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BOARD OF COUNTY COMMISSIONERS

June 11, 2024

OPEN SESSION AGENDA

- 8:00 AM INVOCATION AND PLEDGE OF ALLEGIANCE
 CALL TO ORDER, *President John F. Barr*
 APPROVAL OF MINUTES: *May 21, 2024*
- 8:05 AM FIRST CLOSED SESSION - (*To consult with counsel to obtain legal advice on a legal matter and To consult with staff, consultants, or other individuals about pending or potential litigation*)
- 9:00 AM RECONVENE IN OPEN SESSION
- 9:00 AM COMMISSIONERS' REPORTS AND COMMENTS
- 9:15 AM STAFF COMMENTS
- 9:20 AM CITIZEN PARTICIPATION
- 9:30 AM YOUTH MERITORIOUS AWARD PRESENTATION
 Richard Lesh, Grant Manager, Grant Management; Board of County Commissioners
- 9:40 AM SCOTT LINE FARM, LLC RURAL LEGACY PROGRAM (RLP) EASEMENT
 Chris Boggs, Rural Preservation Administrator, Planning and Zoning
- 9:50 AM FY2025 PROJECT OPEN SPACE ANNUAL PROGRAM
 Andrew Eshleman, Director, Public Works
- 10:05 AM SECOND CLOSED SESSION - (*To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individual; and To consult with counsel to obtain legal advice on a legal matter*)
- 1:00 PM RECONVENE IN OPEN SESSION

RECESS

EVENING MEETING AT THE TOWN OF BOONSBORO
Location: 21 NORTH MAIN STREET, BOONSBORO, MARYLAND

- 6:00 PM INVOCATION AND PLEDGE OF ALLEGIANCE
 CALL TO ORDER, *President John F. Barr*
- 6:05 PM TOWN OF BOONSBORO LEADERS' REPORTS AND COMMENTS
- 6:20 PM COMMISSIONERS' REPORTS AND COMMENTS
- 6:30 PM CITIZENS PARTICIPATION
- 7:00 PM ADJOURNMENT



Open Session Item

SUBJECT: Youth Meritorious Award Presentation

PRESENTATION DATE: June 11, 2024

PRESENTATION BY: Richard Lesh & Board of County Commissioners

RECOMMENDED MOTION: No motion or action is requested or recommended.

REPORT-IN-BRIEF: Throughout the school year the Board of County Commissioners present “Youth Meritorious Awards” to students attending both public and private schools or those being home schooled in Washington County. The following individuals have been selected based on their scholastic achievement, leadership qualities, community service performed or other positive contributions to their school and community.

These exceptional youths have consistently worked and distinguished themselves as model students and members of our County.

It is my pleasure to present the following youth for recognition today:

Isabelle Becker- St. Maria Goretti Catholic High School

Parent(s) – Deanna Becker

Nominated by Carol Kreykenbohm-Barnhart

Peyton Gullickson- St. Mary’s Catholic School

Parent(s) – Gilda Gullickson

Nominated by William Souders

DISCUSSION: N/A

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Scott Line Farm, LLC Rural Legacy Program (RLP) Easement

PRESENTATION DATE: June 11, 2024

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

RECOMMENDED MOTION: Move to approve the Scott Line Farm, LLC RLP Easement project, in the amount of \$535,847.00 for 173.54 easement acres, paid for 100% by the Maryland Department of Natural Resources, and to adopt an ordinance approving the easement purchase and to authorize the execution of the necessary documentation to finalize the easement purchase.

REPORT-IN-BRIEF: The Scott Line Farm, LLC property is located on Shepherdstown Pike in Sharpsburg, and the easement will serve to permanently preserve a valuable agricultural, scenic, historic and environmental property in the County. The parcel is mostly woodland. It lies in a part of Washington County that was heavily trafficked during the Civil War and the Battle of Antietam and house the ruins of a frame farmstead that is on the Maryland Inventory of Historic Places and is adjacent to several other historic sites, including the C&O Canal, historic Shepherdstown Pike, the BF Graves House, and the Wyand Farmstead. Additionally, the property buffers more than 4,500 linear feet of the Canal and the Potomac River.

