

Terry L. Baker, *President*
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BOARD OF COUNTY COMMISSIONERS
August 28, 2018
OPEN SESSION AGENDA

- 09:00 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE
 CALL TO ORDER, *President Terry L. Baker*
 APPROVAL OF MINUTES – JULY 24, 2018 and AUGUST 7, 2018
- 09:05 A.M. CLOSED SESSION
(To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; to consider the acquisition of real property for a public purpose and matters directly related thereto; and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.)
- 10:00 A.M. RECONVENE IN OPEN SESSION
- 10:05 A.M. COMMISSIONERS' REPORTS AND COMMENTS
- 10:15 A.M. REPORTS FROM COUNTY STAFF
- 10:25 A.M. CITIZENS PARTICIPATION
- 10:35 A.M. WASHINGTON COUNTY COMMUNITY COALITION REQUEST FOR SUPPORT –
Paul Frey, President, Washington County Chamber of Commerce, and Jim Kercheval, Executive Director, Greater Hagerstown Committee
- 10:45 A.M. RECOGNITION OF THE 2018 CULTURAL EXCHANGE MENTORING
PROGRAM – *Brittany Higgins, Public Relations Coordinator, Public Relations & Marketing, and Arthur Hicks, Founder, Cultural Exchange Mentoring Program*
- 10:55 A.M. MARYLAND AVIATION ADMINISTRATION STATE GRANT – *Tina Wilson, Senior Grant Manager, Office of Grant Management, and Phil Ridenour, Director, Hagerstown Regional Airport*
- 11:00 A.M. PUBLIC HEARING SECTION 1-108 LIST – *John Martirano, County Attorney*
- 11:10 A.M. 2018-2020 EXCESS WORKERS COMPENSATION – *Tracy McCammon, Risk Management Coordinator, Health & Human Resources, and Patrick Hancock, Aon Risk Solutions*

- 11:20 A.M. REPEAL AND REENACTMENT OF THE AGRICULTURAL LAND PRESERVATION DISTRICT ORDINANCE WITH ACCOMPANYING REGULATIONS, AND REPEAL AND REENACTMENT OF THE WASHINGTON COUNTY AGRICULTURAL REAL PROPERTY TAX CREDIT ORDINANCE – REVISED LANGUAGE – *Eric Seifarth, Rural Preservation Administrator, Department of Planning and Zoning, and Chris Boggs, Land Preservation Planner, Department of Planning and Zoning*
- 11:30 A.M. PROFESSIONAL BOULEVARD PROPERTY ACQUISITION – *Todd Moser, Real Property Administrator, Division of Engineering*
- 11:40 A.M. INTENT TO CONVEY REAL PROPERTY TO WASHINGTON COUNTY BOARD OF EDUCATION – *Todd Moser, Real Property Administrator, Division of Engineering*
- 11:45 A.M. INTENT TO CONVEY REAL PROPERTY FOR 59 WINTER STREET PROPERTY – *Todd Moser, Real Property Administrator, Division of Engineering*
- 11:50 A.M. AGREEMENT OF SALE OF REAL PROPERTY – *Robert Slocum, County Administrator*
- 11:55 A.M. CONVEYANCE OF REAL PROPERTY TO ISSAC HOLDINGS, LLC – *Todd Moser, Real Property Administrator, Division of Engineering, Jim Sterling, Director, Public Works, and Scott Hobbs, Director, Division of Engineering*
- 12:00 P.M. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INGT-18-008) FOR THE HIGHWAY DEPARTMENT OF THREE (3) DUMP TRUCKS – *Rick Curry, CPPO, Director, Purchasing Department, and Jack Reynard, Fleet Manager, Highway Department*
- 12:05 P.M. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INGT-18-009) FOR THE HIGHWAY DEPARTMENT OF TWO (2) UTILITY TRACTORS – *Rick Curry, CPPO, Director, Purchasing Department, and Jack Reynard, Fleet Manager, Highway Department*
- 12:10 P.M. SOLE SOURCE CONTRACT AWARD (PUR-1400) – ROUTE MATCH FIXED-ROUTE SOFTWARE MODULE FOR USE BY WASHINGTON COUNTY TRANSIT DEPARTMENT – *Rick Curry, CPPO, Director, Purchasing Department, and Kevin Cerrone, Director, Transit Department*
- 12:20 P.M. CLEAN COUNTY INITIATIVE – CLEAN STREETS CLEAN STREAMS – *David Mason, Deputy Director, Solid Waste & Watershed Programs, Scott Hobbs, Director, Engineering Department, Alex Reed, Watershed Specialist, and John Swauger, Stormwater Management Coordinator*
- 12:30 P.M. FY2019 – COMMISSIONER GOALS – *Sara Greaves, Chief Financial Officer*
- 12:40 P.M. REVIEW OF ACCOUNTS – *Sara Greaves, Chief Financial Officer*

12:50 P.M. ADJORNMENT



Open Session Item

SUBJECT: Washington County Community Coalition Request for Support

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Paul Frey, President, Washington County Chamber of Commerce, and Jim Kercheval, Executive Director, Greater Hagerstown Committee

RECOMMENDED MOTION:

REPORT-IN-BRIEF: See cover letter on attached request

DISCUSSION:

FISCAL IMPACT: \$10,000

CONCURRENCES:

ALTERNATIVES:

ATTACHMENTS: 2018 Letter of Request and copy of last year's Community Coalition packet

AUDIO/VISUAL NEEDS: N/A



- Washington County Government
- City of Hagerstown
- Washington Co. Public Schools
- Washington Co. Free Library
- Town of Williamsport
- The Greater Hagerstown Committee, Inc.
- Hagerstown-Washington Co. Chamber of Commerce
- Visit Hagerstown (Local Convention & Visitor's Bureau)
- CHIEF (Hagerstown-Washington Co. Industrial Foundation)

Washington County Community Coalition

Lobbyist: John Favazza, Esquire Mannis Canning & Associates 410.263.7882 jfavazza@maniscanning.com

August 20, 2018

Ms. Rob Slocum
County Administrator
Washington County Government
100 West Washington Street, Room 226
Hagerstown, MD 21740

Dear Rob:

As a founding member of The Washington County Community Coalition, it is time once again to invite Washington County Government to participate in our lobbying efforts in Annapolis. Since 2005, a number of dedicated community stakeholders have joined together to advance Washington County's interests at the state level, including the CVB, the Washington County Free Library, Washington County Government, the City of Hagerstown, the Greater Hagerstown Committee, Washington County Public Schools, CHIEF, and the Chamber of Commerce.

As our community continues to change and grow, the Coalition partners see the need to supplement the work of our Delegation and help promote Washington County in Annapolis. Over the last fourteen years we've seen the value of a concerted effort to speak with one voice and be heard alongside larger, more urban areas. As a result, the Coalition's efforts have elevated our stature and helped build State support for the issues you as stakeholders bring to the table.

As in the past, the Coalition will hire a lobbyist to push our state-level agenda during the 2019 General Assembly session. In addition, we will be organizing our "Day in Annapolis" on Wednesday, January 30, 2019, where members flock to Annapolis to meet with our state decision makers to talk about our community and issues of concern. The day will conclude with a Washington County: "We Mean Business" reception, highlighting the strengths of our region and the value we bring to Maryland. The program will also keep partners posted on issues of concern throughout the year, serving as an "early warning system" for anything in Annapolis that may affect Hagerstown or Washington County.

The lobbying process starts in the summer when the Coalition partners decide on the list of community priorities; we appreciated your willingness to join us in crafting that agenda. Again this year, we will ask the partners to participate financially, and the Chamber will manage the program. The Coalition is asking Washington County Government to contribute \$10,000.

Working together, we leverage our collective voice and strengthen our case with decision makers. We hope that you will consider our invitation to participate in the Coalition and that you will work with us to include the County's priorities in the overall legislative agenda. If you have any questions please do not hesitate to contact me, and please let me know how to move forward from here.

Sincerely,

Paul Frey, IOM
Managing Partner

Community WC Coalition

Washington County Community Coalition

Urban Revitalization



The Maryland Theatre

Tourism



National Road Heritage Museum

Celebrating Leadership



Thomas Kennedy Memorial

Highway Improvements



Fatal Crash 6/29/16

Member's Packet



Washington County Community Coalition

Coalition Partners:

- Washington County Government
- City of Hagerstown
- Washington County Public Schools
- Town of Williamsport
- Washington County Library System
- Visit Hagerstown (Convention & Visitors Bureau)
- Washington County Chamber of Commerce
- CHIEF (Washington County Industrial Foundation)
- Greater Hagerstown Committee

History:

In 2005, local leaders formed the Washington County Community Coalition, an advocacy group with a two-fold mission: First, we lobby Annapolis on issues important to Washington County. Second, we educate State leaders and policy makers on the priorities, activities, and strengths of our community.

To be successful, the Coalition understands that it must go to Annapolis with “one voice.” To build this consensus, we debate the issues among ourselves and select only those on which all the Coalition partners agree. We go to Annapolis, then, with a unified message and an increased chance for success.

Once the issues are chosen and the agenda is set, the Coalition works with a team of professional lobbyists led by John Favazza of Manis Canning & Associates. The lobbying team uses our consensus agenda to develop a coordinated plan of action.

Beyond the set agenda, the Coalition uses the lobbyist as a “trip-wire” – an early warning system to alert community leaders of legislative threats to Washington County. Armed with the information, and working with our lobbyists, the Coalition partners can often resolve issues before they become problems.

Process:

The process to develop the Coalition’s agenda begins with a series of meetings to which the entire leadership of all of the Coalition partners is invited. The group begins in the summer with brainstorming sessions designed to identify issues important to our community. Over the course of several meetings, the partners trim down the list and agree on a manageable set of The Coalition’s partners research the agenda items, identify specific requests, and prepare white papers or fact sheets for the lobbyists to use as educational materials.

Program:

- Strategic lobbying program is developed for the community including priority projects and a “Watch List” of local issues of concern
- Community Leaders attend a “Day in Annapolis” during the General Assembly session to lobby State leaders on community initiatives.
- “Meet and Greet” legislators throughout the session at various special events.
- Coalition holds a legislative reception to project the “brand” of Washington County as a future area of prosperity for MD
- The Coalition receives year-round advocacy updates from our lobbyists. Lobbying team tracks and reports on local legislation. Community leaders receive advice and help as new issues or initiatives develop.

For more information contact:

Paul Frey, CEO/President
Washington County Chamber of Commerce
1 S. Potomac St. Hagerstown, MD 21740
301.739.2015 ext. 102
paul@hagerstown.org

Agenda For 2018 Legislative Session

• I-81 Widening Improvements

Phase 1 is currently underway to widen I-81 to 6 lanes from the Potomac River Bridge to Exit #1 in Williamsport. In addition, the State has allocated \$5M for the engineering and design of Phases 2 through 4, and applied for the new Federal INFRA grant to provide a significant portion of the construction funding for Phase 2, which would widen I-81 an additional 3.5 miles to the I-70 interchange. SHA's revised cost estimate for I-81 Phases 2, 3, and 4 is a total of \$291M. The INFRA grant application requested \$46M for Phase 2 – total project cost \$82M. ***We are asking the State to identify funds to construct Phase 2 in conjunction with a INFRA grant award, and create a 10-year plan to finish the widening of I-81 to the Pennsylvania line.***

• I-70/Rt. 65 Interchange Improvements

Improvements to the interchange of Interstate 70 and MD65 are needed to enhance safety, improve congestion, and increase capacity in the fastest growing retail and residential area in the County. The proposed interchange improvements include construction of a partial cloverleaf that will utilize the existing southeast loop ramp and install a new northwest loop ramp. SHA announced at the 2017 MDOT Tour Meeting that the planning phase of the project was being finalized and the proposed alternative moving forward to the design phase will be the partial cloverleaf that was recommended by the County. The construction is estimated by the County to cost approximately \$40 million and will provide capacity for years to come. It will also improve efficiency and safety by eliminating multiple stop conditions on MD 65 and improve the weave/merge conditions on Interstate 70. ***We are requesting that the State complete the planning stage, begin the design stage, and program construction funding into MDOT's Consolidated Transportation Plan.***

• Urban Improvement Project (UIP) in downtown Hagerstown

Washington County, in partnership with the City of Hagerstown, Washington County Public Schools, Maryland Theatre, University System of Maryland at Hagerstown (USMH), and private business, is supporting several key projects to revitalize Hagerstown's urban core. Projects include the expansion and renovation of the Maryland Theatre (\$13.3M), expansion of an educational complex to support Washington County Public Schools and USMH (\$22.1M for BISFA expansion), and an outdoor plaza (\$2.2M). These public/private partnerships will provide performance space, concession space, and income producing space for the theatre; space for offices, classrooms, dining areas, student housing, STEM Labs for education partners; and new commercial office space. In addition, these projects will be a catalyst for new investment in the surrounding areas, creating housing, jobs, increased tax base, and foot traffic in the urban core. The stakeholders have either secured or received commitments for \$24.6M in the form of capital & legislative bond bills, IAC school construction funding, community legacy and other State and Federal capital funding programs. ***We are asking for the State's continued support of these projects to assist in revitalizing Hagerstown's Urban core.***

• Thomas Kennedy Memorial Park

The Thomas Kennedy Center is dedicated to celebrating Hagerstown-Washington County's State Legislator Thomas Kennedy's tireless efforts in advancing religious liberty and inclusiveness in 19th Century Maryland. A memorial park is planned that will include a statue and plaza project located in current green space on East Baltimore Street across from the Congregation B'nai Abraham synagogue. The park will be dedicated to the ideals of religious freedom and tolerance and will be a cultural and educational attraction for visitors throughout the region. ***We are requesting the State support the funding request by the Thomas Kennedy Center for the construction of a Thomas Kennedy Memorial Park in Hagerstown.***

• NPS Headquarters/Visitors Center in Williamsport

Town of Williamsport has identified a key property they wish to acquire as part of their continued revitalization efforts - former site of Miller's Lumber Company. The town has been working with the NPS C&O Canal administration to provide this site for the relocation of employees from five offices to a consolidated, efficient location which is visible to the Cushwa's Basin on the canal near the Conococheaque Aqueduct. One vision for

this site would include this new office building, as well as a premier visitor center and much needed parking for the growing number of canal visitors. This convenient location would capitalize on recent canal investments underway that will soon provide the only location in North America for visitors to experience all the aspects of a working canal – ride across a working aqueduct, under a lift bridge, through a working lock, and ride/walk along a renovated towpath. If successful, 32 new jobs will move to Maryland as a result of this relocation effort with an annual payroll of more than \$2 million, and 76 positions will remain in Washington County with an annual payroll of about \$5 million. The Town of Williamsport seeks funding to assist with this project including \$850,000 in the current year in order to acquire this unique property.

• **Boonsboro National Road Museum**

The Town of Boonsboro is requesting \$100,000 in State funding (Bond Bill) to assist with the production of museum exhibits to complete the National Road Museum in Boonsboro, MD to be opened in late 2018. The museum will serve as a first-rate destination for tourists along the National Road, which was the first improved highway project in the USA, improving the economy and preserving the heritage of Boonsboro and Washington County, MD. **We are asking the State to support this bond bill request.**

• **Funding for a Mobile Crisis Team and 24/7 Walk-In Mental Health Clinic**

In 2016 legislation SB551/HB682 was passed requiring the State to develop a strategic plan that included a look at mental health crisis centers and mobile crisis team services. The MD Behavioral Health Administration hired a consultant to look at this issue. There is a wide continuum of mental health services that make up an optimal crisis service system for any jurisdiction. However, the consultant recommended that, at a minimum, each county have a crisis team and 24/7 walk-in services. Current local mental health providers in our county are only open normal business hours and may not be able to take immediate appointments. It can sometimes be days or weeks to get into a provider. When families have a crisis, often the only place to go is our Meritus Hospital's Emergency Room (which is the 2nd busiest ER in the state for mental health issues). At this point funding for these types of requests have not been identified at the State level, but efforts are underway by the Behavioral Health Administration(BHA) to find funding to see that each county has minimum crisis services. BHA asked county core service agencies to submit requests for the services they need – prompting our CSA to request funding to expand their existing Mobile Crisis Team from 1 to 3 people and set up a 24/7 walk-in clinic to serve those in crisis until they can be forwarded to existing service providers in the county. The Coalition is asking the State to identify funding for the Behavioral Health Administration to assist counties in fulfilling minimum mental health service needs.

2018 Watch List:

- USMH Operational Funding (need additional operating funding with new programs coming FY'18-'19)
- Gaming Revenue Protection
- Shifting of Liabilities from State to Localities
- Highway User Revenue Restoration
- HCC Operational Funding and Capital funding
 - o We support funding requested by Hagerstown Community College for the new Center for Business and Entrepreneurial Studies (CBES) as well as increased operating funding for community colleges
- State funding of K-12 education
 - o Impact of Kirwan Commission
 - o Impact of 21st Century School Construction Commission
- Joint Commission Report on Integration of Local Mental Health Authorities
 - o The Behavioral Health Administration is in the process of studying how core service agencies (like our Mental Health Authority) should be integrated into a county's system of mental health care. Interviews around the state are taking place, and a consultant will be making recommendations to BHA on a course of action. We will be monitoring this study to see how any recommended changes may impact our County's system of care and give input where needed.



You're Invited:



Washington County Community Coalition



Washington County Government

City of Hagerstown

Town of Williamsport

Washington County Public Schools

The Greater Hagerstown Committee

Washington County Chamber of Commerce

Friends of the Washington County Free Library

Visit Hagerstown (Local Convention & Visitors Bureau)

CHIEF (Hagerstown-Washington Co. Industrial Foundation)

With Leadership Washington County

Cordially invites the

Maryland General Assembly Members

to a

Legislative Reception

at the

Governor's Calvert House

Wednesday, January 31st

4:30 to 6:30 pm

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Washington County MD

For information please contact:

Paul Frey ~ 301.514-5738

Jim Kercheval ~ 301.992.7515

John Favazza ~ 410.263.7882

RSVP: jfavazza@maniscanning.com



Open Session Item

SUBJECT: Recognition of the 2018 Cultural Exchange Mentoring Program

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Brittany Higgins, Public Relations Coordinator, Public Relations & Marketing and Arthur Hicks, Founder, Cultural Exchange Mentoring Program

RECOMMENDED MOTION: Not Applicable

REPORT-IN-BRIEF: The scholars in the Cultural Exchange Mentoring Program will be recognized with a certificate presentation.

DISCUSSION: The Cultural Exchange Mentoring Program is in its second year as a summer program designed to expose school-aged boys to new cultural and social experiences. Founder of the program, Arthur Hicks, leads students Monday, Tuesday, and Thursday, where time is divided between academics and social experiences within the local community. This program is different than most because these students are not violent or acting out.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHEMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Maryland Aviation Administration State Grant – Approval to Submit Application and Accept Awarded Funding

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Tina Wilson, Senior Grant Manager, Office of Grant Management; Phil Ridenour, Director, Hagerstown Regional Airport

RECOMMENDED MOTION: Move to approve the submission of a funding request to the Maryland Aviation Administration in an amount of \$97,500 and accept awarded funding.

REPORT-IN-BRIEF: The Hagerstown Regional Airport is submitting a formal request to the Maryland Aviation Administration seeking funding assistance through the Special Grant program for the next phase of the upgrades to the existing Virtual Perimeter Monitoring System (VPMS). Phase IV improvements will include the addition of a camera network at the approach end of Runway 27. This network will provide coverage of the run-up pad as well as providing some locations with a mix of 360-degree cameras. Installation of thermal and pan-tilt-zoom (PTZ) cameras will allow for perimeter monitoring and identification of concerns. Additionally, this Phase will include the ability for the control tower to monitor the run-up pad and check for aircraft and ground vehicles over a computer link in the tower. This will increase the visibility of that portion of the airport and eliminate a blind spot by offering a camera link to the tower controllers.

DISCUSSION: The Office of Grant Management has reviewed the grant funding guidelines associated with this program. The performance period of this State funded grant is for one year, beginning September 1, 2018 through June 30, 2019. Matching fund or in-kind support of \$32,500 is required for this program and is included in the CIP budget.

FISCAL IMPACT: There is a match associated in the amount of \$32,500 which was approved in the Airport's CIP budget for project COM026.

CONCURRENCES: Director, Office of Grant Management

ALTERNATIVES: Deny submission of the application

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: PUBLIC HEARING – Requests by organizations to be added to the list of nonprofit organizations to which the Board of County Commissioners may contribute funds, pursuant to § 1-108 of the Code of the Public Local Laws of Washington County, Maryland (the “1-108 List”)

PRESENTATION DATE: Tuesday, August 28, 2018; 11:00 a.m.

PRESENTATION BY: John M. Martirano, County Attorney

RECOMMENDED MOTION: None. The Board may discuss, take action, and/or make any motion after the public hearing is closed.

REPORT-IN-BRIEF: The following organizations have submitted letters of request to be added to the 1-108 List:

Forest Glen Commonwealth, Inc.
Betty’s Wish A Professional Caregivers Association, Inc.
Beacon House, Inc.

DISCUSSION: The approval by the Board of County Commissioners of a request of a nonprofit organization to be added to the list does not assure that the organization will receive funding from the Board; that decision is made separately as a part of the Community Organization Funding process and ultimately the County’s budgetary process.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Letters of Request.

AUDIO/VISUAL NEEDS: N/A



Rebecca Rush
Forest Glen Commonwealth, Inc.
Tax Exempt 501c3 not for profit
718 Maryland Avenue
Hagerstown, MD 21741-0434
Phone: 301-797-4146 Email: fgchistory@gmail.com

May 30, 2018

Office of the County Attorney
100 West Washington Street, Suite 1101
Hagerstown, MD 21740
Attn: Vicki Grimm

Re: Letter of Request – Eligibility for Funding
Consideration by Board of County Commissioners

Dear Ms. Grimm:

As instructed in your email on May 16, I am requesting that the Board of County Commissioners of Washington County Maryland approve our request to be considered for placement on the Section 1-108 List.

I have attached a copy of our Internal Revenue Service Determination Letter of Tax Exempt Status (501c3), and a recent screen shot of the organization's good standing with the State of Maryland Department of Assessments and Taxation.

2018 Programs in Washington County:

I will be glad to provide you with information about a series of free, educational programs we have recently produced here in the County pertaining to the history of the Smoketown-Antietam Hospital, Amazing Women of Antietam™, Civil War Coins and

Currency, and Archaeology/Relic Recoveries. See this project website at www.smoketown-antietam.org.

Our charter is intentionally broad.

We are in the process of working on a website for the Forest Glen Commonwealth, Inc. organization

While history education and local leadership development programs are our mainstay, we also are involved in comprehensive regional and local community planning pertaining to increasing resiliency through optimizing distributed electric hybrid and renewable power through microgrids.

We are attaching a roster of programs we have hosted, co-hosted or helped with here in Washington County since 2004.

Please place Forest Glen Commonwealth, Inc. on your approved list of non-profits.



Rebecca Rush, Chair

Attached: IRS Tax Exemption Letter
Maryland Good Standing Screen Shot
History of Forest Glen – 2004 – 2016



The Quest for the Smoketown-Antietam Hospital: *A Fresh Look at Leadership, Location and Logistics*

Amazing Women of Antietam™ Program Packed House on March 17 at the Boonsboro Library

Full House – March 17 Program

Our inaugural outreach program was quite a success...more than 50 people packed the Community Room at the Boonsboro (MD) Library to celebrate National Women's History Month and the roles played by so many women during the Civil War. Representatives of both the Maryland Women's Heritage Center (Baltimore) and the Washington County Commission for Women were on hand and provided remarks and materials.



Women's Leadership in the Civil War

Women's leadership, heroism and tenacity in the Civil War was the focus of the program. Stories were shared about the expanded roles of women in civil service positions. However, the program especially remembered the roles played by the nurses who came from Washington DC, Philadelphia and New England, to serve as care providers at the elusive Smoketown Hospital near the Antietam Battlefield.

In addition, we recognized support provided by leaders like Hagerstown's Mrs. Frances Kennedy, whose self-organized civilian relief systems supplied food, blankets, and shirts for the wounded and sick soldiers at Smoketown throughout the long winter of 1862/1863, for months after the Battle.

We heard wonderful and compelling stories from our three special authors:

Donate Today!

Visit our Website: www.smoketown-antietam.org

Contact us: info@smoketown-antietam.org or call 301-797-4146.



Dr. Emilie Amt told about the 17-year old volunteer, Christiana (Annie) Kerfoot, the well-educated, genteel daughter of the leader of the College of St. James. Memoirs discuss "Annie" spending New Year's evening 1862, caring for soldiers at Smoketown Hospital.

Author and blogger, John Banks, provided his well-researched and thoughtful examination into the life and times of 26-year old Maria Hall who was the head nurse at Smoketown from September 1862-May 1863.

Author Mary Tilghman provided insight about her process for "discovering" and for bringing to life an 18-year old Sharpsburg girl as her main character, Maureen. In her historical fiction, *Divided Loyalties*, Maureen volunteers at Smoketown Hospital and becomes a well-respected caregiver, under the mentorship of nurse Maria Hall.



