



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201
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BOARD OF COUNTY COMMISSIONERS

June 15, 2021

OPEN SESSION AGENDA

- 10:00 AM** **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
CALL TO ORDER, *President Jeffrey A. Cline*
APPROVAL OF MINUTES: *June 8, 2021*
- 10:05 AM** **COMMISSIONERS' REPORTS AND COMMENTS**
- 10:15 AM** **STAFF COMMENTS**
- 10:25 AM** **CITIZEN PARTICIPATION**
- 10:35 AM** **MACo ANNUAL VISIT WITH WASHINGTON COUNTY COMMISSIONERS** – *Michael Sanderson, Executive Director, MACo; Wilbur Levengood, President, MACo*
- 10:50 AM** **STRATEGIC DEMOLITION GRANT APPLICATION SUBMITTAL – FORT RITCHIE SEWER UTILITIES UPGRADE** – *Jennifer Kinzer, Deputy Director, Planning & Zoning; Rachel Soudes, Sr. Grant Manager, Grant Management*
- 10:55 AM** **CONTRACT AWARD (PUR – 1503) RECORD-KEEPING AND ACTUARIAL CONSULTING SERVICES FOR THE RETIREMENT PLAN, LENGTH OF SERVICE AWARD PROGRAM (LOSAP), AND OTHER POST-EMPLOYMENT BENEFITS UNDER GASB-45 (OPEB)** – *Rick Curry, CPPO, Director, Purchasing; Laurence Etchison, SPHR, Director, Human Resources*
- 11:00 AM** **PUBLIC HEARING: APPLICATION FOR ZONING TEXT AMENDMENT RZ-20-002** – *Jill Baker, Planning & Zoning*
- 11:15 AM** **REVISION OF WASHINGTON COUNTY, EMPLOYEE HANDBOOK, PERSONAL DAYS TO PERSONAL LEAVE** – *Laurence Etchison, SPHR, Director, Human Resources*
- 11:25AM** **AGRICULTURAL PRESERVATION EASEMENT RANKINGS FY2022** – *Chris Boggs, Land Preservation Planner, Planning & Zoning*
- 11:30 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, and to consider the acquisition of real property for a public purpose and matters directly related thereto*)
- 12:10 PM** **ADJOURNMENT**



Agenda Report Form

Open Session Item

SUBJECT: MACo Annual Visit with Washington County Commissioners

PRESENTATION DATE: June 15, 2021

PRESENTATION BY: Michael Sanderson, Executive Director, MACo, Wilbur Levengood, President, MACo

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: President Levengood and Mr. Sanderson look forward to an opportunity to hear about issues and concerns that the Commissioners may have on state policy issues, MACo's conferences and events, and so forth. Give a state legislative and budget update, and a look forward to the next session of the General Assembly, but they are glad to focus on topics that are of specific local interest, as needed.

DISCUSSION: N/A

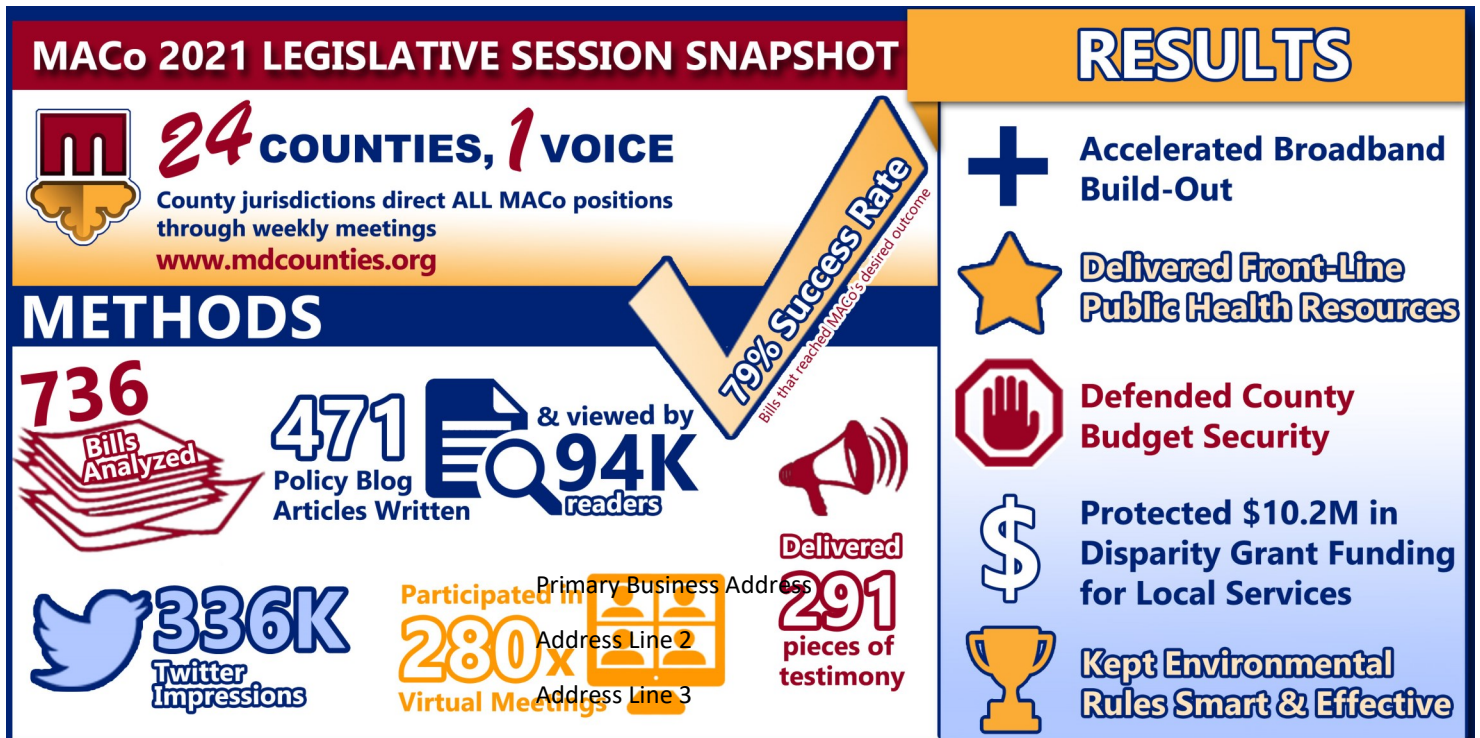
FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Small packet of handouts including a session recap and MACo blog articles

AUDIO/VISUAL NEEDS: N/A



Introductions

Michael Sanderson, Executive Director, Maryland Association of Counties (MACo)

Wilbur Levengood, MACo President, Commissioner, Caroline County

Kevin Kinnally, Legislative Director, MACo

Session 2021 Recap

Education, Public Safety, Health, Employer Issues (Michael)

Fiscal, Emergency Services, Elections (Kevin)

Upcoming Events

NACo Summer Conference—July 2021

MACo Summer Conference—August 2021

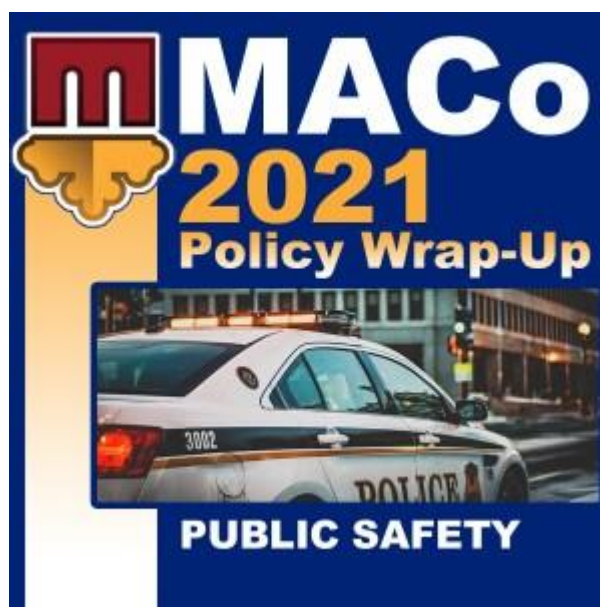


2021 End of Session Wrap-Up: Public Safety & Corrections

An overview of MACo's advocacy on public safety & corrections legislation in the 2021 General Assembly.

