

Review of Actions Taken in the Washington County

Board of County Commissioners Meeting

September 9, 2003.

The Board of County Commissioners held a joint meeting with the Board of Education to discuss Fourth Quarter BOE budget adjustments, see a presentation on the School Board's Capital Improvement Program, hear a response by BOE members to proposed Adequate Public Facility Ordinance modifications, and discuss School System Bonding.

COMPREHENSIVE REZONING DISCUSSION

Interim Director of Planning and Community Development Steve Goodrich brought this informational presentation before the Board. In preparing for the proposed comprehensive rezoning of rural areas of Washington County and related amendments to the Comprehensive Plan, a joint hearing of the BOCC and the Planning Commission is scheduled for September 15th at 6 p.m. in Hagerstown Community College's Kepler Theater. Goodrich told the Board that the most significant aspect of the proposed amendments is reduced housing density in rural areas in order to conserve tax dollars spent on infrastructure, preserve the County's agricultural land and businesses, protect environmentally sensitive areas and preserve the historic and rural character of the County. 4 new zoning categories would be added, and significant changes would be made to the Agricultural zone. Modifications would also be made to the Growth Area boundaries. Where no public water and sewer is available, the Agricultural (Rural) District would allow for one dwelling per 5 acres of land owned, the Environmental Conservation District would allow 1 dwelling unit per 20 acres of land owned, and the Preservation District would allow one dwelling unit per 30 acres of land owned. A table of land use regulations was reviewed. Goodrich presented the Board with binders containing written comments from citizens collected since the series of public meetings on the zoning changes was held across the County this summer. Several changes to proposed map amendments have been made using suggestions from that public comment, Goodrich said. New zoning categories reviewed included Rural Village, Rural Business, and Rural Business-New. Goodrich said that existing businesses in rural areas will continue to operate, and provisions have been made for change of use in businesses, and for businesses starting up. Next week's joint hearing will also serve to gather additional comment from the public. Sign-up sheets will be available at the door and citizens will be allowed to speak for 3 minutes.

NATIONAL REGISTER NOMINATIONS

Goodrich also brought four Washington County sites recommended for listing in the National Register of Historic Places before the Board for approval. The County Historic District Commission has endorsed the

four, and the County, acting as the Certified Local Government must approve the applications before they can move forward in the state and national process. The Leitersburg Historic District was proposed due to its qualifications under National Register Criteria as property associated with historic events, and as property that embodies an important role in the settlement and development of Washington County. Goodrich told the Board that several properties in the Leitersburg area do not add to the historic nature of the area, and these are excluded from any criteria imposed under a Historic District. Property owners may choose to accept tax credits for participation in a Historic District, or may elect to opt out. If any state or federal funds are used in rehabilitating structures, Historic District requirements would apply, Goodrich said. Rockledge, a site off Leitersburg/Smithsburg Road qualifies due to the four historically significant buildings located there that represent building traditions from the 19th century. The Daniel Donnelly House on Falling Waters Road was at the center of the Battle of Falling Waters in the Civil War, occurring during the Confederate retreat from Gettysburg. The Kefauver Place, off Park Hall Road qualifies due to representation of establishment, development and changes over the years of a typical subsistence farm of the region. Several structures exist on the site, including a log cabin. Owners of the properties appeared, and all commented favorably on the Historic Register plans. The measures were approved by unanimous vote.

COMMISSIONERS RECOGNITION

Commissioners' President Greg Snook gave the County's condolences to Vicki and Marty Lumm, on the loss of their son Kevin to Batten Disease in August. County employees donated \$1,056.00 to the Batten Disease Support and Research Fund. Marty Lumm thanked Department of Public Works Executive Assistant Tina Rupert for organizing the fund drive, and thanked the County for help to his family through the employee benefit program. Vicki Lumm serves as Legal Secretary in the office of the County Attorney.

CITIZENS PARTICIPATION

Each week the Board of County Commissioners sets aside time to hear from citizens of Washington County on matters of importance to the community.

Developer Dominic Perini commented on the Urban Growth Area and development issues.

Carrie Gouff and Robin Biser of the Smithsburg/Cascade area discussed issues pertaining to the Fort Ritchie Gymnasium and the PenMar Development Commission board.