The parcel adds on to a block of thousands of acres of contiguous preserved farmland near Antietam Battlefield and Sharpsburg. Eight (8) development rights will be extinguished with this easement.

DISCUSSION: Since 1998, Washington County has been awarded more than \$31 million to purchase Rural Legacy easements on more than 8,700 acres near Antietam Battlefield in the Rural Legacy Area. RLP is a sister program to the Maryland Agricultural Land Preservation Program (MALPP) and includes the protection of environmental and historic features in addition to agricultural parameters. RLP uses an easement valuation system (points) to establish easement value rather than appraisals used by MALPP. For FY 2024, Washington County was awarded RLP grants totaling \$3,127,000. The Scott Line Farm, LLC RLP Easement will use part of those funds. Easement applicants were previously ranked based on four main categories: the number of development rights available, the quality of the land/land management (agricultural component), natural resources (environmental), and the historic value.

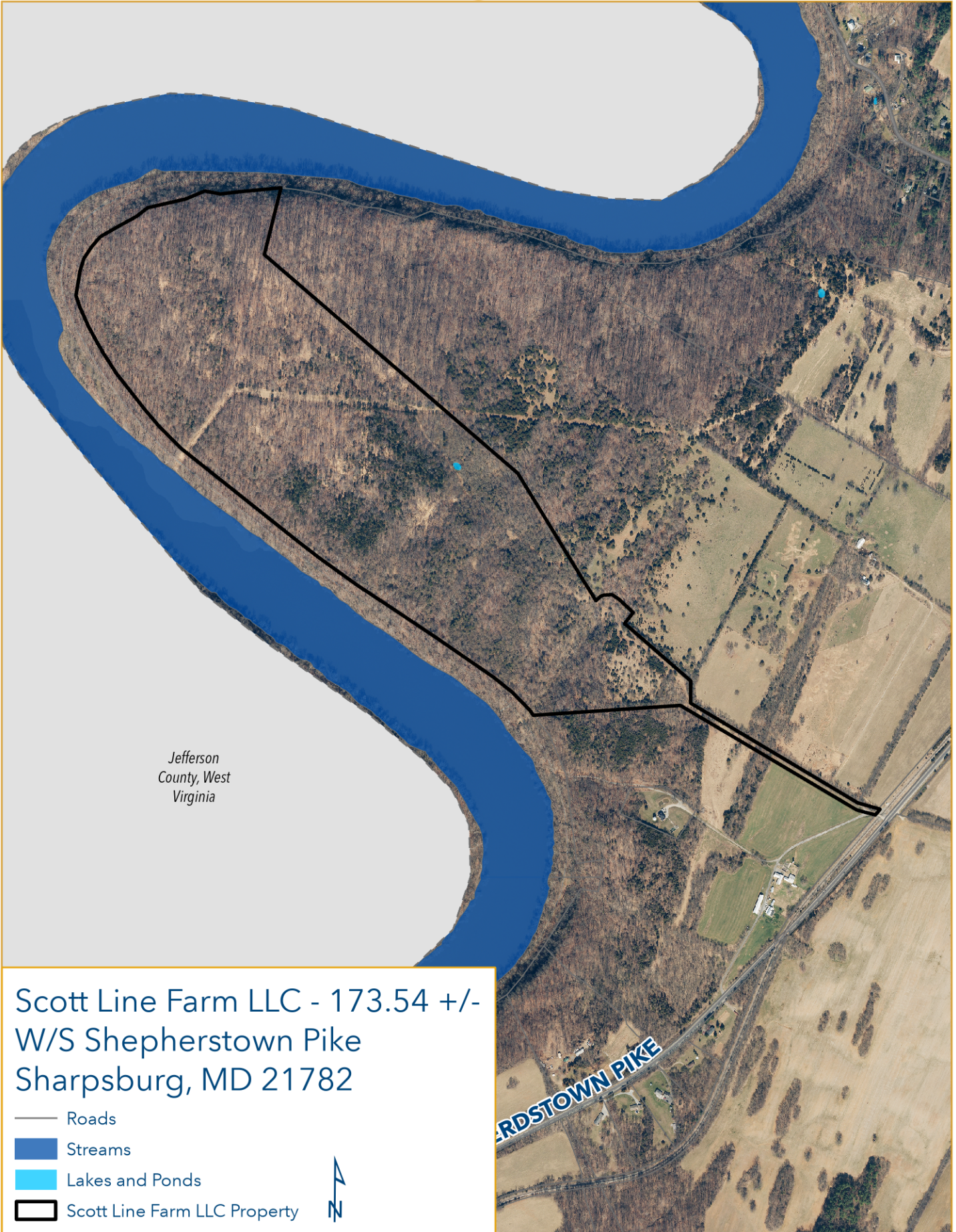
FISCAL IMPACT: RLP funds are 100% State dollars, mainly from DNR Open Space funds. In addition to the easement funds, we receive up to 3% of the easement value for administrative costs, a mandatory 1.5% for compliance/monitoring costs, and funds to cover all of our legal/settlement costs.

