516
Ship To	1 West Market Street Snow Hill, MD 21863	Quote Name	Worcester County, MD - System Upgrade (Stratus)
Contact Name	Frank Parra	Created Date	1/28/2021
		Expiration Date	2/25/2021
		Prepared By	Keith Bumgarner
		Email	keith.bumgarner@newcomglobal.com

Terms

Payment Terms Net 30

NOTE: Actual shipping costs will be added to the invoice

Item Pricing

Quantity	Product Code	Product	Product Description
2.00	4900INTPRI-WORCESTER	Stratus ftServer 4900 WORCESTER (Primary/Secondary)	ftServer 4900, 2-socket, 2.2 GHz 10-core processor Automated Uptime Layer for VMware vSphere 6.7-based Class B ftServer Systems, Release 6.7 VMware vSphere Essentials Kit for 3 hosts (Max 2 processors per host) QTY 16 - 32 GB DDR4 RDIMM (256GB addressable redundant RAM) QTY 12 - 600GB 15K 12Gb SAS 2.5-inch HDD QTY 4 - 800GB SSD 12Gb SAS 2.5-inch HDD
2.00	STR1TINT-WORCESTER	Stratus One-time services for Worcester County, MD	"ftServer 49xx Jumpstart System Installation ESX (Jumpstart Service at Standard Installation Pricing)"
1.00	STAM-TA-INT-WORCESTER	Stratus Maintenance and Support Services for Worcester Co MD	Total Assurance with Subscription (VMware) [TAV3000S] *PRIMARYSYSTEM* **1 Year, renewable annually** ftServer 4900, 2-socket, 2.2 GHz 10-core processor VMware vSphere Essentials Kit for 3 hosts (Max 2 processors per host)
5.00	9EM-00678	Microsoft Windows Server 2019 Standard	Extended Platform Support (VMware) - Customer Supplied OS [EPSV3000] *BACKUP SYSTEM* ftServer 4900, 2-socket, 2.2 GHz 10-core processor WIN SVR STD CORE 2019 ENG OLP VLIC 16LICS NL GOVT CORE LICS Windows Server Standard - Minimum 8 cores per proc, 16 cores per server. If more cores are on the server, more core's must be purchased. This provides 2 VMs. CALs are required to authenticate to the server
4.00	7NQ-01586	Microsoft SQL Server 2019	SQL SVR STD CORE 2019 ENG OLP 2LICVLIC NL LCLGOV CORELIC SQL Core: A minimum of 4 cores of licensing is required. If licensing a physical server, you must license ALL of the physical cores in the physical server. If

If you would like to proceed with the order, please sign below and email/fax back to our office along with a purchase order. To accept this quotation, sign here and return: _____



Quote

		Standard	licensing a VM, you only must license the number of cores you are dedicating to that VM.
1.00	NESWS5PACK	Neverfail Enterprise Support With WAN Smart License Bundle - 5 pack	Includes 5 pairs - - ITCE license - WAN SMART - Install - WAN Smart Install - Healthcheck
2.00	NESWS1PACK	Neverfail Enterprise Support with WAN Smart License Bundle - 1 pack	Includes 1 pair - - ITCE license - WAN Smart - Install - WAN Smart Install - Healthcheck
1.00	70002045	PortServer TS4	Digi PortServer TS 4 Port RS232 Serial to Ethernet Device Server
1.00	76000693	Digi Cable	Digi Cable Adapter Kit
4.00	NEWCOM-OSFD	On Site Full Day	NEWCOM Professional Services to be used for any of the following Installation Consultation Device Testing/Configuration Full day - up to 8 hours (plus travel & living)
1.00	ProServ Tier2	NEWCOM Services Tier 2	NEWCOM Services - Tier 2: The hardware or software purchased comes with the manufacturer's warranty and technical support as described in our Tier 1 offerings. This product allows the customer an out-of-the-box setup experience to solve the problem they are facing. In addition to additional setup, configuration, post-service support by phone or email, and extended warranties are included. Please note, the following option is available from NEWCOM with your purchase at an additional cost: Tier 3: The hardware or software purchased comes with benefits noted in Tier 1 and Tier 2, along with extended warranties beyond what is available by the manufacturer. The NEWCOM team will install, support, and keep an inventory of critical infrastructure and replacements. Tier 2 Services are renewed annually.

If you would like to proceed with the order, please sign below and email/fax back to our office along with a purchase order. To accept this quotation, sign here and return: _____.



Dell

ITEM 9

Quote prepared on:

January 29, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

Quote #: Q-34022

Quote expires on: April 27, 2021

Quote prepared for:

Brian Jones

Worcester County Sheriff's Office

Worcester County Dept. of Emergency Services

SNOW HILL, MD 21863-1193

410-632-1311

Thank you for your interest in CentralSquare. CentralSquare provides software that powers over 8,000 communities. More about our products can be found at www.centralsquare.com.

WHAT SOFTWARE IS INCLUDED?

PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
			Software Subtotal	Extended_Price USD
			Discount	- Software_Discount USD
			Software Total	Software_Total USD

WHAT SERVICES ARE INCLUDED?

DESCRIPTION	TOTAL
Public Safety Project Management Services - Fixed Fee	5,850.00
Public Safety Technical Services - Fixed Fee	23,010.00
Newcom Travel & Living Expenses Estimate Travel & Living Expenses	2,500.00
Newcom Installation Services Implementation Services	12,474.00
Services Total	43,834.00 USD

WHAT HARDWARE IS INCLUDED?

PRODUCT NAME	QUANTITY	UNIT PRICE	TOTAL
Newcom Miscellaneous Hardware Hardware	1	133,511.20	133,511.20
Shipping & Handling	1	350.00	350.00
Hardware Total			133,861.20 USD

QUOTE SUMMARY

Services Subtotal 43,834.00 USD

MORE INFORMATION AT CENTRALSQUARE.COM

Quote prepared on:

January 29, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

Hardware Subtotal 133,861.20 USD**Quote Total** 177,695.20 USD**WHAT ARE THE RECURRING FEES?**

TYPE	AMOUNT
FIRST YEAR MAINTENANCE TOTAL	\$0.00
FIRST YEAR SUBSCRIPTION TOTAL	\$0.00

The amount totals for Maintenance and/or Subscription on this quote include only the first year of software use and maintenance. Renewal invoices will include this total plus any applicable uplift amount as outlined in the relevant purchase agreement.

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BILLING INFORMATION

Fees will be payable within 30 days of invoicing.

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Prices shown do not include any taxes that may apply. Any such taxes are the responsibility of Customer. This is not an invoice.

For customers based in the United States or Canada, any applicable taxes will be determined based on the laws and regulations of the taxing authority(ies) governing the "Ship To" location provided by Customer on the Quote Form.

MORE INFORMATION AT CENTRAL SQUARE.COM

Quote prepared on:

January 29, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

PURCHASE ORDER INFORMATION

Is a Purchase Order (PO) required for the purchase or payment of the products on this Quote Form? (Customer to complete)

Yes [] No []

Customer's purchase order terms will be governed by the parties' existing mutually executed agreement, or in the absence of such, are void and will have no legal effect.

PO Number: _____

Initials: _____



Quote

Ship To Name Worcester County Department of Emergency Services
 Ship To 1 West Market Street
 Snow Hill, MD 21863
 Contact Name Frank Parra

Quote Number 00005518
 Quote Name Worcester County, MD - System Upgrade (DELL)
 Created Date 1/28/2021
 Expiration Date 2/25/2021
 Prepared By Keith Bumgarner
 Email keith.bumgarner@newcomglobal.com

Terms

Payment Terms Net 30

NOTE: Actual shipping costs will be added to the invoice

Item Pricing

Quantity	Product Code	Product	Product Description
2.00	DELLPER740XD-WORCESTER	DELL POWEREDGE R740xd Server - Worcester Co MD	PowerEdge R740XD Server Chassis with Up to 24 x 2.5" Hard Drives for 2CPU QTY 2 - Intel Xeon Silver 4214R 2.4G, 12C/24T, 9.6GT/s, 16.5M Cache, Turbo, HT (100W) DDR4-2400 WITH Standard 1U Heatsink PERC H730P RAID Controller, 2GB NV Cache, Adapter, Low Profile 256 GB RAM - 32GB RDIMM, 3200MT/s, Dual Rank QTY 2 - 300GB 15K RPM SAS 12Gbps 512n 2.5in Hot-plug Hard Drive (RAID 1) QTY 12 - 900GB 15K RPM SAS 12Gbps 512n 2.5in Hot-plug Hard Drive (RAID 5) Broadcom 5719 Quad Port 1GbE BASE-T Adapter, PCIe Full Height Dual, Hot-plug, Redundant Power Supply (1+1), 750W QTY 2 - Power Cord - C13, 3M, 125V, 15A (North America) QTY 2 - Power Cord - C13 to C14, PDU Style, 12 AMP, 6.5 Feet (2m) Power Cord, NorthAmerica iDRAC9, Enterprise / Group Manager Disabled / Factory Generated Password Riser Config 1, 4 x8 slots Broadcom 5720 Quad Port 1GbE BASE-T iDSDM and Combo Card Reader with 16GB VFlash SD 6 Standard Fans for R740/740XD PowerEdge 2U LCD Bezel Performance BIOS Settings UEFI BIOS Boot Mode with GPT Partition ReadyRails Sliding Rails With Cable Management Arm ProSupport Plus Mission Critical: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 5 Years ProDeploy Dell Server R Series 1U/2U - Deployment and Deployment Verification
6.00	9EM-00678	Microsoft Windows Server 2019	WIN SVR STD CORE 2019 ENG OLP VLIC 16LICS NL GOVT CORE LICS Windows Server Standard - Minimum 8 cores per proc, 16 cores per server. If more cores are on the server, more core's must be purchased. This provides 2

If you would like to proceed with the order, please sign below and email/fax back to our office along with a purchase order. To accept this quotation, sign here and return: _____



Quote

		Standard	VMs. CALs are required to authenticate to the server
4.00	7NQ-01586	Microsoft SQL Server 2019 Standard	SQL SVR STD CORE 2019 ENG OLP 2LICVLIC NL LCLGOV CORELIC SQL Core: A minimum of 4 cores of licensing is required. If licensing a physical server, you must license ALL of the physical cores in the physical server. If licensing a VM, you only must license the number of cores you are dedicating to that VM.
1.00	VSPH7WCM	VMWare vSphere 7 - Worcester Co MD	VMware vSphere 7 Essentials Kit for 3 hosts (Max 2 CPU per host, 32 cores/CPU), 5 YR Lic and Sub
1.00	NESWS5PACK	Neverfail Enterprise Support With WAN Smart License Bundle - 5 pack	Includes 5 pairs - - ITCE license - WAN SMART - Install - WAN Smart Install - Healthcheck
2.00	NESWS1PACK	Neverfail Enterprise Support with WAN Smart License Bundle - 1 pack	Includes 1 pair - - ITCE license - WAN Smart - Install - WAN Smart Install - Healthcheck
1.00	70002045	PortServer TS4	Digi PortServer TS 4 Port RS232 Serial to Ethernet Device Server
1.00	76000693	Digi Cable	Digi Cable Adapter Kit
4.00	NEWCOM-OSFD	On Site Full Day	NEWCOM Professional Services to be used for any of the following Installation Consultation Device Testing/Configuration Full day - up to 8 hours (plus travel & living)
1.00	ProServ Tier2	NEWCOM Services Tier 2	NEWCOM Services - Tier 2: The hardware or software purchased comes with the manufacturer's warranty and technical support as described in our Tier 1 offerings. This product allows the customer an out-of-the-box setup experience to solve the problem they are facing. In addition to additional setup, configuration, post-service support by phone or email, and extended warranties are included. Please note, the following option is available from NEWCOM with your purchase at an additional cost: Tier 3: The hardware or software purchased comes with benefits noted in Tier 1 and Tier 2, along with extended warranties beyond what is available by the manufacturer. The NEWCOM team will install, support, and keep an inventory of critical infrastructure and replacements. Tier 2 Services are renewed annually.

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Quote

If you would like to proceed with the order, please sign below and email/fax back to our office along with a purchase order. To accept this quotation, sign here and return: _____.

NEWCOM Wireless Services, LLC, 575 Washington Street, Pembroke, MA 02359 | 781-826-7989 (P) | 781-826-7131 (F)
THANK YOU FOR YOUR BUSINESS!



ITEM 9

Quote prepared on:

January 29, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

Quote #: Q-27079

Quote expires on: March 29, 2021

Quote prepared for:

Brian Jones

Worcester County Sheriff's Office

Worcester County Dept. of Emergency Services

SNOW HILL, MD 21863-1193

410-632-1311

Thank you for your interest in CentralSquare. CentralSquare provides software that powers over 8,000 communities. More about our products can be found at www.centralsquare.com.

WHAT SOFTWARE IS INCLUDED?

PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
		Software Subtotal		Extended_Price USD
		Discount		- Software_Discount USD
		Software Total		Software_Total USD

WHAT SERVICES ARE INCLUDED?

DESCRIPTION	TOTAL
Public Safety Technical Services - Fixed Fee	23,010.00
Public Safety Project Management Services - Fixed Fee	5,850.00
Newcom Installation Services Implementation Services	12,474.00
Newcom Travel & Living Expenses Estimate Travel & Living Expenses	2,500.00
Services Total	43,834.00 USD

WHAT HARDWARE IS INCLUDED?