Denise Troxell of Boonsboro commented in support of the comprehensive rezoning plan and on water quality issues in the area.

OTHER BUSINESS

County Administrator's Comments: County Administrator Rod Shoop requested additional meetings of the Board to discuss the Adequate Public Facilities Ordinance. Work sessions may be held on Thursdays later in the month. The Greater Hagerstown Committee is hosting a meeting for area elected officials on Thursday afternoon at the Washington County Museum of Art, Shoop reported.

INTERGOVERNMENTAL PURCHASE: PROTECTIVE EQUIPMENT

County Purchasing Agent Karen Luther and Emergency Services Department Director Joe Kroboth requested approval of an intergovernmental purchase with the Arlington County, Virginia for protective equipment. The bid is with Allsafe/MES of Williamsport, in the amount of \$59,089.50. Kroboth told the Board that the funding is from the federal Domestic Preparedness Grant, and is providing for various equipment items for Emergency Services Bioterrorism protection. The bid calls for 219 full face respirator masks, 648 respirator filter canisters, and 311 Mask to filter adapters. The Arlington bid is at 25% below list price for the items. Maryland law allows for local jurisdictions to "piggyback" on bids by other government entities. Items over \$25,000.00 must be approved by resolution. The measure was approved by unanimous vote.

BID WITHDRAWAL: JANITORIAL SERVICES

On August 26, 2003, Kaleidoscope Cleaning Company of Westminster, Maryland was awarded a bid for janitorial services at the 40-West Landfill office in the amount of \$2,880.00. That company has since withdrawn its bid, stating that it thought it would have received other parts of the multi-facility bid for services to County buildings. Luther recommended the award go to Global Services Corporation of Columbia, Maryland, in the amount of \$4,882.40. Global submitted the low bids for all other county sites. That bid was some \$2,002.40 higher than Kaleidoscope's bid, and Luther asked the Board to approve sanctions against that firm in the amount of the bid difference. The low bid award and the sanctions were approved by unanimous vote.

INTERGOVERNMENTAL PURCHASE: COMPUTER SERVERS

Luther and Information Technologies Director Ron Whitt requested authorization to purchase two Dell Poweredge computer servers from Dell Computer/Marketing Corporation of Round Rock, Texas at a total cost of \$53,126.00 on an intergovernmental cooperative purchase with the Western States Contracting Alliance (WSCA). The County has been purchasing Dell PC computers through this bid for over two years. Government organizations in 30 states purchase equipment from this contract. The

equipment will assist in the upgrade of comprehensive financial and human resources software by the PeopleSoft Corporation. Items over \$25,000.00 purchased in this manner require approval by resolution of the Board. The measure was approved by unanimous vote.

ON BEHALF OF (OBO) HOUSING BOND ALLOCATION

Community Development Administrator Joe Kuhna brought this item before the Board for approval. Each year the state allows local governments to partner in a state-wide bond pool for first-time home buyers. Counties can then transfer allocations to the state to issue bonds for housing programs. The County has historically used this allocation to participate in the Maryland Mortgage program for low-interest loans to first-time home buyers. Kuhna told the Board that this year's allocation is \$3,510,000. The measure was approved by unanimous vote.

APPROVAL OF MARYLAND AGRICULTURAL LAND PRESERVATION EASEMENT

Agricultural Preservation Administrator Eric Seifarth brought this request before the Board, to approve an agricultural preservation easement payment on the Arthur Litton

Property located off Maryland Route 57 near Clear Spring. The request is for a \$71,309.99 payment from a total easement cost of \$288,000.00 and allowing Litton to be able to accept the payment in a lump sum or two annual payments, for tax purposes. The property was appraised at \$330,686.62, and the state is only willing to pay \$216,690.01. The owner is willing to accept a discounted price of \$288,000 and the county would make up the difference between those sums. The measures were approved by unanimous vote.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Dori Nipps reported that the Recreation and Parks Board (RPB) reviewed Board of Education proposals that would increase the fees for use of school facilities including gymnasiums and playing fields. Costs to the County would increase from \$172.00 per year to around \$16,000 per year. The RPB did not endorse the fee schedule, Nipps said. Washington County supplies personnel hours in scheduling activities at all school facilities, at a cost of approximately \$14,000 per year. In addition, the County has provided Program Open Space funds for projects such as the Gymnasium at Hancock High School, renovations of track facilities at Boonsboro High School, and performs maintenance on all tennis courts located on school grounds. Nipps said that a Joint Use Agreement between the Board of

Education and the County, signed in 1997, relieves the County of any expense as regards use of school facilities.

