

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

September 26, 2017

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Barr offered the Invocation followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President Terry L. Baker called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 1:42 p.m. at 100 West Washington Street, Room 1113, with the following members present: Vice President Jeffrey A. Cline and Commissioners Commissioner John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr.

APPROVAL OF MINUTES – SEPTEMBER 19, 2017

Commissioner Barr, seconded by Cline, moved to approve the minutes of September 19, 2017. The motion passed with Commissioners Barr, Cline and Baker voting “AYE” and Commissioners Keefer and Myers “ABSTAIN” due to being absent from the evening meeting in Sharpsburg.

COMMISSIONERS’ REPORTS AND COMMENTS

Commissioner Baker requested a consensus among the County Commissioners to send a letter in opposition to agencies and financiers of the McCleary Hill housing project due to citizens in that area expressing opposition to the project. He noted that the City of Hagerstown is planning to send a similar letter. It was the consensus of the Commissioners (Baker, Keefer and Cline) to send the proposed letter. Commissioner Myers commented that it is a City of Hagerstown matter and did not agree to the request. Commissioner Barr also did not agree to the request.

Commissioner Baker encouraged citizens to participate in Walk Maryland Day to be held on October 4 at 12:00 p.m. at the Hagerstown Cultural Trail.

REPORTS FROM COUNTY STAFF

Hagerstown Regional Airport Federal Aviation Administration Grant

Phil Ridenour, Director, Hagerstown Regional Airport, requested approval, retroactive to last week, of a \$572,072 grant from the Federal Aviation Administration. He previously informed the Commissioners that the grant would be forthcoming and the necessary signatures for the documents were obtained last week due to time constraints. The grant is for the Grove Farm Cultural Resources and Mitigation Plan including demolition, the Airport Layout Plan Update, and Runway 02 Runway Visibility Zone Environmental Assessment. There is a County match requirement of \$31,782 and a Maryland Aviation Administration match of \$31,782. The total projects come to \$635,636.

Commissioner Myers, seconded by Barr, moved to accept the \$572,072 grant from the Federal Aviation Administration as presented. The motion passed unanimously.

September 26, 2017

Page 2

Department of Business Development Updates

Kassie Lewis, Director, Business Development, discussed the Washington County Business Ambassador Program sponsored by the department that involves visits to local businesses on October 26 and 27 to learn about their operations and show support. The County Commissioners, Economic Development Commission and various staff members will participate in the visits.

Ms. Lewis described the successful Business Roundtable and Lean Peer groups. The Lean Peer group is comprised of manufacturers that meet monthly to discuss manufacturing and share ideas and practices. She indicated that another manufacturer plans to locate in Washington County and join the business groups.

County Administrator Comments

County Administrator Rob Slocum discussed upcoming meetings of the County Commissioners. This afternoon will include a tour of the Lanco Pennland Cheese Plant and the Hancock library groundbreaking followed by a Commissioner meeting in the town. There will be no meeting October 3. October 10 includes a joint meeting with the City of Hagerstown and an evening meeting with the Town of Smithsburg. The Commissioners will hold a meeting at the Maugansville Ruritan Club the evening of October 24. Mr. Slocum stated that the club has requested approval to obtain playground equipment from the former Winter Street Elementary School for its community park. The Commissioners gave their consensus to transfer the equipment once any insurance issues are resolved/clarified and with the assurance that past Program Open Space funding was not involved in the purchase of the equipment. Mr. Slocum advised the Commissioners that a \$5,000 request for Hotel Rental Tax Fund money toward the New Year's Eve "Do-nut Drop" event was granted.

EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM

Stephanie Lapole, Grant Manager, Community Grant Management; Charles Summers, Assistant Director; and Charles Brown, Professional Services Administrator, Emergency Services; requested approval to submit a grant application for an Emergency Management Performance Program grant of \$103,381 to the Maryland Emergency Management Agency (MEMA). Ms. Lapole indicated that a funding request was submitted on April 3, 2017 to be used for the purchase of two fully equipped emergency response vehicles for a total of \$81,292 and three APX 8000 portable radios with access for a total of \$22,089. The Division of Emergency Services received notice from MEMA that the funding request was approved. The grant requires a 50/50 match to be provided through the Fiscal Year 2018 approved Emergency Services operating budget.

Commissioner Barr, seconded by Myers, moved to approve the submittal of a grant application for an Emergency Management Performance Program grant of \$103,381 to the Maryland Emergency Management Agency as presented and to accept the awarded funding. The motion passed unanimously.

September 26, 2017

Page 3

STATE OF MARYLAND HOMELAND SECURITY GRANT PROGRAM

Stephanie Lapole, Charles Summers and Charles Brown requested approval to submit a \$116,615 Fiscal Year 2016 State Homeland Security grant application to the Maryland Emergency Management Agency and accept the award funding. Ms. Lapole stated that the grant would pay a partial salary for the Emergency Management Specialist, the cost of the Washington County Citizen Notification Program and other costs that include training, equipment, public outreach and response capabilities. There is no match requirement to accept the award funding; however, the County is required to ensure that at least 25% of the grant funds are dedicated toward law enforcement related tasks or equipment.

Commissioner Barr, seconded by Myers, moved to approve the submission of a \$116,615 State Homeland Security grant application to the Maryland Emergency Management Agency; to accept the funding if awarded, and to execute all required documentation necessary to accept said funding. The motion passed unanimously.

CITIZENS' PARTICIPATION

There were no citizens present that wished to participate.

REJECTION OF BID FOR ONE 10,000 GALLON DOUBLE BULK HEAD FUEL CENTER UPGRADE

Brandi Naugle, Buyer, Purchasing, and Mark Bradshaw, Deputy Director, Environmental Management, recommended rejection of the bids received for one 10,000 Gallon Double Bulk Head Fuel Center Upgrade (PUR-1314) in the best interest of the County. Four bids were received regarding the project but all exceeded the department's Capital Improvement Project (CIP) budget. The department does not plan to proceed with the project but may revisit it in the future.

Commissioner Myers, seconded by Keefer, moved to reject the bids for one 10,000 Gallon Double Bulk Head Fuel Center Upgrade since the bids exceed the budget. The motion passed unanimously.

EXPRESS APPROVAL – TOWN OF SMITHSBURG ANNEXATION OF CLOVERLY HILL, LLC PROPERTY

Stephen Goodrich, Director, Planning and Zoning, brought forth the proposal to grant express approval to the Town of Smithsburg to allow development on the annexed Cloverly Hill, LLC property that has requested annexation into the Town. The request is in conformance with the Town Residential and General Commercial zoning district in the acreage amounts and densities proposed which may be substantially different than the uses and densities that would be allowed under the current County zoning districts of Residential Transition and Business Local. Mr. Goodrich stated that the County's Planning and Zoning staff believe this express approval zoning is needed due to the significant difference between the uses allowed in the Town's General Commercial Zoning and the amount of acreage that will be devoted to that zoning if the property is annexed.

September 26, 2017

Page 4

Cloverly Hill, LLC would like to annex three parcels containing approximately 65.5 acres. The permitted uses in Smithsburg's Town Residential district are virtually the same as the County's Residential Transition district (single family, two family and semi-detached units) but the permitted densities are between 11% and 50% higher in the Town. There are 61+ acres of County Residential Transition zoning while there would be 35+ acres of Town Residential zoning. The difference in the number of units that could be built is between 11% and 34% less in the Town than in the County because the acreage for residential development in the Town would be less. If annexation into the Town of Smithsburg is approved, there would be 25.7 acres of General Commercial zoning. There is currently only 1.05 acres of County Business Local zoning. The substantial difference between development under the Town zoning and County zoning comes from 24.65 more acres of Smithsburg General Commercial zoning that allows several uses that are not permitted in the County Business Local district. Those 24.65 more acres of commercial zoning would be on land where commercial development would not be permitted in the County.

