

AS AMENDED ON JULY 23, 2018  
RESOLUTION NO. 2851

**A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, PURSUANT TO SALISBURY CHARTER PROVISION 14-1, ET SEQ., DETERMINING THAT REPAIRS TO THE STORMWATER MANAGEMENT SYSTEM WITHIN THE EIREANN MHOR SUBDIVISION CONFERS SPECIAL BENEFITS UPON THAT SUBDIVISION AND ITS OWNERS AND DETERMINING THAT A SPECIAL ASSESSMENT IS APPROPRIATE UNDER THE CIRCUMSTANCES.**

WHEREAS, Salisbury Charter Section 14-1 permits the levy and collection of special assessments from property specially benefited by public improvement; and

WHEREAS, the City Council has considered the recommended and necessary stormwater management repairs within the Eireann Mhor Subdivision; and

WHEREAS, Eireann Mhor Homeowner's Association, Inc. has requested that Eireann Mhor lot owners be assessed for the costs of the necessary stormwater management area repairs and has approved the needed work through the Department of Infrastructure and Development and the Department of Procurement; and

WHEREAS, the City Council has determined that the Eireann Mhor Subdivision is a special assessment district which will receive special benefit from the stormwater management system repair work; and

WHEREAS, the City Council has set a public hearing date prior to completion of the special assessment procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT the stormwater management system repair work necessary to remedy the problems identified in a recent City of Salisbury inspection report (November 9, 2016 inspection) is determined to be a public improvement which confers special benefits upon the 152 lot owners in Eireann Mhor Subdivision in the amount expended up to Twenty Four Thousand Dollars (\$24,000.00), and the Council has determined the per lot assessment due shall be \$158.00, collectable in one installment ~~by a~~ **on the** real property tax bill.

AND BE IT FURTHER RESOLVED that the Council hold a public hearing, after notification pursuant SC-14-2 on August 13, 2018, at 6:00 o'clock p.m. in the Council Chambers at the City-County Government Office Building to receive public comment on the special assessment.

The above resolution was introduced and duly passed at the regular meeting of the Council of the City of Salisbury held on this 23<sup>rd</sup> day of July, 2018, and shall become effective immediately upon adoption.

ATTEST:

  
Kimberly R. Nichols, City Clerk

  
Muir Boda, Vice-President  
Salisbury City Council

APPROVED BY ME THIS 6<sup>th</sup> day of AUG, 2018.

  
Jacob R. Day, Mayor



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator  
From: Amanda Pollack, P.E., Director of Infrastructure and Development *AP*  
Date: June 15, 2018  
Re: Eireann Mhor Stormwater system maintenance and special assessment

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The Eireann Mhor subdivision had been experiencing flooding and large areas of standing water (> 48 hours). In November 2016, the City conducted an inspection of the Eireann Mhor subdivision stormwater system and subsequently issued the attached Notice of Violation citing maintenance needed to the subdivisions stormwater swale and outfall. The Eireann Mhor Home Owners Association (HOA) had not been collecting any reserve funds for infrastructure owned by the HOA, such as their stormwater system. The HOA consists of 152 property owners.

Following the initial Notice of Violation, the HOA obtained an independent quote for stormwater maintenance that exceeded their financial capability. In May 2017, the HOA petitioned the City to assist with the required maintenance. At the time, the Department of Public Works proceeded on the basis that cost of repairs would be fronted by the City and then reimbursed through collections from the property owners via a Special Assessment to be placed on the tax bill. This process is in accordance with City Code 13.28.100.B.3.

In August 2017, the Department of Infrastructure and Development (DID) developed a scope of work for the maintenance items and received quotes. The HOA preauthorized funding of \$20,000. Bid received greatly exceeded the HOA budget. The City received three bids ranging from \$124,000.00 to \$177,573.20. After the initial bids came in high, DID and the HOA met numerous times to revise the approach to include a phased, multi-year solution. DID recommends the HOA complete necessary maintenance to restore effectiveness of the Eireann Mhor stormwater system within three years. The estimated total necessary maintenance is \$125,000.

In April 2018, bids were received for a reduced scope of work through RFQ 14-18. Four bids were received and ranged from \$44,517.00 to \$175,843.00. DID negotiated with the low bidder to further reduce the scope of work for the first phase of restoration to be under \$24,000.00 (\$158.00 per property). The HOA is satisfied with the scope and fee, per the attached letters dated April 24, 2018 and May 4, 2018. DID worked with the Legal Department to prepare the attached resolution and ordinance for Council review.

