



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201
WWW.WASHCO-MD.NET

BOARD OF COUNTY COMMISSIONERS

January 30, 2024

OPEN SESSION AGENDA

- 9:00 AM INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President John F. Barr*
APPROVAL OF MINUTES: *January 9, 2024*
- 9:05 AM COMMISSIONERS' REPORTS AND COMMENTS
- 9:15 AM STAFF COMMENTS
- 9:20 AM CITIZEN PARTICIPATION
- 9:30 AM PUBLIC HEARING – APPLICATION FOR ZONING MAP AMENDMENT RZ-23-006
Travis Allen, Senior Planner, Planning and Zoning
- 10:00 AM FY25 RURAL LEGACY PROGRAM GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDS
Chris Boggs, Rural Preservation Administrator, Planning & Zoning
- 10:10 AM CLIPP RURAL LEGACY PROGRAM (RLP) EASEMENT
Chris Boggs, Rural Preservation Administrator, Planning & Zoning
- 10:15 AM MEMORANDUM OF UNDERSTANDING FOR THE DEPARTMENT OF HOUSING AND COMMUNITY OFFICE OF STATEWIDE BROADBAND, FY23 CONNECT MARYLAND NETWORK INFRASTRUCTURE GRANT PROGRAM BY AND BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND AND VERIZON MARYLAND, LLC
Michelle Gordon, County Administrator; Kirk Downey, County Attorney; Tyler Patton, Verizon Maryland, LLC
- 10:25 AM FY24 HEALTHY FAMILIES HOME VISITING CONTINUATION GRANT – APPROVAL TO ACCEPT AWARDED FUNDING
Nicole Phillips, Senior Grant Manager, Grant Management; Richard Lesh, Grant Manager, Grant Management

- 10:30 AM FY24 SCHOOL BASED HEALTH CENTER SUPPLEMENTAL FUNDING – APPROVAL TO ACCEPT AWARDED FUNDING
Nicole Phillips, Senior Grant Manager, Grant Management; Richard Lesh, Grant Manager, Grant Management
- 10:35 AM SOLE SOURCE PROCUREMENT (PUR-1665) SENTINEL ONE EDR SOFTWARE AND SOC MONITORING AGREEMENT FOR THE INFORMATION SYSTEM DEPARTMENT
Rick Curry, Director, Purchasing; Josh O’Neal, Chief Technical Officer, Information Technology
- BID AWARD (PUR-1658) FIFTEEN (15) 2023 OR NEWER POLICE INTERCEPTORS UTILITY AWD VEHICLES FOR THE SHERIFF’S OFFICE
Rick Curry, Director, Purchasing; Alan Matheny, Fleet Logistics and Commercial Vehicle Enforcement, Sheriff’s Office
- 10:40 AM QUOTATION AWARD (Q-23-767) – WELL DRILLING SERVICES AT ELEVATED WATER STORAGE TANK FOR THE TOWN OF SHARPSBURG
Brandi Naugle, Buyer, Purchasing; Joe Moss, Deputy Director, Water Quality – Engineering Services
- CONTRACT RENEWAL (PUR-1596) LABORATORY SERVICES FOR WATER/WASTEWATER TESTING FOR THE DEPARTMENT OF WATER QUALITY
Brandi Naugle, Buyer, Purchasing; Davina Yutzy, Deputy Director, Water Quality
- 10:50 AM BUDGET TRANSFER
Sheriff Brian Albert, Washington County Sheriff’s Office
- 10:55 AM AGRICULTURE - FACES OF FARMING PRESENTATION
Leslie Hart, Business Development Specialist, Business and Economic Development
- 11:00 AM 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; To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; To consult with counsel to obtain legal advice on a legal matter; To consult with staff, consultants, or other individuals about pending or potential litigation; and To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information; or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.)*

3:00 PM RECONVENE IN OPEN SESSION

3:00 PM RECESS

EVENING MEETING AT MAUGANSVILLE RURITAN CLUB

Location: 17008 Maugans Avenue
Maugansville, Maryland 21767

6:00 PM INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President John F. Barr*

6:05 PM COMMISSIONERS' REPORTS AND COMMENTS

6:10 PM CITIZENS' PARTICIPATION

7:05 PM ADJOURNMENT



Agenda Report Form

Open Session Item

SUBJECT: PUBLIC HEARING - Application for Zoning Map Amendment RZ-23-006

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Travis Allen, Senior Planner, Department of Planning and Zoning

RECOMMENDED MOTION: The purpose of this public hearing is to take public comment on the rezoning application. The Commissioners have the option to reach a consensus to either approve or deny the request after the public hearing closes or deliberate on the issue at a later date.

REPORT-IN-BRIEF: Application is being made to apply the Rural Business floating zone over a 2-acre property through a rezoning map amendment.

DISCUSSION: The applicants Ralph and Leah Martin seek a map amendment for a property at 19815 Reidtown Road ¼ mile west of Marsh Pike. The applicant wishes to establish an auto body repair shop that would not be permitted under its current zoning designation.

The factors to be considered in a request for the creation of a new RB zoning district are listed in Article 5E of the Washington County Zoning Ordinance. RB districts must designate a specific type of land use they wish to pursue at the location in their application materials and demonstrate that the proposed use will be compatible with the existing neighborhood which surrounds it. The purpose of the RB zoning district is to permit the continuation and development of businesses that support the agricultural industry and farming community, serve the needs of the rural residential population, provide for recreation and tourism opportunities, and to establish locations for businesses and facilities not otherwise permitted in the rural areas of the County.

This item was presented to the Washington County Planning Commission at a Public Information Meeting held during their regular meeting on November 6, 2023. It was then brought back for recommendation at the December 4, 2023 meeting. At the latter meeting, members unanimously recommended in favor of the proposed map amendment, with the condition that the property not be subdivided in the future to separate the business from the associated residential structure.

Thus far, three public comments in opposition of the proposal were received during the Public Information Meeting. Concerns centered around the potential effects of auto body business on the surrounding neighborhood.

FISCAL IMPACT: N/A

CONCURRENCES: Washington County Planning Commission

ALTERNATIVES: N/A

ATTACHMENTS: Application, staff report, Planning Commission recommendation, approved Planning Commission minutes and written public comments

AUDIO/VISUAL NEEDS: none



Washington County
MARYLAND

FOR PLANNING COMMISSION USE ONLY
Rezoning No. _____
Date Filed: _____

**WASHINGTON COUNTY PLANNING COMMISSION
ZONING ORDINANCE MAP AMENDMENT APPLICATION**

Ralph E. & Leah A. Martin

Applicant

19815 Reidtown Road
Hagerstown, MD 21742

Address

Noel S. Manalo, Esq.

Primary Contact

CMR Kurman, P.A.
5301 Bucklestown Pike, Suite 304
Frederick, MD 21704

Address

☒ **Property Owner** ☐ **Contract Purchaser**
☐ **Attorney** ☐ **Consultant**
☐ **Other:** _____

(240) 772-5108

Phone Number

noel.manalo@offitkurman.com

E-mail Address

Property Location: 19815 Reidtown Road - E of Paradise Church Rd., W of Marsh Pike

Tax Map: 0011 **Grid:** 0020 **Parcel No.:** 0031 **Acreage:** 2 Ac. +/-

Current Zoning: Rural Village **Requested Zoning:** Rural Business District (RB) Floating Zone

Reason for the Request: ☐ Change in the character of the neighborhood
 ☐ Mistake in original zoning ☒ **X Floating Zone**

PLEASE NOTE: A Justification Statement is required for either reason.

Ralph E. Martin

Leah A. Martin
Applicant's Signature

Franklin Co, PA

Subscribed and sworn before me this 4th day of August, 2023

My commission expires on 08/02/2026

Megan M. Osborne
Notary Public

FOR PLANNING COMMISSION USE ONLY

- ☐ Application Form
- ☐ Fee Worksheet
- ☐ Application Fee
- ☐ Ownership Verification
- ☐ Boundary Plat (Including Metes & Bounds)

- ☐ Names and Addresses of all Adjoining & Confronting Property Owners
- ☐ Vicinity Map
- ☐ Justification Statement
- ☐ 30 copies of complete Application Package

Commonwealth of Pennsylvania - Notary Seal
Megan M. Osborne, Notary Public
Franklin County
My commission expires August 2, 2026
Commission number 1123890
Member, Pennsylvania Association of Notaries

THIS DEED is made this 21st day of December, 2016, by Grant B. Martin, Personal Representative of the Estate of Anna Mary Martin, late of Washington County, Maryland, hereinafter Grantor, and Ralph E. Martin and Leah A. Martin, husband and wife, hereinafter Grantees.

WHEREAS, on the day of 10th day of July, 2016, Anna Mary Martin died, seized and possessed of the herein described property; and

WHEREAS, on the day of 15th day of August, 2016, the undersigned was appointed Personal Representative of the Estate of by the Orphans' Court for Washington County, Maryland, Estate No. 72216; and

WHEREAS, the decedent was a legal resident of the State of Maryland; no affidavit of residency or certificate of exemption of withholding tax is applicable or required.

NOW THEREFORE THIS DEED WITNESSETH: That for and in consideration of the sum of **SEVENTY THOUSAND and 00/100 (\$70,000.00) DOLLARS**, the receipt of which is hereby acknowledged, I, the said **GRANT B. MARTIN, Personal Representative of the Estate of ANNA MARY MARTIN**, do hereby grant and convey unto **RALPH E. MARTIN and LEAH A. MARTIN, husband and wife**, in fee simple, all those tracts or parcels of land, together with the improvements thereon, and all the rights, ways, privileges and appurtenances thereunto belonging on in anywise appertaining, lying contiguous and being situate in Election District No. 27, Washington County, Maryland, and being more particularly described as follows:

PARCEL NO. 1: Being all that tract or parcel of land lying South of the public road leading from Marsh Mills to Middleburg, being part of that tract of land which was conveyed to John S. Strite and Michael H. Eshelman by Peter H. Eshelman and Christian H. Eshelman, Trustees, by Deed dated March 29, 1895 and recorded in Liber 103, Folio 223 among the Land Records of Washington County, Maryland, and designated as Lot 3 on the Plat of survey, and contained with the following courses and distances: BEGINNING in the middle of the aforesaid public road and at the end of 45 perches on the first or North 59 ¼ degrees West 64-9/10 perch line of the aforesaid conveyance and at the end of the third line of Lot 2 which was conveyed to William H. Hykes by John S. Strite by Deed dated March 28, 1909 and recorded in Liber 110, Folio 160 among the aforesaid Land Records, and running thence reversing said third line of Lot No 2, South 31 degrees West 18 perches to a stone; thence South 59 ½ degrees East 9 perches to a stone at a corner of Lot No. 4; and with it North 31 degrees East 18 perches to the middle of said public road; and thence in the center thereof North 59 ½ degrees West 9 perches to the point of beginning; containing one (1) acre of land, more or less.

PARCEL NO. 2: Being all that tract or parcel of land, together with the improvements thereon, situate and lying on the Southwester side of the public road leading from Lehman's Mill (aka Marsh Mill) to Middleburg, and BEGINNING

for the outlines of the same in the aforesaid public road and at the end of 54 perches on the first or North 59 ¼ degrees West 64-9/10 perch line of the Deed from Peter H. Eshelman, et al, Trustees, to John S. Strite, et al, and at the end of the third line of Lot 1, South 31 degrees West 18 perches to a stone; thence South 59 ½ degrees East 9 perches to Lot No. 3; and with it North 31 degrees East 18 perches to the middle of said public road; and thence in the center thereof North 59 ½ degrees West 9 perches to the point of beginning; containing one (1) acre of land, more or less, and being known and designated as Lot No. 2.

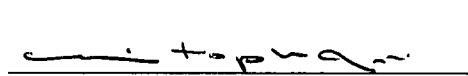
The street address of the herein described property is currently known and designated as 19815 Reidtown Road, Hagerstown, Maryland.

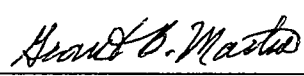
BEING all of the same property which was conveyed from Anna Mary Martin to Harvey M. Miller, Trustee, by Deed dated May 19, 1965 and recorded in Liber 423, Folio 553 among the Land Records of Washington County, Maryland; AND BEING all of the same property which was conveyed from Harvey M. Miller, Trustee, to Anna Mary Martin and Martha B. Martin, as joint tenants with the right of survivorship, by Deed dated May 19, 1965 and recorded in Liber 423, Folio 555 among the aforesaid Land Records. Martha B. Martin died on February 11, 2014; title thereafter vested in Anna Mary Martin.

THE above described property is conveyed subject to and together with any and all covenants, conditions, restrictions, reservations, easements, and rights of way of record applicable thereto.

WITNESS my hand and seal.

WITNESS:



 (SEAL)

Grant B. Martin, Personal Representative
of the Estate of Anna Mary Martin

STATE OF MARYLAND, COUNTY OF WASHINGTON, To-Wit:

I HEREBY CERTIFY that on this 21st day of December, 2016, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Grant B. Martin, Personal Representative of the Estate of Anna Mary Martin, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within and foregoing instrument; and he did acknowledge the execution of the within and foregoing Deed to be his voluntary act and deed; and he did acknowledge that the consideration is true and correct.

WITNESS my hand and Official Notarial Seal.

My Commission Expires:

9/6/2017

Heidi Jane Cooley (SEAL)
Notary Public

THIS is to certify that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Christopher Joliet
Christopher Joliet, Esquire

FIRST TIME MARYLAND HOME BUYER AFFIDAVIT

Each of the undersigned is a Grantee of residentially improved real property located at 19815 Reidtown Road, Hagerstown, Washington County, Maryland, as more particularly described herein; and each of the undersigned is a first-time Maryland home buyer, defined as an individual who has never owned residential real property in the State of Maryland that has been the individual's principal place of residence and who will occupy the property as his/her principal residence.

STATE OF MARYLAND, COUNTY OF WASHINGTON, To-Wit:

SWORN AND SUBSCRIBED before me, a Notary Public in and for the State and County aforesaid, this 21st day of December, 2016.

WITNESS my hand and Official Notarial Seal.