Counties are the primary provider of public safety services in the state. Each county is required to have an elected sheriff and some also have a county police force. Additionally, each county operates a local jail that holds inmates awaiting trial and those sentenced to 18 months or less.

This year the Maryland General Assembly conducted a legislative session unlike any other due to the enduring COVID-19 pandemic. The unique circumstances surrounding the 442nd legislative session, including necessary health and safety measures, posed a challenge for lawmakers and advocates alike. Despite the unusual circumstances, MACo's advocacy still led to more positive outcomes for its members.



For more information on Maryland's response to the COVID-19 pandemic visit MACo's [COVID-19 resource page](#).

Follow links for more coverage on [Conduit Street](#) and [MACo's Legislative Tracking Database](#).

Public Safety



MACo members voted to oppose legislation that would require every law enforcement agency to equip officers with body cameras by October of 2021. Counties felt that this timetable was too rushed for multiple reasons. The reasons that counties presented were that amount of labor and time that goes into "opening" documents for inspection under Maryland's Public Information Act, and the storage and maintenance and storage of documented footage would prove challenging. *Public Safety – Law Enforcement – Body-Worn Cameras* did not advance in the 2021 General Assembly

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following its public hearing. A more measured effort, giving until 2025 for camera implementation, was passed as part of the broader police reforms in HB 670. [Bill Information](#) | [MACo Coverage](#)



MACo supported legislation that would have updated laws regarding traffic safety technology when applied to rental vehicles. Currently, when short-term rental vehicles run a red light the rental agency is billed the ticket rather than the vehicle driver. This bill seeks to change the law so that the driver who committed the violation is billed the ticket and held accountable rather than the local business. Unfortunately, *Traffic Control Signal Monitoring Systems – Exclusion of Vehicle Rental Companies – Repeal and Notification Requirement* did not advance out of committee following its public hearing. [Bill Information](#) | [MACo Coverage](#)

Pretrial Services



MACo supported legislation that extends a grant program designed to promote locally-supported pretrial release programs, and also add the condition that continued receipt of state funding depends upon jurisdictions discontinuing practices of billion program participants. During prior-year legislative hearings, bill sponsors and committee members have expressed concern over local jails and their vendors, in some cases, charging pretrial defendants to help offset costs of their alternative arrangements. This bill proposes to merge these two related ideas – extended the beneficial state funding, but to condition access to it upon elimination of such fees. *Public Safety – Pretrial Services – Program Grant Fund – Extension and Program Requirements* passed both chambers and is awaiting the Governor's signature. [Bill Information](#) | [MACo Coverage](#)



MACo asked for amendments to a bill that would address fees for home monitoring services. MACo had supported similar legislation that had used a balanced approach to solve this problem for the more limited realm of pretrial release, whereas this bill lacked incentives for eliminating these fees. Local corrections suffer a deluge of effects, each compounding the costs of delivering their services. County budgets being strained by a variety of priorities for their residents in addition to combating the current public health crisis, creating a scarcity of financial resources. Utilizing an incentive-based approach could help to mitigate any financial issues counties may face when eliminating pretrial service fees. *Maryland Criminal Justice Debt Elimination and Prevention Act of 2021* did not advance in the 2021 General Assembly following its public hearing. [Bill Information](#) | [MACo Coverage](#)



Correctional Facilities and Services



MACo members voted to oppose legislation that limits the manner in which counties may operate their local detention facilities in regards to federal immigration detention. This bill imposes stringent limitations on local government autonomy that have significant consequences on the ability to manage local jail operations. *Correctional Services – Immigration Detention – Prohibition (Dignity Not Detention Act)* passed both chambers and awaits the Governor's signature. [Bill Information](#) | [MACo Coverage](#)



MACo members voted to oppose legislation that would have imposed untenable mandates on local correctional centers to expand beyond their intended capacity and functions to ensure proper care for inmates kept in restrictive housing. Local jails simply lack the proper facilities and staff expertise to deliver appropriate mental health care and screenings, whereas State facilities do but lack the space to treat all unwell inmates. This bill places these full expectations onto local facilities while they lack the resources to fulfill them. *Corrections – Restrictive Housing – Serious Mental Illness* did not advance in the 2021 General Assembly following its public hearing. [Bill Information](#) | [MACo Coverage](#)



MACo supported legislation that proposed a revised and realistic framework for State reimbursement for inmates sentenced by State courts to serve sentences in local detention facilities. MACo offered an amendment to set current funding levels, which is a \$45 reimbursement rate, as a statutory floor which would remedy the potential backward effect in some local facilities. This bill sets the State reimbursement at half the actual costs of inmate care and empowers the State and individual counties to reach a memorandum of understanding to establish an alternative to that default payment scheme. *Correctional Services – Payment by State - Inmate Housing Costs* did not advance in the 2021 General Assembly following its public hearing. [Bill Information](#) | [MACo Coverage](#)



MACo supported legislation that proposed to create a system to relocate State prisoners to their “home” jurisdiction’s detention facility during the days prior to their release. MACo offered amendments to grant the host facility’s governing body approval over such arrangements and their details. By relocating inmates to their “home” jurisdiction that are soon to be released there is an increased likelihood that family and familiar contacts will offer a more readily available landing for them. *Correctional Services – Inmate Release* did not advance in the 2021 General Assembly following its public hearing. [Bill Information](#) | [MACo Coverage](#)

Tenants and Landlords



MACo supported legislation with amendments that sought to prevent an unprecedented wave of tenant evictions in the wake of the COVID-19 pandemic. MACo agrees with the need to support local efforts to stem the effects of eviction moratorium with the use of appropriate federal or state funds that is incorporated into this bill. However, the implementation of these responsibilities by local Sheriffs is unwise as it may lead to a significant increase in staff time and financial commitment, at the expense of local governments, to working on eviction issues. *COVID-19 Eviction and Housing Relief Act of 2021* passed the House but did not pass the Senate prior to the end of the 2021 Legislative Session. [Bill Information](#) | [MACo Coverage](#)



MACo supported legislation with amendments that would have prohibited a landlord from using a lease or form of lease that contains a provision that prohibits, limits, or penalizes a tenant of another individual for reasonably summoning the assistance of law enforcement or emergency services. This bill would have placed a mandate on local governments, which had the potential to be costly and burdensome to local governments who are already strained due to the impact of the COVID-19 pandemic. *Real Property – Emergency Services and Nuisance Actions* did not advance in the 2021 General Assembly. [Bill Information](#)

For more information on public safety & corrections legislation tracked by MACo during the 2021 legislative session, click [here](#).



2021 End of Session Wrap-Up: Employee Benefits and Relations

The segments below provide a brief overview of MACo's work in the area of employee benefits and employee relations in the 2021 General Assembly.

MACo advocates for fair state laws governing employment practices, labor representation, and employer-employee relationships. MACo becomes particularly engaged when a proposal has a disproportionate or unique effect on public sector employees – frequently those affecting public safety employees or other public workers who engage in sensitive and essential functions.

This year the Maryland General Assembly conducted a legislative session unlike any other due to the enduring COVID-19 pandemic. The unique circumstances surrounding the 442nd legislative session, including necessary health and safety measures, posed a challenge for lawmakers and advocates alike. Despite the unusual circumstances, MACo's advocacy still led to more positive outcomes for its members.



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Click links for more coverage on [Conduit Street](#) and [MACo's Legislative Tracking Database](#).

Prevailing Wage



MACo opposed legislation that expanded the application of the State's prevailing wage law to projects where even the smallest share of funds are from the State, instead of the current 50% applicability. The bill was amended to apply to public work projects for which the State constitutes at least 25% of the construction costs and passed both chambers. Governor Hogan vetoed the legislation during the 2021 Session, therefore allowing the General Assembly to override the veto. [Bill Information](#) | [MACo Coverage](#)

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Labor and Employment

MACo opposed numerous pieces of legislation that would have created several new programs and employer mandates on counties due to the COVID-19 pandemic.