Mr. Goodrich described the express approval process as set forth in the Annotated Code of Maryland that restricts substantially different development (land uses that are substantially different) on the annexed property for five years unless the County grants its express approval to allow such development. If approval is not given by the Commissioners, the Town of Smithsburg can move ahead with the annexation but would be subject to County zoning for five years.

The Commissioners referred to a public hearing regarding the Cloverly Hill development annexation to be held this evening by the Town of Smithsburg and stated that they may first want to hear from its citizens and town officials on the matter before considering the issue of express approval. Jason Divelbiss, attorney for Cloverly Hill, LLC, stepped forward to clarify certain aspects of the annexation proposal.

The Commissioners reached a consensus to wait until after tonight's public comments relating to the proposed annexation in the Town of Smithsburg before considering the issue of express approval.

INTERGOVERNMENTAL COOPERATIVE PURCHASE – AUTOMATED SPEED ENFORCEMENT SYSTEM

Rick Curry, Director, Purchasing, requested authorization by Resolution for the Washington County Sheriff's Department to enter into a contract to lease an Automated Speed Enforcement System (PUR-1366) at the cost of \$3,100 per month (per unit) for up to twenty speed enforcement system cameras from Brekford Traffic Safety, Inc. of Hanover, Maryland, and to utilize another jurisdiction's contract (RFP No. Purch 2016-105) awarded by the Calvert County Department of Finance and Budget Purchasing Office. The County intends to contract with a qualified contractor to lease Automated Speed Enforcement System (cameras) that will be installed in various locations in the County. During the contract period, the contractor shall provide all service(s) and

September 26, 2017

Page 5

material(s) described in the contract. Orders will be placed on an "as needed basis." The contract is for one year with an option for two one-year periods, exercisable at the discretion of the County. Mr. Curry advised that the intergovernmental cooperative purchase bid method allows entities to use another entity's contract to eliminate Washington County's bid process and obtain overall better pricing due to economies of scale offered by the subject contract.

Sheriff Doug Mullendore commented this is the same contract being piggy-backed on by the City of Hagerstown and that the process is already vetted through the District Court system. Fifteen cameras are to be initially installed sometime in November 2017.

Commissioner Barr, seconded by Keefer, moved to authorize by resolution the Washington County Sheriff's Department entering into a contract to lease an Automated Speed Enforcement System at the cost of \$3,100 per month (per unit) for up to twenty speed enforcement system cameras from Brekford Traffic Safety, Inc. of Hanover, Maryland, and to utilize another jurisdiction's contract (RFP No. Purch 2016-105) awarded by the Calvert County Department of Finance and Budget Purchasing Office. The motion passed with Commissioners Barr, Keefer and Myers voting "AYE" and Commissioners Cline and Baker "NO". (Resolution No. RS-2017-20 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

APPROVAL TO USE SPEED CAMERA REVENUE

Assistant County Attorney Kendall McPeak stated that the use of revenue from speed cameras is part of the Community Deputy Program that was previously approved by the County Commissioners. Now that the automated speed enforcement system has been approved, formal approval from the Commissioners is required to allow revenue from speed cameras to be used toward the cost of the Community Deputy Program for expenses of the deputy while going through training. The Commissioners discussed the request and the Community Deputy Program.

Commissioner Barr, seconded by Keefer, moved to approve using speed camera revenue toward the Community Deputy Program as presented. The motion passed unanimously.

CONVEYANCE OF REAL PROPERTY TO COFFMAN NURSING HOME, INC.