CONCURRENCES: Both the State RLP Board and the State Department of Natural Resources (DNR) staff have approved and support our program.

ALTERNATIVES: If Washington County rejects State funds for RLP, the funds will be allocated to other counties in Maryland.

ATTACHMENTS: Detail Map, Location Map, Ordinance

AUDIO/VISUAL NEEDS: N/A



Jefferson
County, West
Virginia

Scott Line Farm LLC - 173.54 +/-
W/S Shepherstown Pike
Sharpsburg, MD 21782

- Roads
- Streams
- Lakes and Ponds
- Scott Line Farm LLC Property



ORDINANCE NO. ORD-2024-

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM
(Re: *Scott Line Farm, LLC RLP Conservation Easement*)**

RECITALS

1. The Maryland Rural Legacy Program ("RLP") provides the funding necessary to protect large, contiguous tracts of land and other strategic areas from sprawl development and to enhance natural resource, agricultural, forestry, and environmental protection through cooperative efforts among State and local governments.
2. Protection is provided through the acquisition of easements and fee estates from willing landowners and the supporting activities of Rural Legacy Sponsors and local governments.
3. For FY 2024, Washington County (the "County") was awarded a RLP grant totaling \$3,127,000.00 (the "RLP Funds").
4. Scott Line Farm, LLC, (the "Property Owner") is the fee simple owner of real property consisting of 173.54 acres, more or less (the "Property"), in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.
5. The County has agreed to pay the sum of approximately FIVE HUNDRED THIRTY-FIVE THOUSAND EIGHT HUNDRED FORTY-SEVEN DOLLARS AND NO CENTS (\$535,847.00), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Scott Line Farm, LLC, RLP Conservation Easement").

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of a conservation easement on the Property be approved and that the President of the Board and the County Attorney be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the purchase of the Scott Line Farm, LLC, RLP Conservation Easement.

ADOPTED this ____ day of June, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Dawn L. Marcus, County Clerk

BY: _____
John F. Barr, President

Approved as to legal sufficiency:

Rosalinda Pascual
Assistant County Attorney

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

EXHIBIT A - DESCRIPTION OF PROPERTY

ALL that tract of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 1, Washington County, Maryland, and being described on the attached Schedule A prepared by Frederick, Seibert & Associates, Inc., and also being shown and designated as "Lands of Darrin E. Eichelberger and Nikki Eichelberger & Joseph W. Eichelberger Parcels 1-3 of Property No. 1 Combined with Parcel No. 2 of Liber 7182, Folio 493, Combined Acreage: 173.54 Acres" on the Plat entitled "Boundary Survey for Darrin E. Eichelberger and Nikki Eichelberger and Joseph W. Eichelberger and Cheryl Ann Eichelberger" recorded at Miscellaneous Plat Folio 979 among the Plat Records of Washington County, Maryland.