MACo opposed the *Labor and Employment – Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)*, which as introduced would have required counties to pay additional hazard pay, implement a new program for bereavement and health leave, reimburse employee healthcare costs, and allow employees the right to refuse to work. The bill was heavily amended – strongly easing county concerns – to eliminate hazard pay provisions, ensure health leave only applies prospectively and includes verification, narrowing the scope of who/what an essential worker is, and conforming the right to refuse provision to existing language under law. The *Labor and Employment – Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)* passed the General Assembly and awaits the Governor's signature. [Bill Information](#)



MACo opposed legislation that would have prohibited employers from asking standard questions of education in their job application and during the job interview process. If applied to the public sector, counties feared this law would eliminate promotion opportunities that allow local government employees a career path forward based on continued educational success. *Labor and Employment – Hiring – Education Requirements (Give Me a Chance Act)* did not advance in the 2021 General Assembly following its public hearing. [Bill Information](#) | [MACo Coverage](#)



MACo opposed legislation that would have created and implemented a Family and Medical Leave Insurance (FAMLI) Program funded through shared employee and employer contributions, providing up to 24 weeks of benefits to covered individuals. Local jurisdictions would have incurred significant costs as a result of paying half of the FAMLI contribution rate as well as incur programming costs to their payroll systems. *Labor and Employment – Family and Medical Leave Insurance Program – Establishment (Time to Care Act of 2021)* did not advance in the 2021 General Assembly following its public hearing. [Bill Information](#)



MACo supported legislation that would have provided a tool for county governments, as reimbursable employers, to delay their remittances by a year during a COVID-19 state of emergency. The legislation would have added a provision allowing quarterly billings to be paid within one year after the date on which the state of emergency was declared by the Governor due to the COVID-19 pandemic, simply giving reimbursing employers a comparable cushion as to what rate-paying employers are already allowed for COVID-related layoffs. *Unemployment Insurance – Reimbursing Employers – Deferral of Payment During a State of Emergency for COVID-19* did not advance in the 2021 General Assembly following its public hearing, however language to accomplish this goal was added to HB 908, which passed the General Assembly. [SB 790 Info](#) | [HB 908 Info](#) | [MACo Coverage](#)

Workers Compensation



MACo opposed multiple pieces of legislation that would have dramatically expanded the scope of presumption for workers' compensation claims, therefore placing significant costs on local jurisdictions. None of the workers compensation bills advanced in the 2021 General Assembly following public hearings. [HB 765 Info](#) | [HB 1199 Info](#) | [HB 1247 Info](#) | [SB 756 Info](#) | [SB 812 Info](#) | [SB 860 Info](#) | [MACo Coverage](#) | [More MACo Coverage](#)

For more on employee benefits and employee relations legislation tracked by MACo during the 2021 legislative session, click [here](#).



2021 End of Session Wrap-Up: Taxes and Revenues

The segments below provide a brief overview of MACo's work in the area of tax policy in the 2021 General Assembly.



The General Assembly routinely considers proposals to change tax structures, often seeking to stimulate economic growth, encourage beneficial activities, or attract and retain residents. These proposals often are focused exclusively on the state's tax structure, but sometimes extend to local revenues as well.

In general, MACo stands for local self-determination. Counties, led by their elected leaders who are directly accountable within the community, are in the best position to make decisions on local affairs – ranging from land use to budget priorities. MACo steadfastly guards this local autonomy, and frequently advocates against statewide

solutions that mandate county compliance or otherwise override local decision-making.

This year the Maryland General Assembly conducted a legislative session unlike any other due to the enduring COVID-19 pandemic. The unique circumstances surrounding the 442nd legislative session, including necessary health and safety measures, posed a challenge for lawmakers and advocates alike. Despite the unusual circumstances, MACo's advocacy still led to more positive outcomes for its members.

Follow links for more coverage on [Conduit Street](#) and [MACo's Legislative Database](#).

Income Taxes



MACo opposed dozens of subtraction modification bills, as subtraction modifications (income tax reductions) affect the taxable income base, which flows through to county revenues. Instead, MACo advocates for state income tax credits, which provide a similar benefit to residents without unnecessarily constraining local budgets. Only one subtraction modification bill passed advanced this year, with a negligible fiscal impact on county governments.

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Visit MACo's Legislative Tracking Database for more information on subtraction modification legislation.



MACo supported legislation to provide counties with the proper tools and flexibility to levy the local income tax with greater equity and fairness. The *Local Tax Relief for Working Families Act of 2021*, which authorizes local governments to impose the county income tax on a bracket basis, passed the General Assembly and awaits the Governor's signature.

Bill Information I MACo Coverage



MACo opposed legislation that would have authorized individuals who have a permanent physical disability to deduct \$1,000 as a personal exemption under the Maryland income tax. State proposals that involve local revenue sources can be enacted as a "local option", allowing counties maximum flexibility to achieve local goals. MACo will continue to urge the General Assembly to primarily state income tax credits as the best means to incorporate local tax relief as part of a broader policy. MACo and county governments stand ready to work with state policymakers to develop flexible and optional tools to create

broad or targeted tax incentives but resist state-mandated changes that preclude local input. *Income Tax – Personal Exemption – Disabled Individuals* did not advance in the 2021 General Assembly.

Bill Information I MACo Coverage



MACo opposed legislation that would have altered the calculation of the standard deduction allowed under the Maryland income ta to include an adjustment for certain charitable contributions. State proposals that involve local revenue sources can be enacted as a "local option", allowing counties maximum flexibility to achieve local goals. MACo will continue to urge the General Assembly to primarily state income tax credits as the best means to incorporate local tax relief as part of a broader policy. MACo and county

governments stand ready to work with state policymakers to develop flexible and optional tools to create broad or targeted tax incentives but resist state-mandated changes that preclude local input. *Income Tax – Standard Deduction – Charitable Contributions* did not advance in the 2021 General Assembly.

Bill Information I MACo Coverage

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Property Taxes



MACo supported legislation to establish a Homeowner Protection Program to offer homeowners facing tax sale potential cost avoidance, and provide help like payment assistance, foreclosure mediation, and other services. The bill contemplates a novel approach to divert homeowners from the private tax lien process into an alternative program to minimize tax collection costs, assist with the payment of overdue taxes, and allow homeowners to remain in their homes. *Property Tax – Tax Sales – Homeowner Protection Program* passed the General Assembly and awaits the Governor's signature.

Bill Information I MACo Coverage



MACo supported legislation to require the State to rectify errors made by the State Department of Assessments and Taxation (SDAT) which resulted in thousands of low-income Marylanders paying excessive property taxes. *Property Tax – Homeowners' Property Tax Credit – Calculation and Refunds* passed the General Assembly and awaits the Governor's signature.

Bill Information I MACo Coverage



MACo opposed legislation that would have extended the longstanding three-year assessment cycle for property tax assessments to a five-year cycle. By extending the assessment cycle to five years, impacting the accuracy and equity in assessments, exaggerating the lag in property values compared to current market conditions. This would negatively impact the ability of local government to collect fair property taxes, costing local governments millions in revenue. *Property Tax Assessments – 5-Year Assessment Cycle* did not advance in the 2021 General Assembly.

Bill Information I MACo Coverage



MACo raised concerns with a bill that would have granted broad tax exemptions for rooftop community solar energy generating systems. The bill also designated certain solar energy property as a new subclass of personal property and authorized local governments to impose a lower personal property tax rate on solar energy equipment. Counties appreciated the flexibility to impose a lower personal property tax rate on solar energy equipment, as many counties are interested in promoting community solar on rooftops, brownfields, or less desirable lands as alternatives to large-scale energy generation facilities. However, MACo sought amendments to remove the mandatory tax exemption for community solar energy that would have decreased local revenues by \$3.5 million. *Property Tax – Solar Energy Systems* advanced in the Senate but died in the House.

Bill Information I MACo Coverage



MACo opposed legislation that would have opened up property tax savings under the Homestead Property Tax Credit to be “transferrable” to new homebuyers, if it is their first home in Maryland. MACo’s testimony made clear that if the tax credit were expanded to all homes transferred to new homeowners, counties could lose up to \$12.5 million from their most reliable revenue source by fiscal 2025. *Homestead Property Tax Credit – Calculation of Credit for Dwelling Purchased by First-Time Homebuyer* did not advance following its public hearing in the House Ways and Means Committee.