Nick Hill, Vice Chair, Nick Mason, Executive Director, Coffman Nursing Home, Inc. and Steve Zoretich, Vice President, Frederick, Seibert & Associates, Inc. brought forth a request that the County convey 0.53 acres of property located at 1302 Pennsylvania Avenue as a potential site for future expansion of the existing nursing home. The subject land is adjacent to Coffman Nursing Home and immediately east of the Washington County Health Department. Mr. Hill described plans to expand the Coffman Nursing Home which is landlocked between the two entities and accessed via a private access easement across the Health Department's property. He described plans to improve the

September 26, 2017

Page 6

facility and update the patient rehabilitation units. The expansion involves “cleaning up” the easement access and County storage sheds issue on the Coffman property. An appraisal performed by Bowers Appraisal Service lists the value at \$60,494 as of August 23, 2017 and is based on the hypothetical condition that the subject property is a vacant, unimproved parcel of land. Coffman is requesting that the County review the appraisal and consider a value less than the amount arrived at due to several circumstances including that there is no road frontage in that the property is land locked and can’t be subdivided.

The Commissioners discussed the proposal. Commissioner Keefer suggested in lieu of the County receiving \$10,000 in revenue, that Coffman use it toward expenses of the project. Commissioner Myers concurred and suggested a purchase price of \$1.00.

Commissioner Myers, seconded by Barr, moved to approve the conveyance of 0.53 acres of property located at 1302 Pennsylvania Avenue to Coffman Nursing Home for \$1.00 as a potential site for future expansion of the existing nursing home with Coffman Nursing Home paying all expenses relating to the conveyance. The motion passed unanimously.

PUBLIC HEARING – MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT UPDATE – PEN MAR WATER CONNECTIONS

President Terry L. Baker President Baker convened a public hearing at 2:44 p.m. to obtain public comment regarding the progress of Community Development Block Grant MD-07-CD-37, Pen Mar Water Connections. Susan Buchanan, Grant Manager, Community Grant Management, explained that the County is required to hold a public hearing to update and inform citizens of the use of the \$206,600 grant funds, which were awarded the County in 2006. Funds under this grant were to be used by the sub-recipient Community Action Council (CAC) to provide funding assistance to low and moderate income homeowners with the cost of connecting to the new water system in the Pen Mar area. During the two-year grant period, the grant provided funding assistance to eleven households. Ms. Buchanan indicated that the CAC faced challenges with getting residents of the Pen Mar/Cascade area to participate in the program despite numerous attempts to contact and qualify residents who needed water connections. As a result, only \$106,940 of grant funds was expended and the remainder returned to the State of Maryland.

The hearing was opened for public comment. There was no one present who wished to comment. The public hearing was closed at 2:47 p.m.

The meeting was opened for discussion by the Commissioners. Commissioner Barr requested information on the attempts to assist affected homeowners. Julie Pippel, Director, Water Quality, discussed the matter and advised that no more water hookups are needed in the Pen Mar area.

Commissioner Myers, seconded by Barr, moved to accept the latest status report relating to the grant. The motion passed unanimously.

September 26, 2017

Page 7

PROCLAMATION – NATIONAL 4-H WEEK

The Commissioners presented a proclamation to Ashley Travis, 4-H Educator and Amy Simone, Administrative Assistant, in recognition of National 4-H Week observed October 1-7, 2017. 4-H is America's largest youth development organization, having supported almost six million youth across the country. National 4-H week showcases the incredible experiences that 4-H offers young people and highlights the youth in Washington County.

CONVENE IN CLOSED SESSION

Commissioner Myers, seconded by Keefer, moved to convene in closed session at 2:57 p.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals, to consider matters that concern proposals for businesses or industrial organizations to locate, expand or remain in the State; to consult with staff, consultants or other individuals about pending or potential litigation, and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b)(1), (4), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed an employee/personnel issue with staff; considered issues relating to proposals by several business entities hoping to locate, expand or remain in the County/State; and discussed specific issues relating to a personnel/legal matter that may ultimately result in litigation with staff and counsel.