More to learn about Amazing Women of Antietam, Logistics and Locations.

From the time of the brutal battle in September, through the harsh winter and into the Spring of 1863, hundreds of wounded and sick Union soldiers recuperated while military and civilian medical caregivers, cooks and quartermasters toiled day and night at the Smoketown-Antietam Union General Hospital. This complex reportedly included 80-tents and was likely located on what today are farmers' fields and woods.

More research and publications planned about more Antietam Characters: Quartermasters, additional caregivers (nurses Helen Gilson, Mary Hill, Mary Morris Husband and Isabella Fogg) and "Ladies Relief" Groups lead by Mrs. Frances Kennedy and by Mrs. Susan Harry.

JOIN US -- NEXT PROGRAM

APRIL 21, 2018

***"Relics or Rubbish"* Archaeology & Relic Hunting -- Digging, Dredging and Preserving Our Past**

Time: 11 a.m. – 12:30 p.m.

Location: Boonsboro Library
401 Potomac Street
Boonsboro, MD

Donate Today!

Visit our Website: www.smoketown-antietam.org
Contact us: info@smoketown-antietam.org or call 301-797-4146.



Throughout our region, there are relics and special sites yet to discover. Learn from our experts about how they have dug, dredged, preserved, interpreted and shared items and possibly important sites.



Keith Sylvester, detectorist, dredged up a Cannon Ball.

We hope to use the best combination of modern research technologies (LIDAR, ground penetrating radar and metal detectors) to properly find, interpret and preserve important physical and cultural assets in the region.

Presenters:

- Joe Clemens, Archaeologist.
- Keith Sylvester, Detectorist
- Other Historians Invited

If you would like assistance identifying or interpreting your personal "finds", please bring them along!

SPONSORS – THANK YOU TO OUR PROGRAM SPONSORS

Nora Roberts Foundation
William E. Cross Foundation
Evergreen Heritage Center
Springfield Manor Winery & Distillery
Studio B Salon & Spa
Staples
Weis Markets Boonsboro
Wetsuit Wearhouse

If you or your business would like to become a Sponsor please contact Rebecca at 301-797-4146 or by email at info@smoketown-antietam.org

Please make a tax-deductible Donation.

To show your support for our research, preservation and educational work, simply go to our Website at

www.smoketown-antietam.org
and use the "Donate" button.

Your gift today of \$25, \$50, \$100 or more, will help us fund more research and preservation programs about Leadership, Logistics and Locations.

Your gift will support:

1. more free outreach programs
2. Driving Tour Video of Field Hospitals
3. Phase 1 Archaeological Study for the Smoketown Hospital site

Donate Today!

Visit our Website: www.smoketown-antietam.org
Contact us: info@smoketown-antietam.org or call 301-797-4146.



Forest Glen Commonwealth, Inc. (501c3)
Rebecca Rush, Chair
13211 Cearfoss Pike, Hagerstown, MD 21740
Phone: 301-797-4146
Email: fgchistory@gmail.com

Forest Glen Commonwealth Completed Projects and Activity Chronology

1999-2004 – Proposal for the Non-Residential, Adaptive Reuse of the National Park Seminary Historic District/Walter Reed Army Medical Center Annex (Montgomery County, MD):

- Stakeholder Development
- Comprehensive Reuse Plans for Historically Significant Buildings
- Community Presentations
- Volunteer Recruitment and Development

Funded by numerous foundations and private donations.

2002 – 2006 – U.S. Library of Congress – Veterans Oral History Project

- Volunteer Recruitment and Training
- Student Service Learning Volunteers – Supervision
- Manage/Develop Recordings and Videotaping Interviews

Funded by Private Donations

2003 – 2010: Washington County MD – Assist Advanced Placement History Classes with Maryland History Day Competitions.

- Gapland Legacy Project – with assistance from National Museum of Civil War Medicine
- Fort Ritchie History
- Clara Hamilton and Oak Hill History

Funded by Private Donations

2004: "Roads to Recovery" Civil War Educational Weekend in collaboration with Western Maryland Hospital Center and City Councilman Linn Hendershot:

- Caregiver-History Educational Programs
- Civil War Medical Tents
- WWII MASH Units
- Modern Emergency Response Units

Funded by Corporate Sponsors and Private Donations

2005: Retreat from Gettysburg Commemoration Events - "Grace Under Fire"

- Design, Develop and Host Driving Tour from Gettysburg to Williamsport -- Battlefield Evacuation Maps Following "Wagon Train of the Wounded" (General John Imboden)
- Volunteer Recruitment and Programs Development
- Educational Programs at Williamsport Park
- Authors and Experts Panel Discussion – St. James School

Funded by Private Donations and Corporate Sponsors

2006 – 2009: Frederick County – Nancy Crouse Story: a Woman's History Project

- History of a Civil War Heroine (Maryland Women's History Trail)
- Primary research, brochures and outreach programs

Funded by Private Donations

2011: Oak Hill Project – a Woman's History/Garden City Plan

- Primary Research
- Walking Tours with Lou Scally and Delegate John Donoghue
- Permanent Hagerstown History Sign at Oswald Park
- Numerous public education programs.

Funded by the Hamilton Family Foundation and City of Hagerstown.

2012: Buckeystown Civil War History Project – Two Day Event

- Primary research – Civil War Food – Baking Bread at Buckeystown
- Two-Day Event at Private Location
- Civil War Encampment
- Collaboration with Monocacy National Battlefield
- Authors Forum
- Cannon Firing
- Civil War Music
- Food-Sampling and Open Fire Cooking Competition

Funded by a Private Foundation

**2016 - 2018: Rediscovery of the Smoketown Hospital History
(Antietam National Battlefield)**

Steering Committee Advisor and Supporter:

Mr. Gordon Dammann, founder of the National Museum of Civil War Medicine and Civil War Hospital Scholar/Expert, leader of Military Staff Rides at Antietam National Battlefield.

- Primary research – open discussion with University of Maryland, Western Maryland Research and Education Center (University of Maryland), owner of land on which much of the Smoketown Hospital Activity may have been located (further research needed.)
- Open discussion with Maryland Historical Trust – Terrestrial Archaeology Permitting

- Opened Discussion of Potential Educational Merits of Rediscovery of Smoketown Hospital History Project:
 - ❖ Student Service Learning – St. James School
 - ❖ Internships – George Tyler Moore Center for Civil War Studies
 - ❖ Internships – (potential) Hagerstown Community College
 - ❖ Cultural History – Susan Trail, Antietam National Battlefield



Good morning Ms. Grimm,

We would like to be included on the list of organizations eligible for funding by the Board of County Commissioners of Washington County, Maryland, pursuant to Section 1-108(b) of the Code of the Public Local Laws of Washington County, Maryland.

It is our goal to be a Hand of Hope for our community by forming strategic partnerships with Local Business, Health Care Leaders and Industry Professional, Stakeholders, Sponsors and Volunteers who understand and believe in our mission to create and implement products and programs that will enrich the lives of our elderly and disabled neighbors and those who care for them. By providing creative care, nutrition and aging in place programs and services, we can improve our community.

We are a public charity under the IRC section 501c (3).

We would greatly appreciate an opportunity to share more about our organization and the great programs we have developed to help our seniors and disabled neighbors live a better life.

I have attached

- exemption letter 947, from the IRS
- Maryland State Department of Assessments and Taxation "Good Standing" status

Thank you for considering Betty's Wish to help make a difference in our community.

Warm Regards,

LouAnn Haw
Co-Founder
Chairman of the Board
July 25, 2018



BEACON HOUSE ^{INC}

Main Office

Anthony Williams

22 North Mulberry Street Suite 116

Hagerstown, MD 21740

T-301-393-7209

C-240-356-0109

founder@thebaeaconhouse.net

July 31, 2018

Office of the County Attorney

[100 West Washington Street, Suite 1101](#)

Hagerstown, [MD 21740](#)

Re: Eligibility for Funding by Washington County Board of Commissioners

Dear Vicki Grim and the Washington County Board of Commissioners

On behalf of BEACON House, it is my pleasure to provide you with this Letter of Request to be placed on the list of approved nonprofits to receive funding for our nonprofit BEACON House, Inc. We are a 501c3 recognized public charity that works to increase awareness, access, and achievement in Science, Technology, Engineering, Arts, and Math (STEAM) learning here in Washington County. We work with all people but specifically target individuals and families from low-income households, minority backgrounds, and those we call exceptional learners (those that do not meet the standard norm). We focus a lot of our programming through a family centered approach. We have been chosen to work as the provider for Cascade Elementary School's after school program after the Boys & Girls Club could no longer provide this service to the community there. We have a Family Learning Center at Mulberry Lofts, and work in the community at various organizations. We have started to expand our services this year with a partnership with AHEC West who is the Western Maryland Health Connector Entity. We will have one Health Navigator on staff to help increase the enrollment of individuals and families in the Maryland Health Benefits Exchange.

Thank you for the opportunity to approve us for funding and to increase awareness, access, and achievement in STEAM learning outcomes in Washington County to prepare a 21st century and beyond workforce!

Sincerely,

Anthony Williams

Founder & Executive Director



Agenda Report Form

Open Session Item

SUBJECT: 2018-2020 Excess Workers Compensation

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Tracy McCammon, Risk Management Coordinator, and Patrick Hancock, Aon Risk Solutions

RECOMMENDED MOTION: Move to renew the Excess Workers Compensation policy with Safety National Casualty Corporation at the quoted premium of \$108,445 for \$600,000 retention.

REPORT-IN-BRIEF: The quote from Safety National, our current carrier, is based on a premium rate of \$0.218 for each \$100 of payroll.

DISCUSSION: Nationally, municipalities and counties have struggled to contain their worker compensation costs. Due to statutory coverage premiums, at risk job classifications (firefighters, sheriff deputies, electrical works, etc.), and rapidly rising medical costs, insurance companies must increase their premiums for this risk category. While Washington County's actual claim experience is very positive, thanks to our safety program and our third-party administrator, we will still feel the impact of the national claims experience.

FISCAL IMPACT: Increase of 9% (\$9,516.00) over the last 3 year's actual premium of \$98,929

CONCURRENCES: Debra Peyton, Director of Health & Human Services

ALTERNATIVES: Lapse of insurance policies, increase self-insured retention (not recommended).

ATTACHMENTS: Quote Comparison from Aon Risk Solutions

AUDIO/VISUAL NEEDS: None

Line of Coverage

Quote Comparison: Excess Workers Compensation

Carrier	Safety National					Midwest Employers			
AM Best Rating	A+ (Superior)					A+ (Superior)			
Option	Expiring	1 YR Option	% Change From Expiring	2 YR Option	% Change From Expiring	\$600K SIR Option	% Change From Expiring	\$650K SIR Option	% Change From Expiring
Policy Term	09/01/2015-18	09/01/2018-19		09/01/2018-20		09/01/2018-19			
States Covered	MD	MD		MD		MD		MD	
Workers Compensation Limit	Statutory	Statutory		Statutory		Statutory		Statutory	
Employers Liability Limit	\$1,000,000	\$1,000,000		\$1,000,000		\$1,000,000		\$1,000,000	
Self-Insured Retention	\$600,000	\$600,000	0%	\$600,000	0%	\$600,000	0%	\$650,000	8%
Aggregate Limit	N/A	N/A		N/A		N/A		N/A	
Estimated Annual Payroll/Manhours	\$45,173,099	\$49,745,519	10%	\$49,745,519	10%	\$49,745,519	10%	\$49,745,519	10%
Estimated Annual Manual Premium	\$1,259,800	\$1,134,294	-10%	\$1,134,294	-10%	\$1,278,956	2%	\$1,278,956	2%
Experience Modification	N/A	N/A		N/A		N/A		N/A	
Other Modification	N/A	N/A		N/A		N/A		N/A	
Policy Period Years	3	1		2		1		1	
Estimated Normal Policy Premium	\$3,779,400	\$1,134,294	-70%	\$2,268,588	-40%	\$1,278,956	-66%	\$1,278,956	-66%
Rate % of Normal Premium	N/A	N/A		N/A		N/A		N/A	
Rate Per \$100 Payroll	0.219	0.218	0%	0.218	0%	0.4680	114%	0.4301	96%
TRIA Premium	Included	Included		Included		Included		Included	
Additional Flat Charge	N/A	N/A		N/A		N/A		N/A	
Estimated Policy Period Premium	\$296,787	\$108,445	-63%	\$216,890		\$232,809	-22%	\$213,955	-28%
Policy Period Minimum Premium	\$262,749	\$97,500	-63%	\$216,890		\$209,528	-20%	\$192,560	-27%
Annual Deposit Premium	\$98,929	\$108,445	10%	\$108,445		\$232,809	135%	\$213,955	116%
Commission	0%	0%		0%		0%		0%	



Agenda Report Form

Open Session Item

SUBJECT: Repeal and Reenactment of the Agricultural Land Preservation District Ordinance, with accompanying Regulations, and Repeal and Reenactment of the Washington County Agricultural Real Property Tax Credit Ordinance – revised language

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Eric Seifarth, Rural Preservation Administrator, and Chris Boggs, Land Preservation Planner, Dept. of Planning & Zoning

RECOMMENDED MOTION: Move to repeal and reenact the Agricultural Land Preservation District Ordinance with accompanying Regulations, and the Agricultural Real Property Tax Credit Ordinance as revised.

REPORT-IN-BRIEF: The Commissioners directed that certain changes be made to the language of the documents governing the establishment, term, and termination of Agricultural Land Preservation Districts. The changes have been incorporated into the proposed final text of the documents and the Commissioners approval and enactment of the documents is in order.

DISCUSSION: N/A

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Proposed Ordinances/Regulations as revised

AUDIO/VISUAL NEEDS: N/A

ORDINANCE NO. ORD-2018-21

AN ORDINANCE TO REPEAL AN ORDINANCE ENTITLED "AN ORDINANCE TO PROVIDE TAX CREDITS FOR AGRICULTURAL LAND IN WASHINGTON COUNTY, MARYLAND" AND TO REENACT, WITH AMENDMENTS, THE WASHINGTON COUNTY AGRICULTURAL REAL PROPERTY TAX CREDIT ORDINANCE

RECITALS

In recognition of strong development pressure and rising land costs in Washington County and the desire to preserve agricultural land and woodland in order to provide sources of commercial agricultural products within Washington County, and to protect agricultural land and woodland, the County has an obligation to create incentives to benefit owners of such land and thus encourage them to enter that land into agricultural land preservation districts.

All lands within agricultural land preservation districts are located where land is used for commercial agricultural productions, and owners, residents and users of that or adjacent land should be prepared to accept agricultural practices and operations including, but not limited to, noise, odors, dust, the operation of machinery, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides, and pesticides.

The Board of County Commissioners of Washington County, Maryland (the "County") adopted an ordinance entitled "An Ordinance to Provide Tax Credits for Agricultural Land in Washington County, Maryland," on August 28, 1990 (the "1990 Ordinance").

The purpose of the 1990 Ordinance was to encourage the preservation of agricultural land in Washington County, Maryland within established agricultural land preservation districts under the program of the Maryland Agricultural Land Preservation Foundation (the "Foundation"), pursuant to Section 2-509 of the Agriculture Article, Annotated Code of Maryland, and to grant a Property Tax Credit on land that is subject to the County's agricultural land preservation program, pursuant to Section 9-323, Tax-Property Article, Annotated Code of Maryland.

Chapter 650 of the 2007 laws of the Maryland General Assembly ("Chapter 650") altered the requirements relating to the purchase of easements by the Foundation by prohibiting the Foundation from accepting a district petition after June 30, 2008.

In anticipation of the elimination of districts by the Foundation, the County, on January 13, 2009, adopted Ordinance No. ORD-09-01 entitled "An Ordinance for the Establishment of Agricultural Preservation Districts," together with Regulations to

provide for the standards and guidelines by which real property in Washington County is eligible for inclusion within an agricultural preservation district, both effective January 13, 2009.

On August 28, 2018, by Ordinance No. ORD-2018-20, the County repealed Ordinance No. ORD-09-01 and reenacted said Ordinance with amendments. The Regulations adopted under ORD-2009-01 on January 13, 2009 have been revised and are effective as of August 28, 2018.

Chapter 650 also provided that any district in which an easement has been transferred to the Foundation and any district established by a county and landowner for the purpose of providing a property tax credit to the landowner shall remain in force and may not be terminated.

The Foundation assigned all its right, title, and interest in the previously established District Agreements to Washington County, Maryland, effective as of June 30, 2012 and June 30, 2018. The Assignment of District Agreements is recorded among the Land Records of Washington County, Maryland at Liber 4342, folio 0446 and at Liber 5770, folio 148.

A public hearing was held on July 24, 2018, following due notice and advertisement of a fair summary of the amendments proposed to the 1990 Ordinance.

Public comment concerning the amendments proposed was received, reviewed, and considered.

The County believes it to be in the best interests of the citizens of Washington County to repeal and reenact with amendments the 1990 Ordinance to reflect that the Property Tax Credit is granted for all District Agreements listed in the Assignments of District Agreements hereinabove referenced, and for all District Agreements established under County Ordinance No. ORD-2018-20, adopted August 28, 2018.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Ordinance entitled "An Ordinance to Provide Tax Credits for Agricultural Land in Washington County, Maryland, adopted on August 28, 1990, effective January 1, 1991, is hereby repealed; and the following Washington County Agricultural Real Property Tax Credit Ordinance is hereby adopted.

**WASHINGTON COUNTY AGRICULTURAL REAL PROPERTY
TAX CREDIT ORDINANCE**

1. Real Property Tax Credit - Agricultural Land

A. There is a credit from County Real Property Taxes levied on agricultural land, woodlands, and agricultural structures, excluding residential dwellings and one (1) acre surrounding said dwellings, if:

i. The property is included in an agricultural land preservation district as provided in ORD-2018-20; and

ii. The landowner has executed a Contract with the County agreeing to remain in the district for ~~at least~~ ten (10) years initially, **with the option to terminate after five (5) years**; the Contract may be renewed in five (5) year increments after completion of the initial ten (10) years.

B. There is a credit from County Real Property Taxes levied on residential dwellings and one (1) acre surrounding same if:

i. The property is included in an agricultural land preservation district as provided in ORD-2018-20; and

ii. The landowner has executed a Contract with the County agreeing to remain in the district for ~~at least~~ ten (10) years initially, **with the option to terminate after five (5) years**, said Contract may be renewable in five (5) year increments after completion of the initial ten (10) years; and

iii. Agricultural lands, woodlands, and agricultural structures surrounding said residential dwellings and the aforesaid one (1) acre qualify for the tax credit under this Ordinance.

C. There is a credit from County Real Property Taxes levied on agricultural land, woodland, and agricultural structures if:

i. The real property is located in an agricultural land preservation district in accordance with a recorded agreement; or

ii. The land is subject to an agricultural land preservation easement that has been conveyed to the Maryland Agricultural Land Preservation Foundation.

D. There is a credit from County Real Property Taxes levied on residential dwellings and one (1) acre surrounding said dwellings if:

i. The real property is located in an agricultural land preservation district in accordance with a recorded agreement; or

ii. The residential dwellings and the one (1) acre surrounding said dwellings and the agricultural land, woodlands, and agricultural structures surrounding same are subject to an agricultural land preservation easement that has been conveyed to the Maryland Agricultural Land Preservation Foundation.

2. Once the property owner terminates the Agricultural Land Preservation District Agreement or removes property from the district before the expiration of any Contract term, the landowner shall be liable for all property taxes plus interest for the unpaid taxes that the owner would have been liable for during the term of the current Contract as if the Property Tax Credit had not been granted under this section.

3. Amount of Tax Credit.

A. The amount of the credit granted under Subsection 1.A. of this Ordinance is 100% of the County Real Property Tax levied on the agricultural land, woodlands, and agricultural structures, excluding the residential dwellings and one (1) acre surrounding said dwellings, for a period not to exceed the term of the landowner's Contract with the County.

B. The amount of the credit granted under Subsection 1.B. is 50% of the County Real Property Tax Credit levied on the residential dwellings and one (1) acre surrounding said dwellings, provided that the total credit may not exceed 50% of the County Real Property Tax that would be levied on \$150,000 of assessed fair market value, nor may it exceed that amount of credit granted to the surrounding agricultural land, woodlands, and agricultural structures under Subsections 1.A. and 3.A. of this Ordinance, for a period not to exceed the term of the landowner's Contract with the County.

C. The amount of the credit granted under Subsection 1.C. of this Ordinance is 100% of the County Real Property Tax levied on the agricultural land, woodlands, and agricultural structures, excluding the residential dwellings and one (1) acre surrounding said dwellings.

D. The amount of credit granted under Subsection 1.D. of the Ordinance is 100% of the County Real Property Tax levied on the residential dwellings and one (1) acre surrounding said dwellings, provided that the total credit may not exceed the County Real Property Tax that would be levied on \$150,000 of assessed value, nor may it exceed the amount of credit granted to the surrounding agricultural land, woodland, and agricultural structures under Subsections 1.C. and 3.C. of this Ordinance.

4. The tax credits granted by this Ordinance are not cumulative, and in no event shall the total tax credit of the landowner exceed 100% of the County Real Property Tax for the property.

5. Severability.

If any part of this Ordinance shall be held invalid, any such part shall be deemed severable and its invalidity shall not affect the remaining parts of this Ordinance.

6. Effective Date.

This Ordinance shall become effective August 28, 2018.

Adopted this 28th day of August, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

BY: _____
Terry L. Baker, President

Approved as to form and
legal sufficiency:

Kirk C. Downey
Deputy County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

I:\Documents\Planning\Planning - Agricultural Districts - Tax Credits\ORD\Ordinance to Repeal and Reenact.DOC

ORDINANCE NO.: ORD-2018- 20

**AN ORDINANCE TO REPEAL AND TO REENACT, WITH AMENDMENTS, AN
ORDINANCE ENTITLED “ORDINANCE FOR THE ESTABLISHMENT OF
AGRICULTURAL LAND PRESERVATION DISTRICTS”**

RECITALS

On January 13, 2009, the Board of County Commissioners of Washington County (the “Board”) adopted an ordinance entitled “Ordinance for the Establishment of Agricultural Preservation Districts” (Ordinance No. ORD-09-01) (the “Ordinance”) for the establishment of agricultural preservation districts pursuant to Md. Code, Article 25, Section 9-I.

The Washington County Planning Department has requested that certain amendments be made to the text of the Ordinance.

The Board believes it to be in the best interests of the citizens of Washington County for the Ordinance to be repealed and reenacted, with amendments.

A public hearing was held on the 24th day of July, 2018, following due notice and advertisement. Public comment was received, reviewed, and considered concerning the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Washington County, Maryland, that other ordinances or parts of ordinances in conflict herewith are hereby repealed; and the attached ordinance entitled “Ordinance for the Establishment of Agricultural Land Preservation Districts” is hereby adopted this 28th day of August, 2018 and effective this same date.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

Terry L. Baker, President

Approved:

Kirk C. Downey
Deputy County Attorney

Mail to:

County Attorney's Office
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740-4735

**ORDINANCE FOR THE ESTABLISHMENT OF
AGRICULTURAL LAND PRESERVATION DISTRICTS**

Adopted January 13, 2009

Repealed and Reenacted - Adopted and Effective August 28, 2018.

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1. Purpose.

1.01 The purpose of this Ordinance is to provide for the creation of agricultural preservation districts within Washington County, Maryland and to provide for the standards and guidelines under which real property in Washington County is eligible for inclusion within an agricultural land preservation district.

2. Definitions.

For the purpose of this Ordinance, the following words shall have the following meanings:

2.01 "County" shall mean the Board of County Commissioners of Washington County, Maryland, its departments, divisions and assigns.

2.02 "Planning Commission" shall mean the Washington County Planning Commission.

2.03 "Ag Advisory Board" shall mean the Washington County Agricultural Land Preservation Advisory Board.

2.04 "District" shall mean Agricultural Land Preservation District.

2.05 "District Agreement" shall mean Agricultural Land Preservation District Agreement.

3. Establishment of a District.

3.01 One or more owners of land located within Washington County which is used primarily (i) for the active production of food or fiber or (ii) is of such open space character and productive capability that continued agricultural production is feasible, may voluntarily file a petition with the Ag Advisory Board, in the form prescribed by the County, requesting the establishment of a District composed of the land owned by the petitioners. All land to be located within a District shall be titled the same.