Bill Information I MACo Coverage



MACo opposed two pieces of legislation that would have restricted the Enterprise Zone program. These programs are designed to attract and retain businesses in areas where targeted investment for economic development is needed. Local governments believe the tax incentives offered by these programs are extremely effective and urged lawmakers to keep them intact. Neither of these bills advanced in this year’s General Assembly.

Bill Information I Bill Information I MACo Coverage I MACo Coverage



MACo supported legislation to repeal certain fees charged by SDAT for processing articles of dissolution, certificates of cancellation, and certain other documents filed by certain business entities with the Department. Because SDAT has no enforcement mechanism, particularly with entities that are nearing a point of dissolution, many such entities simply avoid filing articles of dissolution and instead force the Department to commence a lengthy forfeiture process. In the meantime, county governments expend significant time and

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resources on fruitless and administratively burdensome attempts to collect delinquent property taxes. *Corporations and Associations – Fees for Processing Articles of Dissolution, Certificates of Cancellation, and Other Documents – Repeal* passed the General Assembly and awaits the Governor's signature.

Bill Information I MACo Coverage



MACo supported legislation that authorizes local governments to grant optional property tax credits to businesses affected by a state of emergency. This allows each jurisdiction that chooses to enact the credit to tailor it to their specific community needs and gives each county broad discretion to enact the credit. *Property Tax Credit – Business Entities – State of Emergency* passed both chambers and awaits the Governor's signature.

Bill Information I MACo Coverage



MACo opposed legislation that would have significantly expanded an existing property tax exemption for disabled veterans and surviving spouses. MACo raised concerns with the carryover county fiscal effects of the legislation and generally prefers approaches that provide local autonomy to determine the best way to provide tax incentives, rather than those that mandate reductions in local revenue sources. *Property Tax Exemption – Disabled Veterans* did not advance in the 2021 General Assembly.

Bill Information I MACo Coverage

For more information on tax-related legislation tracked by MACo during the 2021 legislative session, click [here](#).



Hot off the Press: New Treasury Guidance on ARPA Funding

The US Department of the Treasury today released a revised Frequently Asked Questions document that provides clarification on eligible expenses and reporting requirements for the **Coronavirus State and Local Fiscal Recovery Fund** (Recovery Fund).

As previously reported on *Conduit Street*, the Recovery Fund, authorized under the American Rescue Plan Act, is providing \$65.1 billion in direct, flexible aid to every county in America, as well as other crucial investments in local communities.



Specifically, the [revised FAQ document](#) addresses the following key items:

- **Costs of consultants:** Recovery Funds **CAN** be used to cover the costs of consultants to assist with managing and administering the funds.
- **Public jobs programs:** Recovery Funds **CAN** be used to establish public jobs programs (i.e. subsidized employment, combined education and on-the-job training, job training to accelerate rehiring or address negative economic impacts, childcare assistance, or assistance with transportation to and from a job site or interview).
- **Revenue loss and audited financial data:** If a county does not have audited data readily available when calculating its revenue loss, it is not required to obtain audited data.
- **Revenue loss and Census data:** When calculating general revenue, counties should use their own data sources and do NOT need to rely on published revenue data from the Census Bureau.
- **Revenue loss on cash basis/accrual basis:** When determining revenue loss, counties may provide data on a cash, accrual, or modified accrual basis, so long as the county is consistent in their choice of methodology throughout the covered period and until reporting is no longer required.
- **Flexibility for costs incurred by March 3, 2021:** The FAQ document states that the IFR permits funds can be used to cover costs incurred beginning on March 3, 2021. However, this limitation applies to costs incurred by a county government receiving Recovery Funds. Therefore, counties can use Recovery Funds to provide assistance to households, businesses, and individuals (within eligible categories) **PRIOR TO** March 3, 2021. For example:
 - **Public health/negative economic impact:** Counties may use Recovery Funds to provide assistance to households, such as rent, mortgage, or utility assistance, incurred by the household prior to March 3, 2021 (i.e. rental arrears from preceding months), provided that the cost of providing this assistance to households was **NOT incurred** by the county **PRIOR TO** March 3, 2021
 - **Premium pay:** Counties may provide premium pay retrospectively for work performed at any time since the start of the COVID-19 public health emergency (i.e. January 27, 2020).

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- **Revenue loss:** The calculation of lost revenue begins with the recipient's revenue in the last full fiscal year prior to the COVID-19 public health emergency (i.e. January 27, 2020) and included the 12-month period ending December 31, 2020. Use of these revenue recoupment funds for government services **MUST** be forward-looking for costs incurred by the recipient after March 3, 2021.
- **Investments in water, sewer, and broadband:** Counties may use Recovery Funds to cover costs incurred for eligible water, sewer, and broadband projects planned or started prior to March 3, 2021, provided that the project costs covered by the Recovery Fund were incurred **AFTER** March 3, 2021.
- **New CFDA number for the Recovery Fund:** Treasury has updated the Recovery Fund's CFDA number to **21.027** (it previously had the same number as the CARES Act Coronavirus Relief Fund – 21.019). If your county has already received funds or captured the initial CFDA number in your records, you should update your systems and reporting to reflect the final CFDA number for the Recovery Fund – 21.027. **Counties must use the final CFDA number for all financial accounting, audits, subawards, and associated program reporting requirements.**
- **Water and sewer project eligibility:** Counties do not need approval from Treasury to determine whether an investment in water, sewer, or broadband projects is eligible under the Recovery Fund. A county should make its own determination that a project meets the eligibility criteria outlined in the IFR. However, when determining which projects to invest in, counties should familiarize themselves with other federal or state laws or regulations that may apply to construction projects independent of the Recovery Fund's funding condition and that may require pre-approval.

According to the [National Association of Counties \(NACo\)](#):

*Although Treasury has stated the agency will release additional FAQs in the coming weeks, NACo strongly suggests counties [submit comments for the record](#) in response to Treasury's Interim Final Rule on the Fiscal Recovery Fund to ensure the county voice is reflected in the public comments when it comes time to finalize the rule. **The deadline to submit comments is July 16, 2021.***

To read NACo's FAQs on the Recovery Fund, [click here](#).

To read NACo's analysis of Treasury's Interim Final Rule, [click here](#).

Visit the NACo website for more information.



**In-Person
& Virtual**

Please join county elected and appointed officials from across the country in Prince George's County, Maryland for NACo's 2021 Annual Conference & Exposition. Network, learn and connect with in-person and virtual attendance options and thoughtfully designed events.

[REGISTER TODAY](#)

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[EXHIBITORS](#)

[QUESTIONS](#)

 **Watch: Invitation from NACo President Gary Moore**

ATTEND VIRTUALLY OR IN-PERSON FOR ONE LOW RATE

WHAT IS INCLUDED WITH MY REGISTRATION?	VIRTUAL ATTENDEES	IN-PERSON ATTENDEES
Access to general sessions, workshops & committee meetings	✓	✓
Voting ability in committee meetings & annual business meeting	✓	✓
Opportunity to ask questions in real-time	✓	✓
Peer-to-peer networking	✓	✓
Access to live tech support	✓	
Conference goodie box mailed in early July	✓	
Achievement Awards luncheon*	✓	✓

**In-person attendees and registered guests will have access to the awards luncheon for no extra fee; virtual attendees will have access to the awards proceedings.*



“Resilient. Responsive...READY.”

Summer #MACoCon Titles Are Here

MACo's [Summer Conference](#) is scheduled for August 18-21, 2021, and will be FULLY IN PERSON at the Roland Powell Convention Center in Ocean City, MD. Registration is now open and session titles are available – the full schedule and session details will be published soon!

[Register today](#) for MACo's Summer Conference, themed “Resilient. Responsive...Ready.”

The COVID-19 pandemic has changed the world. All aspects of modern life have been affected – public health, of course, but also how we conduct business, educate our schoolchildren, and govern our communities. Some of these will return to “normal,” but some changes will be with us forever. The socio-economic impacts are still unfolding, but we can be certain – counties stood on the front lines of the pandemic and will lead the recovery. At this conference, MACo and county leaders will explore the local role in pandemic response and recovery – strategic planning, evolving service delivery, emergency communications, advancing technologies, and fiscal obstacles – all of which constitute the fabric of local leadership.

Check out the sessions being planned – full schedule and presentation details coming soon!