PRODUCT NAME	QUANTITY	UNIT PRICE	TOTAL
Newcom Miscellaneous Hardware Hardware	1	143,792.80	143,792.80
Shipping & Handling	1	350.00	350.00
Hardware Total			144,142.80 USD

QUOTE SUMMARY

Services Subtotal 43,834.00 USD

MORE INFORMATION AT CENTRALSQUARE.COM

Quote prepared on:

January 29, 2021

Quote prepared by:

Frank Parra

francisco.parra@centralsquare.com

Hardware Subtotal 144,142.80 USD**Quote Total** 187,976.80 USD**WHAT ARE THE RECURRING FEES?**

TYPE	AMOUNT
FIRST YEAR MAINTENANCE TOTAL	\$0.00
FIRST YEAR SUBSCRIPTION TOTAL	\$0.00

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MORE INFORMATION AT CENTRALSQUARE.COM

PURCHASE ORDER INFORMATION

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Yes [] No []

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PO Number:

Initials:



Quote

Ship To Name Worcester County Department of Emergency Services
 Ship To 1 West Market Street
 Snow Hill, MD 21863
 Contact Name Frank Parra

Quote Number 00005517
 Quote Name Worcester County, MD - System Upgrade (HPE)
 Created Date 1/28/2021
 Expiration Date 2/25/2021
 Prepared By Keith Bumgarner
 Email keith.bumgarner@newcomglobal.com

Terms

Payment Terms Net 30

NOTE: Actual shipping costs will be added to the invoice

Item Pricing

Quantity	Product Code	Product	Product Description
2.00	HEP-DL380G10-WORCESTER	HPE DL380 Gen10 Server - Worcester Co MD	DL380 GEN10 4214R 1P 32G NC 8SFF SVR QTY 2 CPU = DL380 GEN10 XEON-S 4214R KIT 256GB RAM - 32GB 2RX4 PC4-2933Y-R SMART KIT QTY 2 - 300GB SAS 15K SFF SC DS HD (RAID 1) QTY 12 - 900GB SAS 15K SFF SC DS HD (RAID 5) DL38X GEN10 12GB SAS EXPANDER DL380 GEN10 BOX1/2 CAGE BCKPL KIT GEN10 2U BEZEL KIT BEZEL LOCK KIT ILO ADV INCL 3YR TS U E-LTU HPE 1GBE 4P BASE-T BCM5719 ADPTR 32GB MICRO SD MAINSTREAM FL MEDIA KIT CAREPACK 5YR PC 24X7 DL380 GEN10 SVC CARE PACK INSTALL/STARTUP DL380 G4 G5 DL
6.00	9EM-00678	Microsoft Windows Server 2019 Standard	WIN SVR STD CORE 2019 ENG OLP VLIC 16LICS NL GOVT CORE LICS Windows Server Standard - Minimum 8 cores per proc, 16 cores per server. If more cores are on the server, more core's must be purchased. This provides 2 VMs. CALs are required to authenticate to the server
4.00	7NQ-01586	Microsoft SQL Server 2019 Standard	SQL SVR STD CORE 2019 ENG OLP 2LICVLIC NL LCLGOV CORELIC SQL Core: A minimum of 4 cores of licensing is required. If licensing a physical server, you must license ALL of the physical cores in the physical server. If licensing a VM, you only must license the number of cores you are dedicating to that VM.
1.00	VSPH7WCM	VMWare vSphere 7 - Worcester Co MD	VMware vSphere 7 Essentials Kit for 3 hosts (Max 2 CPU per host, 32 cores/CPU), 5 YR Lic and Sub
		Neverfail	Includes 5 pairs -

If you would like to proceed with the order, please sign below and email/fax back to our office along with a purchase order. To accept this quotation, sign here and return: _____



Quote

1.00	NESWS5PACK	Enterprise Support With WAN Smart License Bundle - 5 pack	<ul style="list-style-type: none"> - ITCE license - WAN SMART - Install - WAN Smart Install - Healthcheck
2.00	NESWS1PACK	Neverfail Enterprise Support with WAN Smart License Bundle - 1 pack	<ul style="list-style-type: none"> Includes 1 pair - - ITCE license - WAN Smart - Install - WAN Smart Install - Healthcheck
1.00	70002045	PortServer TS4	Digi PortServer TS 4 Port RS232 Serial to Ethernet Device Server
1.00	76000693	Digi Cable	Digi Cable Adapter Kit
4.00	NEWCOM-OSFD	On Site Full Day	<p>NEWCOM Professional Services to be used for any of the following</p> <p>Installation</p> <p>Consultation</p> <p>Device Testing/Configuration</p> <p>Full day - up to 8 hours</p> <p>(plus travel & living)</p>
1.00	ProServ Tier2	NEWCOM Services Tier 2	<p>NEWCOM Services - Tier 2:</p> <p>The hardware or software purchased comes with the manufacturer's warranty and technical support as described in our Tier 1 offerings. This product allows the customer an out-of-the-box setup experience to solve the problem they are facing. In addition to additional setup, configuration, post-service support by phone or email, and extended warranties are included.</p> <p>Please note, the following option is available from NEWCOM with your purchase at an additional cost:</p> <p>Tier 3: The hardware or software purchased comes with benefits noted in Tier 1 and Tier 2, along with extended warranties beyond what is available by the manufacturer. The NEWCOM team will install, support, and keep an inventory of critical infrastructure and replacements.</p> <p>Tier 2 Services are renewed annually.</p>

If you would like to proceed with the order, please sign below and email/fax back to our office along with a purchase order. To accept this quotation, sign here and return: _____



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 Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: February 8, 2021
SUBJECT: One (1) 2021 Landfill Track Loader

DIVISIONS

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

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

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

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

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

The Department of Public Works is requesting authorization to solicit bids for the lease of **One (1) Current Model Year Landfill Track Loader** to be utilized by the Solid Waste Division. This is a replacement for our 2016 track loader whose lease expires in February 2021 and will be turned back in with a buy-back allowance of \$125,800.

Attached for your review are the required Notice to Bidders, Bid Specifications, Bid Form and Vendor's List. Funds for this equipment were approved in the FY2020-2021 budget as a re-occurring lease, account 680.7002.9010

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

Attachments

cc: Mike Mitchell, Solid Waste Superintendent
 Michael McClung, Recycling Manager

NOTICE TO BIDDERS**Purchase of One (1) Landfill Track Loader
Worcester County, Maryland**

The Worcester County Commissioners are currently accepting bids for the purchase of **One (1) Landfill Track Loader** for the Department of Public Works – Solid Waste Division. Bid specification packages and bid forms are available from the office of the County Commissioners, Room 1103 – Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863-1072. Sealed bids will be accepted until March 22, 2021, in the office of the County Commissioners at the above address. Envelopes shall be marked “**One (1) Landfill Track Loader**” in the lower left-hand corner. After opening, bids will be forwarded to the Public Works Department for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with county contracts, or any other factors they deem appropriate. All inquiries shall be directed to Mike Mitchell, Solid Waste Superintendent, at (410) 632-3177.

Citizens and Government Working Together

Bid Form

I have reviewed the specifications and provisions for furnishing One (1) **Current Model Year Landfill Track Loader** and understand the said requirements. I hereby propose to furnish this loader as follows:

One (1) Current Model Year, Landfill Track Loader

Loader Make: _____

Model: _____

Delivered to:

Department of Public Works – Solid Waste Division
7091 Central Site Lane
Newark, MD 21841

Purchase with Guaranteed Buy Back at end of Five (5) Years; or 12,500 Hours, Five (5) Year Warranty and Five (5) Year Parts Availability Warranty

Acquisition Cost	\$ _____
Less Guaranteed Buy Back at end of Five (5) Years	\$ _____
Net Adjusted Price	\$ _____
Monthly Payment for Sixty (60) mo. using Lease Purchase Option	\$ _____
Interest Rate	_____

Described unit will be delivered within 90 – 120 calendar days from receipt of written order.

Successful bidder must supply County with equal machine being turned in until new machine is delivered.

BID MUST BE SIGNED TO BE VALID.

Date: _____

Signature: _____

Typed Name: _____

Title: _____

Firm: _____

Address: _____

Phone: _____

The price or prices quoted shall include all transportation charges fully prepaid to (address at destination).

Purchaser desires delivery to be completed within 90 days from date of award. Bidder certifies delivery will be completed in 120 days from date of award.

Awards will be made on the best value offered. Clauses requiring specific guarantees to cover parts delivery, total repairs and resale value may be included. The quality of the articles to be supplied, their conformity with the specifications, their suitability to requirements, delivery terms and guarantee clauses shall be taken into consideration.

The purchaser reserves the right to reject any or all bids, waive any informality in bids and accept in whole or in such bid or bids as may be deemed in the best interest of the purchaser.

APPROVED EQUALS

In all specifications where a material or article is defined by describing a proprietary product or by using the name of a vendor or manufacturer, it can be assumed that an equal can be substituted. The use of a named product is an attempt to set a particular standard of quality and type that is familiar to the County. Such references are not intended to be restrictive. However, the County shall decide if a product does in fact meet or exceed the quality of the specifications listed in the solicitation. It shall be the responsibility of the vendor that claims his product is an equal to provide documentation to support such a claim.

Bid Specifications

One (1) current model Landfill Track Loader, for landfill application, equipped as follows:

1. GENERAL

The equipment called for in this specification shall be a track-type front end loader. It shall be the standard product of one manufacturer. The selling dealer shall provide the parts and service facilities to properly service the machine and all its components and assure its performance

2. WEIGHT

Standard machine operating weight, including multi-purpose bucket and ROPS cab, without extra attachments or optional counterweight shall not be less than 42,000 pounds.

3. BASIC DESIGN

Breakout force with the specified multi-purpose bucket shall be at least 40,000 pounds.

Ground clearance shall be at least 15”.

Overall length with the multi-purpose bucket on the ground shall not exceed 280 inches.

Overall machine operating height over the ROPS structure shall not exceed 135 inches.

4. BUCKET

The multi-purpose shall be at least 2.6 yd. capacity with trash rack, and corner guards system plus extra bottom wear plates.

The loader shall be equipped with an automatic lift kick-out and automatic bucket positioner.

5. ENGINE

The engine shall be manufactured by the loader manufacturer.

The engine shall be of a four-cycle design.

Engine displacement shall be at least 400 cubic inches.

The engine, including coolant fans, and all necessary accessories, shall deliver at least 200 hp (148 kW) at the flywheel (SAE rated).

The engine shall have a maximum governed speed of no more than 2200 RPM.

A 24 volt direct electrical starting system shall be standard.

The fuel tank shall have a minimum capacity of at least 80 gallons.

6. POWER TRAIN

The loader shall be equipped with a hydrostatic drive system.

The drive system shall provide speeds of at least six (6) mph (10.1 km/h) both forward and reverse.

Joy Stick controls shall be standard.

The drive system shall provide independent power to each track for controlled power turns and controlled counter rotation (one track in forward, the other in reverse) infinitely variable speed within machine operating speed range.

Manufacturer's operation procedure shall include direction reversals under full load and full rpm.

Service braking shall be accomplished by dynamic retarding of hydrostatic drive.

Parking brakes shall be automatically applied when:

- Engine shuts down;
- Transmission control pressure is lost;
- Transmission control lever is in neutral position.

Loader parking brakes shall be of multiple disc design.

7. UNDERCARRIAGE

The loader shall have a minimum of six-roller track roller frames.

Sealed and Lubricated Track shall be of rotating bushing design.

The loader shall have a track gauge of no less than 90 inches (2286 mm).

Track shoes will be at least 21.6 inches (550 mm) wide – single grouser.

Length of track on the ground shall be at least 92 inches.

The machine (including multi-purpose bucket and ROPS cab) shall have a ground pressure of no more than 10.5 psi (.736 bar).

8. LOADER

The loader shall have a Waste Handling Package.

The loader shall have swing-out oil cooler.

The loader shall have a heavy duty bumper and radiator guard, with swing-out grill, swing-out bottom guards and hydraulic tank guard.

The loader shall have heavy duty fenders and engine enclosures.

The loader shall have raised air pre-screener.

The loader shall have 110 volt coolant heater.

The loader shall have cab tilt jack.

The loader shall have two (2) heavy duty (900 CCA) batteries.

9. IMPLEMENT HYDRAULICS

Pump output at rated engine speed shall be at least 50 gpm.

The loader implement controls shall be electric over hydraulic for easier operation.

10. OPERATORS COMPARTMENT

ROPS cab shall be standard equipment.

The loader shall have both left and right hand operator doors.

The cab shall have fresh air pressurization with replaceable filter.

The cab shall have front and rear windshield wipers and washers. All wipers, including side door wipers shall be intermittent.

The front windshield shall be equipped with a swing out screened guard.

The seat shall provide both fore and aft, and vertical adjustments.

The seat shall have a retractable seat belt – at least three inches wide.

The cab shall have a standard rear-view mirror and a rearview camera.

The loader shall have a standard back-up alarm.

A factory installed air-conditioner and heater shall be supplied.

A fuel indicator gauge and engine temperature gauges shall be supplied.

The cab shall have 2 way radio hook-ups and AM/FM radio with Bluetooth capability.

The loader shall have a Beacon Light.

11. SERVICE

Machine shall be designed to simplify and minimize requirement for routine maintenance. Bidders shall be required to prepare an estimate of hourly lubrication and maintenance and demonstrate relative ease of performing manufacturers' recommended routine maintenance requirements.

Heavy duty hinged engine side panels shall be supplied.

CSA to be included and done at manufactures recommended intervals.

All guarding is to be removed and cleaned so machine can be inspected thoroughly every 6 months.

The machine shall have a split master link.