3.02 If the petition is approved, the petitioners shall execute a District Agreement in the form prescribed by the County, agreeing, among other things, that the following covenants, conditions, and restrictions shall run with the land for so long as the District Agreement remains in effect:

(a) The landowner agrees to keep the land in agricultural use in a district for, except as otherwise permitted by this Ordinance or other law, a minimum period of ten

(10) years from the date the District Agreement is recorded in the land records of the county, **with the option to terminate the district after five (5) years**, or a minimum period of five (5) years in the event that the original ten (10)-year District Agreement has met or exceeded its ten (10)-year time frame and the landowner has exercised the right to enter into an additional five (5)-year District Agreement;

(b) Except as otherwise permitted in this Ordinance, the landowner agrees not to use the land for any commercial, industrial, or residential purpose except as indicated in any County Regulations associated with this Ordinance;

(c) The landowner agrees not to subdivide the land encumbered by a District for any purpose unless the County first has approved the proposed subdivision; and

(d) The landowner agrees not to construct buildings or structures on the land that are not designed or intended to be used for agricultural purposes, or any residential building unless the County first has approved the proposed construction.

(e) **Any landowner who entered into a District Agreement that was recorded prior to the adoption of this Ordinance August 28, 2018 is subject to the regulations and restrictions in effect when the District was established. associated with ORD-09-01, the governing Ordinance that was in place at the time they established a District.**

3.03 The landowner may apply for Maryland Agricultural Land Preservation Foundation easements and other County approved easements on land in a District.

4. Procedures.

4.01 After receipt of a petition to establish a District:

(a) The Ag Advisory Board shall inform the County whether the land in the proposed district meets the qualifications established in this Ordinance and associated regulations and whether the Ag Advisory Board recommends establishment of the District.

(b) After both the Ag Advisory Board and the Planning Commission have reviewed the request for District establishment, the Ag Advisory Board or the Planning Commission shall inform the County whether establishment of the District is compatible with existing and approved State and county plans, programs, and overall county policy, and whether the planning and zoning body recommends establishment of the district.

4.02 If either the Ag Advisory Board or the Planning Commission recommends approval, the County shall hold a public hearing on the petition. Adequate notice of the hearing shall be provided to landowners in the proposed District and to landowners

adjacent to the proposed District.

4.03 If neither the Ag Advisory Board nor the Planning Commission recommends approval, the petition shall be deemed denied and the County shall notify the landowner or landowners stating the reasons for the denial.

4.04 The County may approve a petition for the establishment of a District only if:

(a) The land within the proposed District meets the qualifying criteria established under this Ordinance and any regulations associated herewith;

(b) Approval of the petition has been recommended by either the Ag Advisory Board or the Planning Commission; and

(c) The County has held a public hearing as indicated in Section 4.02.

4.05 Establishment of a District shall not occur until:

(a) The County approves the petition;

(b) All parties have executed a District Agreement; and

(c) The District Agreement is recorded, by the County, in the Land Records of Washington County.

5. Qualifying Criteria.

5.01 The criteria necessary to qualify land for consideration as an Agricultural Land Preservation District shall be determined by regulations adopted by the County. The regulations may include, but need not be limited to, criteria for District size, productive capability and location. The regulations may be amended from time to time by the County.

5.02 Amendments to qualifying criteria in the regulations occurring after the establishment of a District shall not cause disqualification of the district so long as the District Agreement remains in effect.

6. Addition to an Existing District.

6.01 The procedures for adding land to existing Districts shall be the same as for the initial establishment of Districts.

6.02 There shall be no minimum size criteria for the addition of land parcels contiguous to an existing agricultural land preservation district.

7. Exclusion of Property within a District.

7.01 Subject to the limitations of Section 7.02 and any regulations associated with this Ordinance, the original owner for which the District was established may request to have excluded from a District certain portions of the owner's property, constituting lots of either two (2) acres or less, if the purpose for excluding the property is to construct a dwelling house for the owner or the owner's children.

7.02 The number of lots allowed to be released under this Section 7 may not exceed:

(a) 1 lot per District if the size of the District is 20 acres or more but fewer than 70 acres;

(b) 2 lots per District if the size of the District is 70 acres or more but fewer than 120 acres; or

(c) 3 lots per District if the size of the District is 120 acres or more.

7.03. If a landowner sells a land preservation development rights easement after entering into a ~~ten (10) year, or subsequent five (5) year~~ District Agreement, the terms and conditions of the deed of easement shall take precedence over the District Agreement.

7.04 Any request for exclusion under this Section 7 shall be made in accordance with the procedures described in Sections 3 and 4 of this Ordinance.

8. Continuation of a District.

8.01 After the initial five (5) years is reached, the landowner must enter into a subsequent five (5) year District Agreement, unless they elect to terminate the District as provided in this Ordinance or regulations associated herewith.

8.02 Nothing in this Ordinance shall preclude a landowner from selling land within an agricultural land preservation district. A landowner that sells land within an agricultural land preservation district shall notify the County within thirty (30) days after the sale.

9. Termination and Alteration of a District.

9.01 The provisions of this Section 9 are applicable only to land in Districts on which an agricultural land preservation easement has not been purchased.

9.02 Districts may be terminated as follows:

(a) After ~~ten (10) years from~~ the establishment of the District, a landowner may terminate the property's inclusion in a District by giving written notice to the County as provided herein. ~~The termination must occur either at the end of the initial ten (10) year District Agreement, or at the end of a five (5) year District Agreement renewal.~~ Notice of intention to terminate may be submitted to the County in writing at the end of the tenth (10th) year of the District's establishment, or at the end of a five (5) year District Agreement renewal.

~~(a)(b) A landowner may also terminate the initial ten (10) year District Agreement, with no penalty, after a period of five (5) years for significant personal reasons (including a death in the family, estate settlement issues, severe or chronic illness, or the need for additional family lots) if the County is notified in writing prior to the fifth (5th) anniversary of the recordation of the District Agreement. If written notice of termination is not provided to the County prior to the fifth (5th) anniversary of the recordation of the District Agreement, then the District remains in place for the remainder of the ten (10) year term. Notice of intention to terminate may be submitted to the County at the end of the tenth year of the District's establishment, or anytime thereafter. A landowner may, however, use their option to terminate the initial ten (10) year District Agreement, with no penalty, after a period of five (5) years for personal reasons (such as a death in the family, estate issues, illness, or requiring additional family lots) so long as the County is notified in writing prior to the five (5) year anniversary of the recordation of the District Agreement. If the five (5) year option is not exercised by the aforementioned date, the entire ten (10) year commitment must be met.~~

9.029.03 If severe economic hardship occurs, the County may release the landowner's property from a District at any time upon petition by the landowner. The petition shall be in a form prescribed by the County and the County may require such information necessary to determine whether severe economic hardship exists. If the County approves the petition to release the landowner's property from a District, the County shall prepare the release.

9.039.04 If a District is terminated prior to the ~~completion of the initial five (5) fifth (5th) anniversary of the recordation of the District Agreement-year period,~~ then the current landowner will be liable to reimburse the County the property taxes that would have been due if the property tax credit had not been granted as well as applicable interest on those taxes.

9.049.05 The County may approve alteration or abolishment of the District, if the following occur:

(a) The use of land within the District has so changed as to cause land within the District to fail to meet the qualifications under this Ordinance or the regulations associated herewith;

(b) The County has assessed the potential impacts of alteration on remaining lands in the District;

(c) The alteration or abolition of the District has been recommended by the Ag Advisory Board and the Planning Commission, and a public hearing has been held; and

(d) The alteration or abolition is approved by the County Commissioners.

**REGULATIONS FOR THE ESTABLISHMENT OF AGRICULTURAL LAND
PRESERVATION DISTRICTS IN WASHINGTON COUNTY, MARYLAND**

Adopted January 13, 2009
Revised August 28, 2018

1. Purpose.

1.01 The purpose of these Regulations is to provide for the standards and guidelines by which real property in Washington County is eligible for inclusion within an agricultural land preservation district.

1.02 These Regulations shall be construed and applied in concert with the requirements of the Ordinance for the Establishment of Agricultural Land Preservation Districts.

2. Petition.

2.01 Any petition to establish or amend an agricultural land preservation district or any notice to terminate a district shall be filed with the Agricultural Land Preservation Advisory Board, c/o Washington County Department of Planning and Zoning.

2.02 A petition shall include a general description of each land parcel including acreage and the current use of the land and shall be accompanied by a map or plat of each subject parcel at a scale no smaller than 1-inch equals 600 feet (copy of tax map will meet requirement).

2.03 A petition to establish a district shall be accompanied by a district agreement for each subject parcel signed by the landowner or landowners.

3. Qualifying Criteria.

In order to be considered, the property must meet the following criteria:

3.01 Productive Capability Criteria.

(a) Agricultural land preservation districts shall consist of land which is either used primarily for the production of food or fiber or is of such open space character and productive capability that continued agricultural production is feasible.

(b) Soils Criteria.

(i) The majority of the land of any district shall consist of U.S.D.A. Soil Capability Classes I, II, and III;

(ii) The majority of the land area of any district shall consist of U.S.D.A. Woodland Groups 1 and 2 which are applied to wooded areas only;

(iii) The majority of the land area of any district less the acreage contained within the 100-year floodplain as delineated on Flood Hazard Boundary Maps produced by the Federal Emergency Management Administration and State or federal designated wetlands shall consist of U.S.D.A. Soil Capability Classes I, II, and III on cropland and pasture or Woodland Groups 1 and 2 on wooded areas only;

(iv) A minimum of 60 percent of the land area of any district shall consist of U.S.D.A. Soil Capability Classes I, II, and III on cropland and pasture and Woodland Groups 1 and 2 on woodland areas; or

(v) A minimum of 60 percent of the land area of any district less the acreage contained within the 100-year floodplain and State or federal wetlands shall consist of U.S.D.A. Soil Capability Classes I, II, and III on cropland and pasture and Woodland Groups 1 and 2 on wooded areas.

(c) Exceptions to 3.02 (a) - (e) may include land areas of lower soil capabilities, but with a rating similar to Classes I, II, and III on cropland and pasture and Woodland Groups I and II on woodland areas. Land with lower soil capabilities may qualify to be in a district if the soils on the applicant's farm otherwise comply with all the requirements of this section and the applicant submits to the Agricultural Land Preservation Advisory Board, c/o Washington County Department of Planning and Zoning, a letter from the appropriate U.S. Department of Agriculture district conservationist that states that the soils on the applicant's farm have a cropland or pasture rating similar to Classes I, II, and III, or Woodland Groups I and II. Farm areas with extensive specialized production, including but not limited to dairying livestock, poultry, fruit, or berry production may also be considered by the County to be included in a district.

3.02 District Size Criteria.

(a) An agricultural land preservation district shall be 50 contiguous acres. However, a parcel of less than 50 acres, but greater than 20, may qualify as a district if:

(i) It adjoins a 50-acre parcel which has been approved by the County as an agricultural preservation district; or

(ii) It is added to one or more adjoining parcels which together have been approved by the County as agricultural preservation districts; or

(iii) The land has extraordinary agricultural capability as provided by Section 3.04 of these Regulations and is of significant size; or

(iv) It adjoins land subject to a recorded instrument which permits agricultural activities and contains restrictions that are the same as or more stringent than those found in the Maryland Agricultural Land Preservation Foundation's deed of easement, and the collective mass of these lands total at least 50 acres.

(b) The applicant should also know that the Maryland Agriculture Land Preservation Foundation may not purchase an agricultural preservation easement from a landowner of a district of less than 50 acres unless:

(i) It is contiguous to a district or districts on which a 50-acre easement has been purchased;

(ii) The landowners in the adjoining districts which are each less than 50 acres but total at least 50 acres accept the Maryland Agricultural Land Preservation Foundation's offer to purchase an easement;

(iii) The land has extraordinary agricultural capability as provided by Section 3.04 of these Regulations and is of significant size; or

(iv) It adjoins land subject to a recorded instrument which permits agricultural activities and contains restrictions that are the same as or more stringent than those found in the Maryland Agricultural Land Preservation Foundation's deed of easement, and the collective mass of these lands total at least 50 acres.

3.03 Agricultural land which is otherwise qualified for district establishment and is comprised predominantly of land of lower general capability also may meet minimum qualifying criteria if the following conditions are met to the satisfaction of the County:

(a) The Agricultural Land Preservation Advisory Board shall obtain general information from the Agricultural Extension Agent and specific written information from the soil conservation district in the county, and such other sources as might be applicable, addressing the long-term productivity of the land

and farm management practices, and shall forward this documentation to the Agricultural Land Preservation Advisory Board; and

(b) The Agricultural Land Preservation Advisory Board shall state in its recommendations, with the advice of the applicable soil conservation district, that an approved soil conservation plan is being implemented.

3.04 For the purpose of these Regulations, land has "extraordinary agricultural capability" if it:

(a) Has a soil conservation plan approved by a local soil conservation district, fully implemented according to a schedule in the plan;

(b) Is located in an area designated by the County for agricultural preservation;

(c) Meets either of the following:

(i) Has at least 60 percent of the land area consisting of U.S.D.A. Soil Capability Classes I, II, and III, or U.S.D.A. Woodland Groups 1 and 2 which are applied to wooded areas only, or

(ii) Has a minimum of 72 percent of the land area less any acreage included within the 100-year floodplain and less any acreage included in State or federal wetlands consisting of a combination of U.S.D.A. Soils, Class I, II, and III on cropland and pasture and Woodland Groups 1 and 2 on wooded areas.

4. Use of the Land

4.01 The following uses are permitted on land within an agricultural land preservation district:

(a) Any agricultural use of land.

(b) Operation at any time of any machinery used in farm production or the primary processing of agricultural products.

(c) All normal agricultural operations performed in accordance with good husbandry practices which do not cause bodily injury or directly endanger human health including, but not limited to, sale of farm products produced on the farm where such sales are made.

4.02 Land within an agricultural land preservation district may not be used for any commercial, industrial, or residential purpose, except as determined by the County for farm and forest related uses and home occupations.

5. Exclusion of Lots.

5.01 In reviewing the landowner's request for exclusion of a lot(s) from a district, the County shall examine the:

- (a) Location of the land to be excluded
- (b) Potential impact the lot's exclusion may have on the agricultural use of the remaining property; and,
- (c) Owner's future right, if not already forfeited, to have lots released from the Foundation's easement, should an easement be subsequently acquired by the Foundation.
- (d) Number of available lot exclusions allowed by acreage, as follows:
 - i. one (1) lot per District if the size of the District is twenty (20) acres or more but fewer than seventy (70) acres;
 - ii. two (2) lots per District if the size of the District is seventy (70) acres or more but fewer than one hundred twenty (120) acres; or
 - iii. three (3) lots per District if the size of the District is one hundred twenty (120) acres or more.
- (e) The applicant must be the original landowner for which the District was established.

6. Access.

6.01 In determining questions about easements, rights-of-way, licenses, and other similar servitudes in land subject to a district agreement, the County shall follow the same rules that are applicable to the establishment of these servitudes in land subject to a preservation easement set forth under Ordinance No. ORD-2018-20, adopted by the Board of County Commissioners of Washington County, Maryland, on August 28, 2018.

7. Severe Economic Hardship

7.01 To obtain the relief under the Ordinance for severe economic hardship, the landowner shall petition the County, stating succinctly the severe economic hardship that the landowner is sustaining, and providing the County with the following information:

(a) A recent financial statement which shows the owner's complete assets and liabilities and a statement that the information contained in the financial statement is true and accurate;

(b) Other information attesting to the severe economic hardship that the landowner is sustaining, including by way of example, information from mortgagees, lien holders, creditors, attorneys, the Internal Revenue Service, or other third-party interests who are qualified to address the economic condition of the landowner.

7.02 Disclosure of Information. To the extent permitted by law, the County shall deny public access to the information the landowner has supplied the County under this regulation.

8. Relocation of a Dwelling.

8.01 The County may approve a landowner's request to relocate the site of an existing dwelling to another location on a farm subject to an Agricultural Land Preservation District Agreement, provided that:

(a) The new location does not interfere with any agricultural use; and

(b) Subject to the County's approval, the landowner agrees either to demolish the existing dwelling at the current location or permanently convert the existing dwelling at the current location to a use that is nonresidential and integral to the farm operation.



Agenda Report Form

Open Session Item

SUBJECT: Professional Boulevard Property Acquisition

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Todd Moser, Real Property Administrator, Division of Engineering

RECOMMENDED MOTION: Move to approve property acquisition for Needles Acquisition, LLC. /Ventas

REPORT-IN-BRIEF: The County intends to construct road improvements related to the extension of Professional Boulevard. Offers have been made and accepted by the above stated property owner for easements related to the project.

DISCUSSION: The County is acquiring certain portions of the property in easements for the purpose of constructing and maintaining Professional Boulevard improvements. Option agreements have been agreed upon and approved by the Board of County Commissioners with Mental Health Center Inc., Meritus Medical Inc., and Hagerstown Washington County Industrial Inc. Needles Acquisition LLC/Ventas is the final property needed to complete land acquisition for the project.

PROPERTY OWNER	AMOUNT AGREED UPON
Needles Acquisition LLC./Ventas 1.60 Acres	\$59,166.00

FISCAL IMPACTS: This is a budgeted CIP project (RDI055 and RDI056) with available funds for the property acquisition.

CONCURRENCES: Director of Engineering

ALTERNATIVES: N/A

ATTACHMENTS: Aerial Map, Plat

AUDIO/VISUAL NEEDS: N/A

Needles Acquisition LLC / Ventas





Agenda Report Form

Open Session Item

SUBJECT: Intent to convey Real Property to Washington County Board of Education

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Todd Moser, Real Property Administrator, Division of Engineering

RECOMMENDED MOTION: Move to adopt the ordinance declaring property located in Sharpsburg, Maryland, described as parcel 1 recorded among the land records of Washington County, Maryland at liber 5001, folio 271, and parcel 2 and 3 recorded at liber 5001 folio 264 as surplus, and approve the conveyance of the same and authorize the execution of the necessary documentation to finalize the conveyance.

REPORT-IN-BRIEF: Notice of the County's intent to convey this property was duly advertised on March 20, March 27, and April 3, 2018. The County is ready to convey this property to the Board of Education for zero consideration.

DISCUSSION: The above mentioned property consisting of 6.41 acres was purchased by the Washington County Board of County Commissioners in 2015 for the future site of the new Sharpsburg Elementary School. The Board of Education is now ready to move forward with the project.

FISCAL IMPACT: N/A

CONCURRENCES: County Attorney, Director of Engineering

ALTERNATIVES: N/A

ATTACHMENTS: Aerial, Ordinance

AUDIO/VISUAL NEEDS: N/A

Parcel Near Sharpsburg Elementary School



ORDINANCE NO. ORD-2018-

**AN ORDINANCE TO
TO APPROVE THE CONVEYANCE OF CERTAIN REAL PROPERTY**

BE IT ORDAINED by the County Commissioners of Washington County, Maryland (the "County"), as follows:

1. It is hereby established and declared that the following described real property (the "Property") is no longer needed for a public purpose or a public use by the Board of County Commissioners of Washington County, but is needed by the Board of Education of Washington County, Maryland for the construction of a new Sharpsburg Elementary School:

All of those three (3) lots or parcels of land, together with the improvements thereon (if any), and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 1 of Washington County, Maryland, near the southerly side of Maryland State Route 34 (Shepherdstown Pike) approximately eight hundred (800) feet westerly of its intersection with South Potomac Street being more particularly described as follows:

PARCEL NO. 1: BEGINNING for the outline hereof at an existing $\frac{3}{4}$ " Iron Pipe for the end of the fourth (4th) or North 12 degree 52 minute 22 second West 345.85 foot line of a deed from R. Earl Roulette and Annabelle E. Roulette, his wife, unto the Sharpsburg Bible Church dated November 15, 1976 and recorded among the Land Records of Washington County, Maryland, at Liber 625, folio 716; thence running with a portion of said line, reversed, on a bearing to agree with Maryland Grid (NAD 83/91) as determined by a recent survey by Washington County Division of Engineering & Construction Management

1. South 19 degrees 01 minutes 33 seconds East 136.03 feet to a $\frac{5}{8}$ " bent rebar being the point of beginning for the lands of (now or formerly) Michael David Rew (L. 961. F.524); thence with a portion of the closing or North 78 degrees 02 minute 05 second East 665.77 foot line for the said deed, reversed
2. South 71 degrees 39 minutes 08 seconds East 446.52 feet to a point; thence

3. North 18 degrees 21 minutes 12 seconds West 426.29 feet to a point; thence
4. North 71 degrees 20 minutes 50 seconds East 1.64 feet to a 5/8" rebar with surveyor's cap (FS&A) found; thence with the remaining lands of (now or formerly) Robert W. and Pamela Sue Haupt, his wife, (L. 671, F. 428) and depicted on a plat entitled "Lot 1, Robert & Pan Haupt," dated October 30, 1996 and recorded among the said Land Records as Subdivision Plat No. 5259
5. North 71 degrees 06 minutes 29 seconds East 185.10 feet to a 5/8" rebar with surveyor's cap (FS&A) found; thence
6. North 71 degrees 25 minutes 35 seconds East 253.24 feet to a 5/8" rebar with surveyor's cap (FS&A) found; thence
7. South 19 degrees 19 minutes 26 seconds East 293.07 feet to the place of beginning, containing 189,556 square feet or 4.3516 acres of land, more or less.

Being the same tract or parcel of land conveyed by Timothy L. Mose and Melonie S. Mose, his wife, unto the Board of County Commissioners of Washington County, Maryland, by deed dated June 22, 2015 and recorded among the Land Records of Washington County, Maryland, in Liber 5001, folio 271.

PARCEL NO. 2: BEGINNING for the outline hereof at a concrete monument found for the end of the third (3rd) or South 12 degrees 28 minutes 07 seconds East 630.02 foot line of a deed from Richard F. McGrory, Trustee, unto the Board of Education of Washington County dated November 12, 1981 and recorded among the Land Records of Washington County, Maryland, at Liber 723, folio 333; thence running with a portion of the said line, reversed, on a bearing to agree with Maryland Grid (NAD 83-91) as determined by a recent survey by Washington County Division of Engineering & Construction Management

1. North 18 degrees 47 minutes 03 seconds West 211.52 feet to a point; thence with the fifth (5th) line for Parcel No. 3 of this deed, reversed

2. North 71 degrees 12 minutes 57 seconds East 219.42 feet to a point in the third (3rd) or North 18 degree 21 minute 12 second West 426.29 foot line of Parcel No. 1 of this deed; thence running with a portion of the said line, reversed
3. South 18 degrees 21 minutes 12 seconds East 214.47 feet to a point in the closing or North 78 degree 02 minute 05 second East 665.77 foot line for the lands of (now or formerly) Michael David Rew (L. 961 F. 524); thence with a portion of said line, reversed
4. South 71 degrees 59 minutes 25 seconds West 217.82 feet to the point of beginning, containing 46,537 square feet or 1.0683 acres of land, more or less.

PARCEL NO. 3: BEGINNING for the outline hereof at a rebar with surveyor's cap #5 (FS&A) found for the end of the third (3rd) or North 70 degree 47 minute East 120.00 foot line of a deed from Doris Crouse unto Lawrence Crouse, dated June 30, 1995 and recorded among the Land Records of Washington County, Maryland, at Liber 1219, folio 170); thence running with the said line, reversed, on a bearing to agree with Maryland Grid (NAD 83-92) as determined by a recent survey by the Washington County Division of Engineering & Construction Management

1. North 71 degrees 09 minutes 24 seconds West 119.91 feet to a 5/8" rebar with surveyor's cap (FS&A) found; thence
2. North 26 degrees 31 minutes 23 seconds West 8.79 feet to a point; thence
3. North 71 degrees 20 minutes 50 seconds West 1.64 feet from a 5/8" rebar with surveyor's cap (FS&A) found; thence with a portion of the third (3rd) or North 18 degree 21 minute 12 second West 426.29 foot line for Parcel No. 1 of this deed, reversed
4. South 18 degrees 21 minutes 12 seconds East 211.82 feet to a point thence with the second (2nd) or North 71 degree 12 minute 57 second West 219.41 foot line for Parcel No. 2 of this deed, reversed
5. South 71 degrees 12 minutes 57 seconds West 219.42 feet; thence

6. North 18 degrees 47 minutes 03 seconds West 203.21 feet to the point of beginning, containing 45,627 square feet or 1.0475 acres of land, more or less.

Parcel Nos. 2 and 3 above being the same Parcel Nos. 2 and 3 in a deed from Wells Fargo Financial Maryland, Inc. unto the Board of County Commissioners of Washington County, Maryland, by deed dated June 23, 2015 and recorded among the Land Records of Washington County, Maryland, at Liber 5001, folio 264.

2. The County believes that it is in the best interest of the citizens of Washington County to convey the Property and Notice of Intention of Washington County To Convey Land was duly advertised pursuant to Section 1-301, Code of the Public Local Laws of Washington County, Maryland, and Maryland Code, Article 25, Section 11A, in *The Herald-Mail*, a daily newspaper of general circulation, on March 20, 27 and April 3, 2018.

3. The President of the Board of County Commissioners of Washington County, Maryland and the County Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the County a fee simple deed conveying the Property to the Board of Education of Washington County, Maryland, for no monetary consideration, but for other good and valuable consideration.