General Sessions:

- Welcoming Session and Keynote Presentation
- Taking Next Steps – Planning for Growth and Change
- Resilient Budgeting 101
- Lessons Learned and Ways Forward with Virtual Learning
- U.S. Senator Ben Cardin Town Hall Forum
- Governor's Closing Address

Academy for Excellence in Local Governance Core Courses:

- County Financial Management
- Consensus & Teambuilding

Tech Expo Sessions:

- Strengthening Security: Protecting Your Network from Cyberattacks
- Think Fast: Public Sector Tools for Agility and Effectiveness
- Closing the Digital Divide: Maryland Takes the Lead

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Special Sessions:

- America's Opioid Crisis: A Dialog on Maryland's Efforts and Your County's Role
- American Recovery Plan Put to Action
- Connecting Your Community: Maryland's Free Open Data Portal

Sessions Hosted by MACo's Affiliate Members:

- Are Some Pandemic Quick Fixes Here to Stay? A Longer-Term Look at Short-Term Solutions
- Police Reforms: Putting Policies into Practice
- Dollars and Sense: Budgeting in a Post-COVID World
- Eyes on the Road: Vehicles and Vision Zero
- Staffing Up Your Corrections Capacity
- Building Resiliency in Times of Crisis: Leveraging Federal and State Emergency Resources
- Shifting Strategies: Tailoring Tech Tools to Improve Public Health Outcomes
- The Why Behind DEI: The Power of Diversity, Equity, and Inclusion in the Workplace
- Reaching Troubled Kids, 2 Generations at a Time
- Hindsight is 2020...Preparing for Improved Public Health Response
- Investing in the Outdoors: How Parks Promote Public Health
- Financing Resilience: New Tools in the Toolbox
- Public Sector Apprenticeships: A New Twist on an Old Model
- Economic Development – Taking Care of Business Post Pandemic
- Health Equity – What's at Stake for Your County
- Crisis Communications: Ensuring Residents Are Ready
- New Food Future: Building a Crisis-Ready Food System
- The *Conduit Street* Podcast – LIVE!
- MACo Book Club: "Digital Body Language"

In addition to the sessions listed above, there will be numerous briefings and meetings, along with EVEN MORE educational content provided by industry experts in MACo's Solutions Showcase. You don't want to miss our 60-booth Wednesday [Tech Expo](#) or our 220-booth Thursday/Friday tradeshow and our Friday evening Crab Feast is the "can't miss" networking event of the summer.

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Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1503) Record-Keeping and Actuarial Consulting Services for the Retirement Plan, Length of Service Award Program (LOSAP), and Other Post-Employment Benefits Under GASB-45 (OPEB)

PRESENTATION DATE: June 15, 2021

PRESENTATION BY: Rick Curry, CPPO, Director of Purchasing and Larry Etchison, Director, Division of Health & Human Services

RECOMMENDED MOTION: Move to award the contract for Record-Keeping and Actuarial Consulting Services for the Retirement Plan, Length of Service Award Program (LOSAP), and Other Post-Employment Benefits Under GASB-45 (OPEB) to the responsive, responsible proposer for an initial one-year term, with an option by the County to renew for up to four (4) additional consecutive one (1) year periods.

REPORT-IN-BRIEF: The services consist of an annual valuation including GASB disclosure and Employee Retirement Benefit Report (individual statements), quarterly investment performance reviews, approximately fifty (50) benefit calculations annually, and approximately ten (10) service buy-back calculations annually. The duration of the contract is for one (1) year with four (4) additional consecutive one (1) year renewal periods. The recommended award pricing also includes the additional work necessary to comply with the new standards of GASB 74 and 75 that will substantially affect the valuation of the OPEB plan.

Notice of the Request for Proposal (RFP) was advertised in the local newspaper, on the County's web site, and on the State's "e-MarylandMarketplace Advantage" website. Twenty-seven (27) individuals/companies/bid houses downloaded the RFP document from the County's web site. Seven (7) companies were represented at the Pre-Proposal Teleconference. Proposals were received from four (4) firms. The Qualifications & Experience submittals of the four (4) firms were evaluated and three (3) of the firms was considered to be responsive; therefore, the Price Proposals of that firm was then opened and evaluated.

The Coordinating Committee was comprised of the County Administrator, Department of Health and Human Services – Director and Deputy Director (non-voting), Deputy County Attorney, Director of Budget & Finance, and Director of Purchasing (Committee Chairperson).

DISCUSSION: N/A

FISCAL IMPACT: The fees for services are paid from the pension funds.

CONCURRENCES: As recommended by the Coordinating Committee

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Strategic Demolition Grant Application Submittal – Ft. Ritchie Sewer Utilities Upgrade

PRESENTATION DATE: June 15, 2021

PRESENTATION BY: Jennifer Kinzer, Deputy Director, Department of Planning & Zoning and Rachel Souders, Sr. Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the submission of the grant application for sewer upgrades for the Fort Ritchie Redevelopment Project to the Maryland Department of Housing & Community Development (DHCD) in the amount of \$250,000; accept awarded funding and execution of grant agreement with DHCD contingent upon the execution of a MOU agreement between Cascade Properties, LLC and the County.

REPORT-IN-BRIEF: The Department of Planning & Zoning is requesting permission to submit a grant application to DHCD's Strategic Demolition grant program on behalf of Cascade Properties, LLC requesting \$250,000 to assist with the costs of necessary sewer upgrades to facilitate the development of the former Ft. Ritchie property. Total project cost is \$289,613.50.

DISCUSSION: Cascade Properties, LLC purchased the former Fort Ritchie property on April 7, 2021. The new owner is proposing a redevelopment project that includes the buildings along Barrick Avenue for non-residential uses thereby providing workforce opportunities. Due to aging infrastructure, the purpose of this grant is to upgrade the sewer utilities that serve these buildings. This is a shovel ready project as a sewer study has already been completed and proposed upgrades are under review by the Department of Water Quality to ensure that they are being upgraded to County standards.

The Office of Grant Management has reviewed the grant application, grant funding guidelines and provided supporting documentation. The grant does not require any matching fund contribution from the County, but does require that the County and Cascade Properties, LLC execute a MOU outlining each party's roles and responsibilities related to this project.

The performance period for the grant is October 1, 2021 through Sept. 30, 2022 and there are no unusual conditions or requirements associated with the grant.

FISCAL IMPACT: Grant funds would provide up to \$250,000 for sewer upgrades. Any remaining balance is the responsibility of Cascade Properties, LLC.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny approval for submission

ATTACHMENTS: Grant Submission Form

AUDIO/VISUAL NEEDS: N/A

Questions?
Please contact
Grant Office
240-313-2040

Print Form

Washington County, Maryland Grant Submission Form

Please fill out and save electronically in local County share drive for review by the Office of Grant Management for appropriate approvals prior to grant submission. Outside entities should submit via e-mail to: sbuchanan@washco-md.net
Please be sure to save the form by the grant name in the W:\Grant Management Documents and Forms\Grant Submission Forms \Open GSF folder. **Do not overwrite the Master Form**

Section 1: General Information

☐ Amended GSF (Click here if this is an amendment to the original GSF)

Contact Person for Grant Jennifer Kinzer E-mail jkinzer@washco-md.net

Department or Agency Department of Planning & Zoning Telephone 240-313-2441

Grantor Maryland Department of Housing & Community Development Grant Funding Requested 250,000

Grant Submission Deadline June 24, 2021 Funding Source: ☐ Federal Grant ☒ State Grant ☐ Other

Grant Start Date October 1, 2021 Grant End Date September 30, 2022 CFDA#, if Federal

Grant Description: Briefly summarize the overall purpose/objective of the grant and indicate how this grant will contribute to the needs and goals of the Department and County.

Cascade Properties, LLC purchased the former Fort Ritchie property on April 7, 2021. The new owner is proposing a redevelopment project that includes the buildings along Barrick Avenue for non-residential uses thereby providing workforce opportunities. Due to aging infrastructure, the purpose of this grant is to upgrade the sewer utilities that serve these buildings. This is a shovel ready project as a sewer study has already been completed and proposed upgrades are under review by the Department of Water Quality to ensure that they are being upgraded to County standards. The project area is within the Fort Ritchie-Cascade Sustainable Communities Area, a Priority Funding Area, Foreign Trade Zone #255 and is listed on the Maryland Historic Trust. The project is supported by the Action Plan within the Sustainable Communities Program and will further Goal #2 of the 2002 Comprehensive Plan which is to "promote a balanced and diversified economy" and "continue transformation of the former Fort Ritchie military base."

