



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

May 1, 2018

### Agenda

10:30 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE  
CALL TO ORDER, *President Terry L. Baker*  
APPROVAL OF MINUTES –APRIL 24, 2018

10:35 A.M. CLOSED SESSION  
*(To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; to consult with staff, consultants, or other individuals about pending or potential litigation; and to consult with counsel to obtain legal advice on a legal matter.)*

#### RECONVENE IN OPEN SESSION

10:55 A.M. COMMISSIONERS' REPORTS AND COMMENTS

11:00 A.M. REPORTS FROM COUNTY STAFF

11:05 A.M. CITIZENS PARTICIPATION

11:10 A.M. BID AWARD (PUR-1378) THE MARYLAND THEATRE EXPANSION PROJECT  
– *Jessica Green, Executive Director and Al Martin, Board Member, MDT*

11:20 A.M. MEMORANDUM OF UNDERSTANDING BETWEEN MD PUBLIC EMPLOYEES COUNCIL 67, AFSCME, AFL-CIO AND ITS LOCAL 2677, AFL-CIO AND IT LOCAL 2677, AFL-CIO AND THE BOARD OF COUNTY COMMISSIONERS -  
*John Martirano, County Attorney*

11:30 A.M. PUBLIC SAFETY TRAINING CENTER CHANGE ORDER – *Scott Hobbs, Director, Division of Engineering*

11:40 A.M. DEPART FOR 58 E. WASHINGTON STREET, 2<sup>ND</sup> FLOOR

12:00 P.M. JOHN FREY PRESERVATION AWARDS LUNCHEON  
*Location: Applause Catering Banquet Room, 58 E. Washington Street, 2<sup>nd</sup> Floor*

01:30 P.M. DEPART FOR 100 WEST WASHINGTON STREET, SUITE 1113

02:00 P.M. JOINT MEETING WITH THE BOARD OF EDUCATION

- 02:05 P.M. REPORT FROM SCHOOL SECURITY TASK FORCE – *Dr. Boyd Michael, Superintendent; Sheriff Doug Mullendore, Robert Slocum, County Administrator*
- 03:05 P.M. FY2019 GENERAL FUND BUDGET AND 2019-2028 CAPITAL BUDGET – *Sara Greaves, Chief Financial Officer and Kim Edlund, Director of Budget & Finance*
- 03:30 P.M. **PUBLIC HEARING:** REZONING APPLICATION RZ-17-010 AND COMPREHENSIVE PLAN/URBAN GROWTH AREA BOUNDARY ADJUSTMENT CP-17-001 – *Stephen Goodrich, Director, Department of Planning & Zoning*
- 03:45 P.M. PASSENGER TERMINAL RENOVATIONS & EXPANSION – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING – *Stephanie Lapole, Grant Manager, Office of Grant Management and Phil Ridenour, Director, Hagerstown Airport*
- 03:50 P.M. PAVEMENT MANAGEMENT PLAN, RUNWAY 9/27 REHABILITATION, GROVE FARM DEMOLITION AND RUNWAY 02 RUNWAY PROTECTION ZONE PROPERTY APPRAISAL – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING - *Stephanie Lapole, Grant Manager, Office of Grant Management and Phil Ridenour, Director, Hagerstown Airport*
- 03:55 P.M. *BREAK*

**EVENING MEETING WITH THE TOWN OF HANCOCK**

*Location: 126 West High Street, Hancock, MD 21750*

- 07:00 P.M. INVOCATION AND PLEDGE OF ALLEGIANCE  
CALL TO ORDER, *President Terry L. Baker*
- 07:05 P.M. TOWN OF HANCOCK LEADERS' REPORTS AND COMMENTS
- 07:10 P.M. COMMISSIONERS' REPORTS AND COMMENTS
- 07:15 P.M. REPORTS FROM COUNTY STAFF
- 07:20 P.M. CITIZENS PARTICIPATION



## Agenda Report Form

### Open Session Item

**SUBJECT:** Bid Award (PUR-1378) The Maryland Theatre Expansion Project

**PRESENTATION DATE:** Tuesday, May 1, 2018

**PRESENTATION BY:** Jessica Green, Executive Director & Al Martin, Board Member

**RECOMMENDED MOTION:** Move to concur with the Maryland Theatre in its award of the bid for The Maryland Theatre Expansion project to the responsible, responsive bidder, **Morgan Keller Construction** of Frederick, MD who submitted the lowest base bid in the amount of **\$12,260,000.00** contingent upon approval and release of funds by the Maryland Board of Public Works and any subsequent approvals from other State Agencies as may be required, and the execution of a contract between the Maryland Theatre Association and Morgan-Keller Construction.

**REPORT-IN-BRIEF:** The Maryland Theatre expansion project was sent out for bid on February 26, 2018. The bid was advertised in the local media, on the County web site, and on the e-Maryland Marketplace. There were 62 bid document downloads and 58 persons signed the pre-bid conference sign in sheet. On April 4, 2018, 4 bids were received and are included on the bid tabulation matrix.

**DISCUSSION:** The Maryland Theatre Expansion Project Contract should be awarded as soon as possible in order to break-ground as scheduled July 1, 2018. The project consists of construction of a 31,822 SF addition and renovations to the existing Theatre and including the demolition of McBare Pub and the existing lobby space.

The Project Budget includes:

<u>Expense</u>	<u>Amount</u>
Design, Project Management	\$945,000
Furniture, Fixtures and Equipment	\$500,000
Fundraising Expenses	\$275,000
Construction	\$12,277,000
<u>Contingency</u>	<u>\$1,000,000</u>
Total Cost	\$14,997,000

<u>Funding Source</u>	<u>Amount</u>	<u>Status</u>
Private Donations	\$3,419,704	signed and received
Governor's Capital Bond Bill	\$5,000,000	committed/pending
DHCD Grants	\$600,000	committed/pending
Legislative Bond Bill(s)	\$400,000	approved
State Arts Grant	\$50,000	approved
ARC Grant	\$250,000	pending
Washington County Govt.	\$500,000	approved
City of Hagerstown	\$500,000	approved
<u>Gap-Amount to be financed</u>	<u>\$4,277,296</u>	available
Total Funding	\$14,997,000	

**Secured Financing**

Wash. Co. Comm. Forward Funding @ 0%	\$5,000,000
Maryland Department of Commerce @ 0%	\$2,000,000
<u>Bank Financing (\$3M approved) @ 2.95%</u>	<u>\$2,500,000</u>
Total Financing Available	\$9,500,000

The Executive Director of The Maryland Theatre confirms the availability of financing to cover the funding gap of \$4,277,296. Based on the current funding plan, State funding is at 49.2% of the total construction costs and slightly under the prevailing wage threshold.

Forward funding mentioned herein will be provided by the Board of County Commissioners when project funding has been approved by the Maryland Board of Public Works.

The Maryland Theatre has entered into subrecipient agreements, a forward funding agreement, is a party to State of Maryland Grant Agreements, and In-Kind Inspection Services agreement for the project. The County's Office of Grant Management will be managing all County grant funding for the project including the reimbursement of forwarded funded State grants. In addition, the Office of Grant Management will make application annually for Governor's Capital Funding Grants. The County will be providing in-kind inspection services at a cost of approximately \$277,000.

**FISCAL IMPACT:** The Governor's Capital Bond Bill will reimburse up to \$5,000,000 in incurred expenses; provided all approvals are met as stated herein.

**CONCURRENCES:** N/A

**ALTERNATIVES:** Deny the request

**ATTACHMENTS:** MD Theatre Expansion Budget Summary, Bid Scoring Summary, Bid Tabulation Sheet, Sub-Contractor Lists

**AUDIO/VISUAL NEEDS:** N/A

Maryland Theatre  
Expansion Project  
Summary Cash Flow Requirements

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**Project Summary**

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Project Costs:

Design	945,000
Furniture Fixtures & Equipment	500,000
Fundraising Costs	275,000
Construction Cost	12,277,000
Contingency	1,000,000
<b>Project Costs</b>	<b>14,997,000</b>

Funding Sources:

Private Donations currently signed and or received	3,419,704
Governors Grant	5,000,000
DHCD Grant	600,000
State Bond Bill	400,000
State Arts Grant	50,000
Appalachian Regional Commission Grant	250,000
Local Government Grants (City 500,000 + County 500,000)	1,000,000
Additional Donations/Grants Anticipated	4,277,296
<b>Funding Sources</b>	<b>14,997,000</b>

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**Project Financing Assumptions**

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Department of Commerce	0%	2,000,000
Washington County Commissioners	0%	5,000,000
Bank Financing (approved \$3M)	2.95%	2,500,000
		<b>9,500,000</b>

Repayment Bank - interest only - estimated	monthly avergae	4,800
Repayment Bank - principal & interest - estimated	monthly average	15,000

**PUR-1378**  
**Maryland Theatre Expansion**

			<b>Morgan-Keller Construction Frederick, Maryland</b>	<b>Callas Contractors, LLC Hagerstown, Maryland</b>	<b>The Christman Co. Sterling, Virginia</b>	<b>The Whiting-Turner Contracting Company, Inc. Baltimore, Maryland</b>
<b>1</b>	<b>Base Bid:</b>		\$12,260,000.00	\$12,900,000.00	\$14,077,000.00	\$14,700,000.00
<b>2</b>	<b>Alternates:</b>					
A.	<b>Add/Deduct</b> Alternate No. 1: Not Used					
B.	<b>Add/Deduct</b> Alternate No. 2: Add Renovation of Projector Room - Provide in accordance with Section 01 23 00 - Alternates.		\$47,600.00	\$40,000.00	\$40,000.00	\$65,000.00
C.	<b>Add/Deduct</b> Alternate No. 3: Add/Deduct Kawneer Finish in Lieu of Gold Finish on Curtainwall, Storefront, Exterior Doors, Front Canopy - Provide in accordance with Section 01 23 00 - Alternates.		-11,400.00	2,000.00	-15,700.00	\$15,000.00
D.	<b>Add/Deduct</b> Alternate No. 4: Deduct Bridge to BISFA - Provide in accordance with Section 01 23 00 - Alternates		-42,900.00	-12,000.00	-20,300.00	-\$35,000.00
E.	<b>Add/Deduct</b> Alternate No. 5: Deduct Fit-Out of Event Space - Provide in accordance with Section 01 23 00 - Alternates.		-365,700.00	-386,000.00	-365,000.00	-\$475,000.00
F.	<b>Add/Deduct</b> Alternate No. 6: Deduct Light Types "FS" and "Z" - Provide in accordance with Section 01 23 00 - Alternates.		-17,500.00	-21,000.00	-31,700.00	\$15,000.00
G.	<b>Add/Deduct</b> Alternate No. 7: Provide a Lowered Footing & Increase Slab Rebar @ BISFA Side - Provide in accordance with detail 3/S-1.1		113,600.00	5,500.00	16,500.00	\$11,000.00
<b>3</b>	<b>Allowances:</b> In accordance with Section 01 21 00 - Allowances, include the following allowances in the Base Bid.					
A.	Allowance No. 1 - Masonry Repointing		<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$10,000.00</b>
B.	Allowance No. 2 - Vibration Testing		<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$10,000.00</b>
C.	Allowance No. 3 - Rock Excavation		<b>\$250,000.00</b>	<b>\$250,000.00</b>	<b>\$250,000.00</b>	<b>\$250,000.00</b>
D.	Allowance No. 4 - Dedication Plaque		<b>\$2,500.00</b>	<b>\$2,500.00</b>	<b>\$2,500.00</b>	<b>\$2,500.00</b>
	<b>Total Allowance in Base Bid</b>		<b>\$272,500.00</b>	<b>\$272,500.00</b>	<b>\$272,500.00</b>	<b>\$272,500.00</b>

**PUR-1378**  
**Maryland Theatre Expansion**

			<b>Morgan-Keller Construction Frederick, Maryland</b>	<b>Callas Contractors, LLC Hagerstown, Maryland</b>	<b>The Christman Co. Sterling, Virginia</b>	<b>The Whiting-Turner Contracting Company, Inc. Baltimore, Maryland</b>
<b>4</b>	<b>Unit Price Schedule:</b> In accordance with Section 01 22 00 - Unit Prices.	<b>Unit</b>	<b>Unit Price</b>	<b>Unit Price</b>	<b>Unit Price</b>	<b>Unit Price</b>
A.	No. 1 - Earth Excavation-Machine Onsite	CY	\$32.00	\$30.00	\$27.00	\$30.00
B.	No. 2 - Earth Excavation-Hand Onsite	CY	\$240.00	\$225.00	\$200.00	\$225.00
C.	No. 3 - Trench Excavation Onsite	CY	\$36.00	\$35.00	\$30.00	\$35.00
D.	No. 4 - Rock Removal	CY	\$180.00	\$175.00	\$150.00	\$75.00
E.	No. 5 - Unsuitable Material Excavation	CY	\$36.00	\$35.00	\$30.00	\$35.00
F.	No. 6 - Suitable Material Import	CY	\$60.00	\$60.00	\$50.00	\$55.00
G.	No. 8 - Undercut and Refill	CY	\$96.00	\$95.00	\$80.00	\$90.00
H.	No. 9 - Receptacle	Per Location	\$450.00	\$400.00	\$444.00	\$1,300.00
I.	No. 10 - Fire Alarm Strobe	Per Location	\$420.00	\$400.00	\$394.00	\$875.00
J.	No. 11 - Fire Alarm Horn or Speaker Strobe Unit	Per Location	\$450.00	\$400.00	\$394.00	\$1,000.00
K.	No. 12 - Data Outlet	Per Location	\$450.00	\$400.00	\$394.00	\$500.00
L.	No. 13 - Exit Sign	EA	\$660.00	\$600.00	\$287.00	\$460.00
M.	No. 14 - Light Switch	EA	\$300.00	\$300.00	\$231.00	\$825.00
N.	No. 15 - Telephone Drop	EA	\$450.00	\$400.00	\$394.00	\$450.00
O.	No. 16 - Fire Alarm Pull Station	EA	\$1,320.00	\$1,200.00	\$1,200.00	\$2,200.00
P.	No. 17 - Underpinning	CY	\$3,900.00	\$750.00	\$2,045.00	\$2,500.00