ADOPTED this ____ day of _____, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

BY: _____
Terry L. Baker, President

Approved as to form

and legal sufficiency:

John M. Martirano
County Attorney

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Agenda Report Form

Open Session Item

SUBJECT: Intent to convey real property for 59 Winter Street Property

PRESENTATION DATE: August 28th, 2018

PRESENTATION BY: Todd Moser, Real Property Administrator, Division of Engineering

RECOMMENDED MOTION: Move to adopt the ordinance declaring property located at 59 Winter Street, Hagerstown, Maryland, as surplus, and approve the conveyance of the same and authorize the execution of the necessary documentation to finalize the conveyance.

REPORT-IN-BRIEF: Notice of the County's intent to convey this property was duly advertised on April 24th, May 1st, and May 8th. We are ready to transfer the property as described to West End Baptist Chapel, Inc.

DISCUSSION: In June 2016, the property was transferred from the Washington County Board of Education to the board of County Commissioners. Since taking ownership, the board formally listed the property, received and accepted an offer of \$300,000 from the buyer mentioned above. The proposed disposition packet has been submitted for approval to the Maryland Interagency Commission on School Construction; once approved, staff will coordinate closing with all parties.

FISCAL IMPACT: Income from sale of property

CONCURRENCES: County Attorney, Director of Engineering

ALTERNATIVES: N/A

ATTACHMENTS: Aerial, Ordinance

AUDIO/VISUAL NEEDS: N/A

59 Winter Street



ORDINANCE NO. ORD-2018-

**AN ORDINANCE TO DECLARE CERTAIN REAL PROPERTY
AS SURPLUS PROPERTY AND TO APPROVE THE CONVEYANCE OF SAID
REAL PROPERTY**

BE IT ORDAINED by the County Commissioners of Washington County, Maryland (the "County"), as follows:

1. It is hereby established and declared that the real property described on Exhibit A (the "Property") is no longer needed for a public purpose or a public use.
2. The County believes that it is in the best interest of the citizens of Washington County to convey the Property, pending approval by the Board of Public Works, and Notice of Intention of Washington County to Convey Land was duly advertised pursuant to Section 1-301, Code of the Public Local Laws of Washington County, Maryland, in *The Herald-Mail*, a daily newspaper of general circulation, on April 24, May 1 and 8, 2018.
3. The President of the Board of County Commissioners of Washington County, Maryland, and the County Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the County, a deed conveying the Property to West End Baptist Chapel, Inc., a Maryland nonstock religious corporation, for the sum of Three Hundred Thousand Dollars (\$300,000.00).

ADOPTED this ____ day of _____, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

BY: _____
Terry L. Baker, President

Approved as to form
and legal sufficiency:

Kirk C. Downey
Deputy County Attorney

EXHIBIT A

All those tracts or parcels of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, encompassing an aggregate area of 2.989 acres of land, situate in Election District No. 25, Washington County, Maryland, commonly known as Winter Street Elementary School Property, 59 Winter Street, Hagerstown, Maryland, and identified by the State Department of Assessments and Taxation as tax account no. 25-033388.

Being all of the land which was conveyed from the Board of Education of Washington County, Maryland, to the Board of County Commissioners of Washington County, Maryland, by deed dated June 30, 2016 and recorded at Liber 5275, folio 429 among the Land Records of Washington County, Maryland.



Agenda Report Form

Open Session Item

SUBJECT: Agreement of Sale of Real Property

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Robert Slocum, County Administrator

RECOMMENDED MOTION: Move to approve the terms and conditions of the Agreement of Sale of Real Property between the Board of County Commissioners of Washington County, Maryland and Issac Holdings, LLC, through its agent and authorized representative, JG Business Link International, Inc., as presented.

REPORT-IN-BRIEF: The County and Issac Holdings, LLC, through the County's Master Developer JGBLI, have been negotiating terms relating to a potential sale by the County and the purchase by Issac Holdings, LLC of the property generally known as Cascade Town Centre and formerly known as Fort Ritchie.

DISCUSSION: The Commissioners and JGBLI held in-depth discussions relating to proposed terms and conditions of the potential sale during the Commissioners' meeting on August 21, 2018.

FISCAL IMPACT: \$6,000,000 - Funds from the sale of the Property

CONCURRENCES: John M. Martirano, County Attorney

ALTERNATIVES: Not agree to the terms in the proposed Agreement

ATTACHMENTS: None

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Conveyance of Real Property to Issac Holdings, LLC

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Todd Moser, Real Property Administrator, Division of Engineering, Jim Sterling Director of Public Works, Scott Hobbs Director, Division of Engineering.

RECOMMENDED MOTION: Move to adopt the ordinance declaring 519 acres, more or less, located within the Cascade Development District and being the remainder of the former Ft. Ritchie Military Reservation, and further identified on the attached aerial (Exhibit A), as surplus property and to approve the conveyance of the same and authorize the execution of necessary documentation to finalize the conveyance.

REPORT-IN-BRIEF: The County's intent to convey the property was duly advertised on July 31, August 7th and August 14th, 2018.

DISCUSSION: The 519 acres of property is ready to be conveyed to Issac Holdings, LLC. 3.766 acres more or less, along with community center, will be conveyed back to the County at zero consideration.

FISCAL IMPACT: Revenue from Sale

CONCURRENCES: Director of Engineering, Director of Public Works, County Attorney

ALTERNATIVES: N/A

ATTACHMENTS: Aerial GIS Map; Ordinance

AUDIO/VISUAL NEEDS: N/A

Exhibit A-1



ORDINANCE NO. ORD-2018-_____

**AN ORDINANCE TO DECLARE CERTAIN REAL PROPERTY
AS SURPLUS PROPERTY AND TO APPROVE THE CONVEYANCE OF SAID REAL
PROPERTY**

BE IT ORDAINED by the County Commissioners of Washington County, Maryland (the "County"), as follows:

1. It is hereby established and declared that certain real property consisting of 528 acres of land, more or less, located within the Cascade Development District and being the remainder of the former Fort Ritchie Military Reservation (the "Property"), is surplus and no longer needed for a public purpose or a public use.

2. The County believes that it is in the best interest of the citizens of Washington County to convey the Property and Notice of Intention of Washington County to Convey Land was duly advertised pursuant to Section 1-301, Code of the Public Local Laws of Washington County, Maryland, in *The Herald-Mail*, a daily newspaper of general circulation, on July 31, August 7 and 14, 2018.

3. The President of the Board of County Commissioners of Washington County, Maryland and the County Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the County any and all deeds conveying the Property to Issac Holdings, LLC, or its designee, for the sum of Six Million Dollars (\$6,000,000.00).

ADOPTED this ____ day of _____, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

BY: _____
Terry L. Baker, President

Approved as to form
and legal sufficiency:

John M. Martirano
County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

EXHIBIT A
DESCRIPTION OF SURPLUS PROPERTY

ALL those tracts, lots or parcels of land, together with the improvements thereon, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 14, Washington County, Maryland, and being more particularly described as follows:

PHASE I:

PARCEL NO. 1: BEGINNING at a point where the Westerly boundary of lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1) intersects the Southwest margin of the CSX Railroad right of way, thence with said right of way with a curve to the right having a radius of 1,112.53 feet, an arc length of 286.62 feet and a chord bearing and distance of South 33 degrees 44 minutes 59 seconds East 285.83 feet to a point where said right of way intersects the Northern boundary of lands now or formerly of Washington County Sanitary District (Liber 1109, Folio 138); thence with the same South 63 degrees 17 minutes 16 seconds West 180.20 feet to a point; thence South 00 degrees 50 minutes 13 seconds East 120.04 feet to a point; thence South 25 degrees 57 minutes 35 seconds East 189.03 feet to a point; thence leaving said lands and crossing Penn Mar Road South 02 degrees 18 minutes 02 seconds East 34.04 feet to a point; thence South 08 degrees 27 minutes 15 seconds West 191.06 feet to a point at or near the shoreline of Lake Royer; thence with said shoreline South 26 degrees 34 minutes 25 seconds West 62.34 feet to a point; thence South 10 degrees 18 minutes 31 seconds West 103.90 feet to a point; thence South 06 degrees 04 minutes 29 seconds West 87.85 feet to a point; thence South 11 degrees 29 minutes 36 seconds West 96.43 feet to a point; thence South 33 degrees 27 minutes 23 seconds West 80.94 feet to a point; thence South 18 degrees 00 minutes 37 seconds West 130.29 feet to a point; thence South 10 degrees 43 minutes 54 seconds West 119.33 feet to a point; thence leaving said shoreline South 41 degrees 42 minutes 28 seconds West 140.15 feet to a point; thence North 48 degrees 48 minutes 23 seconds West 138.12 feet to a point; thence South 40 degrees 42 minutes 43 seconds West 366.68 feet to a point; thence North 48 degrees 22 minutes 04 seconds West 23.27 feet to a point; thence South 52 degrees 11 minutes 20 seconds West 431.50 feet to a point; thence North 73 degrees 04 minutes 22 seconds West 255.37 feet to a point; thence with a curve to the left having a radius of 82.06 feet, an arc length of the 141.03 feet and a chord bearing and distance of South 47 degrees 05 minutes 37 seconds West 124.30 feet to a point; thence North 79 degrees 06 minutes 23 seconds West 281.41 feet to a point; thence North 69 degrees 04 minutes 54 seconds West 262.59 feet to a fence post in the Western boundary of lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1); thence with said Western boundary North 31 degrees 42 minutes 28 seconds East 117.08 feet to a concrete monument; thence North 44 degrees 12 minutes 06 seconds East 672.75 feet to a concrete monument; thence North 47 degrees 51 minutes 32 seconds East 548.56 feet to a fence post; thence North 54 degrees 15 minutes 38 seconds East 252.25 feet to a fence post; thence North 39 degrees 19 minutes 33 seconds East 352.87 feet to a fence post; thence North 40 degrees 26 minutes 53 seconds East

141.24 feet to a drill hole in a boulder; thence North 38 degrees 17 minutes 07 seconds East 517.79 feet to the point of beginning; containing 35.63 acres of land, more or less.

PARCEL NO. 2: BEGINNING at a point along the North side of Penn Mar Road, said point being North 44 degrees 21 minutes 29 seconds East 294.51 feet from an existing disk in concrete at the Southeast corner lands now or formerly of Washington County Sanitary District (Liber 1109, Folio 138), thence leaving Penn Mar Road North 44 degrees 01 minute 18 seconds West 78.49 feet to a point; thence North 45 degrees 58 minutes 41 seconds East 115.12 feet to a point; thence South 35 degrees 14 minutes 07 seconds East 76.47 feet to a point; thence South 44 degrees 21 minutes 53 seconds West 103.48 feet to the point of beginning; containing 0.19 acres of land, more or less.

PHASE II:

PARCEL NO. 1: BEGINNING at a concrete monument at or near the point of beginning of lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1), thence with the boundaries thereof by bearings to match a survey by R. F. Gauss & Associates, Inc., dated July 16, 2001 South 34 degrees 53 minutes 36 seconds East 1070.20 feet to a concrete monument; thence South 29 degrees 18 minutes 02 seconds East 474.96 feet to a disk in concrete; thence South 07 degrees 19 minutes 41 seconds East 352.78 feet to a fence post; thence South 45 degrees 31 minutes 43 seconds West 398.25 feet to a fence post; thence South 79 degrees 14 minutes 20 seconds West 542.08 feet to a fence post; thence South 62 degrees 27 minutes 49 seconds West 393.23 feet to a fence post; thence South 47 degrees 22 minutes 56 seconds West 439.25 feet to a fence post; thence South 41 degrees 37 minutes 13 seconds West 450.35 feet to a fence post; thence North 28 degrees 56 minutes 50 seconds West 206.85 feet to a point; thence North 24 degrees 44 minutes 54 seconds West 77.07 feet to a point; thence North 30 degrees 54 minutes 33 seconds West 247.33 feet to a point; thence North 30 degrees 50 minutes 06 seconds West 606.24 feet to a point; thence with a curve to the left having a radius of 80.33 feet, an arc length of 9 description 4.62 feet and a chord bearing and distance of North 64 degrees 20 minutes 25 seconds West 89.24 feet to a point; thence South 82 degrees 09 minutes 16 seconds West 99.95 feet to a point; thence South 86 degrees 43 minutes 04 seconds West 267.64 feet to a point; thence with a curve to the right having a radius of 125.09, an arc length of 191.17 feet and a chord bearing and distance of North 49 degrees 30 minutes 00 seconds West 173.10 feet to a point; thence North 05 degrees 43 minutes 03 seconds West 525.40 feet to a point; thence North 85 degrees 13 minutes 41 seconds East 90.51 feet to a point at or near the shoreline of Lake Waster; thence with said shoreline North 12 degrees 48 minutes 34 seconds West 74.42 feet to a point; thence North 09 degrees 51 minutes 58 seconds East 120.19 feet to a point; thence with a curve to the right having a radius of 66.79 feet, an arc length of 113.43 feet and a chord bearing and distance of North 52 degrees 06 minutes 38 seconds East 100.28 feet to a point; thence South 68 degrees 20 minutes 35 seconds East 81.19 feet to a point; thence South 55 degrees 56 minutes 24 seconds East 310.04 feet to a point; thence North 37 degrees 42 minutes 20 seconds East 231.07 feet to a point at or near the shoreline of Lake Royer; thence with said shoreline North 54 degrees 36 minutes 12 seconds West 124.03 feet to a point;

thence North 48 degrees 28 minutes 23 seconds East 146.32 feet to a point; thence North 06 degrees 00 minutes 56 seconds West 112.00 feet to a point; thence North 39 degrees 16 minutes 23 seconds East 251.56 feet to a point; thence North 01 degree 05 minutes 05 seconds East 147.36 feet to a point; thence North 10 degrees 43 minutes 54 seconds East 119.33 feet to a point; thence North 18 degrees 00 minutes 37 seconds East 130.29 feet to a point; thence North 33 degrees 27 minutes 23 seconds East 80.94 feet to a point; thence North 11 degrees 29 minutes 36 seconds East 96.43 feet to a point; thence North 06 degrees 04 minutes 29 seconds East 87.85 feet to a point; thence North 10 degrees 18 minutes 31 seconds East 103.90 feet to a point; thence North 26 degrees 34 minutes 25 seconds East 62.34 feet to a point; thence North 08 degrees 27 minutes 15 seconds East 191.06 feet to a point; thence crossing Penn Mar Road North 02 degrees 18 minutes 02 seconds West 34.04 feet to a point at a corner of lands now or formerly of Washington County Sanitary District (Liber 1109, Folio 138); thence with said lands South 86 degrees 05 minutes 03 seconds East 282.51 feet to a point in the Southwestern margin of the CSX Railroad right of way; thence with said right of way with a curve to the left having a radius of 1179.26 feet, an arc length of 975.42 feet and a chord bearing and distance of South 57 degrees 50 minutes 55 seconds East 947.85 feet to the point of beginning; containing 120.57 acres of land, more or less.

PARCEL NO. 2: BEGINNING at a concrete monument, said monument being at or near the point of beginning of lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 2), thence with the boundaries thereof with bearings to match a survey by R. F. Gauss & Associates, Inc., dated July 16, 2001 North 72 degrees 14 minutes 17 seconds East 399.77 feet to a concrete monument; thence South 17 degrees 50 minutes 14 seconds East 299.32 feet to a concrete monument; thence South 72 degrees 26 minutes 17 seconds West 398.13 feet to a concrete monument; thence North 18 degrees 09 minutes 11 seconds West 297.94 feet to the point of beginning; containing 2.73 acres of land, more or less.

PARCEL NO. 3: BEGINNING at a point at or near the centerline of Ritchie Road, said point being approximately North 34 degrees 37 minutes 08 seconds East 360.40 feet from its intersection with the centerline of Wise Road, thence South 29 degrees 40 minutes 55 seconds West 402.32 feet to a concrete monument on the South side of Wise Road and the East side of Ritchie Road; thence South 36 degrees 35 minutes 50 seconds West 592.30 feet to a concrete monument; thence crossing Ritchie Road North 51 degrees 37 minutes 54 seconds West 336.82 feet to a concrete monument; thence along the West side of Ritchie Road South 42 degrees 34 minutes 40 seconds West 461.22 feet to a concrete monument; thence South 23 degrees 49 minutes 37 seconds West 760.48 feet to a concrete monument; thence South 33 degrees 10 minutes 11 seconds West 419.35 feet to a concrete monument; thence leaving Ritchie Road North 50 degrees 17 minutes 02 seconds West 1062.51 feet to a drill hole in a boulder; thence North 29 degrees 14 minutes 12 seconds East 1698.02 feet to a concrete monument; thence North 38 degrees 11 minutes 25 seconds East 1387.86 feet to a concrete monument; thence South 57 degrees 51 minutes 17 seconds East 467.25 feet to a point; thence South 42 degrees 19 minutes 36 seconds West 614.90 feet to a rebar and cap; thence

South 56 degrees 07 minutes 58 seconds East 979.65 feet to the point of beginning; containing 76.31 acres of land, more or less.

PHASE III:

PARCEL NO. 1: BEGINNING at a fence post, said post being at the end of the forty-fifth or South 55 degrees 10 minutes East 735 feet line of lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1), thence running through said lands by bearings to match a survey by R. F. Gauss & Associates, Inc., dated July 16, 2001 South 69 degrees 04 minutes 54 seconds East 262.59 feet to a point; thence South 79 degrees 06 minutes 23 seconds East 281.41 feet to a point; thence South 29 degrees 29 minutes 26 seconds East 167.62 feet to a point; thence South 05 degrees 23 minutes 36 seconds East 413.20 feet to a point; thence North 84 degrees 04 minutes 18 seconds East 226.47 feet to a point; thence South 05 degrees 43 minutes 03 seconds East 300.99 feet to a point; thence with a curve to the left having a radius of 125.09 feet, an arc length of 191.17 feet and a chord bearing and distance of South 49 degrees 30 minutes 00 seconds East 173.10 feet to a point; thence North 86 degrees 43 minutes 04 seconds East 267.64 feet to a point; thence North 82 degrees 09 minutes 16 seconds East 99.95 feet to a point; thence with a curve to the right having a radius of 80.33 feet, an arc length of 9 description4.62 feet and a chord bearing and distance of South 64 degrees 20 minutes 25 seconds East 89.24 feet to a point; thence South 30 degrees 50 minutes 06 seconds East 262.93 feet to a point; thence South 60 degrees 00 minutes 20 seconds West 279.75 feet to a point at or near the centerline of a street known as Greenhow Street; thence along the centerline thereof South 06 degrees 45 minutes 02 seconds East 437.76 feet to a point at its intersection with the centerline of a street known as West Banfill Avenue; thence [along] the centerline thereof and along the centerline of Reservoir Road South 55 degrees 33 minutes 46 seconds West 300.82 feet to a point; thence South 51 degrees 17 minutes 57 seconds West 65.68 feet to a point; thence South 45 degrees 59 minutes 23 seconds West 67.47 feet to a point; thence South 50 degrees 55 minutes 30 seconds West 105.80 feet to a point; thence South 54 degrees 11 minutes 03 seconds West 688.99 feet to a point; thence South 52 degrees 34 minutes 58 seconds West 122.79 feet to a point; thence South 60 degrees 12 minutes 16 seconds West 44.35 feet to a point; thence with a curve to the right having a radius of 165.61 feet, an arc length of 249.21 feet and a chord bearing and distance of North 82 degrees 05 minutes 07 seconds West 226.35 feet to a point; thence North 32 degrees 37 minutes 46 seconds West 141.32 feet to a point; thence with a curve to the left having a radius of 84.80 feet, an arc length of 102.79 feet and a chord bearing and distance of North 72 degrees 07 minutes 19 seconds West 96.61 feet to a point; thence South 71 degrees 28 minutes 51 seconds West 51.54 feet to a point; thence South 64 degrees 39 minutes 59 seconds West 184.37 feet to a point; thence with a curve to the left having a radius of 201.09 feet, an arc length of 107.25 feet and a chord bearing and distance of South 45 degrees 01 minute 06 seconds West 105.99 feet to a point; thence with a curve to the right having a radius of 824.44 feet, an arc length of 146.62 feet and a chord bearing and distance of South 31 degrees 36 minutes 15 seconds West 146.43 feet to a point; thence South 35 degrees 44 minutes 35 seconds West 372.99 feet to a point; thence with a curve to the left having a radius of 456.69 feet, an arc length of 148.16 feet and a chord bearing and distance

of South 26 degrees 09 minutes 18 seconds West 147.51 feet to a point; thence South 18 degrees 33 minutes 13 seconds West 101.01 feet to a point; thence with a curve to the left having a radius of 436.50 feet, an arc length of 110.33 feet, and a chord bearing and distance of South 12 degrees 22 minutes 03 seconds West 110.04 feet to a point; thence South 02 degrees 52 minutes 15 seconds West 110.91 feet to a point; thence South 05 degrees 47 minutes 34 seconds West 74.74 feet to a point; thence with a curve to the right having a radius of 619.31 feet, an arc length of 114.48 feet, and a chord bearing and distance of South 11 degrees 32 minutes 19 seconds West 114.31 feet to a point; thence South 18 degrees 52 minutes 36 seconds West 128.75 feet to a point; thence with a curve to the left having a radius of 294.32 feet, an arc length of 9 description2.43 feet, and a chord bearing and distance of South 11 degrees 28 minutes 19 seconds West 131.32 feet to a point; thence with a curve to the right having a radius of 495.02 feet, an arc length of 262.21 feet, and a chord bearing and distance of South 14 degrees 19 minutes 59 seconds West 259.16 feet to a point; thence South 28 degrees 16 minutes 28 seconds West 87.72 feet to a point in the 37th or North 60 degrees 40 minutes West 1750 feet line of said lands of the United States of America; thence leaving Reservoir Road and continuing with a portion of said 37th line with corrected bearing North 57 degrees 51 minutes 17 seconds West 1523.22 feet to a concrete monument; thence along the same North 52 degrees 15 minutes 46 seconds East 510.27 feet to a concrete monument; thence North 58 degrees 41 minutes 32 seconds West 925.70 feet to a concrete monument; thence North 10 degrees 45 minutes 33 seconds East 1590.97 feet to a concrete monument; thence North 52 degrees 47 minutes 10 seconds East 823.74 feet to a concrete monument; thence South 61 degrees 42 minutes 00 seconds East 426.02 feet to a concrete monument; thence North 20 degrees 58 minutes 53 seconds East 657.93 feet to a concrete monument; thence North 40 degrees 56 minutes 44 seconds East 883.92 feet to a concrete monument; thence South 54 degrees 35 minutes 12 seconds East 669.97 feet to the point of beginning; containing 236.88 acres of land, more or less.

PARCEL NO. 2: BEGINNING at a point at or near the centerline of Ritchie Road, said point being approximately North 34 degrees 37 minutes 08 seconds East 360.40 feet from its intersection with the centerline of Wise Road, thence leaving Ritchie Road North 56 degrees 07 minutes 58 seconds West 979.65 feet to a rebar and cap; thence North 42 degrees 19 minutes 36 seconds East 614.90 feet to a point; thence North 42 degrees 19 minutes 36 seconds East 610.46 feet to a point; thence South 70 degrees 31 minutes 08 seconds East 55.32 feet to a point; thence South 14 degrees 58 minutes 25 seconds West 19.81 feet to a point; thence South 74 degrees 18 minutes 12 seconds East 74.69 feet to a point; thence North 17 degrees 56 minutes 30 seconds East 53.40 feet to a point; thence South 76 degrees 13 minutes 51 seconds East 200.96 feet to a concrete monument; thence South 67 degrees 26 minutes 24 seconds East 94.91 feet to a point at or near the centerline of Ritchie Road; thence with said centerline with a curve to the left having a radius of 600.86 feet, an arc length of 9 description7.24 feet, and a chord bearing and distance of South 10 degrees 37 minutes 08 seconds West 97.13 feet to a point; thence with a curve to the right having a radius of 9 description87.38 feet, an arc length of 224.58 feet and a chord bearing and distance of South 12 degrees 29 minutes 22 seconds West 224.10 feet to a point; thence South 18 degrees 31 minutes 31 seconds West 176.74 feet to a point; thence South 19 degrees 37 minutes 10

seconds West 205.52 feet to a point; thence South 17 degrees 51 minutes 15 seconds West 432.91 feet to a point; thence with a curve to the right having a radius of 2551.36 feet, an arc length of 293.01 feet and a chord bearing and distance of South 21 degrees 08 minutes 40 seconds West 292.85 feet to the point of beginning; containing 21.32 acres of land, more or less.

PARCEL NO. 3: BEGINNING at a point in the centerline of Wise Road, said point being approximately South 46 degrees 22 minutes 40 seconds East 31.96 feet from its intersection with the centerline of Ritchie Road, thence with the centerline of Wise Road South 46 degrees 22 minutes 40 seconds East 57.54 feet to a point; thence with a curve to the left having a radius of 272.20 feet, an arc length of 128.27 feet, and a chord bearing and distance of South 60 degrees 15 minutes 30 seconds East 127.08 feet to a point; thence with a curve to the left having a radius of 770.85 feet, an arc length of 144.86 feet, and a chord bearing and distance of South 79 degrees 23 minutes 19 seconds East 144.65 feet to a point; thence South 86 degrees 40 minutes 32 seconds East 131.68 feet to a point; thence leaving said centerline South 29 degrees 36 minutes 38 seconds West 195.88 feet to a concrete monument; thence North 51 degrees 24 minutes 55 seconds West 443.22 feet to a concrete monument; thence North 29 degrees 40 minutes 55 seconds East 35.55 feet to the point of beginning; containing 0.83 acres of land, more or less.

