

## Board of County Commissioners

Edward C. Rothstein, President  
C. Richard Weaver, Vice President  
C. Eric Bouchat  
Dennis E. Frazier  
Stephen A. Wantz



## Carroll County Government

225 North Center Street  
Westminster, Maryland 21157  
410-386-2043; 1-888-302-8978  
fax 410-386-2485  
MD Relay ~ 7-1-1/800-735-2258

### **Notice of Commissioner Meetings & Agenda for the Week of January 25, 2021**

Please Note: This weekly notice and agenda is subject to change. [Please call 410-386-2043 to confirm a meeting.](tel:410-386-2043) [Due to the COVID-19 Pandemic, all meetings, until further notice, will be accessible virtually.](#) All or part of a meeting may be conducted in closed session.

- *Indicates Outside Activities*

#### **Monday ~ January 25, 2021**

#### **Tuesday ~ January 26, 2021**

1:00 p.m. Board of County Commissioners Closed Administrative Session  
Virtual Meeting

#### **Wednesday ~ January 27, 2021**

10:00 a.m. Commission on Aging & Disabilities Meeting  
Virtual Meeting  
Commissioner Rothstein

10:00 a.m. Maryland Association of Counties Tax Subcommittee Meeting  
Virtual Meeting  
Commissioner Wantz

10:30 a.m. Maryland Association of Counties 2021 Legislative Committee Meeting  
Virtual Meeting  
Commissioners Frazier & Wantz

#### **Thursday ~ January 28, 2021**

**9:00 a.m. Board of County Commissioners Open Session**

*Priority Carroll*

**Thursday ~ January 28, 2021 (Continued)**

**Item 1**

Discussion/Decision  
State Directives - Updates on COVID 19  
Board of County Commissioners

**Item 2**

Legislative Update  
Mike Fowler ~ Legislative Liaison

**Item 3**

[Discussion/Decision ~ Manchester Annexation No. 40](#)  
Patriot's Overlook  
Department of Planning ~ Ms. Lynda Eisenberg

**Item 4**

[Introduction Fees Discussion ~ Water and Sewer Amendments](#)  
Department of Planning ~ Ms. Lynda Eisenberg

**Item 5**

[Introduction Fees Discussion ~ Annexation Requests](#)  
Department of Planning ~ Ms. Lynda Eisenberg

**Item 6**

Request Approval to Proceed to Public Hearing  
[Proposed Amendments to Chapter 34, Ethics](#)  
Department of the County Attorney ~ Mr. Tim Burke

**Item 7**

Request Approval for Renewal of the  
[Senior Inclusion Program License](#)  
Department of Citizen Services ~ Ms. Celene Steckel

**Item 8**

[Fire/EMS Department Update](#)  
Department of Fire/EMS ~ Mr. Robert McCoy

**Item 9**

Request Approval to Apply for  
[Rural Legacy Grant FY22](#)  
Department of Land & Resource Management ~ Mr. Tom Devilbiss

**Thursday ~ January 28, 2021 (Continued)**

**Public Comment** ~ In light of the COVID-19 virus, anyone planning to make public comment should call + 1 (224) 501-3412 + Access Code 628-316-389 to join the meeting.

Administrative Session ~ Open

Closed ~ Land Acquisition

Administrative Session ~ Closed

**1:00 p.m.      Board of County Commissioners Open Session**  
Virtual Meeting

**Item 10**

[Bid Approval ~ Krimgold Park ~ Beaver Mitigation](#)

Department of Public Works ~ Mr. Jeff Castonguay  
Bureau of Purchasing ~ Mr. Mike Myers

**Item 11**

[Environmental Advisory Council](#)

Proposed 2021 Work Plan & Annual Joint Meeting

**Friday ~ January 29, 2021**

12:00 p.m.      Rural Maryland Council Meeting with Ben Cardin  
Virtual Meeting  
Commissioner Wantz

**Saturday ~ January 30, 2021**

**Sunday ~ January 31, 2021**

7:05 a.m.      “The Commissioners’ Podcast”  
Commissioner Bouchat

ACCESSIBILITY NOTICE: The Americans with Disabilities Act applies to the Carroll County Government and its programs, services, activities, and facilities. Anyone requiring an auxiliary aid or service for effective communication or who has a complaint should contact The Department of Citizen Services, 410.386.3600 or 1.888.302.8978, MD Relay 7-1-1/1.800.735.2258 as soon as possible but no later than 72 hours before the scheduled event.

