

**Open Work Session**  
**Surplus Property**  
**May 21, 2019**

Mr. Weston Young, Assistant Director of Administration, came before Council, and reported, in August of last year, prior to the election, he presented these properties to Council for consideration to be declared surplus. He said he, basically, has the exact same presentation with a date change on the first slide regarding some detail about each property. He clarified, no details have changed, other than the Law Department has reviewed them, and found nothing tied to them that would make it tricky to sell.

Mr. Young said, just to refresh everybody with some history, after several conversations came up in discussions with Council, he reviewed all County-owned property, and tried to determine the current use, whether there is a planned purpose, and whether they need it long-term. He said they are not likely to part with property acquired around a County facility, such as the landfill or Airport. He said he tried to identify parcels that had no use, and could potentially be sold. He said these properties presented were the low hanging fruit, and most were acquired from a tax sale years ago and have just been sitting on their rolls, so they would be better off parted with and put on the tax rolls. He said he had Planning and Zoning provide a brief review of each parcel. He said they have identified these 12 properties as low hanging fruit, but there are a handful more they plan to go through.

Mr. Young said the first property is 233 Naylor Mill Road. He said it is a little over an acre, and it is his understanding that the original purpose of this lot was for extending Northwood Drive. He said that development never occurred, and they see this as a property they can part with. Referring to his slide, he said this image shows what is four parcels total, and the one highlighted in yellowish-green is the one in question, 601 Delaware Avenue. He said his understanding is these were all tax sale properties that were obtained, and have sat on the County books. He said the next property is 504 Woodlyn and 506 Woodlyn, and they are all adjacent to each other, and he will come back to the other one on Delaware Avenue shortly. Referring to his slide, he showed 700 Rose Street, and said this is another residential lot from a tax sale. He then showed 1802 Mt. Hermon Road, and said one thing to note is, when they use their GIS mapping, the lines are not always as accurate. He said this does not include a driveway, so somebody does not have a driveway through County property. He said he does not know the background as to why the County obtained this property, but they do not have any potential use for it. Mr. Holloway said his understanding is that, at one time, there was talk of connecting that property around to Gunby Road, but it never happened. Mr. Young said, if the County believes they will have a future road, it is smart to acquire the property they need to do that, but, given that does not seem to be the case, they feel this is property they can part with.

Mr. Young said the next parcel is another where they questioned the boundary a bit, but it is 2515 Old Ocean City Road. He said it is a little bit of a distance off Old Ocean City Road, and, again, he is not sure, but he believes this was acquired during the development of the extension of Beaglin Park Drive, and it is no longer needed. Mr. Dodd said he was wondering whose property that was because he sees motorcycles and ATVs cutting through there all the time, to which Mr. Young responded, again, the County owns that highlighted portion. Mr. Dodd asked who cuts the grass because it is always overgrown, to which Mr. Young responded, they probably do not have anybody cutting that grass. Mr. Holloway asked if there is something being built across the road from there, to which Mr. Young responded, a power facility substation. Mr. Holloway said he was probably the one who brought it up about the County owning too many properties, but, at some point in time, they are going to be talking

about water and sewer in that area, but he does not know whether that is something big enough for any project the County would use, to which Mr. Young responded, they will have to look at possible chlorine plants, and small injector sites if they try to take municipal water too far. He said, if it is something the County is managing, such as sewer, and need space for drip irrigation, they would probably need that whole farm field to the east if they were to propose something, but that is also prime development land.

Mr. Young said he does not have an aerial photo for the next property, but he does have an old hand-drawn plat from the Barren Creek property. He said the property to the left of the drawing is what was known as the Suggs property the County acquired. He said they acquired all of what is shown here, and they have since subdivided it, and sold the house. He said, on the right, they can see a little piece of land known as parcel 3, which is not accessible from public right of way. He said it is attached to property, and is just a small bit of land that the adjacent property owner contacted the County about showing interest in buying it. He said it is small, unusable land in that location. Mr. Kilmer said, if they go forward with this, they will be disposing of these properties on this list, and that would be one of them. He then asked if it has to be sold, or can some of it be traded. He clarified, if the County needs a little bit of property for the road, there may be a need for it, and it might be useful to swap that out with some of the areas right there. He then asked if it can be sold, or would this Legislation allow a swap of something that would work out for the County, to which Mr. Young responded, in this case, he looked into that to see if there was a right of way that they needed in that area. He said it had been some time ago, and he cannot recall, but nothing comes to mind in terms of the County needing that additional right of way. He said that is something they could consider, and get approval from Council if they see potential for that. He said he thinks the way the Resolution was drafted was to give some flexibility in terms of how they part with these parcels. He said they are going to be seeking optimum compensation for each, and the tax sale properties will probably be good candidates for that. He said, for a property like this, there is probably only one buyer who would buy it.

Mr. McCain asked, from a process standpoint, is there any policy they have to follow? He clarified, once it is declared surplus, does the Executive Office have the ability to sell it to a neighboring property owner, or do they have to publically make it available, to which Mr. Taylor responded, he thinks what they will have to do is, when they do the surplus Resolution, they will have to make a decision as to auction or private sale on each parcel. He said, looking at the County Code on that, he and Mrs. Hurley worked up a Resolution for the Barren Creek property last year, and hopefully can keep some of the advertising costs down. He explained, between the County Code and the State Code, they figured they would have to advertise five times. He clarified, if they did not try to overlap them, they would have to advertise five times to sell each property. Mr. McCain said that seems kind of ridiculous because the bulk of these they have been talking about are nominal in value, so they could spend more on advertising than they are worth. Mr. Taylor said, for example, the piece they are talking about right now might be one where they just do a private sale or swap, if that could be done, but, with other parcels, they might want to definitely go the auction route, and that is something to think about for both Mr. Young and Council when they get into this. Mr. Young said the way the Resolution in the briefing book was drafted was to just give flexibility, and let them figure it out. He said, if it is not able to be sold by auction, they would go with a realtor. Mr. Taylor said they could actually do a private sale on some of them, and why go to a realtor if they know who the buyer is. Mr. Young said that is not necessarily his area of expertise in terms of selling the properties, so he would look for where they get the best compensation that also gets it back on the tax rolls, and he will be leaning on others for that direction.

