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**BOARD OF COUNTY COMMISSIONERS**  
**July 9, 2019**  
**OPEN SESSION AGENDA**

- 09:00 A.M. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE  
CALL TO ORDER, *President Jeffrey A. Cline*  
APPROVAL OF MINUTES – June 25, 2019
- 09:05 A.M. CLOSED SESSION  
(*To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; To consult with counsel to obtain legal advice on a legal matter; To 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.*)
- 10:00 A.M. RECONVENE IN OPEN SESSION
- 10:05 A.M. COMMISSIONERS' REPORTS AND COMMENTS
- 10:10 A.M. MARYLAND ASSOCIATION OF COUNTIES VISIT – *Attendees: Michael Sanderson, Executive Director, MACo and Barry Glassman, MACo President*
- 10:30 A.M. REPORTS FROM COUNTY STAFF
- 10:40 A.M. CITIZENS PARTICIPATION
- 10:45 A.M. PUBLIC HEARING – ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) ORDINANCE – *Dan DiVito, Director, Division of Environmental Management and John Swauger, Stormwater Regulatory Coordinator*
- 11:00 A.M. FY21 FAMILY LAW FUND – APPROVAL TO SUBMIT APPLICATION – *Allison Hartshorn, Grant Manager, Office of Grant Management and Kristin Grossnickle, Court Administrator, Circuit Court for Washington County*
- 11:05 A.M. CONTRACT AWARD (PUR-1422) – WORKERS COMPENSTATION THIRD PARTY ADMINISTRATOR – *Rick Curry, CPPO, Director, Purchasing Department*
- 11:10 A.M. PARTIAL RELEASE OF SEWER EASEMENT – *Todd Moser, Real Property Administrator, Division of Engineering and Mark Bradshaw, P.E., Deputy Director, Engineering Services, Division of Environmental Management*

- 11:15 A.M. BID AWARD (PUR-1432) – LEACHATE HAULING FROM COUNTY LANDFILL – *Brandi Naugle, CPPB, Buyer, Purchasing Department and Dave Mason, P.E., Deputy Director, Solid Waste*
- 11:20 A.M. QUARTERLY REPORT AND REVENUE SUMMARY – *Sara Greaves, Chief Financial Officer*
- 11:30 A.M. ADJOURNMENT



MACo 2019 LEGISLATIVE SESSION SNAPSHOT



**24 COUNTIES,**  
**1 VOICE**

www.mdcounties.org

**647**  
Bills Analyzed

**367**  
Policy Blog  
Articles Written


**12,985**  
subscribers

**248K**  
Twitter Impressions


**675x**  
Face-to-Face  
w/ Legislators

**271**  
pieces of  
testimony


TOP ISSUES



**PUBLIC HEALTH**




**SCHOOL FUNDING**




**NEXTGEN 9-1-1**


RESULTS




**Defended county fiscal and land use autonomy**



**Created statewide means for NextGen 9-1-1 service**



**Secured control over 5G wireless roll-out**



**80% Success Rate**  
Bills that reached MACo's desired outcome

**NEXT-GENERATION 9-1-1**

- Next-generation 9-1-1 reform bills got broad bi-partisan support, will help deliver needed service improvements statewide:
  - better call locating for wireless callers
  - receive text or video content from callers
  - better handling of overflow calls at crisis

**PROTECTED LOCAL BUDGETS AND REVENUES**

- The state budget passed this year: no new county cutbacks, cost shifts, or unfair new burdens
- Higher level of local transportation funding retained unanimous support, unchallenged by legislators and analysts

**EDUCATION FUNDING BLUEPRINT:**

**CARROTS RATHER THAN STICKS**

- 3-year initial funding plan for school systems provides teacher salary incentive, not mandate on new county spending

**DEFENDED LOCAL DECISION-MAKING**

- 5G wireless technology (small cells) will remain a local matter, after statewide preemption legislation failed again
- Defeated broad and costly employer mandates on all local government employers, and comparable bill on community colleges

Resolved intrusive bills on land use planning, forest protection, local licensing



**MACo  
fended off**

**93**

**HOSTILE BILLS**

**during the  
2019 Session**

**STATE AID TO LOCAL GOVERNMENTS -- WASHINGTON COUNTY**

	<u>FY 2019</u>	<u>FY 2020</u>	<u>\$ Difference</u>	<u>% Difference</u>
<b>Direct Aid</b>				
Foundation Aid	\$101,451,063	\$103,951,907	\$2,500,844	2.5
Net Taxable Income Education Grants	4,071,653	4,444,796	373,143	9.2
Declining Enrollment Education Grants	0	580,621	580,621	0.0
Compensatory Education	45,484,419	45,732,790	248,371	0.5
Student Transportation - Regular	6,904,669	7,390,067	485,398	7.0
Student Transportation - Special Education	516,000	545,000	29,000	5.6
Special Education - Formula	8,125,082	8,818,295	693,213	8.5
Special Education - Nonpublic Placements	1,050,080	1,050,080	0	0.0
Special Education - Infants and Toddlers	222,528	222,528	0	0.0
Limited English Proficiency Grants	2,429,251	2,876,526	447,275	18.4
Teacher Development Grants	96,957	96,957	0	0.0
Food Service	429,355	429,355	0	0.0
Innovative Programs	496,845	496,845	0	0.0
Out-of-County Foster Placements	13,971	1,779	-12,192	-87.3
Head Start	84,977	84,977	0	0.0
Judy Hoyer Centers	377,929	377,929	0	0.0
Guaranteed Tax Base	7,076,213	7,643,980	567,767	8.0
Prekindergarten Expansion Program	428,894	981,402	552,508	128.8
Kirwan - Concentration of Poverty	0	248,833	248,833	0.0
Kirwan - Mental Health Coordinators	0	83,333	83,333	0.0
Kirwan - Prekindergarten	0	3,844,773	3,844,773	0.0
Kirwan - Special Education	0	1,931,323	1,931,323	0.0
Kirwan - Teacher Salary Incentives	0	2,520,132	2,520,132	0.0
Kirwan - Transitional Supplemental Instruction	0	828,151	828,151	0.0
<b>Education</b>	<b>\$179,259,886</b>	<b>\$195,182,379</b>	<b>\$15,922,493</b>	<b>8.9</b>
Library Formula	1,361,120	1,417,138	56,018	4.1
<b>Libraries</b>	<b>\$1,361,120</b>	<b>\$1,417,138</b>	<b>\$56,018</b>	<b>4.1</b>
Community College Formula	8,195,650	8,532,323	336,673	4.1
Grants for ESOL Programs	51,448	49,168	-2,280	-4.4
Optional Retirement	404,472	389,654	-14,818	-3.7
Small College Grants	851,300	874,020	22,720	2.7
Other Community College Aid	60,806	200,000	139,194	228.9
<b>Community Colleges</b>	<b>\$9,563,676</b>	<b>\$10,045,165</b>	<b>\$481,489</b>	<b>5.0</b>
Local Health Formula	1,964,875	2,120,995	156,120	7.9
<b>Health</b>	<b>\$1,964,875</b>	<b>\$2,120,995</b>	<b>\$156,120</b>	<b>7.9</b>
Highway User Revenue	1,364,884	4,355,815	2,990,931	219.1
Elderly & Disabled Transportation Grants	269,015	146,917	-122,098	-45.4
Municipal Transportation Grants	1,445,299	0	-1,445,299	-100.0

**STATE AID TO LOCAL GOVERNMENTS -- WASHINGTON COUNTY**

	<u>FY 2019</u>	<u>FY 2020</u>	<u>\$ Difference</u>	<u>% Difference</u>
<b>Direct Aid</b>				
County Transportation Grants	953,367	0	-953,367	-100.0
<b>Transportation</b>	<b>\$4,032,565</b>	<b>\$4,502,732</b>	<b>\$470,167</b>	<b>11.7</b>
Police Aid	1,523,836	1,504,356	-19,480	-1.3
Fire and Rescue Aid	337,711	337,711	0	0.0
<b>Public Safety</b>	<b>\$1,861,547</b>	<b>\$1,842,067</b>	<b>-\$19,480</b>	<b>-1.0</b>
Disparity Grant	1,902,685	2,060,337	157,652	8.3
<b>Other</b>	<b>\$1,902,685</b>	<b>\$2,060,337</b>	<b>\$157,652</b>	<b>8.3</b>
<b>Total Direct Aid</b>	<b>\$199,946,354</b>	<b>\$217,170,813</b>	<b>\$17,224,459</b>	<b>8.6</b>
<b>Payments in Behalf</b>				
Retirement - Teachers	\$16,020,341	\$16,971,443	\$951,102	5.9
Retirement - Libraries	504,222	497,686	-6,536	-1.3
Retirement - Community College	1,381,711	1,439,086	57,375	4.2
<b>Total Payments in Behalf</b>	<b>\$17,906,274</b>	<b>\$18,908,215</b>	<b>\$1,001,941</b>	<b>5.6</b>
 <b>Total State Aid</b>	 <b>\$217,852,628</b>	 <b>\$236,079,028</b>	 <b>\$18,226,400</b>	 <b>8.4</b>



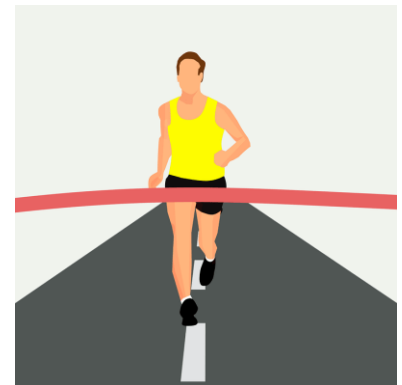
## Kirwan Blueprint Bill Sailing to Governor

Michael Sanderson April 5, 2019 [Education](#) / [State Budget and Fiscal Issues](#)

**The “Education Blueprint” bill with initial recommendations from the Kirwan Commission, and two years worth of funding, is on its way toward passage.**

[SB 1030](#) has been amended and passed in the House of Delegates, with strong bi-partisan support, and appears headed to the Governor. The two-year spending plan includes targeted funding for special education students, schools with high density of poverty, and teacher salary incentives. The bill, with multiple changes and compromises incorporated at seemingly every turn, funds several priority areas but incorporates a variety of accountability measures supported by the Governor.

The core element affecting county budgets immediately is essentially unchanged — if counties fund a teacher salary increase of 3% or the equivalent in FY 2020 and 2021, the state will award a wealth-equalized grant (totaling \$75 million each year) to further enhance teacher pay.



From [coverage in the Baltimore Sun](#):

*The House version of the bill contains some significant changes to the Senate version. Unlike the Senate, the House made the funding mandatory, expanded the pool of school employees eligible for raises and made an inspector general, appointed to ensure accountability, subject to a unanimous vote of the governor, attorney general and treasurer.*

Links:

[Third Reader Bill](#), as passed by the Senate

Ways and Means Committee Amendments (adopted): [Substantive](#) (11 pages), and [Procedural](#) (1 page)

[Delegate Cassilly Amendment](#), adopted on the House floor

[Earlier Conduit Street coverage of bill as passed by the Senate](#)

The Senate will receive the House amendments, and is widely expected to concur with the changes, avoiding a late-session conference committee, and approving the bill in this final form. An enrolled (final) version of the bill should be available soon afterward.

One element of the bill, uncodified language on page 44 of the bill gathering little attention, directs the Kirwan Commission to develop recommendations for a more evenly-smoothed cost schedule. The preliminary cost estimates of the Commission work included more than \$3 billion in annualized costs mounting as soon as the third and fourth year of the ten-year “phase in.” This direction could represent a strong signal on the more practical implementation schedule that may garner enough support in the 2020 legislative session, once the Commission concludes its remaining work regarding funding formulas and other fiscal matters.

