

## Board of County Commissioners

Stephen A. Wantz, *President*  
C. Richard Weaver, *Vice President*  
Dennis E. Frazier, *Secretary*  
J. Douglas Howard  
Richard S. Rothschild



## 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 September 12, 2016**

#### **Revision 2 dated September 14, 2016**

Please Note: This weekly notice and agenda is subject to change. Please call 410-386-2043 to confirm a meeting you plan to attend. All meetings, unless otherwise noted, will be held at the Carroll County Office Building, Room 311. All or part of a meeting may be conducted in closed session.

- *Indicates Outside Activities*

#### **Monday ~ September 12, 2016**

- 1:00 p.m.      *Silver Hammer Award Ceremony*  
*Cranberry Station Elementary School ~ Westminster, Maryland*  
*Commissioner Wantz*
- 6:30 p.m.      *Wesley United Methodist Church Speaking Engagement*  
*Hampstead, Maryland*  
*Commissioner Weaver*
- 7:30 p.m.      *"Keep Finksburg Safe" Meeting Speaking Engagement*  
*Gamber Fire Hall ~ Gamber, Maryland*  
*Commissioner Weaver*

#### **Tuesday ~ September 13, 2016**

- 9:00 a.m.      *Meeting with Carroll Community College Board of Trustees & Dr. Ball*  
*Westminster, Maryland*  
*Commissioners Wantz, Weaver, Frazier, Howard & Rothschild*
- 7:00 p.m.      *Carroll County Ag Center Board Meeting*  
*Westminster, Maryland*  
*Commissioner Frazier*

**Wednesday ~ September 14, 2016**

- 9:30 a.m. *Carroll County Farm Museum Board of Governors Meeting  
Westminster, Maryland  
Commissioner Weaver*
- 2:30 p.m. *Board of Education Closed Session  
Westminster, Maryland  
Commissioner Rothschild*
- 4:00 p.m. *Board of Education Board Meeting  
Westminster, Maryland  
Commissioner Rothschild*

**Thursday ~ September 15, 2016**

- 9:00 a.m. *Maryland Emergency Number Association 9-1-1 Day of Celebration  
Sykesville/Freedom District Fire Department ~ Sykesville, Maryland  
Commissioner Wantz*

- 10:00 a.m. Board of County Commissioners Open Session**  
County Office Building ~ Room 311

*Positively Carroll*

**Item 1**

Public Comment on this item

Briefing/Discussion

[Fire Inspection Fees](#)

Department of Public Works ~ Mr. Jeff Castonguay

**Item 2**

Public Comment on this item

Briefing/Discussion/Decision

[Bid Approval ~ 2016 Traffic Barrier Improvements](#)

Department of Public Works ~ Mr. Jeff Castonguay

Bureau of Purchasing ~ Mr. Mike Myers

**Item 3**

Public Comment on this item

Briefing/Discussion/Decision

[Bid Approval ~ National Pollutant Discharge Elimination](#)

System and Analytical Support Services

Department of Land & Resource Management ~ Mr. Tom Devilbiss

Bureau of Purchasing ~ Mr. Mike Myers

**Thursday ~ September 15, 2016 (Continued)**

**Item 4**

Public Comment on this item

Discussion/Decision

Request to Proceed to Public Hearing

Proposed Zoning Text Amendment

[Solar Surface Area Requirements in Residential Districts](#)

Department of Land & Resource Management ~ Mr. Tom Devilbiss

**Item 5**

Public Comment on this item

Briefing/Discussion/Decision

Request Approval ~ Grant Application

[Blue Ridge Manor Stormwater Management](#)

Facility Surface Sand Filter Retrofit

Department of Land & Resource Management ~ Mr. Tom Devilbiss

Department of Management & Budget ~ Mr. Ted Zaleski

**Item 6**

Public Comment on this item

Briefing/Discussion/Decision

Request Approval ~ Grant Application

[Westminster Community Pond Environmental](#)

And Educational Trail Signage

Department of Land & Resource Management ~ Mr. Tom Devilbiss

Department of Management & Budget ~ Mr. Ted Zaleski

**Item 7**

Public Comment on this item

Briefing/Discussion/Decision

Request Approval ~ Grant Application

[Roberts Mill Stormwater Management Facility](#)