Commissioner Bill Wivell told the Board that at the recent PenMar Development Commission meeting an extension to the International Masonry Institute for a lease/purchase agreement was discussed. Wivell also raised a question on High Rock Road safety issues.

Commissioner Jim Kercheval saluted the Maugansville Good Will Fire Company on its 75th Anniversary of service to Washington County. The Cultural Heritage Museum committee is looking at a number of possible locations for a facility. The United Way Day of Caring benefited Girls, Inc. through county employee's volunteerism, Kercheval said. The County Planning Commission approved site plans for the Federal Express Ground facility, and a new Longhorn Steak House restaurant at Monday night's meeting. That body also denied the St. James Village-North developer's appeal to remove tennis and basketball courts and a nature trail from that development plan, Kercheval reported.

Commissioners' President Greg Snook told the Board that Senators Mikulski and Sarbanes have included \$300,000.00 in support for the Smithsburg Library in a bill now before Congress. The Maryland Municipal League local chapter will meet in Keedysville on September 22nd, and the Alsatia Mummer's Parade will take place on Saturday, November 1st. The first activation of a Foreign Trade Zone site in Washington County has taken place, at Hagerstown Regional Airport by Bowman Development, Snook said.

FIRE/RESCUE ASSOCIATION PROPOSAL: FIRE TAX

Emergency Services Department Director Joe Kroboth and Washington County Volunteer Fire and Rescue Association (WCVFRA) President Jason Baer brought this issue before the Board. WCVFRA stations are funded in a variety of ways, through tip jar proceeds, County direct funding, various fund-raising activities and state grants. Baer told the Board that those fundings do not go far enough, and that additional funding is needed for paid personnel. Baer asked for Commissioners' support to request enabling legislation from the Maryland General Assembly to enact a Countywide Emergency Services Fee Structure. Baer said that current county and state contributions make up 50% to 90% of fire and rescue companies budgets, depending on the size of the company and its volume of emergency calls. The endeavor would require establishment of a task force to evaluate details and issues involved, Baer said, but at the same time, enabling legislation should be pursued with the local delegation. "We are at a point of last resort," Baer said, and stated that the Fire/Rescue Association has always advocated volunteerism, but at times companies lack the personnel to answer calls. Career personnel are also needed, Baer said. Commissioner John Munson raised the issue of increased accountability to the County, should operations be funded entirely by fees. Baer said the Association would welcome auditing by the County. Commissioners' President Greg Snook said that the delegation would have to be included in any task force set up to study the issue, and that the Commissioners would take the matter under advisement and issue a report within 30 days.

CERTIFICATE OF MERIT: MARY ELLEN WALTEMIRE

The Board of County Commissioners presented a Certificate of Merit to Mary Ellen Waltemire of the Maryland Cooperative Extension office for her years of service as County Extension Director for the past 17 years. (See photo.) Waltemire has been promoted to Interim Regional Extension Director, and will assume new duties with the Extension at its offices on Keedysville Road. In presenting the honor, Commissioners' President Snook commended Waltemire's leadership and dedication in the position. Waltemire introduced Lynn Little as interim Extension Director for Washington County.

ENGINEERING REVIEW FEES

Director of Public Works Gary Rohrer and County Chief Engineer Terry McGee brought this issue before the Board for discussion. In June, the Board approved addition of two new positions within the Engineering Department, to be funded through revised Engineering Review Fees. The structure supports all growth-related operating expenses within that department attributed to the current building boom. Action on the measures was postponed in July, with some Commissioners calling for additional time for review. Rohrer told the Board that the fees address General Fund expenses, and would relieve general tax spending in the department. The issue was discussed on August 26th, and additional information was requested on that date. Rohrer presented information from updated spreadsheets on the original staff recommendation, and requested establishing the fees to pay for the new positions. The Board discussed various aspects of the proposal and requested an additional week to review the information.