

Board of County Commissioners

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



Carroll County Government

225 North Center Street
Westminster, Maryland 21157
410-386-2043; 1-888-302-8978
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MD Relay 711/800-735-2258

Notice of Commissioner Meetings & Agenda for the Week of September 25, 2023

Revision 1 September 26, 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 ~ September 25, 2023

Tuesday ~ September 26, 2023

*10:00 a.m. Maryland Governor's Workforce Development Board (GWDB)
Quarterly Meeting
Virtual
Commissioner Rothstein*

Wednesday ~ September 27, 2023

Thursday ~ September 28, 2023

9:00 a.m. Board of County Commissioners Open Session
County Office Building, Room 311

Priority Carroll

Item 1

Public comment on this item

[Approval to Purchase – Additional Body-Worn/In-Car Camera Equipment for Sheriff's Office Vehicles](#)

Sheriff's Office – Sheriff Jim DeWees

Thursday ~ September 28, 2023 (continued)

Item 2

Public comment on this item

Grant – Approval to Submit the FY 23 Connected Devices Program Grant Application and Accept the Award

Department of Technology Services – Mr. Mark Ripper

Item 23

Public comment on this item

Contract Renewal – Laserfiche Data Migration to MCCi Managed Cloud Platform w/Annual Support Renewal

Department of Technology Services – Mr. Mark Ripper

Item 34

Public comment on this item

Approval to Award Contract (Emergency) – Repair to Nature Center Building – Tree Damage

Department of Recreation and Parks – Ms. Lisa Carroll

Item 45

Public comment on this item

Exercise Option to Purchase – Approval to Participate in the State Program Maryland Agricultural Land Preservation Program (MALPF):

- William Cosden, III and Robin Cosden
- Benjamin and Gladys Rock
- William and Kurt Sheeley
- Richard and Elila Weaver
- Stanley Pennington
- Nicholas and Brittany Osburn
- Brandon and Katie Hochheiser
- Elissa Jacobson

Department of Land and Resource Management – Mr. Chris Heyn

Item 56

Public Hearing - Clarifications to the Definitions in Chapter 158 Regarding Drug Treatment Facilities

County Attorney's Office – Mr. Tim Burke

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

5:30 p.m. *Carroll County Realtors Installation of Officers and Directors*
Bowling Brook Mansion, Keymar
Commissioner Kiler

Friday ~ September 29, 2023

Saturday ~ September 30, 2023

Sunday ~October 1, 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: September 28, 2023

TO: The Carroll County Board of Commissioners

RE: Approval to Purchase – additional Body-Worn / In-Car Camera equipment for Sheriff's Office Vehicles

EXECUTIVE SUMMARY:

The Office of Procurement, in cooperation with the Carroll County's Sheriff's Office, is requesting your approval to award the purchase of additional body-worn / in-car cameras and related equipment to Motorola Solutions, Inc. at a cost of \$56,904.60. The purchase includes hardware, software, licenses, training, installation, and service/maintenance for five (5) years.

Motorola Solutions, Inc. was awarded a competitively bid contract VITA-230420-MIS by the Virginia IT Agency and Carroll County would piggyback this contract.

Funding is already approved through grants awarded to the County; no additional funds are being requested.

Staff Recommended Motion:

I move the Board of Commissioners award the purchase of body worn and in-car cameras and related equipment to Motorola Solutions, Inc. in the total amount of \$56,904.60.

**Department of Technology Services
State Connected Devices Program Grant
Briefing Paper
September 28, 2023
Open Session**

Issue:

Grant- Approval to submit the FY 23 Connected Devices Program grant application and accept the award

Background:

The State of Maryland has posted round 2 of the Connected Devices Grant. The grant will distribute Hewlett Packard Chrome Books computers to low-income individuals and families. The Department of Technology Services is partnering with Carroll Technology Council to manage the grant and develop a distribution program. Following the State’s guidelines, the county must be the grant applicant. The partnership has reached out to county agencies and local non-profits to find out who would like to participate in the program. Participating organizations have been categorized into two types; those able to distribute devices, verify eligibility and register households, and those requiring the support of CTC and the County to assist with the process. All organizations have asked to participate in marketing and outreach efforts.