Engineering and Design

Department of Land & Resource Management ~ Mr. Tom Devilbiss

Department of Management & Budget ~ Mr. Ted Zaleski

**Item 8**

~~Public Comment on this item~~

~~Discussion/Decision~~

~~Request Approval of Grant Award Acceptance~~

~~FY2017 Senior Center Operating Fund Grant~~

~~Awarded by Maryland Department of Aging~~

~~Department of Citizen Services ~ Ms. Christine Kay~~

~~Department of Management & Budget ~ Mr. Ted Zaleski~~

**Item 8**

Public Comment on this item  
Additional Discussion/Decision

Medical Cannabis

Department of Planning ~ Mr. Phil Hager  
Department of the County Attorney ~ Mr. Tim Burke

**Item 9**

Public Comment on this item  
Additional Discussion/Decision  
Legislative Briefings  
Board of County Commissioners

**Approval/Adoption of Minutes**

Administration Session ~ Open

CLOSED ~ Legal Advice

*2:00 p.m. Joint Board of County Commissioners/Delegation Meeting  
New Windsor Library Headquarters Building ~ New Windsor, Maryland  
Commissioners Wantz, Weaver, Frazier, Howard & Rothschild*

*6:30 p.m. Maryland Municipal League ~ Carroll County Chapter Quarterly Meeting  
Manchester, Maryland  
Commissioners Wantz, Weaver, Frazier & Rothschild*

**Friday ~ September 16, 2016**

*1:00 p.m. Shelter Systems 40<sup>th</sup> Anniversary Celebration  
Westminster, Maryland  
Commissioners Wantz, Weaver, Howard & Rothschild*

**Saturday ~ September 17, 2016**

**Sunday ~ September 18, 2016**

9:05 a.m.      “The Commissioners’ Report” – WTTR  
Commissioner Frazier

*11:00 a.m.      Carroll County Wine Festival Brunch  
Winchester Country Inn ~ Westminster, Maryland  
Commissioners Wantz, Weaver, Frazier, Howard & Rothschild*

*2:00 p.m.      Celebrating America Ice Cream Social  
Union Mills Homestead ~ Westminster, Maryland  
Commissioner Frazier*

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**  
*a great place to live, a great place to work, a great place to play*

**Department of Public Works**  
**Briefing Paper**  
**Briefing and Discussion**  
**September 15, 2016**

**Issue:**

Discuss Fire Inspection Fees

**Background:**

On April 18, 2016, during the FY17 Proposed Operating Budget session, the Board of Commissioners voted to approve the request to hire an in-house Fire Inspector for the Bureau of Permits and Inspections. The FY17 Operating Budget was adopted on May 26, 2016.

The Fire Inspector position will take over the majority of the review and inspection process from the State Fire Marshal. This will allow the County to have majority control of the residential and commercial projects while enforcing the State Fire Code. In order to cover the costs associated with the new position, the County will impose review and inspection fees which will replace the inspection fees currently being charged by the State Fire Marshal's Office.

**Desired Action:**

Briefing/Discussion

**Staff recommended Motion:**

No motion requested

Attending:

Jeffrey D. Castonguay, Director, Department of Public Works  
Scott Moser, Deputy Director, Department of Public Works  
Jason C. Green, Chief, Bureau of Permits and Inspections

DATE: September 6, 2016  
 TO: The Carroll County Board of Commissioners  
 SUBJECT: **Contract / Bid No. 80-F-3-16/17  
 2016 Traffic Barrier Improvements**

**EXECUTIVE SUMMARY:**

The project consists of the installation and resetting of traffic barrier and end treatments; and all incidental work as required on selected roadways from the 2016 paving contracts.

The Department of Public Works, in cooperation with the Bureau of Purchasing, recommends award for the above project to Guardrails Etc., Inc. in the amount of \$510,790.00. This is within the project budget and no additional funds will be needed. The cost estimate on this project was \$556,651.00

Number of Bids: 4

Vendors and Bid Results:	1.	Guardrails Etc., Inc.	-	\$510,790.00
	2.	*Long Fence Company Inc.	-	\$521,136.00 (Bid rejected)
	3.	L.S. Lee, Inc.	-	\$527,040.00
	4.	Collinson, Inc.	-	\$548,034.00

\*This bid has been rejected because the contractor is not an approved prequalified contractor with Carroll County.