**CARROLL COUNTY**

## Virtual Access to Carroll County Board of Commissioners Open Session

Due to a commitment to implement all precautionary actions to prevent the spread of the Coronavirus (COVID-19), the Carroll County Board of Commissioners is implementing a new process for viewing BOC Open Sessions.

In keeping with the spirit of transparency balanced with the need to be socially distant, the Carroll County Board of Commissioner Open Sessions will continue virtually. All commissioners and staff will participate using GoToMeeting. Residents can continue to view the proceedings by accessing the live stream in the following ways:

- [County Facebook page](#)
- [County YouTube channel](#)
- [Meeting Portal](#)
- Comcast Channel 24

Although the above methods are preferred due to unlimited access, residents unable to view the cable channel or the internet will be able to listen to the virtual meeting using the following phone number and entering the access code for that meeting:

Board of Commissioners Open Session ~ **Thursday, January 28, 2021 ~ 9:00 a.m.**

**You can also dial in using your phone.**

**United States: +1 (224) 501-3412**

**Access Code: 628-316-389**

\*Callers will be muted during the meeting and there will be no dialogue from callers until the phones are open for the Public Comment portion of the meeting.

There is a limit to the number of callers the system can accept, so please use the live stream methods above, if possible. In addition, all meetings will be replayed on Comcast Channel 24.

The commissioners thank Carroll County residents for their continued understanding and support during this extraordinary time.

# Department of Planning

## Briefing Paper

January 28, 2021

### Issue:

Manchester Annexation No. 40 – Patriot’s Overlook

### Background:

The Town of Manchester is processing Annexation No. 40, Patriot’s Overlook. The annexation area consists of 12.7 acres of a 16-acre parcel. The subject property is located east of MD 27 and west of Old Fort Schoolhouse Road/Park Avenue and is contiguous to the boundary line of the existing corporate limits for the Town of Manchester. The annexation area is in the County’s **“R-40,000” Residential Zoning District** and has a land use designation of **Medium Density Residential** in the *2018 Manchester Comprehensive Plan*. The Town has indicated its intent to place the annexation area in the **“R-20,000” Residential Zoning District**. The change in zoning districts is substantially different (greater than the 50% threshold established in §4-416(b) of the Local Government Article), therefore a zoning waiver has been requested.

A full staff report was presented to the Carroll County Planning & Zoning Commission on January 19, 2021. Following their review, the Planning & Zoning Commission forwarded the comments outlined in the staff report and a favorable recommendation of the zoning waiver request to the Board of County Commissioners for their review. A full report was presented to the Board of County Commissioners on January 21, 2021. A comment letter with the Board’s signatures will be sent to the Town.

### Action:

I move that the Board Approve, Sign and Forward the Comment Letter, including approval of the zoning waiver request, to the Town of Manchester regarding Annexation No. 40, Patriot’s Overlook.

### Attendees:

Lynda Eisenberg, Director, Department of Planning  
Clare Stewart, Comprehensive Planner, Department of Planning

# **Department of Planning**

## **Briefing Paper**

**January 28, 2021**

### **Open Session**

#### **Issue:**

Introduction Fee Discussion ~ Water and Sewer Amendments

#### **Background:**

The Carroll County Department of Planning processes amendments to the official County Water and Sewer Plan bi-annually, in the Spring and Fall. Since the majority of water and sewer service is provided by the municipalities these requests come from them to make adjustments. The process for these amendments is: planning staff review, GIS mapping, municipal coordination, Maryland Department of the Environment coordination, Planning and Zoning Commission certification as well as a public hearing notice and time by the Board of County Commissioners.