Distribution Partners

| Partner Organization |
|-------------------------------|
| CCG Workforce Development |
| Carroll County Library System |
| CCG Dept of Citizen Services |
| Carroll Community College |
| McDaniel College |
| Carroll Tech Council |
| Barrier Free |
| Brian Safe Haven |
| Boys and Girls Club |
| Carroll Youth Services Bureau |
| Target |
| Carroll Literacy Council |
| Human Services Program |
| Others -TBD |

Determining Household Eligibility

Covered Population: a household with an income at or below 200% of the Federal Poverty. Census data shows 5.9% (10,052) of all households in Carroll are eligible for SNAP benefits and 4,473 families are at or below 200% of the Federal Poverty Level. The following populations are eligible to receive devices:

- households that show proof of income of less than or equal to 200% of federal poverty level;
- household enrolled in the federal Affordable Connectivity Program (ACP); and
- households' participation in certain government assistance programs such as:
 - Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps
 - Medicaid
 - Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
 - Supplemental Security Income (SSI)
 - Federal Public Housing Assistance (FPHA)
 - Veterans Pension and Survivors Benefit
 - Free and Reduced-Price School Lunch Program or School Breakfast Program, Including U.S. Department of Agriculture (USDA) Community Eligibility Provision schools
 - Received a Federal Pell Grant in the current award year

Action:

Briefing/Discussion/Motion

Staff Recommended Motion:

Department of Technology Services recommends accepting this award

Attendees: Mark Ripper, Director of Technology Services
Jay Uebel, Broadband Project Manager
Corey Hardinger, Grants Analyst

DATE: September 28, 2023

TO: The Carroll County Board of Commissioners

RE: Contract Renewal - Laserfiche Data Migration to MCCi Managed Cloud Platform
w/Annual Support Renewal

Executive Summary:

The Office of Procurement, in cooperation with Technology Services requests your approval to migrate the Laserfiche Data to the Managed Cloud Platform in the amount of \$37,518.75 along with the Laserfiche Annual Support Renewal in the amount of \$75,350.00 for a total of \$112,868.75 to MCCi which is a Single Source vendor.

Details:

Servers are end of life and need to be updated. The migration to the Cloud Platform will eliminate Windows server licensing, certificates and EOL issues. Additionally, Laserfiche repositories and backup storage are limited on premise. This will also reduce the nightly backup times for all other On-Premises storage. Laserfiche cloud services would allow automatic updates of server OS, and application updates and fixes without interruption to end users which will benefit both the County and Sheriff's Office users. With the County not having a dedicated Laserfiche staff, this migration will eliminate the need to contract professional services to help with upgrades and updates.

The Annual Laserfiche Managed Cloud protects document and database storage on 3 servers along with Managed Cloud Protections Storage.

This purchase is within the FY24 budget, and no additional funds should be required.

Staff Recommended Motion:

I move that the Board of Commissioners approve the migration of the Laserfiche Data to the Managed Cloud Platform in the amount of \$37,518.75 along with the Laserfiche Annual Support Renewal in the amount of \$75,350 for a total amount of \$112,868.75 to MCCi.

DATE: September 28, 2023
TO: The Carroll County Board of Commissioners
RE: Approval to Award Contract (Emergency) – Repair to Nature Center Building - Tree Damage

EXECUTIVE SUMMARY:

The Office of Procurement in cooperation with the Department of Recreation and Parks requests your approval to award Considine Contracting Group, LLC, an emergency repair contract for the Piney Run Park Nature Center due to tree damage in the amount of \$49,500.00. Four (4) contractors were contacted to submit quotes.