Received Budget Approval:  Yes      Comments: \_\_\_\_\_

Debarment & suspension check completed and this business is in good standing:  Approved

Business is in good standing with the Maryland Department of Assessment and Taxation:  Approved

Business is in good standing with Carroll County Collections Office:  Approved  N/A

**Staff Recommended Motion:**

I move that the Board of Commissioners concur with award and authorize the Bureau of Purchasing to move forward to obtain legally sufficient contract documents for signing by Jeff Castonguay, Director, Public Works.

\_\_\_\_\_  
 Bureau of Purchasing

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 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 Rothschild: | <input type="checkbox"/> Motion | <input type="checkbox"/> 2 <sup>nd</sup> | <input type="checkbox"/> All in Favor | <input type="checkbox"/> Denied |
| Commissioner Howard:     | <input type="checkbox"/> Motion | <input type="checkbox"/> 2 <sup>nd</sup> | <input type="checkbox"/> All in Favor | <input type="checkbox"/> Denied |

Comments: \_\_\_\_\_

Action Taken:  Accepted     Denied     Other: \_\_\_\_\_

CM/mm

Cc: File - Revised 8 20 14

DATE: August 29, 2016  
 TO: The Carroll County Board of Commissioners  
 RE: National Pollutant Discharge Elimination System and Analytical Support Services  
 75-F-1-16/17

**EXECUTIVE SUMMARY:**

The County requires the services of a competent, experienced environmental laboratory to perform analytical testing and associated services. The Contractor shall ensure expedient and professional services adequate to maintain the County's compliance with Maryland and Federal environmental law and regulation. The contractor shall assist with analysis to support, NPDES Discharge Characterization requirements as well as analysis related to other projects that may be required to support County objectives.

Resource Management in cooperation with the Bureau of Purchasing recommends award for the above project to be awarded to Martel. Martel is not the lowest in all the categories, however, their detection limits and costs associated with the most commonly tested analytes for our monitoring programs are the most cost effective. This is within the project budget and no additional funds will be needed.

Number of Bids: Four (4)

Vendors & Bid Results:	1. Analytical Laboratory Services	Middleton, PA	\$16,384.00
	2. Martel Laboratories JDS Inc.	Baltimore, MD	\$19,933.00
	AWARDED		
	3. Microbac Laboratories Inc.	Baltimore, MD	\$23,293.00
	4. Suburban Testing Labs	Reading, PA	\$18,376.00

Received Budget Approval: X Yes      Comments:

Debarment & suspension check completed and this business is in good standing: X Approved  
Business is in good standing with the Maryland Department of Assessment and Taxation: X Approved  
Business is in good standing with Carroll County Collections Office:  Approved X N/A

**Staff Recommended Motion:**

I move that the Board of Commissioners concur with award and authorize the Bureau of Purchasing to move forward to obtain legally sufficient contract documents for signing by Tom Devilbiss, Director, Land & Resource Management.

\_\_\_\_\_  
 Bureau of Purchasing Date

\_\_\_\_\_  
 Board of Commissioners Date

Commissioner Wantz:       Motion    2<sup>nd</sup>    All in Favor    Denied  
 Commissioner Weaver:    Motion    2<sup>nd</sup>    All in Favor    Denied  
 Commissioner Frazier:    Motion    2<sup>nd</sup>    All in Favor    Denied  
 Commissioner Rothschild:  Motion    2<sup>nd</sup>    All in Favor    Denied  
 Commissioner Howard:    Motion    2<sup>nd</sup>    All in Favor    Denied

Comments: \_\_\_\_\_  
 \_\_\_\_\_

Action Taken:  Accepted    Denied    Other: \_\_\_\_\_



# Department of Land & Resource Management

## Briefing Paper

September 15, 2016

### Open Session

#### Issue:

*Request to Proceed to Public Hearing – Proposed Zoning Text Amendment – Solar Surface Area Requirements in Residential Districts*

#### Background:

At Board's direction, the Environmental Advisory Council (EAC) researched various approaches for solar surface area requirements in residential zoning districts. The EAC's findings and recommendations were forwarded to the Board in a report in April 2016.

