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BOARD OF COUNTY COMMISSIONERS

September 27, 2022

OPEN SESSION AGENDA

- 8:30 AM MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President Jeffrey A. Cline*
- 8:35 AM COMMISSIONERS' REPORTS AND COMMENTS
- 8:45 AM STAFF COMMENTS
- 8:50 AM CITIZEN PARTICIPATION
- 9:00 AM CHARACTER COUNTS! REQUEST FOR FUNDING AND PRESENTATION OF
CHARACTER COUNTS! MONTH PROCLAMATION
Carolyn Brooks, Director, Character Counts!
- 9:10 AM SMITHSBURG HIGH SCHOOL ATHLETIC COMPLEX
*Mark Barnhart, President; Jason Divelbiss, Member; Smithsburg Athletic Boosters
Club, Inc.*
- 9:20 AM EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT –
APPROVAL TO SUBMIT APPLICATION AND ACCEPT FUNDING AS
AWARDED
*Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff's Office;
Rachel Souders, Senior Grant Manager, Grant Management*
- 9:25 AM INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-22-0097) – TWO
(2) AMBULANCES FOR THE DIVISION OF EMERGENCY SERVICES
*Rick Curry, Director, Purchasing; Eric Jacobs, Operations Manager – Fire/EMS,
Emergency Services*
- 9:30 AM FACES OF FARMING
Susan Grimes, Director, Business Development
- 9:35 AM DISCUSSION REGARDING PROPOSED ZONING TEXT AMENDMENT
Board of County Commissioners of Washington County
- 9:40 AM DISCUSSION REGARDING POTENTIAL PROCESS FOR NON-PROFIT
FUNDING
Board of County Commissioners of Washington County

10:00 AM CLOSED SESSION - *(To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; To consider the acquisition of real property for a public purpose and matters directly related thereto; To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; To consult with counsel to obtain legal advice on a legal matter; and To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the development of fire and police services and staff; and (ii) the development and implementation of emergency plans.)*

10:45 AM RECONVENE IN OPEN SESSION

ADJOURNMENT

Commissioners will be attending the Washington Goes Purple Luncheon at The Maryland Theatre at 11:30 a.m.



Agenda Report Form

Open Session Item

SUBJECT: Character Counts! Funding Request and October 2022 Proclamation

PRESENTATION DATE: September 27, 2022

PRESENTATION BY: Carolyn Brooks, Director, Character Counts!

RECOMMENDED MOTION: Move to approve \$3,000 in funding for direct expenses associated with the year-end event (Elementary Youth Celebration) from the Commissioners Contingency Fund.

PROCLAMATION:

WHEREAS, young people will be the stewards of our communities, nation and world in critical times, and the present and future well-being of our society requires an involved, caring citizenry with good character, and;

WHEREAS, concerns about the character training of children has taken on a new sense of urgency as violence by and against youth threatens the physical and psychological well-being of the nation, and;

WHEREAS, more than ever, children need strong constructive guidance from their families and their communities, including schools, youth organizations, religious institutions and civic groups, and;

WHEREAS, the character of a nation is only as strong as the character of its individual citizens, and the community benefits when young people learn that good character counts in personal relationships, in schools and in the workplace, and;

WHEREAS character development is first and foremost, an obligation of families, through efforts by faith communities, schools, and youth, civic and human service organizations also play an important role in supporting family efforts by fostering and promoting good character. Every adult has the responsibility to promote the development of good character.

NOW THEREFORE, we the Board of County Commissioners of Washington County, Maryland, do hereby recognize October 2022 as "CHARACTER COUNTS! Month" and encourage our citizens, schools, business and government to support Washington County's "CHARACTER COUNTS!" program.



Agenda Report Form

Open Session Item

SUBJECT: Smithsburg High School Athletic Complex

PRESENTATION DATE: September 27, 2022

PRESENTATION BY: Mark Barnhart, President, and Jason Divelbiss, Member, on behalf of the Smithsburg Athletic Boosters Club, Inc.

