

Board of County Commissioners

Edward C. Rothstein, President
Thomas S. Gordon III
Michael R. Guerin
Kenneth A. Kiler
Joseph A. Vigliotti



Carroll County Government

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Notice of Commissioner Meetings & Agenda for the Week of January 23, 2023

Revision 1 January 24, 2023

- 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. **Public Comment may be made in person or by calling in using the number provided with the agenda each week.** All or part of a meeting may be conducted in closed session.

Indicates Outside Activities

Monday ~ January 23, 2023

*6:30 p.m. MACo - Rural County Coalition Bill Review
Virtual
Commissioners Kiler and Rothstein*

Tuesday ~ January 24, 2023

*8:30 a.m. Point in Time or PIT Count
Carroll County Citizen Services Department, Westminster
Commissioners Kiler, Rothstein and Vigliotti*

Wednesday ~ January 25, 2023

*9:30 a.m. MACo Education Subcommittee
Virtual
Commissioner Kiler*

***10:00 a.m. Commission on Aging Meeting
Virtual
Commissioner Vigliotti***

*3:30 p.m. Maryland Association of Counties (MACo) Legislative Committee Meeting
Annapolis, MD
Commissioners Kiler and Rothstein*

5:00 p.m. *Maryland Association of Counties (MACo) Legislative Reception
O'Brien's Restaurant, Annapolis
Commissioners Kiler and Rothstein*

Thursday ~ January 26, 2023

9:30 a.m. *Hexagon Purus Grand Opening Ceremony
1221 Independence Way, Westminster
Commissioner Gordon*

10:00 a.m. Board of County Commissioners Open Session

Priority Carroll

Item 1

Public comment on this item

[Approval to Lease Space for the Offender Diversion Unit](#)

Sheriff's Office – Sheriff Jim DeWees

Item 2

Public comment on this item

Legislative Update

Mr. Mike Fowler, Legislative Liaison

Item 3

Public Hearing

[2022 Fall Amendment to the 2019 Water and Sewer Master Plan](#)

Department of Planning – Ms. Lynda Eisenberg

Item 4

Public comment on this item

[Briefing on Carroll County Economic Development and Land Use Study](#)

Department of Planning – Ms. Lynda Eisenberg

Item 5

Public comment on this item

[Request to go to Public Hearing - Rezoning Case #228 – Eldersburg Investors II, LLC](#)

Department of Planning – Ms. Lynda Eisenberg

Item 6

Public comment on this item

[Approval for FY24 Grant Application and Award Acceptance – Rural Legacy Program](#)

Department of Land and Resource Management – Mr. Chris Heyn

Item 7

Public comment on this item

[State Re-Certification of the Carroll County Agricultural Land Preservation Program](#)

Department of Land and Resource Management – Mr. Chris Heyn

Item 8

Public comment on this item

[Proposed Moratorium on the Community Solar Facilities in the County's Agricultural Zone](#)

Department of Land and Resource Management – Mr. Chris Heyn

Item 9

Public comment on this item

[Purchase of Staff Uniforms and Dress Uniforms for the Department of Fire & EMS](#)

Department of Fire & EMS – Mr. Mike Robinson

Public Comment – Anyone planning to make public comment may do so in person or virtually. Those wishing to attend virtually should call +1 (872) 240-3212 and Access Code 317-923-893 to join the meeting.

Administrative Session ~ Open

1:00 p.m. [Environmental Advisory Council Proposed 2023 Work Plan and Annual Joint Meeting](#)
County Office Building, Reagan Room 003
Department of Land and Resource Management – Mr. Chris Heyn

Friday ~ January 27, 2023

Saturday ~ January 28, 2023

Sunday ~January 29, 2023

8:00 a.m. “The Commissioners’ Podcast”
 Commissioner Gordon

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.

DATE: January 26, 2023

TO: The Carroll County Board of Commissioners

RE: Approval to Lease space for the Offender Diversion Unit

Executive Summary:

The Carroll County Sheriff's Office, in coordination with Management and Budget staff, requests your approval to lease space for the Carroll County Sheriff's Office Offender Diversion Unit. The CCSO requests your approval for one of the options for lease payments.

Background:

With the new Law Enforcement building being located on the Greenwood Avenue complex, the building currently housing the staff that work in the Offender Diversion Unit, the "Roadway building" will need to be taken down. After reviewing several options for moving/housing staff, the best option is to lease space long-term. A proposal to lease space at 37. S. Cranberry Road has been received. The space will be sufficient for the long-term needs of the unit. In addition, the landlord is open to several payment options, listed below.

Staff Recommended Motion:

#1A. - I move that the Board of Commissioners approve the lease for space at 37 South Cranberry Road and the accompanying resolution O-23.03 in the amount of \$666,160.00 to fund the one-time lease payment for 10 years of occupancy

OR

#1B- I move that the Board of Commissioners approve the lease for space at 37 South Cranberry and resolution O-23.03 in the amount of \$15,410.00 to fund 2 months of lease payments and common area maintenance expense and the security deposit for FY 23.