Unless you or the Mayor has further questions, please forward a copy of this memo, the Ordinance and the Resolution to the City Council.



**INSPECTION REPORT SHEET FOR STORM WATER MANAGEMENT FACILITIES**

Legend: AC Acceptable X Not Acceptable  
NC Not Complete NA Not Applicable  
C See "Comments" NI Not Inspected  
 Section for Explanation

Facility Name: Eireann Mhor Subdivison Date Approved: 10-12-90  
 (As-Built)

Street Address: Galway Circle and Limrock Court

Latitude: 38° 20'11''N Longitude 75° 35' 58''W District: 08 Map: 0117 Parcel: 0182A

Owner/ Address: C/o Larry J Causey & Sons, P.O Box 1411

Type of Facility: Retention swale and outfall structure

Maintenance Agreement Complete?  YES  NOT APPLICABLE

Project ID #: Eireann Mhor Sub.

Date of Agreement: 3/26/90 Liber/Folio: 1217/0166

Watershed Code: 02130301 Drainage Area: 6.81AC IMP Acres: \_\_\_\_\_

TOT Drain: 6.81AC CON Purpose: NEWD ADC Map: 22A3 Built Date: 10/12/90

Pictures Taken:  YES  NO

Inspection

Inspector's

Date: 11/9/16  Part.  AsB,  1 yr.,  3 yr. Name: Kevin Moran Initialed: KWM

Routine

1. Vegetation Condition

- AC A. Embankment slopes & reservoir bottom completely covered with live vegetation.
- AC B. Grass cut (or crown vetch uncut).
- X C. Embankment erosion occurring.
- AC D. Thistle, multiflora rose, noxious weeds, etc.
- AC E. No trees on or within 15 ft. of the toe of slope of a fill embankment, within a 25 ft. radius from control structure, or along fence line.

2. Fencing and Public Access

- NA A. Fencing upright and intact.
- NA B. Fence gate in place & locked – public access to reservoirs denied.
- NA C. Unauthorized vehicular access to maintenance roads and ramps denied.
- NA D. Fence crossing ES complies with standards.

3. Principal Spillway (Pipe Outfall)

NA A. All parts of metal riser and exposed metal pipes bituminous -coated. Corrosion in barrel invert?  
(Check one)

- NA 1. Bituminous coating intact
- NA 2. Bituminous coating gone, no rust
- NA 3. Rusted invert
- NA 4. Rust holes in pipe
- NA 5. Rust holes in pipe with visible voids
- NA 6. Joint failures, open joints

NA B. Trash racks undamaged and in place.

NA C. Riser and anti-vortex device in place and in good condition.

NA D. Riser openings correctly sized, without trash or sediment collected.

AC E. Proper earth cover over pipes maintained. Barrel is not exposed.

NA F. Minimum 1 ft. between anti-vortex device and embankment slope.

NA G. Riser, low-flow pipe and barrel free of debris and sediment.

4. Emergency Spillway (Weir in Embankment)

- NA A. Completely stabilized (vegetated, gabions or rip rap).
- NA B. No settlement or erosion in inlet, level section or outlet section.
- NA C. Correct dimensions and elevations maintained (see "As Built" plans).

5. Embankments

- NA A. No uneven settlement of embankment top; top remains at "As Built" elevation.
- NA B. Embankment stable-no apparent sloughing or sliding.
- NA C. No cracking in embankment.
- NA D. No seepage at toe of downstream slope or wet area.
- NA E. Rodent holes in embankment.
- NA F. Holes adjacent to control structure or over barrel indicating piping or joint failure.

6. Outfall Channels

- AC A. Outfall channels properly stabilized.
- X B. No siltation of outfall channel; no trash in channel.
- X C. No erosion in channel/swale downstream of stabilized channel.
- X D. Velocity breakers in place as designed and approved.

7. Reservoir Area and Pilot Channel

- NA A. Pond bottom dry 24 hours after end of rainfall (dry pond only)
- NA B. Pilot channel stabilized & unsilted or incoming pipes/channels stabilized & intact.
- NA C. Flow from pilot channel can enter riser
- NA D. Stone in extended detention device is not silted
- NA E. No erosion adjacent to pilot channel stabilization.
- X F. No trash or debris dumped in reservoir area.
- NA G. Dimensions are the same as approved for "As Built" plans.
- AC H. No apparent dumping of liquids other than storm water has occurred.
- X I. Significant sedimentation has not occurred.
- AC J. No filling or excavation has occurred without grading/building permit.

