

*BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2014*

*Issued: November 6, 2014
Work Session: November 12, 2014
Legislative Day No. 19: November 17, 2014*

*The accompanying notes are
compiled from unaudited
information provided by
the Administration and
other sources.*



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

November 17, 2014

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2014, LEGISLATIVE DAY NO. 19
NOVEMBER 17, 2014 6:00 P.M.**

CEB = CURRENT EXPENSE BUDGET
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE

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CALL OF BILLS FOR FINAL READING AND VOTE

COUNCIL

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COUNCIL

4. Res. 106-14 - Mrs. Bevins - Property Tax Exemption - DAV - Robert Adair
5. Res. 107-14 - Mr. Oliver - Property Tax Exemption - DAV - Jerrod R. Harris
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7. Res. 109-14 – Mr. Olszewski – Property Tax Exemption - DAV - Charles C. Busch

Bill 65-14

Council District(s) All

Mr. Huff

Zoning Regulations – Agricultural Tourism

Bill 65-14 is a measure to combine the County's rural, agricultural legacy with value-added agriculturally related tourism activities in order to create a framework for "Agricultural Tourism." Agricultural Tourism is an opportunity for those involved in commercial agricultural production to provide additional entertainment and educational offerings to citizens in Baltimore County and other nearby locales. When agriculture and tourism are combined in this unique way, it enhances the County's agricultural economy and helps create economic diversification and stability in the industry; it allows County commercial agricultural operators to create a dependable, secondary source of revenue to mitigate the uncertainties of weather, disease, and crop prices in order to continue the viability of the entire agricultural industry.

The bill defines "Agricultural Tourism" or "agri-tourism" as the practice of visiting a farm engaged in commercial agriculture for the purpose of value-added agriculturally related uses, including recreation, education, or active involvement in the operation. A number of agricultural producers are already engaged in some forms of agricultural tourism, but there has been little formal recognition of the term, nor much uniformity in how the various producers carry out their own forms of agricultural tourism.

Bill 65-14 provides such uniformity by setting forth regulations and limitations on what activities are permitted in certain R.C. (Resource Conservation) Zones. In particular, the bill allows a number of agriculturally related uses (many of which are already being offered) by right on a farm engaged in commercial agriculture. The term "commercial agriculture" has significance in the bill because it is a term specifically defined in the Baltimore County Zoning Regulations as land used to cultivate plants or raise or keep animals for income, provided that the land also qualifies for the farm or agricultural use assessment pursuant to Section 8-209 of the Tax-Property Article of the Annotated Code of Maryland. Hence, the bill would limit the agriculturally related by-right activities only to working farms that qualify for the farm or agricultural use assessment. The bill also requires that the income derived from the agri-tourism use be less than 50% of the total revenue of the commercial agricultural operation.

These agriculturally related activities include wagon, sleigh, and hay rides; seasonal haunted houses; corn mazes, straw mountains, and pumpkin patches; horseback lessons and trail riding; petting zoos, animal displays, and pony rides; seasonal self-pick fruit and vegetable operations; nature trails; agricultural education; historical agricultural exhibits; food and beverage tasting of agricultural products produced primarily on site; bakeries selling goods containing produce grown primarily on site; and gift shops of primarily agricultural and agriculturally related products.

Although the bill permits the above activities by right, it does require compliance with the applicable parking provisions set forth in Section 409 of the Zoning Regulations and permits the Director of Permits, Approvals and Inspections to prescribe any necessary site alterations or improvements to ensure public safety and reduce impervious surfaces. Moreover, failure to comply with parking requirements constitutes a code violation and allows the Director to stay the agri-tourism use until compliance is achieved or the matter is adjudicated.

The bill also limits the hours of operation from 7:00 a.m. to 11:00 p.m., permits seasonal signage during the agri-tourism use, and permits existing and legally erected accessory structures to be used to support the agri-tourism use.

Finally, in the event of disputes involving the agri-tourism uses, the bill requires complaints received by the Division of Code Enforcement, along with their investigatory material, to be submitted to the Agricultural Land Preservation Advisory Board. Prior to action by Code Enforcement, the Board reviews the complaint, the investigation, and any response to the complaint, and makes comments and recommendations for consideration by the Code Official or Administrative Law Judge, if applicable.

Bill 65-14 shall take effect 45 days after its enactment.