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# House, Senate Pass MACo NG911 Initiative

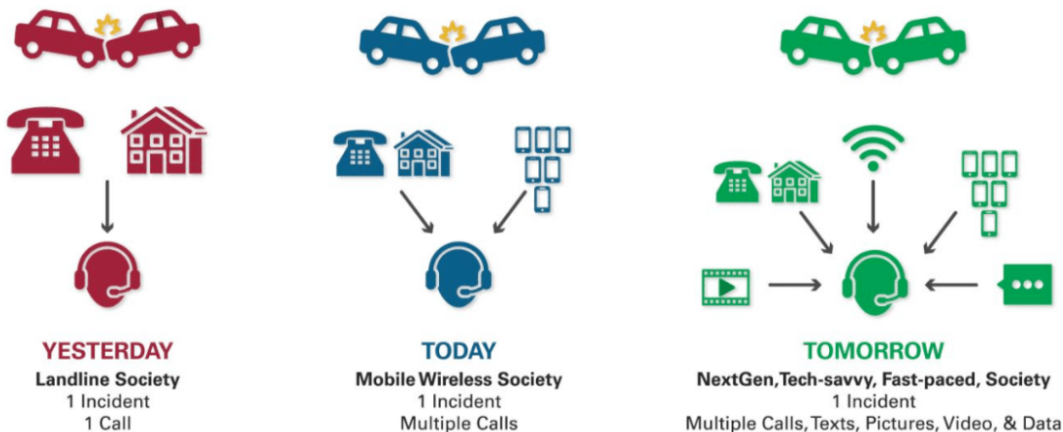
Kevin Kinnally March 18, 2019

[County Budgets](#) / [County News](#) / [Finance and Procurement](#) / [General Assembly News](#) / [News You Can Use](#) / [Public Safety and Corrections](#)

The Maryland House of Delegates on Saturday overwhelmingly passed [HB 397, Public Safety – 9-1-1 Emergency Telephone System \(Carl Henn’s Law\)](#), a 2019 MACo Legislative Initiative to update state laws and the 9-1-1 financing system to provide the flexibility and resources needed for the deployment of a statewide Next Generation 9-1-1 (NG911) system. [Earlier this month the Senate approved an identical Senate bill, SB 339.](#)

The House bill will need a *pro forma* vote in the Senate, and the Senate bill will need the same in the House. After that, the bills will be sent to the Governor for his signature.

SB 339/HB 397 was introduced at the request of the [Commission to Advance Next Generation 9-1-1 Across Maryland](#). The legislation, sponsored by Senator Cheryl Kagan (Commission Chair), Senator Ed Reilly (Commissioner), Delegate Susan Krebs (Commissioner), and Delegate Michael Jackson (Commissioner), includes many of the Commission’s 23 unanimous recommendations.



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*From left to right: Anne Arundel County Executive Stuart Pittman, Harford County Barry Glassman, and MACo Associate Director Kevin Kinnally present testimony to the Senate Finance Committee on Tuesday, February 26, 2019*

Maryland's 9-1-1 system has performed admirably for decades. However, new data-rich communications devices and services are driving the existing 9-1-1 infrastructure toward its operational limits. The vision of an NG911 system is to enable the public to make voice, text, or video calls from any communications device via Internet Protocol-based networks. These capabilities can make public safety both more effective and more responsive.

Maryland residents demand and expect 9-1-1 emergency service to be reliable and efficient. Next-generation technology is required to keep up with this increasingly complex public safety function – improving wireless caller location, accommodating incoming text/video, and managing crisis-driven call overflows. Maryland must accelerate its move toward Next Generation 9-1-1, deliver these essential services equitably across the state, and assure effective coordination with communications providers.

The transition to NG911 cannot be achieved without significant funding to upgrade our existing 9-1-1 equipment and communications systems, which are already under-funded through existing user fees. According to The Commission to Advance Next Generation 9-1-1 Across Maryland, the State's 9-1-1 fee structure is grossly insufficient to support the current 9-1-1 system, let alone the deployment of NG911.

In fact, local 9-1-1 fees cover just 37% of statewide operational costs, with counties relying increasingly on general revenues to supplement 9-1-1 funding. SB 339 would conform Maryland's fee structure to that of every other state and would provide an additional revenue source to offset 9-1-1 operational costs for the transition to NG911.

The Commission to Advance Next Generation 9-1-1 Across Maryland, a 2018 MACo Legislative Initiative, [submitted its 2018 report to the Governor and General Assembly in December of last year](#). The report includes recommendations for the implementation, technology, funding, governance, and ongoing statewide development of Next Generation 9-1-1.

#### Useful Links

- [MACo Testimony on SB 339/HB 397](#)
- [Commission to Advance Next Generation 9-1-1 Across Maryland Final Report \(2018\)](#)
- [MACo Next Generation 9-1-1 White Paper](#)
- Previous *Conduit Street* Coverage:
  - [Senate Passes MACo NG911 Initiative](#)
  - [MACo NG911 Initiative Moves to Senate Floor](#)



*From left to right: Harford County Council Member Joseph Woods, Caroline County Commissioner Wilbur Levensgood, and Carroll County Commissioner Stephen Wantz present testimony to the House Health and Government Operations Committee on February 26, 2019*

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# 2019 End of Session Wrap-Up: Planning & Zoning

Les Knapp April 11, 2019 [Agriculture](#) / [County News](#) / [General Assembly News](#) / [Planning and Zoning](#)

*This post summarizes the status of various planning and zoning bills that MACo took a position on during the 2019 Regular Session.*

Planning and zoning is an integral function of county governments, and an area that spurs a high level of interaction with residents and business owners. In its planning and zoning advocacy, MACo seeks to protect the ability of local governments – those closest to the people and with the most insight into local needs for growth and preservation – to balance community and business interests.

*Follow links for more coverage on Conduit Street and MACo's Legislative Database.*

## Comprehensive Plans – Housing Element



MACo opposed legislation requiring local governments to include a housing element in their comprehensive plans. In the original legislation, the housing element would have had to include a plan to address: (1) the need for affordable housing within the local jurisdiction, including low- and moderate-income housing; and (2) if applicable, the impacts of gentrification. bills, arguing that: (1) the bills' requirements were too specific for inclusion in the "big picture" comprehensive plan; and (2) there were significant costs and challenges for updating current plans. Following MACo's expression of concerns, the

legislation was amended to require local comprehensive plans to include a housing element that merely addresses the need for affordable housing, including workforce housing and low-income housing (both of which are defined terms.) The element may include goals, objectives, policies, plans, and standards. The amended legislation only applies prospectively and does not affect any comprehensive or general plan adopted before June 1, 2020. The General Assembly passed the legislation with amendments addressing MACo's concerns and it will proceed to the Governor for his signature.

[Bill Information](#) | [MACo Coverage](#)

## Solar Energy in Maryland



Consistent with MACo's established position on solar facilities and siting, MACo supported with amendments legislation to establish a Commission on the Development of a Blueprint for Solar Energy in Maryland. The Commission's purpose would be to identify areas where community or utility-scale solar projects should be encouraged and areas where such projects should be restricted or discouraged. MACo's amendments will: (1) acknowledge the

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role of local zoning and land use planning in the siting of community and utility scale solutivity-scale and (2) allow MACo to select a county representative as opposed to General Assembly leadership. *Protecting Natural Resources and Preserving Productive Farms — Commission on the Development of a Blueprint for Solar Energy in Maryland* passed the Senate with amendments addressing MACo's concerns, but the House took no action on the bill and it did not advance.

[Bill Information](#) | [MACo Coverage](#)

### Maryland Smart Growth Investment Fund



MACo supported legislation that would have required the Department of Commerce to establish a public/private Smart Growth Investment Fund based the recommendations of the December 2013 Report of the Maryland Smart Growth Investment Fund Workgroup. The Report recommended the creation of a public-private investment fund to support Smart Growth projects in desirable areas, such as Sustainable Communities or areas designated for transit-oriented development. The bill also called for a one-time State investment of \$7 million but only if the total committed capital for the Fund was at least \$25 million. MACo supported the bills as providing another “tool in the toolbox” to encourage private investment in areas targeted for redevelopment, infill, and revitalization. The Fund could provide an innovative development tool that complements the State's existing array of grant, loan, and tax credit programs.

The House Environment and Transportation Committee heard *Maryland Smart Growth Investment Fund* but took no further action on the bill. The Senate passed *Maryland Smart Growth Investment Fund* with amendments changing the focus of the Fund to investments within Priority Funding Areas and authorizing the Board of Public Works to issue \$7 million in bonds instead of mandating an appropriation in the State budget. The House Environment and Transportation Committee heard the Senate amended bill, but took no further action, so neither bill advanced this Session.

[Bill Information](#) | [MACo Coverage](#)

### Other Bills of Interest

**The following bills may be of interest to counties even though MACo did not take a formal position on them. In some cases, the bills were handled through one of MACo's affiliate organizations.**

A bill was introduced to extend the Community Solar Energy Generating Systems Pilot Program termination date from 3 to 7 years, with a minimum termination date of December 31, 2024. This legislation also removed the maximum subscriber cap under the Program and required the generating capacity cap and annual capacity

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limits under the Program be increased over the duration of the Program. *Electricity – Community Solar Energy Generating Systems Pilot Program – Extension* was passed by the General Assembly. [Bill Information](#)

Legislation that would have prohibited a person from clear cutting an area equal to or larger than one-half acre to make room for a commercial solar photovoltaic system. The House Economic Matters Committee heard *Construction of Commercial Solar Photovoltaic Systems – Clear-Cutting – Prohibition*, but the Committee took no further action on the bill. [Bill Information](#)

A bill was introduced to expand the applicability of a certain deposit collected by the Public Service Commission to all solar generating stations that produce 2 megawatts or more. The bill also reduced the time for a solar project to begin construction or forfeit the deposit from 18 months to 1 year. The Senate Finance Committee heard *Public Utilities – Solar Photovoltaic Systems*, but the Committee took no further action on the bill. [Bill Information](#)

Legislation would have prohibited the Public Service Commission from taking final action on an application for a Certificate of Public Convenience and Necessity for the construction of a solar or wind generating system unless each county or municipal corporation where the generating system will be located has completed a review of the proposed land use and provided the Commission with a written statement that the proposed generating station conforms with all applicable county or municipal zoning and land use requirements. *Public Utilities – Wind and Solar Generating Stations – Local Zoning and Land Use* was given an Unfavorable Report by the House Environment and Transportation Committee. [Bill Information](#)

A bill was introduced that would have authorized a county to allow the construction of residential major subdivisions on septic systems, community systems, or shared systems in Tier III or Tier IV areas if the county met specified land protection goals within that Tier. The House Environment and Transportation Committee gave *Sewerage Systems – Residential Major Subdivisions in Tier III and Tier IV Areas* an Unfavorable Report. [Bill Information](#)

Legislation would have required a property owner seeking a special exception to construct or operate a landfill or rubble landfill in an area zoned for residential use to prepare an environmental justice analysis at the expense of the property owner. The Senate passed *Zoning – Special Exceptions – Construction or Operation of Landfills* but the House Environment and Transportation Committee gave the bill an Unfavorable report. [Bill Information](#)

Legislation addressed how governmental units (including local governments) should submit their adopted land use plans and plan amendments or revisions to the Maryland Department of Planning's (MDP's) central depository. The General Assembly passed *Department of Planning – Central Depository* with amendments. As

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amended, the bill clarified that when governmental unit submits their adopted land use plans and plan amendments or revisions to MDP, they must submit their most current versions. The bill also clarified that MDP will only post a copy of a governmental unit's land use plans and plan amendments or revisions to its website if they were submitted to MDP in an electronic format. [Bill Information](#)

Legislation made several changes to the review and approval process of Priority Preservation Areas (PPAs), including:

1. Clarifying that the Maryland Agricultural Land Preservation Foundation and an agricultural preservation advisory board shall approve or disapprove a recertification of a county's agricultural preservation programs and PPAs (currently they can approve or disapprove a certification);
2. Requiring a county that applies for certification or recertification to include a PPA element in their comp plan (currently the element is optional);
3. Requiring MDP and the Foundation to review any update to a county's comprehensive plan or any other change that may affect a PPA; and
4. Altering the time limit where a county must use funds deposited into the county's ag preservation account or remit those funds back to the Foundation from 3 years to the time specified in 13-306 of the Tax – Property Article, which is 6 years (this is a clarifying and conforming provision).

The General Assembly passed *Agriculture – County Agricultural Land Preservation Programs*. [Bill Information](#)

Legislation authorized certain land preservation agencies to record notice of certain conservation easements or restrictions in the land use records. The General Assembly passed *Real Property – Conservation Easements, Covenants, Restrictions, and Conditions – Recording Notice* with amendments. As amended, the bill authorizes the Maryland Agricultural Land Preservation Foundation, Maryland Historical Trust, Maryland Environmental Trust, Department of Natural Resources, a county, or a land trust defined under § 3-2A-01 of the Natural Resources Article, to record the notice of a conservation easement, covenant, restriction or condition in the land records of the county in which the property is located. [Bill Information](#)

Legislation repealed the use of “target investment zones” by the Maryland Heritage Areas Authority for the purposes of making acquisition and development grants. *OUTCOME*: The General Assembly passed *Maryland Heritage Areas Authority – Acquisition or Development Grants – Repeal of Target Investment Zones* with technical amendments that did not alter the substance of the bill. [Bill Information](#)

For more on planning and zoning legislation tracked by MACo in the 2019 legislative session, click [here](#).