Vendors & Results:

| | | |
|---------------------------------|----------------|-------------|
| Considine Contracting Group LLC | Manchester, MD | \$49,500.00 |
| A.J. Deluca Contractors, Inc | Eldersburg, MD | \$52,688.00 |
| Pickett's Choice Builders, LLC | Eldersburg, MD | \$58,436.00 |
| Lyons Construction Company, Inc | Hampstead, MD | \$64,539.00 |

This purchase is within the FY 24 budget, and no additional funds should be required.

Staff Recommended Motion:

I move the Board of Commissioners approve the emergency repair work at Piney Run Nature Center to Considine Contracting Group, LLC, in the amount of \$49,500.00.

Department of Land & Resource Management

Briefing Paper September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, William Cosden, III and Robin Cosden, 12.031 acres, 1315 Naylor's Mill Road, Keymar.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from William Cosden, III and Robin Cosden. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the William Cosden, III and Robin Cosden 12.031-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the William Cosden, III and Robin Cosden property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, Benjamin and Gladys Rock, 25.0702 acres, 4020 Fringer Road, Taneytown.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from Benjamin and Gladys Rock. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the Benjamin and Gladys Rock 25.0702-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the Benjamin and Gladys Rock property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, William and Kurt Sheeley, 27.974 acres, 3727 Carrollton Road, Upperco.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from William and Kurt Sheeley. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the William and Kurt Sheeley 27.974-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the William and Kurt Sheeley property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, Richard and Elila Weaver, 35.7478 acres, 3335 Emory Road, Finksburg.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from Richard and Elila Weaver. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the Richard and Elila Weaver 35.7478-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the Richard and Elila Weaver property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, Stanley Pennington, 20.5 acres, 1378 Bachman Valley Road, Westminster.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from Stanley Pennington. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the Stanley Pennington 20.5-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the Stanley Pennington property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, Nicholas and Brittany Osburn, 18.554 acres, Manchester Road, Westminster.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from Nicholas and Brittany Osburn. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the Nicholas and Brittany Osburn 18.554-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the Nicholas and Brittany Osburn property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, Brandon and Katie Hochheiser, 60.14797 acres, 2625 Old Washington Road, Westminster.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from Brandon and Katie Hochheiser. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the Brandon and Katie Hochheiser 60.14797-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the Brandon and Katie Hochheiser property to participate in the MALPF program.

Attendees:

Christopher Heyn, P.E., Director, Department of Planning and Land 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 September 28, 2023 Open Session

Issue:

Exercise Option to Purchase – Ag Land Preservation, State program (MALPF), approval to participate, Elissa Jacobson, 26.45 acres, 4533 Kridlers Schoolhouse Road, Manchester.

Background:

For Fiscal Year 2024, the Maryland Agricultural Land Preservation Foundation (MALPF) is fully funded, and Carroll County sent sixteen (16) landowner applications for consideration. Of those applications, four (4) are Critical Farms applicants and have already received final approval. Four (4) did not receive an offer last year and are re-applying with approval from last year. The other eight (8) applications are being submitted for the MALPF matching funds program. In that program, the counties contribute 40% of easement cost and the state provides 60% of the cost. Carroll County annually budgets \$1.33 million to take full advantage of available state funds. On June 14, 2023, the Carroll County Ag Preservation Advisory Board approved an application from Elissa Jacobson. This application must now be given local final approval in an open session according to MALPF procedural requirements.

Purchase amounts are not yet available. Applicants will receive an offer from the State for the purchase of an agricultural conservation easement at either the applicant's asking price, or, the appraised easement value, whichever is lower.

Action:

Exercise Option to Purchase – The Board of County Commissioners is requested to grant final approval for the Elissa Jacobson 26.45-acre farm to be preserved through a state-held easement.

Staff-Recommended Motion:

I move the Board of Commissioners grant final approval for the Elissa Jacobson property to participate in the MALPF program.