RECOMMENDED MOTION: N/A

DISCUSSION: In 2019 the Smithsburg Athletic Boosters Club, Inc (SABC). entered into a Memorandum of Understanding (MOU) with the Board of Education of Washington County (WCBOE) to partner in the design, funding and construction of a new building consisting of new concession stand, team rooms and referee's locker room estimated to cost \$1,131,000. When the cost estimate for the project ballooned to \$1,840,000 in mid-2020 the SABC re-prioritized and requested an amendment to the MOU.

Specifically, the SABC requested that the scope of the project be expanded by \$2,590,000 to include a new synthetic turf field, eight (8) lane tract, stadium lighting, scoreboard, renovations to the baseball and softball fields and new practice fields with the flexibility to sequence the project phases to match available resources.

In January 2021 the WCBOE agreed to the MOU Amendment provided SABC would be responsible for the entire budget increase, advance fund a \$200,000 "capital reserve account" for 50% of the turf's future replacement cost, fund a \$15,000 "maintenance reserve account" for future maintenance costs of the new field, and purchase a \$7,000 turf groomer and tine rake also to be used to maintain the new field.

To date, SABC has paid for the completed construction drawings for the stadium portion of the project (field, track, lights, and scoreboard) and successfully raised or obtained commitments for over \$2,000,000 including \$500,000 in the State's FY2023 Capital Budget and \$250,000 from an anonymous donor!

Provided the additional funds can be raised by SABC, the WCBOE is prepared to take the project out to bid this Fall with a projected commencement date in the Spring.