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## MACo Symposium Spotlights Anti-Human Trafficking Efforts

[Natasha Mehu](#) June 13, 2019 [County News](#) / [Health and Human Services](#) / [MACo Events](#)

MACo's Spring Symposium "Fighting Human Trafficking With Awareness, Advocacy, and Action" focused on the fastest growing and second largest criminal industry in the world and what is happening locally to combat it.

This year's spring symposium, held on June 12 at the Quiet Water's Blue Heron Center in Anne Arundel County, brought together state and local elected officials and government staff to learn more about how counties along with their state and community partners are working together to raise awareness and take action to stop human trafficking in Maryland.



Amanda Rodriguez, Chief Counsel for Policy and Legal Advocacy University of Maryland Support, Advocacy, Freedom, and Empowerment (SAFE) Center for Human Trafficking Survivors, kicked off the symposium by setting the stage with a 101 on human trafficking including an explanation on the different types of trafficking as well as break down of state and local definitions.

The next panel discussed prevention, enforcement, and recovery efforts highlighting legislation that passed this session and work that remains to be done. Laurie Culkin Director of Anti-Human Trafficking Policy for the Governor's Office of Crime Control and Prevention (GOCCP) discussed the Governor's initiatives as well as statewide anti-human trafficking programs, training, and grant funds administered by GOCCP.



After lunch, CEO of the Sun Gate Foundation, Anti-Trafficking Ambassador to Jamaica, and human trafficking survivor Shamere McKenzie shared "My Shoes – One Survivor's Journey" and discussed the importance of having survivors at the table when developing policies to fight human trafficking.

Rounding out the day was a panel on "Local Solutions to a Global Problem." It provided an opportunity for local officials and anti-trafficking advocates to share what was being accomplished in their jurisdictions.

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Baltimore City Council Member Kristerfer Burnett and Frederick County Council Member Jessica Fitzwater discussed the work they each did with their respective local anti-trafficking groups and partners to pass, enact, and implement local legislation. Ed Thomas Co-Chair for the Eastern Shore Human Trafficking Task Force provided a regional perspective for how multiple counties and groups on the Eastern Shore have come together to tackle the problem. Discussion with the audience centered on the lessons learned from the panelists' experience and ways they can use what they've learned to take similar actions in their jurisdictions.

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SESSIONS**

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*Summer Conference*

**AUGUST 14-17, 2019**

## **Learn, Discuss, Explore** **MARYLAND'S COUNTIES**

Government leaders and stakeholders from every level of the public and private sectors will gather to discuss how government service is changing in Maryland. Join over 2,500 individuals for the biggest and best gathering of Maryland local government officials.

“Winds of Change” will focus on the changes being seen at every level of government and constituent services and how counties are harnessing that momentum for the good of all Marylanders. From the digital revolution of service delivery and communication to the always evolving threats to public safety, county governments need to be on the cutting edge of these changing times to meet the needs of their residents.

Topics will include transforming approaches to economic trends, climate change, land use, millennials in the workforce, and education, among many others.

**MACo's Summer Conference offers you the opportunity to reevaluate your strategies and renew your focus.**

*Register Today!*

[www.mdcounties.org/MACoCon](http://www.mdcounties.org/MACoCon)

# WINDS OF CHANGE

## 2,500+ PARTICIPANTS

- County Elected & Appointed Officials
- County Professionals & Decision-makers
- Legislators
- State Secretaries & Officials
- Municipal Officials
- Commercial Representatives

## 250 EXHIBITS

- Counties, State Departments, Congressmen
- Commercial Companies & Nonprofit Organizations
- Vendors include services like communications, engineering, health and life insurance, information technology, tourism, recreation, corrections & public safety and MORE!

## 5 FEATURED EVENTS

- Tech Expo
- Taste of Maryland Reception
- Governor's Cabinet Reception
- Crab Feast
- Governor's Closing Address

## 30+ SESSIONS

- General Sessions on customer service and the digital evolution
- Academy for Excellence in Local Governance Certificate Courses
- Panel discussions focusing on change in all elements of county service: environment, budgeting, IT, cybersecurity, tourism, economic development, emergency services, and MORE!

## 90+ SPEAKERS

- Local Government Leaders
- Congressmen
- Academics and Advocates
- Industry Experts



# AGENDA

## WEDNESDAY, AUGUST 14, 2019

7:30 am - 3:00 pm	Registration Open
8:30 am - 11:30 am	Planning Board Training
9:00 am - 2:00 pm	Golf Tournament
11:00 am - 4:00 pm	Tech Expo
1:00 pm - 3:00 pm	Academy Core Session
3:00 pm - 3:15 pm	Coffee Break
3:15 pm - 4:45 pm	Academy Core Session

## THURSDAY, AUGUST 15, 2019

7:00 am - 4:00 pm	Registration
8:00 am - 9:30 am	Continental Breakfast
8:00 am - 3:30 pm	Bayfront Exhibit Hall Open
9:00 am - 10:00 am	Welcoming Session & Keynote Address
10:00 am - 10:15 am	Coffee Break
10:00 am - 4:30 pm	Exhibit Hall AB Open
10:00 am - 6:30 pm	Cyber Café Open
11:30 am - 1:00 pm	Buffet Lunch—Exhibit Halls <i>(ticket required)</i>
1:00 pm - 1:45 pm	Special Topic Session
1:45 pm - 2:00 pm	Coffee Break
2:00 pm - 3:00 pm	<b>Affiliate Sessions</b>
2:30 pm - 3:30 pm	Ice Cream & Fruit Break <i>(ticket required)</i>
3:30 pm - 4:30 pm	Affiliate Sessions
4:30 pm - 6:30 pm	Taste of MD Reception <i>(ticket required)</i>
4:30 pm - 6:30 pm	Kids' Party <i>(separate registration required)</i>

## FRIDAY, AUGUST 16, 2019

7:00 am - 2:30 pm	Registration
7:30 am - 8:45 am	County Elected Officials' Forum, Breakfast, & Business Meeting <i>(ticket required)</i>
8:00 am - 10:00 am	Continental Breakfast
8:00 am - 2:00 pm	Bayfront Exhibit Hall Open
9:00 am - 2:00 pm	Exhibit Hall A/B Open
9:00 am - 2:00 pm	Cyber Café Open
9:00 am - 10:30 am	General Session
10:30 am - 10:45 am	Coffee Break
10:45 am - Noon	General Session
11:30 am - 1:00 pm	Buffet Lunch <i>(ticket required)</i>
Noon - 1:00 pm	Working Luncheons <i>(ticket required)</i>
1:00 pm - 2:00 pm	Affiliate Sessions
2:00 pm - 2:15 pm	Coffee Break
2:15 pm - 3:15 pm	Affiliate Sessions
3:15 pm - 4:15 pm	Governor's Cabinet Reception
5:00 pm - 8:00 pm	Crab Feast <i>(ticket required)</i>

Listed above is a condensed version of the full schedule  
—it is subject to change.

Please check [www.mdcounties.org/MACoCon](http://www.mdcounties.org/MACoCon) for details and updates.

### Who is a MACo Affiliate Member?

MACo has the distinct honor of working with 13 professional organizations whose members represent the different sectors of county government (Administrators, Budget & Finance, Attorneys, Environmental Health, Parks & Recreation, etc.). These county professionals assist MACo in formulating its legislative program and conference content.

### What is a MACo Affiliate Session?

An educational break-out session whose content is suggested by or supported by MACo's Affiliate Members. **All conference participants are invited to attend.**

## SATURDAY, AUGUST 17, 2019

8:00 am - 10:30 am	Registration
8:00 am - 9:30 am	Continental Breakfast
8:15 am - 9:15 am	Full Buffet Breakfast
8:30 am - 10:00 am	Active Shooter Response Training
10:00 am - 10:15 am	Coffee Break
10:15 am - 11:15 am	Closing General Session
11:15 am - 11:30 am	Coffee Break
11:30 am - 12:30 pm	Governor's Closing Address
12:30 pm	Adjournment

# HIGHLIGHTS

## Tech Expo—Wednesday-only

50+ technology vendors who can help you make what you're doing safer, quicker, and better than ever before. Two deep-dive learning sessions will focus on tech best practices and solutions for local governments.

## Taste of Maryland Reception

Ever tasted wine from Maryland's eastern shore? Cheese from western Maryland? Coffee from central Maryland? You should. Explore everything Maryland has to offer by visiting the county vendors on Thursday afternoon. The layout is bigger and better than ever—truly a must-see!

## Governor's Cabinet Reception

The Governor and his Cabinet members will be present to meet casually with conference participants.

## The Crab Feast

It's always a hit! Steamed blue crabs and other picnic fare, our Crab Feast band - *The Klassix*, and friends and colleagues.

## Town Hall Forum

U.S. Senator Ben Cardin will host a Town Hall Forum to discuss local and federal issues.

## The Big Exhibits Show

Includes vendors, state agencies, and our counties. Continental breakfasts, breaks, and lunches are served inside both Exhibit Halls. Check out our list of exhibitors at [www.mdcounties.org](http://www.mdcounties.org).

## Kids in the Hall

Children of MACo conference attendees and exhibitors are welcomed to visit the exhibit hall on Friday between noon and 2 pm.



## ABOUT MACo

The Maryland Association of Counties (MACo) is a non-profit and non-partisan organization that serves Maryland's counties by articulating the needs of local government to the Maryland General Assembly. The Association's membership consists of county elected officials and representatives from Maryland's 23 counties and Baltimore City.

*MACo is the only organization serving the needs of county elected officials and governments across the state of Maryland.*

# GOLF TOURNAMENT FORM

## Wednesday, August 14 - Ocean City Golf Club

11401 Country Club Drive, Berlin, MD 21811 | Check In 7:30 am - Shotgun Start 9:00 am - SCRAMBLE

**\$75 - MACo Member (Conference Registrants & Exhibitors Only)** - County government and Corporate Partners

**\$90 - Non-Member (Conference Registrants, Exhibitors, & Sponsors Only)** - All other government & commercial

**NEW: \$285 Member Foursome/\$345 Non-Member Foursome**

(1 golfer of the foursome must be a Conference Registrant, Exhibitor, or Sponsor)

Choose your own foursome or we can do it for you! *Directions and teams will be emailed to you a week prior to the Golf Tournament. Be sure to include your email below.*

**Completely fill out information for EACH golfer below or [REGISTER ONLINE](#)**

### Send Form and Payment to:

MACo  
169 Conduit Street  
Annapolis, MD  
21401

Fax Number:  
410.268.1775

### Questions?

NICOLETTE  
QUERRY  
410.269.0043

[nquerry@  
mdcounties.org](mailto:nquerry@mdcounties.org)

**Your Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

email: \_\_\_\_\_

**Player 2:** \_\_\_\_\_ **Title:** \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

email: \_\_\_\_\_

**Player 3:** \_\_\_\_\_ **Title:** \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

email: \_\_\_\_\_

**Player 4:** \_\_\_\_\_ **Title:** \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

email: \_\_\_\_\_

**Want to be matched with specific golfers? No guarantees, but tell us which counties or companies you need to connect with and we'll do our best to match you:** \_\_\_\_\_

**PAYMENT: No refunds. Your registration will NOT be processed without a COMPLETED FORM & PAYMENT.**

Sorry, we do not take AMEX .