PARCEL NO. 4: BEGINNING at a concrete monument on the North side of Ritchie Road, said monument being at or near the Northeastern most corner of lands now or formerly of Thomas J. Matter (Liber 1611, Folio 102), thence with the Northern line of Matter North 56 degrees 58 minutes 34 seconds West 280.51 feet to a concrete monument; thence leaving the lands of Matter North 18 degrees 35 minutes 09 seconds West 78.83 feet to a point; thence North 52 degrees 29 minutes 27 seconds East 709.30 feet to a point; thence South 28 degrees 56 minutes 50 seconds East 175.51 feet to a fence post; thence South 25 degrees 02 minutes 16 seconds West 114.69 feet to a fence post; thence South 40 degrees 07 minutes 13 seconds West 525.68 feet to the point of beginning; containing 4.27 acres of land, more or less; SAVING AND EXCEPTING THEREFROM that portion of Phase III, Parcel No. 4 that was conveyed by Fort Ritchie I, LLC, to The Potomac Edison Company by Deed dated July 10, 2009 and recorded in Liber 3736, Folio 331 among the Land Records of Washington County, Maryland.

PHASE IV:

PARCEL NO. 1: BEGINNING at a point, said point being South 74 degrees 16 minutes 04 seconds East 541.92 feet from the end of the 45th or South 55 degrees 10 minutes East 735 feet line of lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1), as surveyed by R. F. Gauss & Associates, Inc., dated July 16, 2001, thence running through said lands with a curve to the right having a radius of 82.06 feet, an arc length of 141.03 feet, and a chord bearing and distance of North 47 degrees 05 minutes 37 seconds East 124.30 feet to a point; thence South 73 degrees 04 minutes 22 seconds East 255.37 feet to a point; thence North 52 degrees 11 minutes 20 seconds East 431.50 feet to a

point; thence South 48 degrees 22 minutes 04 seconds East 23.27 feet to a point; thence North 40 degrees 42 minutes 43 seconds East 366.68 feet to a point; thence South 48 degrees 48 minutes 23 seconds East 138.12 feet to a point; thence North 41 degrees 42 minutes 28 seconds East 140.15 feet to a point; thence South 01 degrees 05 minutes 05 seconds West 147.36 feet to a point; thence South 39 degrees 16 minutes 23 seconds West 251.46 feet to a point; thence South 06 degrees 00 minutes 56 seconds East 112.00 feet to a point; thence South 48 degrees 28 minutes 23 seconds West 146.32 feet to a point; thence South 54 degrees 36 minutes 12 seconds East 124.03 feet to a point; thence South 37 degrees 42 minutes 20 seconds West 231.07 feet to a point; thence North 55 degrees 56 minutes 24 seconds West 310.04 feet to a point; thence North 68 degrees 20 minutes 35 seconds West 81.19 feet to a point; thence with a curve to the left having a radius of 66.79 feet, an arc length of 113.43 feet, and a chord bearing and distance of South 52 degrees 06 minutes 38 seconds West 100.28 feet to a point; thence South 09 degrees 51 minutes 58 seconds West 120.19 feet to a point; thence South 12 degrees 48 minutes 34 seconds East 74.42 feet to a point; thence South 85 degrees 13 minutes 41 seconds West 90.51 feet to a point; thence South 05 degrees 43 minutes 03 seconds East 224.41 feet to a point; thence South 84 degrees 04 minutes 18 seconds West 226.47 feet to a point; thence North 05 degrees 23 minutes 36 seconds West 413.20 feet to a point; thence North 29 degrees 29 minutes 26 seconds West 167.62 feet to the point of beginning; containing 10.16 acres of land, more or less.

PARCEL NO. 2: BEGINNING at a concrete monument, said monument being at the end of the 16th or North 55 degrees 10 minutes West 293 feet line of the lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1), thence with the boundaries thereof by bearings to match a survey by R. F. Gauss & Associates, Inc., dated July 16, 2001, South 31 degrees 24 minutes 51 seconds West 880.04 feet to a concrete monument; thence South 55 degrees 06 minutes 09 seconds East 164.71 feet to a concrete monument; thence South 37 degrees 50 minutes 32 seconds West 1232.99 feet to a concrete monument; thence South 46 degrees 40 minutes 16 seconds West 77.15 feet to a concrete monument; thence running through said lands of the United States of America North 76 degrees 13 minutes 51 seconds West 200.96 feet to a point; thence South 17 degrees 56 minutes 30 seconds West 53.40 feet to a point; thence North 74 degrees 18 minutes 12 seconds West 74.69 feet to a point; thence North 14 degrees 58 minutes 25 seconds East 19.81 feet to a point; thence North 70 degrees 31 minutes 08 seconds West 55.32 feet to a point; thence South 42 degrees 19 minutes 36 seconds West 610.46 feet to a point; thence North 57 degrees 51 minutes 17 seconds West 467.25 feet to a concrete monument at the beginning of the 37th or North 60 degrees 40 minutes West 1750 feet line of the lands now or formerly of the United States of America (Liber 265, Folio 475 Parcel No. 1); thence with a portion thereof with corrected bearing North 57 degrees 51 minutes 17 seconds West 192.15 feet to a point in the centerline of the road known as Reservoir Road; thence with said centerline and with the centerline of a street known as West Banfill Avenue North 28 degrees 16 minutes 28 seconds East 87.72 feet to a point; thence with a curve to the left having a radius of 495.02 feet, an arc length of 262.61 feet, and a chord bearing and distance of North 14 degrees 19 minutes 59 seconds East 259.16 feet to a point; thence with a curve to the right having a radius of 294.32 feet, an arc length of 9 description 2.43 feet and chord

bearing and distance of North 11 degrees 28 minutes 19 seconds East 131.32 feet to a point; thence North 18 degrees 52 minutes 36 seconds East 128.75 feet to a point; thence with a curve to the left having a radius of 619.31 feet, an arc length of 114.48 feet and a chord bearing and distance of North 11 degrees 32 minutes 19 seconds East 114.31 feet to a point; thence North 05 degrees 47 minutes 34 seconds East 74.74 feet to a point; thence North 02 degrees 52 minutes 15 seconds East 110.91 feet to a point; thence with a curve to the right having a radius of 436.50 feet, an arc length of 110.33 feet and a chord bearing and distance of North 12 degrees 22 minutes 03 seconds East 110.04 feet to a point; thence North 18 degrees 33 minutes 13 seconds East 101.01 feet to a point; thence with a curve to the right having a radius of 456.69 feet, an arc length of 148.16 feet and a chord bearing and distance of North 26 degrees 09 minutes 18 seconds East 147.51 feet to a point; thence North 35 degrees 44 minutes 35 seconds East 372.99 feet to a point; thence with a curve to the left having a radius of 824.44 feet, an arc length of 146.62 feet, and a chord bearing and distance of North 31 degrees 36 minutes 15 seconds East 146.43 feet to a point; thence with a curve to the right having a radius of 201.09 feet, an arc length of 107.25 feet, and a chord bearing and distance of North 45 degrees 01 minutes 06 seconds East 105.99 feet to a point; thence North 64 degrees 39 minutes 59 seconds East 184.37 feet to a point; thence North 71 degrees 28 minutes 51 seconds East 51.54 feet to a point; thence with a curve to the right having a radius of 84.80 feet, an arc length of 102.79 feet, and a chord bearing and distance of South 72 degrees 07 minutes 19 seconds East 96.61 feet to a point; thence South 32 degrees 37 minutes 46 seconds East 141.32 feet to a point; thence with a curve to the left having a radius of 165.61 feet, an arc length of 249.21 feet, and a chord bearing and distance of South 82 degrees 05 minutes 07 seconds East 226.35 feet to a point; thence North 60 degrees 12 minutes 16 seconds East 44.35 feet to a point; thence North 52 degrees 34 minutes 58 seconds East 122.79 feet to a point; thence North 54 degrees 11 minutes 03 seconds East 688.99 feet to a point; thence North 50 degrees 55 minutes 30 seconds East 105.80 feet to a point; thence North 45 degrees 59 minutes 23 seconds East 67.47 feet to a point; thence North 51 degrees 17 minutes 57 seconds East 65.68 feet to a point; thence North 55 degrees 33 minutes 46 seconds East 300.82 feet to a point at the intersection of the centerline of a street known as West Banfill Avenue and the centerline of a street known as Greenhow Street; thence with the centerline of Greenhow Street North 06 degrees 45 minutes 02 seconds East 437.76 feet to a point; thence leaving said street North 60 degrees 00 minutes 20 seconds East 279.75 feet to a point; thence South 30 degrees 50 minutes 06 seconds East 343.31 feet to a point; thence South 30 degrees 54 minutes 33 seconds East 247.33 feet to a point; thence South 24 degrees 44 minutes 54 seconds East 77.07 feet to a point; thence South 28 degrees 56 minutes 50 seconds East 31.35 feet to a point; thence South 52 degrees 29 minutes 27 seconds West 709.30 feet to a point; thence South 18 degrees 35 minutes 09 seconds East 78.83 feet to the point of beginning; containing 81.34 acres of land, more or less; SAVING AND EXCEPTING THEREFROM that portion of Phase IV, Parcel No. 2 that was conveyed by Fort Ritchie I, LLC, to The Potomac Edison Company by Deed dated July 10, 2009 and recorded in Liber 3736, Folio 331 among the Land Records of Washington County, Maryland.

TOGETHER WITH AND SUBJECT TO any and all covenants, conditions, restrictions, reservations, easements, and rights of way of record applicable thereto.

SAVING AND EXCEPTING THEREFROM the following tracts or parcels of land:

[1] All those tracts or parcels of land, containing 42.29 acres, more or less, conveyed from [the] Board of County Commissioners of Washington County, Maryland, a body corporate and politic of the State of Maryland, to Cascade Town Centre Development, LLC, a Maryland limited liability company, dated June 15, 2017 and recorded in Liber 5527, Folio 183 among the Land Records of Washington County, Maryland.

[2] All that parcel containing 3.50 acres, more or less, being a portion of the former Fort Ritchie Military Reservation, situate along the Northerly margin for Pen Mar Road that, said 3.50 acres being a naturally subdivided portion of Phase I Parcel I by said road, and which parcel is described as a specifically excepted parcel in the above referenced Deed recorded in Liber 5527, Folio 183 among the aforesaid Land Records.

[3] All that tract or parcel of land, containing 20.71 acres, more or less, conveyed from [the] Board of County Commissioners of Washington County, Maryland, a body corporate and politic of the State of Maryland, to Cascade Town Centre Development, LLC, a Maryland limited liability company, dated September 18, 2017 and recorded in Liber 5594, Folio 224 among the Land Records of Washington County, Maryland.

[4] All that tract or parcel of land containing 0.83 acres, more or less, being Parcel No. 3 of Phase III in a deed dated September 20, 2016 from Penmar Development Corporation, a Maryland corporation, to [the] Board of County Commissioners of Washington County, Maryland, and recorded in Liber 5328, Folio 232 among the Land Records of Washington County, Maryland.

BEING part of the same property which was conveyed from Ft. Ritchie, LLC, a Maryland limited liability Company, to Penmar Development Corporation, a Maryland corporation, by Deed dated July 24, 2012 and recorded in Liber 4332, Folio 175 among the Land Records of Washington County, Maryland; AND BEING part of the property which was conveyed from Penmar Development Corporation, a Maryland corporation, to [the] Board of County Commissioners of Washington County, Maryland by Deed dated September 20, 2016 and recorded in Liber 5328, Folio 232 among the aforesaid Land Records.



Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase (INGT-18-008) for the Highway Department of Three (3) Dump Trucks

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Rick Curry, CPPO, Director, Purchasing Department, and Jack Reynard, Fleet Manager, Highway Department

RECOMMENDED MOTION: Move to authorize by Resolution, the Highway Department to purchase three (3) 4x2 Mack dump trucks from *Potomac Truck Center, Inc.* of Bladensburg, MD. The cost of each truck is \$196,300.00 (extended warranty \$3,200.00) for a total amount of \$598,500.00 and to utilize another jurisdiction's contract (#4400003267) that was awarded by Howard County, Maryland - Office of Purchasing.

REPORT-IN-BRIEF: The Highway Department is requesting to purchase three (3) dump trucks to replace vehicles that are between fifteen (15) to seventeen (17) years old and exceed the County's Vehicle and Equipment Types and Usage Guidelines. The County's replacement guidelines for vehicles greater than 33,000 lbs. GVWR is recommended at a ten (10) year economic life cycle. The replaced vehicles will be advertised on GovDeals.com for auctioning.

The Code of Public Laws of Washington County, Maryland (the Public Local Laws) §1-106.3 provides that the Board of County Commissioners may procure goods and services through a contract entered into by another governmental entity, in accordance with the terms of the contract, regardless of whether the County was a party to the original contract. The government of Howard County, Maryland - Office of Purchasing took the lead in soliciting the resulting agreement. If the Board of County Commissioners determines that participation by Washington County would result in cost benefits or administrative efficiencies, it could approve the purchase of this service in accordance with the Public Local Laws referenced above by resolving that participation would result in cost benefits or in administrative efficiencies.

The County will benefit with direct cost savings in the purchase of these trucks because of the economies of scale this buying group leveraged. I am confident that any bid received as a result of an independent County solicitation would exceed the spend savings that Howard County, Maryland - Office of Purchasing provides through this agreement. Additionally, the County will realize savings through administrative efficiencies as a result of not preparing, soliciting and evaluating a bid. This savings/cost avoidance would, I believe, be significant.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the Highway Department's Capital Improvement Plan (CIP) account (EQP042) in the amount of \$1,000,000.00.

CONCURRENCES: Director of Highway Department

ALTERNATIVES: Process a formal bid and the County could possibly incur a higher cost for the purchase, or do not award the purchase of the dump trucks.

ATTACHMENTS: Potomac Mack Sales and Services, Inc. quote.

AUDIO/VISUAL NEEDS: N/A



Howard County, Maryland

OFFICE OF PURCHASING

6751 Columbia Gateway Drive, Suite 501
Columbia, MD 21046
(410) 313-6370
Tax Exemption No. 30001219

Page: 1 / 3
Contract Number: 4400003267

POTOMAC TRUCK CENTER INC
3371 KENILWORTH AVENUE
BLADENSBURG MD 20781
USA

Commodity Contract	
Contract Number:	4400003267
Vendor Number:	1110256
Date:	03/02/2017
Contract Term:	03/01/2017 to 02/28/2019
Header Target:	\$350,000.00
Ceiling Value:	\$1,000,000.00 Over 5 Years
Buyer:	Shelley Liby, CPPB
Telephone:	410-313-6379
Fax Number:	410-313-6388
Email:	sjliby@howardcountymd.gov

Delivery Terms: Free On Board Destination
Payment Terms: Net Due Within 30 Days

Contract text:

Invitation for Bid No. 2017-39, Heavy Duty Trucks, Class 7 & 8

[
This is a multiple award contract and represents one of three awarded contracts.

Contract Change No. 1, 02/01/2018. This contract change is for the purpose of exercising the first of four (4) one-year renewal options for the period of 03/01/2018 to 02/28/2019 All other terms and conditions remain unchanged.

All invoices shall reflect the Contract Number, release Purchase Order Number, and the contract Line Item Numbers.

The vendor must maintain, in full force and current, the insurance coverage required under the terms and conditions of this contract while this contract is in effect, including any renewal terms.

The Ceiling Value is representative of multiple contract terms and does not represent the value of one year's services.

Vendor Contact: Scott Parker, 410-533-8831, email scott.parker@potomatruckcenters.com

Agency Contact: Adam D. Brown, 410-313-2047, email adbrown@howardcountymd.gov

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Item	NIGP Code	Description	Unit	Price



Howard County, Maryland

OFFICE OF PURCHASING

6751 Columbia Gateway Drive, Suite 501
Columbia, MD 21046
(410) 313-6370
Tax Exemption No. 30001219

Item	NIGP Code	Description	Unit	Price
1	07207	Heavy Duty Trucks, Class 7 Mack Price(Contract/Bid)	1 EA	1.00 USD
Material Text: Trucks, Heavy Duty, Mack Invoice plus \$4,200.00				
2	07207	Heavy Duty Trucks, Class 7 Hino Trucks Price(Contract/Bid)	1 EA	1.00 USD
Material Text: Trucks, Heavy Duty, Hino Trucks Invoice plus \$3,000.00				
3	07208	Heavy Duty Trucks, Class 8 Mack Price(Contract/Bid)	1 EA	1.00 USD
Material Text: Trucks, Heavy Duty, Class 8 Mack Invoice plus \$4,200.00				
4	07208	Heavy Duty Trucks, Class 8 Volvo Price(Contract/Bid)	1 EA	1.00 USD
Material Text: Trucks, Heavy Duty, Class 8 Volvo Trucks Invoice plus \$4,200.00				

TERMS AND CONDITIONS APPLICABLE TO CONTRACTS

1. This is notice that the Contract referenced above has been awarded to you based on the bid or proposal you submitted. All terms, conditions and specifications of the solicitation, when the result of a solicitation, will apply to all orders.
2. Any County agency authorized to purchase from this Contract must issue a release Purchase Order and reference the Contract number and line number for each of the goods and/or services on the Contract.
3. This is not an order to ship goods or begin services. A release Purchase Order must be issued before you are authorized to ship goods or begin services.
4. Changes in goods to be furnished or services to be performed are not permitted unless approved by the Office of Purchasing prior to goods being shipped or services being performed. Prior approval of the Office of Purchasing is also required before goods or services can be added or deleted.
5. The Contractor must supply actual goods and services ordered at the Contract price.



Howard County, Maryland

OFFICE OF PURCHASING

6751 Columbia Gateway Drive, Suite 501
Columbia, MD 21046
(410) 313-6370
Tax Exemption No. 30001219

6. Contractors must maintain, in full force and current, the insurance coverage required under the terms and conditions of this Contract while this Contract is in effect, including any renewals thereof.

7. The County is exempt from State and Federal Excise Taxes. Maryland Sales and Use Tax Exemption Certificate No. 30001219.

8. Invoices for release Purchase Orders against this Contract must include:

- a. Contractor's name;
- b. Address;
- c. Federal tax identification number;
- d. Contract number (the first two digits are 44XXXXXXXX) and Contract Line number (shown under each item description as 44XXXXXXXX/X # the last digit is the Contract Line number);
- e. Purchase Order number (the first digit is 2XXXXXXXX);
- f. Unit price and extended price (the unit price must match a Contract Line on the Contract); and
- g. Description of goods provided and/or services performed as show on this Contract.

9. Termination

a. Termination for Convenience: The County may terminate this Contract, in whole or in part, whenever the County determines that such termination is in the best interest of the County, without showing cause, upon giving at least 30 days written notice to the Contractor. The County shall pay all reasonable costs incurred by the Contractor up to the date of termination. However, in no event shall the Contractor be paid an amount which exceeds the price bid for the work performed or goods delivered. The Contractor shall not be reimbursed for any profits which may have been anticipated but which have not been earned up to the date of termination.

b. Termination for Default: When the Contractor has not performed or has unsatisfactorily performed one or more material terms of the Contract, the County may terminate the Contract for default. Upon termination for default, payment may be withheld at the discretion of the County. Failure on the part of a Contractor to fulfill the Contractual obligations of this Contract shall be considered just cause for termination of the Contract. If the damages exceed the undisbursed sums available for compensation, the County shall not be obligated to make any further disbursements hereunder. The Contractor will be paid for work satisfactorily performed prior to termination less any excess costs incurred by the County in reprocurring and completing the work or obtaining the goods.

10. Remedies for Default

a. The County shall have the right upon the happening of any default, without providing notice to the Contractor:

- i. In addition to other available rights and remedies, to terminate the Contract immediately, in whole or in part;
- ii. To suspend the Contractor's authority to receive any undisbursed funds; and/or
- iii. To proceed at any time or from time to time to protect and enforce all rights and remedies available to the County, by suit or any other appropriate proceedings, whether for specific performance of any covenant, term or condition set forth in this Contract, or for damages or other relief, or proceed to take any action authorized or permitted under applicable law or regulations.

b. Upon termination of this Contract for default, the County may elect to pay the Contractor for services provided and/or goods delivered up to the date of termination, less the amount of damages caused by the default. If the damages exceed the undisbursed sums available for compensation, the County shall not be obligated to make any further disbursements hereunder.

11. Remedies Cumulative and Concurrent

No remedy herein conferred upon or reserved to the County is intended to be exclusive of any other remedies provided for in this Contract, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder, or under this Contract, or now or hereafter existing at law or in equity or by statute. Every right, power and remedy given to the County shall be concurrent and may be pursued separately, successively or together against the Contractor, and every right, power and remedy given to the County may be exercised from time to time as often as may be deemed expedient by the County.

Buyer

Authorized Signature

8/13/18

Washington County Maryland
RE: Purchasing Department

This letter confirms that the price quoted for Mack dump truck with J&J body, plow, accessories, and extended warranties of \$199,500 per unit is accurate and valid until 10/5/18.

Pricing per unit is detailed as follows:

Mack Chassis / J&J Body and accessories -- **\$196,300**
Mack Extended Engine, Aftertreatment, and Start and Alternator Coverage -- **\$3,200**
Total Price -- **\$199,500**

If purchase order is not issued prior to 10/5/18, Potomac Truck Center will need to reconfirm pricing with Mack Trucks.

Scott Parker
Dir. Government Sales
Potomac Truck Center
410-533-8831

NEW TRUCK QUOTATION



January 0, 1900

2019 Mack 0

Quantity: 1

Quotation Reference: 0

Prepared for: Washington County

PRICING SUMMARY

Base Selling Price	_____	\$196,300.00
F.R.E.T.	_____	\$0.00
Title Tax	0% _____	\$0.00
Title Fee	_____	\$0.00
Lien Fee	_____	\$0.00
Tag Fee	_____	\$0.00
Sub-Total	_____	\$196,300.00
Extended Warranties	_____	\$3,200.00
Total Sale Price	_____	\$199,500.00

Total Price	1	Vehicles	\$199,500.00
Minus Trade Value(s)	_____		\$0.00
Minus Customer Deposit	_____		\$0.00

Total Due at Signing	\$199,500.00
-----------------------------	---------------------

Notes: This price is in accordance with the Howard County Contract pricing format, and includes all fees.

<i>Extended Warranties Included:</i>	
Engine Plan	
EATS Plan	
Starter and Alternator	
0	
0	
0	

<i>Options Included in Price:</i>	
J&J	
0	
0	
0	
0	
0	
0	
0	
0	
0	
0	
0	
0	
0	

Prepared by: 0



Potomac Truck Center, Inc.

3371 Kenilworth Ave, Bladensburg, MD 20710

Phone: (301) 864-2000

Fax: (301) 277-7211

Web: www.BPTRUCKCENTERS.COM



Agenda Report Form

Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase (INGT-18-009) for the Highway Department of Two (2) Utility Tractors

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Rick Curry, CPPO, Director, Purchasing Department, and Jack Reynard, Fleet Manager, Highway Department

RECOMMENDED MOTION: Move to authorize by Resolution, the Highway Department to purchase two (2) new John Deere 5100 utility model cab tractor mowers with one (1) 88-inch rear offset flail mower and one (1) 74-inch rear offset flail mower from Smith's Implements, Inc of Hagerstown, MD for \$112,203.27 each, for the total purchase amount of \$224,406.54 and to utilize another jurisdiction's contract (#001B6400652) that was awarded by the State of Maryland to Deere & Company of Cary, NC..

REPORT-IN-BRIEF: The Highway Department is requesting to purchase two (2) utility tractors to replace tractors that are between sixteen (16) to seventeen (17) years old and exceed the County's Vehicle and Equipment Types and Usage Guidelines. The County's replacement guidelines for utility tractors (Off-Highway Equipment) is recommended at a ten (10) year economic life cycle. The replaced utility tractors will be advertised on GovDeals.com for auctioning.

The Code of Public Laws of Washington County, Maryland (the Public Local Laws) §1-106.3 provides that the Board of County Commissioners may procure goods and services through a contract entered into by another governmental entity, in accordance with the terms of the contract, regardless of whether the County was a party to the original contract. The State of Maryland took the lead in soliciting the resulting agreement. If the Board of County Commissioners determines that participation by Washington County would result in cost benefits or administrative efficiencies, it could approve the purchase of this service in accordance with the Public Local Laws referenced above by resolving that participation would result in cost benefits or in administrative efficiencies.

