

RESOLUTION NO. 13 - 22

**RESOLUTION APPROVING THE CREATION OF THE
PINES PLAZA COMMERCIAL SANITARY SERVICE AREA**

WHEREAS, the County Commissioners of Worcester County, Maryland (County Commissioners) adopted Resolution No. 05-9 on April 5, 2005 which added the Greater Ocean Pines Sanitary Service Area to the *Comprehensive Water and Sewerage Plan for Worcester County*, a part of which included the Pines Plaza Commercial Sanitary Service Area, and also adopted Resolution No. 11-27 on November 1, 2011 which added the Ocean Pines Commercial Sub-Area (also know as the Pines Plaza Commercial Sanitary Service Area) to the Ocean Pines Sanitary Service Area for water planning purposes; and

WHEREAS, on February 7, 2012 the County Commissioners adopted Resolution No. 12-1 which directed staff to investigate the feasibility of creating a sanitary service area to provide public water and sewer facilities to the commercial area in and around what is known as "Pines Plaza" located on Cathell Road west of Racetrack Road (MD Route 589); and

WHEREAS, staff has evaluated the proposal and prepared a report to the Worcester County Commissioners recommending the establishment of a sanitary service area to provide for public water and sewer service in the area shown on the map accompanying the report which includes the commercial properties located on the west side of Racetrack Road (MD Route 589) on both sides of Cathell Road and Five L Drive; and

WHEREAS, the County Commissioners held a duly advertised public hearing on November 5, 2013, to obtain public comment on the creation of the proposed sanitary service area; and

WHEREAS, after evaluating both the staff report and public comments received, the County Commissioners have determined that the establishment of a sanitary service area to serve the commercial area in and around "Pines Plaza" is desirable for the comfort, convenience, health, safety and welfare of the people that will be served by the facilities; is feasible for construction and operation of the facilities from an economic and engineering standpoint; is in the best interest of the public health, safety and welfare of the residents of Worcester County; will not be unduly detrimental to the environment of the County; the design and operation of the facilities will be in accordance with all required permits and applicable standards; and the creation of this sanitary service area is desirable in accordance with the criteria established in the Water and Sewers Title of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

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

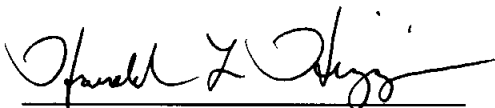
1. The Pines Plaza Commercial Sanitary Service Area is hereby created and shall comprise all of the real property located on the westerly side of Maryland Route 589 (Racetrack Road), south of Maryland Route 90 (Ocean Expressway), on both sides of Cathell Road and Five-L Drive, in the Third Tax District of Worcester County, Maryland, and more specifically identified on the map attached hereto.
2. The Pines Plaza Commercial Sanitary Service Area is created for the land described herein to provide a wastewater collection system and water distribution system with

connection to corresponding infrastructure in the Ocean Pines Sanitary Service Area. Service to be provided by contract for an initial service capacity level of one hundred and ten (110) equivalent dwelling units (EDU's) of sewer at a rate of 300 gallons per EDU and of water at a rate of 350 gallons per EDU, and an ultimate build-out potential of one hundred twenty five (125) EDU's from the existing Ocean Pines Sanitary Service Area. Construction of the proposed facilities is expected to begin in late 2013 with completion within one hundred twenty (120) days from commencement of construction.

3. The phased approach as recommended in the staff report will be followed, whereby phase one properties connect upon the completion of the extension of lines to the Ocean Pines Sanitary District and that phase two properties will have extensions occur in the future as the needs of the owners arise due to redevelopment and/or failure of their existing systems.
4. The proposed construction costs for Phase One will be borrowed from the Worcester County General Fund and will be repaid with an up-front local share (one-time payment) from the users within the phased area. The equity contribution (the actual capacity) for the subject properties in Phase One will be financed by the Ocean Pines Sanitary Service Area with a term of fifteen (15) years and an interest rate of 3.25%. The equity contribution will be paid through a quarterly payment per EDU of capacity needed by the owners identified in Phase One of the service area.


PASSED AND ADOPTED this 5th day of November, 2013.

