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BOARD OF COUNTY COMMISSIONERS

June 7, 2022

OPEN SESSION AGENDA

- 9:00 AM MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President Jeffrey A. Cline*
APPROVAL OF MINUTES: *May 24, 2022*
- 9:05 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 consult with counsel to obtain legal advice on a legal matter; To conduct collective bargaining negotiations or consider matters that related to the negotiations; and To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.)*
- 10:10 AM RECONVENE IN OPEN SESSION
- 10:10 AM COMMISSIONERS' REPORTS AND COMMENTS
- 10:20 AM STAFF COMMENTS
- 10:25 AM CITIZEN PARTICIPATION
- 10:30 AM WASHINGTON COUNTY, MARYLAND POLICE ACCOUNTABILITY
ORDINANCE – PUBLIC HEARING
Kirk C. Downey, County Attorney
- 11:00 AM 2021 BUILDING CODE REVIEW COMMITTEE
Rich Eichelberger, Director/Code Official, Permits and Inspections; Frank Quillen, Chief Plans Examiner/Deputy Code Official, Permits and Inspections
- 11:05 AM STATE SURPLUS PROPERTY
Todd Moser, Real Property Administrator, Engineering
- 11:10 AM BID AWARD (PUR-1545) – FOUR (4) NEW EMERGENCY BOATS WITH
CUSTOM TRAILERS
Brandi Naugle, Buyer, Purchasing; R. David Hays, Director, Emergency Services
- 11:15 AM LOAN FORGIVENESS FUNDING – FIRST HOSE COMPANY OF BOONSBORO
R. David Hays, Director, Emergency Services

- 11:20 AM 2022 HOUSING BOND ALLOCATION TRANSFER
Jill Baker, Director, Planning and Zoning
- 11:25 AM RENEWAL OF COUNTY’S COMMUNITY DEVELOPMENT BLOCK GRANT
CITIZEN PARTICIPATION AND RESIDENTIAL ANTI-DISPLACEMENT AND
RELOCATION ASSISTANCE PLANS
Rachel Souders, Senior Grant Manager, Grant Management
- 11:30 AM AMERICAN RESCUE PLAN ACT GRANT – ACCEPT AWARDED FUNDING
Rachel Souders, Senior Grant Manager, Grant Management; Kevin Cerrone, Director, Transit
- 11:35 AM SEX OFFENDER COMPLIANCE AND ENFORCEMENT MARYLAND GRANT -
APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING
Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff’s Office; Rachel Souders, Senior Grant Manager, Grant Management
- 11:40 AM THOMAS EASEMENT CONTRIBUTION – MARYLAND AGRICULTURAL
LAND PRESERVATION FOUNDATION (MALPF)
Chris Boggs, Rural Preservation Administrator, Planning and Zoning
- 11:45 AM AGRICULTURE - FACES OF FARMING
Susan Grimes, Director, Business Development; Leslie Hart, Business Development Specialist, Business Development
- 11:55 AM AGRICULTURE – JUNE IS NATIONAL DAIRY MONTH – PRESENTATION OF
PROCLAMATION
Susan Grimes, Director, Business Development; Leslie Hart, Business Development Specialist, Business Development

ADJOURNMENT



Agenda Report Form

Open Session Item

SUBJECT: Washington County, Maryland, Police Accountability Ordinance—Public Hearing

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Kirk C. Downey, County Attorney

RECOMMENDED MOTION: I move to adopt the Washington County, Maryland, Police Accountability Ordinance.

REPORT-IN-BRIEF: A public hearing is being held to receive public testimony on the proposed Washington County, Maryland, Police Accountability Ordinance.

DISCUSSION: Chapter 59 of the 2021 Acts of the General Assembly—Maryland Police Accountability Act of 2021—Police Discipline and Law Enforcement Programs and Procedures (the “Act”) requires that each county of the State of Maryland, among other things, establish a police accountability board (“PAB”) and take the following actions regarding the PAB: (1) establish the membership of the PAB; (2) establish the budget and staff for the PAB; (3) appoint a chair of the PAB who has relevant experience to the position; and (4) establish the procedures for record keeping by the PAB, all subject to certain requirements and restrictions stated in the Act.

The Act further requires that the PAB do the following: (1) hold quarterly meetings with heads of law enforcement agencies and otherwise work with law enforcement agencies and the county government to improve matters of policing; (2) appoint civilian members to charging committees and trial boards; (3) receive complaints of police misconduct filed by members of the public, forwarding the same to the appropriate law enforcement agency for investigation; (4) on a quarterly basis, review outcomes of disciplinary matters considered by charging committees; and (5), by December 31 each year, submit a report to the governing body of the county that identifies any trends in the disciplinary process of police officers in the county and makes recommendations on changes to policy that would improve police accountability in the county.

The Act further requires that each county establish an administrative charging committee which shall review the findings of a law enforcement agency’s investigation and determine whether a police officer who is subject to investigation shall be administratively charged; if a police officer is administratively charged, the administrative charging committee shall recommend discipline in accordance with the law enforcement agency’s disciplinary matrix and

issue a written opinion that describes in detail its findings, determinations, and recommendations.

The proposed Washington County, Maryland Police Accountability Ordinance satisfies the requirements of the Police Accountability Act and effectuates the requirements.

FISCAL IMPACT: Undetermined at this time.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Draft Ordinance

AUDIO/VISUAL NEEDS: N/A

ORDINANCE NO. ORD-2022-

**AN ORDINANCE TO ENACT A NEW ORDINANCE ENTITLED
“WASHINGTON COUNTY, MARYLAND, POLICE ACCOUNTABILITY
ORDINANCE”**

RECITALS

Chapter 59 of the 2021 Acts of the General Assembly—Maryland Police Accountability Act of 2021—Police Discipline and Law Enforcement Programs and Procedures (the “Act”) requires that each county of the State of Maryland, *inter alia*, establish a police accountability board (“PAB”) and take the following actions regarding the PAB: (1) establish the membership of the PAB; (2) establish the budget and staff for the PAB; (3) appoint a chair of the PAB who has relevant experience to the position; and (4) establish the procedures for record keeping by the PAB, all subject to certain requirements and restrictions stated in the Act.

The Act further requires that the PAB do the following: (1) hold quarterly meetings with heads of law enforcement agencies and otherwise work with law enforcement agencies and the county government to improve matters of policing; (2) appoint civilian members to charging committees and trial boards; (3) receive complaints of police misconduct filed by members of the public, forwarding the same to the appropriate law enforcement agency for investigation; (4) on a quarterly basis, review outcomes of disciplinary matters considered by charging committees; and (5), by December 31 each year, submit a report to the governing body of the county that identifies any trends in the disciplinary process of police officers in the county and makes recommendations on changes to policy that would improve police accountability in the county.

The Act further requires that each county establish an administrative charging committee which shall review the findings of a law enforcement agency’s investigation and determine whether a police officer who is subject to investigation shall be administratively charged; if a police officer is administratively charged, the administrative charging committee shall recommend discipline in accordance with the law enforcement agency’s disciplinary matrix and issue a written opinion that describes in detail its findings, determinations, and recommendations.

The Board desires to enact a new ordinance entitled "Washington County, Maryland, Police Accountability Ordinance" (*Ordinance*). The new Ordinance includes language which complies with the requirements of the Act.