CARD#: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

SECURITY CODE #: \_\_\_\_\_ BILLING ADDRESS: \_\_\_\_\_

CARDHOLDER NAME: \_\_\_\_\_

SIGNATURE: **(Required)** \_\_\_\_\_

MACo USE ONLY:

DATE PAID: \_\_\_\_\_ CHECK NUMBER \_\_\_\_\_ AMOUNT PAID: \_\_\_\_\_



Name: \_\_\_\_\_ Nick name for badge: \_\_\_\_\_  
First MI Last

Organization: \_\_\_\_\_ Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Twitter Handle: \_\_\_\_\_

Spouse/Family Guest Name (for paid Spouse/Family Registrations only) \_\_\_\_\_

<b>COUNTY MEMBERS (Elected, Appointed or Hired)</b>	<b>Through 7/12/19</b>	<b>Through 8/2/19</b>	<b>After 8/2/19</b>
Full Registration <i>(Includes all conference sessions and meal functions)</i>	<input type="checkbox"/> \$325	<input type="checkbox"/> \$375	<input type="checkbox"/> \$455
Spouse/Family Registration <i>(Includes Exhibit Hall, 1 Taste of MD Reception &amp; 1 Crab Feast)</i>	<input type="checkbox"/> \$160	<input type="checkbox"/> \$170	<input type="checkbox"/> \$205
Wednesday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$120	<input type="checkbox"/> \$130	<input type="checkbox"/> \$150
Thursday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$165	<input type="checkbox"/> \$175	<input type="checkbox"/> \$215
Friday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$165	<input type="checkbox"/> \$175	<input type="checkbox"/> \$215
Saturday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$130	<input type="checkbox"/> \$140	<input type="checkbox"/> \$160

<b>OTHER GOVERNMENT (Municipal, State, Federal employees)</b>			
Full Registration <i>(Includes all conference sessions and meal functions)</i>	<input type="checkbox"/> \$440	<input type="checkbox"/> \$480	<input type="checkbox"/> \$580
Spouse/Family Registration <i>(Includes Exhibit Hall, 1 Taste of MD Reception &amp; 1 Crab Feast)</i>	<input type="checkbox"/> \$180	<input type="checkbox"/> \$195	<input type="checkbox"/> \$235
Wednesday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$140	<input type="checkbox"/> \$150	<input type="checkbox"/> \$170
Thursday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$195	<input type="checkbox"/> \$210	<input type="checkbox"/> \$255
Friday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$195	<input type="checkbox"/> \$210	<input type="checkbox"/> \$255
Saturday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$150	<input type="checkbox"/> \$160	<input type="checkbox"/> \$180

<b>COMMERCIAL (Profit &amp; Non-Profit)</b>			
Full Registration <i>(Includes all conference sessions and meal functions)</i>	<input type="checkbox"/> \$555	<input type="checkbox"/> \$605	<input type="checkbox"/> \$730
Spouse/Family Registration <i>(Includes Exhibit Hall, 1 Taste of MD Reception &amp; 1 Crab Feast)</i>	<input type="checkbox"/> \$200	<input type="checkbox"/> \$225	<input type="checkbox"/> \$265
Wednesday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$145	<input type="checkbox"/> \$155	<input type="checkbox"/> \$180
Thursday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$200	<input type="checkbox"/> \$215	<input type="checkbox"/> \$265
Friday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$200	<input type="checkbox"/> \$215	<input type="checkbox"/> \$265
Saturday Sessions & Breaks only <i>(Order meal tickets separately)</i>	<input type="checkbox"/> \$155	<input type="checkbox"/> \$165	<input type="checkbox"/> \$190

<b>MEAL TICKETS</b>			
Wednesday Boxed Lunch	<input type="checkbox"/> \$15	<input type="checkbox"/> \$15	<input type="checkbox"/> \$15
Thursday Lunch	<input type="checkbox"/> \$25	<input type="checkbox"/> \$25	<input type="checkbox"/> \$25
Thursday Ice Cream & Fruit Break	<input type="checkbox"/> \$10	<input type="checkbox"/> \$10	<input type="checkbox"/> \$10
Thursday Taste of Maryland Reception - Adult	<input type="checkbox"/> \$40	<input type="checkbox"/> \$45	<input type="checkbox"/> \$55
Friday Lunch	<input type="checkbox"/> \$25	<input type="checkbox"/> \$25	<input type="checkbox"/> \$25
Friday Crab Feast - Adult	<input type="checkbox"/> \$50	<input type="checkbox"/> \$55	<input type="checkbox"/> \$65
Friday Crab Feast - 11 - 17 years old	<input type="checkbox"/> \$20	<input type="checkbox"/> \$20	<input type="checkbox"/> \$20
Friday Crab Feast - 10 & Under	<input type="checkbox"/> FREE	<input type="checkbox"/> FREE	<input type="checkbox"/> FREE

Total Due: \_\_\_\_\_

**DIETARY PREFERENCES:**  Vegan  Vegetarian  Gluten-free  Other/Allergy: \_\_\_\_\_

**How did you hear about this conference?**

- Blog  Email  Friend/Colleague  Online Brochure  Previous Attendee  Mail Brochure  Social Media  Website  
 Other \_\_\_\_\_

**Is this your first MACo Conference?**  Yes  No

**Cancellations/Changes and Refunds:** Fees will be refunded, less a \$75.00 processing fee, if cancellation or change resulting in a refund is received in writing no later than July 12, 2019. After that date, fees are non-refundable. All refunds will be processed after the conference. Substitutions are allowed at no charge.

**PAYMENT METHOD** Check or Money Order payable to **MACo**. Your confirmation/receipt will be emailed to the email address on this form. Please check appropriate box:  Check  VISA  MasterCard (American Express not accepted)

Card #: \_\_\_\_\_ Security Code: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Billing Address (Street, City, State, and Zip Code—**REQUIRED**): \_\_\_\_\_

Signature: \_\_\_\_\_ Print Cardholder Name: \_\_\_\_\_

Questions? [avalliant@mdcounties.org](mailto:avalliant@mdcounties.org). Phone: 410.269.0043 FAX: 410.268.1775

Please mail or fax completed registration form with payment to: MACo, Attn: Allison Valliant, 169 Conduit Street, Annapolis, MD 21401

# POLICIES & PROCEDURES

## ANTI-HARASSMENT POLICY

MACo is committed to ensuring a safe and welcoming environment for all participants at MACo's Summer Conference. Please read the full anti-harassment policy, available at [www.mdcountries.org/AntiHarassmentPolicy](http://www.mdcountries.org/AntiHarassmentPolicy).

MACo expects all participants at MACo's Summer Conference to abide by this Anti-Harassment Policy in all venues, including ancillary events and official and unofficial social gatherings.

- Exercise consideration and integrity in your speech and actions.
- Do not use demeaning, discriminatory, or harassing behavior and speech.
- Be respectful of your surroundings and of your fellow participants
- Alert MACo staff if you notice harassment.

IF YOU ARE BEING HARASSED, NOTICE THAT SOMEONE ELSE IS BEING HARASSED, OR HAVE ANY OTHER CONCERNS, CONTACT VIRGINIA WHITE AT 301-659-0311. All reports are confidential.

## REGISTRATION

### General Policies

- Registration DOES NOT include hotel reservations. Registrants must make their own hotel reservations. MACo provides a list of discounted hotel room rates for Summer Conference registrants ([www.mdcountries.org/SC19Hotels](http://www.mdcountries.org/SC19Hotels)).
- Registration fees include meal tickets as listed on the registration form. Meal tickets are not included for one-day registrations; meal tickets may be purchased with a daily registration, but only for meals occurring on that day.
- Payment MUST accompany registration. Registrations received prior to payment will not be processed until payment is received. Amount due will be determined by postmark date on payment—NO EXCEPTIONS.
- Spouse/Family Guest registrations are intended for the spouse or family guests of registered attendees. Business partners, coworkers, associates, clients, etc., do not qualify for this registration and must register separately. MACo reserves the right to refuse the guest registration rate to any registrant who does not fit the above-listed criteria.

### Cancellations/Changes and Refunds

- If a written request for cancellation or change resulting in a refund is received by July 12, 2019, fees will be refunded, less a \$75.00 processing fee. After that date, fees are non-refundable.
- Substitutions are accepted at no charge.
- On-site transfers of registration, except in cases of extreme emergencies, will result in a \$150 charge.

Please contact Virginia White at [vwhite@mdcountries.org](mailto:vwhite@mdcountries.org) or at 410.269.0043 if you have questions about these policies and procedures.

## CONFERENCE SPECIAL EVENTS

- Elected Officials Breakfast – Only County Elected Officials (County Executives, County Council Members, and County Commissioners) registered to attend the Conference are given tickets to this event.
- Lunches, Ice Cream & Fruit Break, Taste of Maryland Reception, and Crab Feast – These are ticketed events. Tickets are included in full registrations, but extra tickets may be purchased in addition to full registrations or one-day registrations for the same day. Tickets may not be purchased without a registration for that same day. Spouse/Family Guest registrations include the Taste of Maryland Reception and Crab Feast – no lunches are included with the guest registration, but lunch tickets may be purchased in addition to a Spouse/Family Guest registration

## PRESS

### Registration

- Members of the press are welcome to attend the MACo Summer Conference, but must register to do so.
- Press registrations are complimentary, however meal tickets are not included. Meal tickets may be purchased separately.
- Please fill out the press registration form available at [www.mdcountries.org](http://www.mdcountries.org)

### Videotaping

- Videotaping is not permitted in any of MACo's private meetings or ticketed meal events. Videotaping is permitted in all of the common areas inside the Roland Powell Convention Center; this does not include educational sessions, meeting rooms, or ticketed meal events. Interested parties must coordinate with MACo to videotape in any of the common areas in order to avoid congestion in hallways.
- If members of the press wish to videotape an educational session, they must send a request to Virginia White at [vwhite@mdcountries.org](mailto:vwhite@mdcountries.org) by July 26, 2019. **MACo must obtain waivers from all speakers involved before a session may be taped.**

### Requests for Interviews

- Members of the press desiring to interview MACo's leadership must send a scheduling request to Virginia White at [vwhite@mdcountries.org](mailto:vwhite@mdcountries.org) by July 26, 2019.

## DIGITAL RECORDING & PHOTOGRAPHY POLICY

- By registering for the conference, MACo conference attendees agree that their attendance at and participation in any program may be recorded. No individual or entity may electronically record any portion of any MACo conference without prior written consent from MACo.
- By attending the events, sessions, and activities, conference registrants agree that their photograph may be used in MACo communications, social media, and promotional materials.





Maryland Association of Counties  
169 Conduit Street  
Annapolis, Maryland 21401  
www.mdcounties.org

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MACo  
PERMIT #6677

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Are you interested in how government services are changing Maryland?

Do you want to learn about policy issues like cybersecurity, emergency services, and infrastructure?

Could you benefit from face-to-face interactions with Maryland's government leadership on the local, state, and federal levels?

*Maryland Association of Counties*

# SUMMER CONFERENCE

August 14-17, 2019  
*Roland Powell Convention Center  
Ocean City, Maryland*

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**REGISTER TODAY!**

[www.mdcounties.org/MACoCon](http://www.mdcounties.org/MACoCon)



Open Session Item

**SUBJECT:** PUBLIC HEARING – Illicit Discharge Detection and Elimination (IDDE)

**PRESENTATION DATE:** July 9, 2019

**PRESENTATION BY:** Dan DiVito, Director, Division of Environmental Management and John Swauger, Stormwater Regulatory Coordinator.

**RECOMMENDED MOTION:** N/A

**REPORT-IN-BRIEF:** Washington County has been identified, by the Maryland Department of Environment (MDE) as being located within an urbanized area according to the 2010 U.S. Census. After applying the designation criteria, MDE has found that the County's stormwater discharges result in or have the potential to result in exceedances of water quality standards or other significant water quality impacts. As a result, the County has been designated for coverage under the National Pollutant Discharge Elimination System (NPDES) general permit for discharges from Small Municipal Separate Storm Sewer Systems (MS4).

One of the minimum control measures (MCM) of the permit is the requirement to develop, implement, and enforce a program to detect and eliminate illicit discharges into the MS4 in accordance with 40 CFR § 122.34(b)(3). A permittee will satisfy this MCM by adopting an ordinance or other regulatory means that prohibits illicit discharges into the MS4, field screening outfalls, inspecting the MS4 to identify sources of illicit discharges, eliminating illegal connections or illicit discharges, and enforcing penalties where appropriate. The illicit discharge program must also address illegal dumping and spills. The program sets up guidelines for identifying potential sources of illegal discharges and implements methods to promote remediation.

Once the ordinance is adopted, the county can then move forward with Memorandums of Understanding (MOU) with the towns of Williamsport, Boonsboro, and Smithsburg. The MOU establishes a basis for cooperation between the towns and county in implementing the NPDES MS4 general permit. The towns will use the adopted county IDDE Ordinance as a template to develop and implement their own ordinances.

**DISCUSSION:** N/A

**FISCAL IMPACT:** N/A

**CONCURRENCES:** County Attorney

**ALTERNATIVES:** Do not start ordinance adoption process.

**ATTACHMENTS:** Draft IDDE Ordinance

**AUDIO/VISUAL NEEDS:** None

**WASHINGTON COUNTY  
ILLICIT DISCHARGE DETECTION AND ELIMINATION  
ORDINANCE**



**Board of County Commissioners for Washington County, Maryland**

Approved by BCC:  
Effective:

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# ARTICLE I

## General Provisions

### SECTION 1. PURPOSE AND INTENT

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of Washington County, Maryland, through the regulation of Non-Storm Water Discharges to the Storm Drainage System to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of Pollutants into the Municipal Separate Storm Sewer System (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of Pollutants by any user to the Municipal Separate Storm Sewer System (MS4) by Storm Water Discharges;
- (2) To prohibit Illicit Connections and Discharges to the Municipal Separate Storm Sewer System; and
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.

### SECTION 2. DEFINITIONS

For the purposes of this ordinance, the following shall mean:

**BEST MANAGEMENT PRACTICE (BMPs):** Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the Discharge of Pollutants directly or indirectly to Storm Water, receiving waters, or Storm Water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

**CLEAN WATER ACT:** The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

**CONSTRUCTION ACTIVITY:** Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of one (1) acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

**COUNTY:** Washington County, Maryland.

**DIVISION OF ENVIRONMENTAL MANAGEMENT:** Employees or designees of the Washington County Division of Environmental Management designated to enforce this ordinance.