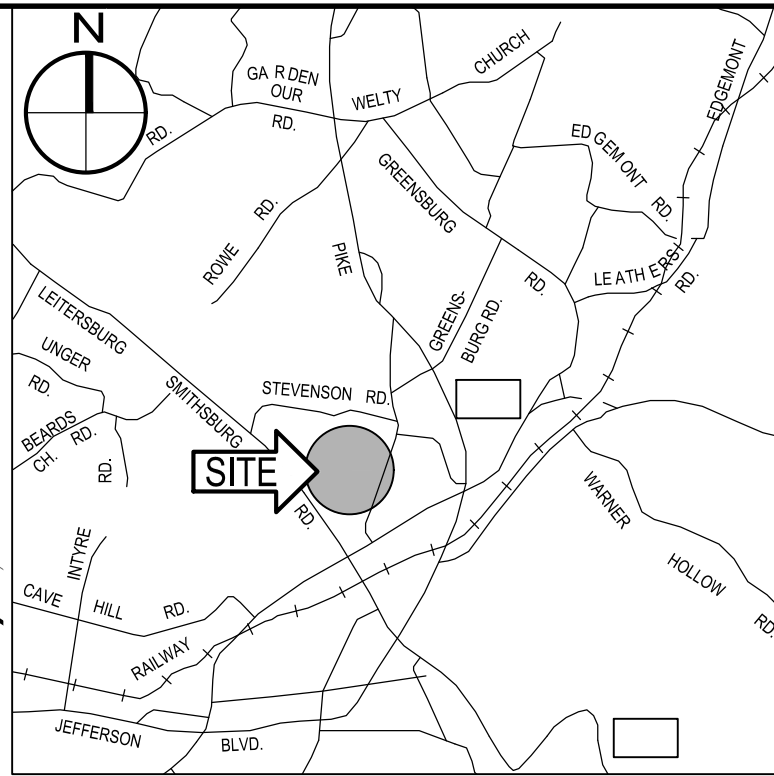
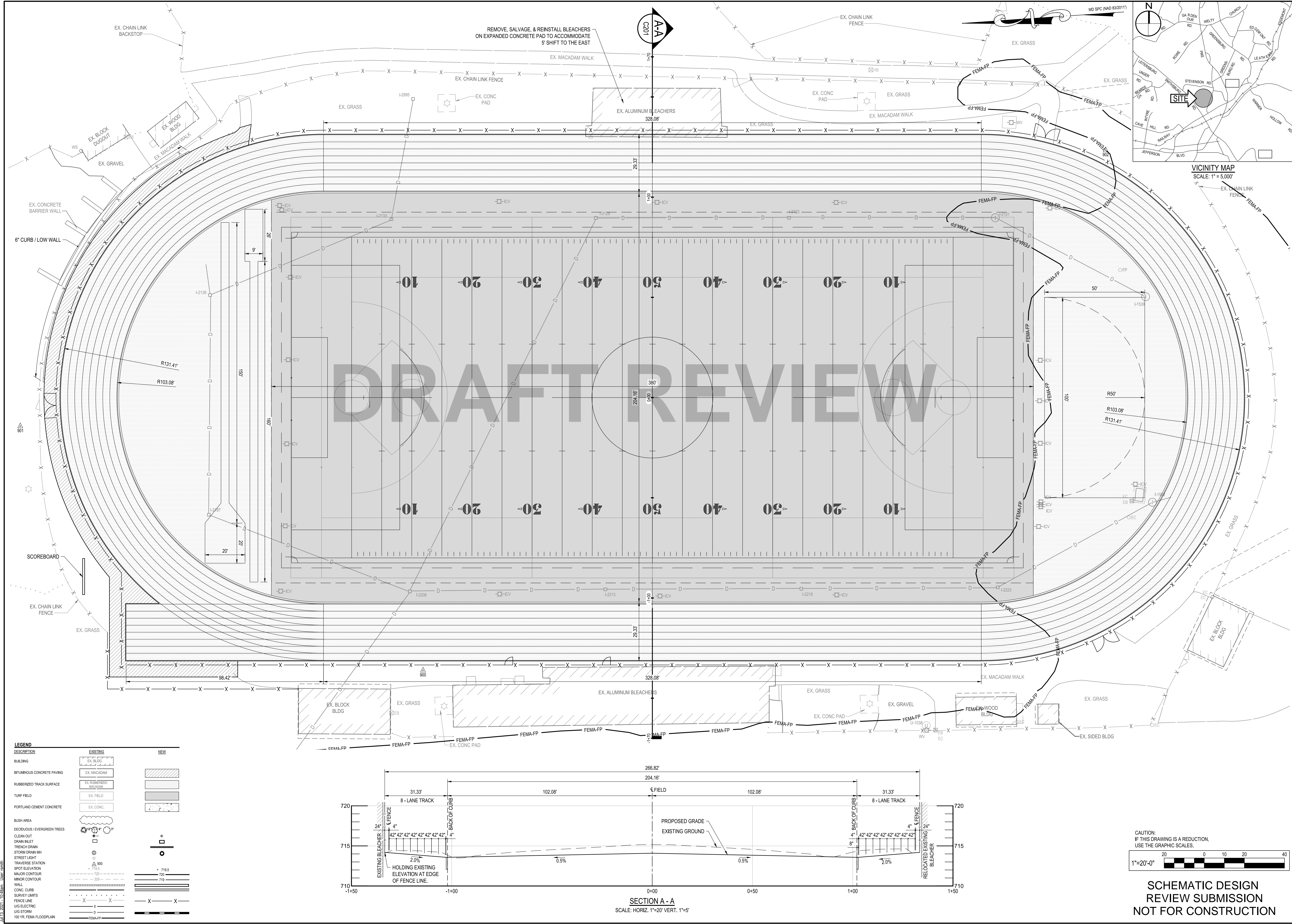
SABC requests the BOCC's consideration of a \$250,000 contribution that would provide significant momentum to the final phase of fundraising and help make this long overdue and extraordinarily ambitious project a reality.