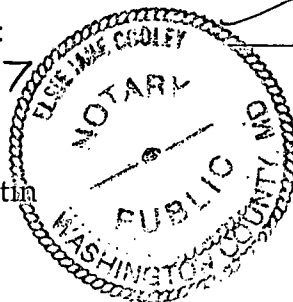
My Commission Expires:

9/6/2017

Heidi Jane Cooley (SEAL)
Notary Public

Mail to:

Mr. & Mrs. Ralph E. Martin
19815 Reidtown Road
Hagerstown, MD 21742



TODD L. HERSHEY, TREASURER
TAXES PAID December 22, 2016

cm

LR - Deed (w Taxes)
 Recording Fee - ALL
 20.00

Name: martin
 Ref:
 LR - County Transfer
 Tax - linked 100.00
 LR - Surcharge -
 linked 40.00
 LR - Recordation Tax -
 linked 532.00
 LR - State Transfer
 Tax - linked 175.00
 LR - NR Tax - 1kd 0.00

SubTotal: 867.00

Total: 867.00

12/22/2016 01:31

CC21-TR

#7503734 CC0403 -
 Washington
 County/CC04.03.04 -
 Register 04

This page not to be counted in calculating Recording Fee

**Clerk of Circuit Court
 Washington County, Maryland**

Dennis J. Weaver, Clerk
 24 Summit Avenue
 Hagerstown, MD 21740
 301-790-7991

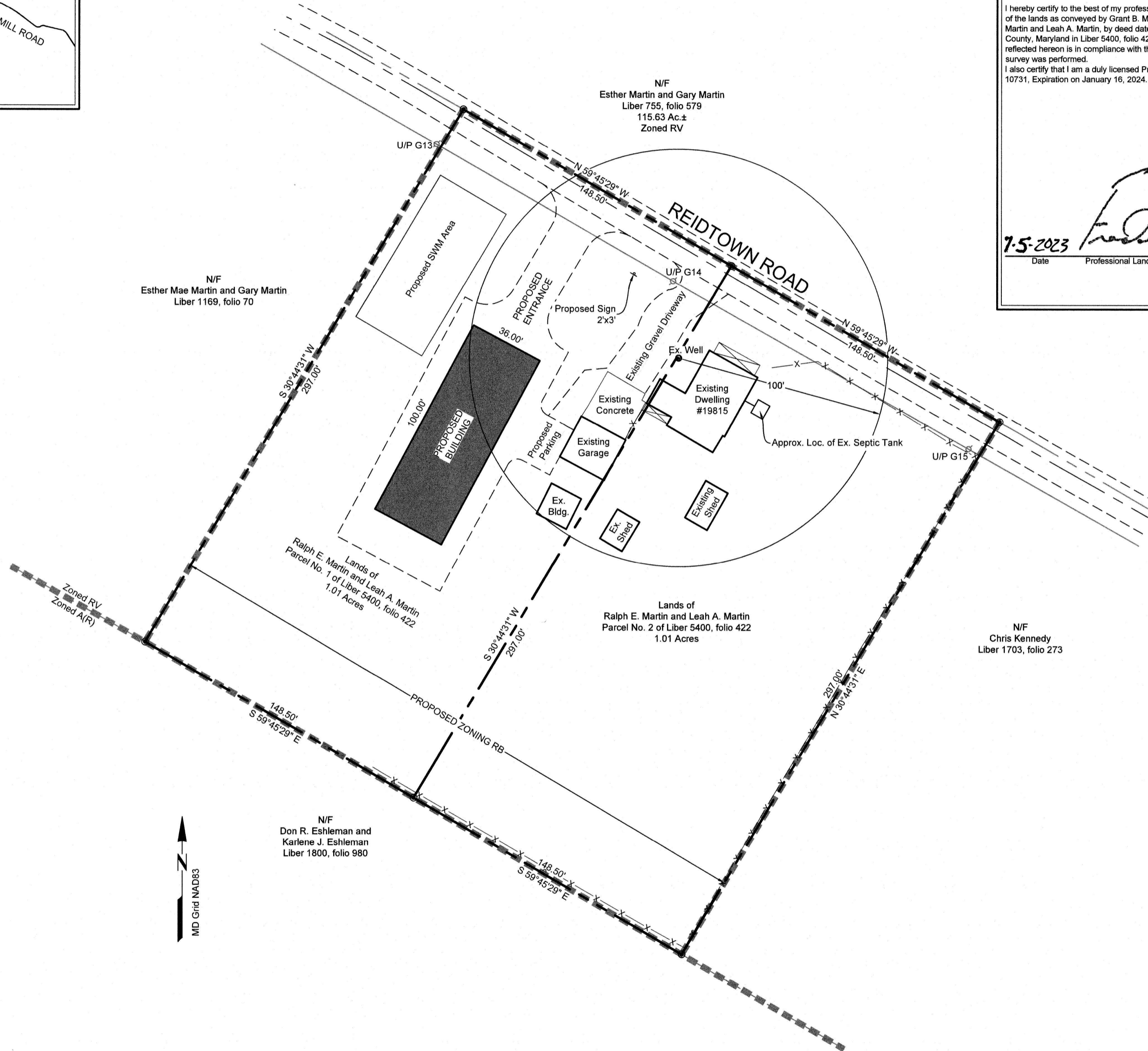
For Clerks Use Only

Improvement Fee	40.00
Recording Fee	20.00
County Transfer Tax	100 -
Recordation Tax	532 -
State Transfer Tax	175 -
Non-Resident Tax	
TOTAL	867 -

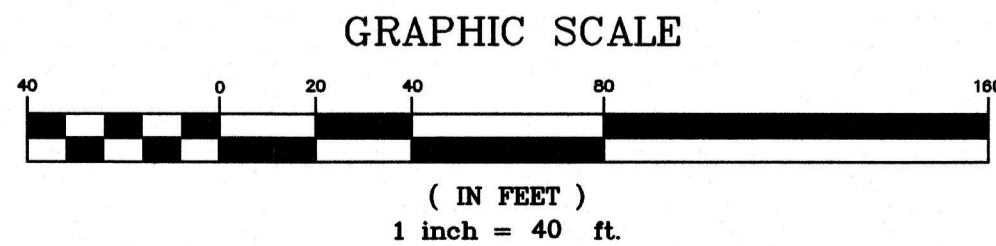
Space Reserved for County Validation



VICINITY MAP
SCALE 1"=2000'



Owner:
Leah Martin and Ralph Martin
19815 Reidtown Road
Hagerstown MD 21742



General Notes

1. Parcels are currently zoned RV - Rural Village
2. Proposed zoning is RB - Rural Business.
3. This Rezoning Exhibit was prepared without the benefit of a title report and therefore may not indicate all encumbrances on this property.

Proposed Site

Functional Use: Auto Body Repair and Painting
Hours: Monday - Friday 8 AM - 6 PM
Employees: 2
Deliveries: Small Truck/Van twice a day
Estimated Number of Customers: 2/Day
30% of business is Agriculturally related

Land Surveyor's Certification

I hereby certify to the best of my professional knowledge and belief that the plan shown hereon is correct; that it is all of the lands as conveyed by Grant B. Martin, Personal Representative of the Estate of Anna Mary Martin, to Ralph E. Martin and Leah A. Martin, by deed dated December 23, 2016, recorded among the Land Records of Washington County, Maryland in Liber 5400, folio 422; that this document was prepared by myself and that the survey work reflected hereon is in compliance with the requirements set forth in COMAR 09.13.06.12 in effect at the time this survey was performed.
I also certify that I am a duly licensed Professional Land surveyor under the laws of the State of MD. License No. 10731, Expiration on January 16, 2024.

7-5-2023 *Frederick M. Frederick*
Date Professional Land Surveyor



REZONING EXHIBIT

OF
PARCEL 31

FOR
LEAH A. MARTIN AND RALPH E. MARTIN

SITUATE AT 19815 REIDTOWN ROAD, HAGERSTOWN
WASHINGTON COUNTY, MARYLAND

PROJECT NO. 2023-0114	
DWN BY LEJ	DATE 6.21.2023
PROJECT MANAGER EJS	
EMAIL ESchreiber@fisa-inc.com	
ELECTION DISTRICT 27	
PROPERTY INFORMATION 11-20-31	
ACCOUNT NO. 27-011055	
SCALE 1" = 40'	
SHEET TITLE	

REZONING
EXHIBIT



Frederick, Seibert & Associates, Inc.
Civil Engineers • Surveyors • Landscape Architects • Land Planners
128 SOUTH POTOMAC STREET
HAGERSTOWN, MD 21740
301.791.6650
20 WEST BALTIMORE STREET
GREENCASTLE, PA 12256
717.701.1007
305 SOUTH HANOVER STREET
CARLISLE, PA 17013
717.701.8111
15 EAST MAIN STREET
NEW BLOOMFIELD, PA 17068
717.276.7631
fisa-inc.com

Zoning Ordinance Map Amendment
19815 Reidtown Road, Hagerstown
Applicant: Ralph E. and Leah A. Martin

Adjoining Property Owners

Tax Account Number: 27-011268

Tax Map 11, Parcel 39

Property Address: 19836 Reidtown Road, Hagerstown

Owner(s): Gary R. and Esther M. Martin

Mailing Address:

19717 Reidtown Road
Hagerstown, MD 21742

Tax Account Number: 27-025927

Tax Map 11, Parcel 30

Property Address: 19823 Reidtown Road, Hagerstown

Owner(s): Chris Kennedy

Mailing Address:

19823 Reidtown Road
Hagerstown, MD 21742

Tax Account Number: 27-004865

Tax Map 11, Parcel 40

Property Address: 19703 Reidtown Road, Hagerstown

Owner(s): Don R. and Karlene J. Eshleman

Mailing Address:

19707 Reidtown Road
Hagerstown, MD 21742

Tax Account Number: 27-011225

Tax Map 11, Parcel 32





Property Address: 19723 Reidtown Road, Hagerstown

Owner(s): Gary and Esther Mae Martin

Mailing Address:

19717 Reidtown Road
Hagerstown, MD 21742
4863-4394-5072, v. 1

An aerial photograph overlaid with a cadastral map. The map shows several land parcels outlined in thin black lines. Most parcels are labeled with 'P.' followed by a number (e.g., P.39, P.40, P.32, P.30, P.28, P.27, P.26, P.25, P.24, P.18, P.17, P.16, P.15, P.14, P.13, P.12, P.11, P.10, P.9, P.8, P.7, P.6, P.5, P.4, P.3, P.2, P.1, P.0). A large, irregularly shaped area in the center-right is shaded in solid blue. Within this blue-shaded area, there are labels 'RV' and 'Rd'. To the left of the blue area, there is a label 'A(R)'. On the far right, a small rectangular area is shaded with a pink cross-hatch pattern and contains labels 'P.15' and 'P.12'. Several roads are visible as light-colored lines with dashed center lines; one is labeled 'Heldtown Rd' and another 'Lehman's Rd'. The background is an aerial view showing vegetation, buildings, and other landscape features.

Zoning	Zoning Overlay
 Agricultural (Rural)	 Rural Business
 Rural Village	 Parcels

Washington County, MD GIS

This map is provided for informational purposes ONLY. Data are not guaranteed by Washington County Maryland to be free of errors. Data should be verified through appropriate sources.

Noel S. Manalo, Principal
240.772.5108 Phone
240.772.5135 Facsimile
Noel.Manalo@offitkurman.com

August 18, 2023

VIA HAND-DELIVERY AND EMAIL

Board of County Commissioners
Planning Commission
Washington County, Maryland
100 West Washington Street
Hagerstown, Maryland 21740

Re: Map Amendment Application for 19815 Reidtown Road
Request for Rural Business District (RB) Floating Zone

Honorable County Commissioners and Planning Commission:

On behalf of Ralph E. & Leah A. Martin (collectively “Applicant”), owners of the +/- 2.0 acres located at 19815 Reidtown Road, Hagerstown, Maryland 21742, Tax Map 0011, Grid 0020, Parcel 0031, Tax ID #27-011055 (the “Property”), we offer the following justification statement in support of our request for application of the Rural Business District (RB) Floating Zone to the Property.

The Property is currently zoned Rural Village and improved with a residence and outbuildings. The primary use is currently residential with related agricultural/livestock uses. The Applicant intends to conduct an automobile body repair service at the Property. Granting of the RB Floating Zone would permit the repair service use. The Applicant would conduct the business with no additional employees in the foreseeable future. The number of automobiles the Applicant would be working on would be limited to no more than 2-3 at any given time.

Granting the request would allow the Applicant to provide a desired and needed service to neighboring agricultural properties in the proximate Rural Village area. There would be no discernable impacts related to noise, traffic, dust or fumes that would not otherwise be typical in the Rural Village zone in this location. As specified in the Purpose Statement of the RB District, the requested zoning and allowance of the automobile body repair use would “support the agricultural industry and farming community” and would help establish a location for “businesses and facilities not otherwise permitted in rural areas of the County.”

Below in bold typeface are the relevant provisions from the Washington County Zoning Ordinance with responses following each provision:

ARTICLE 5E - "RB" RURAL BUSINESS DISTRICT

Section 5E.4 Criteria

(b) The RB Floating Zone District may be newly established at a particular location if the following criteria are met.

1. The proposed RB District is not within any designated growth area identified in the Washington County Comprehensive Plan;

RESPONSE: The Property is not within any designated growth area identified in the Washington County Comprehensive Plan.

2. The proposed RB District has safe and usable road access on a road that meets the standards under the "Policy for Determining Adequacy of Existing Roads." In addition a traffic study may be required where the proposed business, activity or facility generates 25 or more peak hour trips or where 40% of the estimated vehicle trips are anticipated to be commercial truck traffic;

RESPONSE: The Property has safe and usable road access on Reidtown Road. The Applicant anticipates meeting the standards of the referenced Policy document. The intended use will not generate more than fifteen (15) peak hour trips.

3. Onsite issues relating to sewage disposal, water supply, stormwater management, flood plains, etc. can be adequately addressed; and

RESPONSE: The intended use will not create any sewage disposal, water supply, stormwater or other issues that are not above and beyond impacts already accounted for by the current residential (and related agricultural and livestock) use onsite.

4. The location of an RB District would not be incompatible with existing land uses, cultural or historic resources, or agricultural preservation efforts in the vicinity of the proposed district.

RESPONSE: The intended use would not create any impacts discernable beyond the current residential (and related agricultural and livestock) use. Vehicle movements would be consistent with the existing residential and agricultural uses. The auto body repair work would be conducted completely indoors. Therefore, the intended use would not create any incompatibilities with any of the above elements that may be in the vicinity.

Section 27.3 Factors to be considered in a request for a map amendment.

In order for an amendment, modification, repeal, or reclassification of such district as herein provided, the local legislative body shall make findings of fact in each specific case including, but not limited to, the following matters:

(a) The report and recommendation of the Planning Commission.

RESPONSE: Acknowledged.

(b) Population change in the area of the proposed change.

RESPONSE: According to census.gov, April 1, 2010 population for Washington County was 147,430 and estimate for July 1, 2022 was 155,590.

(c) Availability of public facilities in the area.

RESPONSE: Property is served by County roads and by well and septic.

(d) Present and future transportation patterns in the area.

RESPONSE: Rural Village residents and agricultural operations infrequently use Reidtown Road presently; given the rural nature of this part of Washington County, this pattern is not likely to change in the future.

(e) Compatibility with existing and proposed development of the area including indication of neighboring sites identified by the Washington County Historic Sites Survey and subsequent revisions or updates.