Morgan Keller

ATTACHMENT "A"

SUBCONTRACTORS: All Bidders shall submit their list of subcontractors concurrently with the Bid submission. No change or deviation from this list shall be allowed except as determined by the Owner or the Owner's Representative:

- a. Site Utilities: Jerry Justice, Construction Trades
- b. Concrete (Building): Morgan-Keller, US Concrete, Northstar Foundations
- c. Excavation: Jerry Justice, Construction Trades
- d. Underpinning: Wagman
- e. Structural Steel: Talley Metals, WB Ironworks, Little Washington
- f. Structural Precast Panels: Nitterhouse, Say-Core
- g. Masonry: Bragunier, Sweeney, Swords
- h. Roofing: Hite Roofing, Ruff Roofing
- i. Plumbing: Beaver Mechanical, Mick's Plumbing, Borlie Mechanical <sup>RH</sup> <sub>Lapp</sub>
- j. Mechanical: CSE, CMES, Mick's, MS Johnston, RH Lapp
- k. Mechanical Control Systems: CSE, CMES, Mick's <sup>RH Lapp, MS Johnston</sup> <sub>CM</sub>
- l. Electrical: Ellsworth, MEC, Kirby, CMES, E-TEC
- m. Data and Telecom Systems (AMP Certified): Ellsworth, MEC, Kirby, Net100
- n. Fire Alarm: Ellsworth, MEC, Kirby, CMES



- o. Casework/Millwork: JWI
- p. Floor and Wall Tile: Profast Commercial Floors, Sherwin-Williams, L & R
- q. Curtain Wall / Storefront: Hershocks, Modern Art, Berkeley Glass
- r. Gypsum Board/Interior Partitions: Score, Tri-State, TW Smith
- s. Sprinkler: Premier, Regional
- t. Carpentry: Morgan-Keller
- u. Insulation: Davenport, Western Cary, Royals Commercial, Baltimore  
Waterproofing
- v. Steel Wall Framing: Score Drywall, TW Smith
- w. Elevator: Delaware, Kone, Otis, Schindler, ThyssenKrupp
- x. Fire Stopping: In Trades
- y. Audio Visual: Ellsworth, MEC, Kirby, Avitecture
- z. Card Readers/Access Control: Ellsworth, MEC, Kirby, MCW
- aa. Carpet: Solara Flooring, Sherwin-Williams, Profast Commercial Flrg
- bb. Aluminum/Steel Railing Systems: WB Ironworks, Antietam, Hanover Iron
- cc. Hazardous Materials Abatement: ACM

**ATTACHMENT "A"**

**SUBCONTRACTORS: All Bidders shall submit their list of subcontractors concurrently with the Bid submission. No change or deviation from this list shall be allowed except as determined by the Owner or the Owner's Representative:**

- a. Site Utilities: Construction Trade Services Inc.
- b. Concrete (Building): M&N Professional Concrete Construction Inc.
- c. Excavation: Construction Trade Services Inc.
- d. Underpinning: Wagman, Inc.
- e. Structural Steel: WB Ironworks, LLC.
- f. Structural Precast Panels: Nitterhouse Concrete
- g. Masonry: A. E. Sweeney Masonry Inc.
- h. Roofing: Hite Associates, Inc.
- i. Plumbing: R.H. Lapp Mechanical Contractors
- j. Mechanical: M.S. Johnston Co., Inc.
- k. Mechanical Control Systems: M.S. Johnston Co., Inc.
- l. Electrical: Ellsworth Electric, Inc.
- m. Data and Telecom Systems (AMP Certified): Ellsworth Electric, Inc.
- n. Fire Alarm: Ellsworth Electric, Inc.

- o. Casework/Millwork: Allegheny Millwork
- p. Floor and Wall Tile: Profast Commercial Flooring LLC
- q. Curtain Wall / Storefront: Modern Art & Plate Glass
- r. Gypsum Board/Interior Partitions: Absolute Drywall Construction
- s. Sprinkler: Premier Fire Protection Services
- t. Carpentry: Allegheny Millwork
- u. Insulation: Western Cary Building Products
- v. Steel Wall Framing: Absolute Drywall Construction
- w. Elevator: Kone Inc.
- x. Fire Stopping: Christopher B. Miller Company
- y. Audio Visual: Ellsworth Electric, Inc.
- z. Card Readers/Access Control: Ellsworth Electric, Inc.
- aa. Carpet: Profast Commercial Flooring LLC
- bb. Aluminum/Steel Railing Systems: WB Ironworks, LLC
- cc. Hazardous Materials Abatement: Access Demolition Contracting, Inc.

**ATTACHMENT "A"**

**SUBCONTRACTORS: All Bidders shall submit their list of subcontractors concurrently with the Bid submission. No change or deviation from this list shall be allowed except as determined by the Owner or the Owner's Representative:**

- a. Site Utilities: Construction Trade Services (CTS) / Callas Contractors, LLC
- b. Concrete (Building): Callas Contractors, LLC
- c. Excavation: Construction Trade Services (CTS) / Callas Contractors, LLC
- d. Underpinning: Callas Contractors, LLC / Hillis-Carnes
- e. Structural Steel: WB Ironworks, LLC / Digging & Rigging (Crane)
- f. Structural Precast Panels: Say-Core, Inc. / Digging & Rigging (Crane)
- g. Masonry: Sword's Masonry, Inc.
- h. Roofing: Colby Bachtell, LLC / Hite Roofing
- i. Plumbing: R H Lapp & Sons, Inc.
- j. Mechanical: R H Lapp & Sons, Inc. / M.S. Johnston
- k. Mechanical Control Systems: R H Lapp & Sons, Inc. / Havtech
- l. Electrical: Ellsworth, Inc.
- m. Data and Telecom Systems (AMP Certified): Ellsworth, Inc. / High Performance Cabling Corp.
- n. Fire Alarm: Ellsworth, Inc. / BFPE International

- o. Casework/Millwork: JWI Architectural Millwork, Inc.
- p. Floor and Wall Tile: Frederick Tile, Inc.
- q. Curtain Wall / Storefront: Hershock, Inc.
- r. Gypsum Board/Interior Partitions: Score Drywall, Inc. / Balmer Architectural Mouldings, Inc.
- s. Sprinkler: Regional Fire Protection
- t. Carpentry: Callas Contractors, LLC
- u. Insulation: Western Cary Building Products / Cameron Building Envelope Specialists
- v. Steel Wall Framing: Score Drywall
- w. Elevator: Otis Elevator / Schindler Elevator
- x. Fire Stopping: Hungerford
- y. Audio Visual: Ellsworth, Inc. / DSL Sound, Inc.
- z. Card Readers/Access Control: Ellsworth, Inc. / Glessner Alarm & Communications
- aa. Carpet: Frederick Tile
- bb. Aluminum/Steel Railing Systems: WB Ironworks, LLC
- cc. Hazardous Materials Abatement: Retro Environmental / Allegheny Wrecking / CTS Demolition
- dd. Wood Dance Floors: Mastercare Flooring

**ATTACHMENT "A"**

**SUBCONTRACTORS: All Bidders shall submit their list of subcontractors concurrently with the Bid submission.** No change or deviation from this list shall be allowed except as determined by the Owner or the Owner's Representative:

- a. Site Utilities: Construction Trades Services, Inc.
- b. Concrete (Building): Chevy Chase Contractors, Inc.
- c. Excavation: Construction Trades Services, Inc.
- d. Underpinning: Berkel & Company Contractors, Inc.
- e. Structural Steel: WB Ironworks, LLC.
- f. Structural Precast Panels: Nitterhouse Concrete Products
- g. Masonry: Bragunier Masonry Contractors, Inc.
- h. Roofing: DJB Contracting
- i. Plumbing: R. H. Lapp Mechanical Contractors
- j. Mechanical: R. H. Lapp Mechanical Contractors
- k. Mechanical Control Systems: HavTech
- l. Electrical: Electric Technologies, Inc.
- m. Data and Telecom Systems (AMP Certified): MidPoint Technology Group
- n. Fire Alarm: Honeywell / Electric Technologies, Inc.

- o. Casework/Millwork: JWI Architectural Millwork
- p. Floor and Wall Tile: CMT Flooring
- q. Curtain Wall / Storefront: Commercial Window Solutions, Inc.
- r. Gypsum Board/Interior Partitions: JP Construction, Inc.
- s. Sprinkler: Regional Fire Protection, LLC
- t. Carpentry: Christman Midatlantic Constructors
- u. Insulation: Davenport Commercial
- v. Steel Wall Framing: JP Construction, Inc.
- w. Elevator: Kone, Inc.
- x. Fire Stopping: Preservation and Moisture Protection Systems, Inc.
- y. Audio Visual: MidPoint Technology Group
- z. Card Readers/Access Control: Kratos Public Safety & Security Solutions Inc.
- aa. Carpet: CMT Flooring
- bb. Aluminum/Steel Railing Systems: WB Ironworks, LLC.
- cc. Hazardous Materials Abatement: Access Demolition & Environmental

**\* The Christman Company intends to subcontract with the list of subcontractors named above but must reserve the right to change out a subcontractor should they not pass The Christman Company’s prequalification application or agree to our subcontractor terms and agreements. In order to protect ourselves, as well as our clients, our subcontractors are vetted using a combination of financial stability, safety record (EMR), bonding capacity and past experience.**



Agenda Report Form

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Open Session Item

**SUBJECT:** Memorandum of Understanding between Maryland Public Employees Council 67, AFSCME, AFL-CIO and its Local 2677, AFL-CIO and its Local 2677, AFL-CIO (“Union”) and the Board of County Commissioners of Washington County, Maryland (“County”) (“MOU”)

**PRESENTATION DATE:** May 1, 2018

**PRESENTATION BY:** John M. Martirano, County Attorney

**RECOMMENDED MOTION:** Move to extend the current MOU for an additional five (5) years beginning July 1, 2018 and ending on June 30, 2023.

**REPORT-IN-BRIEF:** The current MOU between the parties will expire on June 30, 2018.

**DISCUSSION:** Carroll E. Braun, Labor Relations Specialist for the Union, other County Union representatives, and County Staff have been in discussions regarding the current MOU which will expire on June 30, 2018. The parties have discussed and the Union has recently voted to agree to extend the current MOU for an additional five (5) years on the same terms, conditions and provisions. County Staff agrees and recommends extending the current MOU, including Amendment #1 and Amendment #2, for an additional five (5) years beginning July 1, 2018 and expiring on June 30, 2023.

**FISCAL IMPACT:** N/A

**CONCURRENCES:**

**ALTERNATIVES:**

**ATTACHMENTS:** None

**AUDIO/VISUAL NEEDS:** None





Open Session Item

**SUBJECT:** Public Safety Training Center - Change Order

**PRESENTATION DATE:** May 1, 2018

**PRESENTATION BY:** Scott Hobbs, Director, Division of Engineering

**RECOMMENDED MOTION:** Move to approve a change order in the amount of \$129,386 for additional architectural/design services as part of the Public Safety Training Center project.

**REPORT-IN-BRIEF:** This request covers the additional scope of work identified during the programming phase that will be accounted for in the construction document phase of the project.

**DISCUSSION:** The Training Facility is a proposed multi-phase project that will be utilized by police, fire, and emergency services personnel serving in and around Washington County. The first phase of work is the main building that is approximately 40,000 SF with offices, classrooms, multi-purpose room, kitchen, weight room, locker rooms, and storage space. The plan involves a new building on approximately 49 acres at 9238 Sharpsburg Pike.

**FISCAL IMPACT:** The draft proposed FY19 Capital Improvement Plan budget is \$11,500,000 (FY19-FY26). The original budget was \$5,000,000. Funding for the Public Safety Training Center has been increased with projected speed camera funds and the proposed budget will cover this increase. Budgeted CIP project BLD093.

**CONCURRENCES:** Director of Emergency Services, Washington County Sheriff

**ALTERNATIVES:** N/A

**ATTACHMENTS:** N/A

**AUDIO/VISUAL TO BE USED:** N/A



Agenda Report Form

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Open Session Item

**SUBJECT:** Report from School Security Task Force

**PRESENTATION DATE:** May 1, 2018

**PRESENTATION BY:** Dr. Boyd Michael, Superintendent; Doug Mullendore, Sheriff; Robert Slocum, County Administrator

**RECOMMENDED MOTION:** N/A

**REPORT-IN-BRIEF:** The School Security Task Force has met four consecutive weeks. The Superintendent and Sheriff have served as the Co-Chairs of the Task Force. Washington County has served as the Facilitator and host.