ATTACHMENTS: Design Renderings

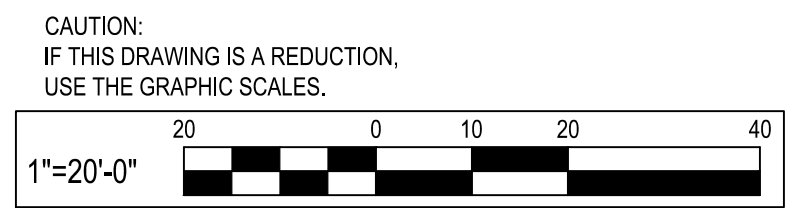
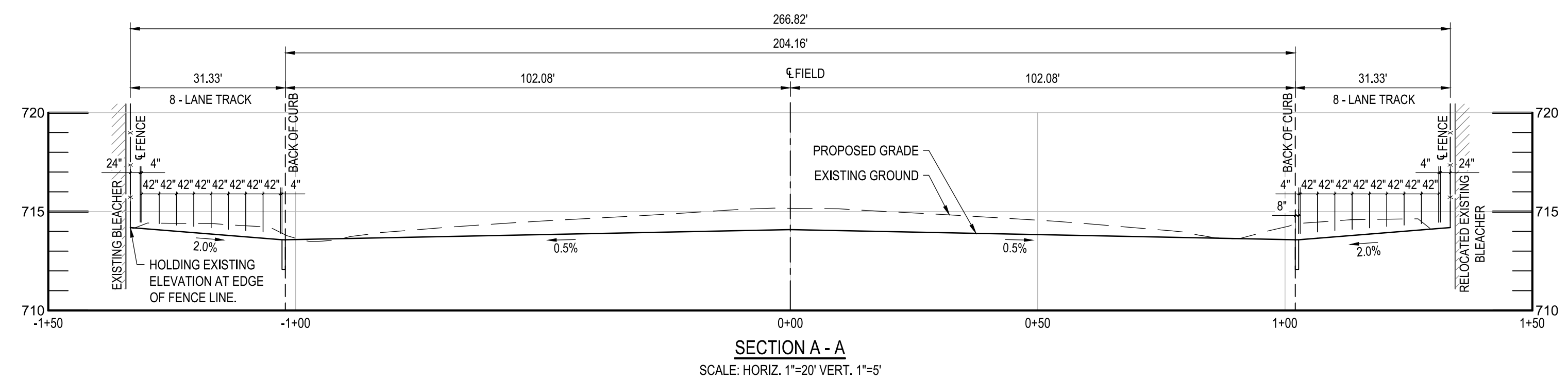


View In App





LEGEND	
DESCRIPTION	
BUILDING	EXISTING NEW
BUTYRUS CONCRETE PAVING	EX. BLOCK
RUBBERIZED TRACK SURFACE	EX. MACADAM
TURF FIELD	EX. FIELD
PORTLAND CEMENT CONCRETE	EX. CONC.
BUSH AREA	
DECIDUOUS / EVERGREEN TREES	
CLEAN OUT	
DRAIN INLET	
TRENCH DRAIN	
STORM DRAIN INH	
STREET LIGHT	
TRAVERSE STATION	
SPOT ELEVATION	
MAJOR CONTOUR	
MINOR CONTOUR	
WALL	
CONC. CURB	
SURVEY LIMITS	
FENCE LINE	
UGS ELECTRIC	
UGS STORM	
100 YR. FEMA FLOODPLAIN	



SCHEMATIC DESIGN
REVIEW SUBMISSION
NOT FOR CONSTRUCTION

BY	
REVISION	
DATE	
NO.	

WHITNEY BAILEY COX & MAGNANI, LLC
300 East Joppa Road, Suite 200
Smithsburg, MD 21783
410.512.4500 www.wbcm.com

WBCM
Designing Infrastructure for Tomorrow®

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License #34682 Expiration Date: 07/08/23

SITE LAYOUT PLAN

WCPS, ATHLETIC FIELD & TRACK IMPROVEMENTS

SMITHSBURG HIGH SCHOOL
66 NORTH MAIN STREET
SMITHSBURG, MD 21783

DESIGNED:	R.W.H.
DRAWN:	R.S.S.
CHECKED:	B.W.L.
SCALE:	1" = 30'
DATE:	06/30/21
PROJECT:	2021.0375.00.0
DRAWING:	

C201

Jul 12, 2021 10:48am User: mwh



Agenda Report Form

Open Session Item

SUBJECT: Edward J. Byrne Memorial Justice Assistance Grant – Approval to Submit Application and Accept Funding as Awarded

PRESENTATION DATE: September 27, 2022

PRESENTATION BY: Cody Miller, Washington County Sheriff's Office, and Rachel Souders, Senior Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve submission of the application for the Edward J. Byrne Memorial Justice Assistance Grant to the Governor's Office of Crime Prevention, Youth, and Victim Services requesting a total of \$35,525 for FY23 and accept funding as awarded.