NOW, THEREFORE, BE IT ENACTED by the Board of County Commissioners of Washington County, Maryland, that the attached ordinance entitled "Washington County, Maryland, Police Accountability Ordinance," is hereby enacted.

Adopted this ____ day of _____, 2022.

Effective July 1, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, County Clerk

By: _____
Jeffrey A. Cline, President

Approved as to form and legal
sufficiency:

Kirk C. Downey, County Attorney

WASHINGTON COUNTY, MARYLAND

POLICE ACCOUNTABILITY ORDINANCE

Adopted: _____

Effective: _____

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RECITALS

Chapter 59 Laws of Maryland 2021, Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures (*Act*) makes various changes that generally relate to law enforcement, including altering requirements for police officers during traffic stops, establishing higher education financial assistance programs for police officers, increasing civil liability limits applicable to police misconduct lawsuits, repealing the Law Enforcement Officers’ Bill of Rights, and establishing provisions that relate to a statewide accountability and discipline process for police officers.

The Act requires each county to establish a police accountability board.

The Act requires each county to have one administrative charging committee to serve countywide law enforcement agencies and local law enforcement agencies within the county.

The Board of County Commissioners of Washington County, Maryland (*Board*), desires to conform to the requirements of the Act which becomes effective July 1, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Board that there shall be a Washington County Police Accountability Board and a Washington County Administrative Charging Committee applicable to countywide law enforcement agencies and local enforcement agencies within Washington County as further provided herein.

Section 1. Short Title.

This Ordinance may be cited as the “Washington County, Maryland, Police Accountability Ordinance.”

Section 2. Definitions.

In this Ordinance, the following words have the meanings indicated, unless otherwise stated herein:

A. “Administratively Charged” means that a Police Officer has been formally accused of misconduct in an administrative proceeding.

B. “Disciplinary Matrix” means a written, consistent, progressive, and transparent tool or rubric that provides ranges of disciplinary actions for different types of misconduct, and which is prescribed by the Maryland Police Training and Standards Commission.

C. “Exonerated” means that a Police Officer acted in accordance with the law and agency policy.

D. “Law Enforcement Agency(ies)” has the meaning stated in Md. Code Ann., *Pub. Safety* § 3-201, as amended from time to time.

E. “Not Administratively Charged” means that a determination has been made not to administratively charge a Police Officer in connection with alleged misconduct.

F. “Police Misconduct” means a pattern, a practice, or conduct by a Police Officer or Law Enforcement Agency that includes:

- (1) depriving persons of rights protected by the Constitution or laws of the State or the United States;
- (2) a violation of a criminal statute; and
- (3) a violation of Law Enforcement Agency standards and policies.

G. “Police Officer(s)” has the meaning stated in Md. Code Ann., *Pub. Safety* § 3-201, as amended from time to time.

H. “Unfounded” means that the allegations against a Police Officer are not supported by fact.

Section 3. Police Accountability Board.

A. *Establishment.* There is a Washington County Police Accountability Board (WCPAB) to serve countywide Law Enforcement Agencies and local Law Enforcement Agencies within Washington County as defined in Md. Code Ann., *Pub. Safety* § 3-201, as amended from time to time.

B. *Composition.*

(1) The WCPAB shall be composed of five (5) members appointed by majority vote of the Board.

(2) The Board shall appoint a chairperson of the WCPAB from the WCPAB's existing membership, said chairperson to be a person who has extensive knowledge of state and/or local police practices and professional experience interacting with the criminal justice system.

C. *Terms of Office.*

(1) Initial Terms: To maintain staggered terms of office, during the initial terms, the initial chairperson shall be appointed for a three (3) year term, two (2) members shall be appointed for a two (2) year term, and two (2) members shall be appointed for a one (1) year term.

(2) Subsequent Terms: All terms of office subsequent to the initial terms shall be three (3) years.

(3) Consecutive Terms: A WCPAB member shall not serve more than two (2) consecutive full terms.

D. *Duties.* The WCPAB shall do the following:

(1) Hold not less than quarterly meetings with heads of Law Enforcement Agencies and otherwise work with Law Enforcement Agencies and the Board to improve matters of policing within Washington County;

(2) Appoint civilian members to charging committees pursuant to MD. Code Ann., *Pub. Safety* § 3-104(a)(2)(ii), as amended from time to time, and trial boards pursuant to Md. Code Ann., *Pub. Safety* § 3-106(b)(2), as amended from time to time;

(3) Receive complaints of Police Misconduct filed by members of the public;

(4) Review outcomes of disciplinary matters considered by charging committees on a quarterly basis; and

(5) Submit a report to the Board by December 31 each year that identifies any trends in the disciplinary processing of Police Officers in Washington County and includes recommendations on policy changes that would improve police accountability in Washington County.

E. *Meetings.* The WCPAB shall meet at the call of the WCPAB chairperson as often as necessary to perform its duties but not less than quarterly on an annual basis.

Section 4. Administrative Charging Committee.

A. *Establishment.* There is a Washington County Administrative Charging Committee (WCACC) to serve countywide Law Enforcement Agencies and local Law Enforcement Agencies within Washington County.

B. *Composition.*

(1) The WCACC shall be composed of five (5) members;

(2) The chairperson of the WCPAB, or a member designated by the WCPAB's chairperson, shall serve as a member of the WCACC;

(3) The Board shall appoint two (2) civilians as members of the WCACC by majority vote;

(4) The WCPAB shall appoint two (2) civilians to the WCACC by majority vote;

(5) The members of the WCACC shall elect a chairperson annually from among the WCACC's members by a majority vote each first meeting occurring on or after July 1.

C. *Terms of Office.*

(1) Initial Terms: To maintain staggered terms of office, during the initial terms, the initial chairperson shall be appointed for a three (3) year term, two (2) members shall be appointed for a two (2) year term, and two (2) members shall be appointed for a one (1) year term.

(2) Subsequent Terms: All terms of office subsequent to the initial terms shall be three (3) years.

(3) Consecutive Terms: A WCACC member shall not serve more than two (2) consecutive full terms.

(3) Chairperson. The chairperson of the WCACC may serve no more than two (2) consecutive full terms as chairperson.

D. *Required Training*. Before serving on the WCACC, each member shall receive training on matters relating to police procedures as prepared and prescribed by the Maryland Police Training and Standards Commission.

E. *Duties*. The WCACC shall do the following:

(1) Meet once per month, or as needed;

(2) Adopt rules of procedure and conduct for hearings that provide procedural and substantive due process and which may be amended from time to time as a majority of the WCACC voting members may deem necessary and appropriate;

(3) Review the findings of a Law Enforcement Agency's investigation conducted and forwarded to the WCACC in accordance with the Act;

(4) Determine whether the Police Officer as defined in Md. Code Ann., *Pub. Safety* § 3-201, as amended from time to time, who is subject to investigation shall be Administratively Charged or Not Administratively Charged;

(5) Recommend discipline in accordance with the Law Enforcement Agency's Disciplinary Matrix established in accordance with Md. Code Ann., *Pub. Safety* § 3-105 and § 3-106, as amended from time to time, if the Police Officer is charged;

(6) Review any body camera footage that may be relevant to the matters covered in the complaint of Police Misconduct;

(7) Authorize a Police Officer called to appear before the WCACC to be accompanied by a representative;

(8) Issue a written opinion that describes in detail the WCACC's findings, determinations, and recommendations; and

(9) Forward a written opinion to the chief of the Law Enforcement Agency, the Police Officer, and the complainant.

