



**BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND**

County Administration Building
100 West Washington Street, Room 226
Hagerstown, Maryland 21740-4735
Telephone/TDD: 240-313-2200
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John F. Barr, *President*
Terry L. Baker, *Vice-President*
Kristin B. Aleshire
James F. Kercheval
William J. Wivell

BOARD OF COUNTY COMMISSIONERS

***** A G E N D A *****

November 4, 2008

- 9:45 am CALL TO ORDER, President *John F. Barr*
INVOCATION and PLEDGE OF ALLEGIANCE
APPROVAL OF MINUTES
- 9:50 am COMMISSIONERS' REPORTS & COMMENTS
- 10:10 am UPCOMING 20TH ANNUAL ANTIETAM MEMORIAL ILLUMINATION -
*Georgene Charles, Chair, Ed Wenschhof (Chief Ranger and Incident Manager
for the Memorial Illumination) and Tom Riford*
- 10:20 am [CONTRACT AWARD \(PUR-1078\) - ENGINEERING SERVICES
REQUIREMENTS CONTRACT](#) – *Karen Luther and Joe Kroboth, P.E.*
- 10:30 am CITIZENS PARTICIPATION
- 10:40 am OTHER BUSINESS:
County Attorney Issues - *John Martirano, Kirk Downey, Andrew Wilkinson*
Appointments to County Boards & Commissions - *Joni Bittner*
County Administrator's Comments – *Gregory B. Murray*
Reports from County Staff
- 11:00 am [SIERRA NEVADA CORPORATION UPDATE](#) – *Hal Lucas*
- 11:30 am [COUNTY PAYMENT FOR PUBLIC DEFENDER PANEL ATTORNEYS](#) –
Andrew Wilkinson (letter) (costs)
- 12:00 pm *Lunch*
- 1:00 pm [CERTIFICATION OF THE MARYLAND AGRICULTURAL LAND
PRESERVATION PROGRAM \(MALPP\) AGRICULTURE TRANSFER TAX
FUND](#) – *Eric Seifarth and Sara Edelman (report) (subdivisions by election
district) (map)*
- 1:20 pm [JOURNEY THROUGH HALLOWED GROUND NATIONAL HERITAGE
AREA](#) – *Tom Riford, Jaime McClug and Cate Wyatt*
- 1:45 pm CLOSED SESSION – *(To consider a matter that concerns the proposal for a business or industrial
organization to locate, expand, or remain in the State; to discuss the appointment, employment, and/or
assignment of appointees, employees, or officials over whom it has jurisdiction; to discuss personnel
matters that affect one or more specific individuals; to consult with staff about pending or potential
litigation; and to consult with counsel to obtain legal advice.)*

Individuals requiring special accommodations are requested to contact the Office of the County Commissioners, 240.313.2200 Voice/TDD, to make arrangements no later than ten (10) working days prior to the meeting. Notice is given that the Board of County Commissioners of Washington County, Maryland will meet in closed session to discuss personnel matters, to consult with counsel, to obtain legal advice, and to discuss businesses moving into the county from outside the state in accordance with Section 10-508 State Government Article, Annotated Code of Maryland.



Board of County Commissioners Agenda Report

Washington County, Maryland

Open Session ✓

From: Karen R. Luther, CPPO - Purchasing Agent

Presentation By: Karen R. Luther & Joe Kroboth, II – Director, Division of Public Works

Presentation Date: November 4, 2008

Subject: Contract Award - PUR-1078 – Engineering Services Requirements Contract

Recommendation Motion: To award a *primary* requirements contract for Engineering Services for the responsive, responsible proposal with the lowest price proposal amount at the specified unit costs and estimated hours (no minimum or maximum guaranteed); and, as permitted in the Request for Proposals, a “*stand-by list*” of consultants.

Report-in-brief: The services under this contract consist of providing engineering support by qualified engineering consultant firms to perform engineering services for projects in the six-year Washington County Capital Improvement Plan (CIP) and general operating budget and unanticipated emergencies. The duration of the contract shall be for a period of two (2) years, with an option by the County to renew for up to three (3) additional one (1) year periods. Under the terms of the contract, other political jurisdictions within the County may utilize the services provided as a result of this contract. This is a requirements contract; therefore, services will be utilized on an as-needed basis at the respective hourly unit prices for each discipline with no guarantee of a maximum or minimum number of hours.

Project assignments will be issued in two (2) distinct manners through this contract. Assignments with a fee less than \$25,000 will be given to the designated responsive-responsible Consultant with the lowest price proposal. Assignments with fees anticipated to exceed \$25,000 will have a defined scope of work specified and distributed to the firm with the lowest cost proposal and all firms on the stand-by list. All firms then will submit a proposal to complete the work defined. The firm with the lowest cost proposal will then be given the assignment. The County has limited the stand-by list to a maximum of five (5) firms, one (1) of which is the designated responsive-responsible Consultant with the lowest overall price proposal. Assignment value will be determined when the Consultant applies the necessary man-hours and his standard rates to the individual assignment. The assignment will be given to the Consultant which requires the lowest fee.

In order to determine which proposal offered the overall lowest cost to the County for this recommended contract award; each proposer submitted hourly rates for various employee classifications or positions. The lowest cost proposal was determined by applying the quoted rates

to a position matrix that identified an approximate number of hours by position the County expects to utilize over the next twelve (12) months.

Direct-mail notice of the Request for Proposal (RFP) was sent to fifty-two (52) firms. Notice of the RFP was advertised (1) on the County's web site with access to downloading the RFP, (2) on the State's "eMaryland Marketplace" web site, and (3) in the local newspaper. One hundred thirty-one (131) firms accessed the document on-line and thirty-five (35) firms were represented at the pre-proposal conference. Twenty-one (21) firms responded with proposals. After evaluation of Qualifications & Experience submittals, nine (9) firms were considered responsive and their Price Proposals were opened and evaluated.

The Coordinating Committee was comprised of the following members: Director of Public Works (Committee Chairman Designee), Deputy Director of Public Works for Capital Projects Engineering, Deputy Director for Engineering Services in the Division of Environmental Management, Chief of Surveys, Chief of Capital Projects Engineering, and the County Purchasing Agent.

Discussion: N/A

Concurrences (If Applicable): Coordinating Committee

Fiscal Impact (If Applicable): Funds are budgeted in various Capital Improvement Plan (CIP) and General Operating Budget project accounts for these services.

Alternatives (If Applicable): N/A

Attachments: N/A



Board of County Commissioners Agenda Report

Washington County, Maryland

Open Session ✓

From:

Presentation By: Hal Lucas, Director, Integrated Aviation Systems

Presentation Date: November 4, 2008

Subject: Sierra Nevada Corporation in Hagerstown

Recommended Motion: None

Report-in-brief: The Commissioners will be provided an update on Sierra Nevada Corporation in Hagerstown. A PowerPoint presentation will be included.

Discussion:

Concurrences (If Applicable):

Fiscal Impact (If Applicable):

Alternatives (If Applicable):

Attachments: None.



Board of County Commissioners Agenda Report

Washington County, Maryland

Open Session ✓

From: Andrew F. Wilkinson, Assistant County Attorney

Presentation By: Andrew F. Wilkinson

Presentation Date: November 4, 2008

Subject: County Payment for Public Defender Panel Attorneys

Recommended Motion:

Report-in-brief: In criminal cases in which there are two or more indigent co-defendants, the Public Defender's Office is required to hire outside attorneys, known as panel attorneys, to represent the co-defendants so as to avoid any conflict of interest within the Public Defender's Office. Panel attorney's fees are capped at \$50 per hour. Typically, the Public Defender's Office pays the fees out of its State-supported budget. Due to apparent budget cuts, the Public Defender's Office announced on September 22, 2008 that it is unable to continue to pay for panel attorneys statewide effective October 1, 2008.