**HAZARDOUS MATERIALS:** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**ILLICIT DISCHARGE:** Any direct or indirect Non-Storm Water Discharge to the Storm Drainage System, except as exempted in Section 8 of this ordinance.

**ILLICIT CONNECTIONS:** An illicit connection is defined as either of the following:

- A. Any drain or conveyance, whether on the surface or subsurface, which allows an Illicit Discharge to enter the Storm Drainage System including but not limited to any conveyances which allow any Non-Storm Water Discharge including sewage, process wastewater, and wash water to enter the Storm Drainage System and any connections to the Storm Drainage System from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an Authorized Enforcement Agency or,
- B. Any drain or conveyance connected from a commercial or industrial land use to the Storm Drainage System which has not been documented in plans, maps, or equivalent records and approved by an Authorized Enforcement Agency.

**INDUSTRIAL ACTIVITY:** Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** Means municipally-owned facilities where Storm Water is collected and/or conveyed, including, but not limited to, any sidewalks, roads with drainage systems, municipal streets, retention and detention basins, curbs, gutters, inlets, ditches, piped storm drains, pumping facilities, natural and human-made or altered drainage channels, reservoirs, and other drainage structures designed or used for collecting or conveying Storm Water, and that is not used for collecting or conveying sewage.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT:** A permit issued by the United States Environmental Protection Agency (EPA) (or by a state under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the

Discharge of Pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

**NON-STORM WATER DISCHARGE:** Any Discharge to the Storm Drainage System that is not composed entirely of Storm Water.

**PERSON:** Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

**POLLUTANT:** Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, Sediments and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

**PREMISES:** Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

**SEDIMENT:** Settleable solid material that is transported by runoff, suspended within runoff, or deposited by runoff away from its original location.

**STORM DRAINAGE SYSTEM:** Publicly-owned facilities by which Storm Water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

**STORM WATER:** Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP):** A document which describes the Best Management Practices and activities to be implemented by a Person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce Pollutant Discharges to Storm Water, Storm Water conveyance systems, and/or receiving waters to the maximum extent practicable.

**WASTEWATER:** Any water or other liquid, other than uncontaminated Storm Water, discharged from a facility.

**WATERCOURSE:** Any waters of the United States and any conveyance that would drain to waters of the United States.



### **SECTION 3. APPLICABILITY**

This ordinance shall apply to all flows entering the Storm Drainage System generated on any developed and undeveloped lands unless explicitly exempted by the County.

### **SECTION 4. RESPONSIBILITY FOR ADMINISTRATION**

The Division of Environmental Management shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the Division of Environmental Management may be delegated in writing by the Director of the Division of Environmental Management, or his or her duly authorized agent, to persons or entities acting in the beneficial interest of or in the employ of the Division.

### **SECTION 5. SEVERABILITY**

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

### **SECTION 6. COMPATIBILITY WITH OTHER REGULATIONS**

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulations, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

### **SECTION 7. LIMITS ON LIABILITY**

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore, this ordinance does not intend nor imply that compliance by any Person will ensure that there will be no contamination, pollution, nor unauthorized discharge of Pollutants.

## ARTICLE II

### Illicit Discharges

#### SECTION 8. DISCHARGE PROHIBITIONS

##### A. Prohibition of Illicit Discharges:

No Person shall discharge or cause to be discharged into the municipal Storm Drainage System or Watercourses any materials, including but not limited to Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than Storm Water.

The commencement, conduct, or continuance of any Illicit Discharge to the Storm Drainage System is prohibited.

The following Discharges are exempt from Discharge prohibitions established by this ordinance:

- (1) Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated – typically less than one PPM chlorine), and any other water source not containing Pollutants.
- (2) Discharges or flow from firefighting and other discharges specified in writing by the Division of Environmental Management as being necessary to protect public health and safety.
- (3) Dye testing subject to a verbal notification to the Division of Environmental Management prior to the time of the test.
- (4) The prohibition shall not apply to any Non-Storm Water Discharge permitted under an NPDES permit, waiver, or waste Discharge order issued to the discharger and administered under the authority of the United States Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any Discharge to the Storm Drainage System.

**B. Prohibition of Illicit Connections:**

- (1) The construction, use, maintenance or continued existence of Illicit Connections to the Storm Drainage System is prohibited.
- (2) This prohibition expressly includes, without limitation, Illicit Connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A Person is considered to be in violation of this ordinance if the Person connects a line conveying sewage to the MS4 or allows such a connection to continue.
- (4) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite Waste Water management system or the sanitary sewer system upon approval of the Division of Environmental Management.
- (5) Any drain or conveyance that has not been documented in plans, maps or the equivalent, and which may be connected to the Storm Drainage System, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the Division of Environmental Management requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the Storm Drainage System, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Division of Environmental Management.

**SECTION 9. WATERCOURSE PROTECTION**

Every Person owning property through which a Watercourse passes, or such Person's lessee, shall keep and maintain that part of the Watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the Watercourse. In addition, the owner or lessee shall maintain existing privately-owned structures within or adjacent to a Watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the Watercourse.

**ARTICLE III**  
**Compliance Requirements**

**SECTION 10. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES**

**A. Submission of Notice of Intent to the Division of Environmental Management.**

- (1) Any person subject to an industrial or construction activity NPDES Storm Water Discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Division of Environmental Management prior to the allowing of discharges to the MS4.
- (2) The operator of a facility, including construction sites, required to have an NPDES permit to Discharge Storm Water associated with Industrial Activity shall submit a copy of the Notice of Intent (NOI) to the Division of Environmental Management at the same time the operator submits the original NOI to the Maryland Department of the Environment or the Environmental Protection Agency as applicable.
- (3) The copy of the NOI may be delivered to the Division of Environmental Management either in person or by mailing it to:

Notice of Intent to Discharge Storm Water  
Washington County Division of Environmental Management  
Department of Water Quality  
16232 Elliott Parkway  
Williamsport, MD 21795

**SECTION 11. MONITORING OF DISCHARGES**

**A. Applicability**

This section applies to all facilities that have Storm Water Discharges associated with Industrial Activity, including Construction Activity.

**B. Right of Entry to Facilities having a NPDES Permit for Industrial Activity or Construction Activity.**

- (1) The Division of Environmental Management shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as

may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the Division of Environmental Management.

- (2) Facility operators shall allow the Division of Environmental Management ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge Storm Water, and the performance of any additional duties as defined by state and federal law.
- (3) The Division of Environmental Management shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the Division of Environmental Management to conduct monitoring and/or sampling of the facility's Storm Water Discharge.
- (4) The Division of Environmental Management has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure Storm Water flow and quality shall be calibrated to ensure their accuracy.
- (5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Division of Environmental Management and shall not be replaced. The costs of clearing such access shall be borne by the operator.
- (6) Unreasonable delays in allowing the Division of Environmental Management access to a permitted facility is a violation of a Storm Water Discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to Discharge Storm Water associated with Industrial Activity commits an offense if the person denies the Division of Environmental Management reasonable access to the permitted facility for the purposes of conducting any activity authorized or required by this ordinance.

**C. Right of Entry to Facilities without a NPDES Permit for Industrial Activity or Construction Activity.**

- (1) The Division of Environmental Management shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the Division of Environmental Management.
- (2) The Division of Environmental Management shall have the right to set up such devices as are necessary in the opinion of the Division of Environmental Management to conduct monitoring and/or sampling of the facility's Storm Water Discharge.
- (3) The Division of Environmental Management has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure Storm Water flow and quality shall be calibrated to ensure their accuracy.
- (4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Division of Environmental Management and shall not be replaced. The costs of clearing such access shall be borne by the operator.

**D. Search Warrants.**

If the Division of Environmental Management has been refused access to any part of the premises from which Storm Water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Division of Environmental Management may seek issuance of a search warrant from any court of competent jurisdiction.

## **SECTION 12. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES**

The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental Discharge of prohibited materials or other wastes into the municipal Storm drainage System or Watercourses through the use of structural and non-structural BMPs. Further, any Person responsible for a property or premise, which is, or may be, the source of an Illicit Discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further Discharge of Pollutants to the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the Discharge of Storm Water associated with Industrial Activity, to the extent practicable, shall be deemed in compliance with the provisions of this section. These BMPs shall be part of a Storm Water Pollution Prevention Plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

## **SECTION 13. NOTIFICATION OF SPILLS**

Notwithstanding other requirements of law, as soon as any Person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in Illegal Discharges or Pollutants discharging into Storm Water, the Storm Drainage System, or water of the United States, said Person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of Hazardous Materials, said Person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Division of Environmental Management in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Division of Environmental Management, Department of Water Quality, 16232 Elliott Parkway, Williamsport, Maryland, 21795 within three (3) business days of the phone notice. If the Discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for a least three (3) years. Failure to provide notification of a release, as indicated above, is a violation of this ordinance.

This section does not apply to Sanitary Sewer Overflows as defined by COMAR 26.08.10.

**ARTICLE IV**  
**Violations; Enforcement**

**SECTION 14. VIOLATIONS, ENFORCEMENT, AND PENALTIES**

**A. Violations.**

It shall be unlawful for any Person to violate any provision or fail to comply with any of the requirements of this ordinance. Any Person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law. In the event the violation constitutes an immediate danger to public health or public safety, the Division of Environmental Management is authorized to enter upon the subject private property, without given prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The Division of Environmental Management is authorized to seek costs of the abatement as outlined in Section 17.

**B. Warning Notice.**

When the Division of Environmental Management finds that any Person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, the Division of Environmental Management may serve upon that Person a written warning notice, specifying the particular violation believed to have occurred and requesting the discharger to immediately investigate the matter and to seek a resolution whereby any offending discharge will cease. Investigation and/or resolution of the matter in response to the warning notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the warning notice. Nothing in this subsection shall limit the authority of the Division of Environmental Management to take any action, including emergency action or any other enforcement action, without first issuing a warning notice.

**C. Notice of Violation.**

Whenever the Division of Environmental Management finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, the Division of Environmental Management may order compliance by written notice of violation to the responsible person. The notice of violation shall contain:

- (1) The name and address of the alleged violator;
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred.
- (3) A statement specifying the nature of the violation;



- (4) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
- (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
- (6) A statement that the determination of violation may be appealed to the Washington County Environmental Management Advisory Committee by filing a written notice of appeal within ten (10) business days of service of notice of violation; and
- (7) A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator. Such notice may require without limitation:
  - (a) The performance of monitoring, analysis, and reporting;
  - (b) The elimination of Illicit Connections or Discharges;
  - (c) That violating Discharges, practices, or operations shall cease and desist;
  - (d) The abatement or remediation of Storm Water pollution or contamination hazards and the restoration of any affected property;
  - (e) Payment of a fine to cover administrative and remediate costs; and
  - (f) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

#### **D. Compensatory Action**

In lieu of enforcement proceedings, penalties, and remedies authorized by this ordinance, the Division of Environmental Management may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

**E. Suspension of MS4 Access**

**(1) Emergency Cease and Desist Orders**

When the Division of Environmental Management finds that any Person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, or that the Person's past violations are likely to recur, and that the Person's violation(s) has (have) caused or contributed to an actual or threatened discharge to the MS4 or waters of the United States which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the Division of Environmental Management may issue an order to the violator directing it to immediately cease and desist all such violations and directing the violator to:

- (a) Immediately comply with all ordinance requirements; and
- (b) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the Discharge. Any person notified of an emergency order directed to it under this subsection, shall immediately comply and stop or eliminate its endangering Discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the Division of Environmental Management may take such steps as deemed necessary to prevent or minimize harm to the MS4 or waters of the United States, and/or endangerment to persons or to the environment, including immediate termination of a facility's water supply, sewer connection, or other municipal utility services. The Division of Environmental Management may allow the person to recommence its Discharge when it has demonstrated to the satisfaction of the Division of Environmental Management that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under this ordinance. A person that is responsible, in whole or in part, for any Discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful Discharge and the measures taken to prevent any future

occurrence, to the Division of Environmental Management within thirty (30) days of receipt of the emergency order. Issuance of an emergency cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

(2) **Suspension due to Illicit Discharges in Emergency Situations**

The Division of Environmental Management may, without prior notice, suspend MS4 Discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Division of Environmental Management may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United State, or to minimize danger to persons.

(3) **Suspension due to the Detection of Illicit Discharge**

Any Person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an Illicit Discharge. The Division of Environmental Management will notify a violator of the proposed termination of its MS4 access. The violator may petition the Division of Environmental Management for a reconsideration and hearing. A Person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section, without the prior approval of the Division of Environmental Management.