RESPONSE: The proposed use would be practically indistinguishable from the current residential and agricultural uses at the Property and therefore maintain compatibility. The Property is adjacent to/proximate to parcels identified in the "Reid (I) Historic Rural Village/Community."

(f) The relationship of the proposed change to the Adopted Plan for the County, Development Analysis Plan Map and Policies.

RESPONSE: The proposed use would be consistent with the Adopted Plan maps and policies, as the RB Zoning District is specifically meant for rural areas of the County.

(g) Whether there was a substantial change in the character of the neighborhood where the property is located.

RESPONSE: Not applicable, as the RB Zoning District is a floating zone.

(h) Whether there was a mistake in the existing zoning classification.

RESPONSE: Not applicable, as the RB Zoning District is a floating zone.

For the foregoing reasons, and as supported by the accompanying application materials, the Applicant submits that the requested zoning meets the necessary requirements, and we respectfully request your approval of the application. The Applicant will provide additional information, submissions and testimony as may be required.

Sincerely,



Noel S. Manalo



Washington County

M A R Y L A N D

DEPARTMENT OF PLANNING & ZONING

PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

January 2, 2024

RZ-23-006

APPLICATION FOR MAP AMENDMENT PLANNING COMMISSION RECOMMENDATION

Property Owner(s)	:	Ralph E. and Leah A. Martin
Applicant(s)	:	Ralph E. and Leah A. Martin
Location	:	19815 Reidtown Road
Election District :		#27 - Fountainhead
Comprehensive Plan		
Designation	:	Rural Village
Zoning Map	:	11
Parcel(s)	:	31
Acreage	:	2 acres
Existing Zoning	:	RV – Rural Village
Requested Zoning	:	RV – Rural Village with RB – Rural Business overlay
Date of Meeting :		November 6, 2023


RECOMMENDATION

The Washington County Planning Commission held a rezoning public input meeting on November 6, 2023 for the purpose of considering a map amendment for 2 acres of land located at 19815 Reidtown Road. The applicant is requesting the application of the Rural Business floating zone on his property to establish an auto body repair facility.

The Planning Commission considered the application and supporting documents, oral testimony from the applicant and his legal counsel, public comments from interested parties and the Staff Report and Analysis. The Planning Commission then took action at its regular meeting held on Monday, December 4, 2023 to recommend, to the Board of County Commissioners, approval of the map amendment (RZ-23-006) contingent upon the two individual tracts called out in the deed of record to be combined into one parcel for the purpose of any future development. After further research, it was discovered that the existing dwelling crosses the boundary between the two tracts called out in the deed. Therefore, the tracts should be considered as combined according to the Doctrine of Zoning Merger, putting the tracts together by default.

Copies of the application packet, Staff Report and Analysis, minutes of the November 6, 2023 public rezoning meeting and the minutes of the December 4, 2023 regular meeting are attached.

Respectfully submitted,


Jill L. Baker, AICP,
Director, Washington County Dept. of
Planning & Zoning

JLB/TMA/dse

Attachments

cc: Kirk Downey
Noel S. Manalo, Esq.

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DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

November 6, 2023

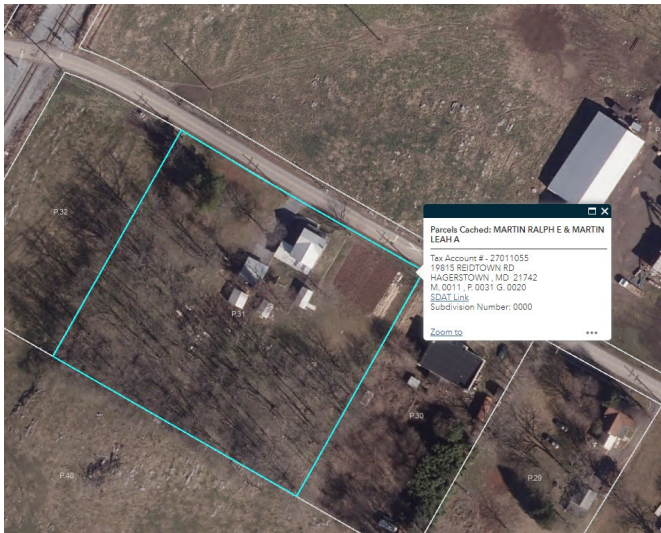
Case #: RZ-23-006

Application for Map Amendment Staff Report and Analysis

Property Owner(s)	:	Ralph E. and Leah A. Martin
Applicant(s)	:	Ralph E. and Leah A. Martin
Location	:	19815 Reidtown Rd
Election District	:	#27 – Fountainhead
Comprehensive Plan	:	
Designation	:	Rural Village
Zoning Map	:	11
Parcel(s)	:	P. 31
Acreage	:	2 acres
Existing Zoning	:	Rural Village (RV)
Requested Zoning	:	Rural Village (RV) with Rural Business (RB) overlay
Date of Hearing	:	October 2, 2023

I. Background Information

a. Location and Description of Subject Properties



The subject parcel is located on the south side of Reidtown Road between the CSX railroad line and Marsh Pike, approximately 1 mile east of Hagerstown Regional Airport in the Rural Village of Reid. The property subject to this rezoning encompasses 2 acres of land and is owned by the applicant. It is improved by an existing single-family dwelling and associated accessory structures.

The site lies outside of both the Airport (AP) and Airport Overlay Zoning Districts that strictly govern land uses in the vicinity of the Airport. The land does, however, fall within the Hazardous Wildlife Attractant Management Overlay District that protects airport operations from wildlife hazards. The proposed land use (auto body repair) does not seem to pose any threat to airport operations, however.

b. Rural Business Floating Zone Purpose and Criteria

The Rural Business Zoning District (RB) is established to permit the continuation and development of businesses that support the agricultural industry and farming community, serve the needs of the rural residential population, provide for recreation and tourism opportunities, and to establish locations for businesses and facilities not otherwise permitted in the rural areas of the County. It is established as a “floating zone” which may be located on any parcel in an Agricultural, Environmental Conservation, Preservation or Rural Village Zoning District. A floating zone is a zoning district that delineates conditions which must be met before that zoning district can be approved for an existing piece of land.

Section 5E.4 of the Rural Business Zoning District describes the criteria that must be met for the establishment of a new Rural Business Zoning District. These criteria include:

1. The proposed RB District is not within any designated growth area identified in the Washington County Comprehensive Plan;
2. The proposed RB District has safe and usable road access on a road that meets the standards under the “Policy of Determining Adequacy of Existing Roads.” In addition, a traffic study may be required where the proposed business, activity or facility generates 25 or more peak hour trips or where 40% of the estimated vehicle trips are anticipated to be commercial truck traffic;
3. Onsite issues relating to sewage disposal, water supply, stormwater management, floodplains, etc. can be adequately addressed; and
4. The location of an RB District would not be incompatible with existing land uses, cultural or historic resources, or agricultural preservation efforts in the vicinity of the proposed district.

Section 5E.6c further expands upon the above noted criteria in describing the basis for which the Planning Commission should base its recommendation to the Board of County Commissioners upon after the Public Information Meeting including:

1. The proposed district will accomplish the purpose of the RB District;
2. The proposed site development meets criteria identified in Section 5E.4 of this Article;
3. The roads providing access to the site are appropriate for serving the business-related traffic generated by the proposed RB land use;
4. Adequate sight distance along roads can be provided at proposed points of access;

5. The proposed landscaped areas can provide adequate buffering of the proposed RB land use from existing land uses in the vicinity;
6. The proposed land use is not of a scale, intensity or character that would be incompatible with adjacent land uses or structures.

To be established, RB districts must also meet bulk requirements outlined in Article 5E.5. A preliminary site plan which addresses the elements noted above and other criteria in 5E.6.a(3) in greater detail is also a required part of the application process. Finally, approval of the application to create an RB District shall only be for the use identified on the application and preliminary site plan. An approved RB District covers only the portion of the parcel or lot identified in the application. Changes to the use, intensity or area covered by an approved RB District shall be reviewed by the Planning Commission. A new public hearing may be required to approve the changed use.

II. Staff Analysis

The staff analysis of the proposed rezoning will utilize the criteria outlined in the previous section of this report to determine the suitability of applying a newly created RB floating zone in the designated location.

1. The proposed district will accomplish the purpose of the RB District;

As defined above, one purpose of the floating zone is to “*establish locations for businesses and facilities not otherwise permitted in the rural areas of the County.*” The proposed auto body service facility is not a permitted land use in the underlying Rural Village Zoning District. Services are presently limited in the immediate vicinity of this property, given its location in a rural area of the County. Therefore, it would have the potential to “*serve the needs of the rural residential population.*”

2. The proposed RB District is not within any designated growth area identified in the Washington County Comprehensive Plan;

The proposed site of this rezoning is located outside of the County’s current Urban Growth Area boundary. This status is not proposed to change in the forthcoming Comprehensive Plan update.

3. Road and Traffic Considerations

a. Traffic Generation

Traffic generation from the proposed land use is estimated by the Applicant in their justification statement (Exhibit F) to be less than 15 trips per day. This trip generation estimate falls below the requirements of the RB District which necessitate a traffic study when the proposed business, activity or facility generates “*25 or more peak hour trips or where 40% of the estimated vehicle trips are anticipated to be commercial truck traffic.*”

Traffic counts on County and State roads in the vicinity of the rezoning site provide limited information traffic flow or congestion that might be impacted an expanded business at this location. Single day traffic counts were collected for one 24-hour period in 2022 at three locations in the vicinity of the subject site, near its intersection with Marsh Pike. The counts for these three locations are noted below:

- Reidtown Rd, west of Marsh Pike (.15 miles away): 355 vehicles
- Lehman's Mill Rd, east of Marsh Pike (.20 miles away): 297 vehicles
- Lehman's Mill Historic District (.33 miles away): 287 vehicles

SHA does not maintain a permanent traffic counter in the immediate vicinity of the site.

b. Road and Site Circulation Improvements

The proposed business is located on Reidtown Rd, which is classified as a local road in the Transportation Element of the County's 2002 Comprehensive Plan. Local roads serve a mean ADT of less than 1,000 vehicles in rural areas such as this. Parking is planned on the east side of the building that would be constructed to conduct the auto body repair service.

A review of the County's 10-Year CIP and the State Highway Administration's Consolidated Transportation Plan did not note any road improvements in the vicinity of this proposed rezoning that would affect road capacity or traffic flow. The Highway Plan in the 2002 Comprehensive Plan and HEPMPO's LRTP also did not indicate any immediate road improvements in the vicinity.

The Applicant's preliminary site plan (Exhibit C) anticipates a second entrance onto Reidtown Road from the proposed use, separate from the current driveway that leads to the house. This Exhibit appears to indicate an intent to subdivide the property in the event of zoning approval, separating the residential and commercial uses.

The application was sent to the Washington County Department of Engineering for their review and comment. They offered the following comments:

- *We have evaluated the proposal and Reidtown Road appears inadequate for commercial traffic in accordance with the Adequate Public Facilities Ordinance and Policy to Determine the Adequacy of Existing Highways, dated May 2005. Per available records Reidtown Road has varying widths from 14.0 feet to 21.0 feet with an average width of +/- 15.3 feet. In accordance with Section III.F.1 and the exemption provided under Section V.D.2 of the aforementioned policy, the minimum required pavement width is eighteen (18) feet along the proposed lot frontage and out to the nearest road deemed adequate, in this case Marsh Pike. Should the project move forward, the applicant shall be required to have a Road Condition Survey and road widening plans prepared by a licensed professional to accompany the Site Plan submission.*
- *Adequate intersection sight distance will be required for any access that serves the commercial use in accordance County Policy and AASHTO standards. The access will*

require a Washington County Entrance Permit and must be upgraded/installed to commercial standards.

4. Site Planning Considerations

a. Water

The proposed rezoning site is designated as W-7 in the 2009 Water and Sewer Plan with no planned connection to public water. An existing well connected to the residential use is depicted on Applicant's Exhibit C. No additional information about water usage is provided on the preliminary site plan aside from a declaration within their justification statement:

"The intended use will not create any sewage disposal, water supply, stormwater or other issues that are above and beyond impacts already accounted for by the current residential and agricultural use onsite."

Well locations are approved by the Washington County Health Department. The Health Department is also responsible for monitoring wells for water quality issues.

b. Sewer

The proposed rezoning site is designated as S-7 in the 2009 Water and Sewer Plan with no planned connection to public sewer. An approximate location of the existing septic system is depicted on Applicant's Exhibit C. No additional information on sewage disposal was provided beyond the declaration noted above.

The Washington County Health Department is responsible for approving the location and method of sewage disposal on individual properties in the County. A copy of this rezoning application was routed for the Health Department for their review. No comments were received.

c. Stormwater Management

A stormwater management pond is proposed in the northwest corner of the property on the preliminary site plan to capture stormwater from the storage facility.

The application was sent to the Washington County Department of Engineering for their review and comment. They offered the following comments:

- *The property is located within the Hazardous Wildlife Attractant Management District and may need to be reviewed by the appropriate airport authorities. This will also be of consideration in review of any required stormwater management facilities for the project.*
- *The State of Maryland classifies "Vehicle Service and Maintenance Facilities" as "Stormwater Hotspots". Any required stormwater management for the project would need to comply with "hotspot" requirements as specified in the Maryland Stormwater Design Manual.*
- *A portion of the property is located within the Maryland Sensitive Species Project Review Area and may need to be reviewed by the Maryland Department of the Environment.*

d. Floodplain

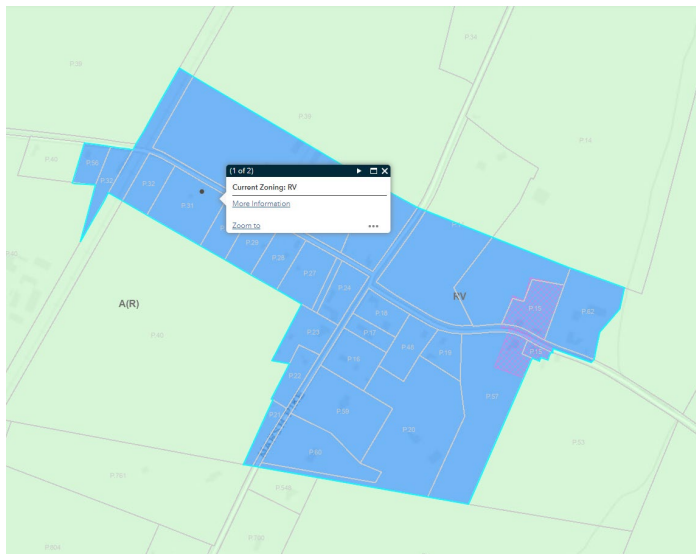
The proposed rezoning site does not contain floodplain.

e. Bulk Regulations

The applicant's Justification Statement does not specifically address bulk requirements such as setbacks or lot coverage aside from a generalized parking area east of the proposed building. The apparent intent to subdivide the parcel if zoning approval was granted, as potentially indicated on Exhibit C, does raise some question about the ability of the project to meet side yard setback requirements for the existing dwelling and its accessory structures.