On May 12, 2016, the EAC briefed the Board on its findings and recommendations, and requested the Board's direction on proceeding to present the recommendations to the Carroll County Planning & Zoning Commission. The Board voted to do so, with the recommendations as written. The EAC presented its recommendations to the Planning & Zoning Commission on June 29, 2016, and again on August 3, 2016. The Commission voted to support the EAC recommendations as presented to the Board.

Staff requests that the Board proceed with the process of scheduling a public hearing on the proposed code amendments, which reflect the EAC's recommendations.

#### Action:

Discussion/Decision – Request approval to proceed to scheduling a public hearing on the proposed amendments to the zoning code to implement the EAC's recommendations.

#### Staff-Recommended Motion:

*I move that the Board of Commissioners direct staff to proceed to schedule a public hearing on the proposed zoning text amendments regarding the solar surface area requirements in residential zoning districts.*

#### Attendees:

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

# GRANT APPLICATION BRIEFING

September 15, 2016

**Program Title:** Blue Ridge Manor Stormwater Management Facility Retrofit

**Funder:** Chesapeake Bay Trust

**Grant Period:** January 2017 – January 2019

**Department/Agency:** Department of Land and Resource Management; Bureau of Resource Management

**Background:** The Department of Land and Resource Management, Bureau of Resource Management (BRM) is seeking \$50,000.00 from the Chesapeake Bay Trust for a restoration initiative in the county. The proposed project, the Blue Ridge Manor stormwater management facility in New Windsor, is located in the Double Pipe Creek Watershed. The pond is currently functioning as a shallow marsh pond for the subdivision and is located off of Clauser Court. The County in partnership with the Town of New Windsor is looking to retrofit the facility to help reduce nutrients from entering our local waterways and ultimately the Chesapeake Bay. The facility will be brought up to current standards thereby ensuring that the facility is capturing and adequately treating runoff from all of the drainage area which was intended to drain into the facility.

**Program:** Outreach and Restoration Grant

Funder	Status	Cash Match	Grant Request	Project Costs
CBT	Applying		\$50,000.00	
County Cash Match	In-hand	\$239,313.00		
DNR – Chesapeake & Atlantic Coastal Bays Trust Fund	Awarded		\$250,000.00	
<b>Total Project Costs:</b>				<b>\$539,313.00</b>

*\*These costs reflect current estimates and are subject to change throughout the duration of the project.*

**Staff Recommended Motion:**

I move that the Board of Commissioners approve the submittal of an application to the Chesapeake Bay Trust's Outreach and Restoration Grant program.

Attending:

Tom Devilbiss, Director, Department of Land and Resource Management  
Colleen Ensor, Watershed Grants Analyst, Bureau of Resource Management  
Debby Standiford, Grants Manager, Department of Management and Budget

# GRANT APPLICATION BRIEFING

September 15, 2016

**Program Title:** Westminster Community Pond Environmental and Educational Trail Signage

**Funder:** Chesapeake Bay Trust

**Grant Period:** January 2017 – January 2019

**Department/Agency:** Department of Land and Resource Management; Bureau of Resource Management

**Background:** The Department of Land and Resource Management, Bureau of Resource Management (BRM) is seeking \$8,000.00 from the Chesapeake Bay Trust's Outreach and Restoration Grant Program. This funding will support the purchase and installation of four signs to be placed along the walking trail at the newly renovated Westminster Community Pond. The BRM, in partnership with the Department of Recreation and Parks, will use this signage to raise awareness about the pond's impact on the quality of local water sources. The addition of these signs will encourage Carroll County residents to become stewards of the local watersheds and allow them to gain a better understanding of stormwater management and the Forest Conservation Act. The signage will also feature a description of the Eagle Scout constructed wetland, a history of the Community Pond, and an overview of the new improvements.