**F. Municipal Infraction**

In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) business days, or such greater period as the Authorized Enforcement Agency shall deem appropriate, the violation shall constitute a municipal infraction and the violator shall be fined as provided in Md. Code, Ann., Local Gov't, §6-102 for each day the violation remains unremedied after receipt of the notice of violation.

**G. Criminal Prosecution**

Any person who is found guilty of violating this ordinance shall be guilty of a misdemeanor and shall be subject to a criminal fine not exceeding One Thousand Dollars (\$1,000.00) per violation per day and/or imprisonment for a period not to exceed six (6) months. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

## **SECTION 15. APPEAL OF NOTICE OF VIOLATION**

Any person aggrieved by the action of any official charged with the enforcement of this ordinance, as the result of issuance of a written notice of violation, or an alleged failure to properly enforce the ordinance in regard to a specific application, shall have the right to appeal the action to the Washington County Environmental Management Advisory Committee. The appeal must be filed in writing within five (5) business days from the date of the notice of violation or determination to the applicant and shall clearly state the grounds on which the appeal is based.

## **SECTION 16. ENFORCEMENT MEASURES AFTER APPEAL**

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal within thirty (30) days of the decision of the Washington County Environmental Management Advisory Committee upholding the decision of the Division of Environmental Management, then representatives of the Division of Environmental Management shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

## **SECTION 17. COST OF ABATEMENT OF THE VIOLATION**

Within sixty (60) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within ten (10) business days. If the amount due is not paid within a timely manner, as determined by the decision of the Division of Environmental Management, or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this ordinance shall become liable to the County by reason of such violation. The liability shall become due and payable thirty (30) days from the billing date and will incur interest at the rate of one and one-half percent (1 ½%) per month until paid.

All unpaid costs shall constitute a lien against the property. For the purpose of collection, the County may include unpaid costs on the annual tax bill of the property. The unpaid costs shall be collected in the same manner as ordinary taxes are collected, subject to the same interest and penalty for nonpayment as provided by law for nonpayment of County taxes.

## **SECTION 18. INJUNCTIVE RELIEF**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. If a person has violated or continues to violate the provisions of this ordinance, the Authorized Enforcement Agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

## **SECTION 19. VIOLATIONS DEEMED A PUBLIC NUISANCE**

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

## **SECTION 20. REMEDIES NOT EXCLUSIVE**

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, State, or local law and it is within the discretion of the County to seek cumulative remedies. The County may recover all attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.



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Open Session Item

**SUBJECT:** FY21 Family Law Fund – Approval to Submit Application

**PRESENTATION DATE:** July 9, 2019

**PRESENTATION BY:** Allison Hartshorn, Grant Manager, Office of Grant Management and Kristin Grossnickle, Court Administrator, Circuit Court for Washington County

**RECOMMENDED MOTION:** Move to approve the submission of the FY21 Family Law Fund application in the amount of \$298,601 and accept awarded funding.

**REPORT-IN-BRIEF:** This grant program provides funds from the Department of Juvenile and Family Service’s Grant program of the Maryland Judiciary (DJFS), each year to Washington County Circuit Court to deliver appropriate services available for low income families who appear before the court to resolve family legal matters. Each court within the State of Maryland is required by Maryland Rules 16-204, to have a family support services division to implement the goals and objectives as set forth by the DJFS.

**DISCUSSION:** Through the Department of Family Service Grant program the following services are funded in the Washington County Circuit Court: salary and fringe benefits of the Family Support Services Coordinator and Permanency Planning Liaison, Family Law Advice Clinic, and as funding allows, Family Services Programs such as parent education classes, custody evaluations, children’s attorney, mental health/substance abuse evaluations, parenting coordinators, Alternative Dispute Resolution (ADR)/Mediation, and supervised visitation. The Office of Grant Management has reviewed the grant funding guidelines. This grant is annually recurring. The funder caps pay increases at 3.5%, if there are any pay increases in FY21 in excess of 3.5% the Circuit Court would need to allocate funds within its approved budget for this expense.

**FISCAL IMPACT:** Provides \$298,601 for the Washington County Circuit Court’s Family Court Program.

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

**ALTERNATIVES:** Deny approval for submission of this request

**ATTACHMENTS:** N/A

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



## Agenda Report Form

### Open Session Item

**SUBJECT:** Contract Award (PUR-1422) Workers' Compensation Third Party Administrator (TPA)

**PRESENTATION DATE:** July 9, 2019

**PRESENTATION BY:** Rick Curry, CPPO, Director, Purchasing Department and Brian Overcash, Safety Compliance/Training Coordinator, Human Resources

**RECOMMENDED MOTION:** Move to award the contract for Workers' Compensation Third Party Administrator Services to the responsive, responsible proposer, with the lowest Total Lump Sum Fee for Fiscal Years 2019 (beginning August 1, 2019) through 2023, and contingent upon approval of the final contract by the County Attorney.

**REPORT-IN-BRIEF:** The resulting contract will cover the services of a Workers' Compensation Third Party Administrator for the adjusting and administration of Washington County Workers' Compensation claims on behalf of the Washington County Self-Insurance Program. The term of the contract is for a one (1) year period tentatively commencing July 1, 2014 with an option by the County to renew for up to four (4) additional consecutive one (1) year periods thereafter.

The Request for Proposals (RFP) was advertised on the State's *eMaryland Marketplace* web site, on the County's web site, and in the local newspaper. Ninety-three (93) persons/firms accessed the RFP from the County's web site. Four (4) firms were represented at the Pre-Proposal Conference. The Coordinating Committee was comprised of the County Deputy Director of Health & Human Services (Committee Chairman Designee), County Director of Purchasing, County Safety Compliance Administrator, County Risk Management Administrator, and the Human Resources Manager/designee for the City of Hagerstown.

Submittals were received on April 30, 2019 from four (4) firms. One (1) firm's Qualifications & Experience/Technical Proposal was considered non-responsive. The Price Proposals of the remaining responsive, responsible firms were opened, and clarifications were obtained.

**DISCUSSION:** N/A

**FISCAL IMPACT:** Funding for these services is in the general fund account from which all workers' compensation expenses and insurance premiums are paid.

**CONCURRENCES:** As recommended by the Coordinating Committee

**ALTERNATIVES:** N/A

**ATTACHMENTS:** N/A

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



Agenda Report Form

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Open Session Item

**SUBJECT:** Partial Release of Sewer Easement

**PRESENTATION DATE:** July 9, 2019

**PRESENTATION BY:** Todd Moser, Real Property Administrator, Division of Engineering, Mark Bradshaw, P. E., Deputy Director, Engineering Services, Division of Environmental Management

**RECOMMENDED MOTION:** Move to approve the partial release of sewer easement to CHIEF.

**REPORT-IN-BRIEF:** CHIEF has proposed the conveyance of 0.41 acres off Governor Lane Boulevard to Hagerstown Canteen Service, Inc. The 0.41 acres is encumbered by a 16,660 square foot County sanitary Sewer Easement. Hagerstown Canteen Service, Inc. is requesting the County vacate a portion of the sewer easement consisting of 1,314 square feet before property is conveyed from CHIEF to Hagerstown Canteen Service, Inc.

**DISCUSSION:** Hagerstown Canteen Service Inc. is looking to construct an addition to their existing building. In order to construct the addition, a portion of the easement will have to be vacated. Vacating the portion of the sewer easement will have no impact on the County sewer infrastructure.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** County Attorney, Director of Engineering

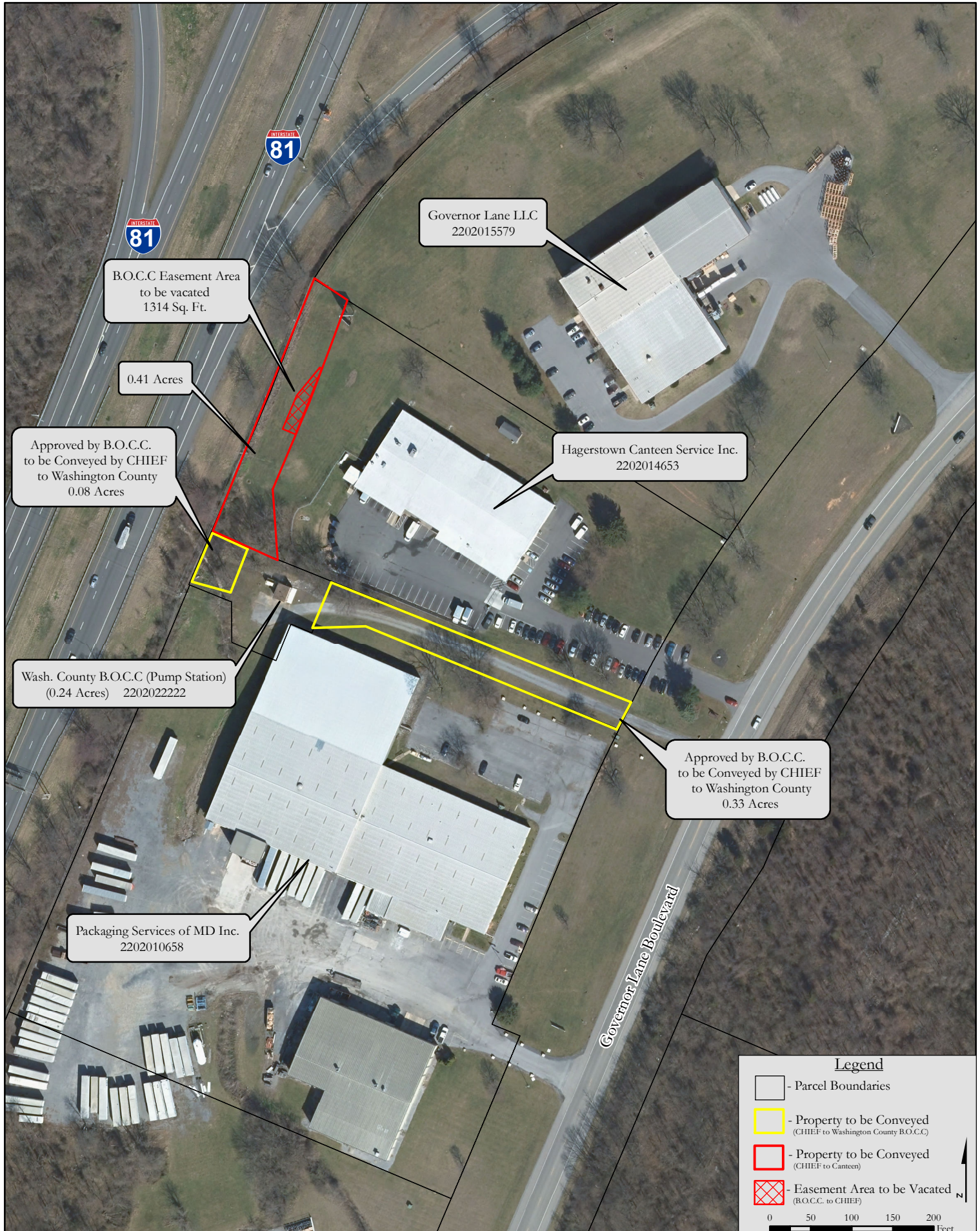
**ALTERNATIVES:** N/A

**ATTACHMENTS:** Aerial Map

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



# Partial Release of Sewer Easement



B.O.C.C Easement Area  
to be vacated  
1314 Sq. Ft.

0.41 Acres

Approved by B.O.C.C.  
to be Conveyed by CHIEF  
to Washington County  
0.08 Acres

Governor Lane LLC  
2202015579

Hagerstown Canteen Service Inc.  
2202014653

Wash. County B.O.C.C (Pump Station)  
(0.24 Acres) 2202022222

Approved by B.O.C.C.  
to be Conveyed by CHIEF  
to Washington County  
0.33 Acres

Packaging Services of MD Inc.  
2202010658

**Legend**

- Parcel Boundaries
- Property to be Conveyed (CHIEF to Washington County B.O.C.C)
- Property to be Conveyed (CHIEF to Canteen)
- Easement Area to be Vacated (B.O.C.C. to CHIEF)

0 50 100 150 200 Feet



Agenda Report Form

Open Session Item

**SUBJECT:** Bid Award (PUR-1432) – Leachate Hauling from County Landfill

**PRESENTATION DATE:** July 9, 2019

**PRESENTATION BY:** Brandi Naugle, CPPB, Buyer, Purchasing Department and Dave Mason, P.E., Deputy Director, Solid Waste

**RECOMMENDED MOTION:** Move to award the requirements contract for the Hauling of Leachate from the County Landfill to A.C.& T. Co. Inc., of Hagerstown, MD based on the responsive, responsible bidder with the lowest total lump sum amount of **\$337,275.00**

**REPORT-IN-BRIEF:** The bid was advertised in the local newspaper, listed on the State’s *eMaryland Marketplace* website and on the County’s website. The contract period is for a one (1) year period tentatively commencing July 1, 2019, with an option by the County to renew for up to two (2) additional consecutive one (1) year periods with the first term ending June 30, 2020. The County guarantees neither a minimum/maximum of calls nor quantity of material for this contract. Sixteen (16) persons/companies registered and downloaded the bid document on-line. One (1) bid were received as indicated on the bid tabulation matrix.