5. Compatibility with Adjacent Land Uses

a. Land Use in the Vicinity



As seen at left, the parcel is part of a block of properties zoned RV, some of which fall within the Rural Village of Reid. There is one other existing RB Zoning District in the vicinity, at the Lehman's Mill Historic District to the east. All the surrounding lands are zoned Agricultural Rural A(R).

Land use conforms to the zoning, with small residential lots found within the RV District and along Marsh Pike. These lots give way to larger agricultural parcels on all sides in the immediate vicinity.

Given the prohibition on most commercial uses in rural areas of the County outside of an established RB Zoning District, services are limited in the vicinity. There is an antique shop within the RB District at Lehman's Mill Historic District. An engraving shop is located just south of the Reidtown Road/Marsh Pike intersection. There is one other auto body shop in the vicinity of the rezoning site, on Marsh Haven Lane along the Pennsylvania border, located approximately one mile from subject property.

b. Historic Resources

There are 6 existing historic sites within $\frac{1}{2}$ mile or less of this proposed rezoning that should be considered in evaluating its compatibility. Two are located on immediately adjacent properties. Two other sites are found within the larger Lehman's Mill National Register Historic District. The others are within $\frac{1}{4}$ mile of the site, just west of the CSX railroad line. Three others are located approximately $\frac{1}{2}$ mile south of the site across U.S. 40 near I-70 West. Four of the six sites were documented on the Maryland Historic Sites Inventory by the Maryland

Historical Trust (MHT) but were not listed as National Historic Register Properties. These six historic sites are described in the inventory as follows:

➤ **Within Reid Historic Rural Village/Community**

Individual structures noted below within Reid were surveyed by MHT, but the larger community does not have a fully completed and adopted historic survey.

- WA-I-220: "Reid School" (adjoining property)

Early 20th century 1 ½ story brick rural educational facility.

- WA-I-215: "Eshelman-Martin Farm" (adjacent property)

19th century farm complex offering an example of a large early plantation in Washington County owned by members of the prominent local family. Includes 2-story multi-sectioned brick farmhouse and several outbuildings.

- WA-I-223: "Reid Elevator" (.10 miles away)

Early 20th century frame grain storage facility, feed mill and general store built to accommodate the needs of the surrounding agrarian community. The mill is still actively used.

➤ **Lehman's Mill National Register Historic District (WA-I-523) – .33 miles away**

The Lehman's Mill Historic District located near Marsh Run, is significant for its association with the county's agricultural and economic history. It is the oldest continuously operating mill in Washington County and is the most intact mill complex remaining in the County as well. The Historic District includes the mill, mill farm, miller's house, assorted domestic agricultural and mill-related outbuildings, and vestiges of the mill race and dam. Individual structures that were surveyed by MHT survey and are among those listed on the National Register are noted below.

- WA-I-209: "Lehman's Mill (Marsh Mills)"

Mid-to-late 19th century 2 ½ story brick grist mill. The mill has been in continuous operation since at least 1869 provides an excellent example of an early rural industrial structure.

- WA-I-211: "Lehman's Mill House"

Early-to-Mid-19th century 2-story roughcast limestone farmhouse associated with larger mill complex.

➤ **Other Historic Structures**

- WA-I-224: "Eshelman Farm" (.20 miles away)

Mid-19th century farmstead including 2 ½ story brick dwelling and frame bank barn.

c. Agricultural Land Preservation

The proposed rezoning site is located outside of the County's designated Priority Preservation Area (PPA). The PPA boundary terminates just east of the RV District shown previously. There would be no impact on County agricultural land preservation efforts as a result of this rezoning request.

6. Additional Considerations

a. Emergency Services

The Hagerstown Regional Airport's Fire Department (Station 35) is the nearest emergency services provider to this site, located approximately 3 miles west at the Airport.

b. Comprehensive Plan Designation

The 2002 Comprehensive Plan designated this site as falling within the Rural Village Policy Area in its Land Use Plan. This Policy Area, found throughout the County, is associated with small communities in rural areas of the County, often settled historically, at junctions in roads or along railroads or waterways. Typically, they include a small residential core with associated institutional and/or commercial services (i.e. – post office, church, school or retail establishment). Due to constraints on infrastructural capacity, Rural Villages are intended to absorb limited growth and development, typically through infill or redevelopment within the communities existing footprint. Permitted development should be of a similar density, scale and use type/mixture as that which already exists in the village.

c. Hours of Operation, Employees

The anticipated hours of operation for the proposed auto body repair shop are Monday through Friday, 8 am to 8 pm with two onsite employees. Their preliminary site plan estimates that the business would receive two daily customers and the same number of deliveries by small truck or van each day.

III. Recommendation

Based on the analysis provided above and offered by the applicant in their justification statement, Staff believes that there is sufficient evidence that the criteria outlined in Article 5E of the Zoning Ordinance has been met for the application of a Rural Business floating zone to the subject area.

Considerations that the Planning Commission and Board of County Commissioners may wish to investigate further during public meetings include the following:

- The issues raised about road adequacy for commercial vehicle traffic on Reidtown Road, which may necessitate road widening from the subject site to Marsh Pike.

- Whether the applicant has considered the architectural designs for the proposed structure that would be compatible with the historic architectural context of the surrounding Rural Village.
 - Since Reid does not have a fully completed and adopted historic survey, and there are no currently documented historic resources on the subject property, there would not be an architectural review by the Historic District Commission during site planning. Therefore, this is more a general question as to whether the proposed structure housing the auto body repair facility would be compatible in terms of scale, intensity or character with adjacent structures and land uses.
- The ability of the proposed use to meet setback requirements in the event of a subdivision, if that is indeed the intent of the applicant.

It is likely that the above questions can be addressed during development review of an eventual site plan, if the zoning was first to be approved for this parcel. The criteria for establishing a new RB Zoning District do allow for considerations such as these to be investigated during the rezoning process, however, if the Commission or Board chooses to do so.

Respectfully submitted,

Travis Allen
Senior Planner

Eckard, Debra S.

From: Bernard White <bhwhiteiv@hotmail.com>
Sent: Sunday, November 5, 2023 9:46 AM
To: Planning Email
Subject: Proposed Zoning Change for Ralph and Leah Martin (Map 11/Grid 20/Parcel 31)

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Good morning,

I am writing to voice my concern about the proposed zoning change as shown in the attached photo for Ralph and Leah Martin at Map 11, Grid 20, Parcel 31, from a Rural Village to a Rural Village with a Rural Business overlay. My wife and I bought our property because it is located in a rural village and want the surrounding area to stay that way. We live on Lehman's Mill Rd which has one lane bridges in a couple of spots, one of which is adjacent to my house. Reidtown Road is not large enough to handle any more traffic than it already does. Lehman's Mill and Reidtown Road are both used by traffic going from I81 towards Leitersburg. Drivers already drive too fast on both Marsh Pike and Lehman's Mill road. It is not uncommon for someone to pass me on Marsh Pike doing 50+ mph.

The property size for the business only 1.01 acre which is zoned rural village. Along with a business comes parking lot(s), and has the potential for storing a number of cars on a fairly small property while they are waiting to be repaired or stored to be used for parts for future repairs. This would make the area look like an eyesore. In looking at the proposed zoning application, it states that it is for an "automobile body repair service" which to me is one to fix cars that were in accidents. There is a sign out front that seems to indicate it will be for both a body repair shop and an auto repair shop.

Adding this along with water facilities (drinking water and bathrooms) will tax an already low water table. The creek next to my house has run dry the past few years as there has not been sufficient water to feed it. We also have a low-flow well, which only produces 1/8 gallon a minute. We all take water from the same source, taxing it will affect all the residential uses in the area, not just mine.

Another of my concerns is that the Martins are already erecting a building, which seems to indicate that they believe the zoning approval is guaranteed. I heard that the Martins do not have a building permit, therefore, I looked at all the building permits issued in 2023 that were listed on the Washington County website. I may have missed it, but I did not see one for his proposed building. My concern is that if he doesn't follow the laws for erecting the building, there are no assurances he will follow Washington County, the State of Maryland, or the EPA regulations if the rezoning is permitted. The proposed business could pollute both the air I breathe and the drinking water that feeds the well for my house. I work for the Federal Government as a regulator and I completely understand the inability of a government to inspect with a proper frequency the large number of entities that it regulates.

According to the Washington County Zoning ordinance, Section 5D.0 , "Purpose," states:

"The Rural Village designation is provided to preserve the unique historic or rural character of existing villages by encouraging compatible development within a defined village boundary. It also identifies clusters of existing development in the rural areas that may be candidates for public facilities in the future. The zone intends for permitted development to be generally of a similar density, scale and use

type and mixture as that which exists in the village. The zone is also designed to prevent large amounts or inappropriately scaled development or uses that would detract from the existing rural or historic character of the village. It is expected that development will be residential and a limited amount of mixed rural services. More than one use may be permitted on one parcel in accordance with specific guidelines. Public water and sewer may be available for the purpose of resolving or preventing health issues. Use of public utilities to permit greater density than the density specified in this section is not permitted."

In the above paragraph it states "zone intends for permitted development to be generally of a similar density, scale and use type and mixture as that which exists in the village," which means that business in it should be like what is in the village. There are no autobody shops within a couple of miles of this area, only agriculture uses. The closest one is 2.1 miles away on Leitersburg Pike, which has a significant number of businesses on it. If Planning and Zoning allows this one, there is precedent for the second, and third, and fourth business, not to mention future business, eventually leading to have our rural village look like Route 11, just down the road. There are plenty of unused buildings and property that already have the proper zoning that are nearby. I do not believe allowing this one to pass would be in anyone's best interest, except for the Martin's who are seeking the zoning change.

In addition, Section 5E.0, "Purpose," states:

"The "RB" Rural Business District is established to permit the continuation and development of businesses that support the agricultural industry and farming community, serve the needs of the rural residential population, provide for recreation and tourism opportunities, and to as establish locations for businesses and facilities not otherwise permitted in the rural areas of the County. The Rural Business District is established as a "floating zone" which may be located on any parcel in an Agricultural, Environmental Conservation, Preservation or Rural Village Zoning District."

It states that the Rural business district is "...to permit the continuation and development of businesses that support the agricultural industry and farming community..." An autobody shop in no way shape or form supports the agricultural industry and farming community. In addition, according to Google Maps, there at least 30 autobody shops within a 10-mile radius of my house. That is more than sufficient number, that one could argue that the proposed upzoning does not "serve the needs of the rural residential population."

The property next door, across the railroad tracks, appears to be used as a feed mill, which supports the farming industry, and therefore, I do not have any issues with that. However, the building is rundown and looks like it is going to fall apart any minute. That I do have an issue with. In addition, the property behind it, which I believe is owned by Gary Martin, a relative, looks like he is storing rusted items and do nothing but spoil the groundwater. I am concerned that his business would eventually look like those around it owned by a relative.

I am not in favor of this change.

Keep this area RV and run the car repair business in a proper place.

Thanks
Bernie White
Senior Project Manager
19919 Lehman's Mill Rd
Hagerstown MD 21742

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Eckard, Debra S.

From: Cynthia Brezler <lehmanmill@comcast.net>
Sent: Sunday, November 5, 2023 12:03 PM
To: Planning Email
Subject: Proposed Zoning Change for Ralph and Leah Martin (Map11/Grid20/Parcel31)

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To all that this Concerns:

We are writing to have our concerns heard about the proposed zoning change that we were made aware of my mail.

We have owned and lived on Lehmans Mill road for over 40 years and also restore both the house and the mill which is now on the

Historical Registry. We take great pride in our property and work very hard to keep it looking nice and tidy. Lehmans Mill Road

and Reidtown Road are used more heavily. More than you can imagine by not only the residents but all the heavy farm machinery all year long.

No to mention the usage to get to I 81. Drivers already drive too fast in these narrow county roads and it is not unusual for us to hear them hit the brake going over the small corner hill in front of our property. Several very bad accidents have occurred on both Reidtown & Lehmans Mill one taking a life. I vote for speed bumps....

However the issue at hand is the rezoning. My husband and I had to do a lot of work and put a lot of money to get the permit and setbacks

for Lehmans Mill 25 plus years ago. We saved a historical building... This rezoning has no building and is asking to erect one which by the way

they have already started to do that without a permit and then to even put a sign in the yard. If I recall... we had to have a business license and all that in place which costs us money to do. We couldn't start anything without that. Why are they being allowed to do this?? With no permit!

If this couple thinks that is ok to do that they need to be informed it is not. It has caused concern for several of the residents that if they

get this zoning change what is to prevent them for doing other things...used car lot...as was there this summer..It already appears that they don't think they need to comply with the rules. Doesn't appear that they care. Best thing they could do is put this business where it is already zoned.

We do not need another Auto Repair /Body Shop in this area.

The other thing that concerns me is the EPA for paint fumes...wrecked cars sitting around..not the mention the environment. This could pollute our air we breathe and water we drink,,,someone needs to care about this.

Is there even enough room on this property for this?? probably not...But I could see it flow over to the neighbors and having seen what we have seen in the 40 years living here they would probably rent it to them...Maybe...

WE as a community DO NOT WANT this....if anything that area of The Historical Village of Reid needs to be cleaned up... The old feed mill building beside the railroad tracts is falling down and no one cares. Junk laying around all the time.

An Autobody shop does not support the farming community or adhere to the agricultural industry.

If you would like to speak to us we can be contacted at 301-991-6522

We have had plans made for Nov 6th that can not be changed or we would definitely be at the meeting.

This is our voice for this.

Please know some will not speak up but there is great concern in our area about this

WE VOTE NO CHANGE

Thank you for your time

Ronald & Cynthia J. Brezler
lehmanmill@comcast.net
301-992-6522

lehmanmill@comcast.net

Eckard, Debra S.