The County will benefit with direct cost savings in the purchase of this procurement because of the economies of scale this buying group leveraged. I am confident that any bid received as a result of an independent County solicitation would exceed the spend savings that the State of Maryland provides through this agreement. Additionally, the County will realize savings through administrative efficiencies as a result of not preparing, soliciting and evaluating a bid. This savings/cost avoidance would, I believe, be significant.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the Highway Department's Capital Improvement Plan (CIP) account (EQP042) in the amount of \$1,000,000.00.

CONCURRENCES: Director of Highway Department

ALTERNATIVES: Process a formal bid and the County could possibly incur a higher cost for the purchase, or do not award the purchase of the utility tractors.

ATTACHMENTS: Smith's Implements, Inc. quote.

AUDIO/VISUAL NEEDS: N/A



Quote Id: 17865346

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Smith's Implements, Inc.
13115 Cearfoss Pike
Hagerstown, MD 21740
301-733-1873
rsmith@smithsimp.com

Prepared For:

Washington County



*Committed to Agriculture
Enhancing Rural Lifestyles*

Proposal For:

Delivering Dealer:

Ross Smith

Smith's Implements, Inc.
13115 Cearfoss Pike
Hagerstown, MD 21740

301-733-1873
rsmith@smithsimp.com

Quote Prepared By:

ROSS SMITH
717-860-1219
rsmith@smithsimp.com

Date: 24 July 2018

Offer Expires: 24 August 2018

Confidential



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

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Smith's Implements, Inc.
13115 Cearfoss Pike
Hagerstown, MD 21740
301-733-1873
rsmith@smithsimp.com

Quote Summary

Prepared For:

Washington County
Jack Reynard
601 Northern Ave
Hagerstown, MD 21742

Delivering Dealer:

Smith's Implements, Inc.
Ross Smith
13115 Cearfoss Pike
Hagerstown, MD 21740
Phone: 301-733-1873
Mobile: 717-860-1219
rsmith@smithsimp.com

Price on the tractor would be protected by John Deere only if purchase order is placed in next 60 days but availability of units for delivery is estimated to be approxiately Feb/Mar 2019. Alamo mowers are priced the same also however there is expected a major price increase the first of 2019 year. This can't be protected against but Alamo units would be available in next 90 days. So that would mean you would need to pay for the Alamo mowers ahead of time or Smith's will purchase them before end of year and ahead of the price increase. So Smith's will honor the pricing you were given on the prior purchases of the 5100M in the beginning of the 2018 summer.

Quote ID: 17865346
Created On: 24 July 2018
Last Modified On: 10 August 2018
Expiration Date: 24 August 2018

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 5100M Utility Tractor	\$ 130,724.82	\$ 112,203.27 X	2 =	\$ 224,406.54

Contract: MD State of Maryland 001B6400652 (PG YL CG 22)
Price Effective Date: July 24, 2018

Equipment Total **\$ 224,406.54**

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 224,406.54
Trade In	
SubTotal	\$ 224,406.54
Est. Service Agreement Tax	\$ 0.00
Total	\$ 224,406.54
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 224,406.54

Salesperson : X _____

Accepted By : X _____



JOHN DEERE



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Smith's Implements, Inc.
13115 Cearfoss Pike
Hagerstown, MD 21740
301-733-1873
rsmith@smithsimp.com

Salesperson : X _____

Accepted By : X _____

Confidential



JOHN DEERE

Selling Equipment



Quote Id: 17865346 Customer Name: WASHINGTON COUNTY

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Smith's Implements, Inc.
13115 Cearfoss Pike
Hagerstown, MD 21740
301-733-1873
rsmith@smithsimp.com

JOHN DEERE 5100M Utility Tractor

Contract: MD State of Maryland 001B6400652 (PG YL CG 22)

Suggested List *

\$ 130,724.82

Price Effective Date: July 24, 2018

Selling Price *

\$ 112,203.27

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
253CLV	5100M Utility Tractor	2	\$ 62,818.00	18.00	\$ 11,307.24	\$ 51,510.76	\$ 103,021.52
Standard Options - Per Unit							
0202	United States	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	ENGLISH	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
1390	32F/16R PowrReverser Hi-Lo (40k)	2	\$ 1,696.00	18.00	\$ 305.28	\$ 1,390.72	\$ 2,781.44
2055	Standard Cab	2	\$ 11,769.00	18.00	\$ 2,118.42	\$ 9,650.58	\$ 19,301.16
2120	Air Suspension seat	2	\$ 849.00	18.00	\$ 152.82	\$ 696.18	\$ 1,392.36
2410	Instructional Seat with Seat-belt	2	\$ 559.00	18.00	\$ 100.62	\$ 458.38	\$ 916.76
2511	Mirror Telescopic LH & RH	2	\$ 305.00	18.00	\$ 54.90	\$ 250.10	\$ 500.20
3025	Corner Post Deluxe Exhaust	2	\$ 603.00	18.00	\$ 108.54	\$ 494.46	\$ 988.92
3325	2 Mechanical Stackable Rear SCV	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
3420	2 Stackable Mid SCVs with Mechanical Joystick control	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
3820	Two Speed PTO - 540/540E	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
4030	Electronic Hitch Control with Remote Control on LH Fender	2	\$ 475.00	18.00	\$ 85.50	\$ 389.50	\$ 779.00
4110	Telescoping Draft Links with Ball End - Cat.2	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
4160	LH Only Adjustment Lift Link	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
4210	Mechanical Center Link with Ball Ends - Cat. 2	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
4420	LH & RH Stabilizer Bar	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
5133	460/85R30 (18.4R30) R1W Radial	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00



JOHN DEERE

Selling Equipment



Quote Id: 17865346 Customer Name: WASHINGTON COUNTY

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2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

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13115 Cearfoss Pike
Hagerstown, MD 21740
301-733-1873
rsmith@smithsimp.com

5999	No Rear Tire Brand Preference	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
6040	MFWD Front Axle	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
6203	320/85R24 (12.4R24) R1W Radial	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
6799	No Front Tire Brand Preference	2	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
8015	Front Fenders - Turnable (Axle Mounted)	2	\$ 850.00	18.00	\$ 153.00	\$ 697.00	\$ 1,394.00
8020	Rear Fender Extensions (Cab)	2	\$ 241.00	18.00	\$ 43.38	\$ 197.62	\$ 395.24
8300	Cold Weather package - Coolant heater	2	\$ 88.00	18.00	\$ 15.84	\$ 72.16	\$ 144.32
8386	PTO Remote Control and LH and RH Fenders	2	\$ 62.00	18.00	\$ 11.16	\$ 50.84	\$ 101.68
Standard Options Total			\$ 17,497.00		\$ 3,149.46	\$ 14,347.54	\$ 28,695.08
Dealer Attachments/Non-Contract/Open Market							
02997004	ALAMO RIGHT-HAND INTERSTATER 74"- SHD88 REAR FLAIL OFFSET	2	\$ 48,666.48	7.00	\$ 3,406.65	\$ 45,259.83	\$ 90,519.65
RE566705	DUAL USB CHARGER	2	\$ 25.96	18.00	\$ 4.67	\$ 21.29	\$ 42.57
AT162291	Extension - EXTENSION, BACKREST,CLOTH	2	\$ 181.42	18.00	\$ 32.66	\$ 148.76	\$ 297.53
BW16765	Guard - HOODGUARD, 5R FT4	2	\$ 418.00	18.00	\$ 75.24	\$ 342.76	\$ 685.52
PC13353	Paper Parts Catalog - PRTS CTLG-5100MH TRACTOR (N.AMERICA)	2	\$ 125.00	100.00	\$ 125.00	\$ 0.00	\$ 0.00
PC13353	Paper Parts Catalog - PRTS CTLG-5100MH TRACTOR (N.AMERICA)	2	\$ 125.00	100.00	\$ 125.00	\$ 0.00	\$ 0.00
AT439279	Radio - RADIO, PREMIUM NA	2	\$ 697.96	18.00	\$ 125.63	\$ 572.33	\$ 1,144.65
TM143719	Technical Manual - 5075M,5090M,5100M,5100 MH,5115M	2	\$ 170.00	100.00	\$ 170.00	\$ 0.00	\$ 0.00
Dealer Attachments Total			\$ 50,409.82		\$ 4,064.85	\$ 46,344.97	\$ 92,689.92
Value Added Services Total			\$ 0.00			\$ 0.00	\$ 0.00



JOHN DEERE

Selling Equipment



Quote Id: 17865346 Customer Name: WASHINGTON COUNTY

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Smith's Implements, Inc.
13115 Cearfoss Pike
Hagerstown, MD 21740
301-733-1873
rsmith@smithsimp.com

Suggested Price			\$ 224,406.52
Total Selling Price	\$	\$ 18,521.55	\$
	130,724.82	112,203.27	224,406.52



Agenda Report Form

Open Session Item

SUBJECT: Sole Source Contract Award (PUR-1400) - Route Match Fixed-Route Software Module for use by Washington County Transit Department

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Rick Curry, CPPO, Director, Purchasing Department, and Kevin Cerrone, Director, Transit Department

RECOMMENDED MOTION: Move to award by Resolution, a contract for the procurement of Route Match Fixed-Route software module totaling \$309,950.00 from Route Match Software, Inc. of Atlanta, GA, contingent upon the company becoming registered with the Maryland Department of Assessments and Taxation and being in good standing.

REPORT-IN-BRIEF: A request was received from the Transit Department regarding the procurement of Route Match Fixed-Route software module. The Transit Department wishes to apply Section 1-106.2(a)(1) & (2) of the Code of Public Local Laws of Washington County, Maryland, to the procurement requested. These sections state that a sole source procurement is authorized and permissible when: (1) Only one source exists that meets the County's requirements and (2) The compatibility of equipment, accessories, or replacement parts is the paramount consideration

The software will provide performance improvement aspects such as on-time performance, communications among dispatch and drivers, schedule adherence, boost customer service, optimize vehicle usage and provide passengers with Real Time information through this procurement. This procurement is an expansion that integrates into the department's existing Route Match Demand Response (Paratransit & JOBS) dispatch software. The cost of the module including installation, implication and training is included in the pricing.

DISCUSSION: N/A

FISCAL IMPACT: The software is to be procured through the following account 34-44010 – EQP061. The following cost distribution will apply to this procurement: Federal - \$247,960.00, State - \$30,995.00, Local - \$30,995.00.

CONCURRENCES: Maryland Department of Transportation, and Maryland Transit Administration

ALTERNATIVES: N/A

ATTACHMENTS: Route Match's quote dated 1/17/2018

AUDIO/VISUAL NEEDS: N/A

PROCUREMENT COST ANALYSIS

Washington County Transit

Item / Service: **RouteMatch Fixed Route Module**
 Grant Project: **WA125307C2017**
 Funding Breakdown: Fed: 80% State: 10% Local: 10%

Line Item: **11.42.08**
 County Project #: **EQP058**

Quote # 1

Date: 1/17/2018

Vendor/ Supplier: RouteMatch Software
 Address: 1201 West Peachtree St. Suite 3300
Atlanta, Georgia 30309
 Phone: 404-239-2126
 Email: tim.flanigan@routematch.com
 Contact Person: Tim Flanigan

Cost of Item: \$309,950
 Shipping/Handling: N/C

Special Instructions / Comments:

Employee: Kim

Quote # 2

Date: N/A

Vendor/ Supplier: _____
 Address: _____
 Phone: _____
 Email: _____
 Contact Person: _____

Cost of Item: _____
 Shipping/Handling: _____

Special Instructions / Comments:

Employee: _____

Quote # 3

Date: N/A

Vendor/ Supplier: _____
 Address: _____
 Phone: _____
 Email: _____
 Contact Person: _____

Cost of Item: _____
 Shipping/Handling: _____

Special Instructions / Comments:

Employee: _____

June 5, 2018

Mr. Kevin Cerrone
Washington County Transit
Department of Public Works & Transit
1000 West Washington Street
Hagerstown MD 21740

Dear Kevin:

Thank you for your letter of March 20, 2018 requesting concurrence to purchase the RouteMatch Fixed-Route System. We understand that this system will provide improved performance for Washington County Transit. Aspects such as on-time performance, communications among drivers and with passengers will be enhanced through this procurement.

Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) concurs with your request to purchase this system from RouteMatch.

This purchase was reviewed by the Procurement Review Group at MDOT MTA and was assigned a 0% Disadvantaged Business Enterprise goal.

When requesting access to grant funds for this purchase, use the payment request form included in your grant agreement. The total cost of this project is \$309,950 and will be funded through your Fiscal Year 2017 grant. The following cost distribution will apply to this purchase:

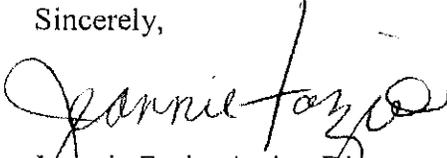
Grant	Line Item	Project Description	Federal	State	Local	Total
WA125307C2017	11.42.08	RouteMatch Fixed-Route	\$247,960	\$30,995	\$30,995	\$309,950

It is understood that you will be completing this purchase upon receipt of this concurrence from MDOT MTA. Please keep in mind that this will be the last purchase on grant WA125307C2017. Upon receipt of your reimbursement the grant will be closed, and the remaining funds will be returned to MDOT MTA.

Mr. Kevin Cerrone
Page Two

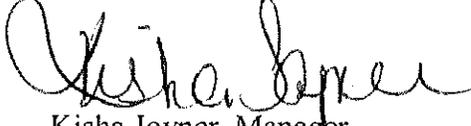
Should you have any questions or need additional assistance with this matter, please contact your Regional Planner, Chris Taylor, at 410-767-3142 or ctaylor7@mta.maryland.gov.

Sincerely,



Jeannie Fazio, Acting Director
Office of Local Transit Support

Funds Available



Kisha Joyner, Manager
Office of Planning and Programming

cc: Chris Taylor, Regional Planner



Open Session Item

SUBJECT: Clean County Initiative – Clean Streets Clean Streams

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: David A. Mason, Deputy Director, Solid Waste & Watershed Programs; Scott Hobbs, Director, Engineering Department, Alex Reed, Watershed Specialist, and John Swauger, Stormwater Management Coordinator.

RECOMMENDED MOTION: For informational purposes only

REPORT-IN-BRIEF: The Maryland Department of Environment (MDE) reached a final determination on April 27, 2018 to issue the National Pollutant Discharge Elimination System (NPDES) General Permit for discharges from small Municipal Separate Storm Sewer Systems (MS4s) and the County plans on submitting the Notice of Intent (NOI) before the deadline on October 31, 2018. The NOI serves as notification that the County intends to comply with the terms and conditions of the permit. The permit expires on October 30, 2023 unless administratively continued by MDE. A meeting is scheduled with MDE on September 14, 2018 to review the permit information prior to submission of the NOI.

DISCUSSION: The permit requires municipalities to implement stormwater management programs to improve water quality and control the discharge of pollutants into and through their MS4s. These programs include six minimum control measures; public education and outreach; public participation and involvement; illicit discharge detection and elimination; construction site stormwater runoff control; post construction stormwater management; and pollution prevention/good housekeeping. The permit also establishes new requirements for impervious restoration for twenty percent of existing developed areas within the County's Urbanized Area that have little or no stormwater management. As part of the control measures mentioned, staff continues to work on plans for cost-effective stormwater best management practices (BMPs) for impervious area treatment or reduction and efforts to satisfy the Watershed Implementation Plan (WIP).

FISCAL IMPACT: Capital Improvement Plan Budget, Stormwater Retrofits

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: PowerPoint Presentation

AUDIO/VISUAL NEEDS: PowerPoint Presentation

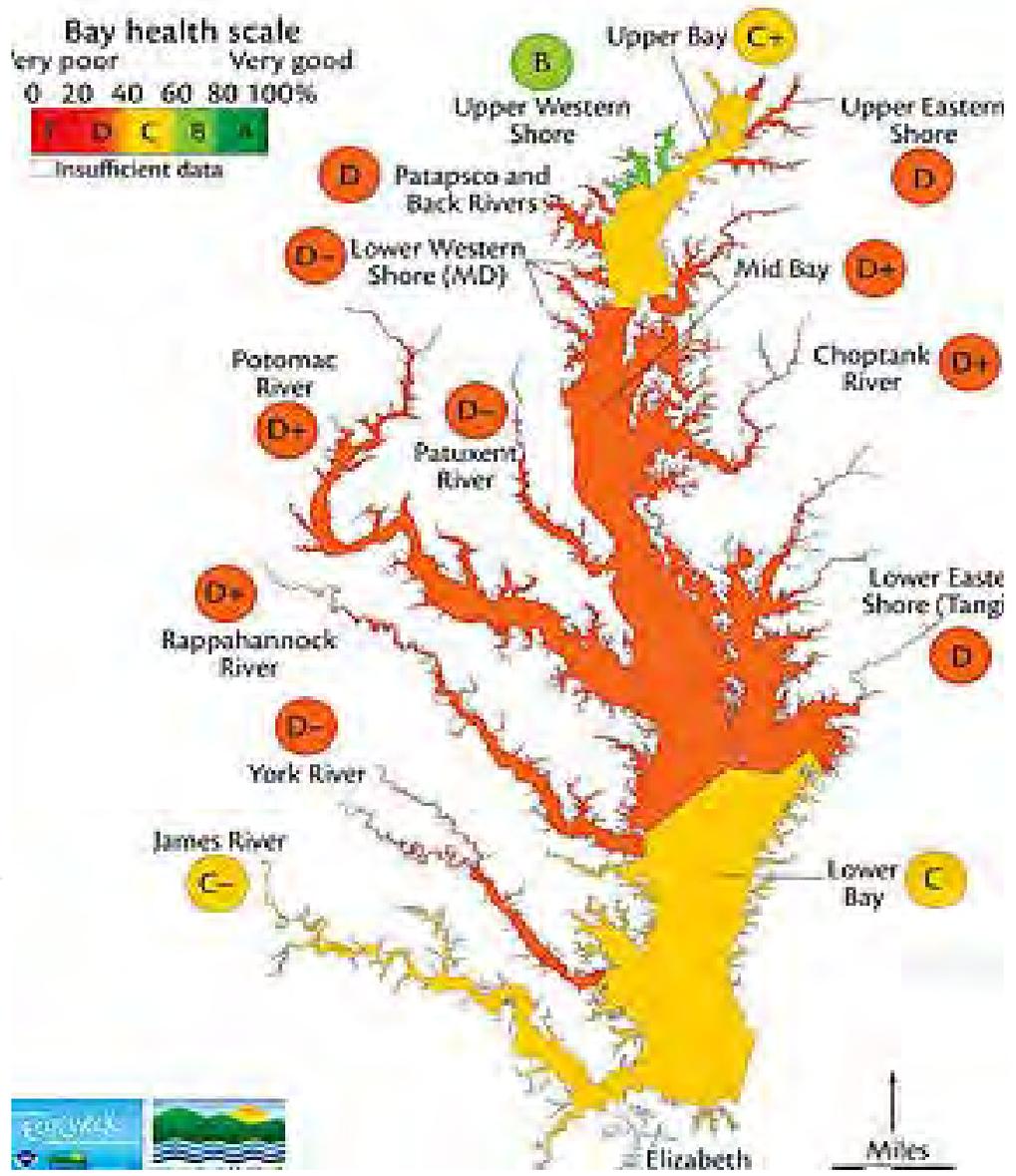


Washington County Clean County Initiative

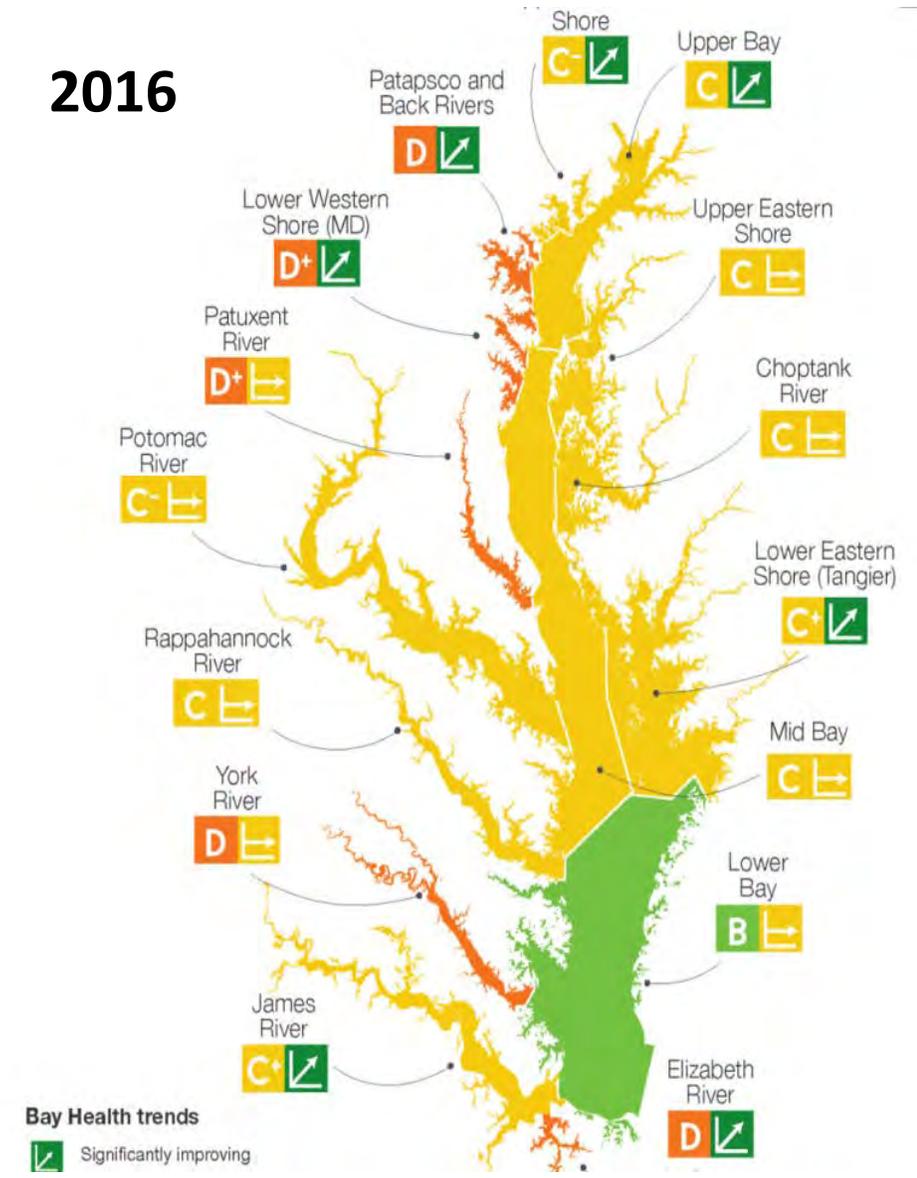
Clean Streets Clean Streams

IS IT WORKING?

2007



2016



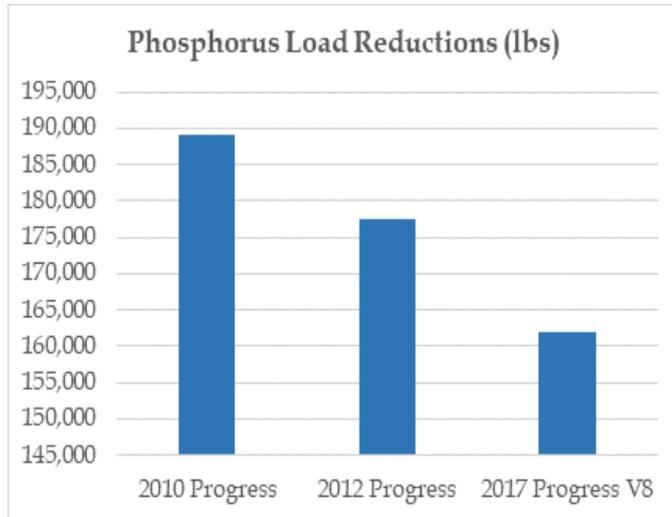
Information provided by Maryland Department of the Environment

AUGUST 2018

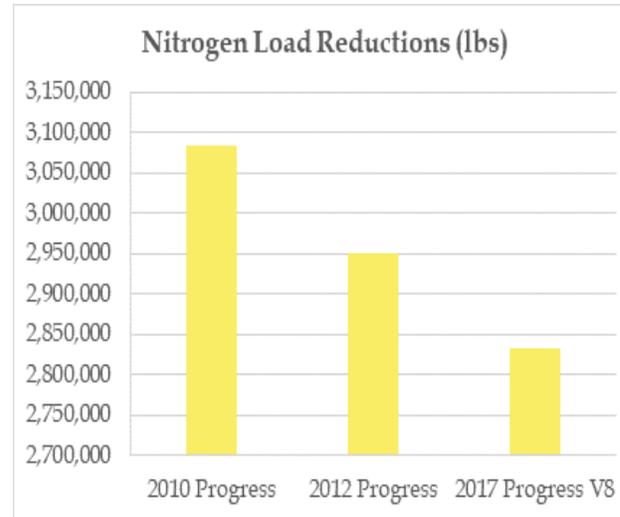
IS IT WORKING?