THE street address of the herein described property is currently known and designated as 0 (no street number assigned) Shepherdstown Pike, Sharpsburg, Maryland, and further identified as tax account no. 01-007351.

BEING all of the same property which was conveyed from Darrin E. Eichelberger and Nikki Eichelberger, his wife, and Joseph W. Eichelberger and Cheryl Ann Eichelberger, his wife, to Scott Line Farm, LLC, a Maryland limited liability company, by Deed dated May 7, 2024, and recorded in Liber/Book 7451, Folio/Page 272 among the Land Records of Washington County, Maryland.



Open Session Item

SUBJECT: FY 2025 Program Open Space Annual Program

PRESENTATION DATE: June 11, 2024

PRESENTATION BY: Andrew Eshleman, Director of Public Works

RECOMMENDED MOTION: Move to approve the Annual FY 2025 Program Open Space (POS) project list as presented and recommended by the Washington County Recreation and Parks Advisory Board.

REPORT-IN-BRIEF: As per POS guidelines, each year the Board of County Commissioners is required to adopt the annual POS Program.

DISCUSSION: The various municipalities, Board of Education, Hagerstown Community College as well as the County submit projects for consideration for inclusion in the annual POS Program. Based upon anticipated available funds a program is developed giving consideration to County parks and recreation priorities, community benefit, and the priority ranking of the project sponsor. The Recreation and Parks Advisory Board voted at its 5/2 meeting to recommend the proposed schedule to the Board of County Commissioners for adoption. After adoption by the Board of County Commissioners, notification is provided to the sponsors as to which projects have been included in the program along with approval letters. This then allows the sponsors to apply for funding to Maryland Department of Natural Resources after July 1.

FISCAL IMPACT: Washington County will receive \$686,847 in FY25 Program Open Space Funds. Since Washington County has met its local acquisition goal in the current approved Land Preservation, Parks, and Recreation Plan 25% of the FY24 apportionment must be used for acquisition projects while the remaining 75% may be used for acquisition or park development projects. Parkland acquisition projects are eligible for 100% POS reimbursement, while development projects require a minimum 10% local funding match.

The FY25 allocation is approximately 35% of the \$1,915,701 received in FY24. Unfortunately, not all project requests could be funded. Additional evaluation criteria considered recent project awards, project cost and matching funds provided, and percentage of overall funds received.

CONCURRENCES: Washington County Recreation and Parks Advisory Board

ALTERNATIVES: Adopt different projects than those recommended by the Washington County Recreation and Parks Advisory Board.

ATTACHMENTS: FY25 Annual POS Program and Overview Map, FY25 requests received.

AUDIO/VISUAL NEEDS:

WASHINGTON COUNTY
FY 2025 POS PROGRAM SCHEDULE
PROPOSED FOR ADOPTION BY BOCC

SPONSOR	PROJECT	TOTAL PROJECT COST	LOCAL SHARE POS FUNDS	LOCAL POS SHARE %	POS ACQUISITION FUNDS	POS DEV FUNDS RECOMMENDED	PROJECT NUMBER	PERCENT OF DEV FUNDS	NOTES
HAGERSTOWN	City Park - Burnap Parking Lot Improvements	\$ 600,000.00	\$ 100,000.00	16.7%		\$ 135,000.00	1		Burnap Parking lot improves an existing condition and heavily used area in City Park and allows for parking for Art Museum Bock Oil Expansion
		\$ 600,000.00	\$ 100,000.00		\$ -	\$ 135,000.00		26.1%	
HANCOCK	Joseph Hancock Park - Pavilion Roof	\$ 10,965.00	\$ 1,097.00	10.0%	\$ -	\$ 9,868.00	2		Projects will help preserve existing structures and are in need of replacement. Supports Countywide effort to modernize parks. Did not receive FY24 funds.
	Widmeyer Park - Pavilion Roof Replacement	\$ 54,835.00	\$ 5,484.00	10.0%	\$ -	\$ 49,351.00	2	11.5%	
KEEDYSVILLE	Taylor Park - Restroom Renovation	\$ 42,000.00	\$ 4,200.00	10.0%		\$ 37,800.00	3		Project need is apparent in the condition of the facility. Supports Countywide effort to modernize parks and make ADA accessible. Did not receive FY24 funds.
		\$ 42,000.00	\$ 4,200.00		\$ -	\$ 37,800.00		7.3%	
WASHINGTON COUNTY	Agriculture Education Center Indoor Multipurpose Building	\$ 14,600,000.00	\$ 10,550,000.00	72.3%		\$ 210,000.00	4		Funds to support recreational flooring surfaces and equipment in the multi-use event building. Percent of funding received on par with historical average.
		\$ 14,600,000.00	\$ 10,550,000.00		\$ -	\$ 210,000.00		40.6%	
WILLIAMSPORT	Billy Doub Park - Restroom Facility Improvement	\$ 85,000.00	\$ 10,000.00	11.8%		\$ 75,000.00	5		Project need is apparent in the condition of the facility. Supports Countywide effort to modernize parks and make ADA accessible. Springfield acquisition is a carryover from FY24 and not a new request.
	Byron Memorial Park Acquisition - Springfield Mansion	\$ 1,105,000.00			\$ 300,000.00		6	14.5%	
TOTAL		\$ 16,948,619.00	\$ 10,750,863.00		\$ 300,000.00	\$ 517,019.00		100%	

Total POS Program FY25 Allocation		\$ 686,847
Development Available 75%		\$ 515,135.25
Acquisition Available 25%		\$ 171,711.75
POS Acquisition Total		\$ 300,000.00
Difference		\$ (128,288.25)
POS Development Total		\$ 517,019.00
Difference		\$ (1,883.75)
Total POS Acquisition and Development		\$ 817,019.00

FY 2025 Program Project Descriptions

The Program Open Space (POS) projects support the County's Land Preservation, Parks and Recreation Plan (LPPRP) through Public Investment, Resource Protection, Social Integration, and promoting Health and Wellness. Project priorities support Maryland's growth management policies and the 1992 Planning Act eight visions. Project requests were reviewed relative to the County's 2022 Land Preservation, Parks and Recreation Plan priorities and goals including maximizing general public access and use. Some projects requests were cut or reduced due to limited available funding and prioritizing projects that aligned with the County's LPPRP priorities and goals.

Development

Hagerstown

City Park – Burnap Parking Lot Improvements (Project #1)

Burnap Parking Lot in City Park is an unimproved gravel parking area that is close in proximity to the tennis court, the west pavilion, a playground area, the softball fields and the Washington County Museum of Fine Arts. Current parking in this gravel lot is haphazard and does not meet stormwater regulations. Parking is limited during large outdoor events such as softball tournaments and special events. The Washington County Museum of Fine Arts, located to the east of this parking area, has plans to expand into the former Bock Oil Company property. Their expansion project is proposed to begin in late 2024. The museum project is part of a larger plan for the Museum to become a regional draw. The improved parking lot will help meet the needs of this tourism draw to the area and to City Park.

The proposed project is to improve the Burnap Parking Lot with asphalt paving, concrete curbs, line striping, and a required stormwater pond. This will create organized and efficient parking for 91 spaces including 4 handicap and 2 bus spaces. Parking for buses will provide space for school field trips and tourist buses.

Hancock

Joseph Hancock and Widmeyer Park – Pavilion Roof Replacements (Project #2 and 3)

The existing pavilions and roofs are deteriorating which is compromising the structural integrity and safety of the community space and jeopardizing the investment of the facilities. The proposed project involves the installation of durable weather resistant roofing materials to ensure long term reliability and protection for park visitors. There is one pavilion in Joseph Hancock Park and five pavilions and gazebos in Widmeyer Park included in the project. The work will help preserve these assets for community gatherings, events and recreation activities.