**DISCUSSION:** A Presentation will be made to the Joint Board of Washington County Commissioners and the Washington County Board of Education

**FISCAL IMPACT:** To Be Determined

**CONCURRENCES:** N/A

**ALTERNATIVES:** Various alternatives will be presented in the presentation

**ATTACHMENTS:** PowerPoint Presentation

**AUDIO/VISUAL NEEDS:** School Security Task Force Power Point Presentation



# Washington County

M A R Y L A N D



## WCPS

Washington County  
Public Schools

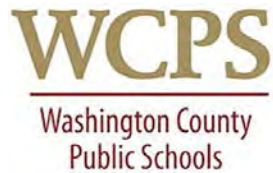


# School Security Task Force



## CO-CHAIRS

**Dr. Boyd Michael, Superintendent  
Washington County Public Schools**



**Sheriff Douglas Mullendore  
Washington County Sheriff's Office**



## FACILITATOR

**Robert Slocum, Administrator  
Washington County Government**





## MEMBERSHIP

Commissioner Wayne Keefer  
Commissioner John Barr  
Robert Slocum  
John Martirano  
David Hays  
Charlie Summers  
Sheriff Doug Mullendore  
Jim Holsinger  
Dr. Boyd Michael  
Steve Ganley  
Anthony Trotta  
Jeffrey Proulx  
Rob Rollins  
Melissa Williams  
Stan Stouffer  
Chief Victor Brito  
Tom Langston  
Rebecca Fetchu  
Fire Chief Steve Lohr  
Lt. Joe George  
Krista Hart, Secretary

Board of County Commissioners  
Board of County Commissioners  
Washington County  
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Washington County  
Washington County Public Schools  
Washington County Public Schools  
Washington County Public Schools  
Washington County Public Schools  
Washington County Public Schools  
Washington County Board of Education Member  
Washington County Board of Education Member  
Hagerstown City Police Department  
Hagerstown City Police Department  
Hagerstown City Police Department  
Hagerstown Fire Department  
Maryland State Police Department  
Washington County



## **SCHEDULE:**

First meeting held April 4, 2018 with a completion date of May 8, 2018.

## **DELIVERABLE:**

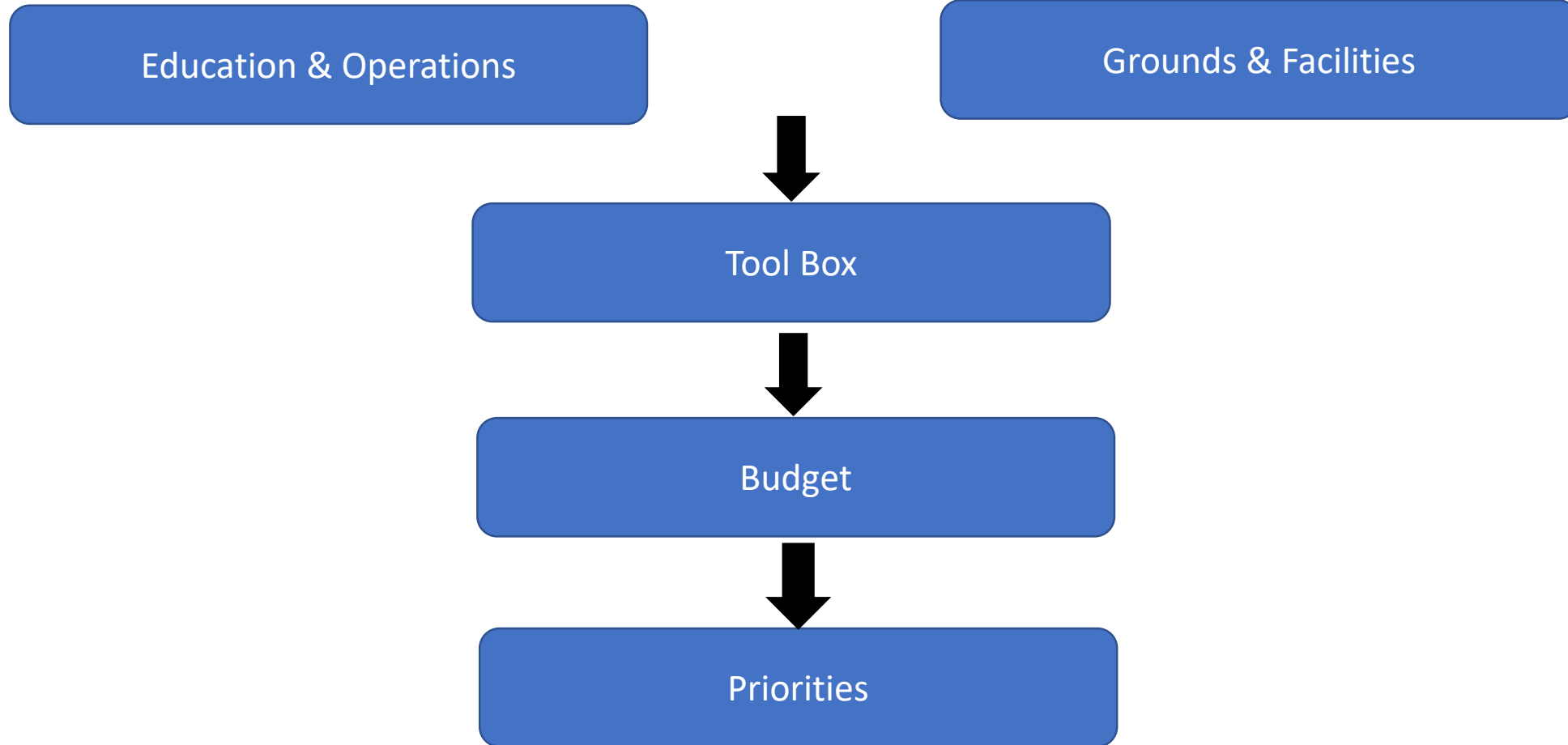
A brief of findings for the most expeditious and effective safety enhancements readily available, to include cost, schedule and reasoning.

## **BUDGET:**

To be determined with funding schedule and pending state funding.



## BRIEF OVERVIEW

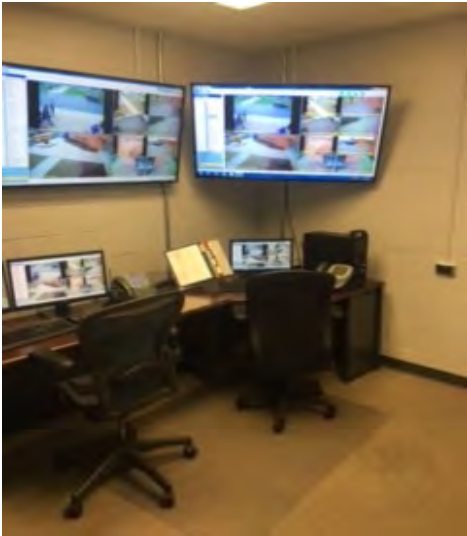
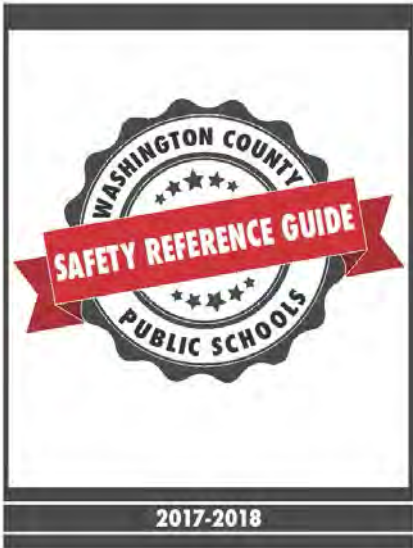




- I. Brief History and evolution of School safety in WCPS**
- II. School inventory with current safety enhancements**
- III. Baseline Programs**
- IV. Opportunities for Improvement**
- V. Possible Solutions**
- VI. State Funding**
- VII. Cost Estimates**
- VIII. Legislation**
- IX. Local Funding**
- X. Task Force Recommendations**

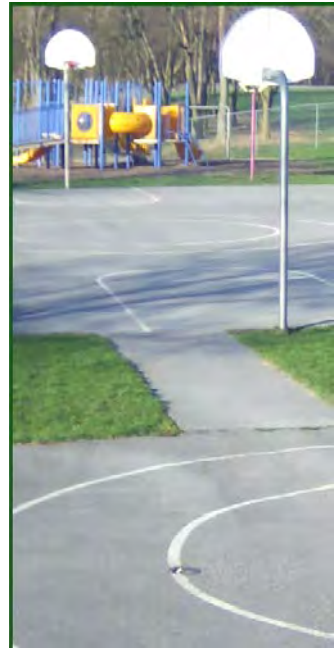
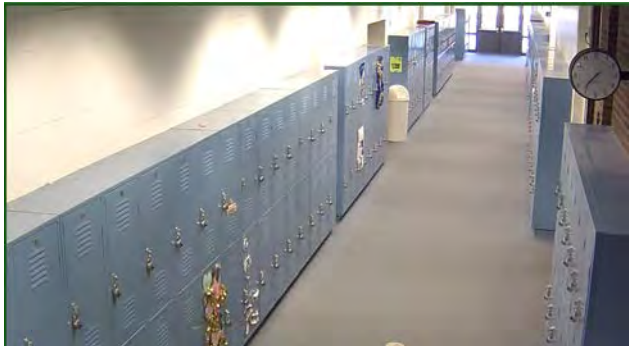