Section 2: Budget Information

Project / Program Revenue

A. Grant Award Anticipated 250,000

B. Required Cash Match 0

C. Other Revenue Sources 39,614

Total Project Revenue
(A+B+C) 289,614

Project / Program Expenses

A. Wages and Benefits

B. Operational Expenses

C. Capital Expenses 289,614

Total Project Expense
(A+B+C) 289,614

Will the grant funded project, program or purchase result in additional & recurring department operating expenses? ☐ Yes ☒ No

Will the grant include funding for pay incentives or bonuses resulting in additional tax expense for County? ☐ Yes ☒ No

If Yes, indicate the annual amount and identify the funding source that will be used to pay for the increased expenses.

Section 3: Grant Continuation Plan

Grant Award Period: ☒ 1 year period ☐ Multiple year period ☐ Annual Renewals

Provide a continuation plan if grant funding is expected to end and recurring expenses will continue.

Section 4: Grant Approval Signatures

Please sign electronically appropriate areas. All areas may not apply. Your signature indicates a full understanding of the program information provided and intent to implement the project according to all program guidelines, assurances and certifications.

Department Head

Jill Baker

Digitally signed by Jill Baker
Date: 2021.06.02 16:10:48 -04'00'

Date

6/2/2021

Division Director

Date

Agency (Sub-Grantee)

Date

Grants Office

Susan M. Buchanan

Digitally signed by Susan M. Buchanan
Date: 2021.06.04 13:37:39 -04'00'

Date

Jun 4, 2021

Office of Budget and Finance

Kelcee Mace

Digitally signed by Kelcee Mace
Date: 2021.06.04 16:42:14 -04'00'

Date

Jun 4, 2021

County Commissioners > \$25,000

Date

Section 5: Final Award (Office of Community Grant Management Only)

Grantor Approval Date

Final Actual Award

Grants Office Approval

Date

Comments, if any:



Agenda Report Form

Open Session Item

SUBJECT: PUBLIC HEARING: Application for Zoning Text Amendment RZ-20-002

PRESENTATION DATE: June 15, 2021

PRESENTATION BY: Jill Baker, Director, Department of Planning and Zoning

RECOMMENDED MOTION: The purpose of this public hearing is to take public comment on the rezoning application. No action will be taken.

REPORT-IN-BRIEF: Application is being made to amend several sections of the Zoning Ordinance to address uses associated with short term residential rentals.

DISCUSSION: Residential rental facilities are not a new trend in land use. These types of uses have been motivated over time by tourists and visitors who wish to have more unique accommodations than those provided by a typical hotel complex.

The principal difference between traditional residential rental facilities of the past versus the more modern trends of today is the lack of occupancy of the property owner. Many of the rental opportunities presented to visitors are single family dwellings that are smaller in size than typical owner-occupied uses and are strategically placed to take advantage of scenic views, proximity to tourist destinations, and rural settings that offer tranquil settings.

Because proximity can cause compatibility issues in the urbanized areas, Staff has recommended allowing short term residential rentals in all residential districts by special exception use only. This would provide neighbors with notice of a proposed new use in the area and offer an opportunity to comment on concerns they have unique to each application. Because proximity is less of an issue in rural areas of the County, Staff has proposed to allow them as principally permitted uses. To avoid other compatibility conflicts with neighboring properties, Staff has recommended that minimum parking standards be implemented, and that rental stays not exceed 30 days in length.

This item was presented to the Washington County Planning Commission at a Public Information Meeting held during their regular meeting on April 5, 2021. One verbal comment was received in favor of the changes. It was then brought back for recommendation at the May 3, 2021, meeting, where the members unanimously recommended approval of the proposed text amendments with comments. Changes requested by the Planning Commission are addressed in the attached proposed text amendments document.

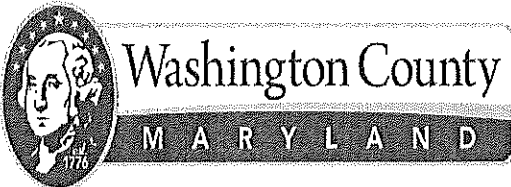
FISCAL IMPACT: N/A

CONCURRENCES: Washington County Planning Commission

ALTERNATIVES: N/A

ATTACHMENTS: Proposed text amendments, staff report, Planning Commission minutes, Planning Commission recommendation

AUDIO/VISUAL NEEDS: N/A



WASHINGTON COUNTY PLANNING COMMISSION
ORDINANCE TEXT AMENDMENT APPLICATION

FOR PLANNING COMMISSION USE ONLY

Rezoning No. _____

Date Filed: _____

Washington County Department of Planning & Zoning

Applicant

100 W. Washington Street, Suite 2600, Hagerstown, MD
21740

Address

Primary Contact

Address

☐ Property Owner

☐ Attorney

☐ Other: _____

☐ Contract Purchaser

☐ Consultant

240-313-2430

Phone Number

E-mail Address

☐ Adequate Public Facilities Ordinance

☐ Forest Conservation Ordinance

☐ Subdivision Ordinance

☐ Solid Waste Plan

☐ Water and Sewer Plan

☒ Zoning Ordinance

☐ Other _____

Section No. 3, 7A, 8, 9, 10, 11, 12, 19C, 22, 28A

Please provide the proposed text on a separate sheet of paper as follows: strike-through should be used for deletions [~~deletions~~], unchanged wording in regular type, and new wording should be underlined [new wording].


Applicant's Signature

Subscribed and sworn before me this _____ day of _____, 20____.

My commission expires on _____

Notary Public

FOR PLANNING COMMISSION USE ONLY

☐ Application Form

☐ Fee Worksheet

☐ Application Fee

☐ Proposed Text Changes

☐ 30 copies of complete Application

PROPOSED TEXT AMENDMENTS FOR RZ-20-002
SHORT-TERM RESIDENTIAL RENTALS

- (1) **ARTICLE 3 – DISTRICTS ESTABLISHED; ZONING MAPS, DISTRICT BOUNDARIES; LAND USE REGULATIONS (RURAL AREA USES)** is amended as follows:

Section 3.3 (1) Table of Land Use Regulations

A(R)-Agriculture (Rural)
EC-Environmental Conservation
P-Preservation
RV-Rural Village RB-Rural Business IM-Industrial Mineral

Table No. 3.3(1)
TABLE OF LAND USE REGULATIONS
(RURAL AREA USES)

LAND USES	A(R)	EC	P	RV	RB	IM
B. Accommodation and Food Service						
Bed and Breakfast; up to five (5) guest rooms	A	A	A	SE	P	N
Boarding or Rooming Houses	SE	SE	SE	P	P	N
<u>Short-term Residential Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>	<u>N</u>	<u>N</u>

P-Permitted
SE-Special Exception
A-Accessory
N-Not Permitted

- (2) **ARTICLE 7A – “RT” RESIDENTIAL, TRANSITION DISTRICT**

Section 7A.2 Special Exception Uses

(h) Short-term Residential Rental

- (3) **ARTICLE 8 – “RS” RESIDENTIAL, SUBURBAN DISTRICT**

Section 8.2 Special Exception Uses

(k) Short-term Residential Rental

- (4) **ARTICLE 9 – “RU” RESIDENTIAL, URBAN DISTRICT**

Section 9.2 Special Exception Uses

(k) Short-term Residential Rental

- (5) **ARTICLE 10 – “RM” RESIDENTIAL, MULTI-FAMILY DISTRICT**

Section 10.2 Special Exception Uses

(l) Short-term Residential Rental

- (6) **ARTICLE 11 – “BL” BUSINESS, LOCAL DISTRICT**

Section 11.1 Principal Permitted Uses

(I) Short-term Residential Rental

(7) ARTICLE 12 – “BG” BUSINESS, GENERAL DISTRICT

Section 12.1 Principal Permitted Uses

(a) Short-term Residential Rental

(8) ARTICLE 19C – “SED” SPECIAL ECONOMIC DEVELOPMENT DISTRICT

Section 19C.2 Principal Permitted Uses

(a) Short-term Residential Rental

(9) ARTICLE 22 DIVISION I – OFF STREET PARKING AND LOADING AREA REQUIREMENTS

Section 22.12(b)

1. Minimum Spaces Required

Land Use	Parking Required
<u>Short-term residential rental, Bed and Breakfast, and Boarding House</u>	<u>1 parking space per bedroom</u>

(10) ARTICLE 28A – DEFINITIONS

Dwelling:

A building containing one or more dwelling units. The term “dwelling” or any combination thereof shall not be deemed to include hotel, boarding/rooming house, motel, clubhouse, hospital, short-term residential rental or other accommodations used for more or less transient occupancy.