Mr. Young said the next property is outside of Hebron off of Wood and Bell. He said it was a Board of Education acquisition that they parted with, and the County does not feel it is needed. He said it is about

2 acres. He said Capitola Road is another one where the GIS does not show the exact boundary, and he believes this was a tax sale acquisition. He said the property is approximately an acre, and it is not right by Clara Road, but he does not know if it is a buildable lot necessarily because that tends to be wet. He said it may be hunting property, if an acre is enough. He said this will probably be another one that an adjacent property owner would possibly want to scoop up.

Referring to his next slide, Mr. Young said this is another photo of the Delaware Avenue parcel, and the Woodlyn lots are to the south. He said it is a little bit over a half acre, and was a tax sale acquisition. He said this is described as lots 28 and 30, and is shown as one lot in GIS, but it may be two adjacent lots. Mr. Dodd asked if it fronts the road, to which Mr. Young responded, yes. He said the line it attaches to is the right of way line.

Mr. Young said Red Hill Lane is property off Nanticoke Road, and it used to be a small dredge site, but nothing like what they need when they dredge the Wicomico. He said, for a boat slip or two, his understanding is that is what this property was used for. He said it is 2.5 acres, and an adjacent property owner has reached out to the County with interest in buying, so they will have to see.

Mr. Young said those were roughly 12 of the low hanging fruit, but, as he digs through the list a little bit further, he thinks there are other properties the County can potentially part with. He said off Route 50 near Winterplace there are a lot of properties bought with Program Open Space (POS), so they need to see if there is a better use, and whether they can move those POS rights to something else. Mr. Holloway said the County has everything east of Walston Switch Road that is part of that parcel, which, basically, they have been using to rent to hunters, to which Mr. Young responded, yes. He said they have a hunting lease, and that revenue can go back to the park. He said they will look into those a bit closer as time goes on, and go from there. He said he will gladly take any questions Council has. He said it sounds like there may be some revisions to the Resolution prior to Council adoption.

Mr. Cannon asked if these sales have to go through auction with the County, or would it be permissible to just sell it, to which Mr. Young responded, if he remembers correctly, he thinks auction is default. Mr. Taylor clarified, auction is default, but then the County would have to provide two categories, either auction or private sale, and within private sale they could use a realtor, or just sell it themselves. He said some Counties do that. Mr. Dodd asked if they can start off by putting it in the hands of a realtor first, especially with the cost of advertising, to which Mr. Taylor responded, in the case of the one on Barren Creek, why would they actually waste any time on that. He said they could put it with a realtor, but many Counties just sell surplus property themselves. Mr. Holloway said, when they do sell it, they want to be conscious to make sure people in the surrounding areas, or interested parties, know about it because, after it is sold, that is when they will hear grief. He said he thinks that is the big thing.

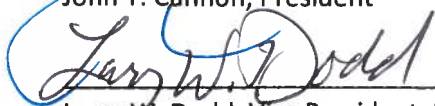
Mr. Cannon asked Mrs. Hurley where they go from here, to which Mrs. Hurley responded, the next step is to have a Public Hearing before they actually vote on the Resolution. Mr. Cannon clarified, if it comes through surplus sale, it would have to come through Council anyway, to which Mrs. Hurley responded, yes. Mr. Taylor said he noticed in some Counties when he drives by they are selling property, and they will just put a for sale sign on it, to which Mr. Holloway responded, that is probably the best way to do it. Mr. Cannon added, as long as they have the negotiating talent in the County that they do from a realtor. He said it is a big difference when bringing buyers in if the County wants to try to sell it and take the first person who walks in the door, or whether they go to a commercial realtor who then scans the universe for potential buyers. Mr. Young said, with the Barren Creek parcel 3, that is the one where he thinks a private sale to the adjacent property owner would be the simplest, cleanest way of doing it, but, with

the others, he thinks they can try to have that competitive process that lets people in the area know. Mr. Cannon said Mr. Young can use his discretion. There was no further discussion.



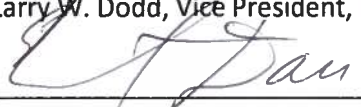
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John T. Cannon, President



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Larry W. Dodd, Vice President, District 3



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Ernest F. Davis, District 1

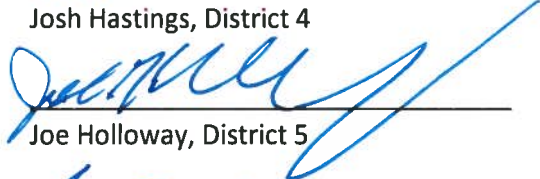
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Marc Kilmer, District 2



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Josh Hastings, District 4



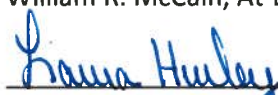
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Joe Holloway, District 5



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William R. McCain, At-Large



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Laura Hurley, Council Administrator