Keedysville

Taylor Park – Restroom Renovation (Project #4)

Taylor Park is located within Keedysville. The current restroom facility is outdated and in need of critical upgrades to ensure accessibility, hygiene and improve park users' satisfaction. The proposed renovations include the installation of new fixtures, improve ADA accessibility features, and incorporate environmentally sustainable and hygienic elements. These enhancements will not only address the

immediate need for functional and aesthetically pleasing restroom facilities but will also contribute to the overall attractiveness and usability of Taylor Park. The project will help the Park to be a more welcoming and inclusive environment for residents and visitors.

Washington County

Agriculture Education Center – Indoor Multipurpose Building (Project #5)

The project will involve construction of an approximately 55,000 square foot multipurpose building capable of hosting various special and agriculture events as well as recreational activities. It will contain a large open event area line striped for 3 basketball courts, 5 volleyball and pickleball courts with divider partitions. The floor is anticipated to be a durable multiuse floor supporting a range of uses. Additional features include portable bleachers to accommodate a variety of event and recreational activities and configurations, sound system, projection equipment, digital score board systems, and storage for chairs, equipment, and flooring. Other building features include a kitchen/concession area with dual inside and outside service access to the outdoor event area, several staff offices and a meeting room.

Williamsport

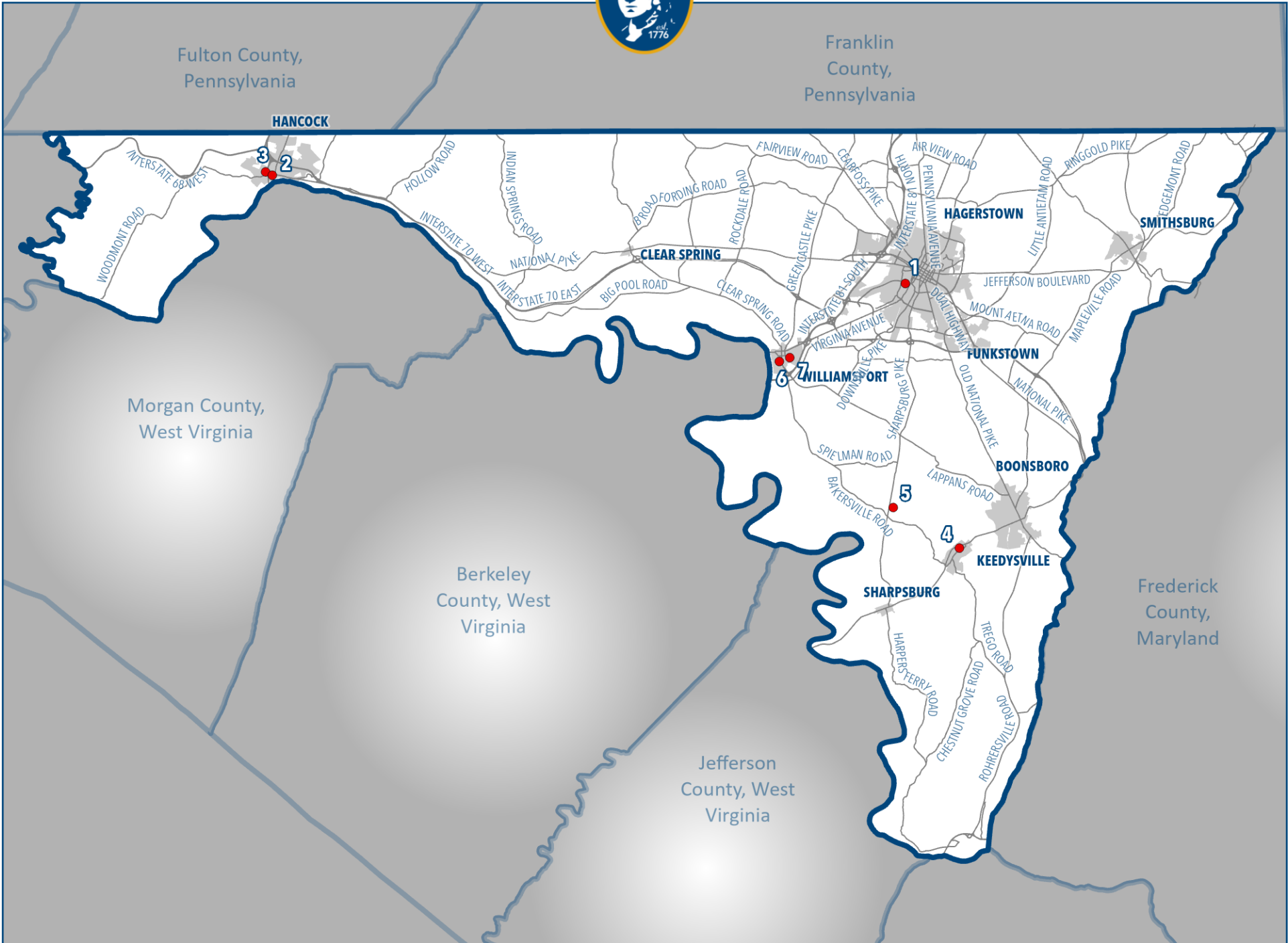
Billy Doub Park – Restroom Facilities Improvement (Project #6)