The machine must be equipped with a dry chemical/nitrogen charged fire suppression system with both automatic and manual activation including the semi-annual maintenance

OSHA COMPLIANCE

The machine must meet all emission controls, sound and Federal OSHA standards.

PARTS DISC

A parts disc, including operator's manual and parts.

WARRANTY

The vendor shall supply the county with two (2) copies of the Manufacturer's warranty at the time of delivery. Warranty shall be full machine warranty for five (5) years, or 12,500 hours on total machine, including travel & mileage and a list shall be supplied by seller of components covered. If machine is inoperable for more than 2 days, successful bidder must supply the county with a machine of equal specifications until repairs are made to county machine.

Five (5) Year Warranty and Parts Availability Warranty

All requirements as stated for parts availability warranty are to remain in effect for Five (5) year period. Full machine warranty for a five (5) year period, or 12,500 hrs.

BUY-BACK AGREEMENT

Worcester County warrants that the equipment sold back to the contractor will be in operating condition at the time of repurchase. The term 'operating' means that the equipment will be performing its intended function in landfill operation. The warranty will terminate at the time of repurchase. The machine will have no more than 12,500 hours on it at time of repurchase.

ADJUSTED COST AND FIVE YEAR REPURCHASE PROGRAM

The county will determine an adjusted bid by considering depreciation when analyzing bids. Accordingly, an award of contract under these specifications may be made on basis of the lowest adjusted bid to be determined as follows:

Each bidder shall submit a price bid for equipment proposed pursuant to these specifications, together with the price at which he will agree to buy back said equipment at any time within a period of five (5) years from the date of delivery. Each bidder shall submit a repurchase price based on repurchase at the end of one (1), two (2), three (3), four (4) and five (5) years. Such repurchase shall be deducted from the price for the equipment and the result will be considered the adjusted bid.

The county reserves the right to sell the equipment back to the contractor at any time during the five (5) year period at the purchase price stated in the bid, or to make no resale whatsoever.

The county warrants the equipment sold back to the contractor will be in operating condition at the time of repurchase.

The contractor shall be excused from performance under the contract only if prevented directly or indirectly by fire, flood, strike, act of God, war, or act of Government.

Transportation Costs shall be responsibility of dealer, should equipment have to be sent back to dealer for repair.

VENDOR LIST

Carter Machinery

8660 Ocean Highway
Delmar, MD 21875
410-341-3990 – Office
443-783-8248 – Cell
410-341-3693 – Fax
Jeff_Cronshaw@cartermachinery.com

McClung-Logan Equipment

4601 Washington Blvd.
Baltimore, MD 21227
540-989-3750 x6611
dbeehner@mcclung-logan.com

Elliott & Frantz, Inc.

38420 Sussex Highway
Delmar, DE 19940
302-846-3033
302-846-0763 - FAX
rwelliottfrantz@yahoo.com

JESCO

9060 Ocean Highway
Delmar, MD 21875
Chris Gregory
443-235-0614
410-546-1090
410-546-0899 - FAX
chris.gregory@jesco.us

GT Mid-Atlantic

12420 Sussex Highway, P O Box 338
Greenwood, DE 19950
302-349-5760
302-349-5785 - FAX
mikeyouse@gtmidatlantic.com

Midatlantic Machinery

28587 Sussex Highway
Laurel, DE 19956
Phone: 302.715.5382
Fax: 302.715.5384
don.dyott@komatsune.com

NOTICE
OF
PROPOSED CHANGE IN ZONING

NORTHERLY SIDE OF OCEAN GATEWAY
EAST OF OLD BRIDGE ROAD

TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 431 has been filed by Hugh Cropper, IV on behalf of COF Investment Group, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 1.2 acres of land consisting of three separate segments on the overall parcel which totals 5.46 acres, located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road) in the Tenth Tax District of Worcester County, Maryland, from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. The Planning Commission has given a favorable recommendation to the rezoning application.

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

PUBLIC HEARING
on
TUESDAY, FEBRUARY 16, 2021
AT 10:30 AM
IN THE COUNTY COMMISSIONERS' MEETING ROOM
WORCESTER COUNTY GOVERNMENT CENTER – ROOM 1101
ONE WEST MARKET STREET
SNOW HILL, MARYLAND 21863

At said public hearing the County Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 431 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve, or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 431 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are on file and available to view electronically by contacting the Department of Development, Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863 Monday through Friday from 8:00 A.M. and 4:30 P.M. (except holidays), at (410) 632-1200 as well as www.co.worcester.md.us.

THE WORCESTER COUNTY COMMISSIONERS



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

<http://www.co.worcester.md.us/departments/drp>

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

RECEIVED

JAN 11 2021

Worcester County Admin

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

MEMORANDUM

Proposed Public
Hearing on
February 16, 2021

To: Harold L. Higgins, Chief Administrative Officer
From: Edward A. Tudor, Director *EAT*
Date: January 11, 2021
Re: Rezoning Case No. 431 – COF Investment Group, LLC, applicant,
Hugh Cropper, IV, Esquire attorney for the applicants

Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 431, seeking to rezone approximately 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road). The case was reviewed by the Planning Commission at its meeting on December 3, 2020 and was given a favorable recommendation.

Also attached for your use is a draft public hearing notice for the required public hearing that must be held by the County Commissioners. An electronic copy has already been forwarded to Weston Young. Please advise our department at your earliest convenience as to the public hearing date so that our department can ensure that the mandatory public notice of 15 days is met via posting on the site and mailings to adjoining property owners.

Thank you for your attention to this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

EAT/jkk

cc: Jennifer K. Keener, Deputy Director

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 431

APPLICANT:

**COF Investment Group, LLC
c/o Kathleen Clark
12319 Ocean Gateway, Suite 201
Ocean City, MD 21842**

ATTORNEY FOR THE APPLICANT:

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

December 3, 2020

WORCESTER COUNTY PLANNING COMMISSION

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I. INTRODUCTORY DATA

- A. CASE NUMBER: Rezoning Case No. 431, filed on September 28, 2020.
- B. APPLICANT: COF Investment Group, LLC
c/o Kathleen M. Clark
12319 Ocean Gateway, Suite 201
Ocean City, MD 21842

APPLICANT'S ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
- C. TAX MAP/PARCEL: Tax Map 26 - Parcel 158 - Tax District 10
- D. SIZE: The petitioned area is 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres.
- E. LOCATION: The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road).
- F. CURRENT USE OF PETITIONED AREA: Forested and tidal and non-tidal wetlands.
- G. CURRENT ZONING CLASSIFICATION: C-2 General Commercial District, R-2 Suburban Residential District and RP Resource Protection District
- H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District
- I. ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an R-2 Suburban Residential District classification. That designation was retained in the 1978 comprehensive rezoning. In 1986, the Worcester County Commissioners approved a rezoning request for a portion of the subject property to be rezoned to B-1 Neighborhood Business District, a depth of 300' into the property (Rezoning Case No. 228). There were two conditions: 1. Vehicular access be limited to Route 50 only; and 2. There shall be a minimum 15' wide vegetated buffer strip provided to serve as a visual screen between the commercial areas and the adjacent residential properties. During the 1992 comprehensive rezoning, the front portion of the property was rezoned to B-2 General Business District for a depth of 300' and the rear of the property retained the R-2 Suburban Residential District classification. The 2009 comprehensive rezoning re-designated the commercial zoning district to C-2 General Commercial

District, and increased its depth by approximately 50', for a total of 350'. The rear of the property retained the R-2 Suburban Residential District classification. With the use of GIS, the tidal wetlands were mapped and given an RP Resource Protection District designation.

NOTE: The two conditions of approval from the 1986 rezoning case have been carried forward with each comprehensive rezoning and therefore are still applicable today. However, the property owner would be subject to these requirements regardless of whether they were conditions. The parcel only has road frontage on US Route 50, meaning that vehicular access to the parcel is limited to a commercial entrance along US Route 50 (condition #1), and a landscape screen is required between non-compatible zoning districts and uses in the Zoning Code (condition #2). Therefore, no action on these conditions is necessary.

- J. **SURROUNDING ZONING:** Adjoining properties are also zoned C-2 General Commercial District and R-2 Suburban Residential District, with mapped tidal wetlands located in the RP Resource Protection District.
- K. **COMPREHENSIVE PLAN:** According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Commercial Center Land Use Category.
- L. **WATER AND WASTEWATER:** According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, therefore a private well will be needed for water supply.
- M. **ROAD ACCESS:** The petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, Kathleen Clark, property owner, and Chris McCabe, environmental consultant, were present for the review. Mr. Cropper testified that the request is being made based upon a mistake in the assigned zoning districts.

Mr. Cropper stated that the subject property is located along US Route 50, is almost entirely within the Commercial Center Land Use Category of the

Comprehensive Plan and is impacted by a tributary of Herring Creek. The overall parcel has three different zoning designations; the applicant is seeking to eliminate all of the R-2 Suburban Residential District from the property (consisting of 1.0 acre of land), and modify the RP Resource Protection District boundary line based upon a formal delineation of the tidal wetlands (consisting of 0.2 acres). The petitioned area would be rezoned to C-2 General Commercial District, consistent with the majority of the remainder of the subject property.

Mr. McCabe testified that the delineation of the tidal and non-tidal wetlands has been approved by the Maryland Department of the Environment (MDE). While the actual boundary of the wetlands is undulating, the proposed zoning boundary line is straight as shown on the survey provided as an exhibit with the application. Mr. McCabe explained that the proposed boundary line was a conservative estimate well to the south of the actual wetland boundary line.

Mr. McCabe stated that the purpose and intent of the Resource Protection District is to protect existing sensitive areas such as the tidal and non-tidal wetlands, therefore the zoning designation was intended to follow the wetland boundary line, especially when a property was located in a Commercial Center land use category. He agreed with Mr. Cropper's assessment that this was more of a refinement of the zoning boundary line, rather than a mistake. In his former position as Natural Resources Administrator for Worcester County, he worked with the Comprehensive Plan and agreed with Mr. Cropper that this request is consistent with the plan. He also agreed that the Resource Protection District boundary line was fairly accurate on a high-level analysis until one were to drill down into the actual site (soil) conditions. Mr. McCabe also noted that the sensitive areas of the property will still be protected by the application of wetland buffer and the Critical Area buffer for any development project.

The RP Resource Protection District boundary bisects the subject property practically in half. In regards to the R-2 Suburban Residential District, Mr. McCabe noted that it would be challenging to develop this area for residential purposes. Mr. Cropper also stated that the bisection of the property by the RP District would make it difficult to use the property for commercial purposes with a single commercial entrance, as there would be no area to allow for an internal driveway or interparcel connector. They would be required to file an application with Maryland Department of Transportation State Highway Administration (MDOT SHA) for two separate commercial entrances if the requested map amendment was not approved.

In summary of the findings that the Planning Commission must consider, Mr. Cropper stated that there has been no change in the population; that the property is within the West Ocean City Sanitary Service Area with sewer available; there would be no impact to the school system since the use of the property would be

for commercial purposes; that access to the property from US Route 50 would be improved because they would only need one commercial entrance instead of two; and the property is located between two existing commercial condominium developments, so it is compatible with surrounding development.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The Planning Commission noted that this was not applicable, since Mr. Cropper's testimony was based solely on a mistake in the current zoning classification.
- B. Regarding population change: The Planning Commission concluded that there has been no change in population since the last comprehensive rezoning, nor would this application contribute to an increase in population.
- C. Regarding availability of public facilities: The Planning Commission found that there would be no impact upon public facilities as it pertains to wastewater disposal and the provision of potable water, since this property would be served with public sewer and a private well if developed. Mr. Mitchell's memo stated that the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, and a private well will be needed for water supply. Therefore, adequate public facilities are available for the petitioned property. Additionally, fire and ambulance service will be available from the Ocean City Fire Company, approximately five minutes away from the substation on Keyser Point Road. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from either the Maryland State Police or the Worcester County Sheriff's Department. The petitioned area is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. As a commercial use, there will be no impact on the school system. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.
- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no

objection to the rezoning request, however he will require a concept traffic study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time. The Planning Commission agreed with Mr. Cropper's assessment that a single commercial entrance would be more desirable than two commercial entrances. Based upon its review, the Planning Commission found that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

- E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that the predominant zoning of the subject parcel is C-2 General Commercial District, which could be developed with a commercial use regardless of the requested map amendment. The subject property is located between two commercial developments to the east and west, and the location of the R-2 Suburban Residential District petitioned area to the rear of the property is impractical for a residential use. They agreed with Mr. Cropper's assessment that the modification of the RP Resource Protection District boundary line was a map "refinement" rather than a mistake based upon actual ground conditions, and acknowledged that the appropriate wetlands and Critical Area buffers would still be applied to protect the tributary of Herring Creek. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned areas from R-2 Suburban Residential District (1.0 acre) and RP Resource Protection District (0.2 acres) to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.
- F. Regarding compatibility with the Comprehensive Plan: The Planning Commission found that according to the Comprehensive Plan and associated land use map, the petitioned area lies predominantly within the Commercial Center Land Use Category, and the majority of the subject property is commercially zoned. Split zoning is strongly discouraged, so the elimination of the R-2 Suburban Residential District would be more compatible with the goals of the Comprehensive Plan. In addition, the refinement of the RP Resource Protection District boundary line based upon actual ground conditions is consistent with the intent of the Comprehensive Plan and the purpose and intent of the RP zoning district. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. The Planning Commission found that the property was located in the Commercial Center Land Use category of the Comprehensive Plan, with the majority of the property already commercially zoned, and that split zoning of a property is strongly discouraged. In addition, the development of the R-2 Suburban Residential District with a residential structure would require access through the commercial zoning and future development, which is not desirable. With respect to the Resource Protection District boundary line, the Planning Commission found that the use of GIS technology during the 2009 Comprehensive Rezoning mapped the wetlands as accurately as possible, but that the actual ground conditions and formal delineation show that the tidal wetlands are located further north than mapped. In addition, the bisection of the commercial zoning would result in two separate development areas on the subject parcel, each requiring their own commercial entrance, rather than a cohesive project with a single commercial entrance. Based upon its review, the Planning Commission concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 431, seeking a rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District in the acreage and location as delineated on the zoning exhibit submitted with the application.