Short-term Residential Rental:

A non-owner-occupied residential structure that provides temporary lodging to transient guests for compensation. Proprietors may rent all or a portion of the structure. Such uses shall not exceed rental of individual rooms or the entire structure for more than 30 consecutive days per client/reservation. No site plan is required, however, off street parking must be provided in accordance with Article 22 Division 1 of this Ordinance. Signage that requires a zoning permit is prohibited.



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

May 23, 2021

RZ-20-002

APPLICATION FOR TEXT AMENDMENT – RZ-20-002
PLANNING COMMISSION RECOMMENDATION
Articles: 3, 7A, 8, 9, 10, 11, 12, 19C, 22 & 28A

RECOMMENDATION

On April 5, 2021, the Planning Commission held a public rezoning information meeting to consider text amendments to Articles 3, 7A, 8, 9, 10, 11, 12, 19C, 22 and 28A of the Washington County Zoning Ordinance to short-term residential rentals. A staff summary of the purpose and effects of the proposed amendments was presented to the Planning Commission and opportunity was provided for public comment. One verbal comment in favor of the changes was received for this case. The Washington County Planning Commission took action at its regular meeting held on Monday, May 3, 2021 to recommend approval of Text Amendment RZ-20-002 to the Board of County Commissioners.

Copies of the application and the Staff Report and Analysis by the Department of Planning & Zoning, approved minutes of the April 5, 2021 public information meeting and draft minutes of the May 3, 2021 regular meeting are attached.

Respectfully submitted,

Jill Baker, Director
Washington County Department of
Planning & Zoning

Attachments

cc: Kirk Downey
file



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

RZ-20-002

March 22, 2021

WASHINGTON COUNTY ZONING ORDINANCE
STAFF REPORT AND ANALYSIS

ARTICLES 3, 7A, 8, 9, 10, 11, 12, 19C, 22 & 28A

Proposal: Application is being made to amend several sections of the Zoning Ordinance to address uses associated with short term residential rentals.

Staff Report: Residential rental facilities are not a new trend in land use. These types of uses have been motivated over time by tourists and visitors who wish to have more unique accommodations than those provided by a typical hotel complex.

Historically, visitors seek out these accommodations for the more personal attention provided by a live-in host. Typically, these owner-occupied uses provide meal services and rent individual rooms in the home that may or may not share bathroom facilities. These uses also provide access to shared areas of the home such as living or entertainment rooms that are available to all of the guests in the facility. Currently, the Zoning Ordinance allows for these types of uses in all residential districts when the structure is owner-occupied.

More recent trends are leading to the absence of property owners being present in the residence at the time of rental. This often leads to the continuous rental of previously owner-occupied structures by a variety of visitors on a daily, weekly, or even monthly basis. The purpose of these amendments is to modernize the Zoning Ordinance to accommodate these new trends commonly known as short term rental facilities.

Analysis:

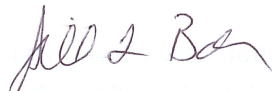
The principal difference between traditional residential rental facilities of the past versus the more modern trends of today is the lack of occupancy of the property owner. Many of the rental opportunities presented to visitors are single family dwellings that are smaller in size than typical owner-occupied uses and are strategically placed to take advantage of scenic views, proximity to tourist destinations, and rural settings that offer tranquil settings.

From a land use perspective, short term rentals are typically difficult to differentiate from regular owner-occupied dwellings. Functionally, rentals are used for the same purpose as residential uses except that the occupant changes more often. This minor difference in function is less noticeable in rural areas where dwellings are usually located further apart from one another whereas rentals in urbanized areas can attract attention from other neighborhood land owners.

Because proximity can cause compatibility issues in the urbanized areas, Staff has recommended allowing short term residential rentals in all residential districts by special exception use only. This would provide neighbors with notice of a proposed new use in the area and offer an opportunity to comment on concerns they have unique to each application. Because proximity is less of an issue in rural areas of the County, Staff has proposed to allow them as principally permitted uses. To avoid other compatibility conflicts with neighboring properties, Staff has recommended that minimum parking standards be implemented and that rental stays not exceed 30 days in length.

Staff Recommendation: Based upon feedback and comments from other government agencies, developers, property owners, and the general public, Staff recommends approval of these amendments in order to provide consistent implementation of our land use policies and regulations.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jill L. Baker". The signature is fluid and cursive, with the first name "Jill" and last name "Baker" clearly distinguishable.

Jill L. Baker
Director

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
April 5, 2021**

Due to current social meeting restrictions put in place by the Governor of Maryland because of the COVID-19 pandemic, the Washington County Planning Commission held its regular monthly meeting on Monday, April 5, 2021 at 7:00 p.m. virtually using Zoom software. No physical meeting took place.

Planning Commission members present were: Clint Wiley, Robert Goetz, Denny Reeder, Jeff Semler, and Ex-officio County Commissioner Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; Travis Allen, Comprehensive Planner; Meghan Jenkins, GIS Analyst; and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review & Permitting: Ashley Holloway, Director; Rebecca Calimer, Chief of Plan Review; Lisa Kelly, Senior Planner; and Scott Stotemyer, Planner.

Also present were: Steve Cvijanovich and Gordon Poffenberger, Fox & Associates, Inc. [SP-20-025] and Adrian Dungan [RZ-20-002].

CALL TO ORDER

The Chairman called the public rezoning information meeting to order at 7:00 p.m.

PUBLIC REZONING INFORMATION MEETING

RZ-20-002

Ms. Baker presented a proposed text amendment to the Washington County Zoning Ordinance for the inclusion of short-term residential rentals. Short-term residential rentals are similar to Bed and Breakfasts and boarding facilities which are currently permitted in the County and would provide a unique experience for visitors to Washington County. The proposed amendment would permit the short-term residential rentals in the rural areas and would be permitted by special exception in the urbanized areas.

Public Comment

- Adrian Dungan, 1107 Hoffmaster Road, Knoxville – Mr. Dungan stated that he is in favor of the proposed text amendment.

Discussion and Comments: Mr. Semler asked if this amendment would include Air B&Bs and VRBOs. Ms. Baker stated it would include these types of rentals.

There was a brief discussion regarding “pop-up” campgrounds. Ms. Baker explained that these would be considered a campground, not a short-term residential rental. Mr. Holloway noted that a campground is considered a commercial use; the proposed amendment is dealing with residential uses. The “pop-up” campgrounds are subject to the same rules and regulations as a campground.

The public rezoning information meeting closed at 7:15 p.m.

MINUTES

Motion and Vote: Mr. Reeder made a motion to approve the minutes of the March 1, 2021 Planning Commission regular meeting as presented. The motion was seconded by Mr. Semler and unanimously approved.

Motion and Vote: Mr. Semler made a motion to approve the minutes of the March 15, 2021 Planning Commission workshop meeting as presented. The motion was seconded by Mr. Reeder and unanimously approved.

NEW BUSINESS**-SITE PLANS****2005 Greencastle Pike LLC – Huyett Business Park [SP-20-025]**

Ms. Kelly presented for review and approval a site plan for Huyett Business Park. The site is located along the west side of Greencastle Pike at its intersection with Business Parkway. The property is currently zoned HI (Highway Interchange). The developer is proposing to construct two buildings for commercial/industrial flex space. Building 1 will be 30,000 square feet in size with 12 bays and Building 2 will be 32,500 square feet in size with 13 bays. The site will be served by public water and public sewer. There are 121 parking spaces required; 121 spaces will be provided. There will be building mounted and pole mounted lighting. Freight and delivery are estimated to be 5 trips per day. There will be one access onto Business Parkway. The estimated number of employees is 50. Hours of operation will be 7:00 a.m. to 5:00 p.m., Monday thru Friday. Landscaping is proposed along the front of the building and within the parking islands. This site is eligible for the express procedure to meet Forest Conservation Ordinance requirements. A payment-in-lieu in the amount of \$12,414.60 has been paid by the developer. 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. Semler and unanimously approved.