#### **Action:**

No action. Briefing requesting staff to propose a fee structure for future consideration.

#### **Attending:**

Lynda Eisenberg, Director  
Price Wagoner, Comprehensive Planner

# **Department of Planning**

## **Briefing Paper**

**January 28, 2021**

### **Open Session**

#### **Issue:**

Introduction Fee Discussion ~ Annexation Requests

#### **Background:**

The Carroll County Department of Planning processes, for comment and from time-to-time zoning waivers, municipal annexation requests as required by state law and the County-Town agreements. These requests are processed at the time of submission and consist of planning staff review, GIS mapping, municipal coordination, Planning and Zoning Commission comments, Board of County Commissioner briefings and zoning waivers when necessary.

#### **Action:**

No action. Briefing requesting staff to propose a fee structure for future consideration.

#### **Attending:**

Lynda Eisenberg, Director  
Clare Stewart, Comprehensive Planner



**Department of the County Attorney**  
**Briefing Paper**  
**Open Staff Time -- Thursday, January 28, 2021**

**Issue:**

Carroll County Ethics Ordinance -- Annual Certification Requirement

**Background:**

I was recently requested by the State Ethics Commission to certify that Carroll County's Ethics Ordinance complies in all respects with the State Ethics Law. In reviewing the State's requirements, there are a few provisions of our Ordinance that need to be updated in order to be in compliance. Specifically, changes were made to the State Ethics Law in 2017 which need to be included in our local ethics ordinance. The proposed changes include **a)** removal of "exchange-traded funds" and "mutual funds" in the definition of "Interest" (this is an optional change); **b)** an expansion of the post-employment provision covering all local elected officials (not just legislative ones) (§ 34.08(E)); **c)** adding three specific circumstances that constitute violations of the prestige of office provision addressing lobbying and use of public resources (this is an optional change) (§ 34.08(E)); **d)** a reverse post-employment restriction for lobbyists (§ 34.08(D)(2); and **e)** increasing the number of days from two to eight for overdue financial disclosure statements for candidates before the candidate is deemed to have withdrawn the candidacy (§ 34.11(B)(4)). In addition to the amendments listed above, it is also proposed that the County simplify our existing lengthy Lobbying provisions by enacting § 34.13, a shorter version that is also permitted under the State Ethics Law.

Finally, the Department of the Comptroller and the Bureau of Purchasing have suggested that the prohibition in § 34.09 preventing outside entities which have drafted bid specifications for the County from submitting a proposal for the same project be deleted as they intend to incorporate a version of this provision into the County's Purchasing Policy to alert potential bidders (the State Ethics Commission does not require this provision to be part of our Ethics Ordinance).

**Action:**

Authorize that the proposed amendments proceed to public hearing.

**Staff recommended motion:**

*I move that the Board direct staff to proceed to public hearing on proposed amendments to Chapter 34, Ethics.*

**Attendees:**

Tim Burke, County Attorney  
Brian Mobley, Ethics Administrator

**Department of Citizen Services  
Bureau of Aging and Disabilities  
Briefing Paper  
January 28, 2021**

**Issue:** Carroll County Bureau of Aging & Disabilities, Senior Inclusion Program Annual License Renewal

**Discussion/Decision:** Approval for the submission of the Senior Inclusion Program Annual License Renewal for the period of April 2, 2021 to April 1, 2022.

**Due Date:** February 5, 2021

**Background:** The Developmental Disabilities Administration (DDA), an agency of the Maryland Department of Health (MDH), is accepting applications for the renewal licensure of the Senior Inclusion Program (SIP) for the Carroll County Bureau of Aging & Disabilities.

The application is an annual renewal for the Carroll County Bureau of Aging & Disabilities SIP. Since 1987, the Bureau of Aging & Disabilities has received funding through MDH with a license to serve up to 25 older adults with intellectual and physical disabilities. The program continues to be the only one of its kind in the western part of the State to provide an inclusive retirement program in a senior center environment. The SIP provides opportunities for older adults with intellectual and physical disabilities to personally define their lives and find fulfillment in their retirement years through integration within the Senior Center as well as the greater community. Since last June, due to the state of emergency, the SIP staff have provided services in virtual and limited in person settings.