# Washington County Public Schools

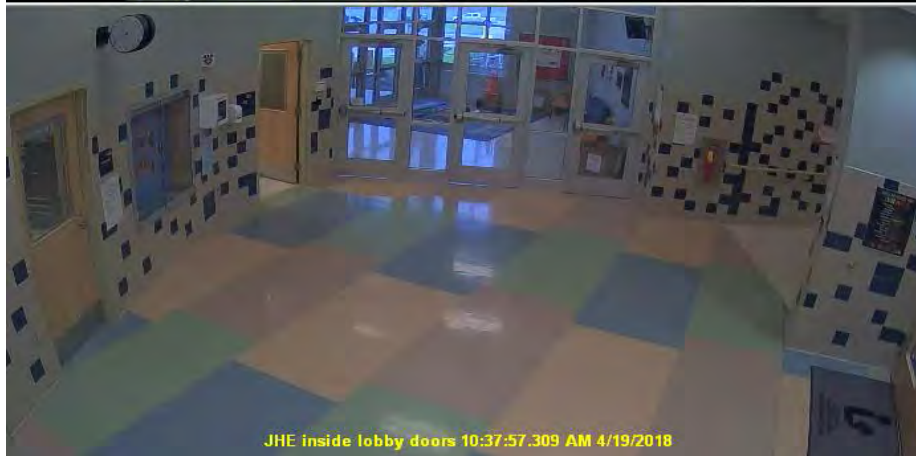


# Cameras

Washington County Public Schools  
has over 1,500 cameras



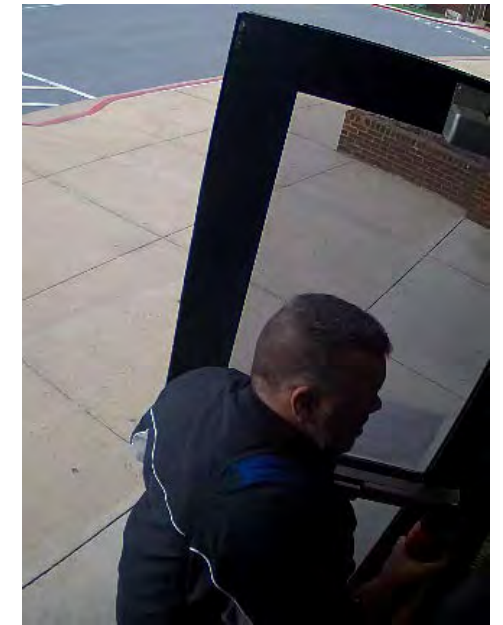
# School Office View



# Electronic Door Access

Washington County Public Schools has over 450 electronic access doors

An employee  
identification card  
will grant access  
at authorized doors



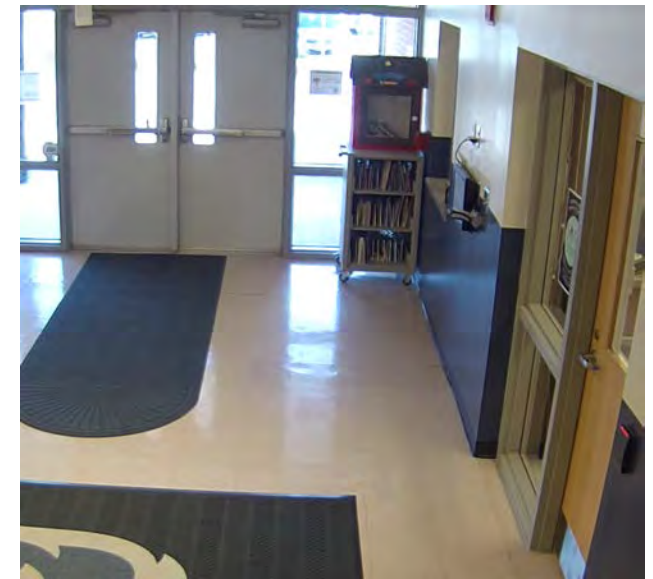
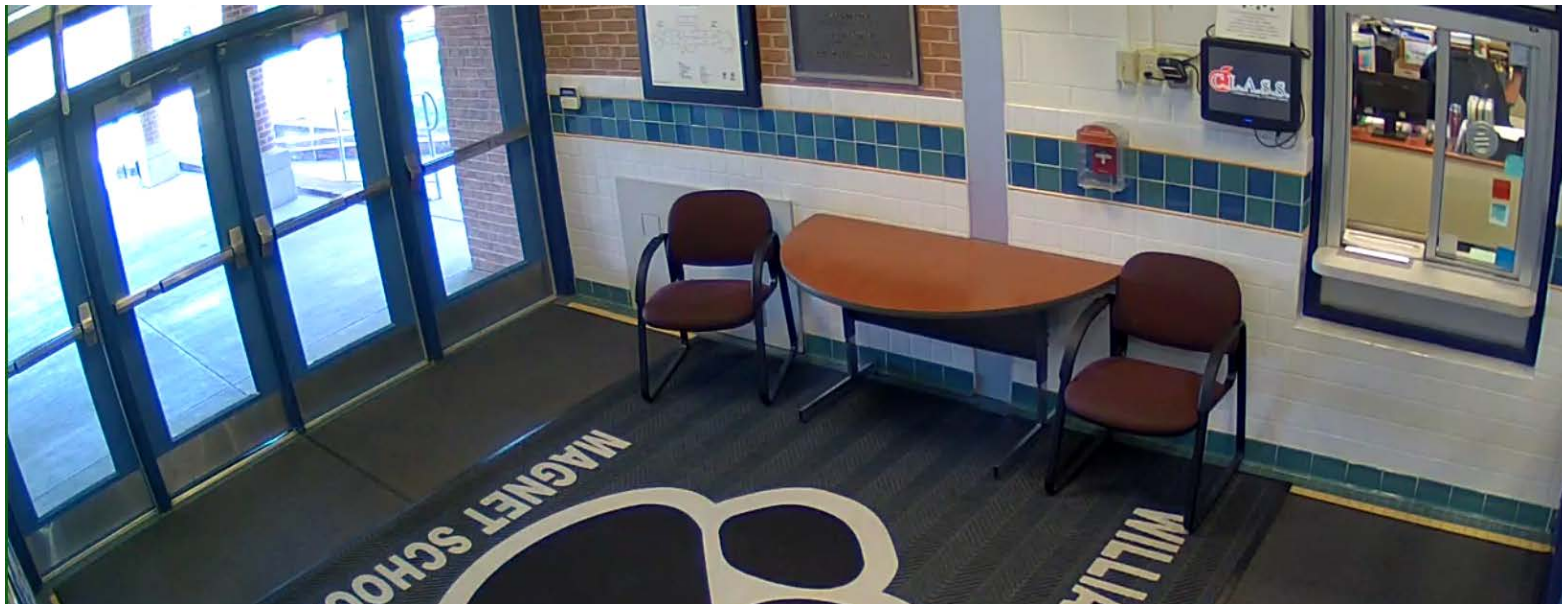
# School Radios



Over 1,200 Radios

# Vestibule Projects

Vestibules limit access  
and  
Provide a professional atmosphere



# Scheduled Vestibule Projects

## Summer Projects:

- **2018**
  - 2 new vestibules
  - 1 vestibule renovation

## Renovation Projects:

- **2019**
  - Design the remaining vestibule projects
  - Complete as time and funding is available

# School Resource Officers (SROs)

Mentoring



Communicating



Educating



Partners

Involved



# Safety Committees

- Each school has a safety committee that meets three (3) times per year to:
  - Review safety plans
  - Discuss staff safety concerns
  - Assist with scheduling trainings
- We have a countywide committee that discusses:
  - Safety concerns and trends
  - Local gang concerns
  - Training

# Training



The banner features a blue background with a faint American flag pattern. On the left is the U.S. Department of Homeland Security seal. The text is centered on the right. The bottom of the banner shows a collage of images: a teacher with two young students, a person in a hazmat suit, a person in a 'LIAISON' vest, and a person in a 'PUBLIC INFO' vest. A 'Begin' button with a right-pointing arrow is in the bottom right corner.

 Welcome to

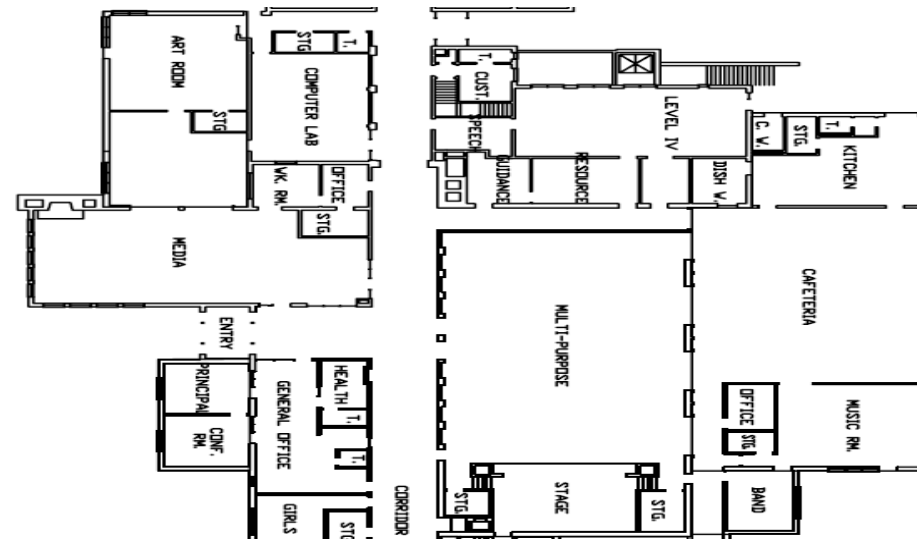
**IS-100.SCa**  
Introduction to the Incident Command System  
For Schools

Begin →

# Tabletop Drills with SROs and Emergency Medical Partners

## Weather/Fire/Threat

- Have a plan
- Test the plan
- Ask questions
- Adjust the plan



# Summary of Fire and Emergency Drills

## FIRE DRILLS

8 fire drills are required during the school year

- 2 fire drills are required in the first two weeks of school
- At least one fire drill will be completed every 60 days
- All fire drills must be completed by May 15<sup>th</sup>

## EMERGENCY DRILLS

Each emergency drill must be completed twice during the school year

- Lockdown
  - Shelter in Place
  - Reverse Evacuation
  - Duck/Cover/Hold
- Complete each emergency drill in September
  - Repeat each emergency drill between January 2 and February 23

# Training

## Active Shooter



# Opportunities for Improvement – Address Portable Classrooms and Disconnected Buildings

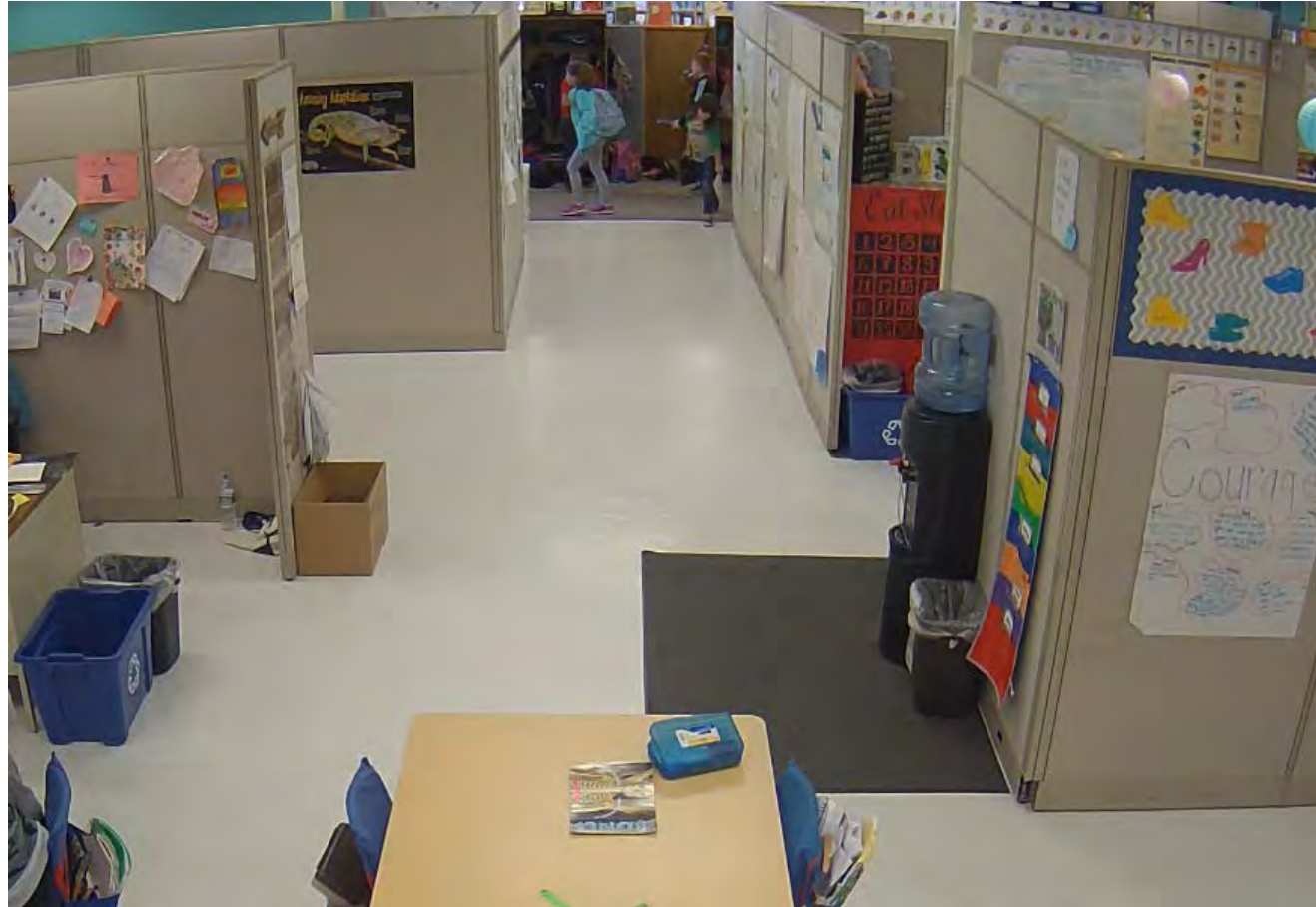


66 portables are located at 22 school sites



Schools connected by open breezeways

# Opportunities for Improvement – Enclose Open School Designs



# Opportunities for Improvement – Mental Health Concerns

Each school system is required to appoint a mental health services coordinator by September 1, 2018.



# Potential Solutions – Facility Improvements

- Complete school vestibule projects
- Replace or renovate open design schools
- Create seat capacity under roof
- Enclose open hallways
- Install window safety film
- Assess the school property for visibility and access concerns
- Review access and camera systems for continual improvement

# Potential Solutions – Human Resources

- Add SROs
- Maintain and enhance community based mental health programs
- Add a school based mental health coordinator
- Add school counselors and social workers

# Potential Solutions – Curriculum and Training

- Revise the curriculum at Children's Village
- Add age appropriate emergency training for students
- Create partnership safety videos

## 2018 MARYLAND GENERAL ASSEMBLY FUNDING FOR SCHOOL SAFETY

### *One-Time Funding:*

- \$2.5 million in safety assessment grants to be administered by the Maryland Center for School Safety.
- \$10 million in school safety grants to be administered by the Maryland State Department of Education.
- \$10 million in grants to be administered by the Maryland Interagency Committee on School Construction for safety-related operating and capital projects.

### *Permanent Funding:*

- \$10 million in mandated funding in FY 2019 and beyond for School Resource Officers (SROs) and other local law enforcement strategies to provide adequate school coverage.
- \$2.5 million for 13 new positions at the Maryland Center for School Safety.

**TOTAL: \$35 Million**

# MARYLAND SAFE TO LEARN ACT OF 2018

Beginning with the 2018-2019 school year, and each school year thereafter, each local school system must file a report with the Maryland Center for School Safety that provides the number of schools with SROs and how those schools without SROs will be provided adequate law enforcement coverage.

By December 15, 2018, MCSS must develop guidelines determining the appropriate number and assignment of SROs and any supplemental law enforcement coverage to provide adequate coverage to all schools.

By July 1, 2019, each local school system must develop their plan for implementation based on the guidelines provided by MCSS.

By September 1, 2018 each local school system must appoint a mental health services coordinator to coordinate existing mental health services and referral procedures within the local school system.

1. Ensure students referred for services receive those services.
2. Maximize external funding for mental health and wraparound services.
3. Develop plans for delivering behavioral health and wraparound services.

By December 1, 2018, the School Safety Subcabinet must review the local plans and identify any gaps in the availability of services and providers for school-age children.

## MARYLAND SAFE TO LEARN ACT OF 2018

By September 1, 2018, MCSS, in consultation with local schools systems, must develop a specialized curriculum to be used in training SROs that addresses specific issues. The curriculum must be submitted to the Maryland Police Training and Standards Commission (MPTSC) for approval.

By March 1, 2019, MCSS must develop a model training program for SROs based on the curriculum and submit it to the Maryland Police and Standards Training Commission for approval.

Each local law enforcement agency must enroll SROs either in the MCSS model training program or through a local training program using the MCSS curriculum and get the training approved through the MPSTC.

By September 1, 2019 all SROs must have completed this training.

## MARYLAND SAFE TO LEARN ACT OF 2018

By September 1, 2018, the School Safety Subcabinet must develop a model policy for the establishment of one or more assessment teams in each local school system. The model policy must include specified provisions generally related to (1) the identification of, and intervention with, students or other individuals who may pose a threat to school safety; (2) the composition and appropriate number of assessment teams within local school systems; and (3) training for the assessment teams.

By September 1, 2019, each local school system must adopt a policy for the establishment of assessment teams based on the Subcabinet policy. This policy must include:

1. A process for regular assessment and intervention, including diversion and de-escalation, if an individual exhibits behavior that may pose a threat to school safety.
2. Standards for timely response and procedure for coordination among members of the team, including referral of relevant information to appropriate authorities.
3. Standards and procedures for the referral of an individual for evaluation, services, or treatment when appropriate.