FM-1 (Contract)

Council District(s) All

Police Department

Professional Veterinarian Services – K-9 Unit

The Administration is requesting approval of a contract with Paradise Animal Hospital, LLC to provide professional veterinarian services for the dogs assigned to the Police Department’s K-9 Unit. The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods. Compensation may not exceed the amount appropriated for these services. Estimated compensation totals \$26,557 for the initial 1-year term and \$148,000 for the entire 5-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation	Notes
County ⁽¹⁾	\$ 26,557	\$ 148,000	⁽¹⁾ General Fund Operating Budget.
State	--	--	⁽²⁾ Estimated compensation for the initial 1-year term. Compensation may not exceed the amount appropriated for these services.
Federal	--	--	⁽³⁾ Estimated compensation for the entire 5-year term, including the renewal periods.
Other	--	--	Compensation may not exceed the amount appropriated for these services.
Total	<u>\$ 26,557</u> ⁽²⁾	<u>\$ 148,000</u> ⁽³⁾	

Analysis

The contractor will provide professional veterinarian services for the dogs assigned to the Police Department’s K-9 Unit, including examinations, vaccinations, medications, lab tests, and cleanings, among other services. In addition, the contractor will provide assistance and expertise in screening prospective dogs for the Unit, evaluating the fitness for duty of existing dogs, and advising the Department on other canine-related issues. The Department advised that the K-9 Unit currently has 28 dogs that are used for patrol, criminal apprehension, search and rescue, and detection of narcotics, bombs, guns, cadavers, and missing persons.

The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods unless the County provides notice of non-renewal. The contract provides that total compensation paid to the contractor may not exceed the amount appropriated for these services during the term of the agreement, including the renewal periods. Estimated compensation totals \$26,557 for the initial 1-year term and \$148,000 for the entire 5-year term, including the renewal periods.

The contract provides for veterinary services at the proposed unit prices for each service listed in the contractor's bid. In addition, the contractor will provide discounts from its normal fee schedule (20% for products and laboratory tests) for items not specified in the bid. Prior to the commencement of each renewal term, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The contract was awarded through a competitive procurement process based on low bid from two bids received.

On December 7, 2009, the Council approved a 5-year contract with Paradise Animal Hospital, LLC for the same services with compensation limited to the amount appropriated for these services. The Office of Budget and Finance, Purchasing Division advised that as of October 30, 2014, \$155,313 has been expended/encumbered under this contract.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

EXECUTIVE SUMMARY

The Baltimore County Police Department (BCPD) K-9 Unit is comprised of twenty-five (25) sworn members handling a total of twenty-eight (28) dogs. The K-9 is primarily a backup unit to the BCPD where responsibilities range from criminal apprehension with patrol dogs to the detection of drugs, bombs/guns, cadavers and missing persons. The BCPD is called upon many times to assist other jurisdictions and States.

PAH, Inc. t/a Paradise Animal Hospital, the contractor, will provide professional veterinarian services for the dogs assigned to the K-9 Unit. Additional services would include the necessary help and expertise in screening prospective dogs for the unit (hip x-rays), evaluations of existing dogs and consultation on canine related issues.

FM-2 (Contract)

Council District(s) All

Department of Public Works

On-Call Snow Removal and Salt Application Services

The Administration is requesting approval of a contract with Chesapeake Tree & Outside Services, LLC to provide on-call snow removal and de-icing services. The contract commences upon Council approval, continues through April 30, 2015, and may be renewed for nine additional years (November 1 through April 30 constitutes a snow season). Compensation for this contract, together with all other contracts for these services, may not exceed the amount appropriated for snow removal and salt application services.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation
County	*	*
State	--	--
Federal	--	--
Other	--	--
Total	* (1)	* (2)

(1) The hourly rate for the contractor is \$110 or \$145, depending on the type of equipment provided, with no specified maximum compensation. The contract, together with all other contracts for these services, is limited in the aggregate to the amount appropriated for snow removal and salt application services. The contract amount is not reasonably estimable at this time.

(2) Maximum compensation together with all other contracts for these services for the entire approximate 9-year and 5½-month term, including renewals, may not exceed the amount appropriated for snow removal and salt application services each year. The amounts are not reasonably estimable at this time.

Analysis

In accordance with the Department’s snow removal plan, responsibility for most Priority 1 routes (i.e., roads with traffic volumes of at least 10,000 vehicles per day) will be assigned to contractors, allowing the County to focus its efforts on subdivision streets more quickly.

The contract commences upon Council approval, continues through April 30, 2015, and may be automatically renewed for 9 years on the same terms and conditions unless the County provides notice of non-renewal. A snow season begins November 1st and ends April 30th. The contract does not establish a fixed dollar amount; rather, it states that "In no event shall the compensation paid to the contractor together with all other contractors for snow removal and salt application services exceed the...approved appropriation during the entire term of this agreement including renewals thereof." The Department advised that an estimated amount for this contract is undeterminable due to the unpredictable nature and timing of snow falls (i.e., density and depth of snow falls, number of snow falls occurring during the season). The County may terminate the agreement by providing 30 days prior written notice.

The FY 2015 budget for the Storm Emergencies Program totals \$5,987,025, including \$1,101,025 for contractual services.

Chesapeake Tree & Outside Services, LLC will provide one 1-ton pickup truck with a plow and spreader at an hourly rate of \$110 and one single-axle dump truck with a plow and spreader at an hourly rate of \$145. The contractor will be paid based on the actual hours the equipment is in service, including up to 2 hours for travel time (1 hour each to and from the County highway shop). Additionally, the minimum work shift for any dispatched truck is 4 hours. The County will provide all rock salt for spreading on road surfaces.

The Office of Budget and Finance, Purchasing Division advised that the pricing and contract terms are based on similar contracts established by the State of Maryland. However, hourly rates may be changed at the time of each annual renewal based on the rates in effect with the state at that time. The state contract includes an additional incentive payment to the contractor after the snow season ends in the amount of \$500 per truck if the contractor was available and present for all snow events. The County's contract also includes this incentive payment.

In procuring these services, the Department requested and received a waiver of a sealed bid process from the Administrative Officer due to the competition with surrounding jurisdictions. Accordingly, the contractor was selected on a non-competitive basis.

For the 2014/2015 snow season, the Department advised that it has approximately 175 pieces of snow removal equipment (e.g., trucks, loaders, backhoes, and graders) available from its Bureau of Highways and Equipment Maintenance and Bureau of Utilities, the Department of

Recreation and Parks, and the Department of Education. The County currently has contracts with 46 contractors, excluding this contractor, which provides a total of 150 trucks and 47 loaders to supplement the County's snow removal and salt application efforts this winter.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

FM-3 (Amended & Restated Contract)

Council District(s) 7

Department of Permits, Approvals and Inspections

Dundalk Government Center

The Administration is requesting approval of an amended and restated contract of sale with Merritt Pavilion, LLC (an affiliate of Vanguard Commercial Development, Inc., the original buyer) related to the North Point Government Center surplus property located at 7701 Wise Avenue in Dundalk. The amended and restated contract transfers responsibility for the construction of a recreation center and ball fields from the buyer to the County, including the acquisition of necessary permits and approvals; increases the size of the recreation center by 3,395 square feet, from 21,000 square feet to 24,395 square feet; and increases the sale price from \$2,105,355 to \$7,600,000, with the revised sale amount to consist of \$2,283,100 in cash, \$3,147,117 in deferred payments, and \$2,169,783 in foregone future anticipated revitalization property tax credits. The original contract of sale was executed December 2, 2013. See Exhibit A.

Fiscal Summary

Amended Sale Price	Notes
\$ 7,600,000	Revenue from the sale of property to Merritt Pavilion, LLC. The original sale price of the 15.758-acre property was \$2,105,355; the price was amended to reflect the current appraised value of the property, which accounts for the County's assumption of the cost of certain site work and recreation center improvements (currently estimated by the Administration at \$5 million) and the anticipated retail uses under the proposed PUD plan.

Analysis

On December 2, 2013, the Council approved a contract to sell approximately 15 acres of surplus property, zoned DR-10.5 (Density Residential – 10.5 dwelling units/acre), located at 7701 Wise Avenue, to Vanguard Commercial Development, Inc. The property is the site of the

North Point Government Center in Dundalk, which is comprised of a police precinct, government offices, recreational space, and a communication tower the County will retain. The contract also provided that the developer would fund and construct improvements (e.g., enhancements to existing athletic fields, a recreation center) to a separate 12-acre parcel the County is retaining.

The proposed amended and restated contract transfers responsibility for the construction of a recreation center and ball fields from the buyer (now Merritt Pavilion, LLC, an affiliate of Vanguard) to the County, including the acquisition of necessary permits and approvals; increases the size of the recreation center by 3,395 square feet, from 21,000 square feet to 24,395 square feet; and increases the sale price from \$2,105,355 to \$7,600,000. The contract specifies that the County must attempt to complete the construction of the recreation facilities by December 31, 2015. The contract also specifies that of the \$7.6 million purchase price, Merritt Pavilion, LLC must pay \$2,283,100 into an escrow account to be transferred to the County at the time the transaction closes. The buyer is also agreeing to relinquish its right to forego property tax payments under the County's Revitalization Tax Credit program in return for receiving an agreed-upon present cash value of \$2,169,783 applied as a credit to the purchase price at the time the transaction closes. The balance of the purchase price, \$3,147,117, will be paid in semi-annual payments at an annual interest rate of 4%, beginning six months after the transaction closes. According to the proposed revised and restated contract, the agreed-upon present cash value for the foregone future anticipated revitalization property tax credits is based upon an assessed value of \$21 million, a tax rate of 1.1%, and a discount rate of 2.26%.

On July 7, 2014, the Council approved Resolution 52-14 for the development of the property as a planned unit development (PUD). The proposed amended and restated contract of sale states that the County is not approving any rezoning of the property or uses, improvements, layouts, or any other development aspect of the PUD through this agreement.

Two appraisals of the 15.758-acre parcel, which assume retail uses consistent with the proposed PUD plan as well as County assumption of various site costs, were completed in August 2014—one by Everett, Benfield LLC in the amount of \$7.1 million and the other by Muller-Casella Associates, Inc. in the amount of \$7,207,000. After review and analysis, S. David Nantz, Senior Review Appraiser, concurred with the appraisal conducted by Everett,

Benfield LLC and recommended \$7.1 million as the fair market value of the property. The Department advised that the proposed purchase price of \$7.6 million represents a negotiated price.

The Department advised that as of October 27, 2014, the County has incurred costs totaling \$111,000 related to this transaction, including \$11,000 in appraisal expenses and approximately \$100,000 borne by the Office of Budget and Finance, Property Management Division related to the coordination of capital planning for the new recreation center.

The Department advised that some of the existing improvements to the property were funded by Program Open Space development funds and that the County has consulted with the Maryland Department of Natural Resources throughout the process as required by state law.

County Code, Section 3-9-104 requires Council notification of County properties no longer needed for public use. The amended and restated contract will be effective when signed by all parties.

AMENDED EXECUTIVE SUMMARY

PROGRAM TITLE:	Dundalk Government Center
PROJECT NO.:	“0”
FISCAL MATTER:	Amended Contract of Sale
PROPERTY OWNERS:	Baltimore County, Maryland Court House Towson, Maryland 21204
PROPERTY INTEREST TO BE SOLD:	15.758 acres (686,418 sq. ft.) +/-
LOCATION:	Corner of Wise Avenue and Merritt Blvd. Tax Map 103, Parcels 15 & 16
SALE PRICE:	\$7,600,000.00
PURPOSE OF PROJECT:	To obtain Council approval of the Amended Contract of Sale for the sale of County-owned property to Merritt Pavilion, LLC, an affiliate of Vanguard Commercial Development, Inc., located at the SE corner of Merritt Boulevard and Wise Avenue, Dundalk, Maryland 21222.
LIMITS OF PROJECT:	7701-7735 Wise Avenue, Dundalk, Maryland 21222

Prepared by: Department of Permits, Approvals &
Inspections

FM-4 (Contract)

Council District(s) 3

Department of Permits, Approvals and Inspections

Roman Catholic Archbishop of Baltimore – Belfast Road, Sparks, 21152

The Administration is requesting approval of a contract to acquire property totaling approximately 36.7 acres for \$300,000 to be used for passive recreational open space. The Roman Catholic Archbishop of Baltimore currently owns the property, which is located on the south side of Belfast Road, east of Interstate 83, in Sparks. The property is zoned RC-2 (Resource Conservation – Agricultural Protection) and RC-7 (Resource Conservation – Resource Preservation District). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County	--	⁽¹⁾ Program Open Space funds.
State ⁽¹⁾	\$ 300,000	
Federal	--	
Other	--	
Total	<u>\$ 300,000</u>	

Analysis

S. H. Muller & Associates, LLC and Treffer Appraisal Group, consultant appraisers, completed appraisals for the property on June 22, 2013 and November 1, 2013, respectively, recommending values of \$550,600 and \$625,000, respectively. The Department advised that these two appraisals were obtained pursuant to Program Open Space policy for review by the Maryland Department of Natural Resources (DNR). The County was able to reach a negotiated settlement amount of \$300,000, which will be reimbursed with Program Open Space funds.

The 36.7-acre farm and woodland property to be acquired is unimproved and consists of a 2.1-acre parcel and a 34.6-acre portion of an adjacent 51.2-acre parcel.

The Department advised that this acquisition is the only one planned for this project. The Department further advised that at this time there are no plans to develop this property and there are no maintenance costs associated with this acquisition. As of October 16, 2014, \$9,456 has been expended/encumbered for this project, excluding the cost of this acquisition.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.

EXECUTIVE SUMMARY

PROGRAM TITLE: Belfast Road (R-493)

PROJECT NO.: 212-0601-0478

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Roman Catholic Archbishop of Baltimore

LOCATION: Belfast Road
Sparks, Maryland 21152

CONSIDERATION: \$300,000.00

PURPOSE OF PROJECT: This contract is for the purchase of two parcels (Parcel 78 and Parcel 168) totaling 36.708 acres. Program Open Space acquisition funds will be applied to reimburse the full purchase price. Two outside consultant appraisals were obtained, pursuant to Program Open Space policy. The land will be maintained as passive open recreational space.

LIMITS OF PROJECT: Acquisition Only

Prepared by: Department of Permits, Approvals &
Inspections

MB-1 (Res. 98-14)

Council District(s) 3

Mr. Huff

Review of PUD – 15 W. Aylesbury Road

Resolution 98-14 approves the review of a proposed Planned Unit Development (PUD) in the 3rd Councilmanic District.

Bill 5-10 substantially revised the process for the review and approval of a PUD. However, the first step in the process was not changed. As the first step in the review process, an application for a PUD must be submitted to the Council member in whose district the PUD is proposed to be located.

Bill 36-11 further amended the PUD process to require that, after submission of the PUD application to the Council member, the applicant must hold a post-submission community meeting. The applicant must give 3 weeks' notice of the meeting and post the property. Similar to a community input meeting, notice must be mailed to adjoining property owners and community associations that represent the area; the applicant must provide information about the plan, allow questions and comments; maintain a record and compile minutes; and forward the minutes to the Council member and to the Department of Permits, Approvals and Inspections (PAI). Community residents and organizations may provide written comment to the Council member. The Council member may require the applicant to hold another post-submission meeting.

The applicant must also send copies of the PUD application to PAI; PAI must then transmit copies to the appropriate review agencies, and these agencies must provide a preliminary written evaluation of the PUD proposal to the Council member.

Once these procedures are completed to the satisfaction of the Council member, and if the Council finds that the proposed site is eligible for review, the Council, by adoption of a resolution, may approve the continued review of the PUD, subject to additional advertising and posting requirements. The adopting resolution is introduced only after all of the steps required by Bill 36-11 have been concluded.

In this case, an application was filed by Fore Property Company for approval of an 11.24-acre site at 15 Aylesbury Road in Timonium to be developed as a general development PUD to be known as 15 W. Aylesbury Road.

The property is currently zoned M.L. – I.M. (Manufacturing Light – Industrial, Major) and is located within the Urban Rural Demarcation Line (URDL). The applicant proposes to develop the site with a mixed-use community consisting of apartments, which are to be built in two phases, along with a restaurant with the option of adding additional retail or office uses. The applicant requests and the resolution recites that the Council approves a modification of the density permitted for the proposed PUD from 40 density units/acre to 56 density units/acre to allow a total of 727 multi-family dwellings (328 in Phase I and 399 in Phase II).

The applicant proposes a community benefit consisting of an environmental benefit, a land use benefit, and a capital improvement benefit. The environmental benefit results from the fact that the project will achieve at least a silver rating according to the U.S. Green Building Council's LEED Green Building Rating System or at least a silver rating according to the ANSI (American National Standards Institute) NGBS (National Green Building Standard). The land use benefit will be provided by proposing a higher quality architectural design or use of higher quality building materials that enhance the development for its residents. The capital improvement benefit will be provided by a financial contribution of \$35,000 to the Lutherville Volunteer Fire Company.

Resolution 98-14 will be forwarded to the Departments of Planning and PAI.

MB-2 (Res. 104-14)**Council District(s) 3**

Mrs. Bevins (By Req.)

Department of Planning

Applications Development Rights Easements

Resolution 104-14 approves 16 applications for the sale of development rights easements on agricultural properties totaling approximately 1,408.42 acres pursuant to the Maryland Agricultural Land Preservation Foundation (Foundation). See Exhibits A and B.

Fiscal Summary

This resolution has no immediate fiscal impact to the County since the related purchases of the development rights easements will occur separately at a later date. The Foundation purchases easements on farms and woodlands with State and matching County funds. The purchases are subject to Council approval.

Analysis

The Department of Planning and the Baltimore County Agricultural Land Preservation Advisory Board (the Board) recommended and ranked the 16 properties in priority order. After the resolution is approved, the State may extend offers to purchase the easements in the order of the ranking, depending upon the availability of State and County funding, and subject to County Council approval of the purchase. Section 24-2-103 of the County Code details the process for evaluation and approval of the applications.

The Department and the Board visited each property and determined the priority ranking based on an analysis of the benefits per acre and cost per acre. The benefits-per-acre analysis considers soils, proximity to preserved farms, location, development pressure, extent of land farmed, importance of the farm to the agricultural industry, and other factors related to the

natural resource value. The Department advised that recent State legislation (2014, Senate Bill 71) establishes a maximum purchase price for Maryland Agricultural Land Preservation Foundation easements at 75% of the fair market value of the land; previously, the purchase price was based on the landowner’s proposal, limited to the appraised value of the easement.

The ranking order is determined by the benefits value divided by price. In accordance with Agricultural Article §§2-501 to 2-519 of the Annotated Code of Maryland, the rankings are to remain confidential until the end of the Foundation’s offer cycle. On August 27, 2014, the Board approved the priority ranking of the following 16 properties, which are located in Council District 3, listed in alphabetical order by name of the property owner(s):

Property Owner	Acres
Bowman, M. Edward	134.99
Carlotta-Vaartjes, et al.	70.86
Devoe, Phoebe, M. & Moore, Charles J., IV	48.21
Leoinal Kemp Ensor, Jr. Residuary Trust c/o Edward B. Ensor	196.95
Holly Springs Nature Conservancy & Wildlife Sanctuary, Inc.	6.11
Huggins, Richard W.	64.38
Johansson Family, LLC	78.90
Morris, Robert A.	9.00
Phillips Development, LLC	82.60
Pitts, Henry C. & Jennifer H.	66.00
Thomas, Merrill P., Sr.	62.96
Troyer Farms, LLC	116.09
White, Dorothy B.	79.04
White, Milton G., Jr. & Dorothy B.	302.03
Wirtz, James G. & Blanche	52.50
Yeager, Robert E. & Betty Jane	37.80
Total	1,408.42

The Department advised that the State has combined the FY 2015 and FY 2016 application cycles into one cycle. Therefore, these 16 applications will be considered for both years and no new applications will be accepted until the FY 2017 cycle.

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING**

**Andrea Van Arsdale, Director
Executive Summary**

DATE: September 9, 2014

Subject: Resolution to Recommend Applications and Ranking of Applications to the Maryland Agricultural Land Preservation Foundation FY15/16 Easement Purchase Cycle.

The Department of Planning recommends the approval of 16 applications and the ranking of same on 1,408.42 +/- easement acres by landowners to sell an easement to the Maryland Agricultural Land Preservation Foundation (Foundation) FY 15/16 Easement Purchase Cycle.

The Foundation purchases easements on farms and woodlands with State and matching County funds. The State has combined the FY 15 and FY 16 application cycles into one cycle. The State had combined funding years in recent years because of the shortage in funding. The State will not accept new applications until the FY 17 cycle.

The Department reviewed 17 applications and determined that all but one were eligible for approval. The Baltimore County Agricultural Land Preservation Advisory Board (Advisory Board) visited each farm and ranked them on factors such as contribution to agricultural economy and quality of the land. The County also ranked the farms based on soils, number of development rights, and acres of contiguous protected ground. These rankings were combined and then re-ranked based upon per acre unit cost in order to get the greatest benefits for the least price. The Department reviewed the ranking by the Advisory Board and recommends the approval as submitted.

In accordance with Agricultural Article Section 2-501 to 2-519 of the Annotated Code of Maryland the ranking is to remain confidential until the completion of the acquisition cycle. Therefore, the Resolution lists the farms in alphabetical order. A public hearing on the applications is required and it is requested that it be held at the County Council Work Session on November 12, 2014.

The following applications are recommended for approval in the ranking order appearing on a separately provided confidential list.

Name: M. Edward Bowman

Address: 21633 New Freedom Road, Freeland, 21053 (Map 2; parcels 14, 15, 71, 83)

Acreage: Property 134.99 ac.; Easement 134.99 ac.

Preexisting Dwellings: 1 main dwelling

County Council District: 3rd

Zoning/Tier: RC 2/ Tier 4

Master Plan Land Management Area: Agricultural Preservation Priority Area

Farm Ownership/Operation: Owner operated, corn/grain

Name: Carlotta-Vaartjes, et al.
Address: 2730 Openshaw Road, White Hall, 21161 (Map 8, parcel 35)
Acreage: Property 70.862 acres; Easement 70.862 acres
Preexisting Dwellings: 1 main dwelling
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Property leased for corn/grain

Name: Devoe, Phoebe, M. & Moore, Charles J., IV
Address: 12501 Manor Road, Glen Arm 21057 (Map 53, parcel 61)
Acreage: Property 48.209 acres; Easement 48.209 acres
Preexisting Dwellings: 1 tenant dwelling
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Property leased for crop farming and owner operated for horses
Other: Existing dwelling is designated as a tenant house, derelict dwelling will be demolished

Name: Leoinal Kemp Ensor, Jr. Residuary Trust c/o Edward B. Ensor
Address: 14736 Thornton Mill Road, Sparks, 21152 (Map 34, parcels 14, 290)
Acreage: Property 196.959 acres; Easement 196.959 acres
Preexisting Dwellings: 1 main dwelling, 2 tenant dwellings
County Council District: 3rd
Zoning/Tier: RC 2 & RC 7/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated dairy and crop farm

Name: Holly Springs Nature Conservancy & Wildlife Sanctuary, Inc.
Address (Map Location): 18627 Falls Road, Hampstead 21074 (Map 15 p 121)
Acreage: Property 6.116 acres; Easement 6.116 acres
Preexisting Dwellings: 1
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated for Forestry and Wildlife
Other: Adjacent to property under same ownership under easement

Name: Richard W. Huggins
Address: 20434 Gore Mill Road, Freeland 21053 (Map 6, parcel 51)
Acreage: Property 66.3879 acres; Easement 64.3879 acres; Withheld 2 acres w/1 permanent tenant trailer
Preexisting Dwellings: 1 main dwelling, 1 tenant trailer
County Council District: 3rd
Zoning/Tier: RC 2 & RC 8/ Tier 4

Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Property leased for corn/grain

Name: Johansson Family, LLC
Address (Map Location): 21105 S. Ruhl Road, Freeland 21053 (Map 6 p 17)
Acreage: Property 78.9 acres; Easement 78.9 acres
Preexisting Dwellings: 2
County Council District: 3rd
Zoning/Tier: RC 2 & RC 8 (split parcels)/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Property leased for grain and owner operated for hops

Name: Robert A. Morris
Address (Map Location): Morris Road, Freeland 21053 (Tax Map 6 Parcel 36)
Acreage: Property 9 acres; Easement 9 acres
Preexisting Dwellings: 0 (no dwelling rights retained)
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated hay production
Other: Part of larger farm operation under easement

Name: Phillips Development, LLC
Address (Map Location): 19735 Graystone Road, White hall 21161 (Map 13 p 41,194,195)
Acreage: Property 82.6 acres; Easement 82.6 acres
Preexisting Dwellings: 1
County Council District: 3rd
Zoning/Tier: RC 2 /Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Leased for grain production

Name: Henry C. & Jennifer H. Pitts
Address (Map Location): 2813 White Hall Road, White Hall 21161 (Map 18 p 21)
Acreage: Property 66 acres; Easement 66 acres
Preexisting Dwellings: 1
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Leased for grain farming

Name: Merrill P. Thomas, Sr.
Address (Map Location): Hanover Pike, Upperco 21155 (Map 25 p 5 & 20)
Acreage: Property 62.957 acres; Easement 62.957
Preexisting Dwellings: 0 (reserve one dwelling right)

County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Leased for grain
Other: Contiguous with 17,110 acres preserved/protected lands

Name: Troyer Farms, LLC
Address (Map Location): 20037 Old York Road, White Hall 21161 (Map 13 p 63)
Acreage: Property 116.093 acres; Easement 116.093 acres
Preexisting Dwellings: 1
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated for grain
Other: Multiple parcels within the deed

Name: Dorothy B. White
Address (Map Location): NS Hydes Road, Hydes 21082
Acreage: Property 79.045 acres; Easement 79.045 acres
Preexisting Dwellings: 0 (reserved dwelling right)
County Council District: 3rd
Zoning/Tier: RC2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated dairy farm
Other: Contiguous with other White property

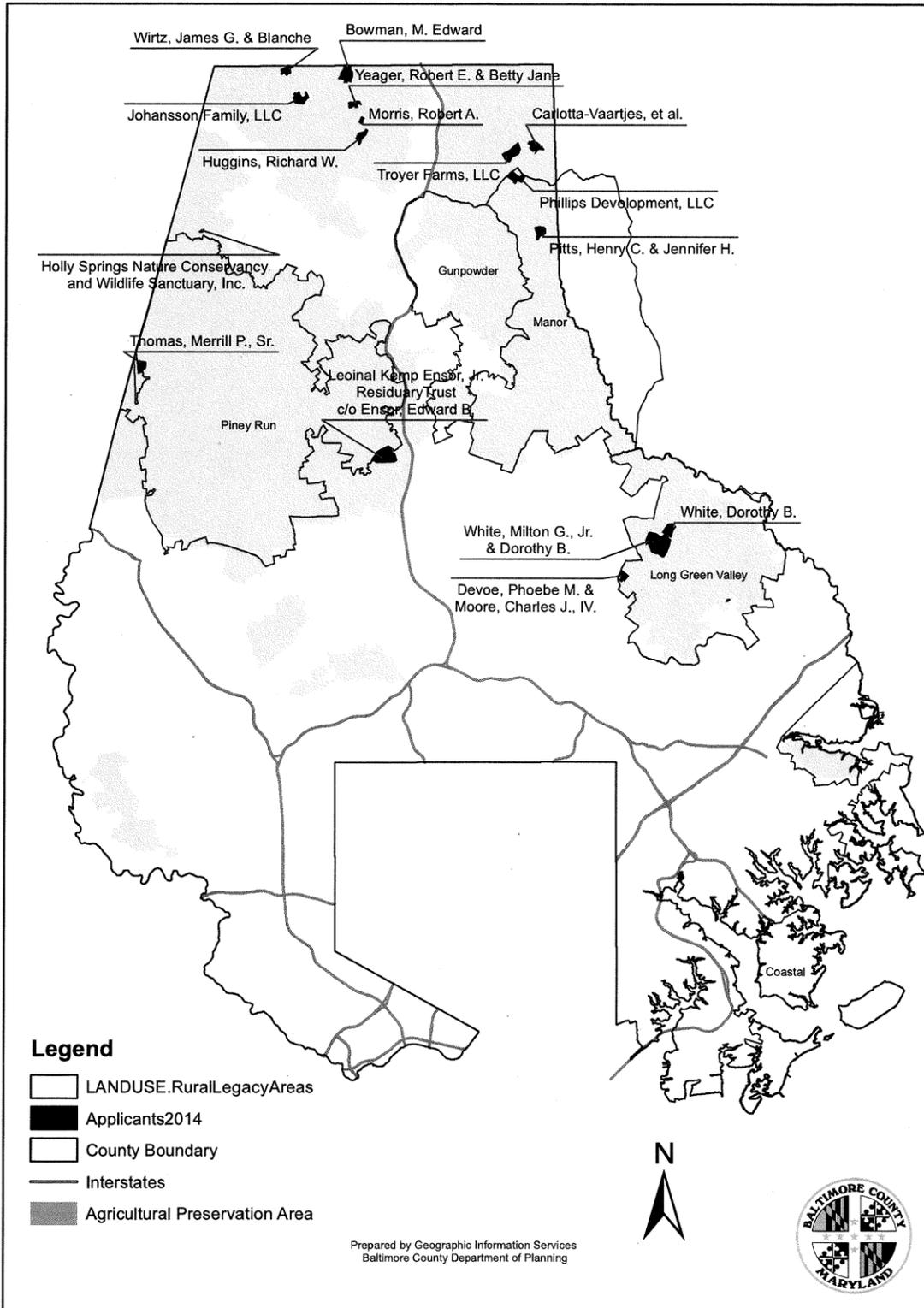
Name: Milton G., Jr. & Dorothy B. White
Address (Map Location): 5101 Hydes Road, Hydes 21082 (Map 53 p 107, 137, 346)
Acreage: Property 311.035 acres; Easement 302.035 acres; Withheld 9 acres
Preexisting Dwellings: 1 dwelling, 2 tenant houses
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated dairy farm
Other: Contiguous with other White property

Name: James G. & Blanche Wirtz
Address (Map Location): 2728 Chickentown Road, Freeland 21053 (Map 2 p 81)
Acreage: Property 52.5 acres; Easement 52.5 acres
Preexisting Dwellings: 1
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Leased for grain

Name: Robert E. & Betty Jane Yeager
Address (Map Location): 21016 Ridge Road, Freeland, 21053 (Map 6 p 143)
Acreage: Property 39.54 acres; Easement 37.80 acres; Withheld 1.736 acres
Preexisting Dwellings: 1
County Council District: 3rd
Zoning/Tier: RC 2/ Tier 4
Master Plan Land Management Area: Agricultural Preservation Priority Area
Farm Ownership/Operation: Owner operated (small livestock) and leased for general farming operation
Other: Withheld acreage is for Forest Buffer Easement

Prepared by: Department of Planning

Baltimore County Agricultural Land Preservation Program FY 15 & 16 MALPF Easement Applicant Properties



MB-3 (Res. 105-14) Donation**Council District(s) All**

Mrs. Bevins (By Req.)

Office of Budget and Finance

**Accept Monetary Gift from
Maryland Department of Public Safety and Correctional Services**

Resolution 105-14 authorizes the County to accept a monetary donation of up to \$112,103 from the Maryland Department of Public Safety and Correctional Services, Emergency Number Systems Board (ENSB) for the County's primary Emergency Communications Center (9-1-1 Center) in Towson. The funds will be used to replace the existing copper-wire telephone circuits with fiber optic circuits. The Office advised that the fiber optic circuits will allow the 9-1-1 Center to provide "Next Generation 9-1-1 Services" by enabling the Center to receive and process large band-width data transmissions associated with multi-media type text messaging and photographs in addition to emergency telephone calls. See Exhibit A.

The Office advised that the donation of up to \$112,103 is expected to cover the full cost of the installation of the fiber optic circuits for the primary 9-1-1 Center. The Office further advised that there are no additional on-going maintenance costs associated with the fiber optic circuits. The County's back-up 9-1-1 Center in Hunt Valley currently utilizes fiber optic circuits.

This donation is contingent upon the availability of funds in the State's 9-1-1 Trust Fund, which is financed by a state fee assessed on individual telephone bills, currently 25 cents per subscriber per month. Further, the County is required to award a contract to the vendor by December 27, 2014 and is required to complete the installation of fiber optic circuits by June 27, 2015. The Office advised that it expects the County to award a contract for the installation of fiber optic circuits to Verizon by the end of December 2014. The Office further advised that the installation timeframe will depend on Verizon's schedule but expects the installation to be completed by August 2015. The Office does not anticipate that the ENSB will take issue with the potentially extended installation timeframe. The Office further advised that the ENSB will pay Verizon directly.

Resolution 105-14 shall take effect from the date of its passage by the County Council.

Executive Summary

This Resolution authorizes Baltimore County to accept a gift of money from the State of Maryland Department of Public Safety and Correctional Services, Emergency Number Systems Board (ENSB). The total donation is up to \$112,103.00, and the funding is contingent upon funds being available from the State of Maryland 9-1-1 Trust Fund ~~(see attached ENSB Letter for Project # 14-192, Fiber Diversity)~~. Baltimore County's treasury will not receive the funds. Instead, the State of Maryland will make payments on behalf of the County directly to the selected contractor(s) for this project.

These funds have been provided for the installation of fiber optic circuits, to replace the existing copper-wire telephone circuits, at the County's primary 9-1-1 Center, located in Towson, MD. The new fiber optic circuits will allow the 9-1-1 Center to handle both the telephone and data transmissions that will be required for what is commonly referred to as "Next Generation 9-1-1" services. Next Generation 9-1-1 services will include not only the receipt and processing of emergency telephone calls, but also the receipt and processing of large band-width data transmissions associated with multi-media type text messaging and photographs.

Any County contract(s) that are issued, which include the expenditure of funds provided by the State of Maryland 9-1-1 Trust Fund, will allow for direct payments by the State of Maryland Department of Public Safety and Correctional Services, Emergency Number Systems Board (ENSB), to the contractor(s). It is anticipated that the contract(s) for the Fiber Diversity project will be issued by the end of December 2014, with the installation of the fiber optic circuits completed within 6 to 8 months of the contract date.