From: li3mow@comcast.net
Sent: Friday, November 3, 2023 4:02 PM
To: Planning Email
Subject: Rezoning Case No RZ-23-006

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Good afternoon. We are submitting this regarding rezoning case no. RZ-23-006 at 19815 Reidtown Road. We are unable to attend the meeting Monday evening but do have several concerns we would like to have addressed. We have spoken with Ralph Martin, the applicant, and very much appreciate his desire to work with his neighbors to try to ensure this project does not cause issues. However, we have the following concerns:

1. Paint smell - We understand an autobody shop is the goal of the rezoning and that there will be filters on the paint booth. Although he says the filters will remove up to 99%, we don't know what is being removed. Is it smell? We do not want to sit out on our patio in a rural village zoned area and smell paint.
2. Lighting - We want to be sure the property does not install bright lighting that would shine through the trees and be noticeable at night in the neighborhood. It is our hope that the lighting would be more like normal lighting you might see outside of a house, facing downward and not projecting up like a business.
3. General appearance/landscaping- Because this is a rural village area, we would like to see the look of the property maintain its "farm" appearance and not have buildings, pavement, etc. that does not match the area but appears to be more commercial. We would also prefer to see any signage be very low profile to fit in with the nature of the area.
4. Number of vehicles - We are hoping there would not be a large amount of cars on the property at any given time. Again, we don't want this property to look like a car lot vs. a home in the neighborhood.
5. Autobody work only - We were told by Ralph Martin this would be a business that provides body work only, not any mechanical work. It is our hope that this remains true.

We would like to see this business blend in with the countryside so that it does not disrupt the farm appearance of this area. We chose this area for our home because it was rural and did not have a commercial/business smell or appearance.

Thank you for your consideration of our concerns.

Mike and Lisa Mowen
14420 Marsh Pike

Hagerstown, MD 21742

**WASHINGTON COUNTY PLANNING COMMISSION
PUBLIC INPUT MEETING AND REGULAR MEETING
November 6, 2023**

The Washington County Planning Commission held a public input meeting and its regular monthly meeting on Monday, November 6, 2023 at 7:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

In the absence of the Chairman and the Vice-Chairman, the meeting was called to order by Mr. Goetz at 7:00 pm.

Planning Commission members present were: BJ Goetz, Denny Reeder, Terrie Shank, Jeff Semler and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Deputy Director; Travis Allen, Senior Planner; Scott Stotelmyer, Planner; and Debra Eckard, Administrative Assistant; and Washington County Division of Engineering: Heather Williams, Senior Plan Reviewer;

PUBLIC INPUT MEETING

Ralph and Leah Martin [RZ-23-006]

Staff Presentation

Mr. Allen presented a rezoning application for two acres of land located at 19815 Reidtown Road. The applicant is requesting the RB (Rural Business) overlay on the existing RV (Rural Village) designation. The purpose of the RB overlay is to permit the continuation and development of businesses that support the ag industry and farming community, serve the needs of the rural resident population, provide for recreation and tourism, and establish locations for businesses and facilities not otherwise permitted in the rural areas of the County. Specific conditions, found in Section 5.E of the Zoning Ordinance, must be met before the overlay can be applied to a piece of land. Mr. Allen briefly reviewed the criteria that the Planning Commission should consider when making its recommendation to the Board of County Commissioners. He noted that the approval of an RB district is only permitted for the use identified on the application; any changes in use or intensity would need to come back before the Planning Commission. If the zoning is approved, a site plan would be required for the property which would also need to be reviewed and approved by the Planning Commission.

Mr. Allen stated that the application was routed to several outside agencies for review and comment. The Washington County Engineering Department provided the following comments: Reidtown Road is inadequate for commercial traffic; a minimum pavement width of 18-feet along the proposed yard frontage and to the nearest road which is deemed adequate (in this case Marsh Pike) is required. A road condition survey and road widening plans would be required as part of the site plan process. A Washington County entrance permit would be required and sight distance requirements would need to be met in compliance with commercial standards as part of the site plan process.

Staff recommends that the Planning Commission consider the compatibility of the proposed use with the historic character of the neighborhood. There are several historic structures in close proximity to the proposed site. Three written public comments were received prior to the public input meeting; all three were opposed to the application based on the following: inadequacy of the road for a commercial use, potential effects on the neighborhood from an auto body repair shop (i.e. fumes, number of vehicles on the site, spillover of lighting, etc.), appearance of the structure to be compatible with the rural area, and impacts on groundwater resources.

Applicant's Presentation

Mr. Neil Manalo of Offit Kurman, Buckeystown Pike, Frederick, MD, represented the applicant during the meeting. Also present was the applicant, Mr. Ralph Martin, 19815 Reidtown Road, Hagerstown. Mr. Manalo stated the applicant has read the staff report and agrees with staff's comments; all road adequacy issues will be addressed during the site plan process, if the zoning is approved. Public comments were addressed as follows: there would be no more than two or three vehicles on the proposed site at any time; the amount of traffic will be negligible; and the proposed structure would be compatible with the character of the neighborhood.

Mr. Martin stated that the vehicles that would be at the property he would be working on within two weeks. He will be using a spill collection system to contain any impacts to groundwater resources.

Discussion and Comments: Mr. Reeder asked if the proposed structure would be a pole barn and how large it would be in size. Mr. Martin stated it would be a pole barn and would be approximately 3,600 square feet. Mr. Goetz asked if the parcel would be subdivided. Mr. Martin stated it is already two lots of record. Ms. Shank asked if the business is already operating or will be operating in one of the existing buildings. Mr. Martin stated the business is not currently in operation and will be housed in a new building. Ms. Shank asked what type of equipment Mr. Martin will be working on. Mr. Martin stated it will be cars and pick-up trucks. Ms. Shank asked what the hours of operation will be for the business. Mr. Martin stated it will be Monday thru Friday, 9 am to 6 pm.

Public Comment

- Norman Martin, 19836 Reidtown Road – Mr. Martin stated he lives across the road from this property, which has been in the family for 75 years. He respects the concerns raised by the neighbors; however, he believes Mr. Martin will maintain the appearance of the property and will have no adverse impact on the neighborhood. Mr. Martin agrees that Reidtown Road is narrow; however, with only two or three cars at the auto repair shop at a time, he does not believe this would affect the roadway.

Mr. Goetz closed the public input meeting at 7:20 p.m.

REGULAR MEETING

MINUTES

Motion and Vote: Mr. Semler made a motion to approve the minutes of the October 2, 2023 meeting as presented. The motion was seconded by Ms. Shank and unanimously approved.

NEW BUSINESS

ORDINANCE MODIFICATION

Michael and Gail Taylor – Lots 1 and 2 [OM-23-011]

Mr. Stotemyer presented for review and approval an ordinance modification from Section 5A.7.6 of the Washington County Zoning Ordinance. The subject property is located at 11835 St. Paul Road and is currently zoned A(R) – Agricultural Rural. The applicant is requesting a reduction of the left side yard 50-foot ag buffer to 15-feet in order to combine 11835 and 11831 St. Paul Road for the construction of a house and detached garage. The owner is aware of the neighboring ag operation. All agency approvals have been received.

Motion and Vote: Mr. Reeder made a motion to approve the ordinance modification as presented. The motion was seconded by Mr. Semler and unanimously approved.

PRELIMINARY SITE PLANS

Metzger Mini-Storage [PSP-22-002]

Ms. Williams presented for review and approval a preliminary plat and site plan for a proposed mini-storage facility to be located at 12019 Itnyre Road. The property is currently zoned BL (Business Local). The entrance to the site is between two residences at 12019 and 12025 Itnyre Road. A portion of the site abuts Jefferson Boulevard; however, no ingress or egress is proposed on Jefferson Boulevard. The applicant is proposing the conveyance of land to two neighboring residential property owners. The hours of operation will be 7 am to 7 pm daily. No water or sewer services are proposed for the site. The proposed lighting is in compliance with the County's Zoning Ordinance. Forest Conservation requirements will be met through the payment in lieu of planting in the amount of \$12,545.28. Ms. Williams distributed comments received prior to the meeting from the Soil Conservation District.

Motion and Vote: Mr. Reeder made a motion to approve the preliminary plat and site plan as presented contingent upon approval of the Forest Conservation Ordinance requirements and completion of the Soil Conservation District's requests. The motion was seconded by Mr. Semler and unanimously approved.

FOREST CONSERVATION

Metzger Mini-Storage [PSP-22-002]

Mr. Allen presented for review and approval two requests to meet Forest Conservation requirements for property located at 12019 Itnyre Road. The applicant is requesting the utilization of the payment-in-lieu of planting option to satisfy the .80-acre planting requirements for commercial development on the site and removal of specimen trees from the site. Mr. Allen stated there are no areas of qualified forest on the site; the proposed development takes up the majority of the site, thereby leaving no ideal place for planting. Justification for the removal of two specimen trees includes: limitations due to grading, proposed circulation routes, and requirements for storm water management makes retention of these trees difficult. The effects on water quality of the site would be mitigated by the storm water management facilities.

Motion and Vote: Mr. Reeder made a motion to approve the use of the payment-in-lieu of planting option and the removal of two specimen trees as requested. The motion was seconded by Mr. Semler and unanimously approved.

OTHER BUSINESS

Update of Projects Initialized

Ms. Kinzer provided a written report for the land development plan review projects (50 total) initialized during the month of September including 6 site plans and 5 preliminary-final plats.

Comprehensive Plan Update

Ms. Kinzer reported that the public input meetings around the County are completed. The public comment period ended on October 31st. All written public comments will be included in the Commission's agenda packets in the near future, hopefully in December. Staff is currently working through all the comments and will make revisions before bringing the Plan back to the Commission in early 2024.

UPCOMING MEETINGS

1. Washington County Planning Commission regular meeting, December 4, 2023 at 7:00 p.m.

ADJOURNMENT

Mr. Reeder made a motion to adjourn the meeting at 7:50 p.m. The motion was seconded by Mr. Semler and so ordered by Mr. Goetz.

Respectfully submitted,

Robert Goetz, Jr.

**WASHINGTON COUNTY PLANNING COMMISSION
PUBLIC INPUT MEETING AND REGULAR MEETING
December 4, 2023**

The Washington County Planning Commission held its regular monthly meeting on Monday, December 4, 2023 at 7:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

Planning Commission members present were: Clint Wiley, Chairman, BJ Goetz, Denny Reeder, Terrie Shank, Jeff Semler and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Deputy Director; Travis Allen, Senior Planner; Misty Wagner-Grillo, Planner; Scott Stotemyer, Planner; and Debra Eckard, Administrative Assistant.

OLD BUSINESS

Ralph and Leah Martin [RZ-23-006]

Mr. Allen reminded Commission members that a public input meeting was held on November 6th for this 2-acre parcel of land located at 19815 Reidtown Road. The property owners are requesting the application of the RB (Rural Business) floating zone on the parcel that is currently zoned RV (Rural Village). The applicant is proposing an auto body repair facility. Three public comments have been received in opposition of the proposal. The site is currently two lots of record subdivided from the parent lot parcel prior to zoning and the Subdivision Ordinance.

Discussion and Comments: Mr. Semler asked if the two lots could be joined to make one parcel. Ms. Kinzer stated that the two lots currently can be sold separately, but could be combined. The stipulation to combine the parcels could be made part of the recommendation. Mr. Semler questioned the setbacks for the proposed business and the existing house if the lots are not combined. As it is currently shown on the plat, the existing house and garage would not meet the setback requirements. Ms. Kinzer stated this issue would be need to be resolved during the site plan process.

Mr. Reeder expressed his concern that the lots are currently separate so the business could be sold in the future and setbacks for the house and business would not be met. He also expressed concern with regard to the number of vehicles that would be on the property at one time. Mr. Reeder believes that a stipulation should be put on the property requiring the two parcels to be combined and no further subdivision could occur in the future.

Motion and Vote: Mr. Semler made a motion to recommend approval of the request to the Board of County Commissioners to apply the RB overlay to the property contingent upon the two parcels being combined to make one parcel. The motion was seconded by Mr. Reeder and unanimously approved with Commissioner Wagner and Mr. Wiley abstaining from the vote.

Cascade Town Centre Lot 2 [OM-23-006]

Ms. Kinzer noted that an ordinance modification request was presented in July to allow 22 lots to be created without public road frontage along Cushman Avenue in Cascade. The property is currently zoned SED (Special Economic Development). An ordinance modification was previously approved to create Lot 2 without public road frontage. The developer is requesting the modification in order to subdivide each of the duplex lots for individual sale. Both the Washington County Engineering Department and Planning staff have expressed concerns about creating this many lots without public road frontage. During the July meeting, the Commission tabled the request until the developer could provide a copy of the contract that would be presented to home buyers regarding the maintenance of the roads. A copy of the contract was forwarded to Commission members prior to this evening's meeting.

Discussion and Comments: Mr. Goetz asked if it is the intent of the developer to sell the lots. Mr. Lee of JGBLI (the developer) stated it will be a combination of selling and leasing the lots. There was a discussion regarding the maintenance of the road. It is the intent of the developer to organize a homeowner's association (HOA) that would be responsible for the maintenance and upkeep of the roads until such time the roads are turned over to the County. Commissioner Wagner expressed his concern that there is no guarantee that a HOA would always be present or a guarantee that the County would take over the roads in the future. Ms. Kinzer noted the roads must be upgraded to County standards before the County would consider taking over the roads. The contract agreement would be attached to the deed and would follow the deed until such time the roads are turned over to the County. Commission members discussed the idea of the developer posting a bond for the road upgrades prior to subdivision approval.

Motion and Vote: Mr. Goetz made a motion to approve the ordinance modification to allow these 22 lots without public road frontage contingent upon the County Attorney's review and approval of the Declaration of Easement and Maintenance Agreement and that the subdivision approval will be accompanied with a bond to cover the cost of the improvements of the private road to County standards. The motion was seconded by Mr. Semler and unanimously approved.

NEW BUSINESS

MINUTES

Motion and Vote: Mr. Semler made a motion to approve the minutes of the November 6, 2023 meeting as presented. The motion was seconded by Ms. Shank and unanimously approved.

NEW BUSINESS

ORDINANCE MODIFICATION

Josh and Laura Smith [OM-23-014]

Ms. Wagner-Grillo presented for review and approval an ordinance modification request for property located on Lot 455, Section 3-B of the Westfields subdivision. The applicant is requesting a modification of the rear yard setback from 40-feet to 30-feet to construct a 20 x 20-foot deck and patio.

Motion and Vote: Mr. Semler made a motion to approve the modification request as presented. The motion was seconded by Mr. Reeder and unanimously approved.

SITE PLANS

Patton Warehousing and Logistics [SP-23-010]

Mr. Stotlemeyer presented for review and approval a site plan for a proposed trailer drop lot on an undeveloped parcel located at 18525 Breeze Hill Drive. There will be one access point on Breeze Hill Drive. No water or sewer will be provided. Pole mounted lights and ground mounted signs will be provided. Parking spaces required is 2 spaces; 10 spaces will be provided as well as 93 trailer spaces. Hours of operation will be 7 am to 7 pm, Monday thru Friday. Forest Conservation requirements were previously addressed. All agency approvals have been received.

Motion and Vote: Mr. Reeder made a motion to approve the site plan as presented. The motion was seconded by Mr. Goetz and unanimously approved.