## MARYLAND SAFE TO LEARN ACT OF 2018

Each local school system must designate a school safety coordinator, who must be certified by MCSS and serve as the liaison between the local school system, local law enforcement, and MCSS.

By June, 2019, and regularly thereafter, each local school system must conduct a safety evaluation of each school to (1) identify and, if necessary, develop solutions for physical safety concerns on school property or at school-sponsored events. In conducting the safety evaluations, each safety coordinator must consult with MCSS, coordinate with IAC, and submit a summary of the completed evaluations to MCSS.

By July 1, 2020, and regularly thereafter, each local school system must update the school emergency plan for each public school. The plans must conform to the MSDE guidelines regarding how the school will address behavioral threats and emergency events. In updating the plans, local school systems must work with MCSS to correct any identified weaknesses.

School safety evaluations, emergency plans, and local law enforcement coverage policies are not subject to inspection under the Maryland Public Information Act, except by designated State agencies, emergency management agencies, and local law enforcement in the performance of their official duties.



## MARYLAND SAFE TO LEARN ACT OF 2018

MSDE, in consultation with the subcabinet, may adopt regulations to incorporate age-appropriate components of the Active Shooter Preparedness Program developed by the Federal Department of Homeland Security (DHS) or guidelines developed by the Maryland Active Assailant Work Group into the annual schedule of school safety drills.

Local school systems must collaborate with local law enforcement agencies to establish policies for responding to an emergency at each public school.

Beginning with the 2018-2019 academic year, and annually thereafter, each public institution of higher education must complete at least one active shooter drill.

Each local school system must promptly inform MCSS of any critical life-threatening incidents that occur on school grounds and invite the Center to participate in a required after-action review of the incident. At the conclusion of the review, the local school system must file a report with MCSS, and the Center must report to the Governor and General Assembly on lessons learned from the incident and any recommendations for improving school safety.

By August 1, 2020 and each year thereafter, the local school system will submit a report to the Center on threats, evacuations, lockdowns, hours spent in an emergency. In consultation with the Center, the local school system shall update emergency plans and correct weaknesses.

# MARYLAND SAFE TO LEARN ACT OF 2018

Initial cost of one SRO for one year:

Salary + Benefits	\$69,265.00
Academy	\$ 3,981.00
Vehicle & Equipment	\$45,983.00
Uniforms & Equipment	\$15,474.00
<hr/>	
<b>TOTAL COST</b>	<b>\$134,703.00</b>

Six Month Initial Cost: \$100,071.00

Approximate Annual Cost Thereafter: \$ 69,265.00



## PRIORITY RECOMMENDATIONS

- Vestibules \$2M, State participation may apply
- Additional School Resource Officers \$100,071K six month initial cost  
\$69,265K salary w/ benefits annual per SRO
- School Drills Operating Expense
- Address Open Design Schools \$88.75M, range of \$250K to \$11M
- Window Safety Film \$247,500K (45 schools @ \$5,500K/school)
- Revise Curriculum at Children's Village Operating Expense
- "See Something, Say Something" App Operating Expense



Open Session Item

**SUBJECT:** FY2019 General Fund Budget and 2019-2028 Capital Budget

**PRESENTATION DATE:** May 1, 2018

**PRESENTATION BY:** Sara Greaves, Chief Financial Officer (CFO), Kim Edlund, Director of Budget & Finance

**RECOMMENDED MOTION:** The Office of Budget & Finance would like a consensus to move the budget presented forward to Public Hearing on May 15, 2018.

**REPORT-IN-BRIEF:** The CFO will discuss any changes to the budgets from the most recently presented Draft 3.

**DISCUSSION:** General discussion by CFO on any project changes included in the Capital 10-Year Plan from the previously presented version. The General Fund budget will be presented in a similar manner. The CFO would like to move these budgets forward to Public Hearing.

**FISCAL IMPACT:** The FY2019 General Fund Budget – Draft 3 is \$229,639,310. The Capital Improvement Budget – Draft 3 includes a budget of \$42,958,000 for Fiscal Year 2019.

**CONCURRENCES:** Not applicable

**ALTERNATIVES:** Not applicable

**ATTACHMENTS:** Not applicable

**AUDIO/VISUAL NEEDS:** Not applicable



Open Session Item

**SUBJECT:** *PUBLIC HEARING* for RZ-17-010 Zoning change from Planned Industrial to Agricultural (Rural) for 5 parcels along Dusty Lane AND CP-17-001 - Comprehensive Plan/Urban Growth Area boundary adjustment for 5 parcels along Dusty Lane

**PRESENTATION DATE:** May 1, 2018 at 3:30 PM

**PRESENTATION BY:** Stephen T. Goodrich, Director, Washington County Department of Planning and Zoning

**RECOMMENDED MOTION:** No motion at this time. Public hearing is required as part of the zoning change process to take public comment.

**REPORT-IN-BRIEF:** Five parcels are affected by the proposed rezoning and are located at 13229, 13237, 13245 and 13253 Dusty Lane and 17009 Broadfording Road. The zoning is proposed to be changed from Planned Industrial to Agricultural (Rural). The area is located within the County's designated Urban Growth Area and is on the fringe of a large area zoned for future industrial development. The area has an Industrial Flex land use designation in the adopted Comprehensive Plan and was rezoned to Planned Industrial during the 2012 comprehensive Urban Growth Area rezoning. Available land for industrial development to support job growth is a recommendation of the Comprehensive Plan. At the time of the rezoning to Planned Industrial there were 3 existing residential lots that retained their permitted use status under the industrial zoning and they were surrounded by a large expanse of vacant property.

The Urban Growth Area rezoning and a 2-lot residential subdivision application (that created 13229 & 13237 Dusty Lane) were approved independently and without knowledge of the other at approximately the same time. The subdivision created 2 new lots with the owners' expectations of building new dwellings. When a building permit application for 13237 Dusty Lane was received by the County in late 2017 the conflict of a new residential use in industrial zoning was discovered. Existing dwellings are permitted to remain and be used for residential purposes but new dwellings would not be permitted.

**DISCUSSION:** The Planning and Zoning Department has initiated this rezoning application without cost to the 5 property owners. Information unknown at the time of the decision to apply the industrial zoning is sufficient to support a claim that a mistake was made in that zoning decision. Furthermore, the proposed Agricultural (Rural) zoning is appropriate and logical as the proposed new zone because the 3 existing dwellings and the intended dwellings on the 2 "new" lots are a permitted use and the adjacent parcels on the opposite side of Broadfording Road are

zoned similarly. The parcels are on the edge of the Growth Area and the boundary can be adjusted to exclude these parcels, allowing for the rural zoning designations without negative effects on either the affected parcels or the land area remaining in the industrial district. The Planning Commission held a public information meeting. No public comment was received. The Planning Commission made a recommendation in favor of the rezoning. All five property owners received notification of the Planning Commission public information meeting and this public hearing. Planning Staff has made personal contact with 4 of the 5 property owners who have noted no objection.

**FISCAL IMPACT:** None

**CONCURRENCES:** Property owners and Planning Commission

**ALTERNATIVES:** Not having a public hearing would be a violation of Maryland law which requires it before a zoning change.

**ATTACHMENTS:** Rezoning application and staff report

**AUDIO/VISUAL NEEDS:** None



Washington County

MARYLAND

FOR PLANNING COMMISSION USE ONLY  
Rezoning No. RZ-17-010 & CP-17-001  
Date Filed: \_\_\_\_\_

WASHINGTON COUNTY PLANNING COMMISSION  
ZONING ORDINANCE MAP AMENDMENT APPLICATION

Washington Co. Dept. of Planning & Zoning

Applicant  
100 W. Washington St., Ste. 2600,  
Hagerstown, MD 21740

Address

Stephen Goodrich

Primary Contact

Address

- Property Owner
- Contract Purchaser
- Attorney
- Consultant
- Other: \_\_\_\_\_

Phone Number

E-mail Address

Property Location: 13229, 13237, 13245 & 13253 Dusty Lane and 17009 Broadfording Road

Tax Map: 23 Grid: 23 Parcel No.: 551 (lots 1-4) and 385 Acreage: 8.46

Current Zoning: PI - Planned Industrial Requested Zoning: A(R) - Agricultural Rural

- Reason for the Request:
- Change in the character of the neighborhood
  - Mistake in original zoning

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

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
- Ownership Verification
- Boundary Plat (Including Metes & Bounds)
- Names and Addresses of all Adjoining & Confronting Property Owners
- Vicinity Map
- Justification Statement
- 30 copies of complete Application Package



# Washington County

M A R Y L A N D

## DEPARTMENT OF PLANNING & ZONING

COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

December 21, 2017

RZ-17-010 & CP-17-001

### APPLICATION FOR ZONING MAP AMENDMENT AND COMPREHENSIVE PLAN LAND USE PLAN MAP AMENDMENT STAFF REPORT AND ANALYSIS

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Property Owner(s)	:	Tyler A. Hoffman, 13229 Dusty Lane Joshua E. & Sierra N. Hoffman, 13237 Dusty Lane Kenneth E. Stewart & Donna Certain, 13245 Dusty Lane Charles L. & Jane E. Prince, 13253 Dusty Lane Seth M. & Lorraine M. Eby, 17009 Broadfording Road
Applicant(s)	:	Washington County Department of Planning & Zoning
Location	:	South side of Broadfording Road and east side of Dusty Lane
Election District	:	#13 – Maugansville
Current Comprehensive Plan Designation	:	Urban Growth Area - Industrial Flex
Proposed Comprehensive Plan Designation	:	Rural Area - Agricultural
Zoning Map	:	23
Parcel(s)	:	Parcel 551-Lots 1-4 and Parcel 385
Acreage	:	8.46 acres (P. 551, Lot 1-1.79 ac., Lot 2-1.77 ac., Lot 3-1.64 ac., lot 4-1.41 ac., Parcel 385-1.85ac.)
Existing Zoning	:	PI - Planned Industrial
Requested Zoning	:	Agricultural (Rural)
Date of Hearing	:	January 8, 2018

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#### LOCATION AND PHYSICAL FEATURES

The rezoning site consists of 5 parcels located on the south side of Broadfording Road about 2.5 miles west of Hagerstown. The Eby parcel at 17009 Broadfording Road fronts on the south side of the road and the other 4 lots have frontage on Dusty Lane which is a private lane that extends southward from its intersection with Broadfording Road. These 4 lots are immediately south of the Eby parcel. The Eby, Prince and Stewart parcels have existing dwellings on them. The remaining 2 parcels owned by Tyler Hoffman and Joshua Hoffman are currently vacant. Dusty Lane also provides access to a farm complex located further south of Broadfording Road on the parcel of land (Parcel 72, 75 acres ±) which was subdivided to create all five lots that are the subject of this application. The parcels were subdivided in 1995, 2002 and 2012. The intent of lot 3

120 West Washington Street, 2<sup>nd</sup> Floor | Hagerstown, MD 21740 | P: 240.313.2430 | F: 240.313.2431 | TDD: 7-1-1



owners Joshua and Sierra Hoffman to build a dwelling has brought to light the conflict between the previously documented intention to build a home and the limitations of the existing Planned Industrial zoning.

As might be expected, the 3 parcels that contain existing dwellings have yards with a variety of residential landscaping including tree buffers between them. The Eby parcel fronts on Broadfording Road and has a separate driveway. Lots 1 and 2 each have panhandles to Broadfording Road but utilize private Dusty Lane which meanders across the panhandles and the adjacent farm parcel. The vacant parcels (lots 3 and 4) have most recently been included in the farmed areas of the adjacent farm but they also include patches of trees that mark rock outcroppings that are not suitable for crops. These parcels have residential building sites, septic areas and private well locations shown on an approved and recorded subdivision plat. They have no public road frontage but have approved access to Broadfording Road through an easement over Dusty Lane. The large parcels that surround the 5 lots proposed for rezoning are farmed and are occupied by fields for crops or pasture.

Soils in the area are of the Hagerstown and Swanpond varieties which were formed from limestone parent material. The three series' located on the rezoning site are in agricultural capability class 2, well suited for farming. The most prominent type, symbolized as HaB has only slight limitations for septic systems while the HdB and SpA varieties have limitations characterized as somewhat to very limiting due to restricted permeability and limited depth to saturation. The underlying geologic formation is labeled Rockdale Run, a dolomite and limestone material. There is no mapped floodplain on the parcels. The topography is slightly sloping (less than 2%) to the south sending surface water flow to an unnamed tributary of the Conococheague Creek. The general vicinity is characterized by large farm parcels and scattered residential lots cut from those farm parcels. The residential parcels are usually clustered along the road frontage and road intersections.

## POPULATION ANALYSIS

**Table 1**

Population Trends 1980 - 2010			
Year	Area	Population	% change from previous decade
1980	District 13	5030	
	County	113086	
1990	District 13	5351	6.4%
	County	121393	7.3%
2000	District 13	5698	6.5%
	County	131932	8.7%
2010	District 13	6154	8.0%
	County	147430	11.7%

Source: US Census Bureau

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Population trends are evident in the chart above. The Maugansville Election District (#13) has seen a 22.3% increase in its population between 1980 and 2010. Washington County has experienced a 30% increase in population in the same 30 year time period. The district continues to hold about 4% of the County's total population over the time period shown.