8. Evidence of Overflow

- X A. Uncontrolled release over pond or infiltration pit, embankment or over curb.
- X B. Too much ponding in areas of parking lot, roof or underground storage.
- X C. Reports of flooding and/or excessively wet conditions downstream.

9. Porous Paving

- NA A. Paving clean and uncoated.
- NA B. Signs posted indicating area as porous-paved.
- NA C. Overflow storm drain system in good operating condition.
- NA D. No evidence of uncontrolled release or downstream flooding.

10. **COMMENTS OF INSPECTION:**      **WEATHER:** Clear Cool, Low 60's

1. Stormwater outfall located at the Southwest corner of the development was observed to be completely blocked with leaf debris and trash. This blockage during a recent major rain event caused the stormwater to overflow into adjacent property (Parcel 3276) and damaged a previously re-constructed Stormwater Basin.

2. The swale leading to the outfall structure was observed to be choked with leaves, grass clippings and trash. Periodic maintenance is required to prevent the blockage of outfall structure.

11. **Description of needed maintenance and/or corrective action**

**COMMENTS:**

- 1) Clean debris and trash from swale leading to outfall structure.
- 2) Trim back tree branches over swale to allow for ease of swale maintenance.
- 3) Clean out basin around outfall structure.
- 4) Establish stone check dams in swale leading to outfall structure.

INSPECTOR SIGNATURE / DATE Kerrin Moran 11/10/16

S:\Public\_Works\Technical Services\Forms\Storm Water\Stormwater Inspection Form-Master.doc

Revised 10.17.16

**EIREANN MHOR HOMEOWNER'S ASSOCIATION, INC.**  
**P.O. BOX 1411**  
**Salisbury, MD 21802**  
**eireannmohrhoa@yahoo.com**

April 24, 2018

City of Salisbury  
Department of Public Works  
C/O Charles Kulp, Project Engineer  
125 N. Division Street  
Salisbury, Maryland 21801

Dear Sir,

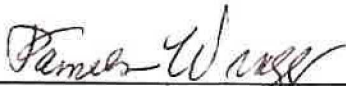
This letter is intended to communicate the Eireann Mhor Homeowners Association, Inc.'s formal request to have the City of Salisbury assist in the repair and maintenance of the community's storm water drainage facilities.

We request the following actions be performed by the City of Salisbury on behalf of the Eireann Mhor Homeowners Association (EMHOA):

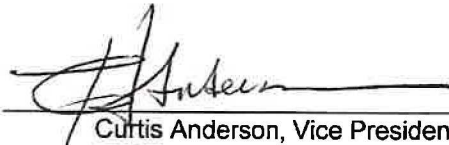
- Bidding of the project as detailed in the attached **Scope of Services** and mutually agreed upon by the EMHOA and the City of Salisbury.
  - The EMHOA estimates the total cost of the project will range between \$15,000 - \$20,000. We request further consultation should the obtained bids exceed the cost estimate.
- Billing of the project through special assessments allocated equally to each homeowner within the Eireann Mohr Development.
  - The EMHOA has reserved \$5,000 to be utilized towards the total project cost. We request the remaining balance be billed through the special assessment.
  - We request the special assessment be allocated over a period of one year (i.e. four quarters with the City's water/sewer bill) to migrate the financial burden on homeowners.

This formal request is hereby authorized via signatures by the current Board Members of the Eireann Mohr Homeowners Association, Inc.

Thank you.




Pamela Wragg, President



Curtis Anderson, Vice President



Linda Ames, Board Member



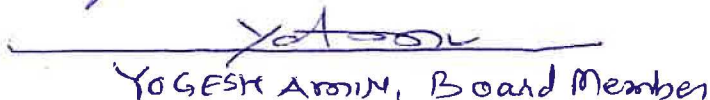
Flo O'Dell-Barnes, Board Member



Jackie Cox, Board Member



Kraig Ames, Board Member



YOGESH ARORA, Board Member



**EIREANN MHOR HOMEOWNER'S ASSOCIATION, INC.**

**P.O. BOX 1411**

**Salisbury, MD 21802**

**eireannmohrhoa@yahoo.com**

May 4, 2018

Mr. Charles F. Kulp, Project Engineer  
Department of Infrastructure and Development  
City of Salisbury  
125 N. Division Street  
Salisbury, MD 21801

Dear Mr. Kulp,

This letter serves as a summary of the items discussed as per our meeting on Wednesday May 2, 2018. It also outlines what was understood and agreed to by the Eireann Mhor Homeowners Association (EMHOA) board members in attendance (Pamela Wragg, Flo O'Dell, Kraig Ames and Curtis Anderson).