REPORT-IN-BRIEF: The WCSO is requesting approval to apply for BJAG Program grant funding in the amount of \$35,525, and to accept funding as awarded. This grant funding will cover the entire cost of an AVATAR Tactical Robot to be used by the Special Response Team.

DISCUSSION: The Washington County Sheriff's Office is requesting approval to submit an application to the Governor's Office of Crime Prevention, Youth, and Victim Services for grant funding under the Edward J. Byrne Memorial Justice Assistance Grant (BJAG) Program in the amount of \$35,525, and to accept funding as awarded. This grant funding is being requested for the purchase of an AVATAR Tactical Robot. The AVATAR will enhance the capabilities of the Special Response Team by allowing them to quickly and safely inspect dangerous situations without sending personnel in blindly. The AVATAR saves lives by keeping emergency responders out of harm's way.

The Office of Grant Management has reviewed the application and program guidelines. The funding period is for one year, starting October 1, 2022 and ending September 30, 2023. There is no match requirement associated with the agreement.

FISCAL IMPACT: Provides the Washington County Sheriff's Office with \$35,525 to fully cover the cost of purchasing an AVATAR Tactical Robot.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny acceptance of funding

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase (INTG-22-0097) – Two (2) Ambulances for the Division of Emergency Services

PRESENTATION DATE: September 27, 2022

PRESENTATION BY: Rick F. Curry, CPPO, Director, Purchasing Department; Eric Jacobs, EFO, Operations Manager – Fire/EMS, Division of Emergency Services.

RECOMMENDATION: Move to authorize by Resolution, for Fire/EMS, Division of Emergency Services to purchase two (2) F550 Ambulances at the cost of \$320,740 each for a combined total cost in the amount of \$641,480 and to utilize another jurisdiction's contract that was awarded by Houston Galveston Area Council (Contract #AM10-20) to Fesco Emergency / Horton Emergency Vehicles of Grove City, Ohio.

REPORT-IN-BRIEF: The acquisition of the Ambulances will allow the Division of Emergency Services to maintain a reserve of ambulance vehicles in order to respond promptly and effectively when managing emergency incidents within Washington County. These vehicles will be considered to be a critical asset in the efforts of the Public Safety's roll to protect life, property, and the environment.

The Code of Public Laws of Washington County, Maryland (the Public Local Laws) 1-106.3 provides that the Board of County Commissioners may procure goods and services through a contract entered into by another governmental entity, in accordance with the terms of the contract, regardless of whether the County was a part to the original contract. If the Board of County Commissioners determines that participation by Washington County would result in cost benefits or administrative efficiencies, it could approve the procurement of the vehicles in accordance with the Public Local Laws referenced above that participation would result in cost benefits or in administrative efficiencies.

The County will benefit with the direct cost savings in the purchase of these fire engines because of economies of scale this contract has leveraged. Additionally, the County will realize savings through administrative efficiencies as a result of not preparing, soliciting and evaluating a bid. Acquisition of these vehicles by utilizing the Houston Galveston Area Council (HGAC) contract and eliminating our county's bid process would result in an administrative and cost savings for the Division of Emergency Services and Purchasing Department in preparing specifications.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the Capital Improvement Budget (CIP) account 600300-30-11430 for the procurement.

CONCURRENCES: DES Division Director

ATTACHMENTS: Fesco Emergency / Horton Emergency Vehicles' dated June 19, 2022.