In FY2020, the SIP program applied to MDH to increase the client capacity from 25 to 30, due to the number of individuals requesting services of the program. The pandemic and subsequent state of emergency resulted in a delay of the processing of the application. We are currently working with the Office of Health Care Quality to complete that process.

**FY20 Fees Received for services rendered in the Senior Inclusion Program**

Day Habilitation Program Funding (7/01/19-6/30/20)	\$356,161
<b>Total Fees Received</b>	<b>\$356,161</b>
Required County Cash Match	\$0
<b>Total Program</b>	<b>\$356,161</b>

**Action:** Discussion/Decision

**Staff Recommended Motion:** I move that the Board of Commissioners approve the Senior Inclusion Program application submission for the licensure renewal for April 2, 2021 to April 1, 2022.

Celene E Steckel, Director, Citizen Services  
Gina Valentine, Bureau Chief, Aging & Disabilities  
Rich Ottone, Community Services Supervisor, Bureau of Aging and Disabilities  
Debby Standiford, Grants Office

# Department of Fire and Emergency Medical Services

## Briefing Paper

January 28, 2021

Open Session

**Issue:** Fire/EMS Department Update

**Briefing/Discussion:** Status Update on the Development of the Fire/EMS Department.

**Background:** The Fire/EMS Department was created with the Adoption of Ordinance 2020-06 on October 1, 2020. A presentation was provided to the Carroll County Commissioners on November 12, 2020, to discuss the Fire/EMS Department. Director McCoy provided an analysis of current strengths, weaknesses, opportunities, and threats. Additional topics of the presentation included staffing, schedules, benefits, salaries, Public Safety Training Center (PSTC), and a memorandum of understanding (MOU), which had been suggested by County and volunteer stakeholders for the placement of County employees in volunteer stations.

**Attending:**

Robert McCoy, Director, Fire/EMS

# Department of Land & Resource Management

## Briefing Paper

January 28, 2021

### Open Session

#### Issue:

**Briefing/Discussion/Decision – Approval for FY22 Grant Application and Award Acceptance – Rural Legacy Program**

#### Background:

The Maryland Rural Legacy Program is administered by the Department of Natural Resources and provides grants to localities to supplement their land preservation efforts. Carroll County has been a major recipient of these grants, totaling more than \$20 million since 2000. These grants have bolstered Carroll County's preserved land by more than 5,000 acres to date within the county's two designated Rural Legacy Areas (RLA) – the Upper Patapsco RLA and the Little Pipe Creek RLA, which encompass nearly 100,000 acres. Each year, the County is invited to submit an application to the program for additional grant monies. Grant requests reflect demand within our current applicant pool whose properties are within one of the County's two Rural Legacy Areas.

#### Action:

Direct staff to submit a grant application to the Rural Legacy Program.

#### Staff-Recommended Motion:

***I move that the Board of Commissioners approve the submittal of the FY22 grant application and acceptance of award to the Rural Legacy Program***

#### Attendees:

Thomas Devilbiss, Director, Department of Land & Resource Management  
Deborah Bowers, Program Manager, Agricultural Land Preservation Program  
J. P. Smith, Jr., Preservation Specialist, Agricultural Land Preservation Program

DATE: January 20, 2021  
 TO: The Carroll County Board of Commissioners  
 RE: Krimgold Park – Beaver Mitigation

**EXECUTIVE SUMMARY:**

Phase I in removing debris is in its final stages. As part of our phase II plan the Bureau of Facilities solicited quotes to supply and install four (4) Clemson Devices at Krimgold Park at each pond’s overflow pipe. We request your approval to award this project to White Pine Construction in the amount of \$41,804.00 The cost includes all labor, material, and equipment.