The scope of services to be provided by the contractor includes loading, hauling, delivery, and unloading leachate to Valicor located at the Department Water Quality’s Conococheague WWTP. The leachate is transported from the Resh Road Landfill, Rubble Landfill, Old City/County Landfill and 40 West Landfill.

The following hauling history (in gallons) is established at each location:

YEAR	Resh Cell 4 & 5	Resh N-1	Resh N-2 & N-3	Rubble Cell 1	Old City/ County Station	40 West
2014	2,567,300	132,000	323,500	1,412,300	2,334,080	13,559,886
2015	1,637,450	82,700	237,700	848,010	2,334,080	12,553,951
2016	1,620,561	132,800	393,929	1,213,039	5,019,330	13,013,171
2017	926,140	122,587	259,650	1,200,120	6,102,727	17,689,401
2018	1,194,265	130,470	587,122	1,831,735	10,445,725	20,453,994

**DISCUSSION:** N/A

**FISCAL IMPACT:** The Solid Waste Department's budgeted funds for this contract are as follows:

<b><u>Location</u></b>	<b><u>Budget 2019</u></b>	<b><u>Adjusted 2020 Budget w/ New Rates</u></b>
Resh	\$ 37,470	\$35,980
Rubble	\$ 19,984	\$20,240
Old City	\$ 42,466	\$58,461
40West	\$ 156,125	\$179,880

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Bid Tabulation Matrix

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

**PUR-1432  
Leachate Hauling  
From County Landfills for Disposal**

			<b>A.C.&amp;T. Co., Inc. Hagerstown, MD</b>		
<b>Location No.</b>	<b>Location Description &amp; Quantity</b>	<b>No. Gallons</b>	<b>Price/ Gal.</b>	<b>Total Price</b>	<b>Current Contract Price</b>
<b>1</b>	Removal (loading/hauling/unloading) from Resh Landfill (Cells 4, 5, N-1, N-2 and N-3) to Valicor Environmental Services at the Conococheague Wastewater Treatment Plant	3,000,000	\$0.01499	\$44,970.00	<b><i>\$0.01249</i></b>
<b>2</b>	Removal (loading/hauling/unloading) from the Rubble Landfill to Valicor Environmental Services at the Conococheague Wastewater Treatment Plant	1,500,000	\$0.01499	\$22,485.00	<b><i>\$0.01249</i></b>
<b>3</b>	Removal (loading/hauling/unloading) from the Old City/County Landfill to Valicor Environmental Services at the Conococheague Wastewater Treatment Plant	5,000,000	\$0.01499	\$74,950.00	<b><i>\$0.01249</i></b>
<b>4</b>	Removal (loading/hauling/unloading) from the 40 West Landfill to Valicor Environmental Services at the Conococheague Wastewater Treatment Plant	13,000,000	\$0.01499	\$194,870.00	<b><i>\$0.01249</i></b>
<b>Total Lump Sum Bid</b>			<b>\$337,275.00</b>		



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**Open Session Item**

**SUBJECT:** Quarterly Report and Revenue Summary

**PRESENTATION DATE:** July 6, 2019

**PRESENTATION BY:** Sara Greaves, Chief Financial Officer

**RECOMMENDATION:** For informational purposes.

**REPORT-IN-BRIEF:** The Office of Budget and Finance would like to brief the commissioners on the third quarter report for FY2019 and revenues to date including projections for FY2019 year end.

**DISCUSSION:** A quarterly report is provided to the commissioners for quarters 1 through 3 of each fiscal year. This report provides the commissioners with budget to actual comparisons of major county revenues and expenditures. It also provides economic data including unemployment rates and housing statistics. It is available on the County website at [www.washco-md.net](http://www.washco-md.net).

A year-end projection will be provided for major General Fund revenue and expense categories. While the fiscal year end was June 30, 2019, the County will continue to pay invoices and receive revenue for FY2019. In addition, year-end closing work has not yet been performed. Therefore, actual results will vary from the FY2019 projection.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Quarterly Report March 2019

**AUDIO/VISUAL NEEDS:** None



WASHINGTON COUNTY, MARYLAND

# FISCAL & ECONOMIC UPDATE

QUARTERLY REPORT

QUARTER ENDING  
MARCH 2019

# WASHINGTON COUNTY, MARYLAND



## Washington County

M A R Y L A N D

### Inside this Report:

FINANCIAL STATISTICS 3

REVENUE TRENDS 3

SUMMARY OF MAJOR EXPENDITURE ACTIVITY 4

EMPLOYMENT DATA 5

SPENDING DATA 5

HOUSING DATA 6

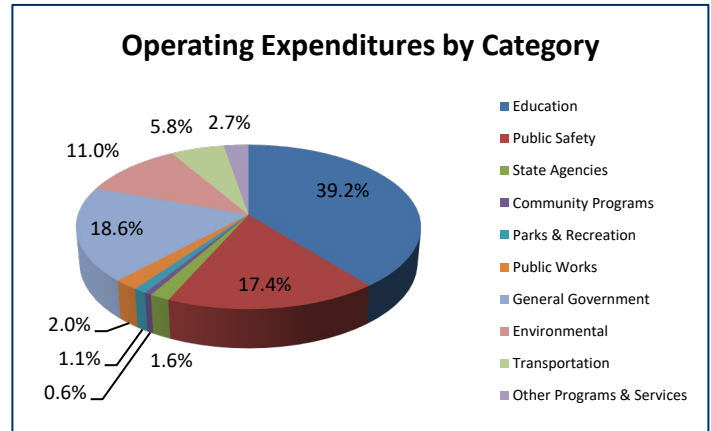
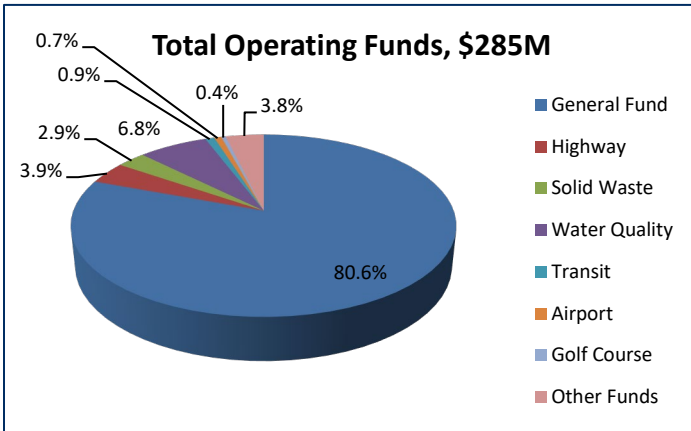
INVESTMENTS 7

Washington County is located in northwestern Maryland, bordered by Pennsylvania to the north and West Virginia to the south. It is bordered on the east by Frederick County, Maryland and on the west by Allegany County, Maryland. Washington County is approximately 70 miles from Washington, D.C. and Baltimore, Maryland. Two major highways, Interstate 81 – running north and south, and Interstate 70 – running east and west, cross within Washington County’s borders. The County is a body corporate and politic and is a mid-size, multi-service local government serving the needs of approximately 150,000 residents with nine incorporated municipalities. Under public local law both the executive and legislative functions of the County are vested in the elected, five member Board of County Commissioners of Washington County. The County Commissioners are elected on a county-wide basis and serve four-year terms. Other elected County funded positions include County Sheriff, Treasurer, and State’s Attorney.

Information provided below indicates where Washington County ranks within Maryland Counties for the services and statistics provided among 23 counties and Baltimore City for FY2017, the most recent available year.

Population Rank	11th
Property Tax per capita	20th
Per pupil local funding	18th
Expenditure per capita	23rd
Revenue per capita	23rd

## FINANCIAL STATS

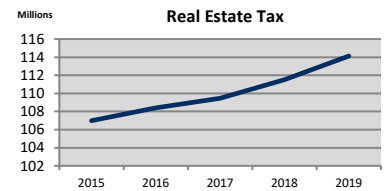


Washington County will spend approximately \$285 million annually on public services in FY2019. The General Fund budget represents the County's largest fund at \$230 million. Major revenues that make up the General Fund budget are Property Tax, Local Income Tax, Other Local Taxes including Recordation Tax, Service Fees, and Intergovernmental Grants. General Fund dollars are spent on Education, Public Safety, Debt Service, General Government, Courts, State Agencies, Community Programs, Public Works, Parks & Recreation, and sometimes support other funds through an intergovernmental transfer.

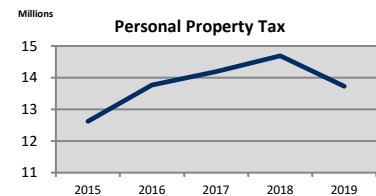
## MAJOR REVENUE TRENDS

The following information summarizes key revenue sources that affect the County's overall financial condition. Many of these revenues change with the economy. Amounts reflect distributions received as of the reported date. The revenue graphs to the right reflect total actual revenues collected for each of the prior fiscal years and the projected total annual revenue based on existing trends for the current year. The current year will change as the year progresses.

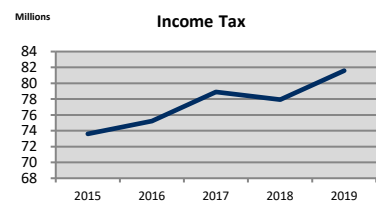
Real Estate Tax				
Year-to-Date		Budget Variance		Actual Growth
Budget	Revenues	\$	%	PY vs. CY %
113,679,470	114,125,516	446,046	0.4%	2.2%



Personal Property Tax				
Year-to-Date		Budget Variance		Actual Growth
Budget	Revenues	\$	%	PY vs. CY %
13,997,445	13,667,296	(330,149)	(2.4%)	(6.7%)



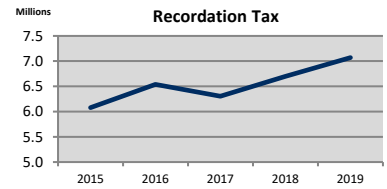
Income Tax				
Year-to-Date		Budget Variance		Actual Growth
Budget	Revenues	\$	%	PY vs. CY %
45,203,110	44,623,536	(579,574)	(1.3%)	4.5%





## MAJOR REVENUE TRENDS (CONTINUED)

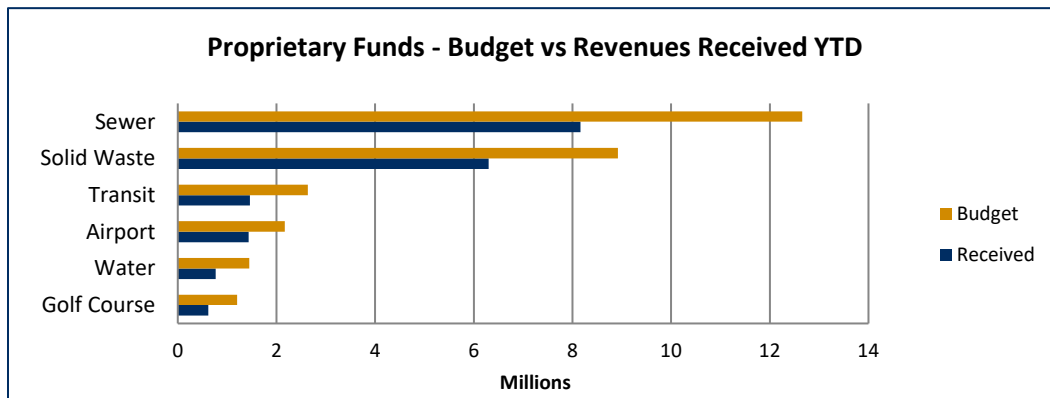
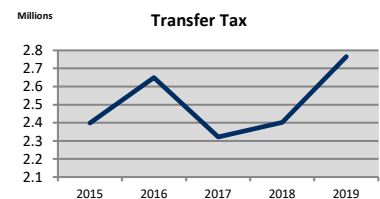
Recordation Tax				
Year-to-Date		Budget Variance		Actual Growth
Budget	Revenues	\$	%	PY vs. CY %
4,642,802	5,050,040	407,238	8.8%	5.4%