CONTRACT PRICING WORKSHEET
For Standard Equipment Purchases

Contract
No.:

AM10-20

Date
Prepared:

6/19/2022

*This Form must be prepared by Contractor, and provided to End User to attach to Purchase Order, with copy to H-GAC.
The H-GAC administrative fee shall be calculated and shown as a separate line item. Please type or print legibly.*

Buying Agency:	Washington County Emergency Services	Contractor:	FESCO Emergency Sales / Horton Emergency Vehicles
Contact Person:	Eric Jacobs	Prepared By:	Gene Spangler
Phone:	(240) 313-4395	Phone:	410-379-5353
Fax:		Fax:	410-379-5360
Email:	ejacobs@washco-md.net	Email:	gspangler@fescosales.com

Product Code:	AM20KA07	Description:	TYPE I, FORD F550, MODEL 603
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: \$ 201,198

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
See Attached Sheet (Form E)	\$ -		
		Subtotal From Additional Sheet(s):	
		Subtotal B:	\$ 86,672

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
See Attached Sheet (Unpublished Options)	\$ 32,870		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	\$ 32,870

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 11%

D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)

Description	Cost	Description	Cost
		Subtotal D:	\$ -

E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D)

Quantity Ordered:	3	X Subtotal of A + B + C + D:	\$ 320,740	=	Subtotal E:	\$ 962,220
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F. H-GAC Fee Calculation (From Current Fee Tables) Subtotal F: \$ 1,000

G. Trade-Ins / Other Allowances / Special Discounts

Description	Cost	Description	Cost
FESCO to cover HGAC Fee in Contract	-1000		
		Subtotal G:	\$ (1,000)

Delivery Date: TBD **H. Total Purchase Price (E+F+G):** \$ 962,220

RESOLUTION NO. RS-2022-

(Intergovernmental Cooperative Purchase [INTG-22-0097] Two (2) Ambulances for the Division of Emergency Services)

RECITALS

The Code of Public Local Laws of Washington County, Maryland (the "Public Local Laws"), §1-106.3, provides that the Board of County Commissioners of Washington County, Maryland (the "Board"), "may procure goods and services through a contract entered into by another governmental entity in accordance with the terms of the contract, regardless of whether the county was a party to the original contract."

Subsection (c) of §1-106.3 provides that "A determination to allow or participate in an intergovernmental cooperative purchasing arrangement under subsection (b) of this section shall be by resolution and shall either indicate that the participation will provide cost benefits to the county or result in administrative efficiencies and savings or provide other justifications for the arrangement."

The Division of Emergency Services is requesting to purchase two (2) ambulances at a cost of \$320,740 each for a combined total cost in the amount of \$641,480, and to utilize another jurisdiction's contract that was awarded by Houston Galveston Area Council (Contract #AM10-20) Fresco Emergency/Horton Emergency Vehicles of Grove City, Ohio.

Utilizing the Houston Galveston Area Council contract and eliminating the County's bid process result in administrative and cost savings for the Division of Emergency Services. The County will benefit with direct cost savings because of the economy of scale the aforementioned contract has leveraged. Additionally, the County will realize administrative efficiencies and savings as a result of not preparing, soliciting, and evaluating bids.

NOW, THEREFORE, BE IT RESOLVED by the Board, pursuant to §1-106.3 of the Public Local Laws, that the Division of Emergency Services is authorized to purchase, pursuant to the contract awarded by Houston Galveston Area Council (Contract #AM-10-20) to Fresco Emergency/Horton Emergency Vehicles of Grove City, Ohio, two (2) ambulances, at a total cost of \$641,480.

Adopted and effective this ____ day of September, 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

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



Agenda Report Form

Open Session Item

SUBJECT: Faces of Farming Presentation

PRESENTATION DATE: Tuesday, September 27, 2022

PRESENTATION BY: Susan Grimes, Director, Department of Business Development

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: “Faces of Farming” is an agricultural-focused video marketing campaign that will showcase two local Washington County farms every month, for one year. The “Faces of Farming” marketing videos will be showcased on the County’s website, as well as Facebook and other social media platforms, and will target a new industry and highlight a local farmer from that specific agricultural industry.

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: Chandler Fishack, Smithsburg Tractor Society and Lori Anderson with Painted Pastures.