Upon receipt of the Public Defender's notice, Chief Judge Bell of the Court of Appeals asked the Governor and the General Assembly to remedy this problem by providing additional funding to the Public Defender's budget. However, given the rather sudden determination that the Public Defender would not fund panel attorneys after October 1, Chief Judge Bell directed the Circuit and District Courts to appoint panel attorneys as "special counsel" to indigent co-defendants, paid by the Counties. This designation of "special counsel" and payment by the Counties is permitted by the Maryland Code.

Discussion: This problem is not specific to Washington County; each Maryland county is dealing with this issue and has received Judge Bell's directive. Judge Bell believes that the responsibility to provide funding for panel attorneys is upon the State by statute and, to that end, he is working to get the Governor and General Assembly to solve this funding problem. However, Judge Bell is concerned that the immediate failure to ensure that indigent co-defendants have counsel will result in criminal charges being dropped against defendants due to the failure to have a trial, with counsel, within 180 days of the first appearance in court. To avoid this, Judge Bell has directed Circuit and District Court Judges to appoint special counsel, to review and approve the bills from the special counsel, and to forward the bills to the County for payment to the attorneys.

The County Attorney's Office has met with Administrative Judge McDowell of the Circuit Court and with Judges France and Thomas of the District Court concerning procedures to be implemented. The Public Defendant indicates that the total fees for panel attorneys in Washington County for FY 2008 was approximately \$200,000.

Recent developments suggest that this matter may be resolved by the State. However, until it is resolved, the County will be under the obligation to pay if it receives an order from the courts to do so.

Concurrences (If Applicable): N/A

Fiscal Impact (If Applicable): The exact amount cannot be determined. FY 2008 costs to the State were approximately \$200,000.

Alternatives (If Applicable): There are no alternatives at this time. It is expected that this will be a significant issue for MACo. Failure to pay for panel attorneys at this time will lead to criminal charges being dropped against defendants due to the failure to have a trial, with counsel, within 180 days of the first appearance in court.

Attachments: October 3, 2008 Correspondence from Chief Judge Bell
October 9, 2008 Memorandum from Chief Judge Bell
October 15, 2008 Correspondence from Public Defender's Office



MARTIN O'MALLEY
GOVERNOR

**OFFICE OF THE PUBLIC DEFENDER
ADMINISTRATION
WILLIAM DONALD SCHAEFER TOWER
6 SAINT PAUL STREET, SUITE 1400
BALTIMORE, MARYLAND 21202**

*Ph. (410) 767-8460
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NANCY S. FORSTER
PUBLIC DEFENDER

MICHAEL R. MORRISSETTE
DEPUTY PUBLIC DEFENDER

October 15, 2008

Kirk C. Downey, Esquire
Office of the County Attorney
Washington County, Maryland
100 West Washington Street, Room 202
Hagerstown, Maryland 21740-4727

Dear Mr. Downey:

Your letter to Eric Reed, Deputy District Public Defender, dated October 9, 2008, has been forwarded to my attention.

I would be happy to answer the questions presented in your letter and any others you may have in the future.

1. My overall budget for panel fees in fiscal year 2009 (which began July 1, 2008), was \$4 million. I do not budget "per County."

2. In fiscal year 2008, I spent a total of approximately \$200,000 for panel fees in Washington County. (This does not include fees paid to handle juvenile delinquency cases).

3. Panel attorneys are paid an hourly rate of \$50.00 no matter what type of case they handle. The caps are:

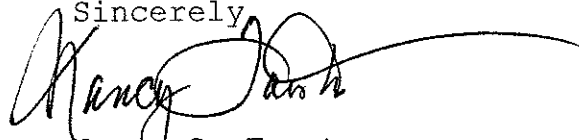
a.	Circuit Court cases:	\$3,000.00
b.	District Court cases:	\$750.00
c.	CINA/TPR cases:	\$3,000.00
d.	Appellate cases	\$2,500.00
e.	Capital cases	\$20,000.00

4. As the Public Defender, it is within my discretion to exceed the cap on any case where I believe the work performed merits doing so.

5. The Office of the Public Defender pays for parking and mileage at the current state rate of 58¢ per mile for travel incurred exclusively in the panel case.
6. The Office of the Public Defender does not pay for ordinary office expenses such as postage, local telephone calls, copying or faxing.
7. The Office of the Public Defender pays for reasonable legal research costs incurred through the use of law clerks or paralegals at the rate of \$15.00/hour for law clerks and \$20.00/hour for paralegals.
8. Receipts must accompany all expenses billed.
9. The Office of the Public Defender provides panel attorneys with experts and investigators and pays them from the Office of the Public Defender budget; however, these expenses must first be authorized through the District office in advance of any financial commitment.
10. Request for hospital and/or medical records must clearly state that the records are for a client of the Office of the Public Defender. Under these circumstances, a bill for copying should not be received.

I hope this answers your questions. Should you have any further questions, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy S. Forster", with a long, sweeping horizontal line extending to the right.

Nancy S. Forster
Public Defender

NSF/jps

cc: Mary Riley, District Public Defender
Eric Reed, Deputy District Public Defender

	ELECTION							
	DISTRICT	2003	2004	2005	2006	2007		TOTALS
Sharpsburg	1	9	6	7	2	0		24
Williamsport	2	0	1	0	2	0		3
Hagerstown	UGA							0
Clear Spring	4	7	17	8	23	13		68
Hancock	5	5	6	3	3	0		17
Boonsboro	6	12	15	20	8	6		61
Smithsburg	7	3	17	6	7	2		35
Rohrersville	8	4	46	16	30	10		106
Leitersburg	9	0	22	18	7	6		53
Funkstown	10	0	2	0	0	0		2
Sandy Hook	11	2	10	4	4	3		23
Fairplay	12	34	8	12	7	16		77
Maugansville	13	27	26	10	3	11		77
Ringgold	14	9	28	6	3	17		63
Indian Springs	15	13	14	21	15	9		72
Beaver Creek	16	48	54	20	13	8		143
Hagerstown	UGA							0
Chewsville	18	2	4	3	5	3		17
Keedysville	19	7	6	5	6	4		28
Downsville	20	17	28	12	2	6		65
Hagerstown	UGA							0
Hagerstown	UGA							0
Wilsons	23	16	17	17	9	14		73
Cedar Lawn	UGA							0
Hagerstown	UGA							0
Halfway	UGA							0
Fountain Head	27	0	0	2	0	0		2
	TOTALS	215	327	190	149	128		1009



Board of County Commissioners Agenda Report

Washington County, Maryland

Open Session ✓

From: Michael C. Thompson, Director of Planning & Community Development

Presentation By: Eric Seifarth and Sara Edelman, Land Preservation

Presentation Date: November 4, 2008

Subject: **Certification of the Maryland Agricultural Land Preservation Program (MALPP) Agriculture Transfer Tax fund.**

Recommended Motion: The County Commissioners approve the enclosed certification application of the Washington County Agricultural Land Preservation Program to present to the Maryland Departments of Planning (MDP) and Agriculture (MDA) for approval. (See note under Discussion).

Report-in-brief: Every 2 years the Land Preservation staff is required to prepare and submit a certification report so as to retain an additional 42% (total 75% retention) of state agricultural transfer taxes. The certification report is based on questions developed at the State level to assess the County's Land Preservation Program and compliance with the County adopted Comprehensive Plan. Additionally this year questions addressed Priority Preservation Areas (PPAs), which the Board voted to amend to include in the Comprehensive Plan. While the certification report addresses all county land preservation programs Washington County has traditionally used 100% of the funds for the 60/40-match component of MALPP. A sample under fiscal impact shows the multiplying effect of both the certification and the 60/40-match mechanism.

Discussion: The certification requirements state: "Local Authorization-- The application for certification has been approved by the county agricultural land preservation advisory board, the county office of planning or county planning commission as designated by the county, and the governing body of the county." Our certification report discusses our plans to achieve a goal of 50,000 acres in permanent preservation. MDA and MDP understand that factors affecting our strategy will change over time and we will have on-going opportunity to update and modify our land preservation plans.

Concurrences: The Agriculture Advisory Board and the Planning Commission are both required to sign off on the certification request. At this writing both are currently reviewing the report.