Washington County started Watershed Planning in 2009 with WIP Phase I Permit, Phase II in 2012 and moving toward the Phase III in 2019. The County efforts are making a difference with our local streams.

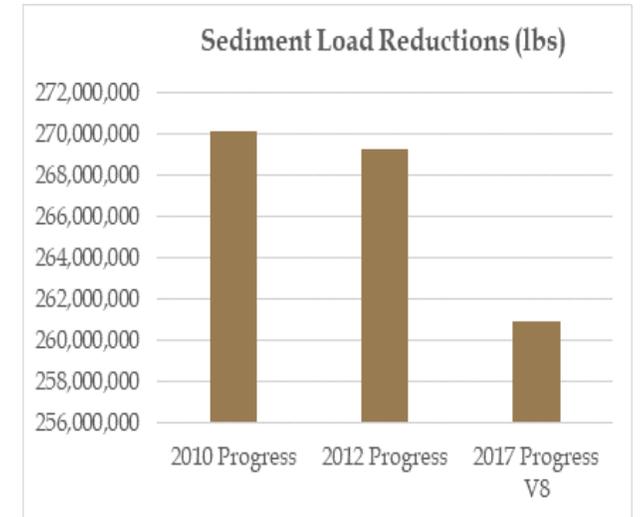
In 2018 and 2019, staff will complete the Conococheague Restoration Plan, updates to the Antietam Restoration Plan, and start writing the Plans for the remainder of the County's Watersheds



Washington County Phosphorus Reduction



Washington County Nitrogen Reduction



Washington County Sediment Reduction

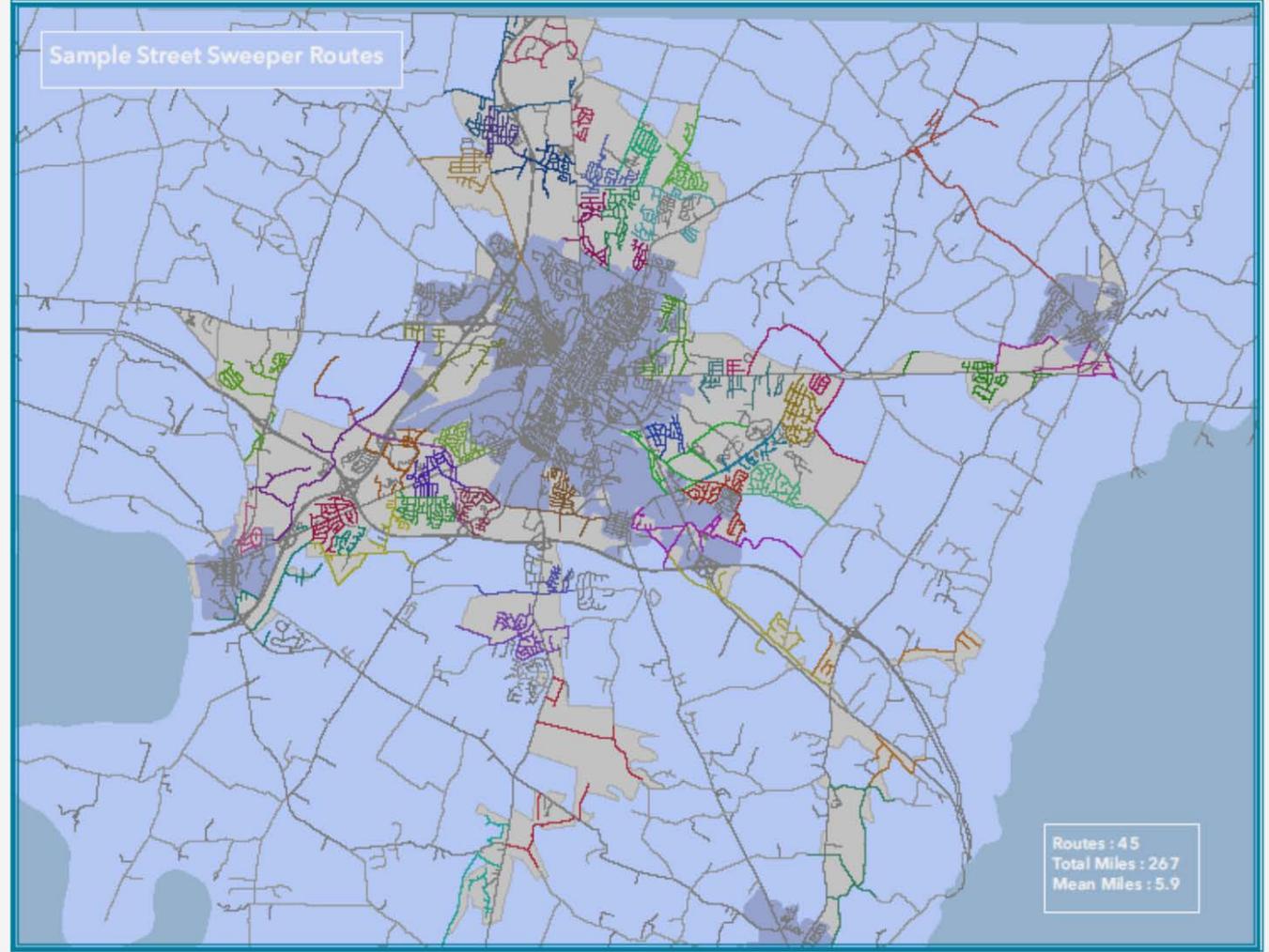


WHERE DO WE GO FROM HERE?

The Street Sweeper has been ordered with an October delivery date.

The GIS group and Highway Department are developing route maps.

Public Works will hire the two new Motor Equipment Operator III positions to operate the sweeper truck and support vehicle.



SWEEPER ROUTES



WHERE DO WE GO FROM HERE?

Staff will submit the Notice Of Intent (NOI) before October 31, 2018. This obligates the County to comply with the terms of the permit.

Staff is working on an Illicit Discharge Detection and Elimination Ordinance with Standard Operating Procedures. The adoption is anticipated in the fall of 2018.

Staff held one NPDES Phase II Workshop in June to discuss partnerships and collaboration with the other MS4's in Washington County and surrounding area. We anticipate having another workshop in September with the other MS4s to work on finalizing NOIs.

Staff held a meeting of MS4's in Washington County to discuss Memorandums of Understanding (MOUs) to formally present each entity's various obligations as partners with the County in working on the permit obligations. The MOUs will be presented for approval in the fall of 2018.



WASHINGTON COUNTY ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE



Board of County Commissioners for Washington County,
Maryland

Approved by MDE:
Approved by BCC:
Effective:

AUGUST 2018

SITE INSPECTIONS

Staff is proceeding with inspections of County owned facilities to evaluate the work required to gain credits at each property. The State of Maryland has decided that Board of Education properties will be included in the County's Permit. Staff will continue to work with the BOE to evaluate the properties for credits.



Williamsport High School

Potential Tree Site



Fountaindale Elementary School



AUGUST 2018

PROPOSED PROJECTS

Currently staff is mainly focusing on projects to be completed on County owned land and Board of Education properties.

Current data has approximately 700 acres to be treated by 2025.

55 acres (7.9%) of impervious area has been treated from stormwater Best Management Practices (BMPs) to date with another 316 acres (45.1%) proposed within the next three years.



Table 3.E. Alternative Urban BMPs

	Notes	Efficiency Per Acre			Impervious Acre Equivalent
		IN	TP	TSS	
Mechanical Street Sweeping	High density urban areas where sweeping occurs 2x/month	4%	4%	10%	0.07
Regen/Vacuum Street Sweeping	High density urban areas where sweeping occurs 2x/month	5%	6%	25%	0.13
Reforestation on Pervious Urban	Survival rate of 100 trees/acre or greater, at least 50% of trees have two inch diameter or greater (4.5 ft. above ground)	66%	77%	57%	0.38
Impervious Urban to Pervious	Remove pavement and provide vegetative cover for 95% of area	13%	72%	84%	0.75
Impervious Urban to Forest	Survival rate of 100 trees/acre or greater, at least 50% of trees have two inch diameter or greater (4.5 ft. above ground)	71%	94%	93%	1.00
Regenerative Step Pool Storm Conveyance (SPSC) ¹	Located in dry or ephemeral channels; nutrient removal and impervious area credit is based on runoff depth treated	57%	66%	70%	1.00
		Lbs Reduced / Ton			Impervious Acre Equivalent
		IN	TP	TSS	
Catch Basin Cleaning	High density urban areas; storm drains are routinely maintained	3.5	1.4	420	0.40
Storm Drain Vacuuming	High density urban areas; storm drains are routinely maintained	3.5	1.4	420	0.40
Mechanical Street Sweeping	High density urban areas where sweeping occurs 2x/month	3.5	1.4	420	0.40
Regen/Vacuum Street Sweeping	High density urban areas where sweeping occurs 2x/month	3.5	1.4	420	0.40
		Lbs Reduced / Linear Ft			Impervious Acre Equivalent
		IN	TP	TSS	
Stream Restoration - load reductions for interim rate ²	Schueler and Stack (2014) specify qualifying conditions and protocols to calculate individual load reductions per project	0.075	0.068	15/45	0.01
Outfall Stabilization	Stabilization or repair of localized areas of erosion below a storm drain outfall; max credit is 2 acres per project	n/a	n/a	n/a	0.01
Shoreline Management ³	Revised protocols are pending CBP approval	0.075	0.068	137	0.04
		Lbs Reduced / Unit			Impervious Acre Equivalent
		IN	TP	TSS	
Septic Pumping	Pumping system is maintained and verified for annual credit	0 ⁴	0	0	0.03
Septic Denitrification	Permanent credit for installing enhanced septic denitrification	0 ⁴	0	0	0.26
Septic Connections to WWTP	Permanent credit for septic system connected to a WWTP	0 ⁴	0	0	0.39

- Efficiencies and impervious acre equivalents shown are based on treating 1 inch of rainfall. When less than 1 inch of rainfall is treated, then refer to Table 2 for impervious acre equivalent and Table 6 for nutrient and sediment removal efficiencies.
- Load reductions are based on current proposal under consideration by CBP. TSS is based on coastal plain and non-coastal plain applications. (Refer to Appendix E, Stream Restoration).
- Load reductions are based on current proposal under consideration by CBP based on Drescher and Stack (2014). (Refer to Appendix E, Shoreline Management)
- Actual load reductions shall be reported through local health department. Septic system credits only apply to impervious acre requirements.

Washington County
Clean County Initiative - Total Impervious Area Treated
Clean Streams Clean Streets
Updated: July 2018

	Total Acres (20%)	Acres Complete	% Complete	Total Cost to Treat	Cost per Acre to Treat	Projected Cost
Total Impervious Area treated (Actual to Date): w/o CREP	700	55	7.9%	\$1,755,300	\$31,719	\$22,203,248
Total Impervious Area treated (Actual to Date), adding CREP	700	321	45.9%	\$3,693,600	\$11,705	\$8,193,708
Total Impervious Area to be treated (Proposed in Plan) w/o CREP and R	700	316	45.1%	\$3,693,600	\$11,705	\$8,193,708
Total Impervious Area to be treated (Proposed in Plan) adding CREP and R	700	30	4.3%	\$0	\$0	\$0
Total Planned to Date:	483	483	69.0%	\$5,448,900	\$11,282	\$7,897,142
Total Amount to treat the remaining acreage (using to date cost per acre w/o CREP):	217	217	31.0%	\$31,719	\$31,719	\$6,883,367
Total Anticipated Amount (using latest information and assumptions)	700	700				\$14,780,510

BMP	Project Cost	LF	TN (lbs/yr)	TP (lbs/yr)	TSS (tons/yr)	Acres Treated	Cost per Acre to Treat
Stream Restoration (ARRA Green Grant)	\$0	400	30.0	27.2	9.0	4.0	\$0
Stream Restoration (ARRA Green Grant)	\$0	450	33.8	30.6	10.1	4.5	\$0
Stream Restoration	\$210,000	400	30.0	27.2	9.0	4.0	\$52,500
Stream Restoration (319h Grant)	\$132,000	1410	105.8	95.9	31.6	14.1	\$9,362
Stream Restoration	\$300,000	575	43.1	39.1	12.9	5.8	\$52,174
Stream Restoration	\$100,000	175	13.1	11.9	3.9	1.8	\$57,143
Stream Restoration (319h Grant)	\$150,800	575	43.1	39.1	12.9	5.8	\$26,226
Stream Restoration	\$50,000	75	5.6	5.1	1.7	0.8	\$66,667
Stream Restoration	\$50,000	60	4.5	4.1	1.3	0.6	\$83,333
Stream Restoration (319h Grant)	\$220,000	900	67.5	61.2	20.2	9.0	\$24,444
Stream Restoration	\$475,000	1000	75.0	68.0	22.4	10.0	\$47,500
Stream Restoration	\$105,000	250	18.8	17.0	5.6	2.5	\$50,000
	\$1,812,800	6270	470.3	426.4	140.7	62.7	\$28,912

Outfall Stabilization	Various Culverts	\$455,000	\$10.00	68.3	61.9	20.4	9.1	\$50,000
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Tree Plantings (2013 Stream Challenge Grant)	Project Cost	Acres Planted	TN (lbs/yr)	TP (lbs/yr)	TSS (tons/yr)	Acres Treated	Cost per Acre to Treat
Various Schools	\$15,900	7.10	22.4	0.9	0.21	2.7	\$5,893
Fountaindale Elementary	\$2,100	1.00	3.2	0.1	0.03	0.4	\$5,226
Water Trail Site at Antietam Dr.	\$1,000	0.20	0.6	0.0	0.01	0.1	\$13,158
Plantings at or near SWM Ponds	\$1,000	1.54	4.9	0.2	0.05	0.6	\$1,709
Plantings in CREP (Contract Areas)	\$0	215.00	679.4	28.0	6.45	81.7	\$0
Plantings in Rural Legacy (RL)	\$0	30.00	94.8	3.9	0.90	11.4	\$0
Plantings in CREP Areas	\$0	50.00	158.0	6.5	1.50	19.0	\$0
County Park (Hagerstown)	\$21,100	2.11	6.7	0.3	0.06	0.8	\$26,316
County Park (Williamsport)	\$215,300	21.53	68.0	2.8	0.65	8.2	\$26,316
County Park (Williamsport)	\$15,100	1.51	4.8	0.2	0.05	0.6	\$26,316
County Park (Boonsboro)	\$15,000	1.50	4.7	0.2	0.05	0.6	\$26,316
Camp Harding County Park	\$15,900	1.58	5.0	0.2	0.05	0.6	\$26,316
County Park	\$10,600	1.06	3.3	0.1	0.03	0.4	\$26,316
County Park (Halfway)	\$78,000	7.80	24.6	1.0	0.23	3.0	\$26,316
County Park (Clear Spring)	\$3,700	0.37	1.2	0.0	0.01	0.1	\$26,316
County Park (Rohrerville)	\$28,000	2.80	8.8	0.4	0.08	1.1	\$26,316
Lot/Land (Hagerstown)	\$24,000	2.40	7.6	0.3	0.07	0.9	\$26,316
Lot/Land (Keedysville)	\$35,600	3.56	11.2	0.5	0.11	1.4	\$26,316
County Park	\$41,400	4.14	13.1	0.5	0.12	1.6	\$26,316
Underpass Way Ramps	\$20,000	2.00	6.3	0.3	0.06	0.8	\$26,316
	\$543,600	357.20	1123.8	46.4	10.72	135.7	\$4,005
for Property Owners	\$0	1000	0	0	0	30	\$0
owned by the County	\$150,000	578	0	0	0	17.34	\$8,651
	\$150,000					69.7	\$8,651

Mass Loading Approach (Routine 2-3x/year)	Tons Collected	Project Cost	Miles Swept	TN (lbs/yr)	TP (lbs/yr)	TSS (tons/yr)	Acres Treated	Cost per Acre to Treat
Street Sweeping (200 miles in urbanized area)	156.76	\$1,250,000	1,716	548.6	219.5	32.9	62.7	\$19,935

Bioretention Area	Project Cost	Acres Treated	TN (lbs/yr)	TP (lbs/yr)	TSS (tons/yr)	Acres Treated	Cost per Acre to Treat
Lincolnshire School	\$35,000	4.1	12.5	0.5	0.15	0.6	\$70,000
Central Section Highway	\$22,500	0.25	0.4	0.07	0.3	0.3	\$90,000
Colonial Park	\$150,000	1.75	14.2	2.6	0.51	1.8	\$85,714
Black Road Park	\$150,000	2.00	16.2	2.9	0.58	2.0	\$75,000
	\$357,500	4.50	36.5	6.6	1.31	4.5	\$79,444

Infiltration Trench (Stone Diaphragm)	Water Quality	\$10,000	0.55	4.5	0.8	0.16	0.6	\$18,182
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Grass Swales (Evaluating/claiming ex. grass swales that meet criteria)	Various Locations	\$50,000	5.00	36.5	5.5	1.14	5.00	\$10,000
Grass Swales (Modifying ex. grass swales to meet criteria)	Various Locations	\$200,000	10.00	73.0	11.0	2.27	10.00	\$20,000
Grass Swales (Installing grass swales to meet criteria)	Various Locations	\$500,000	25.00	182.6	27.4	5.63	25.00	\$20,000

Project Planning Spreadsheet

AUGUST 2018

Contact Information

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Open Session Item

SUBJECT: FY2019 Commissioner Goals

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Sara Greaves, Chief Financial Officer

RECOMMENDATION: To approve the goals outlined below for inclusion in our annual operating and capital budget book.

REPORT-IN-BRIEF: Each year, the Office of Budget & Finance develops a budget book which contains detail of both operating and capital budgets. Each department budget is represented within this document and included therein are goals for the upcoming year.

DISCUSSION: The goals for the FY2019 Budget Book for the department of the County Commissioners are as follows:

- ✓ Endeavor to improve Washington County in Public Safety, Infrastructure, Education, Economic Development and Human Services
- ✓ Maintain the utmost efficiency in services provided by a willing and capable staff
- ✓ Encourage an open and transparent transition to the newly elected Board
- ✓ Lead the County in collaborative partnerships, both underway and to be developed, with public and private partners
- ✓ Fulfill commitments made to the UIP and specifically to the Maryland Theatre in essential forward funding
- ✓ Lead reinvestment in Cascade Town Center, the former Fort Ritchie and the Community Center
- ✓ Foster economic growth and vitality through only the most prudent and secure use of tax payer dollars

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: None

AUDIO/VISUAL NEEDS: None



Open Session Item

SUBJECT: Review of Accounts

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Sara Greaves, Chief Financial Officer

RECOMMENDATION: For informational purposes.

REPORT-IN-BRIEF: Commissioners have requested additional information to be provided to determine if they would like to consider further review of any accounts or funds.

DISCUSSION: Over the past month, staff has compiled certain information for presentation as requested. This information includes:

- Hotel Rental Fund History
- Cascade Expenditures
- Pension
- EDU's
- Water Fund History
- Sewer Fund History
- Solid Waste Fund History
- Support of Enterprise Funds
- Retirement Plan

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Power Point Presentation

AUDIO/VISUAL NEEDS: None



Washington County

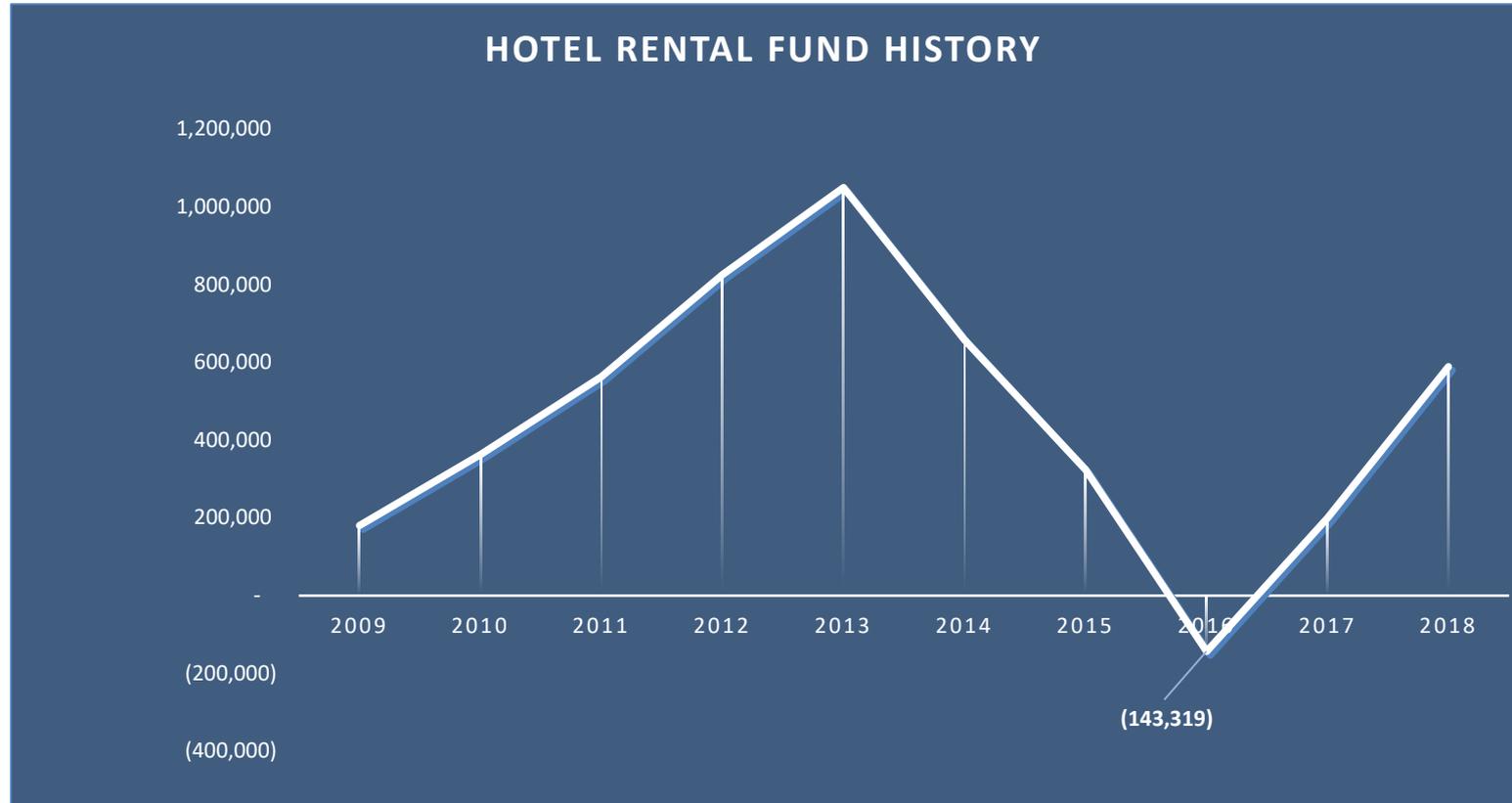
M A R Y L A N D

Division of Budget & Finance
August 28, 2018

Washington County, Maryland
Review of Accounts

Hotel Rental Fund History

Washington County, Maryland
Review of Accounts





➤ Redevelopment related Expenses broken down by administration

\$327,542

\$364,032

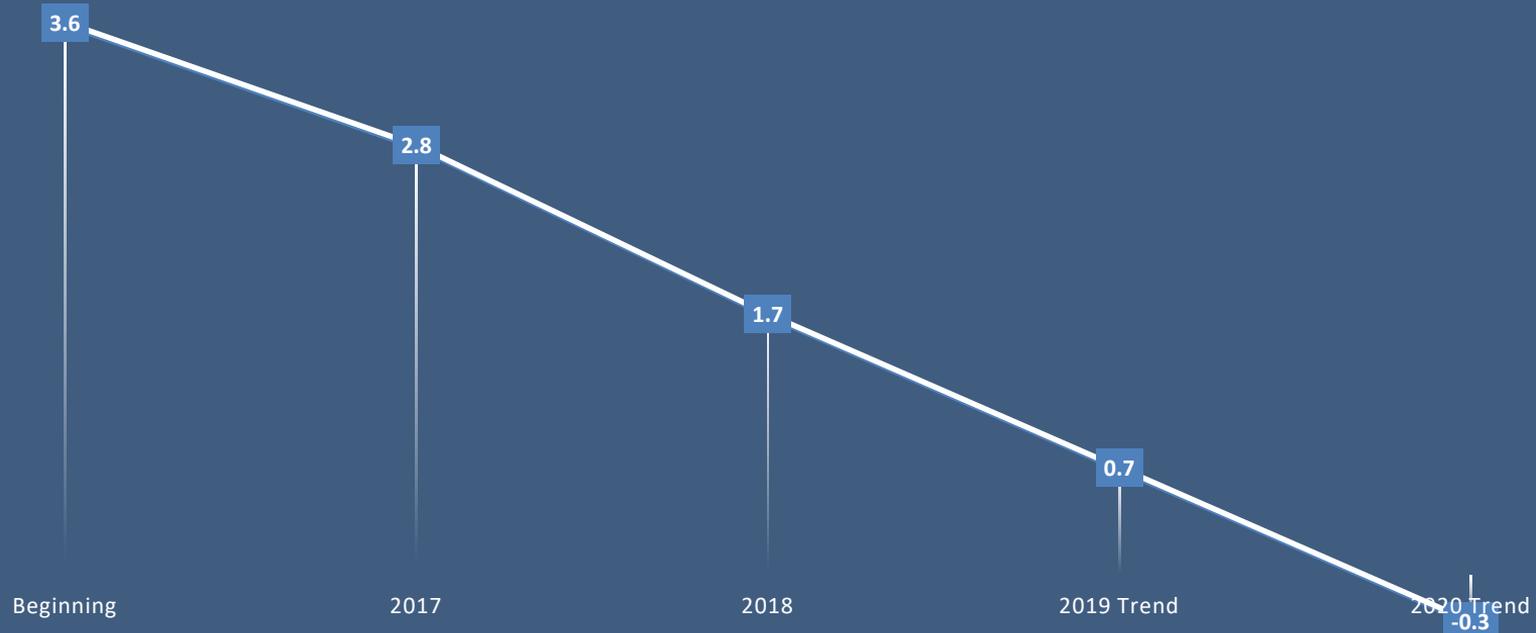
\$691,574

- 8/31/15 – 9/16/16 - \$327,542 – Although expense reports and detailed receipts not available, expenses were approved for airfare, hotel, meals, transportation, interpreter, etc. Out of these funds, \$84,000 can be identified as service fees paid to JGBLI.