Wantz Distributors [SP-23-014]

Mr. Stotlemeyer presented for review and approval a site plan for a proposed 34,500 square foot building addition on an existing building at 11743 Hopewell Road. The property is currently zoned IG (Industrial General). The company will continue to use the one entrance on Hopewell Road. Parking spaces required is 89 spaces; 95 spaces will be provided. Public water and sewer will serve the site. Hours of operation will be 4 am to 5 pm, Monday thru Friday. Additional building and pole mounted lights will be provided; no additional signage is proposed. There will be 2.97 acres of forest conservation on-site. All agency approvals have been received.

Motion and Vote: Mr. Semler made a motion to approve the site plan as presented contingent upon approval of the Forest Conservation request to remove specimen trees. The motion was seconded by Ms. Shank and unanimously approved.

FOREST CONSERVATION

Wantz Distributors [SP-23-014]

Mr. Allen presented for review and approval a request to remove three specimen trees on property located at 11743 Hopewell Road (Wantz Distributors). The lot and Forest Conservation easement were created in 2003 when the original subdivision occurred. The building expansion would reconfigure and slightly enlarge the existing forest easement. The specimen trees are located in the area where the expansion would occur. All mitigation will be retained on-site.

Motion and Vote: Mr. Reeder made a motion to approve the request as presented. The motion was seconded by Mr. Semler and unanimously approved.

Bowman 2000 LLC Lots 4-9 [S-23-052]

Mr. Allen presented for review and approval a request to use off-site mitigation to meet Forest Conservation requirements for a six-lot subdivision located between 7780 and 7816 Fairplay Road totaling 8.26 acres. The developer is proposing to satisfy the majority of their forest mitigation off-site to meet the 3.17 acres of planting requirement. Mr. Allen explained that the Forest Stand Delineation (FSD) is the first step in any type of development that is required to comply with the Forest Conservation Ordinance. The FSD identifies sensitive areas, including any forest cover, on the property that should be avoided during development. The FSD for this property revealed one forest stand totaling 2.2 acres that included steep slopes which sits among 34 acres of agricultural land. Mr. Allen stated that according to the Forest Conservation Plan (FCP), three of the six lots are proposed to be located in the only forest stand on the property. He noted that by shifting the lots slightly and using the frontage on both Spielman and Fairplay Roads, all mitigation could be accomplished on-site. The proposed forest easement of .52 acres, as shown on the FCP, sits just above a septic reserve area. Staff voiced concerns that if the remaining lands are sold in the future and further developed, there is the potential for the forest easement to be removed and thereby eliminating all qualified forest cover from the property.

Mr. Fred Frederick of Frederick, Seibert & Associates, the consultant, explained that the developer wishes to keep all the residential development clustered together and use the remaining lands for agricultural purposes. The lots would be marketed as wooded lots and forest clearing would be kept to a minimum during development. He noted that off-site mitigation is at a 2:1 ratio thereby providing more forest in an area where forest is already existing and needs protected.

Discussion and Comments: Mr. Goetz asked if the development is being clustered next to the existing residences. Mr. Frederick explained there will be a gap between the existing residences and the new development in order to retain a small forested area that will provide a buffer between the two developments. Mr. Goetz expressed his opinion that if the remaining lands (35 acres) are sold later, development would not affect the forest easement, which is staff's concern.

Mr. Reeder asked if the remaining lands would have access from both Spielman Road and Fairplay Road. Mr. Frederick stated that is correct and the developer will be required to widen Fairplay Road as part of the development. Mr. Reeder asked if perc tests have been completed on all the proposed lots. Mr. Frederick stated they have all been tested and passed. Wells will be drilled as the lots are developed.

Motion and Vote: Mr. Reeder made a motion to approve the off-site mitigation request as proposed. The motion was seconded by Mr. Goetz and unanimously approved.

OTHER BUSINESS

19112 Keep Tryst Road

Mr. Allen presented a request to add an additional land use to an existing Rural Business (RB) zoning district. He explained that Rural Business zoning districts are established as a floating zone which permits only the specific land use that is established at the time of the rezoning map amendment. The current use of this property was established as a restaurant. The applicant is proposing to construct an 800 square foot retail building with a parking lot and a drive-thru. Mr. Allen explained that the Planning Commission is charged with determining if the change in use would be a significant change in the use and intensity of the property from the existing land use previously authorized.

Motion and Vote: Mr. Reeder made a motion to approve the proposed change as a minor change to the existing Rural Business zoning district. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

Larry Miller – Lot 1 [S-23-061]

Mr. Allen presented a preliminary request to establish an off-site easement to meet Forest Conservation requirements on a two-lot subdivision. The subject parcel is located at 2919 Reno Monument Road. Mr. Allen noted that the subdivision plat has not been submitted; therefore, this request is for informational purposes only.

Mr. Frederick explained the property is a 15.16 acre parcel that was subdivided from a family farm. There is currently .96 acres of forest on the property. The owner is proposing to build a house on a portion of the property and to use the remaining lands for agricultural purposes. He does not want to plant additional forest on the property. Mr. Frederick stated that the owner is proposing to establish a forest easement on a 900+ acre parcel owned by a hunting club in Blair's Valley. A forest conservation easement containing 484 acres has already been established by the State of Maryland on the subject site. The proposed easement would be located along a stream and next to the protected lands owned by the State.

No formal action was taken; however, members did not have any concerns with the proposal.

Update of Projects Initialized

Ms. Kinzer provided a written report for the land development plan review projects (38 total) initialized during the month of October including 3 site plans and 3 simplified plats.

Comprehensive Plan Update

Ms. Kinzer reported that the public comment period ended on October 31st. Over 100 comments were received both from agencies and individual homeowners. Staff is prioritizing all comments and have begun review of same.

Change of meeting time

Consensus: Members have requested to move the meeting start time to 6 p.m.

UPCOMING MEETINGS

1. Washington County Planning Commission regular meeting, January 8, 2024

ADJOURNMENT

Mr. Semler made a motion to adjourn the meeting at 8:25 p.m. The motion was seconded by Mr. Goetz and so ordered by the Chairman.

Respectfully submitted,

Clint Wiley



Agenda Report Form

Open Session Item

SUBJECT: FY25 Rural Legacy Program Grant – Approval to Submit Application and Accept Awarded Funds

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Chris Boggs, Rural Preservation Administrator, Dept. of Planning & Zoning

RECOMMENDED MOTION: Move to approve the submission of the grant application for the fiscal year 2025 Rural Legacy Program, in the amount of \$7,623,600.00 and to accept awarded funding.

REPORT-IN-BRIEF: Each year the Department of Planning & Zoning submits a funding request to the Maryland Department of Natural Resources for the purchase of easements in the County's Rural Legacy Area. Rural Legacy properties are lands of significant agricultural, historic, environmental, public and cultural value inside of the designated Rural Legacy Area, which is concentrated around the Antietam Battlefield. Past Rural Legacy grants have significantly contributed to the progress Washington County has made toward the stated goal of 50,000 permanently preserved acres of land. To date, the County has preserved over 8,700 acres of land through the Rural Legacy Program.

DISCUSSION: The Office of Community Grant Management has reviewed the grant application and funding guidelines. There are no unusual conditions or requirements attached to the acceptance of the grant.

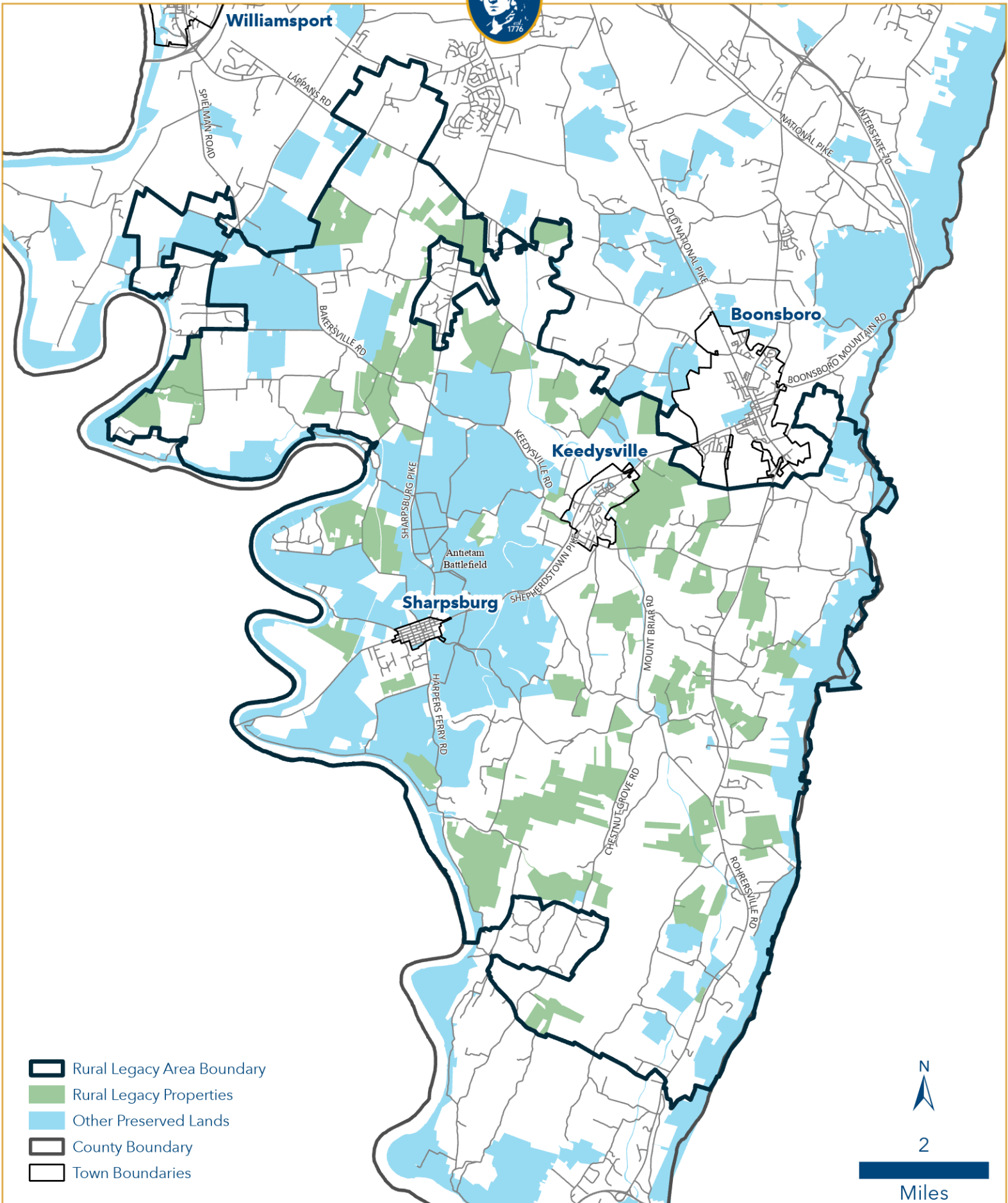
FISCAL IMPACT: There are recurring department operating expenses for the inspections of the easement properties by staff. Time required for inspections are 8 hours per year or \$320.00 per year and the cost is covered by the Department of Planning and Zoning's Land Preservation Budget.

CONCURRENCES: N/A

ALTERNATIVES: Deny approval for the submission of this request

ATTACHMENTS: Rural Legacy Area Map

AUDIO/VISUAL NEEDS: N/A





Agenda Report Form

Open Session Item

SUBJECT: Clipp Rural Legacy Program (RLP) Easement

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Chris Boggs, Rural Preservation Administrator, Dept. of Planning & Zoning

RECOMMENDED MOTION: Move to approve the Brent L. Clipp RLP Easement project, in the amount of \$291,676.00 for 67.29 easement acres, paid for 100% by the Board of County Commissioners of Washington County, Maryland, and to adopt an ordinance approving the easement purchase and to authorize the execution of the necessary documentation to finalize the easement purchase.

REPORT-IN-BRIEF: The Clipp property is located at 4329 Trego Rd., Keedysville, and the easement will serve to permanently preserve a valuable agricultural, scenic, environmental and historic property in the County. The parcel contains both ag and woodland areas. It lies in a part of Washington County that was heavily trafficked during the Civil War and the Battle of Antietam and borders the Weverton-Roxbury Rail Trail which is on the Maryland Inventory of Historic Places. The property is also within close proximity to several sites on the Maryland Inventory of Historic Places. Additionally, the parcel contains roughly 1,400 feet of a tributary to Little Antietam Creek.

The parcel adds on to a block of hundreds of acres of contiguous preserved farmland around Antietam Battlefield. Nine (9) development rights will be extinguished with this easement.

DISCUSSION: Since 1998, Washington County has been awarded more than \$31 million to purchase Rural Legacy easements on more than 8,700 acres near Antietam Battlefield in the Rural Legacy Area. RLP is a sister program to the Maryland Agricultural Land Preservation Program (MALPP) and includes the protection of environmental and historic features in addition to agricultural parameters. RLP uses an easement valuation system (points) to establish easement value rather than appraisals used by MALPP. For FY 2024, Washington County was awarded RLP grants totaling \$3,127,000. The Clipp RLP Easement will use part of those funds. Easement applicants were previously ranked based on four main categories: the number of development rights available, the quality of the land/land management (agricultural component), natural resources (environmental), and the historic value.

FISCAL IMPACT: RLP funds are 100% State dollars, mainly from DNR Open Space funds. In addition to the easement funds, we receive up to 3% of the easement value for administrative costs, a mandatory 1.5% for compliance/monitoring costs, and funds to cover all of our legal/settlement costs.

