

Board of County Commissioners

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Robin Bartlett Frazier, *Secretary*
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Carroll County Government

225 North Center Street
Westminster, Maryland 21157
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MD Relay ~ 7-1-1/800-735-2258

Agenda for the Week of May 30, 2011

Revision 2 dated May 27, 2011

Please Note: This weekly agenda is subject to change. Please call 410-386-2043 to confirm a meeting you plan to attend. All meetings will be held at the Carroll County Office Building Room 311. (Unless otherwise noted)

- *Indicates Outside Activities*

Monday ~ May 30, 2011

County Offices Closed in observance of Memorial Day

*9:00 a.m. Westminster Memorial Day Parade
Westminster, Maryland
Commissioners Shoemaker & Roush*

Tuesday ~ May 31, 2011

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

Public Comment

Proclamation Presentation
29th Infantry Division

Departmental Briefings

1:30 p.m. Board of County Commissioners Open Session
County Office Building ~ Room 311

Public Comment

Tuesday ~ May 31, 2011 (Continued)

Review and Approval of Application to the
Governor's Office of Crime Control and Prevention
[for Carroll County Adult Drug Court](#)
Department of Management & Budget ~ Mr. Ted Zaleski
Carroll County Circuit Court ~ Judge Michael Galloway

Review and Approval of Application for the
[Chesapeake Bay Trust Small Watershed Grant](#)
Liberty Reservoir Community Buffer Program
Department of Land Use, Planning & Development ~ Mr. Tom Devilbiss
Department of Management & Budget ~ Mr. Ted Zaleski

[Hampstead Annexation No. 36 - Harrell Property](#)
Department of Land Use, Planning & Development ~ Mr. Tom Devilbiss

[Lot Creation in Agricultural Preservation Districts](#)
Department of Land Use, Planning & Development ~ Mr. Tom Devilbiss
Department of the County Attorney ~ Mr. Tim Burke

[Consider Issue of Public Assembly](#)
Department of the County Attorney ~ Mr. Tim Burke

Approval of Memorandum of Understanding with the
[Inter-county Broadband Network](#)
Department of Administrative Services ~ Ms. Cindy Parr
Department of Economic Development ~ Mr. Larry Twele

*7:00 p.m. Gateway School Graduation
Westminster, Maryland
Commissioners Howard & Rothschild*

Wednesday ~ June 1, 2011

*8:00 a.m. Warfield Development Corporation Board Meeting
Sykesville, Maryland
Commissioners Howard & Roush*

*9:00 a.m. Employee Recognition Program
Westminster, Maryland
Commissioners Howard, Shoemaker, Frazier, Rothschild & Roush*

*7:00 p.m. Manchester Valley High School Graduation Ceremony
Westminster, Maryland
Commissioner Frazier*

Thursday ~ June 2, 2011

8:30 a.m. Administrative Session ~ Closed

10:00 a.m. *Board of County Commissioners Retreat
Westminster, Maryland*

7:00 p.m. *Century High School Senior Awards Presentation
Sykesville, Maryland
Commissioner Howard*

7:00 p.m. *Francis Scott Key High School Graduation Ceremony
Westminster, Maryland
Commissioner Frazier*

Friday ~ June 3, 2011

9:30 a.m. *Charles Carroll Elementary School Play Day
Westminster, Maryland
Commissioner Frazier*

2:00 p.m. *Century High School Graduation Ceremony
Westminster, Maryland
Commissioner Howard*

7:30 p.m. *North Carroll High School Graduation Ceremony
Westminster, Maryland
Commissioners Shoemaker & Frazier*

Saturday ~ June 4, 2011

9:00 a.m. *South Carroll Republican Club Commissioner Breakfast
Westminster, Maryland
Commissioners Howard, Shoemaker, Frazier, Roush & Rothschild*

1:30 p.m. *Westminster High School Graduation Ceremony
Westminster, Maryland
Commissioners Shoemaker & Roush*

7:30 p.m. *South Carroll High School Graduation Ceremony
Westminster, Maryland
Commissioner Rothschild*

Sunday ~ June 5, 2011

- 8:05 a.m. “The Commissioners’ Report” – WTTR
Commissioner Howard
- 1:30 p.m. Liberty High School Graduation Ceremony
Westminster, Maryland
Commissioner Howard*
- 3:00 p.m. Eagle Scout Ceremony
Westminster, Maryland
Commissioner Roush*
- 7:30 p.m. Winters Mill High School Graduation Ceremony
Westminster, Maryland
Commissioner Roush*

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 Jolene G. Sullivan, The Americans With Disabilities Act Coordinator, 410-386-3600 or 1-888-302-8978, or MD Relay 7-1-1/800-735-2258 or email jsullivan@ccg.carr.org 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 Management and Budget
Grants Office
Drug Court BJAG Application FFY 2011
Briefing Paper – May 31, 2011**

Background: The Carroll County Adult Drug Court (CCADC) is requesting approval of its application to the Governor’s Office of Crime Control and Prevention (GOCCP) for the Byrne Justice Assistance Grant (BJAG) to fill anticipated gaps in program funding for drug testing materials and supportive services to CCADC participants. The BJAG is a federal grant from the Department of Justice passed through to GOCCP.

In March the Commissioners approved the grant application to the Office of Problem Solving Courts. (OPSC) The grant plus local matching funds should cover basic costs for the Drug Court salaries and benefits, office and printing supplies, cell phones and mileage. This application will fund drug testing and supportive services to fill gaps left by anticipated cuts.

Drug testing is an essential expense to assure participant compliance and is therefore included in this application. Additionally, the OPSC grant will not cover the cost of supportive services that will help to stabilize CCADC participants and improve their chances of successful recovery from addiction. The BJAG application requests funding for:

- Drug Testing materials to enforce sobriety of program participants.
- Entry fees and initial rent for homeless and/or participants coming from Detention into a Sober House until they become employed;
- Fees for CATs vouchers to transport participants to treatment, CCADC meetings, employment;
- Fees for GED/computer skills training so that participants can secure employment.

The BJAG application is a one time application. The Carroll County Drug Court Development Committee will also raise funds for supportive services for participants.

Budget:

BJAG Grant	\$34,488
Match	\$ <u>0</u>
Total Program	\$34,488

Please approve the application for the Carroll County Adult Drug Court BJAG for FFY 2011.

Motion _____
Second _____
Approved _____
Disapproved _____
Signed By _____

Colleen Baumgartner,
Attending: Diane Jackson, Colleen Baumgartner, 5/24/11

**Department of Land Use, Planning, and Development
Bureau of Resource Management**

**National Fish and Wildlife Foundation
Chesapeake Bay Small Watershed Grant
Liberty Reservoir Community Buffer Program
Briefing Paper
May 31, 2011**

Issue:

Application to the National Fish and Wildlife Foundation (NFWF) for funding through the Chesapeake Bay Small Watershed Grant Program. Funding is being requested for outreach and implementation through the Liberty Reservoir Community Buffer Program.

Background:

In response to goals specified in our National Pollutant Discharge Elimination System (NPDES) permit relating to assessment and improvement of water quality within all of our watersheds, we are actively looking at different ways in which to treat the impervious area throughout the county. The National Fish and Wildlife Foundation (NFWF) solicited grant applications for the 2011 Chesapeake Bay Small Watershed Grant Program. These funds are designed to support project design, watershed planning, and implementation efforts throughout the Chesapeake Bay Watershed.

The Bureau of Resource Management has prepared an application for the June 3, 2011 deadline to request funding for the implementation of approximately ten (10) acres of riparian forested buffers throughout the Liberty Reservoir Watershed. During past Stream Corridor Assessments (SCA) in the Liberty Reservoir sub-watersheds, properties were identified as not having a buffer along the stream corridor. These properties will be targeted through the Community Buffer Program to establish a minimum thirty-five (35) foot stream buffer. By implementing riparian forested buffers, it will help reduce the nutrients and sediment being delivered to the stream and ultimately the Chesapeake Bay. At the same time, this will help the county meet the requirements set forth in our National Pollutant Discharge Elimination System (NPDES) Permit.

Budget:

The county is requesting funding from the National Fish and Wildlife Foundation (NFWF) to cover the costs associated with hiring a contractor to plant and maintain the stream buffers for a three (3) year period. In-kind match will be provided by Carroll County Government in the way of outreach, meetings with landowners to discuss planting options, coordination between contractor and landowner, and establishing easements on the planting sites. The grant will fund up to \$200,000 for project implementation and requires a 25% non-federal match.

Grant Request: \$190,000

County Match: \$63,333

Grant Total: \$253,333

Liberty Reservoir Community Buffer Program

Action:

The Department of Land Use, Planning, and Development is requesting approval from the Board of County Commissioners to submit the application to the National Fish and Wildlife Foundation for this project.

Motion to approve: _____

Second _____

Approved: _____

Denied: _____

Signed: _____

Submitted by: Gale Engles

Attending: Tom Devilbiss, Gale Engles, and Colleen Baumgartner

Department of Land Use, Planning, & Development

Briefing Paper

May 31, 2011

Open Session

Issue:

Hampstead Annexation No. 36 – Harrell Property

Background:

A Petition for Annexation of 4.266 acres of land into the Town of Hampstead has been submitted to the County. The annexation area is located roughly 300 feet east of Main Street (MD 30) and 300 feet north of Fairmount Road. A public hearing is scheduled for June 14, 2011.

The annexation area currently is zoned Residential “R-10,000” in the County. The Town intends to classify the area in its Residence “R-7,500” District upon annexation. The Town has not requested a waiver of zoning; County staff believes a waiver of zoning is unnecessary.

The annexation was presented to the County Planning Commission at their May 17, 2011 meeting for review and recommendation to the Board of County Commissioners. The Planning Commission recommended that the Board send a letter of comment to the Town to include, among other things, the following observations/recommendations:

1. A waiver of zoning is not necessary;
2. Extend the Resource Protection Overlay Zone to the applicable portion of the annexation area;
3. Work with the Maryland Department of Planning to include the annexation area in the Hampstead Municipal Priority Funding Area; and
4. Coordinate with County Planning staff to reclassify the annexed area from “Future” to “Priority” or “Existing/Final Planning” water service with an amendment to the *Carroll County Water & Sewer Master Plan*.

Action:

Signature of a letter of comment to the Town of Hampstead.

Attendees:

Tom Devilbiss, Acting Director, Department of Land Use, Planning, & Development
Daphne Daly, Planning Manager, Bureau of Planning
Bobbi Moser, Comprehensive Planner, Bureau of Planning

REVISED

May 25, 2011

MEMORANDUM TO: The Board of County Commissioners of Carroll County

FROM: Timothy C. Burke, Acting County Attorney

RE: Use of County-owned facilities/properties
OPEN STAFF TIME – TUESDAY, MAY 31, 2011
Our File No. 13331-0010

ISSUE TO BE DISCUSSED

Public assembly issues.

BACKGROUND

At the Board's direction, County staff met regarding current written and/or long-standing policies regarding locations in County facilities which are currently open to the public for political assembly and petitioning for political or other civic causes. The following are our findings:

OFFICE BUILDINGS

In the past, prior Boards of County Commissioners have declared the lobby of the County Office Building, the sidewalk adjacent to the entrance to the building, and the parking lot to be "non-public" forums. Soliciting, political canvassing, demonstrations, advertising, or political assembly have not been allowed in these areas. Similarly, these activities have not been allowed in the Distillery Building or the grounds adjacent to the facility.

SENIOR CENTERS

The Senior Centers have opened their "multi-purpose" rooms to the public on a first come first served basis for civic activities and meetings. These activities are restricted to the conference rooms, and are not allowed to occur in any other areas in the senior centers. Religious activities, commercial/for profit activities and fund raising are specifically prohibited by Policy No. 2010-001-CS. Also, the Senior Centers have traditionally disallowed political campaigning and/or fundraising and political canvassing anywhere in or around the buildings. The Board of County Commissioners of Carroll County

PARKS

Political canvassing, fundraising, campaigning, and solicitation have not been permitted within the confines of the parks and/or their parking areas, as prior Boards of County Commissioners wished to keep these areas “non-public” forums.

GOVERNMENTAL PARTNER AGENCIES

The following governmental partners are autonomous entities housed in county owned buildings. Each has its own policy governing public access which are summarized below:

PUBLIC LIBRARY

The Public Library has opened conference rooms to the public for use as public forums on a first come, first served basis. Political campaigning or canvassing is limited to the conference rooms, and the rest of the library is “off limits” for such uses.

CARROLL COMMUNITY COLLEGE

The College and the County entered into a 99 year lease in 1993, giving the College control over the premises. The main educational building is off-limits for soliciting, politicking, or canvassing except at student or school sponsored events. The theatre building is available for rent by any group, regardless of the purpose.

REQUESTED ACTION

Board direction.

- c: Steven D. Powell, Chief of Staff
Cindy Parr, Director, Department of Administrative Services
Thomas J. Rio, Director, Department of Public Works
Jolene G. Sullivan, Director, Department of Citizen Services
Alan M. Schuman, Vice-President, Carroll Community College
Lynn Wheeler, Director, Carroll County Public Library

**Department of Economic Development
Office of Information & Technology Services
Briefing Paper: Inter-County Broadband Network Consortium Memorandum of Understanding**

Action Requested:

Concurrence - Inter-County Broadband Network Consortium Memorandum of Understanding

Key Points:

- Build 45 miles of Fiber Infrastructure (backbone).
- Connect the backbone with two redundant connections out of the County.
- Connect 102 sites in Carroll County to the backbone.
- Make 24 fibers available to the private sector (Maryland Broadband Cooperative has 72 fibers)
- Make 12 fibers available to the State of Maryland (Currently 72 unallocated fibers)
- Estimated total construction costs \$8.8 million; ICBN contribution \$6.4 million; Carroll County contribution \$2.4 million.
- Construction has to be completed by August 2013.

Carroll County Fiber Network Background:

Carroll County is a leader in broadband infrastructure investment through the development of the Carroll County Fiber Network - a 112 mile “open access” fiber optic network designed to meet the needs of both the private and public sectors. The fiber optic network is a critical economic development asset for business attraction and retention which expands broadband coverage areas and provides cost effective services for businesses and residents. All primary commercial and industrial areas are included in the network design. Two inter-county connections are planned (Baltimore County at MD 30 and Howard County at MD 32) to provide network redundancy, further expand the network and attract new service providers into Carroll County.

Carroll firm Skyline Network Engineering was retained by the Carroll County Public Network Consortium (Carroll County Government, Carroll County Public Schools, Carroll County Public Library, and Carroll Community College) to design and build the network. Network construction began in 2007. Consortium partners provided technology project funding to cover initial network construction costs. Funding to complete the critical inter-county connections and remaining sites is partially budgeted for in the Economic Development Infrastructure Investment Fund with the remaining funding allocated through the Inter-County Broadband Network (ICBN), of which Carroll is a member. The State of Maryland and the ICBN received a National Telecommunication and Information Administration infrastructure award to expand Broadband access throughout Maryland.

Project Goals:

- Build a 112 mile 216 count “open access” fiber backbone in five rings around Carroll County
- Build two inter-county connectors – one into Baltimore County and one into Howard County
- Provide affordable fiber infrastructure to meet growing business broadband needs
- Connect Local, County and State government agencies saving substantial money by reducing or eliminating connection charges to private network service providers
- Connect Local, County and State public safety, police, and fire departments