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT**REZONING CASE NO. 431**

PROPERTY OWNER: COF Investment Group, LLC
c/o Kathleen M. Clark
12319 Ocean Gateway, Suite 201
Ocean City, MD 21842

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

TAX MAP/PARCEL INFO: Tax Map 26 - Parcel 158 - Tax District 10

SIZE: The petitioned area is 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres.

LOCATION: The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road).

CURRENT USE OF PETITIONED AREA: Forested and tidal wetlands.

CURRENT ZONING CLASSIFICATION: C-2 General Commercial District, R-2 Suburban Residential District and RP Resource Protection District

REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

APPLICANT'S BASIS FOR REZONING: The application indicates that there was a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an R-2 Suburban Residential District classification. That designation was retained in the 1978 comprehensive rezoning. In 1986, the Worcester County Commissioners approved a rezoning request for a portion of the subject property to be rezoned to B-1 Neighborhood Business District, a depth of 300' into the property (Rezoning Case No. 228). There were two conditions: that vehicular access be limited to Route 50 only, and that there shall be a minimum 15' wide vegetated buffer strip provided to serve as a visual screen between the commercial areas and the adjacent residential properties. During the 1992 comprehensive rezoning, the front portion of the property was rezoned to B-2 General Business District for a depth of 300' and the rear of the property retained the R-2 Suburban Residential District classification. The 2009 comprehensive rezoning re-designated the commercial zoning district to C-2 General Commercial District, and increased its depth by approximately 50', for a total of 350'. The rear of the property retained the R-2 Suburban Residential District classification. With the use of GIS, the tidal wetlands were mapped and given an RP Resource Protection District designation.

SURROUNDING ZONING: Adjoining properties are also zoned C-2 General Commercial District and R-2 Suburban Residential District, with mapped tidal wetlands located in the RP Resource Protection District.

COMPREHENSIVE PLAN:

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Commercial Center Land Use Category. With regard to the Commercial Center Land Use Category, the Comprehensive Plan states the following:

“This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. Retail, offices, cultural/entertainment, services, mixed uses, warehouses, civic, light manufacturing and wholesaling would locate in commercial centers.

Commercial areas by their nature locate on prominent sites and can visually dominate a community. For this reason, special attention must be given to the volume, location and design of these uses. The first step is to balance supply with demand.” (Page 16)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

3. Maintain the character of the county’s existing population centers
4. Provide for appropriate residential, commercial, institutional, and industrial uses
5. Locate new development in or near existing population centers and within planned growth centers
6. Infill existing population centers without overwhelming their existing character
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic
10. Locate employment centers close to the potential labor force
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors
16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads
17. Discourage highway strip development to maintain roadway capacity, safety, and character
21. Promote mixed use development

(Pages 12, 13)

Additionally, in Chapter 2- Land Use, under the heading Commercial Land Supply, the Comprehensive Plan states:

“Based on industry standards for the relationship of commercial land to market size, an excessive amount of commercial zoning exists in Worcester County. Discounting half the vacant land in this category as unbuildable, the remaining land if developed would have the capacity to serve a population of over 2 million people; the county’s peak seasonal population is less than 25 percent of this number.” (Page 24)

In Chapter 3 – Natural Resources, the Comprehensive Plan addresses the importance of protecting the forested tidal wetlands that serve Herring Creek:

“As a striking background for land and water recreation, Worcester County’s forested tributaries and inland creeks are important assets... The large tidal tributaries associated with the coastal bays include the St. Martin River, Turville, and Herring Creeks in the upper bays and Trappe Creek in the lower bays.

“Healthy, vegetated waterway corridors form a basic part of the natural infrastructure—they provide clean water, flood protection, and recreation along with other benefits free of charge. Protecting such corridors ensures that these benefits are maintained.” (pages 38, 39)

Chapter 4 - Economy also includes objectives related to Commercial Services. They are as follows:

1. Locate commercial and service centers in major communities; existing towns should serve as commercial and service centers.
2. Provide for suitable locations for commercial centers able to meet the retailing and service needs of population centers.
4. Bring into balance the amount of zoned commercial locations, with the anticipated need with sufficient surplus to prevent undue land price escalation.
5. Locate commercial uses so they have arterial roadway access and are designed to be visually and functionally integrated into the community.

(Page 60)

In the same chapter, under the heading Commercial Facilities, the Comprehensive Plan states:

“Retailing is one of the largest employers in the county and is a significant contributor to the economy. Currently, designated commercial lands far outstrip the potential demand for such lands. When half of these lands are assumed to be undevelopable (wetlands and other constraints), the potential commercial uses can serve an additional population of over two million persons. The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result.” (Page 62)

In Chapter 7 – Transportation, the Comprehensive Plan states that “Worcester’s roadways experience morning and evening commuter peaks, however, they are dwarfed by summer resort traffic...Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90.” (Page 79)

Also in Chapter 7, the Comprehensive Plan states:

“Commercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintain road capacity. The current amount and location of commercially zoned land pose problems for the road system, particularly for US 50.”

“Commercial zoning on US 50 stretches from the Harry Kelly Bridge to Berlin. The Maryland Department of Transportation (MDOT) has indicated the existing commercial development has degraded existing levels of service to “D” and below in the summer season. US 50 is a critical link to the resorts and therefore maintaining its capacity is a necessary condition for the county’s economic future. For this reason, this road has designated as “impacted” and commercial zoning along it should be reduced.” (Page 82)

In this same chapter, under the heading General Recommendations – Roadways, it states the following:

1. Acceptable Levels of Service—It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. Impacted Roads--Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
5. Impacted Intersections--Upgrade intersections that have fallen below a LOS C, for example, the intersection of US 13 and MD 756 Old Snow Hill Road, intersection of MD 589 and US 50.

(Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, therefore a private well will be needed for water supply. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

FadA – Fallsington sandy loams, severe limitations to on-site wastewater disposal

LO – Longmarsh and Indiantown soils, severe limitations to on-site wastewater disposal

WddB – Woodstown sandy loam, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Ocean City Volunteer Fire Company, with a substation on Keyser Point Road approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Office in Snow Hill, approximately twenty-five minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no objection to the rezoning request, however he will require a concept traffic study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time.

SCHOOLS: The petitioned area is within Zone 2 of the Worcester County Public School Zones and is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is located within the boundaries of the Atlantic Coastal Bays Critical Area (ACBCA). He states that the parcel is designated as an Intensely Developed Area (IDA) and has an associated 100-foot buffer from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. Mr. Mitchell states that IDA's are areas where residential, commercial, institutional and/or industrial uses predominate and where relatively little natural habitat occurs or remains. He recommends that a field delineation of all environmental features be provided prior to any plan approvals being granted by the Natural Resources Division of the Department of Environmental Programs. Proposed future construction will need to meet the requirements of the ACBCA that are in place at the time of development, including compliance with the 10% stormwater criteria.

Any rezoning application located wholly or partially within the Critical Area require that notification be sent to the Critical Area Commission (CAC). Mr. Mitchell has attached the comments provided by Michael Grassmann, Natural Resources Planner with the CAC. Mr. Grassmann states that this zoning change meets the requirements of the Critical Area law,

including consistency with the existing Critical Area land classification of the IDA; therefore, he noted that the CAC has no objections to the application.

FLOOD ZONE: The FIRM map (24047C0180H, effective July 16, 2015) indicates that this property is located in Zone AE (100-year flood) with a Base Flood Elevation of five feet and a small area of X-500 (Area of Minimal Flood Hazard).

PRIORITY FUNDING AREA: The petitioned area is within a designated Priority Funding Area.

INCORPORATED TOWNS: This site is approximately one and a half miles from the incorporated town of Ocean City.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Rob Clarke, DNR Forester: No comments to make on behalf of the Maryland Forest Service.

!!**IMPORTANT**!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

1. What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.

8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

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

PLEASE TYPE
 OR PRINT IN
 INK

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

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

Rezoning Case No. 431

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/28/2020

Date Reviewed by Planning Commission: 12/3/2020

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
 B. XXX Property Owner
 C. _____ Contract Purchaser
 D. _____ Option Holder
 E. _____ Leasee
 F. XXX Attorney for B (Insert A, B, C, D, or E)
 G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 26
 B. Parcel Number(s): 158
 C. Lot Number(s), if applicable: _____
 D. Tax District Number: 10th

III. Physical Description of Property

- A. Located on the North side of U.S. Route 50/Ocean Gateway.
 B. Consisting of a total of 5.46 acres of land.
 C. Other descriptive physical features or characteristics

necessary to accurately locate the petitioned area:

- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): **R-2, Suburban Residential District/RP- Resource Protection**
(Name and Zoning District)
- B. Acreage of zoning classification(s) in "A" above: 1.2
- C. Requested zoning classification(s): **C-2, General Commercial District**
(Name and Zoning District)
- D. Acreage of zoning classification(s) in "C" above: 1.2

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

- A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

This rezoning is based upon a mistake. A more detailed summary will be provided.


IV. Filing Information and Required Signatures

- A. Every application shall contain the following information:
1. If the application is made by a person other than the property


owner, the application shall be co-signed by the property owner or the property owner's attorney.

2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 
 Printed Name of Applicant: Hugh Cropper, IV, Attorney for Property Owner
 Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842
 Phone Number: 410-213-2681
 E-Mail: hcropper@bbcmlaw.com
 Date: September 28, 2020

C. Signature of Property Owner in Accordance with VI.A. above

Signature:  , attorney
 Printed Name of Owner: COF Investment Group, LLC c/o Kathleen M. Clark
 Mailing Address: 12319 Ocean Gateway, Suite 201, Ocean City, MD 21842
 Phone Number: 410-213-1633
 E-Mail: kclark@monogrambuilders.com
 Date: September 28, 2020

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.
- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment

based upon a finding that (a) there a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

REASONS FOR REZONING

The majority of above referenced property is zoned C-2, General Commercial District. It is located in the Route 50 Commercial Corridor. The entirety of the property is designated as Commercial Center on the Land Use Map which accompanies the Worcester County Comprehensive Plan.

With respect to the RP, Resource Protection District, it appears that the zoning line followed prior wetlands maps. A field delineation will show that those maps were not accurate, and the southerly portion of the RP, Resource Protection District, is not tidal wetlands.

With respect to the residential zoning, the parcel is bisected by the commercial/residential boundary. There is no delineation in the field. The entire property should be commercial.

In conclusion, the applicant is alleging a mistake, and the entirety of the property should be C2, General Commercial District.

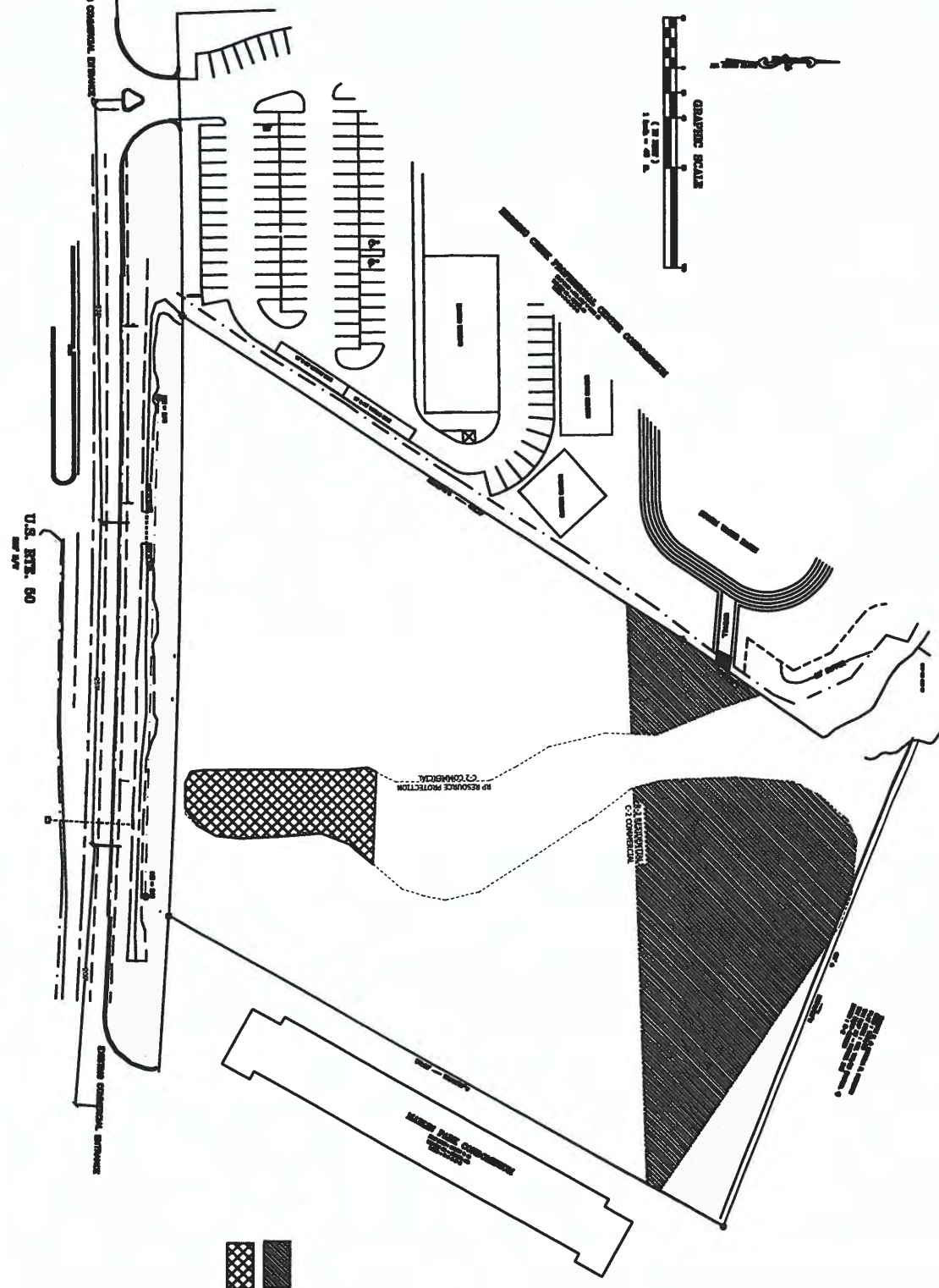
Respectfully submitted,



Hugh Cropper IV, Attorney for
Owner COF Investment Group, LLC

*see email dated 9/28/2020 & attached exhibit for specific request.