Residential Excise Tax				
Year-to-Date		Budget Variance		Actual Growth
Budget	Revenues	\$	%	PY vs. CY %
407,059	380,852	(26,207)	(6.4%)	(32.6%)



Transfer Tax				
Year-to-Date		Budget Variance		Actual Growth
Budget	Revenues	\$	%	PY vs. CY %
1,709,466	1,969,798	260,332	15.2%	15.6%



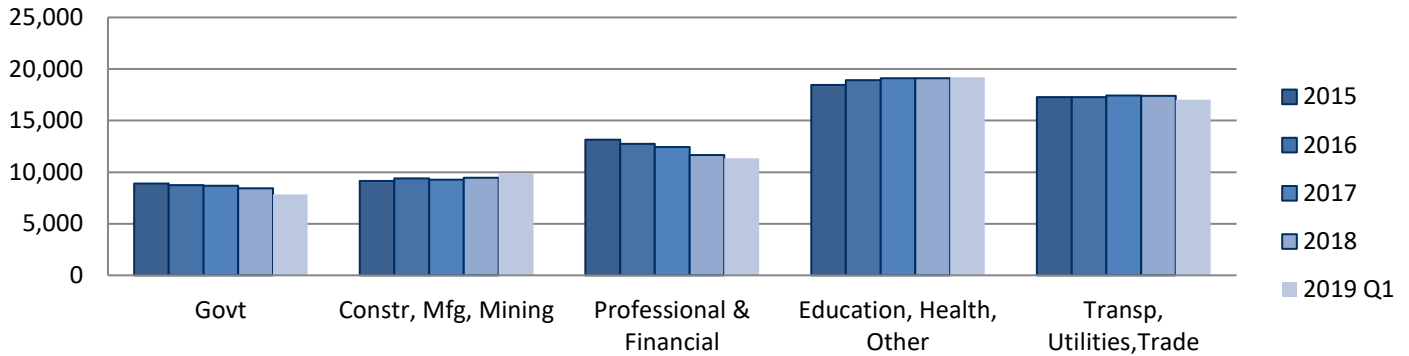
## SUMMARY OF MAJOR EXPENDITURE ACTIVITY

Expenditure Activity by Major Fund (in millions)					
Fund	Budget	Spent	Encumbered	Unexpended	% Expended
General	232.4	172.6	2.0	57.8	74%
Highway	11.3	8.6	0.3	2.4	76%
Solid Waste	8.9	6.2	1.9	0.8	70%
Water	1.5	0.9	0.0	0.5	63%
Sewer	12.7	9.1	0.1	3.5	71%
Transit	2.6	1.8	0.2	0.6	68%
Airport	2.2	1.3	0.1	0.8	60%
Golf Course	1.2	0.7	0.0	0.4	61%
Total	272.8	201.2	4.6	66.9	74%

The table to the left compares major year-to-date expenditure activity to budgeted funding. It incorporates the variance by dollar and percentage, along with total expenditure activity. Funds expended and encumbered should average around 75% if not subject to seasonal fluctuation.

## EMPLOYMENT DATA

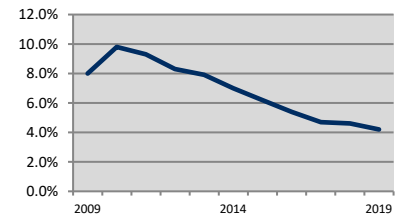
### Washington County Average Employment by Industry



### Employment Statistics - March

County				State	National
Fiscal Year	Number of Employed	Number of Unemployed	Unemployment	Unemployment	Unemployment
2018	71,873	4,003	5.3%	4.3%	4.1%
2019	71,943	3,323	4.4%	3.8%	3.8%

### Average Unemployment Rate

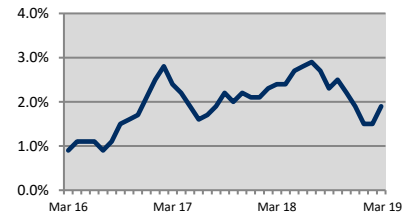


## SPENDING DATA

### Consumer Price Index (CPI)

Current Period		Prior Period	
Index	Annual Change	Index	Annual Change
254.1	1.9%	249.5	2.4%

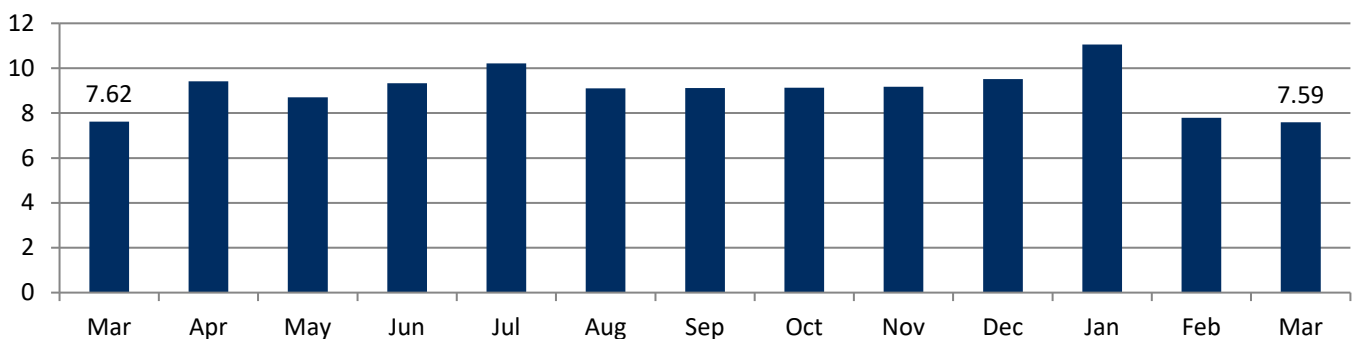
### Annualized CPI



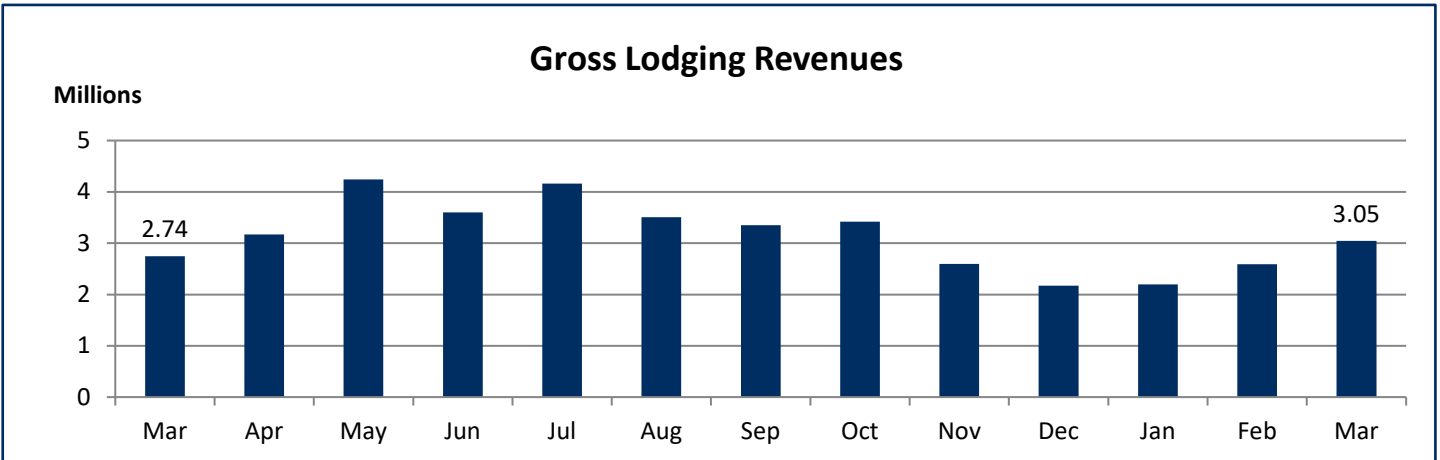
### Consumer Spending Patterns - Washington County

#### Sales & Use Tax Collections

Millions

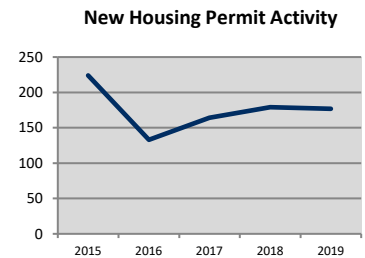


## SPENDING DATA (CONTINUED)

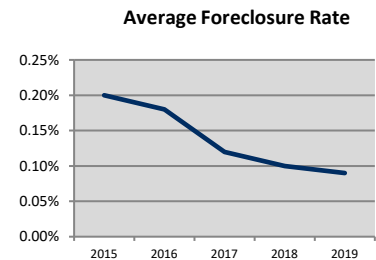
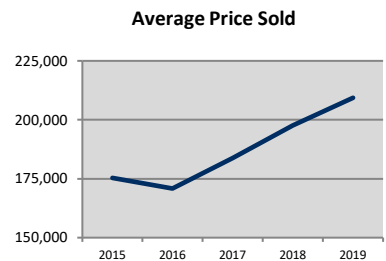


## HOUSING DATA

New Residential Housing Permits Issued				
Area	Prior YTD	Current YTD	Variance	
			# of Permits	% Change
Washington County	156	154	(2)	(1.3%)
City of Hagerstown	23	23	0	0.0%
<b>Total</b>	<b>179</b>	<b>177</b>	<b>(2)</b>	<b>(1.1%)</b>



Washington County Housing Statistics			
Housing Activity:	2018	2019	% Change
Average Price Sold	197,631	209,333	5.9%
Total Units Sold	1,363	1,190	(12.7%)
Average Inventory	583	636	9.1%
<b>Foreclosure Activity:</b>			
Average Foreclosure Rate:			
Washington County	0.10%	0.09%	(10.0%)
State of Maryland	0.10%	0.09%	(10.0%)
National	0.05%	0.04%	(20.0%)



## INVESTMENTS

Year-to-Date Investment Activity				
Investment Type	Settlement Date	Maturity Date	Yield	Cost
Treasury Note	10/5/2017	6/30/2019	1.421%	10,000,000
T Bills	10/5/2018	4/25/2019	2.278%	8,394,118
Treasury Note	11/15/2018	11/30/2019	2.700%	4,951,563
Treasury Note	11/15/2018	5/16/2019	2.442%	9,879,678
T Bills	12/10/2018	9/12/2019	2.523%	9,812,167
T Bills	12/10/2018	6/6/2019	2.452%	8,399,554
FHLB	1/17/2019	10/10/2019	2.437%	7,998,111
Treasury	1/18/2019	12/31/2019	2.478%	9,997,691
T Bills	2/26/2019	11/1/2019	2.467%	8,499,716
T Bills	2/26/2019	12/5/2019	2.462%	8,499,765
FHLB	3/27/2019	2/11/2020	2.400%	8,479,840
Treasury	3/27/2019	1/15/2020	2.371%	8,475,590
CD	5/27/2017	6/27/2019	0.500%	457,725
Worker's Comp	3/14/2018	3/31/2019	1.901%	179,487
			2.202%	\$104,025,004

# WASHINGTON COUNTY, MARYLAND



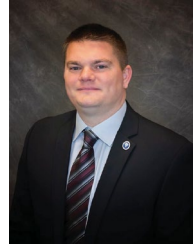
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County Commissioner, Vice President  
tbaker@washco-md.net



Wayne K. Keefer  
County Commissioner  
wkefer@washco-md.net

Cort F. Meinelschmidt  
County Commissioner  
cmeinelschmidt@washco-md.net



Randall E. Wagner  
County Commissioner  
rwagner@washco-md.net

Robert J. Slocum  
County Administrator  
rslocum@washco-md.net



100 West Washington Street



Hagerstown, Maryland 21740

## STATEMENT OF PURPOSE

This report is designed to communicate the County's major financial trends for the indicated period since the issuance of the prior audited financial statements. The report is interim in nature and abbreviated in that it does not include details for all the various funds maintained by the County. Additionally, this report omits many of the required note disclosures typically found in a fiscal year-end financial statement report. The information contained here is intended to allow management to make limited assessments of near-term trends

that may have an impact on operations and financial results. Management views this interim period as an integral part of the annual period. This report includes information regarding some of the more notable recent developments that may impact County finances, along with summarized information relating to various operations within the County. This report is general in nature. The reader is cautioned that it does not provide the level of detail nor the comprehensive scope found in a fiscal year-end financial statement. Those

desiring or needing such information should contact the Office of Budget and Finance. We hope that you find this report informative and meaningful. If you have any questions regarding this report, please contact the Office of Budget and Finance at 240-313-2300.

This report is provided for general information use only. The information contained in the document speaks only as of its report date.