**Program:** Outreach and Restoration Grant

**Due Date:** September 28, 2016

## Application Budget

Funder	Status	Cash Match	Grant Request	Project Costs
CBT	Applying	\$0.00	\$8,000.00	
Lowe's Community Partners	Pending	\$0.00	\$8,000.00	
<b>Total Project Costs:</b>				<b>\$8,000.00</b>

*\*These costs reflect current estimates and are subject to change throughout the duration of the project.*

### Staff Recommended Motion:

I move that the Board of Commissioners approve the submittal of an application to the Chesapeake Bay Trust's Outreach and Restoration Grant program.

Attending:

Tom Devilbiss, Director, Department of Land and Resource Management  
Colleen Ensor, Watershed Grants Analyst, Bureau of Resource Management  
Debby Standiford, Grants Manager, Department of Management and Budget

**GRANT APPLICATION BRIEFING**  
**September 15, 2016**

**Program Title:** Roberts Mill Stormwater Management Facility Engineering

**Funder:** Chesapeake Bay Trust

**Grant Period:** January 2017 – January 2019

**Department/Agency:** Department of Land and Resource Management, Bureau of Resource Management

**Due Date:** September 28, 2016

**Background:** The Department of Land and Resource Management, Bureau of Resource Management (BRM), is seeking \$75,000.00 from the Chesapeake Bay Trust’s Watershed Assistance grant program to fund the engineering portion of the Roberts Mill stormwater management facility project. The Roberts Mill site is an existing in-stream water quantity facility designed to retain large flood events. There are also three small extended detention basins adjacent to the flood control facility which provides some measure of water quality. The BRM, in partnership with the City of Taneytown, is proposing to convert the facility into a large wet pond that will provide water quality for the predominantly residential and commercial 300 acre drainage area, while continuing to provide flood protection. More than 83 acres of impervious area will be treated by the proposed facility, meeting certain requirements of the County’s National Pollutant Discharge Elimination System (NPDES) permit.

**Program:** Watershed Assistance Grant

<b>Funder</b>	<b>Status</b>	<b>Cash Match</b>	<b>Grant Request</b>	<b>Project Costs</b>
CBT	Applying		\$75,000.00	
DNR	Awarded		\$1,000,000.00	
County Cash Match	In-hand	\$1,108,313.00		
<b>Total Project Costs:</b>				<b>\$2,183,313.00</b>

*\*These costs reflect current estimates and are subject to change throughout the duration of the project.*

**Recommendation:** I move that the Board of Commissioners approve the submittal of an application to the Chesapeake Bay Trust’s Watershed Assistance Grant program.

**Attending:**

Tom Devilbiss, Director, Department of Land and Resource Management  
Colleen Ensor, Watershed Grants Analyst, Bureau of Resource Management  
Debby Standiford, Grants manager, Department of Management and Budget

# Department of Planning

## Briefing Paper

September 15, 2016

### Open Session

**Issue:**

Consideration of Adoption of Zoning Text Amendment – Medical Cannabis

**Background:**

On August 11<sup>th</sup>, the BCC conducted a Public Hearing to accept testimony in support and/or opposition to a proposed zoning text amendment dealing with Medical Cannabis. The Hearing was conducted in conformance with the Land Use Article, Maryland Annotated Code and the Code of Public Local Laws of Carroll County, following public notice as prescribed by the Code. After providing ample opportunity for participation, the Commissioners formally closed the Hearing and agreed to keep the public record open for a period of not less than ten (10) days.

The ten (10) day period having expired, it is now appropriate for the Board to consider disposition of this legislation. Following deliberations, the Board may wish to adopt the zoning text amendment in the format in which it was advertised. This would be accomplished by consideration of a motion similar to the one below.

**Action:**

Following discussion, consider the following motion: I move that the Board adopt the proposed legislation amending Chapter 158 of the Code of Public Local Laws of Carroll County dealing with Medical Cannabis.

Alternatively, the Board may wish to consider amending the zoning text amendment as advertised. This would be accomplished by having the motion above moved and seconded and then having a motion to amend with the specific language to be added, deleted or substituted cited in that motion. The motion to amend will need a second and an affirmative vote. The Commissioners could then consider the main motion, as amended.

**Attendees:**

Philip R. Hager, Director, Department of Planning  
Tim Burke, Esq, County Attorney