NOTES:
1. THIS ZONING EXHIBIT IS A PART OF THE TAX MAP 26, PARCEL 158, WORCESTER COUNTY, MASSACHUSETTS.
2. THE ZONING EXHIBIT IS A PART OF THE TAX MAP 26, PARCEL 158, WORCESTER COUNTY, MASSACHUSETTS.
3. THE ZONING EXHIBIT IS A PART OF THE TAX MAP 26, PARCEL 158, WORCESTER COUNTY, MASSACHUSETTS.



C-1 SUBURBAN RESIDENTIAL DISTRICT - 1.0 ACRE
 R-2 RESOURCES PROTECTION
 C-2 GENERAL COMMERCIAL DISTRICT - 0.2 ACRE

PARCEL DESCRIPTION
 TAX MAP 26, PARCEL 158
 WORCESTER COUNTY, MASSACHUSETTS

EXISTING ZONING
 C-1 SUBURBAN RESIDENTIAL
 R-2 RESOURCES PROTECTION

SITE AREA
 ± 5.5 ACRES

CRITICAL AREA
 THIS SITE IS SITUATED WITHIN THE
 INTEREST / DESIGNATED AREA OF THE
 ATLANTIC COASTAL BAYS CRITICAL AREA

22

SHEET
 ZE-1

R.D. HAND AND ASSOCIATES, INC.
 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FRAMING
 15000 CROFT ROAD, BOSTON, MA 02124 617-552-5555

ZONING EXHIBIT
 TAX MAP 26, PARCEL 158
 TENTH TAX DISTRICT, WORCESTER COUNTY, MASSACHUSETTS

Jennifer Keener

From: Hugh Cropper <hcropper@bbcmlaw.com>
Sent: Monday, September 28, 2020 1:37 PM
To: Jennifer Keener
Cc: Weston S. Young; 'kclark@monogrambuilders.com'
Subject: Rezoning
Attachments: MX-3550N_20200928_134543.pdf

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Jennifer:

Good afternoon. I am filing a rezoning application on behalf of COF Investment Group, LLC, Kathleen M. Clark, Managing Member, Worcester County Tax Map 26, Parcel 158. The area to be rezoned is approximately 1.2 acres, and Bob Hand's exhibit is attached.

I will be delivering the original application this afternoon, and I have asked Kathy to send the check payable to Worcester County in the amount of \$680.00 directly to your attention.

Have a great day. This should be the last rezoning application (although I cannot make any promises; I'm not sure who will call).

Thanks again.

Hugh Cropper IV
 Booth Cropper & Marriner, P.C.
 9923 Stephen Decatur Highway, D-2
 Ocean City, Maryland 21842
 410-213-2681
www.bbcmlaw.com

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-213-2681. Thank you.

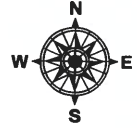
Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration						
Special Tax Recapture: None										
Account Identifier:		District - 10 Account Number - 011892								
Owner Information										
Owner Name:		COF INVESTMENT GROUP LLC		Use: Principal Residence:	COMMERCIAL NO					
Mailing Address:		12319 OCEAN GATEWAY STE 201 OCEAN CITY MD 21842-0000		Deed Reference:	/07548/ 00483					
Location & Structure Information										
Premises Address:		OCEAN GATEWAY OCEAN CITY 21842-0000		Legal Description:	5.46 ACS N SIDE R-50 SUR PL M MARVELIS ETAL					
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	230032
0026	0006	0158	10080.24	71M8				2019	Plat Ref:	0230/0032
Town: None										
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
						5.4600 AC				
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
			/							
Value Information										
			Base Value	Value		Phase-In Assessments				
				As of 01/01/2019		As of 07/01/2020		As of 07/01/2021		
Land:			260,700	260,700						
Improvements			0	0						
Total:			260,700	260,700		260,700		260,700		
Preferential Land:			0					0		
Transfer Information										
Seller: GUS W MARVELIS REVOCABLE LIVING TRUST &				Date: 12/05/2019		Price: \$300,000				
Type: ARMS LENGTH VACANT				Deed1: /07548/ 00483		Deed2:				
Seller: MARVELIS MICHAEL &				Date: 08/01/2013		Price: \$0				
Type: NON-ARMS LENGTH OTHER				Deed1: /06212/ 00118		Deed2:				
Seller: WILLIAM HENRY & EUGENIA B BORCHERD				Date: 09/03/1971		Price: \$0				
Type: NON-ARMS LENGTH OTHER				Deed1: SVH /05549/ 00500		Deed2:				
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2020		07/01/2021				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Special Tax Recapture: None										

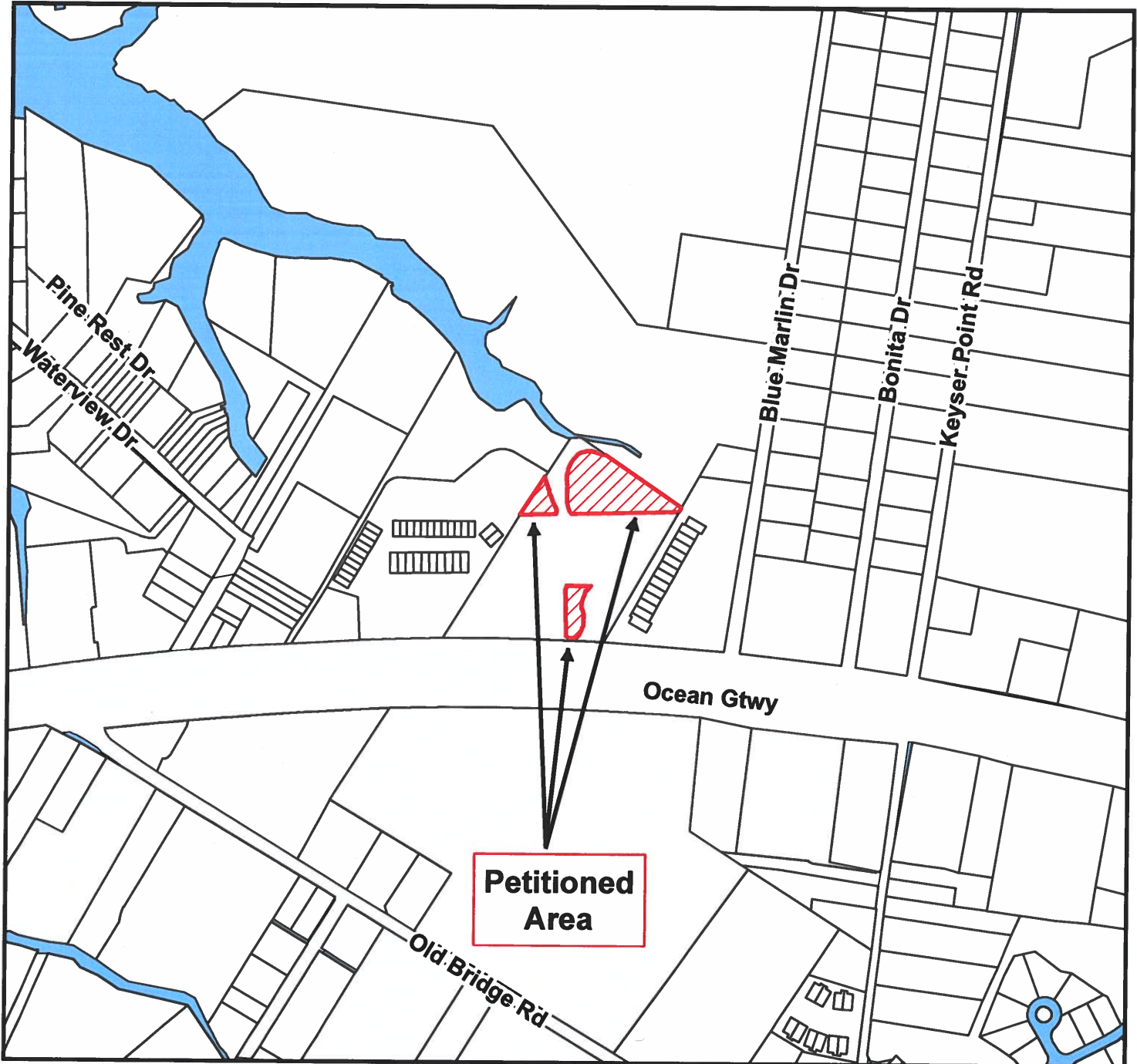


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

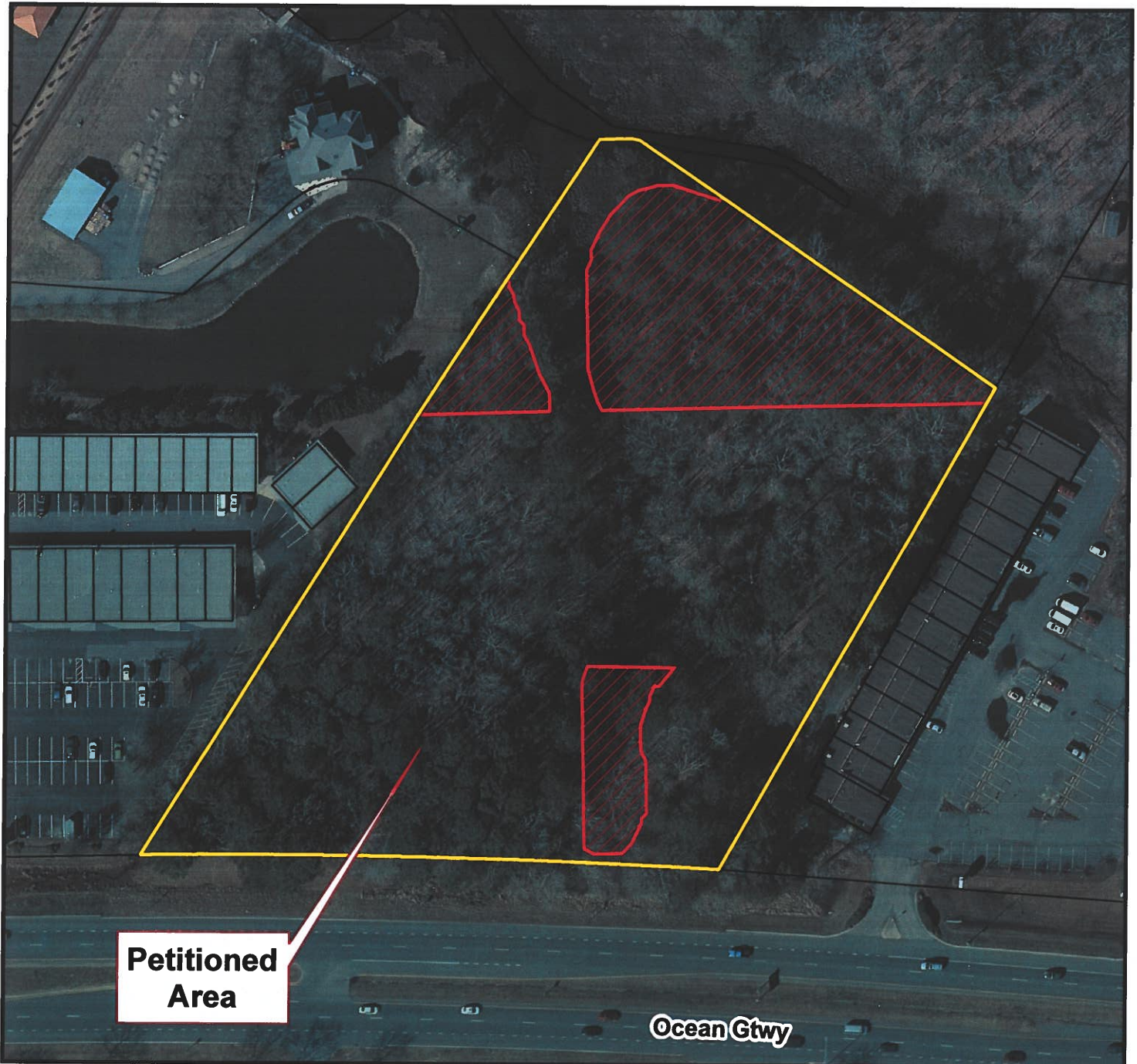


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

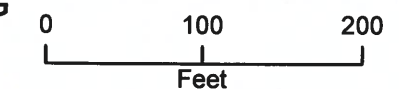
AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2019 Aerial Imagery

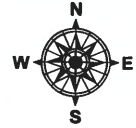
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.