## AVAILABILITY OF PUBLIC FACILITIES

### Water and Sewerage

The adopted Water and Sewerage Plan for Washington County establishes the policies and recommendations for public water and sewer infrastructure to help guide development in a manner that promotes healthy and adequate service to citizens and to implement the adopted growth and preservation policies of the Comprehensive Plan. The stated purpose of the Plan is "... to provide for the continued health and well-being of Washington Countians and our downstream neighbors." This is achieved through implementing recommendations in the Comprehensive Plan and the Water and Sewerage Plan to provide for services in a timely and efficient manner and in locations where needs exist or where growth is encouraged . The Water and Sewer Plan is also an inventory of existing and programmed services. Public water and sewer services are specifically discouraged in rural areas to limit development, except to resolve health issues.

Four of the five parcels that are the subject of this rezoning case have a water service priority classification of W-5 meaning that public water is planned to be available in the future but there is no specified time frame. These four lots have existing on-site wells serving the existing dwelling or a designated well location on the subdivision plat for the two lots that have yet to be developed. The remaining parcel, 17009 Broadfording Road, has a service priority designation of W-1 indicating that public water service is currently available. This parcel is also within a public water service district that is designated as Restricted, indicating that the service is being provided to mitigate a documented public health issue for existing development. Future connections or extensions of this service line are limited. This parcel is immediately adjacent to the public right of way where the water main is located. A W-1 and W-5 service priority designation is expected since the properties are currently within the Urban Growth Area and public health facilities are appropriate for use in areas where development is encouraged.

If the rezoning and Comprehensive Plan Land Use Plan map are amended the Eby parcel would retain its W-1 designation because the site is currently served by the public system. The other four parcels could retain the W-5 designation and be connected to the restricted use water line or be changed to W-7 indicating the continued use of the existing and proposed private wells on-site. The lines that serve the parcel are already designated as Restricted because the line was installed to resolve a public health issue outside of the Urban Growth Area. There are many other existing dwellings on the north side of Broadfording Road, outside the UGA connected to this same restricted water line. It

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would be a Health Department decision to determine if future development on these parcels would be required to connect to the public water line.

There are also fire hydrants along a portion of Broadfording Road connected to this water line.

All five parcels that are the subject of this rezoning request are not served by any public sewer facilities and have a service priority designation of S-5 indicating that public sewer service is planned in the future but there is no specified time frame. This status is the result of the parcels' current location within the Urban Growth Area where public utility connections are desirable and expected to allow urban densities and to make full use of the investments in public sewer infrastructure. The three parcels that have dwellings on them utilize on-site septic systems. The remaining 2 undeveloped parcels have had successful percolation tests and areas designated on the respective subdivision plat for septic system installations and repairs. Use of septic systems is permitted as an interim measure in areas where public facilities are planned for the future (S-5).

If the rezoning and Comprehensive Plan Land Use Plan maps are amended these parcels should and would be reassigned to the S-7 Service Priority designation during the next Water and Sewerage Plan amendment since public facilities are not planned outside of the Urban Growth Area.

#### Emergency Services

The rezoning site is located in the service area of the Maugansville volunteer fire company. The station is located 2 miles north and east of the rezoning site although actual vehicle travel distance is approximately 3 miles. The Community Rescue Service substation that provides emergency medical and rescue services operates from the same station in Maugansville.

#### Schools

The rezoning site is located within the attendance districts of Maugansville Elementary School, Western Heights Middle School and North Hagerstown High School. The current zoning of Planned Industrial would not permit any future residential development and therefore no additional students are expected. However, 3 of the 5 parcels have existing dwellings. They could be sending students to the schools now and the number of students from these units could increase or decrease for a number of reasons. If the zoning is changed to Agricultural (Rural), residential development could occur on the two vacant parcels. Washington County currently uses a projected pupil yield per single family unit figure of 0.82 to evaluate school adequacy for new development that exceeds 7 new dwelling units. The 2 vacant parcels are already approved lots and not subject to a school adequacy test. However, using established factors, the two new dwellings that could be built after a zoning change to Agricultural (Rural) could generate 1.64 additional students in addition to the current or future students from the existing dwellings. An additional 1.64 students spread among three schools would not be expected to create

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capacity issues. An equal or greater number of additional students could result from a change in family size in any one of the existing dwellings.

#### Public Transportation

This area is not served by the Washington County Transit System.

#### PRESENT AND FUTURE TRANSPORTATION PATTERNS

The 5 parcels that are the subject of this rezoning application are located on the south side of Broadfording Road. The Eby parcel has approximately 470 feet of frontage on the road and a driveway connecting directly to the road. The remaining four parcels are “stacked” behind the Eby parcel with their front yards oriented toward Dusty Lane which runs on the west side of Eby from Broadfording Road in a southerly direction. Lots 1 and 2, immediately behind Eby, each have a panhandle extending from the western end of the lot to Broadfording Road. The panhandle to Lot 1 is 51 feet wide and the Lot 2 panhandle is 25 feet wide. There is a third panhandle that is also 25 feet wide that leads to the farm parcel south of these five lots. Lots 3 and 4 do not have panhandles to the public road. They front on Dusty Lane and use it for access to the public road by virtue of an easement. Dusty Lane intersects Broadfording Road on the panhandle for the farm parcel and then meanders across the panhandles for lots 1 and 2 before it straightens out and heads in a southerly direction adjacent to the frontage of lots 1-4 and eventually to the complex of farm buildings.

Lots 3 and 4 are undeveloped at this time. It is expected, if the rezoning is approved that each will construct its future driveway to Dusty Lane for access to Broadfording Road and the subdivision plat for these lots was approved based on that arrangement. There would be no new access points onto the road.

Broadfording Road is a County public road, classified as a Minor Collector. It is intended to provide connections between villages and neighborhoods. It also collects traffic from local roads and individual properties and funnels it on to other locations on the transportation network. The road has a hard paved surface and is in good condition. It can be winding or hilly in some locations which is reflective of the 35 mph speed limit. The shoulders are very narrow and in many places, nonexistent. Along its route between the western fringes of the urban area surrounding Hagerstown and MD Rt. 63 (Greencastle Pike) on the west, it serves scattered rural residential development and many large farm parcels.

If the parcels were to be developed under the current Planned Industrial zoning it would be difficult to predict the type of access needed because the district allows a wide variety of industrial uses but the small parcels could be restrictive. Many uses could overwhelm the existing residential driveway and would be subject to increased scrutiny and design standards based on information provided on a site plan. Traffic studies may be required before additional access could be permitted. Road improvements, which could be significant depending on the type of use, could become the burden of the site developer.

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Industrial development on the larger farm parcels surrounding this rezoning site would require site plan approvals where access and traffic concerns would be addressed through traffic studies and design standards for new access to public roads. Broadfording Road would be the least desirable point of access for new industrial development. MD Rt. 63 and US Rt. 40 are more suitable for industrial traffic.

Average Daily Traffic counts (ADT) are not available for a location on Broadfording Road near the rezoning site. 2008 and 2016 figures are available for the eastern end near its intersection with Garland Groh Boulevard and a location west of the intersection with MD Rt. 63. They are shown in the table below. These counts may or may not create an accurate picture of traffic near the rezoning site but they are all that is available. The counts shown below are consistent with the *Typical Mean Traffic* expected and noted on the County's Functional Road Classification map contained in the Comprehensive Plan. Minor Collectors are expected to have a typical mean ADT of 500-1500 in a rural setting and 1000-3000 in urban areas. New points of access onto Broadfording Road would have to provide a minimum separation of 100 feet from existing points.

AVERAGE DAILY TRAFFIC (ADT) – BROADFORDING ROAD

YEAR	ADT - EAST	ADT - WEST
2008	1582	2791
2016	1540	2404

COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT IN THE AREA:

If the zoning were to remain Planned Industrial and these parcels were to remain inside the Urban Growth Area nothing would change until these properties and adjacent farmland would be proposed and approved for development. The existing single family dwellings on three of the parcels included in this case do not present a conflict for the industrial use but the relationship would likely not work in the opposite direction and residents may not enjoy their industrial neighbors. The surrounding area is open farmland and similar single family dwellings. The construction of two additional dwellings on the vacant lots would not be permitted. It's not known if these two currently vacant parcels would be included in any industrial development proposal. They are only a little more than an acre each. An industrial user looking for a site of less than 2 acres would be unique.

If the zoning and growth area boundary was changed to Agricultural (Rural) the three existing dwellings could and probably would remain. The two vacant lots would be permitted to have dwellings constructed on them Based on information from the current owners that is very likely to happen in the near future. These

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two new dwellings present no conflict with the current surrounding uses which are virtually the same, scattered residences and farmland. If industrial development were to occur on the surrounding industrially zoned land it is unlikely that two additional dwellings will present more conflict than those that currently exist.

As noted previously, 3 of the five parcels that are the subject of this application have existing dwellings on them. The other two parcels are vacant and were created by approval of a subdivision plat for residential development in 2012. The area surrounding the rezoning site is typical of many other locations in Washington County, a mix of rural residential lots clustered along the public road frontage and at crossroads with larger farm parcels behind them. The residential lots are usually one acre or larger. There is very little obvious commercial or industrial development until an observer travels approximately 2 miles in any direction. Two miles to the east one would find the edge of the urbanizing area around Hagerstown in evidence by the several commercial strip centers containing Best Buy, Wal-Mart, Home Depot, etc. Two miles to the south and west, a commercial/industrial area is emerging containing a Sheetz mixed retail use, a liquor store and a Pilot truck stop further to the south. Two miles to the north and east is the village of Maugansville with substantial denser residential development and accompanying commercial services.

The immediate vicinity is unusual when looking at the question of compatibility with existing and proposed development. The current development is clearly agricultural and rural residential. However, the UGA boundary is concurrent with Broadfording Road and MD Rt. 63. All of the area south of Broadfording and east of MD Rt. 63 is in the growth area and zoned for industrial uses. This was intentional, following recommendations of the Comprehensive Plan to apply that zoning in order to reserve the large tracts of undeveloped land for future industrial and employment generating land uses. The area is served by State highways with connections to the interstate system and within the planned service area of the County's Conococheague Wastewater Treatment plant with capacity for such development. The land area on the north side of Broadfording Road is outside of the Urban Growth Area and zone Agricultural (Rural) where retention of rural character and preservation of agricultural land is the priority. The area west of MD Rt. 63 is zoned Environmental Conservation, also outside of the growth area due to the corridor created by the meandering Conococheague Creek.

#### Historic Inventory Sites

There are three Historic Inventory sites within ½ mile of this rezoning site

WA-I-334 is the identification number for the H.H. Martin House and property approximately ½ mile to the northwest on the north side of Broadfording Road, near the intersection with the Greencastle Pike. It is a 19<sup>th</sup> century, 3 part log, frame and brick house. WA-I-314 is the second inventory site, located ½ mile to the southeast and is known as the Miller-Conrad house. It is a 19<sup>th</sup> century log house covered with wood

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siding. It was a tenant house to the dwelling on the third and adjacent site, WA-I-322, known as the Tice-Eby farm. This farm complex is an 18<sup>th</sup> century two story log house with a stone bank barn containing a date tablet inscribed with "1774".

RELATIONSHIP OF THE PROPOSED CHANGE TO THE ADOPTED PLAN FOR THE COUNTY:

A timeline of major land use decisions in Washington County can explain how and why this land is included in the Urban Growth Area and how this industrially zoned property came to include existing dwellings and two lots approved for residential development.

Washington County adopted a Comprehensive Plan in 1981 that contained a generalized Growth Area boundary that did not follow property lines. If scaled from a map the boundary was 1500 feet wide on the actual ground surface. It was intended to be general in nature to allow flexibility in interpretation. In the years that followed the Comprehensive Plan adoption, study committees evaluated each growth area specifically and those boundaries were further refined based on studies of each unique area and how the area would, could or should be affected by policies encouraging or limiting growth. Eventually, growth area boundaries for the Urban Growth Area (Hagerstown, Williamsport and Funkstown), Boonsboro, Smithsburg, Hancock and Clear Spring were adopted and mapped. However, Planning staff and the Planning Commission often spent an unnecessary amount of time explaining the purpose and benefit of this broad and general boundary and debating its effect when it came time to make a decision about whether a parcel was inside or outside the boundary.

The next iteration of the Comprehensive Plan adopted in 2002 was built in part on the lessons learned from the general and sometimes vague growth area boundaries. The updated versions of growth area boundaries frequently, but not always, followed property lines or physical features on the landscape such as roads, waterways, etc. Subsequent to the 2002 plan adoption, the growth area boundaries were further refined and defined in the 2005 Rural Area and 2012 Urban Growth Area rezonings. Today there is an exact demarcation between urban and rural zoning districts which is how the UGA boundary came to be drawn along Broadfording Road, placing the subject five parcels inside the UGA and land on the opposite side of the street outside the UGA.

Furthermore, the growth area boundary of the 1980's ran parallel and west of McDade Road, parallel and north of US Rt. 40 out to Huyett's Crossroads (US 40 & MD 63) and then south towards Williamsport. The location of the subject rezoning was **not** included in the growth area. During development of the 2002 Comprehensive Plan it was recognized, with the assistance of the County's Economic Development department and Commission that there was not enough industrially zoned property to meet the employment needs of the future. The County needed to make decisions about where it desired and intended for new development to occur in order to provide and sustain employment security in the future. The Urban Growth Area **was expanded** to include all of the land between US Rt. 40 and Broadfording Road, bounded on the west by MD Rt. 63. Now the rezoning site was inside the UGA.