F. *Authorized Actions.* In executing its duties, the WCACC may take the following actions:

(1) Request information or action from the Law Enforcement Agency that conducted the initial investigation, including requiring additional investigation, consultation with any member of the Law Enforcement Agency who has or may have information pertinent to the complaint and/or the Police Officer involved, including the Police Officer's supervisor or the chief or sheriff of the Law Enforcement Agency;

(2) Issue subpoenas pursuant to Md. Code Ann., *Pub. Safety* § 3-104(f)(1), as amended from time to time;

(2) If the Police Officer is Not Administratively Charged, determine that the allegations against the Police Officer are Unfounded or that the Police Officer is Exonerated; and

(3) Record, in writing, any failure of supervision that caused or contributed to a Police Officer's Police Misconduct.

G. *Meetings.* The WCACC shall meet at the call of the WCACC chairperson as often as necessary to perform its duties but not less than monthly.

Section 5. Membership

A. *Diversity.* To the extent practicable, the membership of the WCPAB and the WCACC shall reflect the racial, gender, and cultural diversity of Washington County.

B. *Active Police Officer Ineligible.* No active Police Officer may be a member of the WCPAB or the WCACC.

C. *Qualifications.* All applicants for membership on the WCPAB and the WCACC shall meet the following qualifications:

(1) Be adult residents of Washington County for at least one (1) year immediately prior to applying for membership; and

(2) Be registered voters of Washington County; and

(3) Be at least twenty-five (25) years of age as of the date of appointment;
and

(4) Not be an active Police Officer; and

(5) Have a demonstrated commitment to just and fair outcomes, as well as respect for and adherence to established processes and procedures in professional settings.

D. *Criminal History.* All applicants for membership on the WCPAB and the WCACC shall be subject to criminal history background checks performed prior to the date of appointment. Any one or more of the following shall deem an applicant ineligible for appointment:

(1) Conviction of a felony;

(2) Conviction of any of the following misdemeanors within a period of fifteen (15) years prior to applying for membership: (a) a misdemeanor that carries a maximum penalty of greater than one (1) year; (b) crime of violence; (c) any crime involving theft; or (d) perjury;

(3) Subjection to an order of judicial probation, including probation before judgment, whether supervised or unsupervised;

(4) Subjection, as a defendant or respondent, to an order of protection from domestic violence or a peace order, or a similar such order from another in-state or out-of-state jurisdiction.

E. *Felony Conviction During Term of Office.* Any member who becomes convicted of a felony during a term of office as a member of the WCPAB or the WCACC shall report the same to the Board and shall resign or be subject to removal if such member fails to resign.

F. *Membership Duration.* Members shall hold their positions until their successors are selected and qualified.

G. *Applicable Legal Authority.*

(1) Ethics: All members of the WCPAB and the WCACC are subject to the applicable provisions of the Washington County, Maryland, Ethics Ordinance No. ORD-2011-20, as amended from time to time (*Ethics Ordinance*).

(2) Confidentiality: Members of the WCPAB and the WCACC shall maintain confidentiality relating to all matters before them and are subject to Washington County Policy No. PR-35—Confidentiality (*Confidentiality Policy*).

(3) Open Meetings Act: Members of the WCPAB and the WCACC shall comply with the Maryland Open Meetings Act, codified at Md. Code Ann., *Gen. Provisions* § 3-101, *et seq.*, as amended from time to time (*Open Meetings Act*).

Section 6. Resignation, Removal, and Vacancy

A. *Resignation*. Any member of the WCPAB or the WCACC may resign at any time by providing written notice to the Board.

B. *Removal*. Any member of the WCPAB or the WCACC may be removed in accordance with the following provisions:

(1) The Board retains the authority to remove any member when the member (i) no longer meets any of the criteria of the Act or this Ordinance; (ii) violates the Ethics Ordinance; (iii) fails to maintain confidentiality in violation of the Confidentiality Policy; or (iv), upon the recommendation of a majority vote of the WCPAB when, in its discretion, the best interest of the WCPAB would not be served by continued membership.

(2) The chairperson shall notify the Board if a member of the WCPAB or the WCACC misses three (3) scheduled meetings in any twelve (12) month period without an excused absence. The Board shall remove such member by majority vote, and a replacement member will be appointed pursuant to the provisions of the Act and this Ordinance.

C. *Vacancy*. A vacancy arising on the WCPAB or the WCACC shall be filled in accordance with the provisions of this Ordinance with the appointee to any vacancy serving the remainder of the unexpired term.

Section 7. Handling of Complaints.

(1) Each complaint of Police Misconduct received by the WCPAB shall be forwarded within three (3) days of receipt by the WCPAB to the appropriate Law Enforcement Agency. If no meeting of the WCPAB is scheduled within that timeframe, the chairperson of the WCPAB shall ensure that such complaint is forwarded and shall report the transfer of such report to the WCPAB at its next meeting.

(2) The WCPAB chairperson shall make and retain a copy of the complaint before forwarding the complaint to the appropriate Law Enforcement Agency.

(3) The Law Enforcement Agency receiving a complaint from the WCPAB shall promptly investigate the complaint and provide its investigatory files to the Administrative Charging Committee.

(4) Each member of the WCPAB shall maintain confidentiality relating to any complaints of Police Misconduct until final disposition and shall sign a confidentiality agreement agreeing to comply with all applicable confidentiality requirements.

Section 8. Conduct of Administrative Charge.

Any administrative charge issued by the WCACC pursuant to this Ordinance shall be resolved consistently with Md. Code Ann., *Pub. Safety* § 3-105(c), as amended from time to time

Section 9. Conflicts, Quorum, Meeting Rules, Record Keeping, and Support

A. *Conflicts.*

(1) Conflicted Vote Prohibited. No member of the WCPAB or the WCACC shall cast a vote on any matter where a conflict of interest exists.

(2) Conflict Uncertain. In any instance where the determination of a conflict of interest is uncertain, the Board may request a determination of conflict of interest from the Washington County Ethics Commission, which determination shall not be unreasonably withheld.

B. *Quorum.* Three (3) members present at any meeting of the WCPAB or the WCACC shall constitute a quorum to conduct business; however, passage of any motion

shall require a majority vote of all respective members of the WCPAB or the WCACC, whether or not such respective members are present.

C. *Meeting Rules.*

(1) Rules. Notwithstanding any rules of procedure and conduct for hearings that provide procedural and substantive due process that may be adopted by the WCPAB or the WCACC, all meetings shall be conducted in accordance with the latest edition of Robert's Rules of Order, unless such rules are inconsistent with said adopted rules or this Ordinance.

(2) One Vote Per Member. There shall be one (1) vote per member of each of the WCPAB and the WCACC. Any members serving both the WCPAB and the WCACC shall have one (1) vote in each body. The chairperson of each of the WCPAB and the WCACC is entitled to vote on any item unless precluded by operation of the Ethics Ordinance.

(3) Tie Vote. A tie vote for or against a motion means that a motion fails.