Fiscal Impact: The certification process allows the county to retain an additional 42% of state agriculture transfer tax. While the tax varies, in years of high farmland to residential use conversion the additional 42% has yielded several hundred thousand dollars.

Example: Collection of tax w/o certification-- $\$200,000 \times 33\% = \$66,000$ then leveraged through 60/40 match = $\$165,000$. With certification-- $\$200,000 \times 75\% = \$150,000$ then leveraged = $\$375,000$.

Alternatives: Decline certification and not receive the 42% additional funds from agriculture transfer tax.

Attachments: Certification Report

Certification of Washington County's Agricultural Land Preservation Programs

SEPTEMBER 2008

ANNUAL REPORT

I. Local Authorization

The application for certification has been approved by the county agricultural land preservation advisory board, the county office of planning or county planning commission as designated by the county, and the governing body of the county.

See Attachment A (page 15)

II. Qualifying expenditures (.05D) and appropriate use of certification funds (.09.C).

- A. The County has made or intends to make qualifying expenditures of County funds that equal or exceed the estimated additional certification funds that will be available as a result of certification.

Note that as of this writing the payments to MALPP 60/40 match have reduced the agricultural transfer tax balance to approximately \$25,000

- B. **The County has used or intends to use 75% of agricultural land transfer tax funds retained through certification to purchase development rights, supplement MALPF or TDR payments, for other direct use of funds to expedite or promote the sale or purchase of development rights as approved by the Foundation and the Department (including installment purchase agreements, preservation of critical farms, next generation farmer acquisition programs), to cover 10% or \$30,000 of administrative costs, and/or for other uses in accordance with Regulation .09.C.**

COUNTY COMMISSIONERS OF WASHINGTON COUNTY

SCHEDULE OF AGRICULTURAL LAND TRANSFER TAX REVENUES
AND EXPENDITURES FOR WASHINGTON COUNTY, MARYLAND UNDER
TAX-PROPERTY ARTICLE, SECTION 13-306 OF THE ANNOTATED
CODE OF MARYLAND

YEAR ENDED JUNE 30, 2007

REVENUES	
Agricultural transfer tax collected	\$ 577,196
Less portion remitted to state	<u>\$ 144,299</u>
TOTAL REVENUES	<u>\$ 432,897</u>
EXPENDITURES	
Administrative expenses	<u>\$ 37,793</u>
Matching Maryland Agricultural Land Preservation Foundation acquisitions	<u>\$ 403,929</u>
TOTAL EXPENDITURES	<u>\$ 441,722</u>
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES	\$ (8,825)
BEGINNING AVAILABLE FUNDS	<u>\$ 2,019,149</u>
ENDING AVAILABLE FUNDS	<u>\$ 2,010,324</u>
Ending fund balance per the County's June 30, 2007	
Report of Collection of Agricultural Transfer Tax	<u>\$ 2,010,324</u>

Note that as of this writing the payments to MALPP 60/40 match have reduced the agricultural transfer tax balance to approximately \$25,000

COUNTY COMMISSIONERS OF WASHINGTON COUNTY

NOTES TO THE SCHEDULE OF AGRICULTURAL LAND TRANSFER TAX REVENUES
AND EXPENDITURES FOR WASHINGTON COUNTY, MARYLAND UNDER
TAX-PROPERTY ARTICLE, SECTION 13-306 OF THE ANNOTATED
CODE OF MARYLAND

Note 1. Description of Program

As of January 1, 1993 the County's program became certified. The program has continued to operate on an annual verbal re-certification. In October 2006, the County filed documents to obtain written re-certification with Maryland Agriculture Land Preservation Foundation. The re-certification has not yet been received.

One-quarter of the revenue from the agricultural land transfer tax is remitted to the State, the remainder of the revenue is held in a special County account to be used for an approved agricultural land preservation program.

If any revenue in the special County account has not been expended or committed on or before three years from the date of deposit into the County account, the County must remit that revenue to the State.

Note 2. Administrative Expenses

According to Code Section 13-306 5(ii) of the Annotated Code of Maryland the costs of the administrative expenses may not exceed ten percent of the funds, or \$30,000, whichever is the greater. The County is in compliance with this regulation at June 30, 2007.

Note 3.

For the Fiscal Year July 1, 2006 through June 30, 2007

	Agricultural Other Transfer Tax Funds	County Funds	Program Total
Revenues:			
Agricultural Transfer Tax Collected	\$ 577,196	\$ 0	\$ 577,196
Less: Agricultural Transfer Tax Remitted to Comptroller	\$ 144,299	\$ 0	\$ 144,299
Agricultural Transfer Tax Retained By Subdivision	\$ 432,897	\$ 0	\$ 432,897
County -General Fund Appropriation	\$ 0	\$ 0	\$ 0
County-Other Revenues (Real Estate Transfer tax)		\$ 0	\$ 0
Total Revenues:	\$ 432,897	\$ 0	\$ 432,897
Expenditures:			
Administrative Expenses			\$ 37,793
Matching MALPF Acquisitions			\$ 403,929*
Purchase of Development Rights or Enhancements (See Note 1)			\$ 0
Three Year Monies Remitted to MALPF			\$ 0
Total Expenditures:			\$ 441,722

QUALIFYING EXPENDITURES AND APPROPRIATE USE OF CERTIFICATION FUNDS, PAGE 3 OF 3

Excess Revenue over Expenditures	\$ (8,825)
Beginning Fund Balance July 1, <u>2006</u>	\$ 2,019,149
Ending Fund Balance June 30, <u>2007</u> (See Note 2)	\$ 2,010,324

Note #1- Purchase of Development Rights and Enhancements

Detail for determining Qualifying Expenditures

Appraisals for Easements	\$ 0
Local Easement Purchases	\$2,526,953.51 **
Easement Incentive Payments	
Tax Credits on Easement Properties	\$ 85644.00
Other Financial Enhancements (Explain)- Landowner donated easement value	\$ 752,000.00

Total Qualifying Expenditures (Expenditures on Development Rights and Enhancements) **\$3,364,597.51**

*Note \$1.34 million dollars encumbered in MALPF program and have been billed by the State as of this date.

**Note the Rural Legacy Program provided 1.8 million. \$726,953.51 of the local funds were funneled into the County's Installment Payment Program through the County's Real Estate Transfer Tax.

C. The county has used or intends to use its share of MALPF funds remaining at the end of each fiscal year (.09.A, referring to Agriculture Article §2-508.1) to purchase development rights and/or for bond annuity funds and guaranteeing loans collateralized by development rights (.09.C.1, referring to Agriculture Article §2-508.1).

The unexpended Agricultural Transfer Tax Fund balance \$2,010,324 must be spent within three years of receipt. The amount is now comprised of the County's portion of State Agricultural Transfer Tax from the following Years:

No 3 year old money	June 30, <u>2005</u>	\$1,036,360.25
	June 30, <u>2006</u>	\$ 802,370.91
	June 30, <u>2007</u>	\$ 432,897.00

III. The Priority Preservation Area Plan Element (.05.H, .06) [Does the PPA element provide a realistic assessment of goals, implementation program, program evaluation, and program development strategy, as per the regulations cited below?]

A. The county's local plan includes a priority preservation area elements that identifies and delineates a priority preservation area (.05.H(1))

The County's priority preservation areas are designated to further refine and maximize the focus and impact of preservation funding. Parcels were identified and areas were delineated by using the County's GIS database. The criteria used to identify parcels were:

- *located outside of the Urban and Town Growth Area boundaries,*
- *Were greater than 20 acres*
- *Have an agricultural land use assessment,*

- *located in close proximity to existing permanent easements as well as existing 10-year districts.*

B. The Priority Preservation Area Plan Element

- 1. Establishes appropriate goals for the amount and types of agricultural resource land to be preserved in the priority preservation area and the rationale used to establish the goals, including a county acreage goal to protect at least 80% of the remaining undeveloped land in the priority preservation area, as calculated at the time the application is submitted (.05.H(2));**

The County's goal is to maintain at least 50,000 acres of land in the County in agricultural production. This goal was developed in the early 1990's in coordination with the Agricultural Extension Office and the University of Maryland. Through 2007, Washington County has permanently preserved approximately 21,000 acres. In accordance with the guidance provided in the Agricultural Stewardship Act of 2006, the additional 30,000 acres of permanently preserved land needed to meet the County's stated goals should equal at least 80 % of the total undeveloped area in the defined priority preservation areas.

To determine the amount of land needed in the PPA to meet the 80% preservation target, the County began its evaluation by electing to exclude, to the degree possible, areas of existing development. The beginning assumption was that at least 30,000 acres of undeveloped land would be designated in the PPA. Applying the 80% preservation target established in the Act would then require, at a minimum, approximately 40,000 acres of land to be established as a PPA.

- 2. Describes the county's strategy to support normal agricultural and forestry activities in conjunction with the amount of development permitted in the priority preservation area (.5.H(3));**

The County has recently hired an Agricultural Marketing Specialist to assist in promoting the agricultural industry in Washington County. This position is expected to act as a lobbyist and liaison for the agriculture community.

The County Commissioners have also supported, owned and operated with financial assistance from the State, an Agricultural Education Center. The Education Center holds events year round to promote and educate people about the agricultural industry.

In 2004 the County adopted a Right to Farm Ordinance to help educate the general public about agricultural operations and potential impacts of development. Efforts include notification of all new property owners of the impacts of farming operations such as odor, dust etcetera via a notification signed by the purchaser at the time of settlement. The Ordinance provides a process by which to handle the occasional nuisance complaints that can result from incompatible uses between farmers and other landowners.

- 3. Includes maps showing the county's priority preservation area (.05.H(4));**
See enclosed map, attachment B

- 4. Describes the priority preservation area in the context of the county's growth management plans (.05.H(5));**

As stated in Chapter 2 of the Comprehensive Plan, one of the goals developed is to, "promote a balanced and diversified economy, including agriculture." One of the County's objectives in obtaining this goal is to maintain at least 50,000 acres of land in the County in agricultural production. This acreage goal was developed in the early 1990's in coordination with the Agricultural Extension Office and the University of Maryland based on an evaluation of critical mass and land needed to support the agriculture industry. Through 2007, Washington County has permanently preserved approximately 21,000 acres of farmland and woodlands through various preservation

programs. In accordance with the guidance provided in the Agricultural Stewardship Act of 2006, the additional 30,000 acres of permanently preserved land needed to meet the County's stated goals should equal at least 80 % of the total undeveloped area in the defined priority preservation areas. Previous preservation efforts in Washington County have begun to build three primary blocks of easements. They are generally located in the Clear Spring, Downsville, and Smithsburg areas. To the degree possible, PPA were extended around these existing blocks of easements to include parcels adjacent or in close proximity to existing permanent easements and 10-year districts. Using the County's GIS database, parcels generally located outside of Urban and Town Growth Area boundaries and Priority Funding Areas that are greater than 20 acres and have an agricultural use assessment were used as potential sites for PPA. The areas were further defined by focusing on parcels that were located in close proximity to existing permanent easements as well as existing 10-year districts. Then the soils and forest cover were evaluated to ensure that productive areas were being defined. Finally, Staff focused the primary areas for establishment of PPA around existing "blocks" of agricultural easements located generally in the Clear Spring, Smithsburg, and Downsville areas.

- 5. Describes the way in which preservation goals will be accomplished in the priority preservation area, including the county's strategy to protect land from development through zoning, preserve the desired amount of land with permanent easements, and maintain a rural environment capable of supporting normal agricultural and forestry activities (.05.H(6));**

Prior to 2005, Washington County had two prevailing rural zoning classifications labeled as Agriculture and Conservation. The zoning densities in these two classifications allowed dwelling unit to acreage densities of 1:1 and 1:3. This left the County susceptible to large amounts of sprawl development and threatened the resources the community found most important.

In 2005, the County, adopted zoning densities in the rural areas that reduced development potential from ratios of 1:1 and 1:3, to ratios of 1:5, 1:20 and 1:30. Exemption lots were also assigned to varying degrees in these areas for farmers who may wish to provide lots to family members or need to sell lots to help finance the operation of the farm. The zoning change helps maintain a rural development by limiting the amount of sprawl in Washington County.

The County has participated for nearly 30-years with agricultural land preservation efforts beginning with the Maryland Agricultural Land Preservation Program (MALPP) with nearly 12,000 acres of permanent easement to date. The land preservation program in Washington County has grown to 7 programs including: MALPP, Farm and Ranchland Protection Program (FRPP), Maryland Environmental Trust (MET), Transportation Equity Act Funds (TEA), Green Print, Rural Legacy, and most recently Installment Payment Purchases (IPP's). Another potential funding source currently being explored by the County is a Transfer of Development Rights (TDR) program whereby a privatized system of developer purchased development rights in the Rural Area could be transferred to the Urban Areas. The County has also had some success with donated preservation easements.

- 6. Includes an evaluation of the ability of the county's zoning and other land use management practices to limit the impact of subdivision and development, allow time for easement purchase, and achieve the Foundation's goals before development excessively compromises the agricultural and forest resource land (.05.H(7));**

Even though the development analysis projections show trends toward low growth potential in the Rural Areas of the County, development pressures are still one of the largest challenges to overcome for land preservation programs. In 2005, Washington County took a monumental and proactive approach in limiting sprawl development and protecting land resources in the rural areas by revising its zoning regulations for these areas. Among the changes made was a reduction in zoning densities

from a dwelling unit to acreage ratio of 1:1 and 1:3 to ratios of 1:5, 1:20 and 1:30. These changes have significantly reduced development potential 60 to 70 percent on average on rural land and have consequently reduced the number of dwelling units and their potential to create incompatible uses next to existing agricultural operations. These changes are also allowing more time for local officials to explore and produce mechanisms for land preservation. Therefore, taking into account the recent rezoning of rural lands and the development potential analysis contained in this section, it is not anticipated that adoption of these Priority Preservation Areas will need to add additional land use limitations on parcels in these areas.

7. Identifies shortcomings in the abilities of the county's zoning and land management practices and identifies current or future actions to correct the shortcomings (.05.H(8));

Shortcomings in the County's zoning and land management practices include the additional exemption lots allowed per parcel, as permitted by the Zoning Ordinance. Another shortcoming is the limited number of units allowed per Zoning within the Urban Growth Area since the Urban Growth Area was created for the concentration of development. Higher density developments are often limited due to neighbor reaction, school over-population and the limited water and sewer resources. Due to the limitations it is sometimes easier to create many 1 to 2-lot developments in the Rural Area than development in the Growth Area. In order to correct these shortcomings, we are developing the following strategies.

- A. Educating of public officials and the citizens would be useful. Specifically educating the public about density and how a higher density in the Growth Areas can protect open space and provide quality, reasonably priced housing.*
- B. The continuing encouragement of a County TDR program*
- C. Continue to support the clustering of easements*
- D. Revising the zoning in the UGA to support higher densities where appropriate*

8. Describes the methods the county will use to concentrate preservation funds and other supporting efforts in the priority preservation area to achieve the goals of the Foundation and the county's acreage preservation goal (.05.H(9));

The PPA criteria have been incorporated into the priority ranking system. The criteria includes changes to the easement priority ranking system to help create larger easement blocks and the proximity of existing easements and open space being of high priority.

9. Incorporates by reference of inclusion the county's agricultural land preservation program evaluation and program development strategy (.05.H(10))

It is believed that when the PPA are adopted into the Comprehensive Plan, the evaluation of the preservation program and the program strategy will change. The evaluation will give a higher priority to those located in the PPA designated area to obtain an easement. The strategy will also change to target more farms and farmers that are within the designated PPA area to obtain an Agricultural Preservation Easement.

- C. The Local plan, plan implementation tools, and program development strategy are likely to be successful in controlling development and providing time to achieve State and county goals through easement acquisition in the priority preservation area before the area is excessively compromised by development (06.D)**

The local plan, plan implementation tools and program strategy are likely to be successful in controlling development as an interim success as explained in question 6 on page 6. Our preserved lands map shows the interim success with large blocks already forming in target areas.

IV. The Priority Preservation Area (.05.H) [Does the PPA stabilize land use, limit subdivision, give easement programs time to work, and protect the ability to conduct normal farming activities]:

1. Is large enough to support normal agricultural and forestry activities in conjunction with the amount of development permitted by the county in the priority preservation area under its local plan (.05.H(1)(a));

Proposed PPAs encompass and surround existing preserved farmland, large blocks were located in the area of Smithsburg, Clear Spring and Downsville. By grouping these blocks together it becomes more economically feasible for the farmer. Since there are less conflicts with non-compatible uses such as residential development. In addition larger blocks of farmland allow local farm equipment and feed dealers to stay in business. As previously mentioned the goal developed by the Agricultural Extension Office and the University of Maryland indicated that a minimum of 50,000 acres in agricultural production is needed as a “critical mass” to maintain the agriculture industry.

2. Contains productive agricultural or forest soils (or, where productive soils are lacking, is capable of supporting profitable agricultural and forestry enterprises (.05.H(1)(b));

The large blocks of land designated for the proposed PPAs were established based on existing districts and easements in the MALPF program. The MALPF district and easement program requires that over 50% of the soil capability be in Class I, II, or III or Forestry Groups I or II. In addition, properties not already preserved were selected for PPA in part if they contain soil classes I, II, or III or Forestry groups I or II. In addition orchards located on hilly ground were included since orchards often require such topography to avoid frost damage.

3. Is governed by local policies, ordinances, regulations, and procedures that:

a. Stabilize the agricultural and forest land base so that development does not convert or compromise agricultural or forest resources (.05.H(1)(c)(i)); and

Washington County utilizes the Zoning Ordinance to stabilize the agricultural and forestland base by zoning that allows 1:5, 1:20 and 1:30. This ordinance limits the amount of development that can occur in these zones and prevent large-scale conversion and compromise resources. In addition Washington County adopted an Agriculture Preservation Ordinance in 1980, a 10-year District tax credit ordinance in 1991, and a County Real Estate Transfer Tax Ordinance in 2004 to fund an Installment Payment Program. The County is also undergoing a rezoning of the UGA that will encourage growth in urban areas.

b. Support the ability of working farms in the priority preservation area to engage in normal agricultural activities (.05.H(1)(c)(ii).

In 2004 the County adopted a Right to Farm Ordinance to help educate the general public about agricultural operations and potential impacts of development. Efforts include notification of all new property owners of the impacts of farming operations such as odor, dust etcetera via a notification signed by the purchaser at the time of settlement. The Ordinance provides a process by which to handle the occasional nuisance complaints that can result from incompatible uses.

4. Has been submitted to and certified by the Department and the Foundation under Regulation .06 (.05.H(1)(d));

The Board of County Commissioners approved our PPA plan on October 14, 2008.

V. Evaluation of the County's agricultural land preservation program (.05.E). Does the program evaluation identify the strengths and shortcomings in meeting the goals of the PPA, in each of the following areas:

A. The ability of the county's zoning and other land use management tools to:

- 1. Limit the amount and geographic distribution of subdivision and development in accordance with established agricultural land preservation goals (.05.E(1)(a)(i)). See supporting information under F.1 below.**

The Rural Rezoning that occurred in 2005 successfully limited the amount and distribution of subdivision and development due to the density change that occurred. The rezoning and density change is discussed in question III. B. 6 on page 6.

- 2. Stabilize the land base (.05.E(1)(a)(ii)). See supporting information under F.2 below; and**

With the zoning density change previously mentioned, the land base was stabilized with less developments within agricultural lands. The land base has been further stabilized for agricultural land, by large surrounding areas going into easement. The Agricultural Advisory Board has chosen to weigh those applications that are adjacent to other agricultural easements higher so that large blocks of land can be preserved. This also included a weighting of lands next to open space easements.

- 3. Provide time for agricultural preservation easement acquisition to achieve State and local preservation goals before the agricultural land resources is excessively compromised by development (.05.E(1)(a)(iii)).**

The previously mentioned zoning change significantly decreased the number of development rights permitted on the agricultural land. Farmers are further encouraged to at least temporarily preserve farmland with the added bonus of property tax credits offered by the County for committing to 10-year Agriculture Districts.

B. The ability of combined State, local and other agricultural preservation easement acquisition programs to permanently preserve lands in the county's Priority Preservation Area and at a rate sufficient to achieve State and local preservation goals. (.05.E(1)(b))

The combination of State, local and other easement acquisition programs to preserve land in the PPA have given Washington County a good base to expand on. The Agricultural Advisory Board is proposing to utilize State money specifically MALPP money only in the PPAs. Through a combination of existing purchased development rights programs, donated development rights programs and the pending TDR the County hopes to achieve the goal of 50,000 acres.

C. The degree to which county land use and other ordinances and regulations restrict or otherwise interfere with the conduct of normal agricultural activities in the priority preservation area (.05.E(1)(c)). See supporting information under F.4 below;

County regulations and ordinances were specifically designed to provide farmers with the greatest protection and least amount of hassle to perform normal agricultural operations. The Zoning Ordinance restricts non-compatible rural uses while providing the greatest amount of flexibility for farm operations.

- D. The ability of county zoning, subdivision, and development regulations and policies to minimize the degree to which development in the priority preservation area interferes with normal agricultural activities (.05.E(1)(d)). See supporting information under F.5 below; and**

The Zoning Ordinance contains provisions designed to minimize the degree to which development interferes with normal agricultural activities. These provisions include buffering existing farms and residential structures, and the inclusion of the Right to Farm Ordinance in real estate transfer and notification of new residential owner. In addition, the establishment of a designated Urban Growth Area and Town Growth Areas, which allows a higher density of dwelling units, assists in reducing the development of rural areas.

- E. The ability of county and other farming assistance programs to support profitable agriculture and forestry activities in the priority preservation area (.05.E (1)(e)).**

Washington County farmers have received considerable support from the Agricultural Extension Office and from the Soil Conservation Service for many years. More recently the county has added a full time Agricultural Marketing Specialist, whose job will be apply for and receive grants for farm related projects and activities.

- F. The evaluation shall be supported by statistics and other factual information necessary to evaluate the county's agricultural land preservation program, such as:**

- 1. A description of the amount of subdivision and development allowed on land within zoning districts comprising the priority preservation area, including base density and additional lots allowed for clustering, density transfers between parcels, and any other provisions affecting lot yields (.05.E(2)(a));**

In 2005, the County, based on recommendations founded by this document, adopted zoning densities in the rural areas that reduced development potential from dwelling units vs. acreage ratios of 1:1 and 1:3, to ratios of 1:5, 1:20 and 1:30. Exemption lots were also assigned to varying degrees in these areas for farmers who may wish to provide lots to family members or need to sell lots to help finance the operation of the farm. Based on a development analysis of the designated PPAs, with the current zoning designations of 1:5, 1:20 and 1:30 accompanied by exemption lot potential, the development potential in these areas is approximately 7200 units. While this number may seem high, it is important to note that this figure has no projection date for total absorption and these findings need to be put into context with the County's historic growth patterns.

- 2. The numbers and locations of residential parcels and acres subdivided and developed within the priority preservation area during the most recent five-year period (.05.E(2)(b));**

Please see attachment C

- 3. The total acreage and locations of farms and parcels permanently preserved and recorded as permanent easements in the land records of the county during the most recent five-year period (.05.E(2)(c));**

The total acreage of parcels permanently preserved and recorded in the land records in the past five-year period is 4,310.195. For locations please see Attachment C.

- 4. The constraints and restrictions placed by county ordinances and regulations on normal agricultural activities by county ordinances and regulations, such as minimum setbacks from property boundaries (.05.E(2)(d)); and**

There are some ordinance constraints and restrictions placed on agricultural activities. The Zoning Ordinance includes within the Agricultural Rural, Environmental Conservation and Preservation zones. Restrictions include lots must consist of minimum lot area of 3 acres, lot width 300 ft, front yard 50 ft, side yard 50 ft, rear yard 50 ft. Most of the ordinances exempt agricultural land and agricultural uses within reason. The animal control ordinance has a provision exempting farm animals. The ordinance still requires owners not be abusive to their animals and to have all dogs licensed. The Right to Farm Ordinance also has constraints mentioned in question III B.2 on page 5.

5. The constraints and restrictions placed by county ordinances and regulations on non-agricultural development activities, in order to minimize conflicts with normal agricultural activities within the priority preservation area (.05.E(2)(e)).

In 2004 the County adopted a Right to Farm Ordinance to help educate the general public about agricultural operations and potential impacts of development. Efforts include notification of all new property owners of the impacts of farming operations such as odor, dust etcetera via a notification signed by the purchaser at the time of settlement. The Ordinance provides a process to handle the occasional nuisance complaints that can result from incompatible uses. Also, with the Zoning Ordinance change in 2005 setbacks were increased in areas that non-agricultural uses about farmland.

VI. Program development strategy (.05.F). The County's application for certification describes the way in which the goals of the program will be accomplished in the county's priority preservation area, including the county's strategy to protect land from development through zoning, preserve the desired amount of land with permanent easements (50,000 acres), and maintain a rural environment capable of supporting normal agricultural and forestry activities, a strategy that includes the following:

A. A schedule of activities the county will undertake to overcome shortcomings in the ability of county tools identified in the evaluation (.05.F(3)); and

Updating a portion of the Comprehensive Plan to reflect the addition of PPAs into the plan. Improve Agricultural Marketing by working closely with the new marketing coordinator mentioned in III.B.2 on page 5. Meet with members of the community to discuss donation of a portion of their land to help match the purchase of the rest of their land. Meet with Mennonite community to discuss the future of agriculture.

B. A schedule of milestones according to which the county hopes to overcome the identified shortcomings, including but not limited to change the county intends to make or pursue in:

1. The County Comprehensive Plan, Zoning, Land Use Management Tools and related regulations and procedures (.05F(4)(A))

The County Comprehensive Plan is currently being looked at for its 6-year review. The County Zoning Ordinance included a Comprehensive Rural Rezoning in 2005 and minor rezonings have continued. Even with the 6-year review upcoming, the new PPA section is currently going through the process of being added to the Comprehensive Plan.

2. County Easement Acquisition Programs (.05.F(4)(B));

The Board of County Commissioners reviewed the process for ranking agricultural easement acquisition programs. The County Commissioners opted to weigh applications that are adjacent to other agricultural easements higher than applications that were adjacent to protected open space. The Agricultural Advisory Board felt that a higher weighing should be given to agricultural easements, as

this is an agricultural program. The County Commissioners also took into account the lots that were withheld and previously subdivided based on the percentage of lot rights remaining.

3. County ordinances, regulations, or procedures supporting or restricting normal agricultural activities (.05F(4)(c))

The Zoning Ordinance does contain provisions for buffering existing farms around residential structures. The Ordinance requires that any residential use adjacent to a farm must have a fifty-foot buffer on each edge that touches the farm. It is not believed that the County will issue other ordinances or procedures to restrict normal agricultural activities. See question 4 below.

4. County ordinances, regulations or procedure limiting non-agricultural development activities that might interfere with the conduct of normal agricultural activities (.05F(4)(f))

As mentioned above the Zoning Ordinance does contain provisions for buffering existing farms around residential structures. The Right to Farm Ordinance has provisions for a real estate transfer disclosure statement notifying any new residential owner of agricultural operations that they may be subject to by living near a operating farm. See V.F.5 on page 11 for more information.

5. County strategies or mechanisms to fund easement acquisition (.05.F(4)(e)); and
The County developed the Installment Payment Plan as a mechanism to fund easement acquisition. The County pays for the easement of the land over a 10-year period with a 3% interest rate. The money to fund this mechanism comes from the County Real Estate Transfer Tax, it is hoped that by spreading the payment amount out to 10-years more easements will be able to be bought with limited funds.

6. Farming assistance programs and activities (.05.F(4)(f))
In addition to the above-mentioned programs we are vigorously perusing donated easement and Federal and private matching funds. Working with MET we have secured three donated easements. Also through discounted easement values we have saved over 1 million dollars since 2006.

VII. Program Data (.05.G). The County's application for certification contains the following:

- A. An inventory, in digital or tabular form, of the properties that have been permanently preserved by a recorded easement (.05.G(1))
- B. If in digital form, the content and format of the inventory must be approved by the Maryland Department of Planning (.05.G(2))
- C. If in tabular form, the inventory includes, for each property, the following:
 1. The number of each the tax map on which the parcel comprising the easement occurs (.05G(3)(a))
 2. Each grid cell number of each tax map for each parcel comprising the easement. (.05G(3)(b))
 3. Each parcel number through which the property can be identified on the tax map (.05G(3)(c))
 4. The total number of acres of the easement property (.05G(3)(d))
 5. The date on which the permanent easement became effective (.05G(3)(e))
 6. The preservation program which holds the conservation easement (.05G(3)(f))
 7. The means through which the easement was acquired, such as purchase, transfer of development rights between private parties, or other means specified by the county (.05G(3)(g))
 8. The easement purchase price, if easement was purchased through or with financial assistance from a government program (.5G(3)(h))

VII. C	1	2	3	4	5	6	7	8
AD-82-003	46	1	264	230	1/16/1991	MALPF	Purchase	\$107,000.00
AD-82-003	46	1	264	230	2/18/1986	MALPF	Purchase	\$92,911.85
AD-90-031	26	23	111	70.72	6/6/2008	MALPF	Purchase	\$150,355.90
AD-91-042	21	22	49	135.15	11/9/1998	MALPF	Purchase	\$154,272.50
AD-91-011	28	19	31	180.46	7/30/2002	MALPF	Purchase	\$300,928.32
AD-89-003	56	12	138	164.61	2/15/1991	MALPF	Purchase	\$654,440.00
AD-95-006	22	20	32	190.3	9/17/2007	MALPF	Purchase	\$1,226,305.09
AD-95-007	22	20	30	199.51	9/17/2007	MALPF	Purchase	\$1,616,090.95
AD-80-002	47	11	5	245.64	12/21/1982	MALPF	Purchase	\$226,550.62
AD-90-015	66	3	22	145.28	1/29/1999	MALPP	Purchase	\$216,375.00
AD-97-009	66	11	16	253.9	4/8/2008	MALPF	Purchase	\$1,544,826.88
AD-99-012	61	22	7	260	12/3/2002	MALPF	Purchase	\$522,514.20
AD-99-013	61	22	7	188.29	5/7/2004	MALPF	Purchase	\$407,961.89
AD-88-003	76	11	266	158.42	4/28/1997	MALPF	Purchase	\$225,210.00
AD-90-002	76	17	16	152.88	8/30/1993	MALPF	Purchase	\$225,210.00
AD-91-027	21	23	50	145	11/14/2001	MALPF	Purchase	\$352,680.48
AD-91-028	21	23	50	130	8/20/2002	MALPF	Purchase	\$272,147.43
AD-91-029	21	23	50	118	5/11/2006	MALPF	Purchase	\$390,504.03
AD-90-012	61	12	2	100.38	2/7/1995	MALPF	Purchase	\$159,008.00
AD-90-001	59	2	364	100	3/19/1997	MALPF	Purchase	\$160,050.00
AD-90-043	21	5	2	129.62	5/7/2003	MALPF	Purchase	\$153,444.00
AD-90-042	21	5	2	132.63	3/5/1998	MALPF	Purchase	\$153,144.00
AD-80-001	68	23	59	178.59	3/10/1983	MALPF	Purchase	\$139,112.00
AD-03-007	35	3	55	144.18	7/9/2008	MALPF	Purchase	\$1,098,023.06
AD-91-020	21	16	24	247.63	12/17/2003	FRPP	Purchase	\$565,319.30
AD-91-055	66	4	104	237.76	9/8/2004	FRPP	Purchase	\$530,754.57
AD-90-025	76	23	17	186.32	8/26/1996	MALPF	Purchase	\$213,975.77
AD-91-033	21	18	156	143.68	11/6/2001	FRPP	Purchase	\$332,858.33
AD-97-008	13	22	33	123.56	1/6/2006	FRPP	Purchase	\$485,212.27
AD-90-007	34	12	13	150.51	8/30/1993	MALPF	Purchase	\$228,018.70
AD-80-006	61	20	55	232.44	4/29/1996	MALPF	Purchase	\$343,267.65
AD-83-003	61	11	10	200.55	9/6/1985	MALPF	Purchase	\$169,000.00
AD-89-005	27	1	26	183.99	8/25/1995	MALPF	Purchase	\$250,088.45
AD-89-005A	27	7	74	172.12	7/26/2000	MALPF	Purchase	\$423,324.71
AD-98-001	64	8	88	129	1/2/2001	MALPF	Purchase	\$229,120.00
AD-90-023	35	2	56	145	9/8/2004	MALPF	Purchase	\$288,000.00
AD-80-007	21	24	51	146.28	7/7/2000	MALPF	Purchase	\$290,000.00
AD-80-007A	21	24	51	146.28	7/7/2000	MALPF	Purchase	\$286,000.00
AD-90-062	68	3	197	145.04	4/14/2000	FRPP	Purchase	\$309,686.00
AD-88-001	76	17	11	142.46	7/7/1989	MALPF	Purchase	\$155,386.00
AD-01-002E	45	2	19	200.04	1/24/2006	MALPF	Purchase	\$344,600.00
AD-01-002F	45	2	19	209.01	8/29/2007	MALPF	Purchase	\$465,102.75
AD-01-002G	45	2	19	210.92	5/5/2008	MALPF	Purchase	\$691,897.57
AD-91-014	26	11	353	41.6	12/18/2002	MALPF	Purchase	\$250,313.42
AD-91-014	26	12	122	71.68	12/18/2002	MALPF	Purchase	\$250,313.42
AD-91-017	26	10	25	55.5	3/23/2004	MALPF	Purchase	\$161,781.62
AD-90-027A	26	16	77	30	6/6/2008	MALPF	Purchase	\$52,014.90
AD-90-017	22	11	106	149.64	4/14/2008	MALPF	Purchase	\$1,096,969.98
AD-88-004	72	22	140	378.215	9/24/1990	MALPF	Purchase	\$259,586.80
AD-84-002	75	6	3	448	12/31/1986	MALPF	Purchase	\$268,000.00
AD-92-011	73	8	66	123.83	9/12/2000	MALPF	Purchase	\$214,900.00

VII. C	1	2	3	4	5	6	7	\$8.00
AD-02-003	6	14	1	153	4/18/2005	MALPF	Purchase	\$275,962.74
AD-88-002	6	19	4	596.82	6/13/1905	MALPF	Purchase	\$237,928.00
AD-90-073	22	14	46	74.93	12/29/2000	MALPF	Purchase	\$145,588.99
AD-90-073A				114.62	12/29/2000	MALPF	Purchase	\$222,704.72
AD-90-021	63	19	113	157	5/21/1998	MALPF	Purchase	\$319,809.00
AD-99-002	21	17	17	264.13	12/6/2005	MALPF	Purchase	\$570,230.03
AD-89-002	47	6	1	191.09	7/24/2007	MALPF	Purchase	\$552,254.77
AD-94-006	84	15	38	130	10/26/1999	MALPF	Purchase	\$189,570.00
AD-90-020	22	13	47	125	8/16/1994	MALPF	Purchase	\$187,256.15
AD-83-002	26	16	75	314	12/19/1986	MALPF	Purchase	\$208,500.00
AD-91-013	13	20	25	108.92	8/12/2003	MALPF	Purchase	\$246,482.98
AD-90-08	60	21	21	190.88	12/3/2002	MALPF	Purchase	\$400,644.14
AD-97-004	8	22	29	130.2	7/27/2006	IPP	Purchase	\$379,682.49
AD-90-032	26	16	76	115.62	6/22/2006	IPP	Purchase	\$317,947.26
AD-91-026	66	8	25	65	11/9/2006	IPP	Purchase	\$256,000.00
AD-90-041	86	3	284	120	6/8/2007	IPP	Purchase	\$676,340.62
AD-02-008	68	3	3	125.1	12/4/2007	IPP	Purchase	\$1,188,450.00
AD-02-009	66	3	69	53.34	12/5/2007	IPP	Purchase	\$594,059.00
AD-91-044	39	8	26	175.25	6/20/2007	IPP	Purchase	\$1,125,530.00
AD-91-001	67	7	41	252.74	5/1/2006	IPP	Purchase	\$1,006,960.00
AD-04-001	61	12	11	90.14	6/25/2008	IPP	Purchase	\$680,850.00
RL-05-03	67	3	15	155	5/25/2007	RL	Purchase	959,010.93
RL-02-06	72	8	106	34.15	7/29/2004	RL	Purchase	73,491.23
RL-00-02	80	6	62	40	1/24/2003	RL	Purchase	85,220.07
RL-04-01	73	14	73	108.81	5/7/2004	RL	Purchase	211,680.66
RL-00-01	80	6	131	91	8/16/2001	RL	Purchase	202,204.80
RL-00-03	67	20	139	255.84	1/26/2001	RL	Purchase	522,106.61
RL-99-05	77	13	74	57	4/27/2001	RL	Purchase	115,238.46
RL-01-03	77	2	47	280.76	1/31/2002	RL	Purchase	682,589.45
RL-01-03	73	15	74	126.25	1/31/2002	RL	Purchase	320,339.40
RL-99-02	77	7	312&109	22.39	10/19/2001	RL	Purchase	159,525.00
RL-05-01	80	22	330&328	75.49	5/5/2006	RL	Purchase	286,066.44
RL-99-04	83	4	27	131.41	10/4/2000	RL	Purchase	204,000.00
RL-99-08	80	14	8	105.14	2/13/2002	RL	Purchase	234,313.96
RL-02-03	83	5	234	45.96	5/31/2002	RL	Purchase	104,550.27
RL-99-03	83	10	11	315.6	9/26/2000	RL	Purchase	560,000.00
RL-02-05	83	4	232	35.79	1/31/2003	RL	Purchase	65,528.90
RL-02-04	80	20	130	161.41	9/29/2003	RL	Purchase	320,529.92
AD-91-036	81	13	42	203.89	5/23/2008	RL	Purchase	925,000.00
RL-02-011	77	10	199	97	6/11/2003	RL	Purchase	201,563.52
RL-99-01	58	17	399	185.38	9/28/2000	RL	Purchase	345,560.76
RL-01-02	76	1	1	136.84	1/4/2002	RL	Purchase	298,331.81
RL-01-01	72	19	9	124.72	1/4/2002	RL	Purchase	271,713.86
RL-03-02	83	12	92	135	3/26/2004	RL	Purchase	289,906.40
RL-02-12	77	3	48	99.98	12/4/2003	RL	Purchase	230,086.99
RL-02-002	77	11	39	183.165	2/24/2003	RL	Purchase	371,321.48
RL-00-004	67	19	81&16	263.02	1/4/2002	RL	Purchase	623,568.46
RL-07-001	72	6	60	204.81	12/20/2007	RL	Purchase	813,360.00
RL-02-011	81	1	389	53.88	2/24/2005	RL	Purchase	123,575.81
RL-99-06	77	8	83	43	1/29/2001	RL	Purchase	92,314.62

Attachment A

The County Agriculture Advisory Board has approved this application for certification.

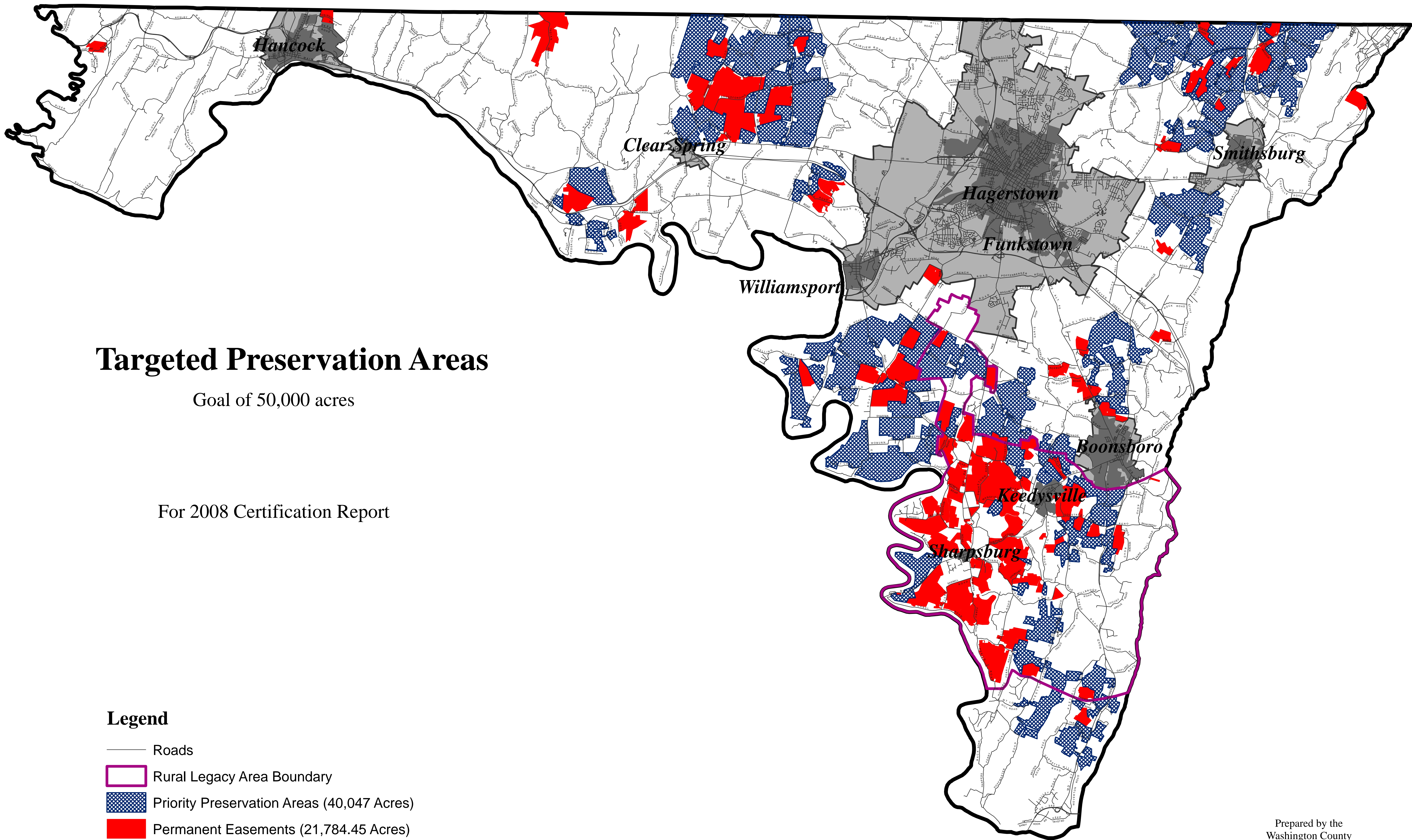
(David Herbst, Chairman)

The County Planning Commission has approved this application for certification

(George Anikis, Chairman)

The Board of County Commissioners has approved this application for certification

(John Barr, Commissioner President)



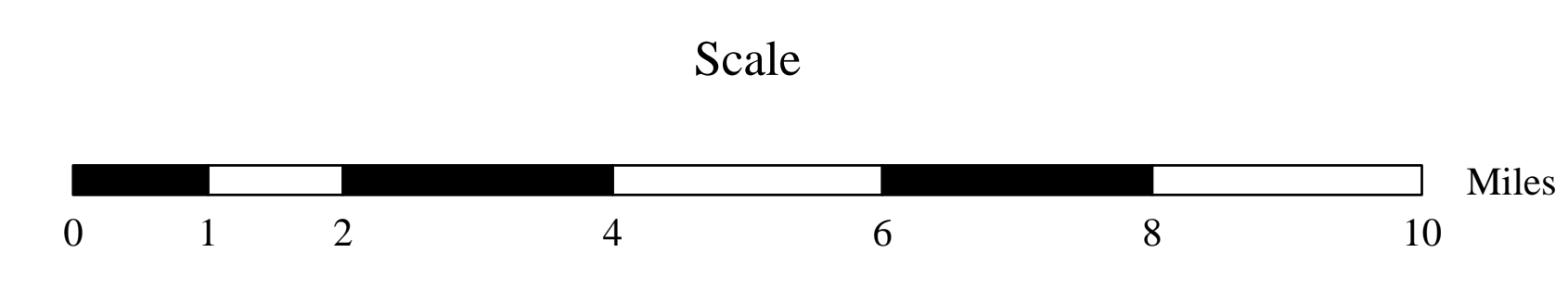
Targeted Preservation Areas

Goal of 50,000 acres

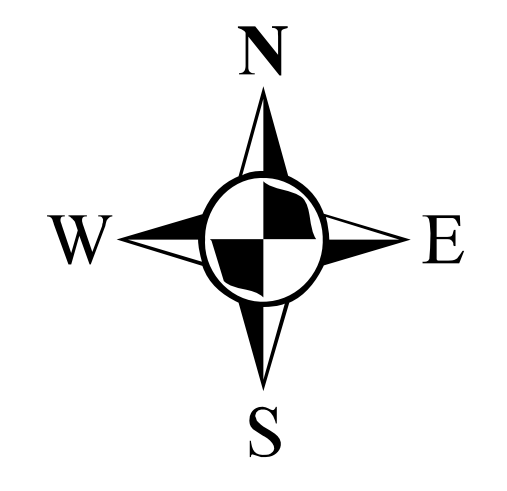
For 2008 Certification Report

Legend

- Roads
- ▭ Rural Legacy Area Boundary
- ▨ Priority Preservation Areas (40,047 Acres)
- Permanent Easements (21,784.45 Acres)
- ▭ County Boundary
- Municipalities
- ▭ Growth Area Boundaries



10-23-2008



Prepared by the
Washington County
Planning Department
Geographic Information Systems

Data Sources:
U.S. Census Bureau
MD Office of Assessment & Taxation
MD Department of Planning
MD State Highway Administration
Washington County Planning Dept.

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Board of County Commissioners Agenda Report

Washington County, Maryland

Open Session ✓

From: The Hagerstown-Washington County CVB and the Journey Through Hallowed Ground National Heritage Area

Presentation By: CVB President Tom Riford; Jaime McClug and Cate Wyatt JTHG

Presentation Date: November 4, 2008

Subject: Update on Journey Through Hallowed Ground National Heritage Area, Support for All American Road within the National Scenic Byway program

Recommendations: Washington County is in support of the Journey Through Hallowed Ground National Heritage Area. Congress passed legislation recently, and the President signed into the law heritage area designation.

Report-in-brief: The heritage area is providing the commissioners an update, and also asking for support for US Route 15 All American Road within the National Scenic Byway program – while this impacts Frederick County, it also positively impact Washington County, because people take side trips off heritage tourism corridors to explore (Antietam, etc).

Discussion: The national heritage area, and All American Road within the National Scenic Byway program can bring in federal grant money to help with tourism efforts. Also, through increased marketing and awareness, Washington County benefits through being part of the heritage area.

Concurrences (If Applicable):

Fiscal Impact (If Applicable): None