Attendees:

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

Public Hearing Briefing Paper
Open Session
September 28th, 2023

Issue:

Public Hearing on clarifications to the definitions in Chapter 158 regarding Drug Treatment Facilities.

Background:

On June 29, 2023, The BCC met to discuss uses in the Agricultural and Conservation Districts. An area of concern was the lack of clarity in the definitions pertaining to Drug Treatment Facilities, which under Federal law are included in the definitions of Nursing Homes and Assisted Living Facilities. In an effort to provide this clarity for citizens, the BCC referred this issue to the Planning Commission pursuant to Section 158.134 of the County Code. The PC discussed this issue on July 18 and August 15, and voted on August 15 to recommend to the BCC that the proposed zoning text changes be made.

Specifically, this proposed amendment creates a new definition for *Drug Treatment Facility*, amends the definitions of *Assisted Living Facility* and *Nursing Home* to clarify that these uses may include a *Drug Treatment Facility*, and amends the definitions of *Day Care Center* and *Retreat Facility* to clarify that these uses may not include a *Drug Treatment Facility*.

Action:

I move the Public Hearing be closed and the record kept open for ten days.

Attendees: Tim Burke, County Attorney
Hannah Weber, Department of Planning

ORDINANCE NO. 2023-

AN ORDINANCE ADOPTING AMENDMENTS 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 charged under State law with the duty and responsibility for establishing comprehensive policies and programs to promote the health, safety, and general welfare of the inhabitants of the County and accordingly deems the subject amendment necessary to accomplish these duties and responsibilities; and;

WHEREAS, the Carroll County Planning and Zoning Commission approved the amendments with a favorable recommendation at its meeting on August 15, 2023

NOW, THEREFORE, BE IT ENACTED by the Board of County Commissioners of Carroll County, Maryland:

ARTICLE I. AMENDMENTS.

Section 1. The Code of Public Local Laws and Ordinances of Carroll County, Title XV, Land Use, Chapter 158, Zoning, § 158.002 Definitions is amended as follows:

Chapter 158, Zoning

§ 158.002 DEFINITIONS

ASSISTED-LIVING FACILITY. A facility to provide housing and supportive services, supervision, personalized assistance, health-related services, or a combination thereof, that meets the needs of individuals who are unable to perform or who need assistance in performing the activities of daily living in a way that promotes optimum dignity and independence for individuals and is under a license or certificate issued by the State of Maryland as an assisted living facility. For the purposes of this chapter “**ASSISTED – LIVING FACILITY**” may also mean a “**DRUG TREATMENT FACILITY**” if licensed by the State of Maryland.

DAY CARE CENTER. A facility licensed for the care of more than eight children or adults away from their own homes, on a daily rather than an overnight basis. “**DAY CARE CENTER**” does not include “**DRUG TREATMENT FACILITY**”.

DRUG TREATMENT FACILITY. A licensed facility that specializes in the evaluation and treatment of drug addition, alcoholism, and associated disorders. This facility may provide residential treatment, partial hospital treatment or outpatient treatment services. The facility may provide a treatment program for behavioral health services only if established and operated in accordance with applicable state laws for residential treatment programs.

NURSING HOME. A residential health-care facility which provides institutional lodging, nursing care, personal care and supervision to aged, chronically ill, physically infirm, or convalescent patients who are not related to the owner or administrator of the facility and is under a license or certificate issued by the State of Maryland as a nursing home. For the purposes of this chapter “**NURSING HOME**” may also mean a “**DRUG TREATMENT FACILITY**” if licensed by the State of Maryland.

RETREAT FACILITY. A site issued for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such other temporary quarters as may be approved by the BZA, but kitchen and dining facilities shall be located in a single centrally located building or buildings. “**RETREAT FACILITY**” does not include **DRUG “TREATMENT FACILITY”**.

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 effect

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 III. 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)
Kenneth Kiler Vice-President

_____(SEAL)
Joseph Viglioti, Commissioner

_____(SEAL)
Thomas 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