D. *Record Keeping.*

(1) WCPAB Records. The WCPAB chairperson shall be the custodian of all records in any form, including, without limitation, paper, media, and electronic, in possession of the WCPAB; and all records shall be deposited with the Office of the County Attorney where they shall be secured and retained for the minimum time required under Maryland law.

(2) WCACC Records. The WCACC chairperson shall be the custodian of all records in any form, including, without limitation, paper, media, and electronic, in possession of the WCACC; and all records shall be deposited with the Office of the County Attorney where they shall be secured and retained for the minimum time required under Maryland law.

E. *Support.*

(1) The Board shall provide support personnel as may be required by the WCPAB and the WCACC.

(2) The Office of the County Attorney shall provide legal support to the WCPAB and the WCACC unless prohibited by a conflict of interest or other cause.

(3) The Board shall provide such meeting space, supplies, equipment, and support, including, without limitation, technology support and secure storage, as may be required by the WCPAB and the WCACC to perform their respective duties.

Section 10. Budget

A. *WCPAB Budget.* The Board shall approve a budget for the WCPAB that may include the following:

(1) An annual appropriation for office supplies, studies, contracted administrative support as needed, and legal services as needed, relevant to the mission of the WCPAB and potentially supported by grant assistance from the Governor's Office of Crime Control and Prevention (GOCCP); and

(2) A quarterly stipend to members in such amount as the Board may deem appropriate.

B. *WCACC Budget.* The Board shall approve a budget for the WCACC that may include the following:

(1) An annual appropriation for office supplies, studies, contracted administrative support as needed, and legal services as needed, relevant to the mission of the WCACC and potentially supported by grant assistance from the GOCCP; and

(2) A stipend for members per meeting with a per annum maximum amount per member as the Board may deem appropriate.

Section 11. Effective Date.

This Ordinance takes effect on the date on which it is adopted and applies to eligible complaints based on incidents occurring on or after July 1, 2022.

BE IT FURTHER RESOLVED by the Board that, if any portion of this Resolution is found to be unconstitutional, illegal, or null and void, the Board intends that only the invalidated portion or provision be severed from this Resolution and that the remainder of this Resolution shall be enforceable and valid.

BE IT FURTHER RESOLVED by the Board that the foregoing Recitals are adopted as if fully rewritten here.

ADOPTED and **EFFECTIVE** this ____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

Jeffrey A. Cline, President

Approved as to form
and legal sufficiency:

Kirk C. Downey
County Attorney

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



Agenda Report Form

Open Session Item

SUBJECT: 2021 Building Code Review Committee

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Rich Eichelberger, Director of Permits and Inspections/Code Official, Frank Quillen, Chief Plans Examiner/Deputy Code Official

RECOMMENDED MOTION: Request consensus for the formation of a Building Code Review Committee to assist in the review of the 2021 Building Codes in preparation for local adoption.

REPORT-IN-BRIEF: The 2021 code adoption, as required by the State of Maryland, includes State Building Performance Standards and Washington County local amendments. Local amendments allow for some modification to the new codes to meet local conditions and for consistency and coordination with customers as well as external agencies. The local amendments will be the result of the work of this committee.

DISCUSSION: It is anticipated the State of Maryland will adopt the Maryland Building Performance Standards (MBPS) to become effective September 2022. Local jurisdictions are required to adopt the MBPS with local amendments as needed to the needs of that jurisdiction within 12 months of state adoption. The committee will provide review of the state adopted codes and provide recommendations to the Commissioners for final approval. The goal is to complete the process for adoption and implementation by July 2023.

As with prior code cycles, a request has been presented to the Commissioners to create a Building Code Review Committee. The Committee would consist of various government, design, and construction representatives. The purpose of the review is to consider safety, consistency, common sense, and customer service across agencies as it relates to Washington County. A copy of the 2018 Review Committee Members has been provided to demonstrate the diversity of the previous members.

The Plumbing, Mechanical, and Electrical codes will be reviewed by the members of their respective Boards.

FISCAL IMPACT: Approximately \$5,500 for Committee/Board member code books. This is a budgeted item.

CONCURRENCES: County Administrator

ALTERNATIVES: N/A

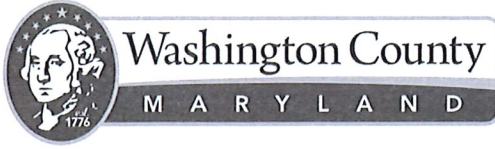
ATTACHMENTS: 2018 Committee Members List

AUDIO/VISUAL NEEDS: N/A



WASHINGTON COUNTY 2018 BUILDING CODE REVIEW COMMITTEE

- **Maryland Registered Architect – Michael Gehr AIA
Bushey Feight Morin Architects Inc. – BFM Architects Inc.**
- **Maryland Registered Structural Engineer – Dan Matonak, P.E.
Matonak & Associates**
- **Maryland Licensed Mechanical Engineer – Les Grim, P.E., LEED AP, CxA
L.S. Grim Consulting Engineers**
- **Washington County Licensed Residential Home Builder – Carl Vogel
Oliver Homes**
- **City of Hagerstown Building Official Representative – Blaine Mowen
Chief Code Official, City of Hagerstown Planning & Codes Administration**
- **County Building Code Official/Division Director – Richard W. Eichelberger
Division of Construction**
- **County Division Director – Ashley Holloway
Division of Plan Review & Permitting**
- **County Deputy Code Official/Chief Plans Examiner – Frank Quillen
Division of Construction**
- **Maryland State Fire Marshal Official Representative – Larry Iseminger
Fire Protection Engineer
State Fire Marshal's Office**
- **County Chief Building Inspector/Senior Plans Examiner – Terry Feiser
Division of Construction**
- **Administrative Assistant- Kamera Gordon
Division of Construction**
- **Code Review Coordinator- Chief of Permitting – Becky Gander
Division of Plan Review and Permitting**



Agenda Report Form

Open Session Item

SUBJECT: State Surplus Property

PRESENTATION DATE: June 7, 2022

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

RECOMMENDED MOTION: Arrive at a consensus to decline acquisition of state surplus property.

REPORT-IN-BRIEF: The State of Maryland has declared a property located off U.S 340 just south of the intersection with Valley Road in Washington County.

DISCUSSION: In accordance with Maryland Department of Transportation Policy and Procedures, the State has offered the County first right of refusal. The County would be required to pay market value (determined by the State) for the property. County staff has reviewed the property and determined the property would serve no immediate or future use to the County.