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During the Rural Area rezoning approved in 2005 that boundary was solidified by new rural zoning designations on the outside (north and west) of the UGA boundary along Broadfording Road. The final step in preparing land to be available for future economic development and employment for County citizens came when the Urban Growth Area, now including the subject 5 parcels, was comprehensively rezoned in 2012 and the entire area north of US 40, east of MD 63 and west of McDade Road, more than 1500 acres, was purposely rezoned from Agricultural to PI-Planned Industrial. The acreage was large but the number of parcels was small. Any one parcel may be large enough to support industrial development and assembly of several to create an even larger area could be simpler due to only a few owners to negotiate with. That decision was made with the knowledge that there were some small scattered parcels with residential uses within that Planned Industrial area. The action was purposeful and meant to stem any further residential development so the area would be preserved for industrial or employment providers that typically need large acreage. Existing residential uses are permitted to continue under the standard zoning doctrine of legal non-conforming uses.

That is how the subject parcels came to be zoned Planned Industrial even though three of them contained existing dwellings. The two vacant parcels did not exist at the time the comprehensive rezoning of the Urban Growth Area was approved. They were still part of the adjacent farm that they were subdivided from. The Urban Growth Area rezoning was initiated in October 2010 by virtue of the date of the first advertisement of the first public hearing. Additional hearings were held in July 2011 and December 2011. All property owners that would receive a changed zoning on their properties, including the Hoffmans, Princes, Stewarts and the Ebys received notice of the rezoning and the October and July hearings and were invited to ask questions and make comments. The final decision was made by the Board of County Commissioners on April 17, 2012 with an effective date of July 1, 2012. The Planning and Zoning Department and the Planning Commission prepared the rezoning materials and managed the process.

The subdivision plat for the two additional lots, now owned by Joshua Hoffman and Tyler Hoffman was submitted to the County's Plan Review Department on December 12, 2011. It was processed by the Plan Review Department at the same time that the Urban Growth Area rezoning was being shepherded by the separate Planning and Zoning Department. The plat was approved on May 23, 2012.

That is how and why these five parcels, three with existing dwellings and the other two planned for dwellings, came to be zoned Planned Industrial. The zoning on these parcels is consistent with the Comprehensive Plan because it was applied as a direct result of the plans recommendations. The creation of the two additional lots is not directly contrary to the Plan but the use that was approved on the subdivision plat for the two lots clearly is not consistent with the Plans intent for this area to be reserved for industrial development. Mr. Hoffman's intent to build a dwelling on lot 3 has led to the discovery of this conflict.

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## CHANGE OR MISTAKE

In Maryland, traditional euclidean rezoning must follow the “Change or Mistake” rules. Maryland’s Land Use Article of the code specifies this rule as the required basis for zoning changes outside of comprehensive zoning or rezonings initiated by the local government. There is an extensive history of court cases setting and reinforcing criteria that must be met to uphold or overturn or remand zoning decisions based on the “Change or Mistake” rule.

Zoning can be changed if it can be shown that there has been a *change* in the character of the neighborhood since the last comprehensive rezoning so that the zoning applied at that time may no longer be appropriate. A neighborhood boundary must be defined, the events that have caused change must be identified and the before and after character must be explained. This application does not claim that there has been a change in the character of the neighborhood.

A second basis for rezoning in Maryland is the claim that there was a *mistake* in the original zoning or the zone that was assigned in the most recent comprehensive rezoning. In this case that would be the Comprehensive Urban Growth Area rezoning approved in 2012. The legal definition of mistake for the purpose of supporting a rezoning is not necessarily choosing the wrong district by way of bad judgement. Mistake is more about making a decision when all of the information or facts are not known or have not been considered. A mistake in zoning can occur if information relied upon by the legislative body during the decision making process is later shown to be incorrect or invalid. A mistake can also be supported if it can be shown that decision makers failed to consider existing facts at that time or there was information unknown and couldn’t be considered at the time of the decision. All of these situations could lead to a decision that is later shown to be a mistake.

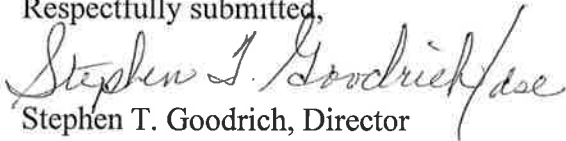
Mistake is the basis upon which this case is presented. The decision to zone this area Planned Industrial was made without knowing that two additional residential lots were under review and would soon come into existence. That would be contrary to the purpose of the PI district. The property owners’ plans were approved by the County and then negated by County.

The corrective measure proposed here, adjusting the Urban Growth Area boundary to exclude the five parcels and changing the zoning from Planned Industrial (an urban designation) to Agricultural (Rural) will more closely align the zoning with the existing and intended uses on the parcels (residential). The zoning and growth area boundary change needs to include all five parcels so an island will not be created. The Eby, Stewart and Prince parcels need to be included in order to connect the Hoffman properties to the rural agricultural area on the north side of Broadfording Road. This change will not seriously impair the ability of the land area that remains inside the UGA boundary and zoned Planned Industrial to be developed in the same manner as before the change. It will be necessary to consider setbacks and buffering for these parcels when

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industrial development is reviewed. Owners of these parcels must be aware of the type of development that will occur nearby.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephen T. Goodrich". The signature is written in dark ink and is positioned above the printed name.

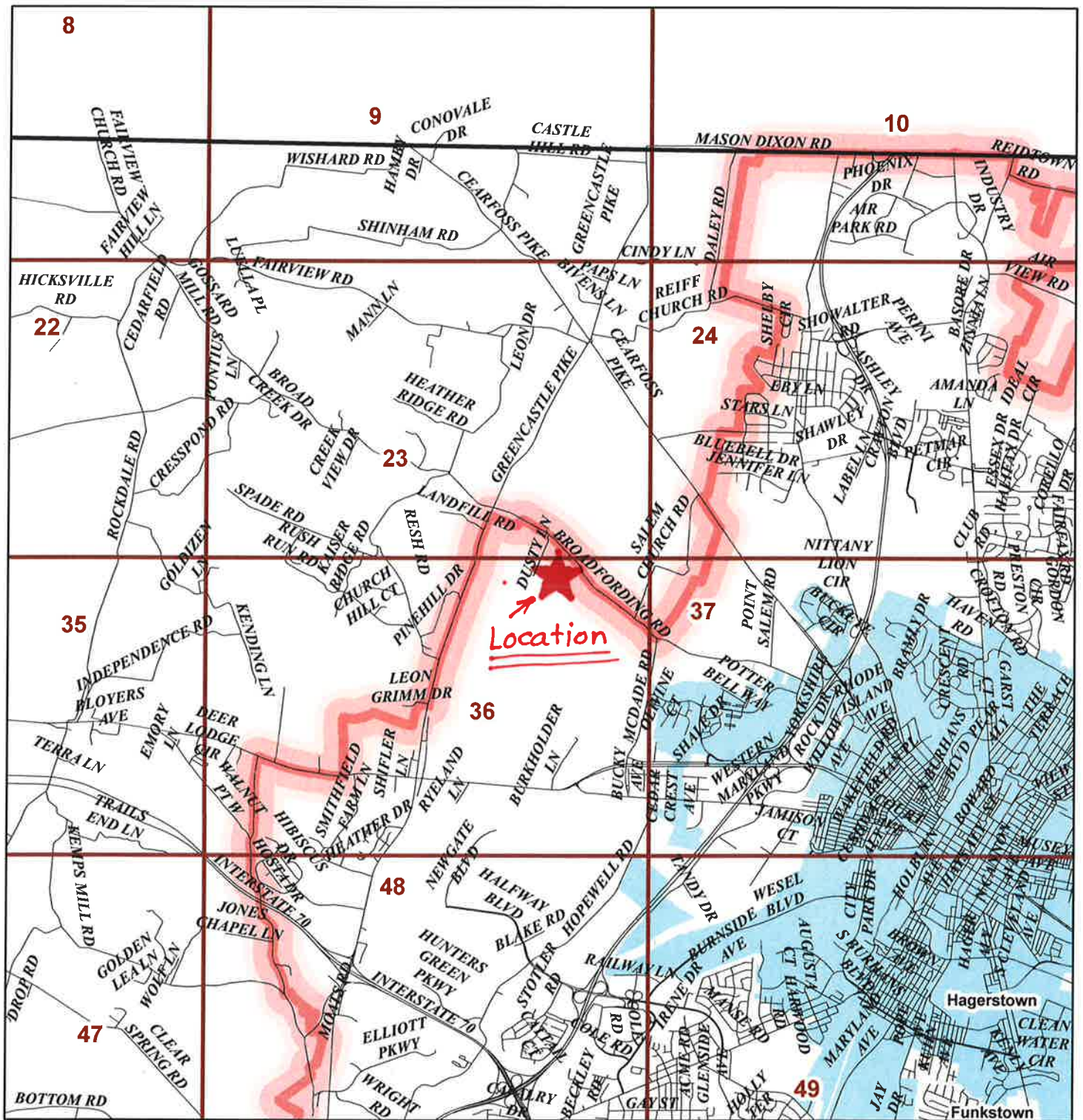
Stephen T. Goodrich, Director  
Washington County Department  
of Planning and Zoning

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# RZ-17-010 LOCATION MAP

## Planned Industrial to Agricultural (Rural)

### 5 parcels = 8.46 acres



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#### Legend

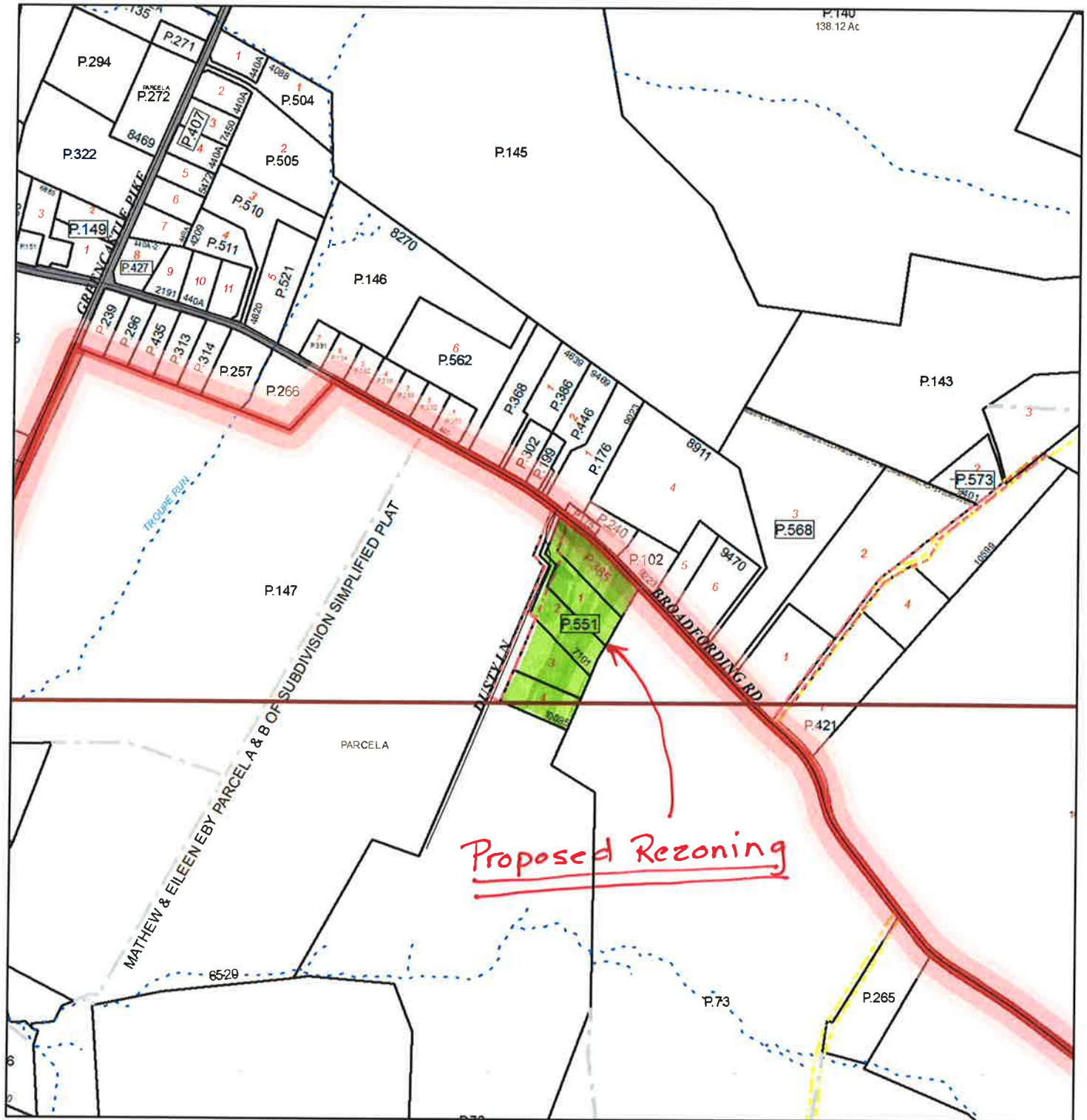
- Growth Area Boundaries
- Town Boundaries



# RZ-17-010 SITE MAP

## Planned Industrial to Agricultural (Rural)

### 5 parcels = 8.46 acres

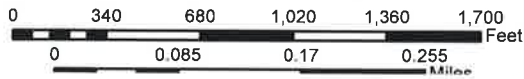


Proposed Rezoning

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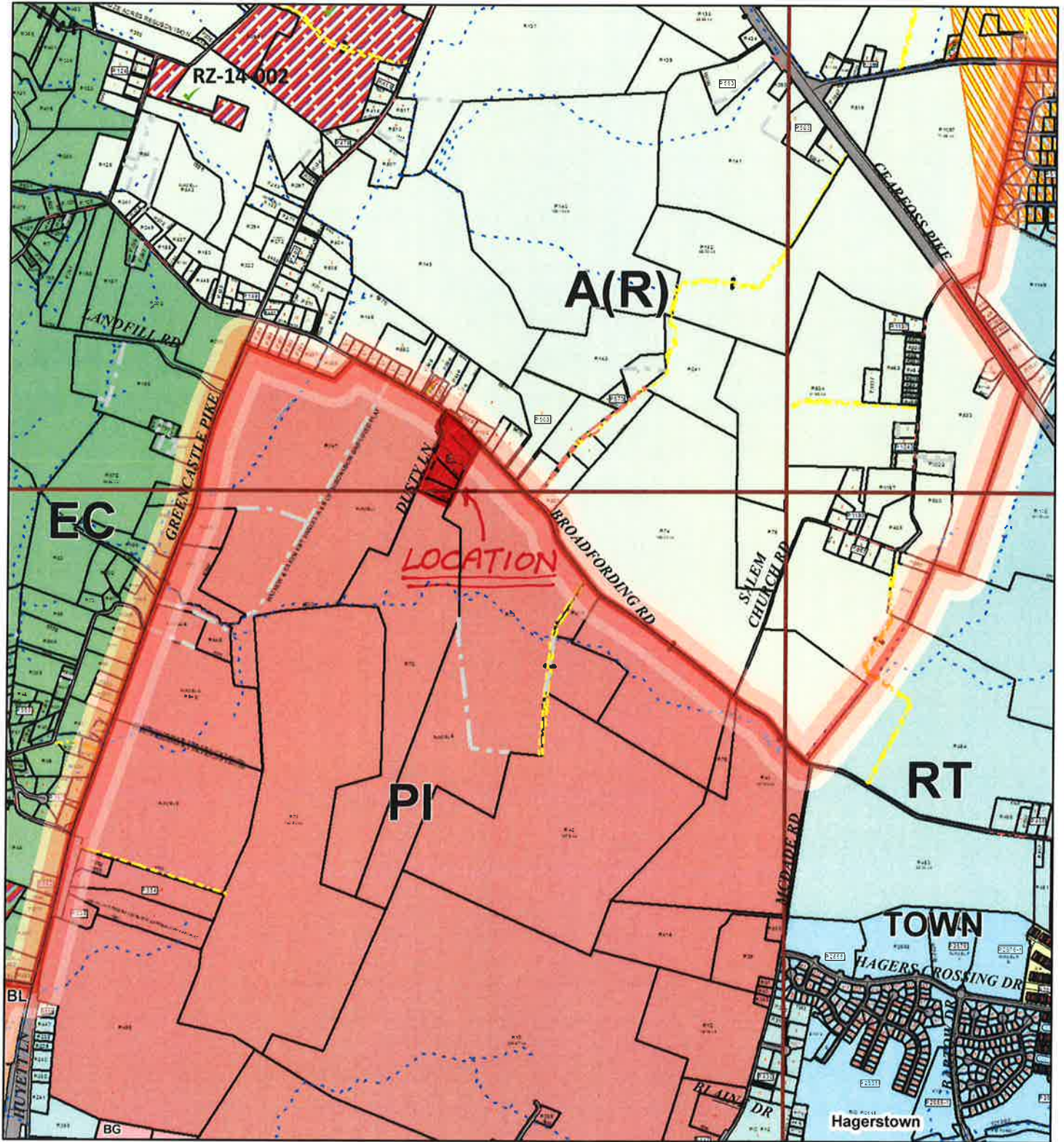
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- Legend**
- Growth Area Boundaries
  - Tax Parcel
  - Road



# RZ-17-010 & CP-17-001

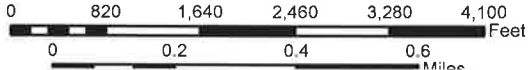
## Existing zoning and Growth Area location



- Legend**
- Zoning Floating/Overlay Zones**
- A(R)
  - BG
  - BL
  - EC
  - PI
  - RT
- Overlay Type**
- Rural Business
- TOWN**
- Growth Area Boundaries
  - Account Unknown
  - Open Space
  - Tax Parcel
  - Road
  - Water
  - Town Boundaries
  - Airport Overlay

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

February 15, 2018

RZ-17-010 and CP-17-001

**APPLICATION FOR MAP AMENDMENT  
PLANNING COMMISSION RECOMMENDATION**

Property Owner(s)	Tyler A. Hoffman, 13229 Dusty Lane Joshua E. & Sierra N. Hoffman, 13237 Dusty Lane Kenneth E. Stewart & Donna Certain, 13245 Dusty Lane Charles L. & Jane E. Prince, 13253 Dusty Lane Seth M. & Lorraine M. Eby, 17009 Broadfording Road
Applicant(s)	Washington County Department of Planning & Zoning
Location	South side of Broadfording Road and east side of Dusty Lane
Election District	#13 – Maugansville
Current Comprehensive Plan Designation	Urban Growth Area - Industrial Flex
Proposed Comprehensive Plan Designation	Rural Area - Agricultural
Zoning Map	23
Parcel(s)	Parcel 551-Lots 1-4 and Parcel 385
Acreage	8.46 acres (P. 551, Lot 1-1.79 ac., Lot 2-1.77 ac., Lot 3-1.64 ac., lot 4-1.41 ac., Parcel 385-1.85ac.)
Existing Zoning	PI - Planned Industrial
Requested Zoning	Agricultural (Rural)
Date of Hearing	February 5, 2018

**RECOMMENDATION**

The Washington County Planning Commission took action at its regular meeting held on Monday, February 5, 2018 to recommend approval of Map Amendment RZ-17-010 to the Board of County Commissioners. The Commission considered the application, supporting documentation, and the Staff Report and Analysis. It is the Planning Commission’s opinion that a mistake was made during the comprehensive rezoning because information was not available at the time to make the most appropriate zoning decision. The Planning Commission also recommends approval of the Comprehensive Plan Amendment CP-17-001 to adjust the UGA boundary line to exclude these properties.

Copies of the application, Staff Report and Analysis, and unapproved minutes of the February 5, 2018 public rezoning meeting are attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen T. Goodrich". The signature is fluid and cursive, with a large initial "S" and "T".

Stephen T. Goodrich, Director  
Washington County Department of  
Planning & Zoning

STG/dse

cc: file

**WASHINGTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
February 5, 2018**

The Washington County Planning Commission held a public rezoning information meeting and regular monthly meeting on Monday, February 5, 2018 at 7:00 p.m. at the Washington County Administration Building, 100 W. Washington Street, Room 2000, Hagerstown, Maryland.

Commission members present were: Vice-Chairman Drew Bowen, Jeremiah Weddle, Denny Reeder, and David Kline. Staff members present were: Washington County Department of Planning & Zoning - Stephen Goodrich, Director and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review & Permitting – Tim Lung, Director.

**CALL TO ORDER**

The Vice-Chairman called the meeting to order at 7:00 p.m.

**PUBLIC REZONING MEETING**

**RZ-17-010 and CP-17-001**

Mr. Goodrich presented for public review, comment and recommendation an application to rezone properties at 13229, 13237, 13245 and 13253 Dusty Lane and 17009 Broadfording Road from PI (Planned Industrial) to A(R) (Agricultural Rural). Also being presented is a Comprehensive Plan amendment to adjust the Urban Growth Area (UGA) boundary line to exclude these five properties from the Growth Area. Mr. Goodrich explained that the quadrant of land north of US 40, east of MD 63 and west of McDade Road is in an area designated in the Comp Plan for Industrial Flex land uses. During the 2012 comprehensive UGA rezoning, this quadrant was zoned PI (Planned Industrial) to coincide with the recommendation of the Comp Plan to provide an area suitable for industrial development in the future. At the time of the UGA rezoning, three of these five parcels in this area had existing dwellings. A subdivision approved at nearly the same time as the adoption of the UGA rezoning created two additional parcels. The two new parcels were created with the intent of constructing homes on them in the future. When one of the property owners applied for a building permit on one of the two newly created lots, it was discovered that the properties were zoned PI and residential development was not permitted. Therefore, staff has submitted the application to change the zoning on these two properties thereby allowing the construction of houses. Staff is citing a mistake in the zoning of the property because information was not available at the time of the comprehensive rezoning to help staff and the Planning Commission make the most appropriate zoning decision.

Mr. Goodrich stated that all five property owners, as well as adjacent property owners have been informed of the proposed changes and were notified of this evening's meeting. There was no one in attendance that wished to comment and no writing comment has been received to date.

The Vice-Chairman adjourned the public rezoning meeting at 7:12 p.m.

**Recommendation:** Mr. Reeder made a motion to recommend to the Board of County Commissioners approval of the proposed map amendment and the amendment to the Comprehensive Plan to adjust the UGA boundary line to exclude these properties based on a mistake in the zoning. The motion was seconded by Mr. Weddle and unanimously approved.

**MINUTES**

**Motion and Vote:** Mr. Weddle made a motion to approve the minutes of the December 4, 2017 regular meeting as presented. The motion was seconded by Mr. Kline and unanimously approved.

**NEW BUSINESS**

**SITE PLANS**

**Rosewood PUD, Phase III Townhouses, Lots 144-181 (PSP-17-003)**

Mr. Lung presented for review and approval a preliminary plat/site plan for Rosewood PUD, Phase III. He gave a brief overview of the Rosewood Planned Unit Development that has been under development for the past 20 years. The property is located on the west side of Robinwood Drive, south of the Hagerstown Community College. Phase III will include 34 dwelling units (26 semi-detached lots and 8 townhome lots) and a new public street (Isaac Court). Parking spaces required is 72 spaces; total proposed parking is 94 spaces (2 spaces per driveway plus 26 on-street spaces). The site will be served by public water and public sewer from the City of Hagerstown. Storm water management will be provided by an existing pond which provides water quantity control and extended detention. Forest Conservation requirements will be addressed via a replatted Forest Conservation area. Sidewalks are proposed on both sides of the street. Landscaping will be scattered throughout the development and on each lot. A tot lot is proposed at the end of the cul-de-sac.

**Discussion:** Mr. Bowen asked if the tot lot would be maintained by the HOA. Mr. Gordon Poffenberger of Fox & Associates, Inc. believes that the HOA will be responsible for the maintenance of this tot lot. Mr. Lung stated that staff will verify this issue with the developer.





Open Session Item

**SUBJECT:** Passenger Terminal Renovations & Expansion – Approval to Submit Application and Accept Awarded Funding

**PRESENTATION DATE:** May 1, 2018

**PRESENTATION BY:** Stephanie Lapole, Grant Manager, Office of Grant Management, and Phil Ridenour, Director, Hagerstown Regional Airport

**RECOMMENDED MOTION:** Move to approve the submission of a funding request to the Federal Aviation Administration in the amount of \$420,361 and accept awarded funding.

**REPORT-IN-BRIEF:** The Hagerstown Regional Airport requests to develop plans and specifications for the passenger terminal renovation and expansion.

**DISCUSSION:** There is a matching requirement of 5% for Washington County along with a 5% match provided by the Maryland Aviation Administration.

Federal Aviation Administration	(90%)	\$398,237
Maryland Aviation Administration	(5%)	\$22,124
Washington County	<u>(5%)</u>	<u>\$22,124</u>
		\$442,485

**FISCAL IMPACT:** There is a 5% match associated in the amount of \$22,124 which was approved in the Airport's CIP budget BLD082.

**CONCURRENCES:** Director, Office of Grant Management

**ALTERNATIVES:** Deny submission of the application

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A



Agenda Report Form

Open Session Item

**SUBJECT:** Pavement Management Plan, Runway 9/27 Rehabilitation, Grove Farm Demolition and Runway 02 Runway Protection Zone Property Appraisal– Approval to Submit Application and Accept Awarded Funding

**PRESENTATION DATE:** May 1, 2018

**PRESENTATION BY:** Stephanie Lapole, Grant Manager, Office of Grant Management, and Phil Ridenour, Director, Hagerstown Regional Airport

**RECOMMENDED MOTION:** Move to approve the submission of a funding request to the Federal Aviation Administration in the amount of \$620,588 and accept awarded funding.

**REPORT-IN-BRIEF:** The Hagerstown Regional Airport requests to establish a Pavement Management Plan for airside pavements. Design and Bid Phase Services for rehabilitation of Runway 9-27 including Taxiways A, B G, F and P and Runway 2-230 within the Runway 9-27 Runway Safety Area and the Runway 9 blast pad.

Funding will also be requested to reimburse the Grove Farm demolition project (\$90,000) and additional funding will be requested to fund an appraisal of the Topflight Runway Visibility Zone (RVZ) property for Runway 02 (\$20,000).

**DISCUSSION:** There is a matching requirement of 5% for Washington County along with a 5% match provided by the Maryland Aviation Administration.

	Runway 9/27	Runway 02 RVZ	Grove Farm	Totals
Federal Aviation Administration	\$ 521,588	\$ 18,000	\$ 81,000	\$ 620,588
Maryland Aviation Administration	\$ 28,977	\$ 1,000	\$ 4,500	\$ 34,477
Washington County	\$ 28,977	\$ 1,000	\$ 4,500	\$ 34,477
	\$ 579,542	\$ 20,000	\$ 90,000	\$ 689,542

**FISCAL IMPACT:** There is a 5% match associated in the amount of \$28,977 which is pending approval in the fiscal year 2019 Airport CIP budget for the Runway 9/27 project. The Grove Farm Demolition and Runway 02 RVZ Land appraisal is funded in the current CIP (Environmental Assessment STY022)

**CONCURRENCES:** Director, Office of Grant Management

**ALTERNATIVES:** Deny submission of the application

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A