Department of Planning

Briefing Paper

January 26, 2023

Open Session

Issue:

2022 Fall Amendment to the 2019 Water and Sewer Master Plan

Background: A public hearing was held on January 12, 2023 for the purpose of accepting testimony on the 2022 Fall Amendment to the 2019 Water and Sewer Master Plan. As part of this process the Board of County Commissioners is being asked to Approve a Resolution to Adopt this Amendment in order for the plan to be forwarded to the Maryland Department of the Environment for their Approval.

Action: Discussion and Adoption.

Staff Recommended Motion:

I move the Board adopt the 2022 Fall Amendment to the 2019 Water and Sewer Master Plan, and forward to the Maryland Department of the Environment (MDE) for final approval.

Attendees:

Lynda Eisenberg, Director, Department of Planning
Price Wagoner, Comprehensive Planner, Department of Planning

Department of Planning
Briefing Paper
January 26, 2023
Open Session

Issue:

Briefing on Carroll County Economic Development and Land Use Study.

Background:

On September 8, 2022, the Board of County Commissioners (BCC), reviewed and approved a bid for the Economic Development and Land Use Study, officially kicking off the first leg of the County's 2025 General Development Plan. Since the BCC approved the study, Planning and Economic Development staff have been working diligently with the county consultant to assemble information that will be essential for a thorough and comprehensive study.

During the January 26, 2023, BCC meeting, county staff plans to share some of the background work done to date, provide the BCC an understanding on the who, what, why, and future outreach efforts of the study. The consultant will also provide a summary of their team, the two firms involved, scope, timeline, current accomplishments, and next steps.

Action: Briefing, informational purposes only.

Attending:

Lynda Eisenberg, AICP, Director, Department of Planning
Andrew Gray, Comprehensive Planner, Department of Planning
Courtney Powell, AICP, Planning Manager, WGI

Department of Planning
Briefing Paper
January 26, 2023
Open Session

Issue:

Request to go to Public Hearing – Rezoning Case #228 – Eldersburg Investors II, LLC

Background:

The County is processing a piecemeal rezoning case, Rezoning Case #228 – Eldersburg Investors II, LLC. This rezoning request is being petitioned by the owner Eldersburg Investors II, LLC. The petitioned area consists of four (4) parcels that total 12.4757 acres. The subject properties are located inside the Freedom area’s Designated Growth Area, south of MD 26 approximately .3 miles Southeast of White Rock Road. The properties are currently zoned “C-2” Commercial Medium. The petitioners are requesting to rezone the four (4) parcels to “C-3” Commercial High.

A full staff report was presented to the Carroll County Planning & Zoning Commission on January 17, 2023. The Department is in front of the Board for an introduction and request to go to Public Hearing.

Action:

Briefing/Request to go to Public Hearing

Staff Recommended Motion:

I move the Board of County Commissioners schedule a Public Hearing for Rezoning Case #228 – Eldersburg Investors II, LLC.

Attendees: Lynda Eisenberg, Director, Department of Planning
Hannah Weber, Comprehensive Planner, Department of Planning

Department of Land & Resource Management

Briefing Paper

January 26, 2023

Open Session

Issue:

Briefing/Discussion/Decision – Approval for FY24 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 sponsors 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 5,200 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 the Board of Commissioners approve the submittal of the FY24 grant application and acceptance of award to the Rural Legacy Program

Attendees:

Christopher Heyn, P. E., Director, Department of Land & Resource Management
J. P. Smith, Jr., Program Manager, Agricultural Land Preservation Program
Jackie Brathuhn, Preservation Specialist, Agricultural Land Preservation Program

Department of Land & Resource Management

Briefing Paper

January 26, 2023

Open Session

Issue:

Discussion/Decision – State Re-Certification of the Carroll County Agricultural Land Preservation Program

Background:

The Carroll County Agricultural Land Preservation Program is currently certified by the State of Maryland as meeting qualifications to retain 75% of revenues from the Agricultural Land Transfer Tax, rather than 33% for non-certified counties. The Program has prepared a report that contains the information needed for the County Program to retain its certification, which must be renewed every five years. The Agricultural Land Preservation Advisory Board will review the report on January 25, 2023 to determine the sufficiency of the report for submission to the Board of County Commissioners. Presuming the report is approved by the Agricultural Land Preservation Advisory Board, staff will review the report with the Board of County Commissioners and request approval to submit to the State of Maryland.

Action:

Discussion/Decision – The Board of County Commissioners is requested to approve the State Re-Certification Report of the Carroll County Agricultural Land Preservation Program.

Staff-Recommended Motion:

I move the Board of Commissioners approve the State Re-Certification Report of the Carroll County Agricultural Land Preservation Program.

Attendees:

Christopher Heyn P. E., Director, Department of Land & Resource Management
J.P. Smith, Jr., Program Manager, Agricultural Land Preservation Program
Jackie Brathuhn, Preservation Specialist, Agricultural Land Preservation Program

Department of the County Attorney
Briefing Paper- January 26, 2023
Open Session

Issue/Background: On January 19, 2023, the County Commissioners directed staff to prepare an ordinance establishing a six month moratorium on the acceptance and processing of applications and permitting for community solar facilities in the County's Agricultural Zone.