FISCAL IMPACT: N/A

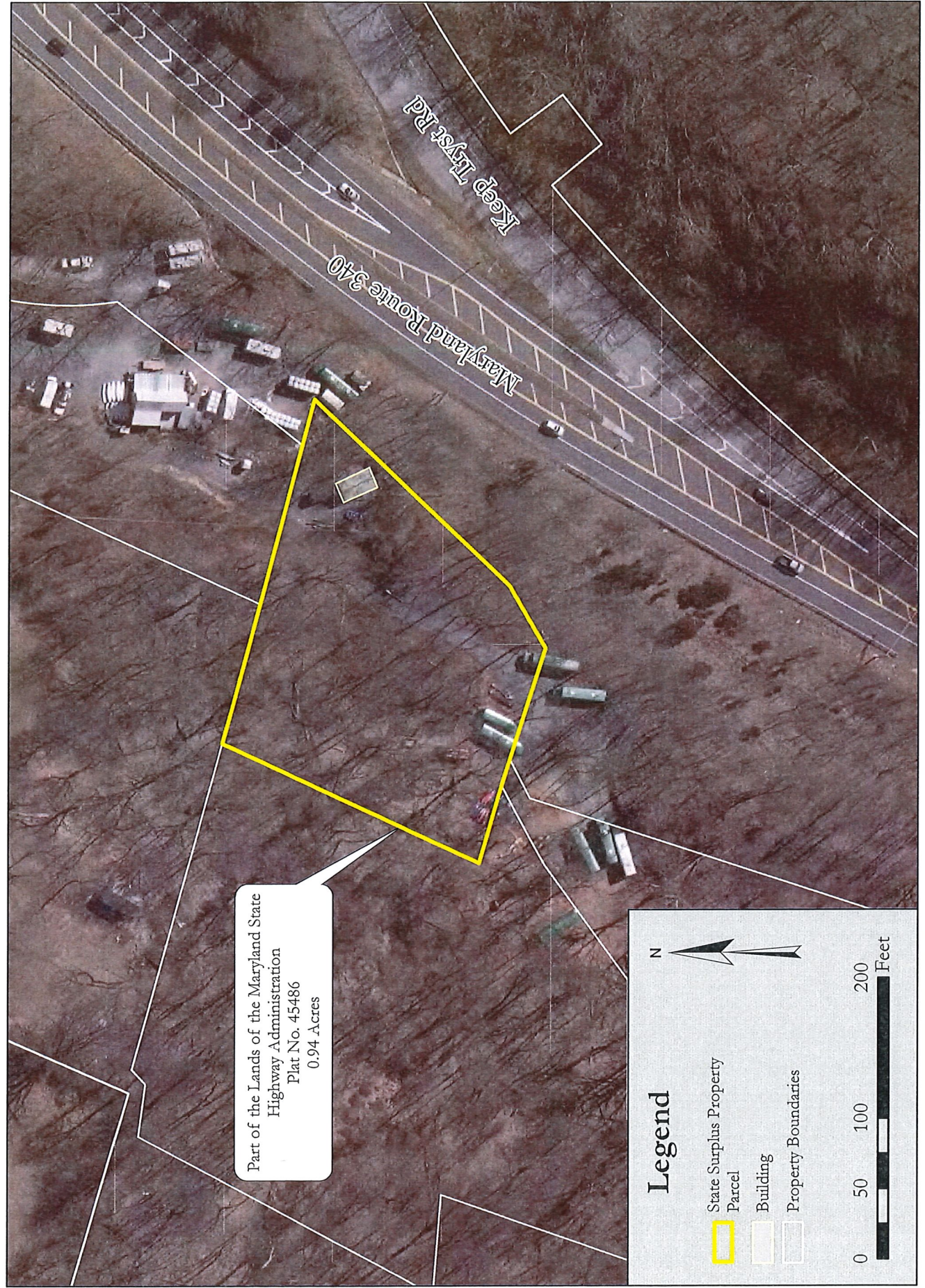
CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: State Clearance Package, Aerial map

AUDIO/VISUAL NEEDS: N/A

State Surplus Property



May 16, 2022

Mr. Todd Moser
Real Property Administrator
Division of Engineering
80 W. Baltimore Street
Hagerstown MD 21740

Dear Mr. Moser:

The Maryland Department of Transportation State Highway Administration (MDOT SHA) anticipates the sale of MC# 22-2745 identified as the former Florence Kelly, Et Ux properties, Item No's 2977, 45463, 48549, and 48550 and further described in the attached Salient Fact Sheet with Property Plat, Tax and Location Maps.

In accordance with Maryland Department of Transportation Policy and Procedures, before proceeding with any other sales activity, we will allow you a period of **30 days** to review the attached information, request additional information and to notify us of your interest, in writing, concerning the property as offered. This review period shall expire on **Thursday June 16, 2022**, without further notice. Please be aware that in most cases an interest in the property would require the purchase of the property based on an appraised value or, in a few cases, a cost-plus interest basis. Additionally, we are not interested in a conveyance on any exchange basis.

Should you have an interest in acquiring the subject property, please contact this office, in writing, on or before the expiration of the review period. Any other extension for your consideration of this property must be requested, in writing, within the review period and shall be subject to specific written approval from this office.

If you have no interest in the property, please notify the following individual at your earliest convenience. In either case, we request you provide all responses to:

Ms. Mashel Wakil
Program Coordinator, Real Estate Services
Office of Real Estate and Economic Development
Maryland Department of Transportation The Secretary's Office
7201 Corporate Center Drive, MS 470
Hanover MD 21076
Phone: 410-865-1234
email: mwakil@mdot.maryland.gov

Mr. Todd Moser

Page Two

If you have any questions or need additional information, please do not hesitate to contact me at 410-865-1234, toll free at 866-242-9405 or via email at mwakil@mdot.maryland.gov.

Sincerely,

Mashel Wakil

Mashel Wakil
Program Coordinator, Real Estate Services
Office of Real Estate and Economic Development

Attachments

- Salient Fact Sheet
- Plat No. 61992
- Location and Tax Maps
- Aerial

cc: Mr. Dwayne Kershner, Real Property Supervisor, Property Asset Management Division,
Maryland Department of Transportation State Highway Administration

Salient Fact Sheet

Conveyance of Real Property

Maryland Department of Transportation State Highway Administration
Office of Real Estate

Date of Preparation: February 14, 2022 **Refer to MC #:** 22-2745
Property Name: Florence Kelly/Robert Himes/Charles Harrison/Leslie Harrison
Property Item/Reference # 2977/45463/48549/48550 **Internal Clearance:** August 7, 2019
Plat No: 61992 **Dated:** February 3, 2022
Location: Located along the west side of U.S 340, just south of the intersection with Valley Road, 0.5 miles north of Sandy Hook, Washington County

SDAT Property Tax Information:

County:	Washington	Tax Map #:	87	Parcel:	Adjoins 19
Grid:		Block:	15	Account #	(Insert #)

Type of Transaction: Disposition
Acreage: Containing a total of 45,457 square feet or 1.044 acre of land, plus or minus
Improved: No
Description of Improvements: N/A
Consideration: TBD
Federal Approval: N/A

Additional Notes/Info: MDOT SHA acquired the subject property in 1961 for the dualization of U.S. 340 between Frederick and the Sandy Hook Bridge across the Potomac River. These landlocked properties, which have been assembled, are not capable of an independent use. MDOT SHA proposes to offer these properties to the adjoining owners by sealed bid.