Billy Doub Park is located within Williamsport and has little league baseball fields. The current restroom facility is outdated and in need of critical upgrades to ensure accessibility, hygiene and improve park users' satisfaction. The proposed renovations include the installation of new fixtures, improved ADA accessibility features, and incorporate environmentally sustainable and hygienic elements. These enhancements will not only address the immediate need for functional and aesthetically pleasing restroom facilities but will also contribute to the overall attractiveness and usability of Bill Doub Park. Previously, the walking path was improved to meet ADA standards and the restroom facility improvements will continue efforts to help the Park be a more welcoming and inclusive environment for residents and visitors.

Acquisition

Byron Memorial Park Acquisition – Springfield Mansion (Project #7)

The project is the acquisition of 7.92 acres of land that includes the Springfield Mansion House, still house, spring house, tavern, carriage house and other minor ancillary structure that date back to the 1700s. The house was the home place of the Town's founder, Otho Holland Williams. The property includes architectural history that spans four centuries, the oldest American distillery complex, and was visited by George Washington. The entire Springfield complex is wonderfully preserved with most of the original structures intact and unchanged. The property has potential for several uses including a historic and cultural museum and providing opportunities to promote tourism and recreation to support the operation and maintenance of the facility. The barn is already owned by the Town and operated as an events center. The property is adjacent to the barn and Byron Park. The FY25 program authorizes and carries over \$300,000 towards acquisition of the property with potentially more authorized in future years to represent the land value portion of the acquisition. This amount is the same as what was included on the FY24 Program.