The Clemson beaver pond leveler (Clemson Device) is a diversionary tactic used to deter beavers from attempting to prohibit the flow of water through a designated area (such as an outflow pipe.) This device will allow water to flow through the outlet pipe without noise, or the appearance of current. The device will also not allow the beaver to physically see the water being discharged from the pond. This will effectively halt the beaver from damming since none of the variables to dam are present. This leveler should provide the opportunity to live with the presence of beavers at Krimgold Park. While no beaver mitigation strategy is maintenance free, Clemson devices offer a quality lower-maintenance mitigation option and provide for a long-term solution for both wildlife and site function.

This cost is within the project budget and no additional funds will be needed

**Vendors & Bid Results:**

- |                                  |                  |             |
|----------------------------------|------------------|-------------|
| 1. White Pine Construction Corp. | Finksburg, MD    | \$41,804.00 |
| 2. Stambaugh’s Inc.              | Union Bridge, MD | \$61,408.00 |
| 3. Mid Atlantic Wildlife         | Gettysburg, PA   | \$67,000.00 |

**Staff Recommended Motion:**

I move that the Board of Commissioners award this project for installation of the Clemson Devices at Krimgold Park in the amount of \$41,804.00.

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Bureau of Purchasing Date

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Board of Commissioners Date

Commissioner Wantz:	<input type="checkbox"/> Motion	<input type="checkbox"/> 2 <sup>nd</sup>	<input type="checkbox"/> All in Favor	<input type="checkbox"/> Denied
Commissioner Weaver:	<input type="checkbox"/> Motion	<input type="checkbox"/> 2 <sup>nd</sup>	<input type="checkbox"/> All in Favor	<input type="checkbox"/> Denied
Commissioner Frazier:	<input type="checkbox"/> Motion	<input type="checkbox"/> 2 <sup>nd</sup>	<input type="checkbox"/> All in Favor	<input type="checkbox"/> Denied
Commissioner Bouchat:	<input type="checkbox"/> Motion	<input type="checkbox"/> 2 <sup>nd</sup>	<input type="checkbox"/> All in Favor	<input type="checkbox"/> Denied
Commissioner Rothstein:	<input type="checkbox"/> Motion	<input type="checkbox"/> 2 <sup>nd</sup>	<input type="checkbox"/> All in Favor	<input type="checkbox"/> Denied
Comments: -				
Action Taken: <input type="checkbox"/> Accepted <input type="checkbox"/> Denied <input type="checkbox"/> Other:				

# **Environmental Advisory Council**

## **Briefing Paper**

**January 28, 2021**

### **Open Session**

**Issue:**

*Environmental Advisory Council Proposed 2021 Work Plan and Annual Joint Meeting*

**Background:**

The Environmental Advisory Council (EAC) serves to support and advise the Carroll County Board of Commissioners on environmental issues. The EAC, an appointed citizen body, functions at the direction of the Board and, as such, works cooperatively with County environmental staff to research environmental policy issues; to inform the Board of County Commissioners; to foster environmental education; and generally to act in the best interest of County residents by promoting effective environmental protection and management principles.

As an advisory body to the Board, the EAC's primary projects and topics of discussion are intended to provide the Board with additional information and perspectives on environmental issues, or environmental aspects of broader issues, being considered by or anticipated to be discussed by the Board. The EAC also plays an important role in public education regarding environmental issues relevant to the County. The EAC drafted a proposed work plan that outlines projects and issues anticipated for 2021, on which the EAC may be able to provide additional information to help inform Board decisions, discussion, or policies regarding these topics OR to provide public education and outreach.

The EAC annually meets jointly with the Board to discuss the proposed work plan for the coming calendar year and seeks the Board's concurrence to finalize the work plan and move forward with these projects. The EAC also will report on projects that occurred during 2020. The EAC seeks concurrence with the proposed work plan.

**Action:**

*Briefing/Discussion*

Attendees:

Tom Devilbiss, Department of Land & Resource Management  
Brenda Dinne, Department of Land & Resource Management  
Environmental Advisory Council Members