Agenda Report Form

Open Session Item

SUBJECT: Discussion Regarding Proposed Zoning Text Amendment

PRESENTATION DATE: September 27, 2022

PRESENTATION BY: Washington County Board of County Commissioners

RECOMMENDATION: N/A

REPORT-IN-BRIEF: To discuss proposed zoning text amendment

DISCUSSION: N/A

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ATTACHMENTS: Proposed language is attached.

Washington County Zoning Code
Highway Interchange Section 19.9 Additional Design Standards

(a) Lighting

All sites which will receive night use shall be provided lighting for safety and aesthetics. Lighting shall be provided in accordance with the regulations and guidelines contained in Article 22, Division X.

(b) Landscaping

1. Permeable areas of the site shall be landscaped with ground cover, shrubs, and trees according to the guidelines contained in Article 22, Division XI. If the new use is adjacent to any lot occupied by a dwelling, school, place of worship, or institution for human care not located on the same lot as said use or buildings, or any lot which is part of a duly recorded residential subdivision, it shall be effectively screened according to the buffering requirements contained in Article 22, Division XI.
2. When additional screening and buffering is required or appropriate to enhance compatibility between uses, it shall also be provided according to the regulations and guidelines contained in Article 22, Division XI.

(c) Maximum Impervious Surface

Impermeable site coverage (parking areas, building area, and other paved surfaces) shall be limited to eighty-five percent (85%) of the gross area of the site.

(d) Refuse & Recyclables

Adequate provision shall be made for storage and collection of refuse and recyclables. Refuse and recyclables collection and storage areas shall not be located in the front yard and shall be completely shielded from view at all times by fencing or landscaping. Refuse and recyclables storage and collection areas shall not be located in a side yard when the adjacent parcel contains a dwelling or is zoned for residential use.

(e) Vehicle Displays

All vehicles displayed on sales lots, including farm implements, shall be parked at least ten (10) feet from the public or private street or road right-of-way, or from the curb, or from the street or road edge, whichever provides the greatest setback.

(f) Loading Areas

All uses shall provide an appropriately sized area for parking vehicles to load and unload goods and materials. The designated loading area shall not be located where it will interfere with the flow of traffic in the parking lot or on adjacent public or private streets. Loading areas shall be provided in accordance with the regulations and guidelines contained in Article 22, Division X. Where appropriate and approved by the Planning Commission, loading areas may be shared among

several uses on the same site.

- (g) All wholesale and retail outside building material storage yards and other outside storage yards shall include a fence or a dense screen planting of trees, shrubs, or other plant materials, or both, to the full length of the outdoor storage area to serve as a barrier to visibility, air borne particles, glare, or noise. Such screen planting shall be in accordance with the following requirements:

[CODE SUBSECTIONS 1. THROUGH 6. INTENTIONALLY OMITTED]

(h) Parking

All uses in the Highway Interchange District shall provide vehicular parking to meet the requirements contained in Article 22, Division I.

- (i) All new development in the Highway Interchange District shall be served by public water and sewer facilities approved by the Washington County Health Department.

[CODE SUBSECTIONS 1. AND 2. INTENTIONALLY OMITTED]

- (j) Any private on-site well or septic system shall meet all Health Department requirements.

- (k) All new development in the Highway Interchange District shall comply with the requirements of the Washington County Adequate Public Facilities Ordinance.

- (l) The vehicular entrance(s) to any use that generates more than 25 vehicular trips in a single hour must be located more than 1000 feet from an at-grade railroad crossing over a state road and must be located more than 1000 feet from any intersection of two state highways.

Adopted this _____ day of _____ 2022.
Effective this _____ day of _____ 2022.



Agenda Report Form

Open Session Item

SUBJECT: Discussion Regarding Potential Process for Non-Profit Funding

PRESENTATION DATE: September 27, 2022

PRESENTATION BY: Washington County Board of County Commissioners

RECOMMENDATION: N/A

REPORT-IN-BRIEF: To discuss process for distribution of surplus funds to non-profit agencies

DISCUSSION: N/A

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ATTACHMENTS: N/A