WASHINGTON COUNTY
FY 2025 POS PROGRAM SCHEDULE
ALL REQUESTS RECEIVED

SPONSOR	PROJECT	TOTAL PROJECT COST	LOCAL SHARE POS FUNDS	LOCAL POS SHARE %	POS ACQUISITION FUNDS	POS DEV REQ FUNDS	APPLICANT'S PRIORITY	NOTES
BOONSBORO	Shafer Park - Playground Equipment	\$ 150,000.00 \$ 150,000.00	\$ 50,000.00 \$ 50,000.00	33.3%	\$ -	\$ 100,000.00 \$ 100,000.00		Higher cost project, received FY24 project in Shafer Park that needs completed.
HAGERSTOWN	Hagerstown Field House	\$ 250,000.00	\$ 25,000.00	10.0%	\$ -	\$ 225,000.00	1	Hagerstown Field House contract has already been issued and construction underway, which is problematic for applying POS funds. Burnap Parking lot improves an existing condition and used area in City Park
	City Park - Burnap Parking Lot Improvements	\$ 600,000.00	\$ 100,000.00	16.7%		\$ 135,000.00	2	
	Mansion House Stairway Handrail and Porch Reconstruction	\$ 30,000.00	\$ 3,000.00	10.0%		\$ 27,000.00	3	
	City Park and Wheaton Park - Resurface Tennis Courts	\$ 40,000.00	\$ 4,000.00	10.0%		\$ 36,000.00	4	
		\$ 920,000.00	\$ 132,000.00		\$ -	\$ 423,000.00		
HANCOCK	Joseph Hancock Park - Pavilion Roof	\$ 10,965.00	\$ 1,097.00	10.0%	\$ -	\$ 9,868.00	1	Projects will help preserve existing structures and are in need of replacement. Supports Countywide effort to modernize parks. Did not receive FY24 funds.
	Widmeyer Park - Pavilion Roof Replacement	\$ 54,835.00 \$ 65,800.00	\$ 5,484.00 \$ 6,581.00	10.0%	\$ -	\$ 49,351.00 \$ 59,219.00	2	
KEEDYSVILLE	Taylor Park - Restroom Renovation	\$ 42,000.00	\$ 4,200.00	10.0%	\$ -	\$ 37,799.00		Project need is apparent in the condition of the facility. Supports Countywide effort to modernize parks and make ADA accessible. Did not receive FY24 funds.
		\$ 42,000.00	\$ 4,200.00		\$ -	\$ 37,799.00		
SMITHSBURG	Veterans Park - 2-5 year Old Playground	\$ 200,819.00	\$ 20,082.00	10.0%		\$ 108,737.00		Higher cost project, received FY23 LPPI funds for Playground Equipment + FY23 WCPS Smithsburg Playground Equipment and Trail Project adjoining park.
		\$ 200,819.00	\$ 20,082.00		\$ -	\$ 108,737.00		
WASHINGTON COUNTY	Agriculture Education Center Indoor Multipurpose Building	\$ 14,600,000.00	\$ 10,550,000.00	72.3%		\$ 1,000,000.00		Funds to support recreational flooring surfaces and equipment in the multi-use event building. Percent of funding received on par with historical average.
		\$ 14,600,000.00	\$ 10,550,000.00		\$ -	\$ 1,000,000.00		
WCPS	Clear Spring Elementary - Playground Equipment Replacement	\$ 100,000.00 \$ 100,000.00	\$ 10,000.00 \$ 10,000.00	10.0%	\$ -	\$ 90,000.00 \$ 90,000.00		Higher cost project, received FY24 POS money for W'port playground.
WILLIAMSPORT	Billy Doub Park - Restroom Facility Improvement	\$ 85,000.00	\$ 10,000.00	11.8%		\$ 75,000.00	1	Project need is apparent in the condition of the facility. Supports Countywide effort to modernize parks and make ADA accessible. Springfield acquisition is a carryover from FY24 and not a new request.
	Byron Memorial Park Acquisition - Springfield Mansion	\$ 1,105,000.00 \$ 1,190,000.00	\$ 10,000.00		\$ 300,000.00	\$ 75,000.00	2	
TOTAL		\$ 17,268,619.00	\$ 10,782,863.00		\$ 300,000.00	\$ 1,893,755.00		

Total POS Program FY25 Allocation		\$ 686,847
	Development Available 75%	\$ 515,135.25
	Acquisition Available 25%	\$ 171,711.75
POS Acquisition Total		\$ 300,000.00
	Difference	\$ (128,288.25)
POS Development Total		\$ 1,893,755.00
	Difference	\$ (1,378,619.75)
Total POS Acquisition and Development		\$ 2,193,755.00

Project Cut from FY25 Program
 Funding request reduced