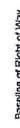
The following information is provided subject to Appraisal and is in no way warranted:


Assumed Zoning: Residential/Agriculture
Utilities Available: None available
Estimated Market Value: TBD

Prepared by:

Dwayne Kershner
Real Property Supervisor, Office of Real Estate
Maryland Department of Transportation State Highway Administration
707 N. Calvert Street
Baltimore MD, 21202

Phone: 410-545-2807
Fax: 410-209-5023
email: dkershner@mdot.maryland.gov



REC'D	LIBER	FOLIO
	1	K 4011225 W 51.04
	2	S 592214 W 80.05
	3	N 9411237 W 103.72
	4	N 2523055 E 203.01
	5	N 3223055 E 23.68
	6	S 7414372 E 219.72
	7	R = 1,020.47 L = 119.07 CHD S 3113522 W 119.05
	8	S 5524732 W 83.01
	CONVEYANCE AREA	
	43.47 SQ. FT. OR LOC. ACRES.	
	SHOWN THUS: 	

[illegible][illegible][illegible]

DOC	PAGE OF PAGE	LOCATED IN	COUNTY
148	4702	PREPARED BY FREEDRICK, SEGREST & ASSOCIATES, INC.	
	2547	ACQUIRED 178 S. NOTIONAL ST. HAGERSTOWN, MD 21740	
	2670		
	4548	CONSTRUCTION PROJECT: U.S. 340 FROM SANDY HOOK BRIDGE TOWARD MOUNTAIN ROAD	

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
STATE ROADS COMMISSION

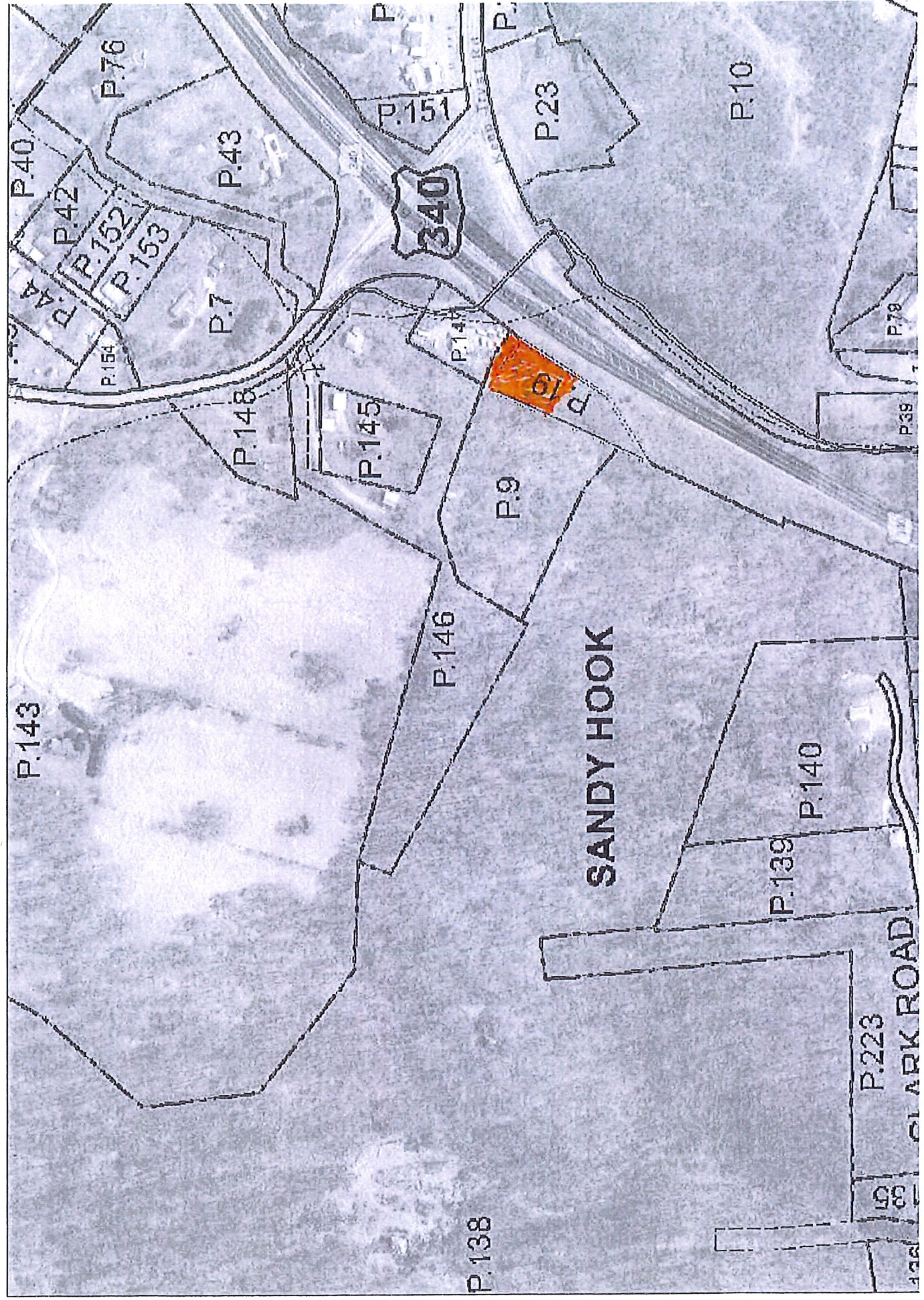
U.S. 340 FROM SANDY ROCK BRG
TOWARD MOUNTAIN ROAD

RIGHT OF WAY PROJECT:
RIGHT OF WAY PROJECT NO. 1
ISSUED EXTRACT 1
FEDERAL AID PROJECT NO. W-402-1-1-20
SCALE: 1"=50'

CONVEYANCE

TOTAL AREA CONVEYED OR TO BE CONVEYED BY THE STATE HIGHWAY
ADMINISTRATION - STATE ROADS COMMISSION OF MARYLAND
45,457 SQ. FT. OR 1.044 ACRES±
SHOWN THUS.

Walter Lee Property







Agenda Report Form

Open Session Item

SUBJECT: Bid Award (PUR-1545) - Four (4) New Emergency Boats with Custom Trailers

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department and R. David Hays, Director, Division of Emergency Services (DES)

RECOMMENDATION: Move to award the bid for four (4) New Emergency Boats with Custom Trailers for the Division of Emergency Services to the responsible, responsive bidder Demaree Inflatable Boats, Inc. of Friendsville, Md. who submitted the total bid sum in the amount of \$158,476.

REPORT-IN-BRIEF: The bid was advertised in the local newspaper, listed on the State of Maryland's (eMMA) "*eMaryland Marketplace Advantage*" website and on the County's website. Thirteen (13) persons/companies registered and downloaded the bid document on-line. One (1) bid was received on May 18, 2022 as indicated on the bid tabulation matrix.

The purchase of the four (4) rescue boats and associated equipment provides a much-needed upgrade to the County's swift water rescue programs that are operated under the Division of Emergency Services.

The new rescue boats will replace three (3) current rescue boats, all of which exceed fifteen (15) years in service. The fourth (4) rescue boat will add swift water rescue capabilities to the Hancock area which is not adequately served by existing resources. The four (4) new rescue boats will standardize the units through the type of watercraft, motors and trailers, all of which will enhance responder safety and improve operator training.

DISCUSSION: NA

FISCAL IMPACT: Funds are budgeted in the Division of Emergency Services' Capital Improvement Plan (CIP), 600300-30-11430.