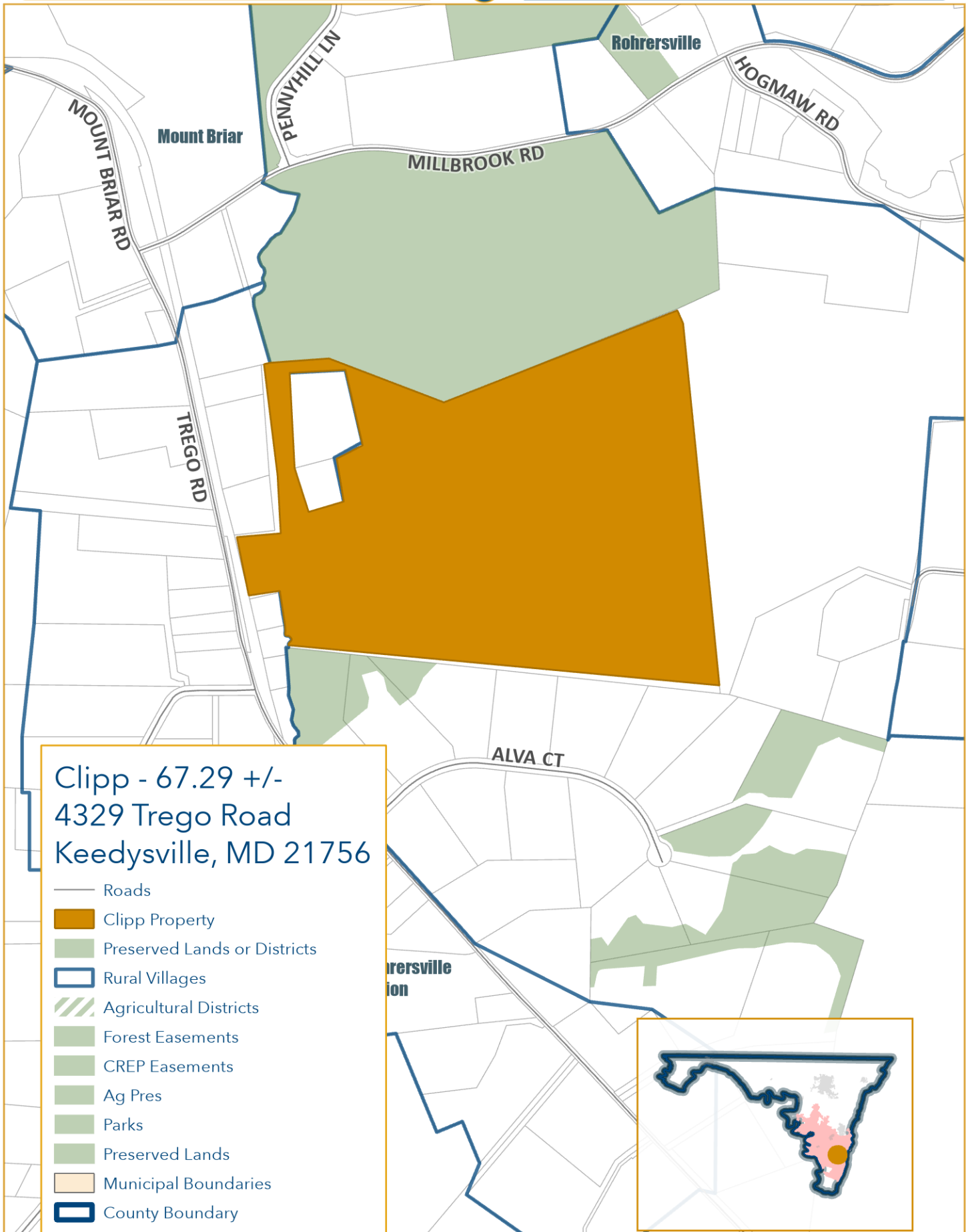
CONCURRENCES: Both the State RLP Board and the State Department of Natural Resources (DNR) staff have approved and support our program.

ALTERNATIVES: If Washington County rejects State funds for RLP, the funds will be allocated to other counties in Maryland.

ATTACHMENTS: Aerial Map, Location Map, Ordinance

AUDIO/VISUAL NEEDS: N/A





ORDINANCE NO. ORD-2024-

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM**

(Re: Clipp RLP Conservation Easement)

RECITALS

1. The Maryland Rural Legacy Program ("RLP") provides the funding necessary to protect large, contiguous tracts of land and other strategic areas from sprawl development and to enhance natural resource, agricultural, forestry, and environmental protection through cooperative efforts among State and local governments.

2. Protection is provided through the acquisition of easements and fee estates from willing landowners and the supporting activities of Rural Legacy Sponsors and local governments.

3. For FY 2024, Washington County (the "County") was awarded a RLP grant totaling \$3,127,000.00 (the "RLP Funds").

4. Brent L. Clipp (the "Property Owner") is the fee simple owner of real property consisting of 67.29 acres, more or less (the "Property"), in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

5. The Property Owner has agreed to donate to the County a Deed of Conservation Easement on the Property (the "Clipp RLP Conservation Easement").

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the acceptance of a donated conservation easement on the Property be approved and that the President of the Board and the County Attorney be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the acquisition of the Clipp RLP Conservation Easement.

ADOPTED this 30th day of January, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Dawn L. Marcus, County Clerk

BY: _____
John F. Barr, President

Approved as to legal sufficiency:

Zachary J. Kieffer

Deputy County Attorney

Mail to:

Office of the County Attorney

100 W. Washington Street, Suite 1101

Hagerstown, MD 21740

EXHIBIT A – DESCRIPTION OF PROPERTY

ALL that farm, tract, or parcel of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 8, Washington County, Maryland, being the property identified by the State Department of Assessments and Taxation as tax account no. 08-001383, and being more particularly described in accordance with the description contained in the Deed recorded in Liber 4021, Folio 1 among the Land Records of Washington County, Maryland, as follows:

SITUATE and lying near Rohrersville Station and the Washington County branch of the Baltimore and Ohio Railroad in Washington County, Maryland, and more particularly described as follows: BEING part of a tract called "Showman's Forest" lying and being in Washington County, and BEGINNING at a planted stone standing on the East margin of the Washington County branch of the B&O R.R. and on the North margin of the lane leading to the dwelling house on said land, and running thence along the North margin of said Lane North $83\frac{3}{4}$ degrees East 11.1 perches to a stone in the edge of the branch; thence North $12\frac{1}{2}$ degrees East 5.8 perches to a stone; thence North $7\frac{1}{4}$ degrees West 8.48 perches to a stone; thence North $3\frac{1}{2}$ degrees West $30\frac{1}{2}$ perches to a stone; thence North $7\frac{1}{4}$ degrees West 4.32 perches to a post; thence North 77 degrees East 14.56 perches to a stone; thence South $67\frac{3}{4}$ degrees East 38.68 perches to a stone; thence North $71\frac{1}{4}$ degrees East 49 perches to a stone; thence North $64\frac{1}{4}$ degrees East 26 perches to the land of [now or formerly] Mrs. Sophia Rorher; thence bounding on said land South $44\frac{1}{4}$ degrees East 10 perches; thence South $47\frac{1}{4}$ degrees East $47\frac{1}{4}$ perches to a post; thence South $19\frac{3}{4}$ degrees West 41.2 perches to the north margin of a lane; thence along the North margin of said land South 71 degrees East 42 perches to the public road leading from Rohrersville to Trego; thence with said road South 4 degrees West 0.8 perches; thence leaving the road North 71 degrees West 42 perches; thence South $19\frac{3}{4}$ degrees West 37.9 perches to [now or formerly] John Smith's land; thence with the said land of John Smith, thence bounding on said land North 84 degrees West $131\frac{1}{2}$ perches to a stone; thence leaving Smith's land North $8\frac{1}{4}$ degrees West 27.2 perches to a stone; thence South 77 degrees West 10 perches to a stone on the East margin of the aforesaid railroad; thence along the East margin of said railroad North $12\frac{1}{4}$ degrees West 10 perches to the point of beginning; containing $84\frac{1}{2}$ acres 19 perches of land, more or less.

SAVING AND EXCEPTING therefrom those tracts or parcels of land conveyed by Deeds dated and recorded among the Land Records of Washington County, Maryland, as follows:

That tract, lot or parcel of land containing about 6.28 acres conveyed by Clemmie I. Mullendore and Noah O. Mullendore, her husband, to George B. Mullendore and Wife, by Deed dated December 10, 1930, and recorded in Liber 188, Folio 16;

All that lot or parcel of land containing 0.918 acre of land, more or less, conveyed by Merl L. Clipp and Ivy M. Clipp, husband and wife, to Joseph Egar Clipp and Vivian M. Clipp, husband and wife, by Deed dated October 19, 1961, and recorded in Liber 373, Folio 321;

All that lot or parcel of land containing 3.00 acres of land, more or less, conveyed by Merl L. Clipp and Ivy M. Clipp, husband and wife, to Joseph Lyndell Clipp and Fonda Kay Clipp, husband and wife, by Deed dated August 2, 1985, and recorded in Liber 790, Folio 477;

All that lot or parcel of land containing 7.0 acres, conveyed by Joseph Edgar Clipp and Vivian E. Clipp to Paul C. Umberger, Jr. and Julia E. Umberger, his wife, by Deed dated March 6, 2003, and recorded in Liber 1958, Folio 414.

THE street address of the herein described property is currently known and designated as 4329 Trego Road, Keedysville, Maryland.

BEING all of the same property which was conveyed from Joseph L. Clipp and Vivian E. Clipp, his wife, to Joseph L. Clipp, Galen L. Clipp, and Brent L. Clipp, as joint tenants with the right of survivorship, by Deed dated December 27, 2010, and recorded in Liber 4016, Folio 38 among the Land Records of Washington County, Maryland. Joseph L. Clipp and Galen L. Clipp conveyed their right, title, and interest in and to said property to Brent L. Clipp by Deed dated December 30, 2010, and recorded in Liber 4021, Folio 1 among the aforesaid Land Records. Title thereafter vested in Brent L. Clipp, sole owner.



Agenda Report Form

Open Session Item

SUBJECT: Memorandum of Understanding for The Department of Housing and Community Office of Statewide Broadband, FY23 Connect Maryland Network Infrastructure Grant Program by and between the Board of County Commissioners of Washington County, Maryland and Verizon Maryland, LLC

PRESENTATION DATE: January 9, 2024

PRESENTATION BY: Michelle Gordon, County Administrator; Kirk Downey, County Attorney; and Tyler Patton, Verizon Maryland, LLC

RECOMMENDATION: Move to approve and authorize the execution of the Memorandum of Understanding for The Department of Housing and Community Office of Statewide Broadband, FY23 Connect Maryland Network Infrastructure Grant Program by and between the Board of County Commissioners of Washington County, Maryland and Verizon Maryland, LLC. as to be finalized by the parties with the approval of the County Attorney's Office.

REPORT-IN-BRIEF: Discussion regarding the approval of an MOU for The Department of Housing and Community Office of Statewide Broadband, FY23 Connect Maryland Network Infrastructure Grant Program by and between the Board of County Commissioners of Washington County, Maryland and Verizon Maryland, LLC.

DISCUSSION: Verizon Maryland, LLC was awarded a broadband grant of \$1.0M from the DHCD, Statewide Broadband, FY23 Connect Maryland Network Infrastructure Grant Program (ARPA Funds) for the Hancock area. Verizon will invest \$1.1M to make the total project cost \$2.1M. Verizon will install approximately 44 miles of fiber for this “last mile” project to approximately 481 unserved or underserved premises, both residential and commercial. Most of the fiber will likely be above ground (80/20) due to the topography; and the project is estimated to take 12-18 months to complete. Verizon is not asking for funding. The MOU indicates the County is committed to ensuring that the process runs as smoothly as possible.

FISCAL IMPACT: No funding is requested.

CONCURRENCES: Greg Cartrette, Director of Permits & Inspections, Scott Hobbs, Director of Engineering

ALTERNATIVES: None

ATTACHMENTS: None

AUDIO/VISUAL NEEDS: None



Agenda Report Form

Open Session Item

SUBJECT: FY24 Healthy Families Home Visiting Continuation Grant – Approval to Accept Awarded Funding

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Nicole Phillips, Senior Grant Manager, Office of Grant Management and Richard Lesh, Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the acceptance of funding awarded under the FY24 Healthy Families Home Visiting Continuation Grant Program from the Maryland State Department of Education in the amount of \$138,996.50.

REPORT-IN-BRIEF: The Washington County Office of Grant Management on behalf of and at the direction of the Local Management Board is seeking approval to accept awarded funding from the Maryland State Department of Education for the FY24 Healthy Families Home Visiting Continuation Grant Program.

DISCUSSION: The Healthy Families Home Visiting Program is a comprehensive program modeled after a nationally renowned initiative Healthy Families America. The goals of the program are to prevent child maltreatment through early intervention, promote healthy growth, development, and strengthening of the parent-child relationship. This funding is valid from January 1, 2024 until June 30, 2024. Funding in the amount of \$3,302 is included in the award for County administrative support. No County funds are involved in this award.

FISCAL IMPACT: Provides \$3,302 for County administrative expenses.

CONCURRENCES: Local Management Board and Rachel Souders, Director, Office of Grant Management.

ALTERNATIVES: Deny acceptance of awarded funds.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: FY24 School Based Health Center Supplemental Funding – Approval to Accept Awarded Funding

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Nicole Phillips, Senior Grant Manager, Office of Grant Management and Richard Lesh, Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the acceptance of the FY24 School Based Health Center Supplemental Funding in the amount of \$35,000.

REPORT-IN-BRIEF: The Washington County Office of Grant Management, on behalf of and at the direction of the Local Management Board is seeking approval to accept awarded supplemental funding from the Maryland State Department of Health for the School Based Health Centers in Washington County.

DISCUSSION: The Washington County School Based Health Center was awarded \$35,000 in supplemental funding from the Maryland State Department of Health. The supplemental funding will be used to purchase a freezer and refrigerator to house vaccines and generator upgrades at Western Heights Middle School. This funding will be expended by June 30, 2024. Meritus Health is the clinical provider contracted to provide these services.

FISCAL IMPACT: No County funds involved.

CONCURRENCES: Local Management Board and Rachel Souders, Director of Grant Management.

ALTERNATIVES: Deny acceptance of awarded funds.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Sole Source Procurement (PUR-1665) Sentinel One EDR Software and SOC Monitoring Agreement for the Information System Department

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Rick F. Curry, CPPO, Purchasing Director; Josh O’Neal, Chief Technical Officer

RECOMMENDED MOTION: Move to authorize a Sole Source procurement for Sentinel One EDR software and SOC Monitoring for the Information Systems Department in the amount of \$285,379.20 over a 3-year period from Arete Advisors of Boca Raton, FL based on its proposal.

Terms (Months)	Min. Agents	Per Agent Per Month	Total Price @ Min. # of Agents
36	1101	\$7.20	\$285, 379.20

Total Cost at Minimum Number of Agents: \$285,379.20

Annual Cost at Minimum Number of Agents: \$95,126.40

Monthly Cost at Minimum Number of Agents: \$7,927.20

REPORT-IN-BRIEF: Arete managed detection and response includes the licensing and management of the Sentinel One EDR software suite, as well as 24/7 management and monitoring of this suite, including security responses and notification of key personnel.

Information Systems wishes to apply Sections 1-106.2(a)(1) & (2) of the Code of Local Public 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. Information Systems is requesting permission to enter into an Agreement for licensing and 24/7 monitoring of the Sentinel One security suite.

DISCUSSION: N/A

FISCAL IMPACT: Funds in the amount of \$95,126.40 are available in the department’s account 515180-10-11000 and are budgeted annually.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Arete’s Renewal Quote

AUDIO/VISUAL NEEDS: N/A

QUOTE

Customer:	Washington County MD
	100 W Washington Street Suite 1201, Hagerstown, MD 217401

Prepared for:	O'Neal Joshua
Phone:	(240) 313-2265
Email:	joneal@washco-md.net

Date:	Dec 12, 2023
Quote Expires:	Jan 11, 2024
Quote ID	20231212-174452A

Prepared by:	Matthew Unrau
Phone:	(561) 448-7802
Email:	munrau@areteir.com

Quote Renewal Term:	36 Months
Start Date:	Jan 10, 2024
End Date:	Jan 09, 2027

Arete Managed Detection and Response (MDR) Service includes Arete continuous (24hr by 7day by 365 days) monitoring and response.