4/26/17 – 6/30/18 - \$364,032 – Expense reports were provided by JGBLI along with detailed receipts.

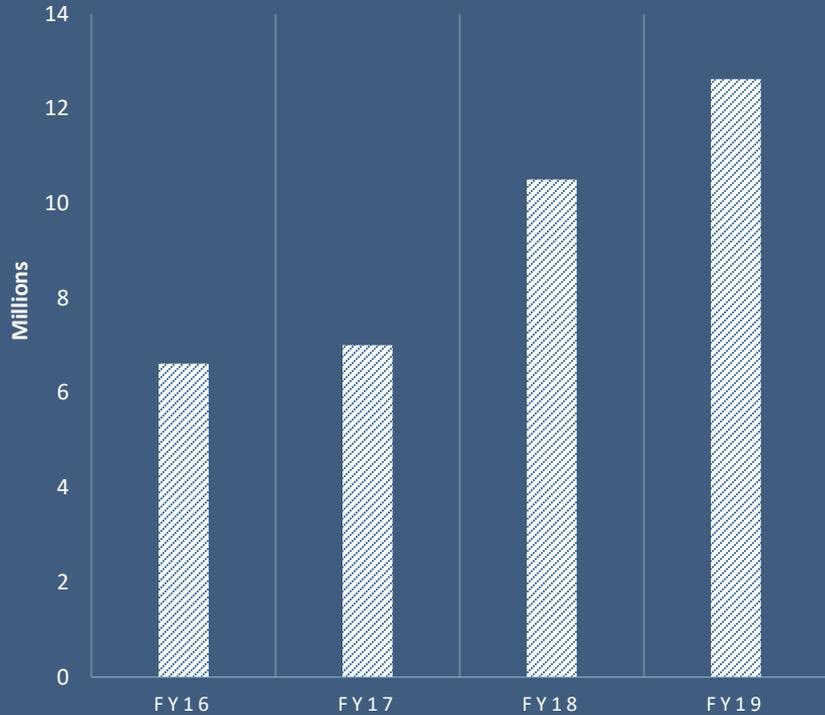


CASCADE FUND BALANCE

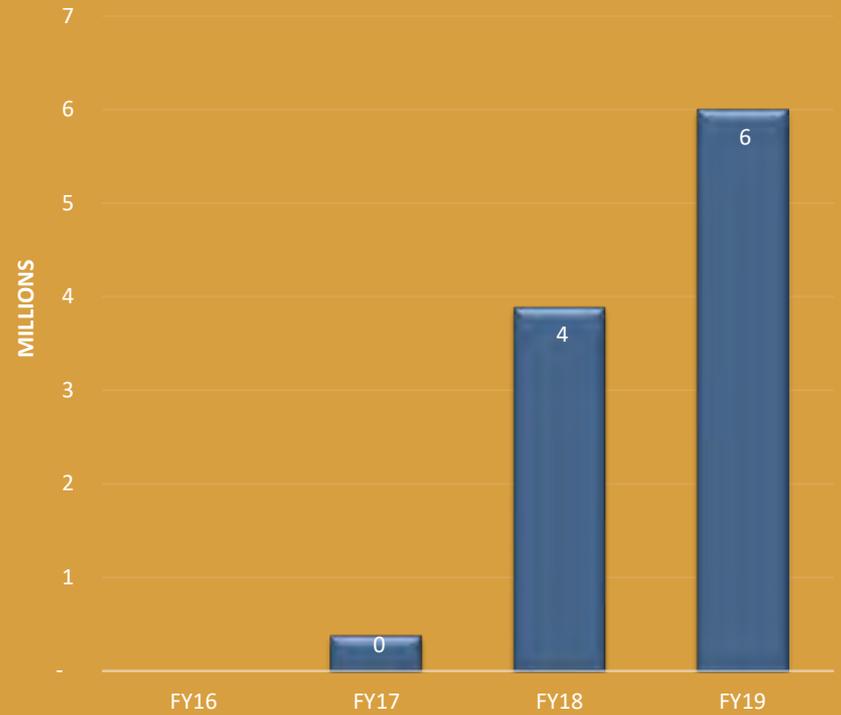




ANNUAL PENSION EXPENSE



Pension Expense Increase

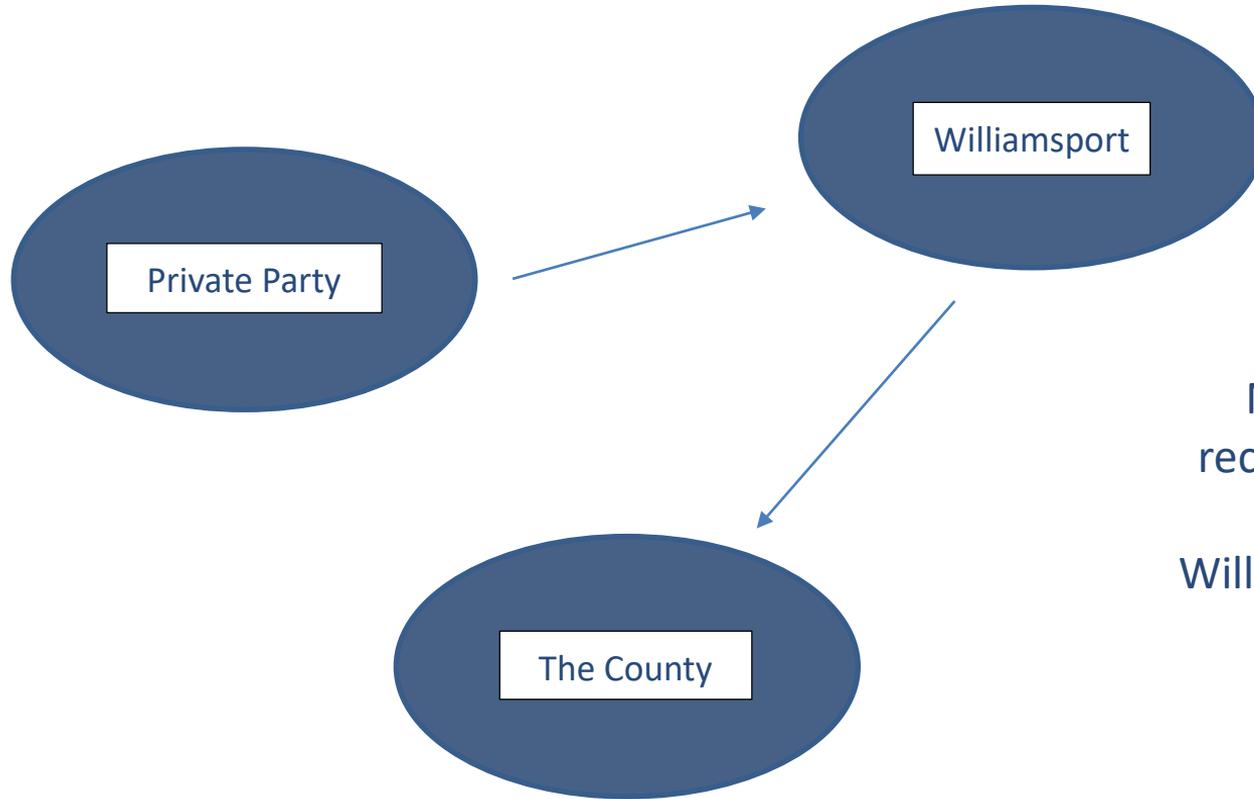




What Factors Contribute to the Increase in Annual Pension Expense?

- Changes in assumptions by actuarial
- Actuarial gains and losses
- Unfunded portion of liability has increased
- Retiree COLA's





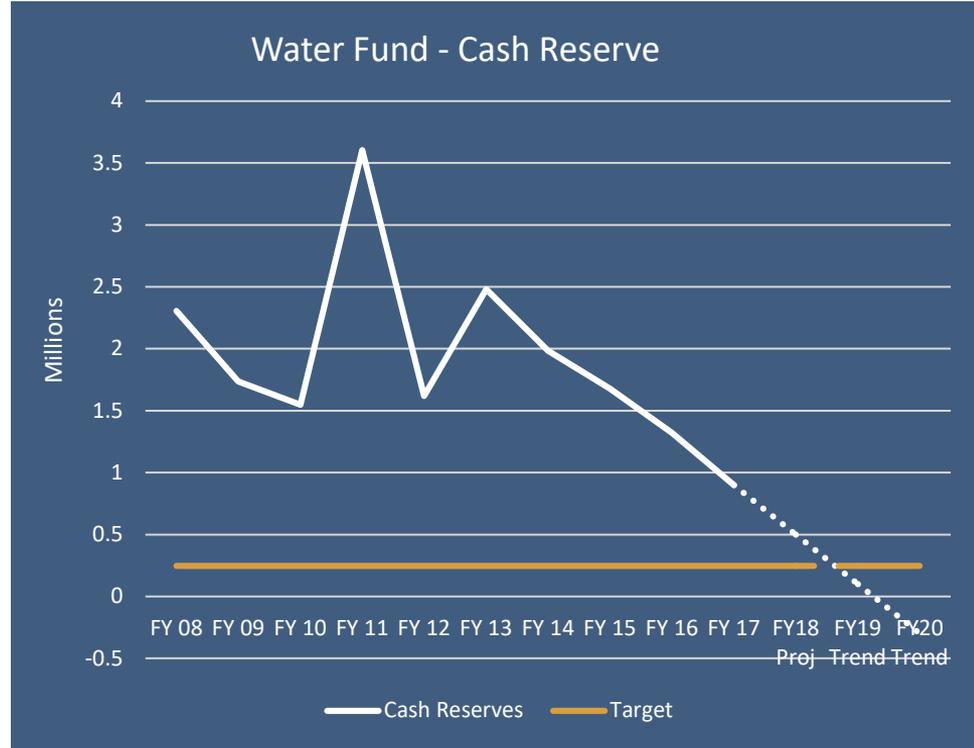
No detail information received from the Town of Williamsport for the Williamsport Nursing Home.



- Water Quality will now be notified when permits are issued by County permit department.
 - This will add an element of oversight to ensure payment to the County
 - The Dept. of Water Quality will keep records of new connections
- The dept of Water Quality will request documentation for any allocation increases coming from the municipality and will no longer just accept payment.
- Process has been streamlined so that all correspondence is between the Towns and the Dept. of Water Quality.

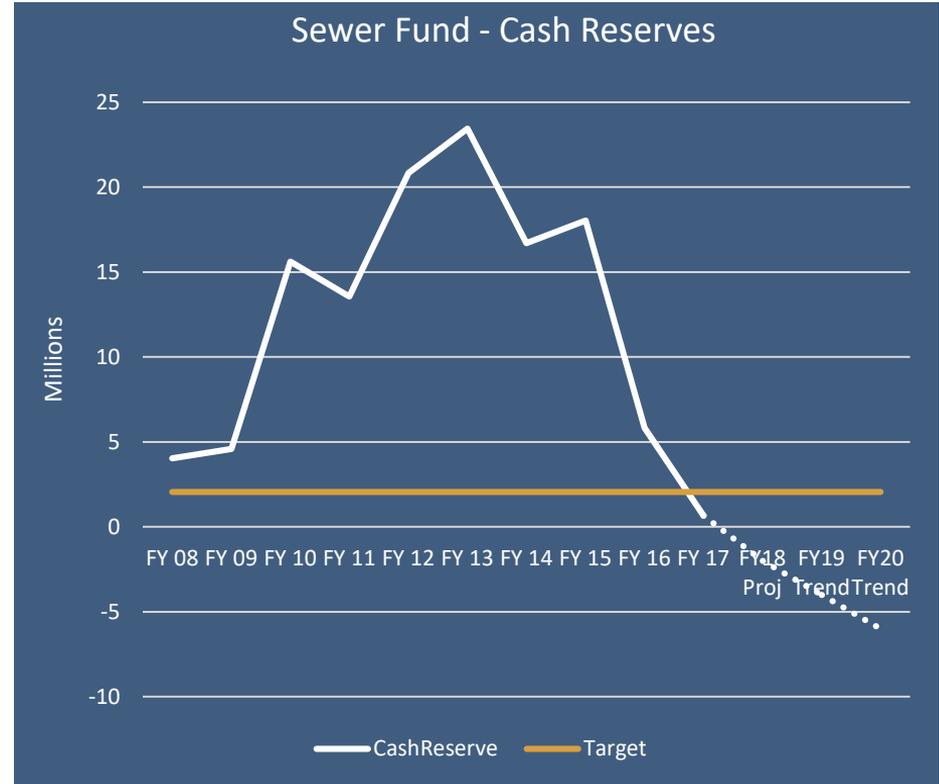


- The 25% reserve target for Water is around \$250K.
- The current balance is \$900K.
- The annual budget depends on about \$400K per year to balance.



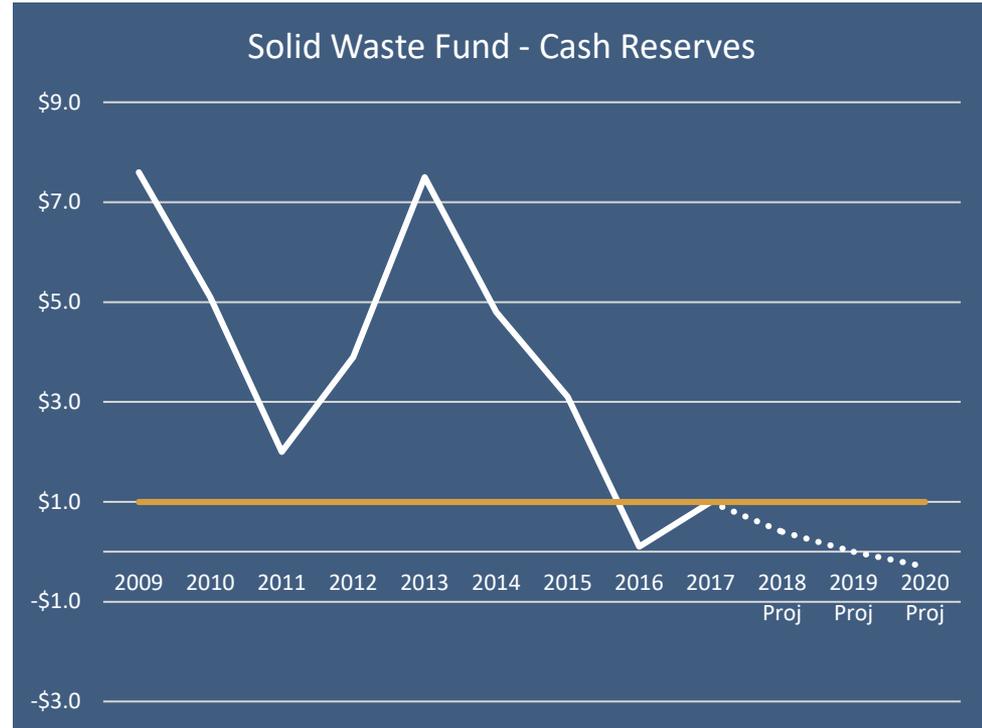


- The 25% reserve target for Sewer is around \$2M.
- The current balance is \$665K.
- The annual budget depends on about \$2.7M per year to balance.



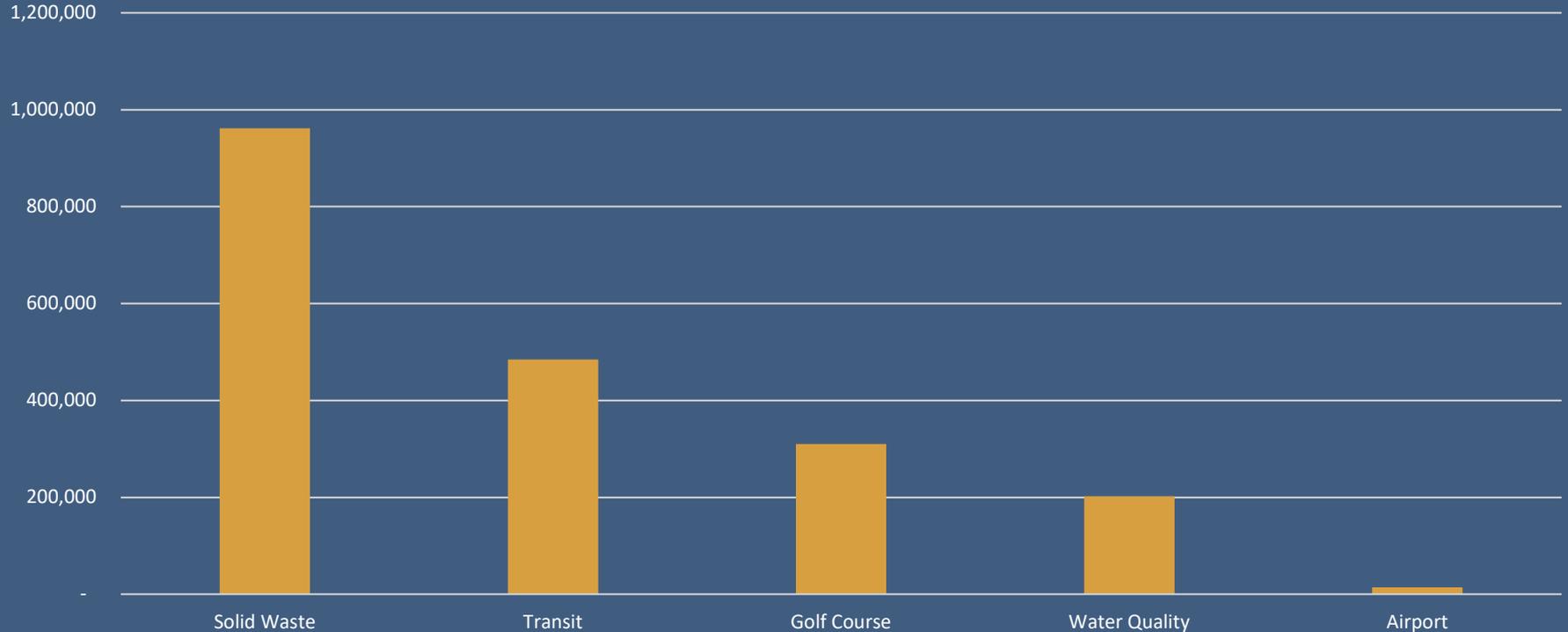


- The 25% reserve target for Solid Waste is around \$967K.
- The current balance is \$972K.
- The annual budget depends on about \$350K per year to balance.





FY2019 Budget - General Fund Contribution





- Individuals whose previous employer participated in the Maryland State retirement plan are allowed to roll into the County's plan their years of service if they so choose (some exclusions apply).
- From the year 2010 and forward, County Elected Officials were reviewed along with senior level staff and appropriate documentation was found in all cases to substantiate retirement calculations.



- Calculations were reviewed for positions above the Deputy Director level since 2010.
 - Correct salaries
 - Correct length of service
- Years of Service
 - If purchased found to be in line with policy
 - Any exemptions were approved by BOCC

Stay Connected

Washington County, Maryland
Review of Accounts



Sara Greaves
CFO

Washington County, MD

240-313-2303

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Open Session Item

SUBJECT: Smithsburg Wastewater Treatment Plant (WwTP) Upgrade

PRESENTATION DATE: August 28, 2018

PRESENTATION BY: Mark Bradshaw, PE, Deputy Director of Engineering Services, and Dan DiVito, Deputy Director of Water Quality, Division of Environmental Management

RECOMMENDED MOTION: Informational Purpose Only

REPORT-IN-BRIEF: To meet projected growth in the Town of Smithsburg, the Smithsburg WwTP is scheduled for a facility upgrade. The original design for the upgrade was done in 2006 using then current flow numbers and plant conditions. All department projects are reviewed, and value engineered to ensure the most cost effective plan to meet the capacity requirements for future development. We asked our engineering consultants to provide a detailed analysis using current treatment parameters and flow numbers to suggest the most cost-effective approach to this project. We have determined that the Smithsburg WwTP can be upgraded up to 0.45 million gallons per day (MGD) for less than the original estimate and still meet all the development requirements of the town. The Smithsburg WwTP upgrade has money allocated for construction in FY 2020 and FY 2021. Before proceeding with the proposed upgrade to 0.66 MGD the following questions have to be asked: what capacity is available for future development, can the plant complete an intermediate upgrade before reaching the ultimate capacity of 0.66 MGD.

DISCUSSION:

1. Based on 50-year historical records, the Town averages 16.94 new housing units per year, but in recent years that number has decreased. From 2007 to 2017, the Town has issued a total of 13 new sewer connection permits which averages to be 1.2 permits per year.
2. The plant's current capacity is 330,000 gallons per day (GPD) of which 32,200 gpd or 161 EDU are available for new users. Based on the Town's 2012 adopted Comprehensive Plan, there are 138 Approved 'Pipeline' Developmental lots available for building. The Town recently annexed the Cloverly project into the corporate limits. The Cloverly project initially was 90 lots but has since increase to 250 EDUs. To serve the existing approved vacant lots and the proposed Cloverly project, the Town will need between 228 and 388 EDUs.
3. Several years ago, the County upgraded the Smithsburg WwTP to meet a lower ammonium discharge limit by installing BioMag and additional aeration. These upgrades were made to address the ammonia limit issue and didn't increase the plant capacity. One of the major advantages of BioMag is its ability to increase the capacity using existing tankage by allowing you to maintain a higher mixed liquor. We have asked our engineers to look at the possibility of adding additional aeration as a means to increase our design capacity.

4. The County’s engineers have concluded that the plant can be upgraded to between 400,000 GPD and 450,000 GPD for approximately \$1M. With this upgrade being completed, the plant would have the capacity to serve between 315 and 540 new EDUs, in addition to the existing 161 EDU’s available. The cost per new EDU ranges from \$1,851 to \$3,174.

5. The design, permitting, and construction for a proposed upgrade between 400,000 and 450,000 GPD could be completed faster than the proposed upgrade to 0.66 MGD. Any expansion over 500,000 GPD would have to comply with the State’s Enhanced Nutrient Removal (ENR) strategy thus requiring a more detailed review by the State and more stringent regulations.

The cost associated with expanding the plant’s capacity to 0.66 MGD is approximately \$15M. By going to 0.66 MGD you are adding an additional 1,485 EDUs of capacity. The corresponding cost per new EDU is \$10,101.

FISCAL IMPACT:

Alternative	Cost \$	10 yr. Growth EDU/yr.	Ex. EDU	New EDU	Tot. EDU	Lifespan 388 EDU +4EDU/yr.	Lifespan for 17 EDU/yr.	Cost per New EDU
1	\$1 M	1.2	161	315 to 540	476 to 701	22 yrs. to 78 yrs.	28 Yrs. to 41 yrs.	\$3,174 to \$1,851
2	\$15M	1.2	161	1,485	1,646	315 yrs.	96 yrs.	\$10,101

CONCURRENCES: N/A

ALTERNATIVES: The Smithsburg WWTP will need to be upgraded in the near future to accommodate anticipated growth in this area, which is anticipated to be 388 EDU’s after building begins in 2020 Alternative 1 is to perform an interim upgrade to between 400,000 GPD and .45 MGD for approximately \$1M. We would then continue to monitor the growth and evaluate. Alternative 2 is to upgrade the plant to its ultimate capacity of 0.66 MGD for approximately \$15M.

ATTACHMENTS: None

AUDIO/VISUAL NEEDS: None