Attendees: Tim Burke, Chris Heyn, Lynda Eisenberg

Action: Briefing, Discussion and Decision.

Recommended motion: I move the proposed ordinance establishing a 6 (six) month moratorium on the review, processing, and permitting of community solar facilities in the County's Agricultural Zone proceed to public hearing.

ORDINANCE NO. 2023-

AN ORDINANCE ADOPTING AN AMENDMENT TO THE CODE OF PUBLIC LOCAL LAWS AND ORDINANCES OF CARROLL COUNTY, MARYLAND

WHEREAS, The Board of Commissioners of Carroll County, Maryland (“the Board”), has enacted and codified the "Code of Public Local Laws and Ordinances of Carroll County, Maryland"; and

WHEREAS, The Board is authorized under the Local Government Article of the Annotated Code of Maryland to enact and amend ordinances; and

WHEREAS, the Board desires to review existing requirements in light of changing technology, changing consumer demands, and changes to existing infrastructure in the County in the “A” Agricultural District and to evaluate the suitability and siting of community solar energy generating systems; and

WHEREAS, the Board desires to impose a six (6) month moratorium on the processing, review, permitting, and construction of community solar energy generating systems in the “A” Agricultural Zone to allow the Department of Land and Resource Management, the Department of Planning, and County staff time to study these matters and, if appropriate, to propose recommendations and policy changes before development of community solar energy generating systems occurs that may be contrary or hostile to the purpose of the “A” Agricultural District, as defined in 158.070(A).

NOW, THEREFORE, BE IT ENACTED by the Board that Title XI Business Regulations Chapter 113 Community Solar Energy Generating Systems – Temporary Moratorium is added as follows:

ARTICLE I

Community Solar Energy Generating Systems – Temporary Moratorium

There shall be a temporary moratorium on the processing, review, permitting, and construction of all community solar energy generating systems as defined in § 158.002 of the Code in the County’s “A” Agricultural District for a period of six (6) months starting with the effective date of Ordinance 2023 - _____.

ARTICLE II. SEVERABILITY.

Should any provision, section, paragraph, or subparagraph of this ordinance, including any code, or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having jurisdiction; the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph, or subparagraph is expressly declared to be and is deemed severable.

ARTICLE II. EFFECTIVE DATE.

This Ordinance shall become effective _____, 2023.

ADOPTED _____

THE COUNTY COMMISSIONERS OF
CARROLL COUNTY, MARYLAND,
a body corporate and politic
of the State of Maryland

ATTEST:

Vivian Daly, County Clerk

_____(SEAL)
Edward C. Rothstein, President

_____(SEAL)
Joseph Vigliotti, Commissioner

_____(SEAL)
Kenneth Kiler, Commissioner

_____(SEAL)
Tom Gordon III, Commissioner

_____(SEAL)
Michael Guerin, Commissioner

Approved for legal sufficiency:

Timothy C. Burke, County Attorney

Notice of Public Hearing published: _____

Public Hearing held: _____

Public Meeting to adopt Ordinance: _____

Notice of Adoption of Ordinance published: _____

Ordinance filed with Clerk of Court: _____

I hereby certify that the actions described above took place on the dates referred to above
and that this Ordinance is effective as of the _____ day of _____, 2023.

Timothy C. Burke, County Attorney

DATE: January 26, 2023
TO: The Carroll County Board of Commissioners
RE: Purchase of Staff Uniforms and Dress Uniforms for the Department of Fire/EMS

EXECUTIVE SUMMARY:

The Office of Procurement, in cooperation with the Department of Fire/EMS, requests your approval to award the purchase of Uniforms to The Witmer Public Safety Group. Class B Uniforms for staff will include shirts, pants, jackets, and Velcro ties at an approximate cost of \$377.00 per uniform. Class A Dress uniforms for the Chief and Officers will include dress coat, shoulder straps, sleeve stripes, pants, long sleeve shirts, Velcro tie, shoes, and caps at an approximate cost of \$440.00 per uniform. This order of uniforms will cost approximately \$56,219.00 These uniforms will be purchased via a competitively bid contract #012-E22-281 through Costars, the Commonwealth of Pennsylvania. Most items are discounted at 3% off list price.

This amount is approved in the FY23 budget, and no additional funds should be required.

Staff Recommended Motion:

I move the Board of Commissioners approve the purchase of uniforms for the Department of Fire/EMS from The Witmer Public Safety Group at a cost of \$56,219.00.

Environmental Advisory Council

Briefing Paper

January 26, 2023

Open Session

Issue:

Environmental Advisory Council Proposed 2023 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 2023, 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 2022. The EAC seeks concurrence with the proposed work plan.

Action:

Briefing/Discussion

Attendees:

Chris Heyn, Department of Land & Resource Management
Brenda Dinne, Department of Land & Resource Management
Environmental Advisory Council Members