CONCURRENCES: NA

ALTERNATIVES: N/A

ATTACHMENTS: Bid Tabulation Matrix

PUR-1545
Four (4) New Emergency Boats with Custom Trailers

				Demaree Inflatable Boats, Inc. Friendsville, MD	
Item No.	Item Description	Unit of Measure	Qty.	Unit Price	Total Price
1	Four (4) fourteen-foot (14') inflatable, catamaran style, self-bailing water rescue boats.	Each	4	28,075.00	\$112,300.00
2	Custom Fit Trailers for Four (4) fourteen-foot (14') inflatable, catamaran style, self-bailing water rescue boats.	Each	4	11,544.00	\$46,176.00
Total Lump Sum (Item No's. 1 and 2 above)				\$158,476.00	

**Corrected calculation based on unit pricing*

Remarks / Exceptions:

Damaree Inflatable Boats, Inc.

Scope of Work Specifications

GENERAL

Item No. 16. 6.5" - one ply

ENGINE

Item No. 1. Mercury available to ship is 53 wks, ARO

Item No. 2. 12 gal.

Item No. 3. 12 gal.

CUSTOM TRAILER

Item No. 2. 6'

DELIVERY

Item No. 2. Due to Motor Availabilty Approx 56 weeks.

WARRANTY

Item No. 1. Warranty for 1 year from date of purchase

Bids Opened: May 18, 2022



Agenda Report Form

Open Session Item

SUBJECT: **Loan Forgiveness Funding – First Hose Company of Boonsboro**

PRESENTATION DATE: May 24, 2022

PRESENTATION BY: R. David Hays, Director - Division of Emergency Services

RECOMMENDED MOTION: To authorize a Budget Adjustment for \$300,000.00 from CIP reserves to cover the loan forgiveness and replace the funds utilized from the Volunteer Fire and Rescue Reserve Apparatus Fleet in 2018.

REPORT-IN-BRIEF: On August 24, 2018 the Board of County Commissioners (BOCC) authorized a \$300,000.00 loan forgiveness to the First Hose Company of Boonsboro. The motion authorized that the Division of Emergency Services encumber the original Revolving Loan value for (\$300,000.00) that is indebted to the First Hose Company of Boonsboro, and to defer additional payments on the loan for a period of 36-months; or until adequate CIP funds are available to repay the loan value.

DISCUSSION: The thirty-six (36) month loan deferment period has now ended. Under the forgiveness proposal, the County will reimburse the First Hose Company of Boonsboro an amount of \$57,161.85, which is the amount already repaid to the County under the original loan obligation. Further, that upon completion and execution of the loan forgiveness, the First Hose Company of Boonsboro will affect title transfer of the vehicle, in whole, to the County.

The Loan awarded to the First Hose Company of Boonsboro was the result of a vehicle accident and subsequent total loss insurance claim that was not sufficient to cover the replacement cost of the engine/tanker. At the time of the loan award, it was determined that replacement of this apparatus was necessary to continue a vital water service to Southern Washington County during large fire and other events.

FISCAL IMPACT: \$300,000.00

CONCURRENCES: Kelcee Mace, Interim Chief Financial Officer

ALTERNATIVES: N/A

ATTACHMENTS: First Hose Company of Boonsboro Loan Proposal.

AUDIO/VISUAL NEEDS: N/A



Washington County, Maryland Budget Adjustment Form

Print Form

- ☒ Budget Amendment - Increases or decrease the total spending authority of an accounting fund or department
- ☐ Budget Transfer - Moves revenues or expenditures from one account to another or between budgets or funds.

Department Head Authorization

Division Director / Elected Official Authorization

Budget & Finance Director Approval

County Administrator Approval

County Commissioners Approval

R. David Hays

Digitally signed by R. David Hays
Date: 2022.05.13 12:18:17 -0400

Transaction/Post - Finance

Deputy Director - Finance

Preparer, if applicable

Kelcee Mace

Digitally signed by Kelcee Mace
Date: 2022.05.13 16:03:09 -0400

Required approval with date

If applicable with date

May 13, 2022

Required approval with date

Required approval with date

Required > \$ 25,000 with date

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) + / -
498710	30	11520	VEH012		0000	Capital Transfer - General (Reserve)	300,000
599999	30	11520	VEH012		VHCL	Vol Fire Apparatus Reserve Fleet	300,000

Explain Budget Adjustment

Staff is requesting a budget adjustment to fund the loan forgiveness for First Hose Company of Boonsboro. The funds will come from capital reserves.

Required Action by County Commissioners

☐

No Approval Required

☒

Approval Required

Approval Date if Known



Agenda Report Form

Open Session Item

SUBJECT: 2022 Housing Bond Allocation Transfer

PRESENTATION DATE: June 7, 2022

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

RECOMMENDED MOTION: Move to approve the transfer of Washington County's 2022 Housing Bond Allocation in the amount of \$5,917,412.00 to the Community Development Administration for use in issuing housing bonds on behalf of Washington County.

REPORT-IN-BRIEF: Each year the State of Maryland invites local governments to partner in a statewide bond pool for first time homebuyers. The pool allows counties to transfer their housing bond allocation to the State to issue bonds to fund housing programs. Washington County has traditionally used this allocation to participate in the Maryland Mortgage Program (MMP).

DISCUSSION: Washington County has been transferring its housing bond allocation to the Community Development Administration (CDA) annually since at least 2007. The maximum allowable acquisition costs for the MMP in FY 2021 were \$311,980 and \$381,308 in targeted areas. Income limits for MMP participants in FY 2021 were between \$106,000 and \$148,400 depending on family size. The MD DHCD reports purchasing activity in Washington County as 58 units in 2019 (\$8,757,273), 112 units in 2020 (\$17,949,089), and 64 units in 2021 (\$11,650,118). Targeted areas in Washington County are within Hagerstown city limits.

FISCAL IMPACT: No cost to Washington County

CONCURRENCES: n/a

ALTERNATIVES: If there is no transfer there will be less money available to make housing loans to Washington County applicants from the Maryland Mortgage Program.

ATTACHMENTS: Letter to MD Department of Housing and Community Development

AUDIO/VISUAL NEEDS: n/a



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

June 7, 2022

Maddy Ciulu, Director
Single Family Housing
Community Development Administration
Department of Housing & Community Development
7800 Harkins Road, Room 367
Lanham, Maryland, 20706

Dear Ms. Ciulu:

Pursuant to Sections 13-801 through 13-807 of the Financial Institutions Article of the Maryland Annotated Code, Washington County hereby irrevocably transfers to the Community Development Administration, for use in issuing housing bonds or mortgage credit certificates on behalf of this jurisdiction, 100% of its total \$5,917,412.00 tax-exempt housing bond allocation as set forth in 2022 allocation of the Maryland State Ceiling made by the Secretary of Commerce pursuant to the Article.

Sincerely,

Jeffery A. Cline, Chairperson
Board of County Commissioners of Washington County,
Maryland

Certificate of Counsel

This transfer of a tax-exempt bond allocation is duly authorized and executed and constitutes the valid, binding and irrevocable act of Washington County, Maryland.

Kirk C. Downey, County Attorney
Washington County, Maryland

Open Session Item

SUBJECT: Renewal of County's Community Development Block Grant Citizen Participation and Residential Anti-Displacement and Relocation Assistance Plans

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Rachel Souders, Senior Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to renew the County's Community Development Block Grant Citizen Participation & Residential Anti-Displacement and Relocation Assistance Plans.