The EMHOA agrees to and understands that:

1. The recommended contractor, CHESAPEAKE TURF,LLC of 5652 N. Nithsdale Dr., Salisbury, MD, is to perform the work and enter right-of-ways of the Eireann Mhor properties as necessary to perform the outlined work in the amended and quoted upon Statement of Work.
2. The budget amount of not to exceed \$24,000 to perform all Line Items 101-106 except Line Item 105.
3. Line Item 105 may be performed considering two options: Option 1, perform in full except for not grading the bank to the original 4:1 ratio to use up the rest of the \$24,000 budget amount; or, Option 2, perform only as much linear-foot (LF) work until the \$24,000 budget cap is reached (estimated at 340 LF of the original 1,100 LF).
4. The \$24,000 will be billed on the annual tax assessment (Special tax assessment) and not the water/sewer bill.

Thank you, Mr. Kulp, for your careful consideration and cordial cooperation.

Sincerely,



Pamela Wragg,  
EMHOA Board President



# Wicomico County Health Department

108 East Main Street • Salisbury, Maryland 21801

Lori Brewster, MS, APRN/BC, LCADC • Health Officer



## MEMORANDUM OF UNDERSTANDING - FISCAL YEAR 2019 WICOMICO COUNTY HEALTH DEPARTMENT and SALISBURY FIRE DEPARTMENT

### I. BACKGROUND

The Wicomico County Health Department (WiCHD) received funding from the Maryland Community Health Resource Commission (MHCRC) in the amount of \$90,000 for the Salisbury Wicomico Firstcare Team (SWIFT). The program is comprised of a team that includes a Salisbury Fire Department emergency medical technician (EMT), a nurse practitioner, and a Peninsula Regional Medical Center registered nurse to conduct welfare checks, case management, safety planning, prescription reviews, and referrals for frequent utilizers of 911 EMS for non-emergency reasons.

### II. AGREEMENT

The following agreement is entered into on this \_\_\_\_ day of \_\_\_\_\_ 2018, by and between the Wicomico County Health Department (WiCHD) and Salisbury Fire Department (Contractor) regarding payment of personnel and equipment as needed by the SWIFT EMT and sets for the following deliverables:

#### Contractor agrees to:

1. Provide a city owned vehicle equipped with basic life support equipment. The assigned EMT and RN/NP shall meet at a pre-arranged SFD location.
2. Notify WiCHD of regularly scheduled Quality Assurance/Quality Improvement Committee meetings.
3. Provide data on program participants and program outcomes when requested.
4. Provide notification to WiCHD prior to the purchase of any equipment.
5. Invoice WiCHD quarterly for no more than \$ 12,500 /quarter for personnel and equipment. Invoices should be addressed to:

Wicomico County Health Department  
ATTN: Lori Brewster or Cathey Insley  
108 East Main Street  
Salisbury MD 21801

#### All invoices must include:

1. Invoice date;
2. Vendor name, mailing address and tax ID number;
3. Itemized list of services provided;
4. Total amount due.

**The Wicomico County Health Department agrees to:**

1. Provide a part time nurse practitioner if PRMC is unable.
2. Participate in Quality Assurance/Quality Improvement Committee meetings.
3. Provide data analysis and referrals to additional programs and services when requested.
4. Review all equipment purchase requests within 24 hours.
5. Pay Contractor up to \$ 12,500 /quarter for personnel and equipment once invoices are received.

Neither party to the Memorandum of Understanding shall be deemed the agent, servant, or employee of the other, nor shall this agreement be construed as a contract to procure goods or services under the laws of the State of Maryland.

This agreement will terminate on June 30, 2019 or by providing ten (10) days written notification by either party.

**III. SIGNATURES ACKNOWLEDGING AGREEMENT**

**For the Wicomico County Health Department:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

Printed Name: Lori Brewster, M.S., APRN/BC, LCADC

Title: Health Officer

**For the Contractor:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

Printed Name: Jacob R. Day

Title: Mayor, City of Salisbury