Drawn By: KLH Reviewed By: JKK

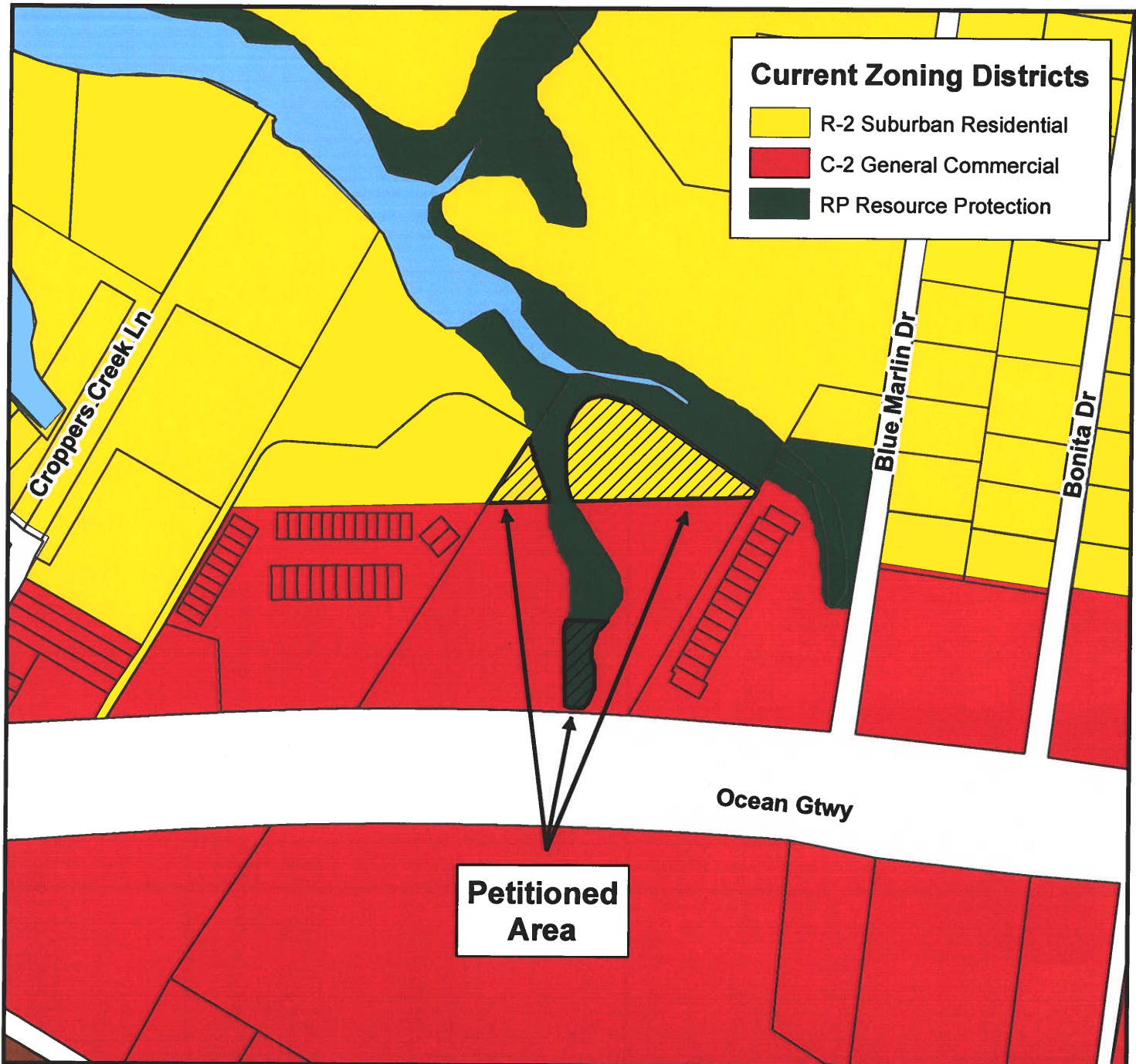


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2009 Official Zoning District Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

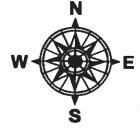
Drawn By: KLH

Reviewed By: JKK

0 150 300
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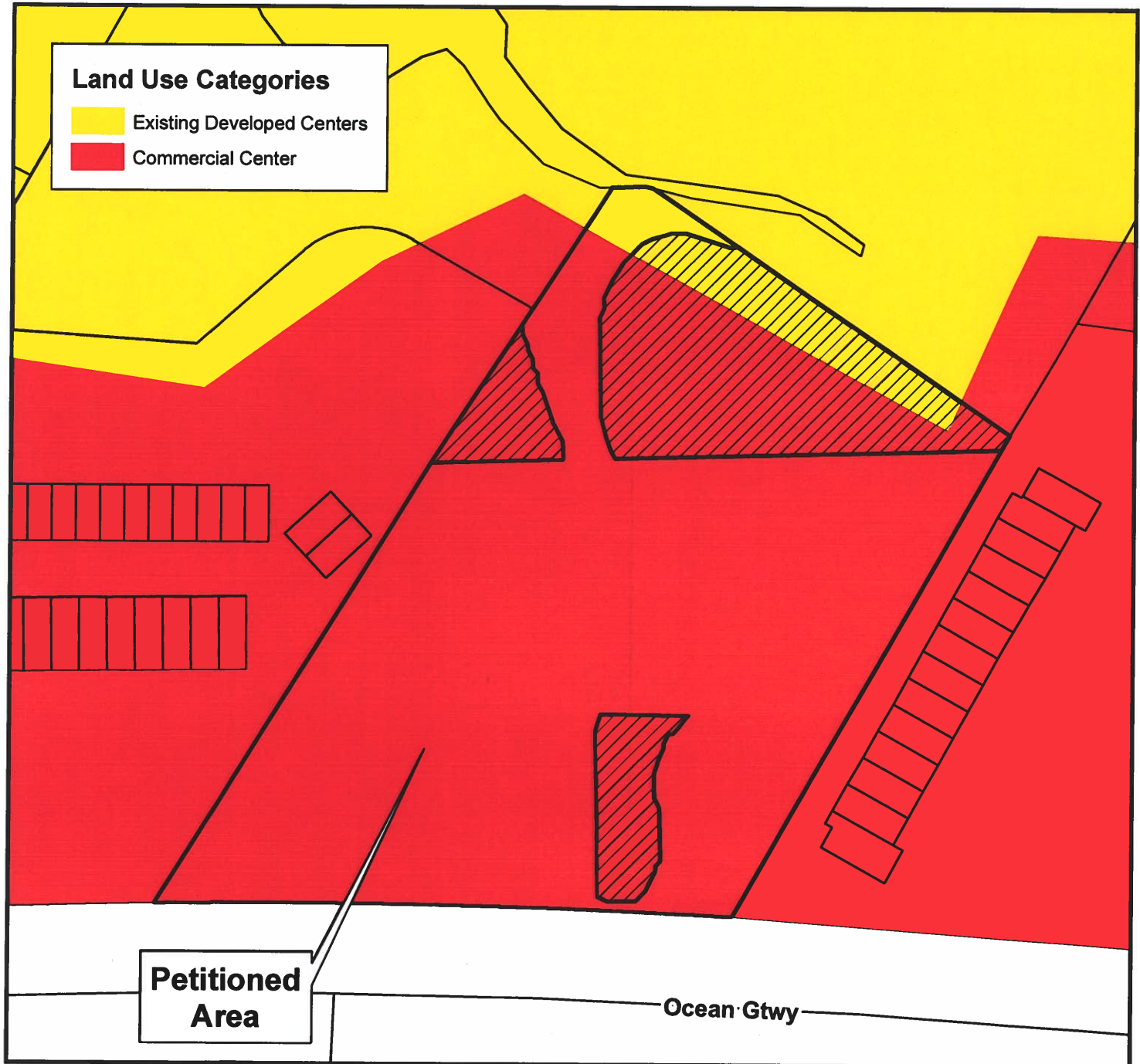


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2006 Land Use Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

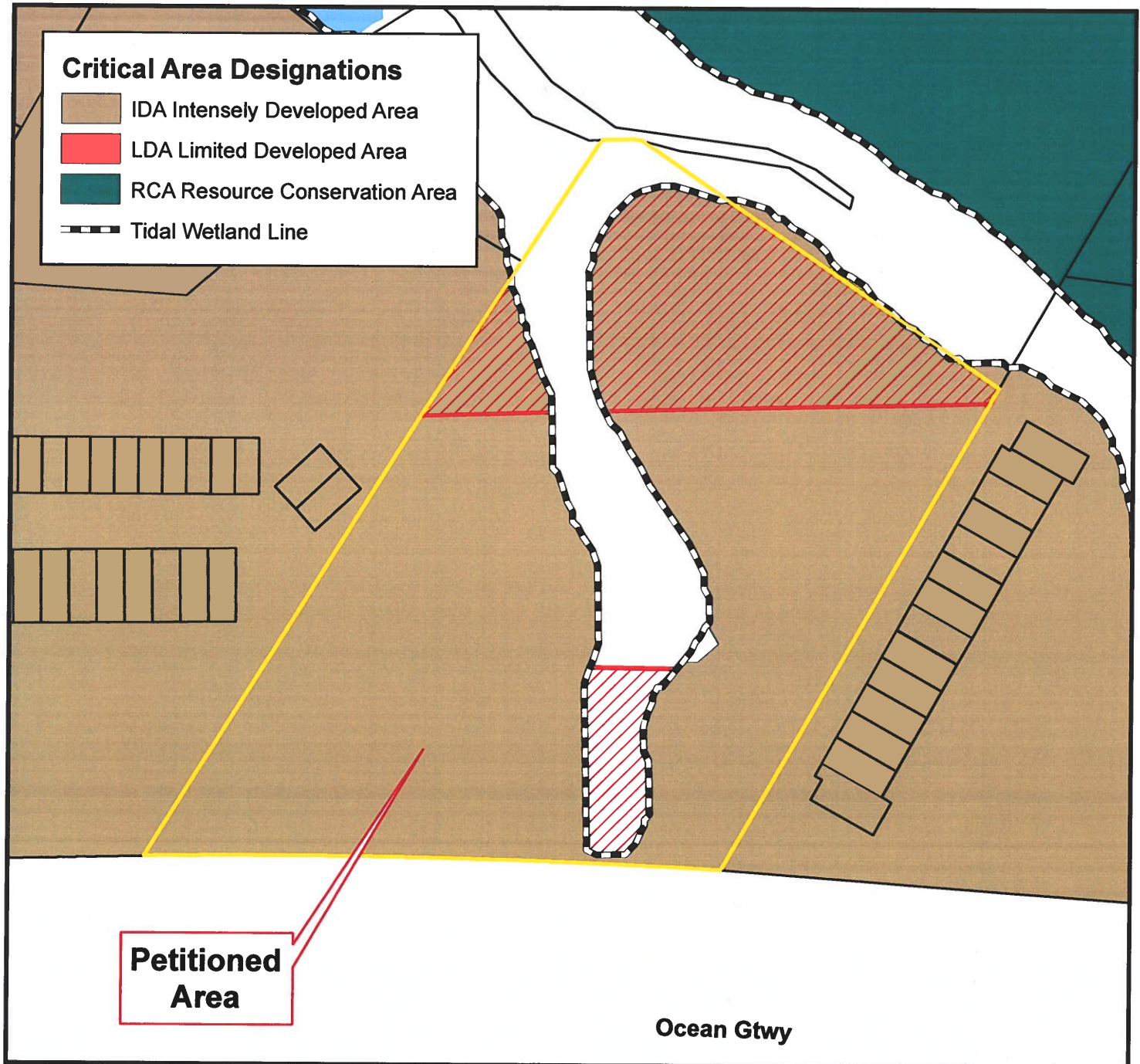


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

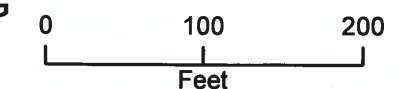
ATLANTIC COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, Atlantic Coastal Bay Critical Area Program

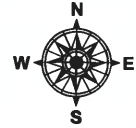
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Drawn By: KLH Reviewed By: JKK