REPORT-IN-BRIEF: Federal regulations require that each unit of local government receiving or expecting to receive Community Development Block Grant (CDBG) funds must adopt a Citizen Participation Plan to meet citizen participation requirements contained in the code of federal regulations pertaining to Community Development Block Grants. Each unit of local government is also required to adopt and make public a Residential Anti-Displacement and Relocation Assistance Plan. It is required that each plan be current and effective for a five year period. The County adopted these plans in 2017 and they will expire in July 2022, so they must be renewed to maintain compliance with Department of Housing and Community Development (DHCD) regulations.

DISCUSSION: The Citizen Participation Plan states the County will do the following: Provide for and encourage citizen participation; ensure that citizens will be given reasonable and timely access to local meetings, information and records relating to the County's proposed and actual use of CDBG funds; furnish the citizens information about CDBG funds and activities; provide technical assistance; provide a minimum of two public hearings; provide citizens with notice of, and opportunity to comment on, proposed activities in an application to the State of Maryland; and provide citizens with the opportunity to submit complaints and grievances.

The Residential Anti-Displacement and Relocation Plan states the County or its designee will do the following when any tenant is to be displaced as a result of CDBG financed activities:
The county or its designee will replace all occupied, and vacant occupiable, low/moderate income housing in connection with activities assisted with funds provided under the HCD Act of 1974, as amended. The County or their designee will provide relocation assistance, as described in 24 CFR 42.350, to each low/moderate income household displaced by the acquisition or demolition of housing or by the conversion or rehabilitation of low/moderate income dwelling to another use as a direct result of assisted activities.

FISCAL IMPACT: Will allow the County to continue receiving CDBG funds.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny the request to renew the plans.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: American Rescue Plan Act Grant – Accept Awarded Funding

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Rachel Souders, Senior Grant Manager, Office of Grant Management;
and Kevin Cerrone, Director, Washington County Transit

RECOMMENDED MOTION: Move to approve acceptance of American Rescue Plan Act Grant Funding

REPORT-IN-BRIEF: Washington County Transit has been awarded Federal American Rescue Plan Act (ARPA) grant funding in the amount of \$512,092. Administered by the Maryland Department of Transportation/Maryland Transit Administration (MDOT/MTA), the multi-year project is documented as an amendment to the previously executed FY20 Annual Transportation Plan (ATP).

DISCUSSION: The ARPA funds associated with the plan will be continued or improved operation of the public transportation for 1/20/2020 through 6/30/2024. The project time period may be extended as necessary by MDOT/MTA until all funds have been completely drawn down. The funds are 100% Federal dollars with no State or Local match requirement. As a sub-recipient, WCT will use these funds to offset overmatch expenses over the next several years. All requests for reimbursement must be transit-related.

FISCAL IMPACT: Will provide \$512,092 toward Washington County Transit operational expenses.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny acceptance of awarded funding.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Sex Offender Compliance and Enforcement Maryland Grant – Approval to Submit Application and Accept Awarded Funding

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff's Office and Rachel Souders, Sr. Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the submission of the grant application for the FY23 Sex Offender Compliance and Enforcement Maryland Grant to the Governor's Office of Crime Prevention, Youth, and Victim Services in the amount of \$29,391 and accept funding as awarded.

REPORT-IN-BRIEF: The Washington County Sheriff's Office plans to utilize the funding provided to fund the salaries of two part-time civilian employees, who assist the Sex Offender Registrar with the registration/re-registration of sex offenders, while also conducting compliance checks of employment and home addresses.

DISCUSSION: The Office of Grant Management has reviewed the grant funding guidelines. Matching funds or in-kind support is not required for this program. This grant is annually recurring and there are no unusual conditions or requirements attached to the acceptance of the grant.

FISCAL IMPACT: If awarded the grant reduces costs associated with the Sex Offender Registration Program by \$29,391. If funding was lost, the Sheriff's Office would work on a budget proposal for the Board of County Commissioners to either hire one additional full-time employee or to try to maintain the two part-time positions. Deputies may possibly be used to verify address checks while the Registrar continued with the registrations and re-registrations.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny approval for submission of this request

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Thomas Easement Contribution – Maryland Agricultural Land Preservation Foundation (MALPF)

PRESENTATION DATE: June 7, 2022

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

RECOMMENDED MOTION: Move to approve a commitment, without a Side Agreement, to the Tracy E. Thomas and Brenda L. Thomas easement project from the State Agricultural Transfer Tax fund, so that the MALPF is able to make an easement offer to our #3 ranked applicant from the FY 22 cycle.

REPORT-IN-BRIEF: On May 10, 2022, the Board of County Commissioners approved a commitment of \$140,229.30 from the State Agricultural Transfer Tax fund in order to make up a shortfall in easement funding for the MALPF project on the Thomas' farm. This funding commitment was approved with the understanding that a Side Agreement between the County and Thomas' would be drafted and recorded, ratifying the funding agreement. However, a proposal was made by MALPF staff that would nullify the requirement of a County Side Agreement in order to streamline the process. County staff supports this proposal.

DISCUSSION: In this scenario, instead of going through the long process of drafting a Side Agreement, coordinating settlement with MALPF and the Thomas's, cutting a check, and recording the Side Agreement in Land Records, we would simply allow MALPF to administer the easement process as normal. They would then invoice us for the \$140,229.30 at the appropriate time. This option would greatly reduce the required County time and administrative dollars required to draft the Side Agreement and would remove any burden and liability involved with the County holding a portion of the easement, as the easement would be held solely by MALPF.

FISCAL IMPACT: The County contribution will require the same, previously approved \$140,229.30 to be paid at the point at which MALPF requires the funding.

CONCURRENCES: The County's Agricultural Land Preservation Advisory Board has unanimously approved this updated process proposal.

ALTERNATIVES: The Commissioners could choose to adhere to the previously approved, May 10th approval that includes the County Side Agreement with the Thomas's.

ATTACHMENTS: None

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Agriculture – Faces of Farming Presentation

PRESENTATION DATE: Tuesday, June 7, 2022

PRESENTATION BY: Susan Grimes, Director, Department of Business Development and Leslie Hart, Business Development Specialist

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.

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: DeBaugh Farms and Shenandoah Jerseys both from Boonsboro MD



Agenda Report Form

Open Session Item

SUBJECT: Washington County Dairy Month (June 2022)

PRESENTATION DATE: June 7, 2022

PRESENTATION BY: Board of County Commissioners

REPORT-IN-BRIEF: Proclamation Presentation

WHEREAS, dairy farming is essential to the vitality and diversity of our County, as it is used in production for butter, cheese, yogurt, ice cream, and;

WHEREAS, Washington County dairy farmers are using green practices, including care, feeding and milking of cows, and;

WHEREAS, Washington County dairy farmers strive to compete with industry demands, to support a way of life that has lasted centuries, and;

WHEREAS, Dairy Month is an opportunity to honor farm families and the food processors who provide our residents with a wide variety of fresh, wholesome dairy products, and;

WHEREAS, Washington County is proud of our dairy industry and the important contributions it provides to our economy and the welfare of our citizens. We salute the dairy farmers of Washington County for the strength and vitality they bring to our community.

NOW THEREFORE, We the Board of County Commissioners of Washington County, Maryland, do hereby recognize the month of June as “Washington County Dairy Month” and encourage all citizens to enjoy dairy products and support our local dairy farmers.