OTHER BUSINESS**Staff Approvals**

Mr. Holloway presented the following information for the month of March for Plan Review – Land Use: 1 site plan, 7 standard grading plans, 2 final plats, 1 simplified plat, 2 subdivision plats, 5 inspection and maintenance agreements, 6 storm water standard plans, and 1 APFO road adequacy application were submitted.

CIP Recommendation

Ms. Baker presented a draft of the CIP that is currently being evaluated and reviewed by the Board of County Commissioners as part of the FY 2022 budget. The Planning Commission is charged with reviewing the list of projects contained in the CIP to determine if they are consistent with the County's adopted Comprehensive Plan and the Land Use Planning Goals. Staff recommends that these projects are consistent with the Comprehensive Plan.

Motion and Vote: Mr. Reeder made a motion to recommend approval to the Board of County Commissioners because the projects are consistent with the County's adopted Comprehensive Plan. The motion was seconded by Mr. Goetz and unanimously approved with Commissioner Wagner abstaining from the vote.

Solid Waste Management & Recycling Plan Update

Mr. Allen reminded members that an overview of the draft plan was presented during a Workshop meeting held in mid-March. Following that workshop meeting, staff sent members Chapters 1 – 3 for further review and comment. Chapters 4 and 5 will be forthcoming in the next week. The Solid Waste Department and the Environmental Management Advisory Committee have been closely involved in the review of this Plan; their comments have been incorporated.

Motion and Vote: Mr. Goetz made a motion to approve Chapters 1 – 3 as presented. The motion was seconded by Mr. Semler and unanimously approved.

ELECTION OF OFFICERS

Motion and Vote: Mr. Goetz made a motion to nominate Mr. Wiley as the Chairman and Mr. Kline as the Vice Chairman for the coming year. The motion was seconded by Mr. Reeder and unanimously approved with Commissioner Wagner abstaining from the vote.

UPCOMING MEETINGS

1. Monday, May 3, 2021, 7:00 p.m. – Washington County Planning Commission public rezoning information meeting and regular meeting

ADJOURNMENT

Commissioner Wagner made a motion to adjourn the meeting at 7:35 p.m. The motion was seconded by Mr. Goetz and so ordered by the Chairman.

Respectfully submitted,



Clint Wiley, Chairman



Agenda Report Form

Open Session Item

SUBJECT: Revision of Washington County, Employee Handbook, Personal Days to Personal Leave.

PRESENTATION DATE: June 15, 2021

PRESENTATION BY: Laurence (Larry) Etchison, SPHR, Director of Human Resources

RECOMMENDED MOTION: Revise the current “Washington County, Employee Handbook, Personal Days” section and associated practices to provide all Employees with the identical semi-annual allocation of Personal Leave which they can use in one (1) hour increments.

REPORT-IN-BRIEF: Both our AFSCME Represented and our non-represented Employees have requested the opportunity to use Personal Days in one (1) hour verses full day increments. Through this action, our Employees would be afforded greater flexibility and improved work/life balance while actually reducing labor costs. It is a true win-win for our Employees and our County’s Citizens and Taxpayers.

While Sick Leave and Vacation are accrued in the same fashion for all Employees (regardless of their shift length assignment) the County has been inconsistent regarding the administration of Personal Days. Specifically, our current “Personal Day” practice provides additional paid time off for Employees assigned to shifts greater than eight (8) hours in length. To clarify, Employees assigned to eight (8) hour shifts receive a total of forty-eight (48) Personal Day hours annually. However, for those Highway and Parks Employees that flex to a four (4) x ten (10) hour schedule, the County adds two (2) hours of paid “Administrative Leave” to the eight (8) hours of Personal Day. This practice provides these Employees with as much as sixty (60) paid Personal Day hours annually.

The recommended motion addresses both the Employee requested one (1) hour increment and paid personal day hours inequity as follows:

CURRENT HANDBOOK

PERSONAL DAYS

Employees are entitled to six (6) personal days per calendar year. Three (3) are granted January 1st and three (3) on July 1st. These have to be taken as a whole day within the current calendar year. Personal days cannot be carried over from one year to the next.

RECOMMENDED REVISION

PERSONAL LEAVE

Washington County provides forty-eight (48) hours of paid personal leave per calendar year for all regular full-time employees. Twenty-four (24) hours are granted on January 1st and twenty-four (24) hours are granted on July 1st.

Personal Leave is prorated for all new Employees during their first calendar year of employment based on their hire date.

Hire Date Range	Annual Prorated Personal Leave
January-February	48 (24/24)
March-April	40 (16/24)
May-June	32 (8/24)
July-August	24 (0/24)
September-October	16 (0/16)
November-December	8 (0/8)

While advanced notice is welcome and much appreciated, Employees may use personal leave in one (1) hour increments at their discretion without prior scheduling, explanation, or Supervisor approval. However, disconcerting personal leave absence patterns (i.e., consistently taking two hours of personal leave on Monday mornings or repeated use of personal leave to avoid being assigned an unwelcome task) will be addressed by the Director of Human Resources upon notification or request.

Employees assigned to shifts greater than eight (8) hours in length have the choice to be absent for an entire shift via the following options:

- a) Use personal leave to cover all shift hours.
- b) Use personal leave to cover eight (8) hours and accrued vacation to cover the remaining shift hours.
- c) Use personal leave to cover eight (8) hours and charity time to cover the remaining shift hours.
- d) Use personal leave to cover eight (8) hours and unpaid time off to cover the remaining shift hours.

Personal leave cannot be carried over from one calendar year to the next.

DISCUSSION: N/A

FISCAL IMPACT:Based on the amount of “Administrative Leave” hours paid to our Highway and Parks Employees in 2020 in combination with their Personal Days used while assigned to four (4) day x ten (10) hour schedules, **the County would realize an annual labor cost savings of \$23,287.00** (Wages, FICA, Medicare, Workers Compensation, and other insurances).

CONCURRENCES: County Administrator, Finance (Payroll) and the Human Resources Team

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Agricultural Preservation Easement Rankings FY 2022

PRESENTATION DATE: June 15, 2021

PRESENTATION BY: Chris Boggs, Land Preservation Planner, Department of Planning & Zoning

RECOMMENDED MOTION: Move to approve the priority ranking of Agricultural Land Preservation Easement applications as recommended by the Agricultural Land Preservation Advisory Board and to forward the top 12 applications to the Maryland Agricultural Land Preservation Foundation (MALPF).

REPORT-IN-BRIEF: The purchase of permanent land preservation easements through the Maryland Agricultural Land Preservation Program (MALPP) is the largest part of Washington County's rural preservation strategy. All applications are ranked by the local Agricultural Land Preservation Advisory Board using the adopted Priority Ranking Formula which assigns points for such things as quality of soils, proximity to other preserved lands, agricultural status, economic viability, and relationship to other land use areas in the County.

DISCUSSION: Following review and consideration of public comment from this public hearing, Commissioners are requested to approve the top 12 applications to be forwarded to the MALPF Board. Easements are purchased in order from the priority list until funds are exhausted.

Maryland law requires MALPF and the County to maintain confidentiality of financial information and rankings for our easement applicants until the end of an annual easement acquisition cycle. Therefore, only the County Commissioners have the Excel spreadsheet of rankings by the Ag Board. The public copy lists only the names of applicants.

FISCAL IMPACT: No impact to County General Fund. The County will have an opportunity to contribute locally collected Agricultural Transfer Taxes and Real Estate Transfer Taxes in the Fall 2021. Local and State funds are combined (60% State and 40% County) to fund the matching portion of the program.

CONCURRENCES: The Agricultural Land Preservation Advisory Board has approved the rankings of these applications and the limit of 12 applications being forwarded to MALPF.

ALTERNATIVES: Change ranking and/or number of applicants submitted.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: PDF County Map of Applicants



Franklin County
Pennsylvania