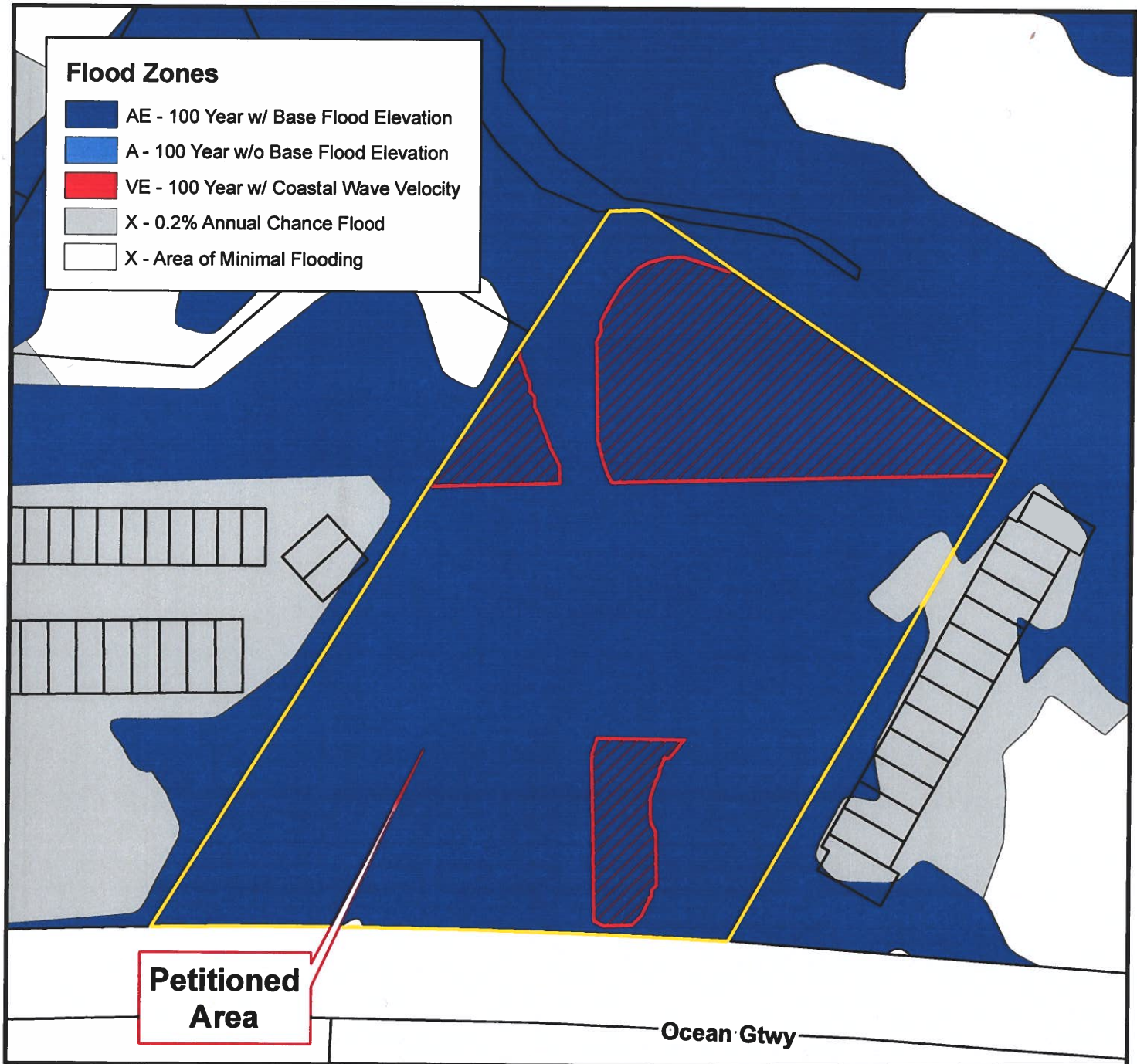


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

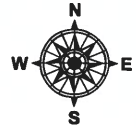
Source: Worcester County GIS Data Layers, 2015 FEMA Flood Insurance Rate Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

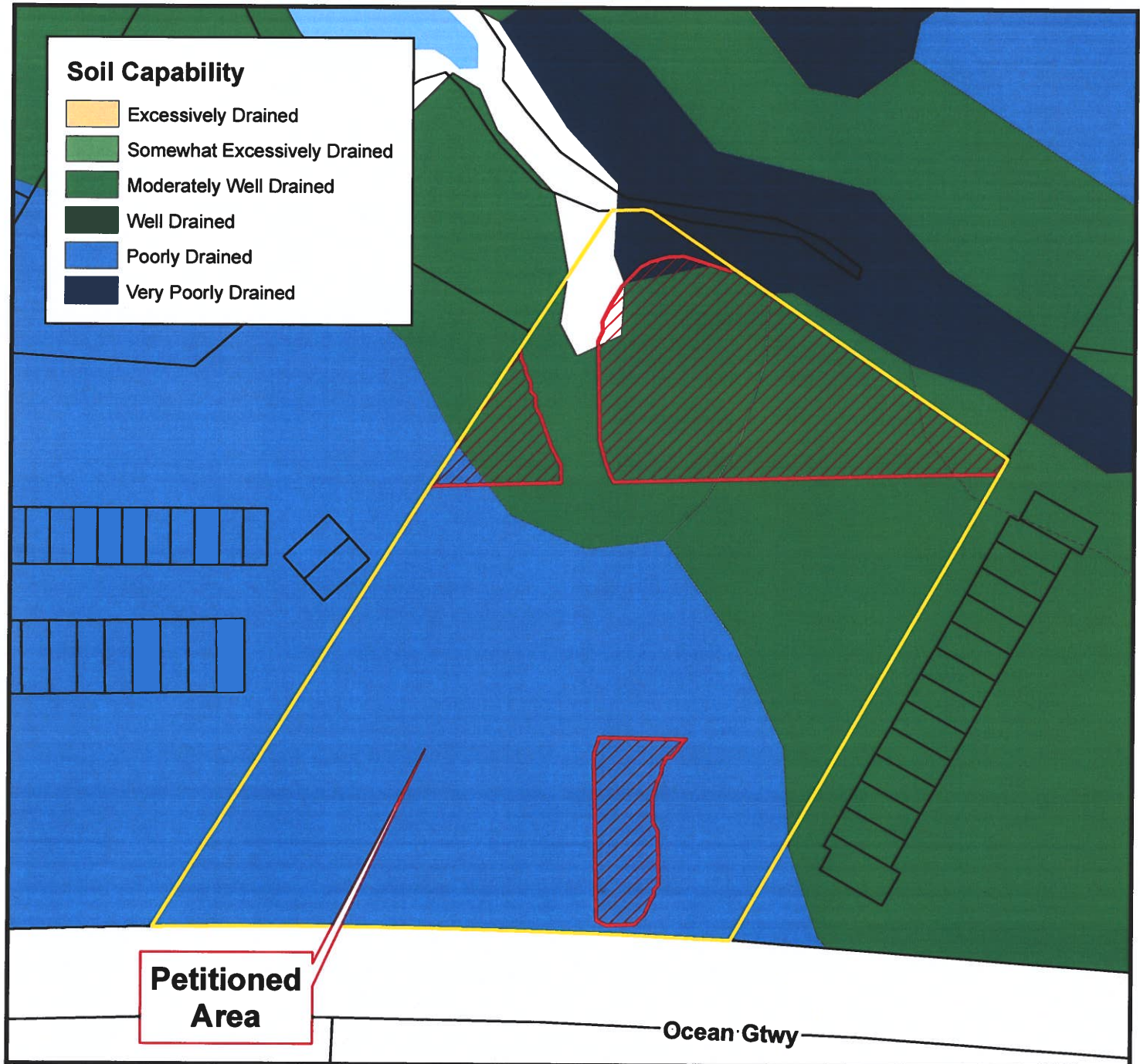


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

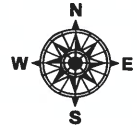
Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

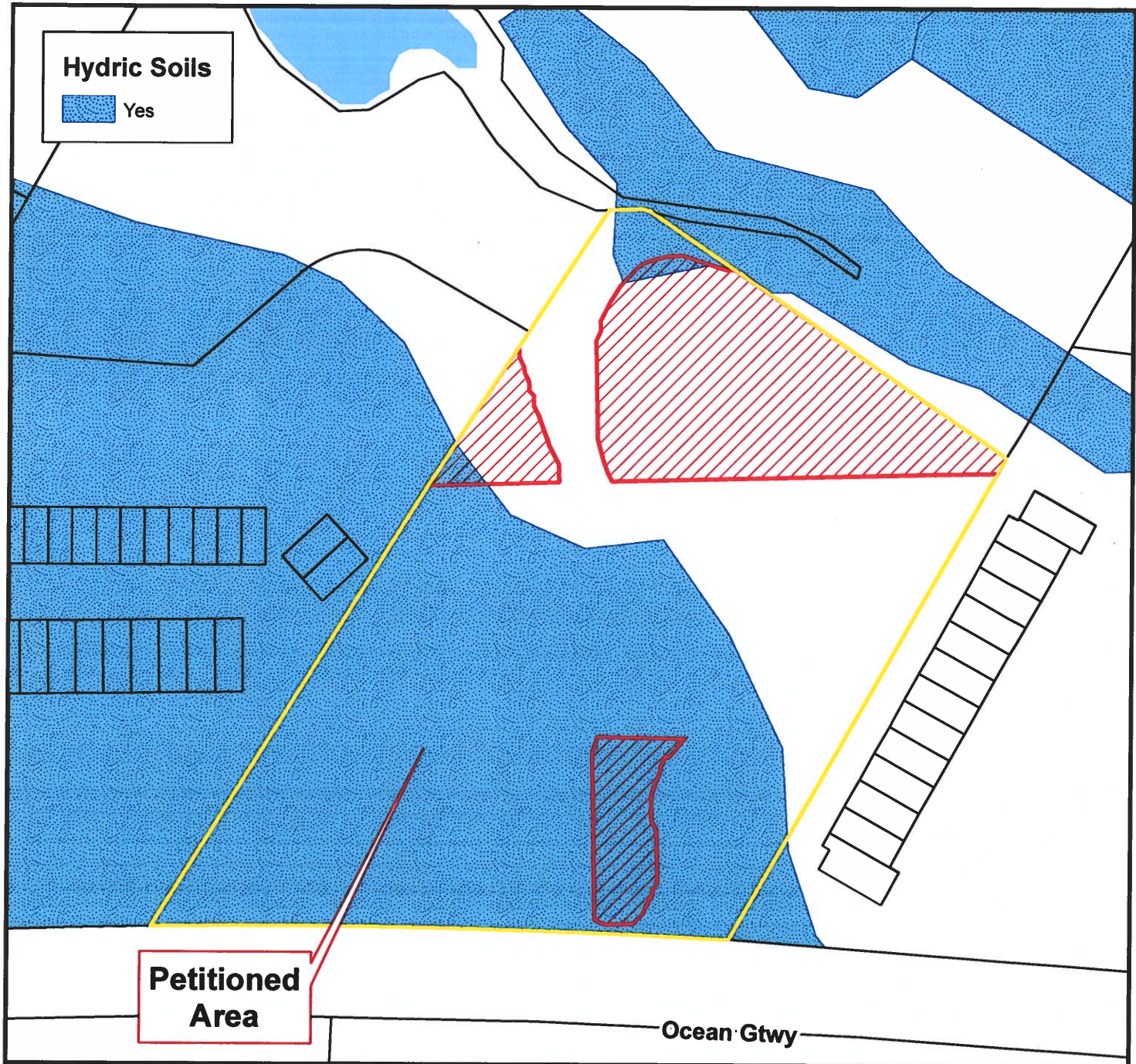


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

HYDRIC SOILS MAP

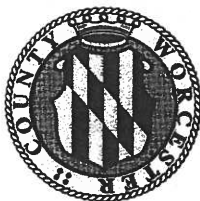


DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK



Worcester County

Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

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

Subject: EP Staff Comments on Rezoning Case No. 431
Worcester County Tax Map 26 Parcel 158
1.2 Acres
R-1 Suburban Residential and RP Resource Protection to C-2 General
Commercial District

Date: 11/10/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced properties. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The application for zoning reclassification is for 1.2 acres of a property totaling 5.46 acres. Referring to the land use designation in the *Comprehensive Plan*, the entire property including the portion of the property for this case is designated as Commercial Center. This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. This property is surrounded by properties carrying either a Commercial Center or Existing Developed land use designation.

The Department of Environmental Programs has the following comments:

1. The subject property has a designation of Sewer Service Category S-1 (*Immediate to 2 Years*). Since there is no public water available to the property, a private well will be needed for water supply.

2. This proposed rezoning is located inside of the Atlantic Coastal Bays Critical Area (ACBCA). The parcel is presently designated as Intensely Developed Area (IDA) and has an associated 100ft buffer from the mean high water lone of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. IDAs are areas where residential, commercial, institutional, and/or industrial uses predominate and where relatively little natural habitat occurs or remains.
3. It should be noted that disturbance within the 100ft buffer cannot be authorized unless approval is granted by the Board of Zoning Appeals (BZA). Also, a field delineation of all environmental features, including, but not limited to, the 100 ft buffer, non-tidal wetlands, and tidal wetlands, will be required prior to Natural Resources Division being able to provide any plan approvals for future development plans. This will assist in verification of the noted tidal gut, which is currently designated as an RP zoning district, and if further steps will be needed for Critical Area compliance. Proposed future construction will need to meet the requirements of the ACBCA that are in place at the time of development. Compliance with the 10% stormwater criteria must also be met.
4. The applicant should detail to the Planning Commission their reasoning on the boundaries with respect to the wetlands present.

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

Attachment

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

October 27, 2020

Ms. Jenelle Gerthoffer
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: COF Investment Group, LLC (TM 26, P 158)
Rezoning Application #431

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of approximately 1.2 acres within the IDA from Suburban Residential District (R-2) and Resource Protection District (RP) to General Commercial District (C-2). The petitioned area is located on the north side of US Route 50 in West Ocean City, Tax Map #26, Parcel 158. The requested zoning change is based on a change in the character of the neighborhood and a mistake in the existing zoning. This zoning change meets the requirements of the Critical Area law, including consistency with the existing Critical Area land classification of the IDA; therefore, we do not have any objections to the application.

Please note that because the property is designated as IDA, there is no limit to clearing or lot coverage, but the 10% stormwater criteria must be met for any development or redevelopment.

Please submit this letter to the Planning Commission as part of their record and notify the Commission in writing of the decision made in this case. If you have any questions or concerns, please contact me at 410-260-3462 or michael.grassmann@maryland.gov.

Sincerely,

Michael Grassmann
Natural Resources Planner

File: WC 401-20

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

ITEM 11

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Gregory Slater
Secretary

Tim Smith, P.E.
Administrator

October 23, 2020

Ms. Jennifer Keener
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

Dear Ms. Wimbrow:

Thank you for the opportunity to review the Rezoning Application from Hugh Cropper for Rezoning Case No. 431 – COF Investment Group, LLC. The property is described as Tax Map 26, Parcel number 158, Tax District number 10th, located on the north side of US 50, in Worcester County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents. We are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, District 1 will require a concept study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary.

As reflected in our aforementioned comments, MDOT SHA has no objection to the rezoning as determined by Worcester County. Thank you for the opportunity to provide a response. If you have any questions regarding this response, please feel free to contact Mr. Daniel Wilson, District 1 Access Management Regional Engineer, via email at dwilson12@mdot.maryland.gov or by calling him directly at 410-677-4048.

Sincerely,



James W. Meredith,
District Engineer

cc: Mr. Dallas Baker, D-1 Assistant District Engineer Project Development, MDOT SHA
Mr. Rodney Hubble, Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Tony Turner, Asst. Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Daniel Wilson, D-1 Access Management Regional Engineer, MDOT SHA

36



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

MEMORANDUM

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: October 13, 2020
RE: Rezoning Case No. 429, 430 and 431

.....

Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 429: No comments at this time.

Rezoning Case 430: No comments at this time.

* **Rezoning Case 431:** No comments at this time.

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

cc: John H. Tustin, P.E., Director

FJA/ll
 \\wcfiler2\users\llawrence\Rezoning\Rezoning Case 429.430.431.doc

JOHN H. TUSTIN, P.E.
 DIRECTOR

JOHN S. ROSS, P.E.
 DEPUTY DIRECTOR

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

DIVISIONS

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

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

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

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

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

Jennifer Keener

From: April Mariner
Sent: Thursday, October 8, 2020 2:09 PM
To: Jennifer Keener
Subject: FW: Rezonings

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Thursday, October 8, 2020 2:06 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezonings

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hi April,

I am doing well, thanks.

I can vouch for the fact that the Hope Farm (case 429) and Cellarhouse Farms (case 430) have been under active forest management and members of the American Tree Farm System for decades. I have worked on forest management activities with 3 generations of the Strickland / Hope families. In both cases, their forest management activities predate my tenure here as county forester, which started in 1978. I have no other comments on these two requests.

I have no comments case 431.

Thanks for the opportunity to provide input.



Rob Clarke
 Forester
 Maryland Forest Service
 Department of Natural Resources
 10990 Market Lane
 Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
 (410) 651-2004 (O)
 (443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Thu, Oct 8, 2020 at 1:37 PM April Mariner <amariner@co.worcester.md.us> wrote:

Good Afternoon Rob, I hope this email finds you well. I have attached 3 memos requesting comment for three upcoming Rezoning Cases. Please send any comments back to me and I will pass them along. Thank you and have a great day!

April L. Mariner

Office Assistant IV

Worcester County Development Review & Permitting

amariner@co.worcester.md.us

410-632-1200 x1172

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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
<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Billy Birch, Director, Worcester County Emergency Services
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office
John H. Tustin, P.E., Director, Worcester County Public Works Department
John Ross, P.E., Deputy Director, Worcester County Public Works Department
Frank Adkins, Roads Superintendent, Worcester County Public Works Department
Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
Tom Perlozzo, Director of Recreation and Parks, Tourism & Economic Development
Louis H. Taylor, Superintendent, Worcester County Board of Education
James Meredith, District Engineer, Maryland State Highway Administration
Lt. Earl W. Starnes, Commander, Barracks V, Maryland State Police
Rebecca L. Jones, Health Officer, Worcester County Health Department
Rob Clarke, State Forester, Maryland Forest Services
Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
Moe Cropper, Fire Chief, Ocean City Volunteer Fire Department

FROM: Jennifer K. Keener, Deputy Director *JKK*

DATE: October 8, 2020

RE: Rezoning Case No. 431- COF Investment Group, LLC, c/o Kathleen M. Clark, Property Owner, and Hugh Cropper, IV, Attorney- North side of US Route 50 in West Ocean City

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 1.2 acres of land shown on Tax Map 26 as Parcel 158, from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. Uses allowed in the District include, but are not limited to, motels/ hotels, retail and service establishments,

contractor shops, wholesale establishments, warehousing, storage, vehicle sales and service establishments, outdoor commercial recreation establishments, etc.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which **your** agency is responsible. **If no response is received by NOVEMBER 13, 2020, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.**

If you have any questions or require further information, please do not hesitate to call this office or email me at jkkeener@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

NOTICE OF INTRODUCTION OF BILL 21-2 WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 21-2 (Zoning – Signs) was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell on January 5, 2021.

A fair summary of the bill is as follows:

§ZS 1-338(c)(9). (Adds a new subsection to allow internal community signs within a residential development for the purpose of conveying community events, amenity and emergency information only, with standards for their placement and design.)

A Public Hearing

will be held on Bill 21-2 at the Commissioners' Meeting Room, Room 1101 – Government Center, One West Market Street, Snow Hill, Maryland on **Tuesday, February 16, 2021 at 10:30 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center once County Government Offices are opened to the public. In the interim, a full copy of the bill is available on the County Website at www.co.worcester.md.us.

THE WORCESTER COUNTY COMMISSIONERS

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 21-2

BY: Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell
INTRODUCED: January 5, 2021

A BILL ENTITLED

AN ACT Concerning

Zoning – Signs

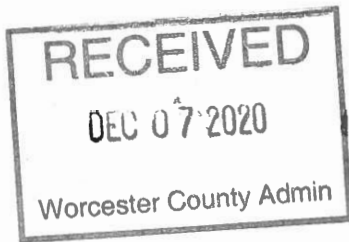
For the purpose of amending the Zoning and Subdivision Control Article to permit on-premises signs internal to an established residential community.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing § ZS 1-324(c) be amended by the addition of a new Subsection § ZS 1-324(c)(9) to read as follows:

- (9) Internal community signs shall be located within the boundaries of an established community as shown on a site plan or subdivision plat approved by the Planning Commission. Internal community signs shall only be for the purpose of conveying community events, amenity and emergency information and shall not include any commercial advertising message unassociated with the community. Such signs may be permitted subject to the following provisions:
- A. No more than six such signs shall be permitted for any community.
 - B. Such signs may be located in any R, E or V zoning district.
 - C. All signs shall be setback a minimum of four hundred and fifty feet from the perimeter boundary line of the established community and shall be separated by not less than one hundred feet from any other sign on the same parcel or lot.
 - D. Such signs shall not be subject to any yard setback requirements; however, no sign shall project over any property line or road right-of-way.
 - E. The sign must be of a monument design and shall not exceed either forty square feet in area or ten feet in height, including the base and face. Where the grade at the sign base is below the road center line, the area in which the sign is situated may be bermed to the center line grade. The provisions of the subsection may not be increased or otherwise altered by the Board of Zoning Appeals.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this 16th day of February, 2021.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410.632.1200 / FAX: 410.632.3008
www.co.worcester.md.us/drp/drpindex.htm

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Harold L. Higgins, Chief Administrative Officer
From: Edward A. Tudor, Director *EAT*
Date: December 8, 2020
Re: Planning Commission Recommendation - Text Amendment Application –
§ZS 1-324(c) Signs

The Department has received and processed a text amendment application submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association. It seeks to amend §ZS 1-324 Signs to add a provision for internal community signs within an established community or subdivision.

The proposed text amendment was reviewed by the Planning Commission at its meeting on December 3, 2020. Following the discussion, the Planning Commission gave a favorable recommendation to the text amendment application as amended. Attached herewith you will find a copy of the entire text amendment file, which includes the draft amendment in bill form. An electronic version has also been sent to your office for use should one of the Commissioners wish to introduce it at their upcoming legislative session.

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

Attachments

cc: Jennifer Keener, Deputy Director



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
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SNOW HILL, MARYLAND 21863

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DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Edward A. Tudor, Director
From: Jennifer K. Keener, AICP, Deputy Director *JKK*
Date: December 7, 2020
Re: Planning Commission Recommendation - Text Amendment Application – §ZS 1-324(c) Signs

The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding a text amendment application submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association. It seeks to amend §ZS 1-324 Signs to add a provision for internal community signs within an established community or subdivision.

In their report to the Planning Commission, the staff noted that the current sign regulations limit a residential development to no more than two community or geographic region identification signs per § ZS 1-324(g), and restrict the verbiage to the identification of said community or region only. Generally, these signs are located at the entrance to a community. The proposed amendment was developed by staff as a result of several meetings with a committee from the Ocean Pines Association, wherein they expressed the need for promoting events and activities within the subdivision. As drafted, this amendment would allow a community to have internal signs for the display of information such as community events or emergency directives, but not for a commercial marketing message unassociated with that respective community. The proposed perimeter setback of 450 feet ensures that these messages are truly internal to the community, and not meant for general advertising of community events outside of the development. It does not prohibit electronic messaging signs; however, such signs would have to comply with the regulations contained in § ZS 1-324(e) relative to message duration, transition, and illumination levels. Given the significant setback requirements and limitation on the type of messaging, the staff gives a favorable recommendation to the text amendment application as requested.

The Planning Commission reviewed the proposed text amendment at its meeting on December 3, 2020. Ms. Colette Horn, Vice President of the Ocean Pines Association Board of Directors, and Jennifer Cropper-Rines were present for the discussion. During their presentation to the Planning Commission, they requested to amend the number of signs allowed under proposed

§ZS 1-324(c)(9)A. from four (4) signs to six (6) signs. Following the discussion, the Planning Commission gave a favorable recommendation to the text amendment application as amended.

A copy of the staff report including the application is attached, as is a draft bill should any of the County Commissioners wish to introduce it. Should you have questions or require additional information, please do not hesitate to contact me.

Attachment



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

ING DIVISION
DING DIVISION
MINISTRATIVE DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer Keener, AICP, Deputy Director JKK
Date: October 22, 2020
Re: Text Amendment Application – §ZS 1-324(c) Signs

The attached text amendment application has been submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association. It seeks to amend §ZS 1-324 Signs to add a provision for internal community signs within an established community or subdivision. Following our customary practice, once the text amendment application was received, it was reviewed by Ed Tudor, Director, and Roscoe Leslie, County Attorney and Planning Commission Attorney, as well as myself for comment. Our comments relative to this request are as follows:

The current sign regulations limit a residential development to no more than two community or geographic region identification signs per § ZS 1-324(g), and restrict the verbiage to the identification of said community or region only. Generally, these signs are located at the entrance to a community. The proposed amendment was developed by staff as a result of several meetings with a committee from the Ocean Pines Association, wherein they expressed the need for promoting events and activities within the subdivision. As drafted, this amendment would allow a community to have internal signs for the display of information such as community events or emergency directives, but not for a commercial marketing message unassociated with that respective community. The proposed perimeter setback of 450 feet ensures that these messages are truly internal to the community, and not meant for general advertising of community events outside of the development. It does not prohibit electronic messaging signs; however, such signs would have to comply with the regulations contained in § ZS 1-324(e) relative to message duration, transition, and illumination levels.

Given the significant setback requirements and limitation on the type of messaging, the staff gives a favorable recommendation to the text amendment application as requested. A draft bill is attached for your reference. Should you have any questions or require additional information, please do not hesitate to contact me. I will be available to discuss this request in more detail at the upcoming meeting.

Attachments

cc: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Lawrence T. Perrone, Ocean Pines Association

Citizens and Government Working Together



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410.632.1200 / FAX: 410.632.3008
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DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Edward A. Tudor, Director
Roscoe Leslie, County Attorney *JKK*
From: Jennifer K. Keener, AICP, Deputy Director
Date: October 7, 2020
Re: Text Amendment Application – §ZS 1-324(c) Signs

The attached text amendment application has been submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association. It seeks to amend §ZS 1-324 Signs to add a provision for internal community signs within an established community or subdivision. This language was developed by staff as a result of several meetings with the Ocean Pines committee to fit their needs, while also attempting to ensure it does not open the door to commercial messages in a residential district. Specifically, this amendment would allow a community such as (but not limited to) Ocean Pines to have internal signs for the display of information such as community events or emergency directives, but not for a commercial marketing message unassociated with that respective community.

I anticipate scheduling this text amendment for consideration by the Planning Commission at a forthcoming meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than November 18, 2020.

Should you have questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

Attachment



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

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

(For Office Use Only – Please Do Not Write in this Space)

Date Received by Office of the County Commissioners _____

Date Received by Development Review and Permitting 10/5/2020

Date Reviewed by the Planning Commission 11/5/2020 (No Show)

12/3/2020 Favorable as amended

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

- a. Resident of Worcester County: _____
- b. Taxpayer of Worcester County: X _____
- c. Governmental Agency: _____ (Name of Agency)

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

- a. Section Number: ZS 1-324(c)
- b. Page Number: ZS 1:III:110
- c. Proposed revised text, addition or deletion:
Add (c) (9) per attachment

III. Reasons for Requesting Text Change:

- a. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

It allows for placement of electronic signs per the attachment.

IV. Signature of Applicants

Signature(s):

Lawrence T Perrone

Printed Name(s):

Lawrence T Perrone

Mailing Address: 239 Ocean Parkway, Ocean Pines, MD 21811

Phone Number: 410-641-7717

Email: lperrone@oceanpines.org

Date:

9-29-20

V. Signature of Attorney

Signature:

N/A

Printed Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Date: _____

VI. General Information Relating to the Text Change Process

- a. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.

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