Description	Term (Months)	Min Agents	Per Agent per Month Price	Total Price at Minimum Number of Agents
Arete Managed Detection and Response (MDR) Service. Includes SentinelOne endpoint protection software and Arete monitoring and response service	36	1101	\$ 7.20	\$ 285,379.20

Total Cost at Minimum Number of Agents: \$ 285,379.20

Annual Cost at Minimum Number of Agents: \$ 95,126.40

Monthly Cost at Minimum Number of Agents: \$ 7,927.20

PRICE QUOTATION

This is a Price Quotation, not a Service Agreement. To order an Arete MDR service, simply sign and date this Price Quotation and return it to your Arete Representative. Your Arete Representative will then prepare a Service Agreement and make it available to you for signature.

Arete MDR service is priced and invoiced per SentinelOne Agent, per month, based on the actual number of SentinelOne agents that you have deployed in your infrastructure and monitored by Arete in any given month, down to the Minimum number of SentinelOne Agents ("Min Agents") shown above. Every month, Arete will measure the number of SentinelOne Agents in your infrastructure, calculate your monthly Service Fee by multiplying the "Per Agent per Month Price" shown above by the actual number of SentinelOne Agents in your infrastructure (down to the Minimum number of SentinelOne Agents), and invoice you for that amount.

Signature: _____

Date: _____

Name and Title: _____



Agenda Report Form

Open Session Item

SUBJECT: Bid Award (PUR-1658) Fifteen (15) 2023 or Newer Police Interceptors Utility AWD Vehicles for the Sheriff's Office

PRESENTATION DATE: January 30, 2023

PRESENTATION BY: Rick F. Curry, CPPO, Purchasing Director; Alan Matheny, Deputy Sheriff Sergeant

RECOMMENDED MOTION: Move to award the procurement of Fifteen (15) 2023 or Newer Police Interceptors Utility AWD vehicles for the Sheriff's Office to the lowest responsive, responsible bidder, New Holland Auto Group of New Holland, PA in the amount of \$44,956 each, for the total sum of 668,940.

REPORT-IN-BRIEF: On January 10, 2023, the County received three (3) bids for the fifteen police interceptors. The Invitation to Bid notice was published in the local newspaper, listed on the State of Maryland's "eMaryland Marketplace Advantage", and on the County's website. Eighteen (18) persons/companies registered/downloaded the bid document on-line. The new vehicles will replace units that meet the County's replacement criteria; the units will be advertised on GovDeals.com for auctioning or they will be given to an outside agency. Additional information: The County initiated the Vehicle and Equipment Types and Usage Guidelines in 2001. The County's replacement guidelines for vehicles less than 19,500 lbs. GVWR is recommended for a ten (10) year economic life cycle.

DISCUSSION: N/A

FISCAL IMPACT: Funds in the amount of \$1,681,772 are budgeted in CIP line account 30-11310VEH006.

CONCURRENCES: Sheriff

ALTERNATIVES: N/A

ATTACHMENTS: Bid Tabulation Matrix

AUDIO/VISUAL NEEDS: N/A

PUR-1658
Fifteen (15) 2023 or Newer Police Interceptor Utility AWD

	Biitech, LLC Germantown, MD		Greenvine, LLC Germantown, MD		New Holland Auto Group New Holland, PA	
Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Fifteen (15) 2023 or Newer Police Interceptor Utility AWD	\$51,000.00	\$51,000.00	\$52,690.00	\$52,690.00	\$44,596.00	\$668,940.00
Delivery Date	4/11/24		4/11/24		Vehicles to be delivered by end of January, 2024	
Warranty					Full Manufacturers Warranty Applies	

*Corrected Calculations based on Unit Pricing

Remarks/Exceptions:

New Holland Auto Group

Delivery of vehicles based on driver availability and the availability of the End User to accept and sign for vehicle deliveries. We will make our best effort to deliver all of the vehicles in the time frame allotted after the bid is awarded.



Agenda Report Form

Open Session Item

SUBJECT: Quotation Award (Q-23-767) – Well Drilling Services at Elevated Water Storage Tank for the Town of Sharpsburg

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Brandi Naugle, CPPO, Buyer, Purchasing Department; Joe Moss, P.E., Department of Water Quality, Deputy Director, Engineering Services

RECOMMENDED MOTION: Move to award the well drilling services contract to the responsive, responsible low quoter, Negley's Well Drilling Inc., of Newburg, PA for the Total Base Bid in the amount of \$97,424 (items 1, 2, 3, and 4); plus Contingent Bid Items in the amount of \$25,450 (items 1 and 2) for the total sum of \$122,874.

REPORT-IN-BRIEF: Notice of Request for Quote (RFQ) was listed on the State of Maryland's "*eMaryland Marketplace Advantage*" website, and the County's website. Quotes were received on December 20, 2023. Ten (10) persons/companies registered/downloaded the quote document on-line. One (1) quote was submitted as indicated on the attached quote tabulation matrix.

The contract services require the Contractor to furnish all materials, labor, equipment, power, maintenance, etc., to drill a new drinking water well at the Town of Sharpsburg Elevated Water Storage Tank. The proposed well will be used as a supplemental water supply for the Town of Sharpsburg area. The well is desired to supply a minimum of 100 gal/min to be used as a drinking water source.

DISCUSSION: N/A

FISCAL IMPACT: Funds in the amount of \$330,000 are available in the department's Capital Improvement Plan account (38-41010-LIN047); the Town of Sharpsburg will pay 50% of the cost of these services.

CONCURRENCES: Division Director of Environmental Management

ALTERNATIVES: N/A

ATTACHMENTS: Quote Matrix Tabulation.

AUDIO/VISUAL NEEDS: N/A

**WELL DRILLING SERVICES AT ELEVATED WATER STORAGE TANK FOR THE TOWN OF SHARPSBURG,
WASHINGTON COUTNY, MARYLAND**

				Negley's Well Drilling, Inc. Newburg, PA	
Item No.	Item Description	Unit of Measure	Qty.	Unit Price	Extended Price
1	Mobilization and Demobilization	LS	1	\$30,218.00	\$30,218.00
2	6" Well bore to identify a reliable yield at 100 GPM or better.	VF	200	\$36.93	\$7,386.00
3	Permanently install 8" casing to the depth of water bearing zone identified in the 6" pilot well.	VF	170	\$209.50	\$35,615.00
4	Complete 72-hour yield test	LS	1	\$24,205.00	\$24,205.00
Total Base Bid for Items 1 through 4				\$97,424.00	

CONTINGENT BID ITEMS:

Item No.	Item Description	Unit of Measure	Qty.	Unit Price	Extended Price
1	Additional 6" well bore beyond 200 VF	VF	100	\$45.00	\$4,500.00
2	Additional 8" casing installed beyond 170 VF	VF	100	\$209.50	\$20,950.00
Total Base Bid for Contingent Items 1 through 2				\$25,450.00	

Total Bid Price (Base Bid Items 1 through 4, Plus Contingent Items 1 and 2)				\$122,874.00	
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Remarks / Exceptions:

Pricing includes up to 100 ft of silt fence. Pricing includes up to 20 ft of temporary 6" steel casing in pilot bore. Pricing includes up to 20 ft of temporary 12" steel casing in finished bore. Pricing is for conventional air percussion drilling only. Pricing does not include abandonment costs in the case of an unsuccessful pilot bore.



Agenda Report Form

Open Session Item

SUBJECT: Contract Renewal (PUR-1596) Laboratory Services for Water/Wastewater Testing for the Department of Water Quality

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Brandi Naugle, CPPB, Buyer - Purchasing Department, Davina Yutzy, Deputy Director of Water Quality Operations

RECOMMENDED MOTION: Move to renew the contract for the Laboratory Services for Water/Wastewater Testing for the Department of Water Quality with ALS Group USA, dba ALS Environmental, of Middletown, PA, per the rate included in its letter dated January 8, 2024. ALS is requesting a Consumer Price Index (CPI) increase of 3% to the current pricing structure for this renewal time period.

REPORT-IN-BRIEF: On March 28, 2023, the Board of County Commissioners of Washington County originally awarded a contract for the subject services to ALS, based on a total bid sum of \$82,142 for items 1 through 59. This contract was for a period of one (1) year, with an option by the County to renew for up to two (2) additional consecutive one (1) year periods, which began May 1, 2023. This is the first of two additional one-year renewal periods. The quantities stated in the bid document are estimated annual quantities. This is a requirements contract, utilized on an as-needed basis with no guarantee of minimum or maximum number of units of services.

The scope of services to be provided by the contractor includes pick-up, preserve and transport of samples (which could be water, wastewater and/or solids) from the Department of Water Quality's Laboratory twice per week. All analyses are to be completed and reported within fourteen (14) consecutive calendar days after the contractor receives the sample.

DISCUSSION: N/A

FISCAL IMPACT: Funding for these services is available in the Department of Water Quality's operating budget 515000-40-40030.

CONCURRENCES: Division Director of Environmental Management

ALTERNATIVES: N/A

ATTACHMENTS: ALS Group USA, Corp., letter dated January 8, 2024

AUDIO/VISUAL NEEDS: N/A



ALS Group USA, Corp.
301 Fulling Mill Road
Middletown, PA 17057
T +1 717 944 5541 F +1 717 944 1430

January 8, 2024

Washington County Purchasing Department
Washington County Administration Building
100 West Washington Street, Suite 320
Hagerstown, MD 21740-4748

ATTENTION: Brandi J. Naugle

RE: Letter of Intent for PUR 1596

Dear Brandi,

ALS Environmental would like to renew the Contract PUR-1596 - Laboratory Services for Water/Wastewater Testing for the second consecutive one year period beginning May 1, 2024 through April 30, 2025. ALS is also requesting a CPI increase of 3% to the current price structure in place for this time period.

If you have any questions or need additional information, you may contact me at 717-577-3515 or Shiloh.Summy@alsglobal.com.

Yours sincerely,

Mr. Shiloh Summy
Laboratory Director



Agenda Report Form

SUBJECT: Budget Transfer

PRESENTATION DATE: January 30, 2024

PRESENTATION BY: Sheriff Brian Albert

RECOMMENDED MOTION: Transfer of Funds

REPORT-IN-BRIEF: Transfer of Funds from Account 498800 in the amount of \$101347.00 to Account number 599999 Detention Center Systemic projects. transfer of \$6800. From Account 498800 to Account 599999 Vehicle and Equipment. Transfer of funds from 515350 in the amount of \$28018.00 to Account 490010 Accident repairs.

DISCUSSION: First budget adjustment form in the amount of \$108147.00 is from Insurance Claim for damages for record at IKO way. Damage occurred during the roof replacement.

Second budget adjustment form in the amount of \$28018.00 was from an insurance claim for a totaled police interceptor vehicle.

FISCAL IMPACT: None

CONCURRENCES:

ATTACHMENTS: Budget Transfer Form



Washington County, Maryland
Budget Adjustment Form

(?) ☒ Budget Amendment
☐ Budget Transfer

BOCC Approval Date (if known)

Deputy Director - Finance

Preparer, if applicable

Zane Garrett

Tracy McCommon

signed by Garrett, Zane M. on:
1/3/2024, 2:26:41 PM

signed by McCommon, Tracy L.
on:
1/2/2024, 2:44:11 PM

Department Head Authorization

Chip Rose

signed by Rose, Chip on:
1/3/2024, 8:18:27 AM

Division Director / Elected Official Authorization

Sign

Budget & Finance Director Approval

Kimberly K. Edmund

signed by on:
1/4/2024, 8:15:52 AM

County Administrator Approval

Sign

County Commissioners Approval

Sign

Explain Budget Adjustment Insurance reimbursement for claims 3333269 (ck 2000215635 - \$36,211.16) and 3336955 (ck 2000215634 - \$71,936.05)

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Amount Description	Increase (Decrease) +/-
498800	30	11320	BLD089		▼	Other - CIP Revenue	101,347.00
599999	30	11320	BLD089		▼	Detention Center Sytemics	101,347.00
498800	30	11310	VEH006		▼	Other - CIP Revenue	6,800.00
599999	30	11310	VEH006		▼	Police Vehicle and Equipment	6,800.00

Attach Additional Items

Upload

Detention - roof claim_Bonded Applicators 03... 390.11KB

Approve

Reject

Comments

2000 characters left



Washington County, Maryland
Budget Adjustment Form

(?) ☒ Budget Amendment
☐ Budget Transfer

BOCC Approval Date (if known)

Deputy Director - Finance

Preparer, if applicable

Sign

Tracy McCammon

signed by McCammon, Tracy L.
on:
1/2/2024, 2:34:50 PM

Department Head Authorization

Chip Rose

signed by Rose, Chip on:
1/3/2024, 8:26:01 AM

Division Director / Elected Official Authorization

Sign

Budget & Finance Director Approval *

Sign

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Amount Description	Increase (Decrease) +/-
515350	10	11310			▼	Patrol - Accident repairs	28,018.00
490010	10	11310			▼	Patrol - Gain or Loss on Sale of Asset	28,018.00

Explain Budget Adjustment Total loss settlement for claim FZD2805

Attach Additional Items

Upload

Approve

Reject



Agenda Report Form

Open Session Item

SUBJECT: Agriculture – Faces of Farming Presentation

PRESENTATION DATE: Tuesday, January 30, 2024

PRESENTATION BY: Leslie Hart, Business Development Specialist, Department of Business and Economic Development

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: “Faces of Farming” is an agricultural-focused video marketing campaign that will showcase two local Washington County farms every month, for one year. The “Faces of Farming” marketing videos will be showcased on the County’s website, as well as Facebook and other social media platforms, and will target a new industry and highlight a local farmer from that specific agricultural industry. Additionally, the Faces of Farming marketing campaign will be utilized in Washington County Public Schools as an agricultural education element focused on kindergarten to Fifth grade students to connect Washington County youth directly with local farms.

DISCUSSION: Washington County’s agricultural business represents the backbone of the County’s landscape. With over 900 operating family farms and \$153,725,000 in market value of products sold, agriculture is the largest economic driver in Washington County. The “Faces of Farming” marketing campaign will aim to educate residents in Washington County, along with the surrounding States and Counties, about the economic impact of the Ag industry. Additionally, these videos will be used for agricultural education to numerous streams around Washington County, such as, 4-H and FFA (Future Farmers of America) meetings, Ag Expo and Fair, and they will be available on the Washington County Ag App and website.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: Yes - Faces of Farming Videos: Antietam Creek Vineyard of Sharpsburg Maryland and Vixen Hollow Equestrian Center of Smithsburg Maryland