ATTEST:



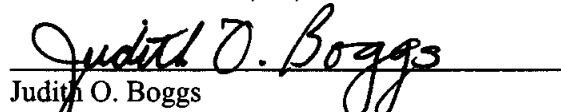
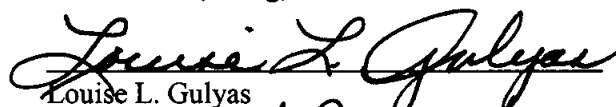
Harold L. Higgins
Chief Administrative Officer

WORCESTER COUNTY COMMISSIONERS


James C. Church, President

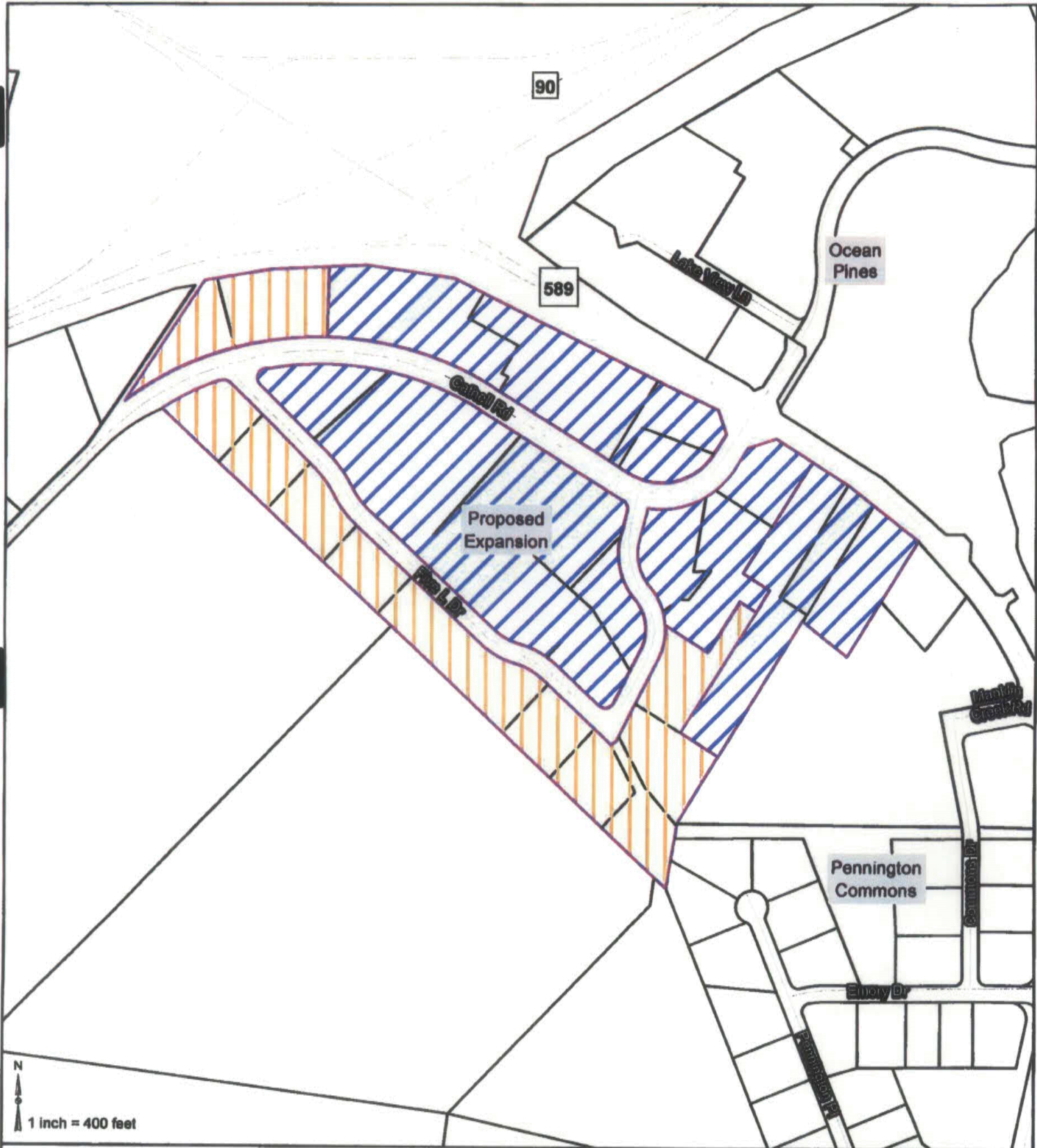
Absent

Merrill W. Lockfaw, Jr., Vice President



Judith O. Boggs
Madison J. Hunting, Jr.
Louise L. Gulyas
James L. Purnell, Jr.

Absent

Virgil L. Shockley



N
1 inch = 400 feet

-  Phase I
-  Phase II



Pines Plaza Commercial Sanitary Service Area Phasing Plan

Prepared by Worcester County Department of Development Review and Permitting, October 28, 2013.
 Source: 1994 Comprehensive Water and Sewerage Plan, Worcester County, 1994 (as amended).
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