During closed session, the Commissioners provided specific direction to staff regarding an employee/personnel issue; requested additional information and further clarification from staff and outside entities regarding several proposals by business entities hoping to locate/expand in the County/State; and requested additional information from staff and counsel regarding ongoing legal/personnel matters.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, LeRoy E. Myers, Jr. and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; and at various times Wonro Lee, CEO, JG Business Link International (JGBLI); Gunseon Lee, JG Group; Jungro Lee, President, Washington Realty Management; Jim Sterling, Director, Public Works; Phil Ridenour, Director, Hagerstown Regional Airport; Stephanie Stone, Director, Health and Human Services; and Julie Pippel, Director, Water Quality.

RECONVENE IN OPEN SESSION

Commissioner Keefer, seconded by Myers, moved to reconvene in open session at 4:38 p.m. The motion passed unanimously.

September 26, 2017

Page 8

RECESS

The County Commissioners recessed at 4:38 p.m. Afterwards they attended a tour of the Lanco Pennland Cheese Plant at 14738 Warfordsburg Road, Hancock, and a groundbreaking at 6:00 p.m. for the new Hancock Library at 220 Park Road.

EVENING MEETING – TOWN OF HANCOCK

The evening session of the regular meeting of Board of County Commissioners of Washington County, Maryland, was held at Hancock Town Hall, 126 West High Street, Hancock.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Barr offered the Invocation followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President Terry L. Baker called the evening meeting of the Board of County Commissioners of Washington County, Maryland, to order at 7:23 p.m. with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr.

COMMISSIONERS REPORTS AND COMMENTS

Commissioner Cline commended the town for the positive things happening in the community including this evening's library groundbreaking.

Commissioner Myers mentioned the new Harvest facility and Lanco Pennland cheese plant as good businesses that provide jobs in the community.

Commissioner Keefer noted the closing of Pittmann's Grocery Store after 72 years of serving the community. He presented a plaque of recognition on behalf of the Commissioners to owners Dave, Seena and Kelsie Pittman for the positive things the store represented in the community. A Food Lion grocery store will be taking its place.

Commissioner Barr commented on working at a young age in the electrical trade that included visits to the former Fleetwood and London Fog plants in Hancock.

Commissioner Baker thanked the town for the warm welcome. He commended Hancock resident/County Commissioner Wayne Keefer for working hard on behalf of the citizens of Hancock.

MAYOR AND COUNCIL COMMENTS

Mayor Ralph Salvagno welcomed the Commissioners to the town and introduced Council Members Leo Murray, Levi Little and Town Manager David Smith. He commented on the positive things happening in the community that include honoring veterans. Commissioner Keefer noted that he previously took part in a walking tour of Hancock with Mayor Salvagno and council members.

September 26, 2017

Page 9

REPORTS FROM COUNTY STAFF

Engineering – Roads Update

Scott Hobbs, Director, Engineering, discussed various road projects in the Hancock area. He discussed looking into federal funding toward a potential Slabtown Road bridge. Mr. Hobbs stated that traffic counts are available on the County's website. Mayor Salvagno discussed bike lanes, stretching road improvement dollars and the mandate to reduce impervious surfaces in the future by 25%.

County Administrator

County Administrator Rob Slocum presented a "golden" shovel to Mayor Salagno used in today's library groundbreaking.

County Boards/Commissions

County Clerk Vicki Lumm described the County's various boards and commissions and encouraged citizens to visit the County's website to see which ones might be of interest to them and to complete an online application for membership.

Public Relations and Community Affairs

James Jenkins, Manager, Public Relations and Community Affairs, informed attendees that the meeting was being broadcast live on Facebook. He referred to a table in the room that contained various County brochures and information on boards and commissions.

CITIZENS PARTICIPATION

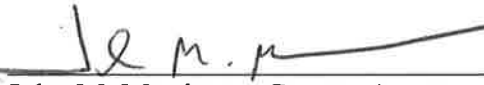
There were no citizens present that wished to participate.

ADJOURNMENT

Commissioner Myers, seconded by Keefer, moved to adjourn at 7:59 p.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk