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BOARD OF COUNTY COMMISSIONERS

May 7, 2019

OPEN SESSION AGENDA

- 12:00 P.M. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President Jeffrey A. Cline*
APPROVAL OF MINUTES – April 30, 2019
- 12:05 P.M. COMMISSIONERS’ REPORTS AND COMMENTS
- 12:15 P.M. REPORTS FROM COUNTY STAFF
- 12:25 P.M. CITIZENS PARTICIPATION
- 12:35 P.M. PRESENTATION OF PROCLAMATION RECOGNIZING JULIANNA ALBOWICZ –
Board of County Commissioners
- 12:45 P.M. PRESENTATION OF PROCLAMATION RECOGNIZING MAY 2019 AS “TEEN
PREGNANCY PREVENTION MONTH” – *Board of County Commissioners*
- 12:50 P.M. SENIOR CITIZEN OPERATING FUND GRANT – *Allison Hartshorn, Grant Manager,
Office of Grant Management, and Amy Olack, Executive Director, Commission on Aging*
- 12:55 P.M. CONTRACT BID AWARD PUR-1393 – KAETZEL TRANSFER STATION RETAINING
WALL - *Rick F. Curry, CPPO, Director, Purchasing Department, and David Mason, Deputy
Director, Solid Waste*
- 1:00 P.M. CONTRACT BID AWARD PUR-1416 - REPAIR OF ONE (1) AIRPORT FIRE FIGHTING
VEHICLE - *Rick F. Curry, CPPO, Director, Purchasing Department, and Garrison
Plessinger, Director, Hagerstown Regional Airport*
- 1:15 P.M. REIMBURSEMENT OF DESIGN COSTS FOR MARYLAND THEATRE EXPANSION –
Susan Buchanan, Director, Office of Grant Management
- 1:25 P.M. HOTEL RENTAL TAX FUNDING REQUEST – MARYLAND THEATRE – *Susan
Buchanan, Director, Office of Grant Management, Jessica Green Executive Director, and
Benito Vattelana, Board President, The Maryland Theatre Association*
- 1:30 P.M. FISCAL YEAR 2020 APPALACHIAN REGIONAL COMMISSION PRELIMINARY
PROJECT DESCRIPTION REVIEW AND RANKING – *Susan Buchanan, Director, Office
of Grant Management*
- 1:40 P.M. CONSTRUCTION BID AWARD – MARSH PIKE SIDEWALK EXTENSION – *Scott
Hobbs, Director, Division of Engineering*
- 1:45 P.M. MARYLAND NUISANCE INSECTS FUND LOCAL PARTICIPATION - *Susan Buchanan,
Director, Office of Grant Management*

1:55 P.M. RECESS

3:30 P.M. *Commissioners are invited to attend the “MAKING CONNECTIONS” CAMPAIGN for COLONEL HENRY K. DOUGLAS DRIVE GROUNDBREAKING CEREMONY*

EVENING MEETING AT THE TOWN OF HANCOCK

Location: Town Hall, 126 West High Street, Hancock, MD 21750

6:00 P.M. INVOCATION - *Reverend F. Allan Weatherholt, Saint Thomas Episcopal Church*
PLEDGE OF ALLEGIANCE
CALL TO ORDER - *President Jeffrey A. Cline*

6:05 P.M. TOWN OF HANCOCK LEADERS' REPORTS AND COMMENTS

6:10 P.M. COMMISSIONERS' REPORTS AND COMMENTS

6:15 P.M. AWARD PRESENTATION: Pennland Pure (Lanco-Pennland)

6:25 P.M. REPORTS FROM COUNTY STAFF

6:35 P.M. CITIZENS PARTICIPATION

6:40 P.M. ADJOURNMENT



Agenda Report Form

Open Session Item

SUBJECT: Presentation of Proclamation Julianna Albowicz

PRESENTATION DATE: March 7, 2019

PRESENTATION BY: Board of County Commissioners

RECOMMENDED MOTION: None

REPORT-IN-BRIEF: Proclamation Presentation

WHEREAS, we are here today to express our appreciation to Julianna Albowicz and to honor her for her distinguished years of service to Western Maryland, and;

WHEREAS, Julianna's public service started as a council member in the Town of Clear Spring, Maryland and progressed to the office of Vice-Mayor of Clear Spring, Maryland, and;

WHEREAS, she demonstrated her commitment to her community through running a successful family owned retail business side by side with her husband for 30 plus years, and;

WHEREAS, Julianna raised a family of four children with her late husband Bill Albowicz; all the children have worked in public service roles across the United States, and;

WHEREAS, Julianna's career in public service progressed to the state level; where she served faithfully and professionally as the Special Assistant in Western Maryland to United States Senator Barbara Mikulski for 24 years, and;

WHEREAS, Julianna currently serves as Western Maryland Outreach Director to United States Senator Chris Van Hollen, and;

WHEREAS, she has been recognized on several occasions in her career for her leadership and focus on Women's rights.

NOW THEREFORE, We the Board of County Commissioners of Washington County, Maryland, do hereby extend to Julianna Albowicz, our sincerest appreciation for her dedicated service to the citizens of Western Maryland. Congratulations on your well-earned retirement.



Open Session Item

SUBJECT: Teen Pregnancy Prevention Month – May, 2019

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Board of County Commissioners

RECOMMENDED MOTION: None

REPORT-IN-BRIEF: Proclamation Presentation

WHEREAS, Washington County's teen birth rate has continued declining over the past 22 years; in 2017 Washington County had 114 births to teens between the ages of 15-19 year's old, giving Washington County the third highest teen birth rate in Maryland, and;

WHEREAS, teen pregnancy can be caused by, and contribute to, many social and economic issues including, a lack of extended sexual education programs, stigma around accessing contraception and talking about sex, greater unemployment rates, poverty, overall child well-being, and many risky behaviors, including the use of controlled substance, and;

WHEREAS, many teens lack courage to ask parents about sex, but instead turn to unreliable sources which provide wrongful ideas on intimacy, leading to nearly 1/3 of teen mothers leaving high school, limiting job opportunities, and continuing the cycle of poverty, and;

WHEREAS, in 2017, Washington County reported 771 Sexually Transmitted Infections, this is a minor increase from the prior year, and;

WHEREAS, from 1991-2015 Maryland's teen birth rate declined 74%, saving \$72 million by 2015. These rates are continuing to fall in all racial and ethnic groups, in some cases the gap in teen birth rates by race and ethnicity has narrowed, however disparities remain, and;

WHEREAS, a group of community partners throughout Washington County advocating for Teen Pregnancy Prevention will continue working to ensure educational programs, services and resources are available to our youth, encouraging them to continue making informed decisions, and;

WHEREAS, nationally, May is recognized as Teen Pregnancy Prevention Month to increase and renew awareness of the consequences of teen pregnancies on children, families and communities.

NOW THEREFORE, We the Board of County Commissioners of Washington County, Maryland, do hereby celebrate Washington County Teen Pregnancy Prevention Month and sincerely thank you for your dedication to service in this community.



Open Session Item

SUBJECT: FY20 Senior Citizen Activities Center Operating Fund Grant Application – Approval to Submit Application

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Allison Hartshorn, Grant Manager, Office of Grant Management and Amy Olack, Executive Director, Washington County Commission on Aging

RECOMMENDED MOTION: Move to approve the submission of the application for the Senior Citizens Activities Center Operating Fund Grant to the Maryland Department of Aging in the amount of \$36,308.76 and accept awarded funding.

REPORT-IN-BRIEF: The Washington County Office of Grant Management is seeking approval on behalf of the Washington County Commission on Aging to request funding in the amount of \$11,202.26 which will be utilized to offset the cost of salary for the Assistant Manager of the Senior Activities Center.

In addition, the Washington County Commission on Aging is seeking \$25,106.50 of competitive grant funds to create a new innovative Senior Activities Center program focused on Preventative Health and Fitness for Seniors which will focus on increasing exercise and addressing chronic disease prevention and/or self-management. The funds would be used to purchase two new pieces of the exercise equipment, furniture, staffing costs and miscellaneous supplies for the program.

DISCUSSION: The Maryland Department of Aging requires applications to only be submitted by local governments; therefore, the County will be the grant applicant and will then enter into a sub-recipient agreement with the Washington County Commission on Aging to implement the grand funded project. Any grant awarded funds will be received and disbursed through the County's Budget and Finance office and the Office of Grant Management will ensure all required fiscal and programmatic reports are submitted in an accurate and timely manner. The grant performance period is from July 1, 2019 through June 30, 2020 and matching funds are not required.

FISCAL IMPACT: Recurring expenses will be the sole responsibility of the Washington County Commission on Aging.

CONCURRENCES: Susan Buchanan Director, Office of Grant Management

ALTERNATIVES: Deny approval for submission of this request

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1393) Kaetzel Transfer Station Retaining Wall

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Rick Curry, CPPO, Director of Purchasing – Purchasing Department and David Mason, P. E., Deputy Director – Solid Waste Department

RECOMMENDED MOTION: Move to award the contract for the Kaetzel Transfer Station Retaining Wall project to the responsible, responsive bidder, Outdoor Contractor, Inc. of Hancock, MD who submitted the lowest total sum bid in the amount of \$198,877.36 (for Item Nos. 1.0 through 8.02 and Plus Contingent Items C1 through C4).

REPORT-IN-BRIEF: The work to be performed by the Contractor under this project generally includes but is not limited to: furnish all labor, materials, services, installation of reinforced concrete retaining wall, concrete slab, and pavement, removal of concrete wall and pads and disturbed area restoration as shown on contract plans. The project is to be substantially completed within ninety (90) consecutive calendar days of the Notice to Proceed. The County can assess liquidated damages in the sum of five thousand (\$500.00) dollars for each consecutive day that the project is not completed.

The bid was advertised in the local newspaper, listed on the State of Maryland's "*eMaryland Marketplace*" website and on the County's web site. Fifty-five (55) persons/companies registered/downloaded the bid document on-line. Four (4) bids were submitted as indicated on the attached bid tabulation matrix.

DISCUSSION: N/A

FISCAL IMPACT: Funds in the amount of \$207,000.00 are available in the department's Capital Improvement Project (CIP) account 21-21010-LDI060.

CONCURRENCES: Director of Division of Environmental Management

ALTERNATIVES: N/A

ATTACHMENTS: Bid Tabulation Matrix

AUDIO/VISUAL NEEDS: N/A

PUR-1393
Kaetzel Transfer Station Retaining Wall

				Outdoor Contractors, Inc. Hancock, MD		GRC General Contractor, Inc. Zullinger, PA	
Item No.	Item Description	Unit	Appr. Qty.	Unit Price	Total Price	Unit Price	Total Price
1.0	Mobilization and Demobilization	LS	1	\$12,000.00	\$12,000.00	\$15,954.00	\$15,954.00
2.0	Construction Stakeout and Survey	LS	1	\$500.00	\$500.00	\$1,745.00	\$1,745.00
3.0	Erosion and Sediment Control	LS	1	\$3,000.00	\$3,000.00	\$2,444.00	\$2,444.00
4.0	Pavement Removal	LS	1	\$19,250.00	\$19,250.00	\$7,147.00	\$7,147.00
5.0	Removal of Concrete Structures	LS	1	\$19,250.00	\$19,250.00	\$14,122.00	\$14,122.00
6.01	Concrete Retaining Wall	CY	135	\$444.00	\$59,940.00 *	\$687.00	\$92,745.00
6.02	Concrete Slab	CY	31	\$1,290.00	\$39,990.00 *	\$598.00	\$18,538.00
7.0	8" Graded Aggregate	SY	870	\$8.00	\$6,960.00	\$13.50	\$11,745.00
8.1	Hot Mix Asphalt 12.5mm Surface Course	TON	80	\$114.60	\$9,168.00	\$93.00	\$7,440.00
8.02	Hot Mix Asphalt 19mm Base Course	TON	312	\$86.28	\$26,919.36	\$83.00	\$25,896.00
Total Base Bid Items 1.0 through 8.02				\$196,977.36 *		\$197,776.00	
C-1	Contingent Gravel for Driveway (2" Depth)	CY	40	\$10.00	\$400.00	\$13.50	\$540.00
C-2	Contingent Turf Restoration	SY	500	\$2.00	\$1,000.00	\$1.75	\$875.00
C-3	Contingent Unsuitable Material Excavation	CY	20	\$10.00	\$200.00	\$18.00	\$360.00
C-4	Contingent Select Material for backfill	CY	20	\$15.00	\$300.00	\$43.30	\$866.00
Total Sum Contingent Items C-1 through C-4				\$1,900.00 *		\$2,641.00	

PUR-1393
Kaetzel Transfer Station Retaining Wall

				Outdoor Contractors, Inc. Hancock, MD		GRC General Contractor, Inc. Zullinger, PA	
Item No.	Item Description	Unit	Appr. Qty.	Unit Price	Total Price	Unit Price	Total Price
Total Sum Bid Base Bid Items and Contingent Items				\$198,877.36		*	\$200,417.00

* Corrected calculations based on unit pricing

Remarks & Exceptions:

Outdoor Contractors, Inc.

Item # 8.1 - \$9,168.00 (Subcontractor - FCI)

Item # 8.02 - \$26,919.36 (Subcontractor - FCI)

GRC General Contractors, Inc.

GRC to self perform the work inclusive in this estimate

Will inform County if that changes during actual work.

PUR-1393
Kaetzel Transfer Station Retaining Wall

				Lantz Construction Company dba Building Systems Hagerstown, MD		Priority Construction Corporation Baltimore, MD	
Item No.	Item Description	Unit	Appr. Qty.	Unit Price	Total Price	Unit Price	Total Price
1.0	Mobilization and Demobilization	LS	1	\$30,358.00	\$30,358.00	\$43,401.00	\$43,401.00
2.0	Construction Stakeout and Survey	LS	1	\$3,984.00	\$3,984.00	\$7,150.00	\$7,150.00
3.0	Erosion and Sediment Control	LS	1	\$2,801.00	\$2,801.00	\$3,135.00	\$3,135.00
4.0	Pavement Removal	LS	1	\$5,135.00	\$5,135.00	\$33,401.00	\$33,401.00
5.0	Removal of Concrete Structures	LS	1	\$34,560.00	\$34,560.00	\$83,972.00	\$83,972.00
6.01	Concrete Retaining Wall	CY	135	\$798.00	\$107,730.00	\$902.00	\$121,770.00
6.02	Concrete Slab	CY	31	\$587.00	\$18,197.00	\$544.00	\$16,864.00
7.0	8" Graded Aggregate	SY	870	\$29.50	\$25,665.00	\$20.00	\$17,400.00
8.1	Hot Mix Asphalt 12.5mm Surface Course	TON	80	\$83.50	\$6,680.00	\$158.00	\$12,640.00
8.02	Hot Mix Asphalt 19mm Base Course	TON	312	\$74.50	\$23,244.00	\$86.00	\$26,832.00
Total Base Bid Items 1.0 through 8.02				\$258,354.00		\$366,565.00	
C-1	Contingent Gravel for Driveway (2" Depth)	CY	40	\$40.00	\$1,600.00	\$85.00	\$3,400.00
C-2	Contingent Turf Restoration	SY	500	\$2.00	\$1,000.00	\$3.00	\$1,500.00
C-3	Contingent Unsuitable Material Excavation	CY	20	\$75.00	\$1,500.00	\$60.00	\$1,200.00
C-4	Contingent Select Material for backfill	CY	20	\$95.00	\$1,900.00	\$85.00	\$1,700.00
Total Sum Contingent Items C-1 through C-4				\$6,000.00		\$7,800.00	

PUR-1393
Kaetzel Transfer Station Retaining Wall

				Lantz Construction Company dba Building Systems Hagerstown, MD		Priority Construction Corporation Baltimore, MD	
Item No.	Item Description	Unit	Appr. Qty.	Unit Price	Total Price	Unit Price	Total Price
Total Sum Bid							
Base Bid Items and Contingent Items				\$264,354.00		\$374,365.00	

* Corrected calculations based on unit pricing

Remarks & Exceptions:

Lantz Construction Co. dba Building Systems
 Item #8.1 & 8.02 -\$29,924 (Subcontractor -Craig Paving)
 Minority Business Enterprise - No

PUR-1393
Kaetzel Transfer Station Retaining Wall

				Kibler Construction Co., Inc. Finksburg, MD	
Item No.	Item Description	Unit	Appr. Qty.	Unit Price	Total Price
1.0	Mobilization and Demobilization	LS	1	\$26,000.00	\$26,000.00
2.0	Construction Stakeout and Survey	LS	1	\$143,000.00	\$143,000.00
3.0	Erosion and Sediment Control	LS	1	\$7,000.00	\$7,000.00
4.0	Pavement Removal	LS	1	\$12,000.00	\$12,000.00
5.0	Removal of Concrete Structures	LS	1	\$14,000.00	\$14,000.00
6.01	Concrete Retaining Wall	CY	135	\$728.00	\$98,280.00
6.02	Concrete Slab	CY	31	\$580.00	\$17,980.00
7.0	8" Graded Aggregate	SY	870	\$15.00	\$13,050.00
8.1	Hot Mix Asphalt 12.5mm Surface Course	TON	80	\$136.00	\$10,880.00
8.02	Hot Mix Asphalt 19mm Base Course	TON	312	\$116.00	\$36,192.00
Total Base Bid Items 1.0 through 8.02				\$378,000.00 *	
C-1	Contingent Gravel for Driveway (2" Depth)	CY	40	\$104.00	\$4,160.00
C-2	Contingent Turf Restoration	SY	500	\$0.40	\$200.00
C-3	Contingent Unsuitable Material Excavation	CY	20	\$162.00	\$3,240.00
C-4	Contingent Select Material for backfill	CY	20	\$172.00	\$3,440.00
Total Sum Contingent Items C-1 through C-4				\$11,040.00 *	

PUR-1393
Kaetzel Transfer Station Retaining Wall

				Kibler Construction Co., Inc. Finksburg, MD	
Item No.	Item Description	Unit	Appr. Qty.	Unit Price	Total Price
Total Sum Bid Base Bid Items and Contingent Items				\$389,422.00	*

* Corrected calculations based on unit pricing

Kibler Construction Co., Inc.
Item #1 - (Subcontractor- Asphalt Paving) tbd



Agenda Report Form

Open Session Item

SUBJECT: Bid Award (PUR-1416) Repair of One (1) Airport Fire Fighting Vehicle

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Rick Curry, CPPO, Director of Purchasing – Purchasing Department and Garrison Plessinger, Director – Hagerstown Regional Airport

RECOMMENDED MOTION: Move to award the bid for the repair of one (1) Airport Fire Fighting Vehicle for the Hagerstown Regional Airport to the responsible, responsive bidder Emergency Vehicle Specialist, Inc. of Hagerstown, MD who submitted the low Total Bid Sum in the amount of \$59,371.00.

REPORT-IN-BRIEF: On March 20, 2019, the County received a total of two (2) bids for the repair of a 1999 Oshkosh fire fighting vehicle. The Invitation to Bid (ITB) notice was published in the local newspaper, listed on the State of Maryland’s “eMaryland Marketplace”, and on the County’s website. Thirty-six (36) persons/companies registered/downloaded the bid document on-line. The intent of the scope of work is to repair and/or replace non-working equipment, parts, and service the vehicle and generator. The vendor will be tasked with removing and replacing the existing thermal imaging camera, removing and replacing the existing turret to name a few of the items that will be repaired/replaced prior to the unit being ready for in-service and added to the department’s fleet of vehicles.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the department’s Operations account 45-45080.

CONCURRENCES: Director of the Division of Public Works

ALTERNATIVES:

1. Award the bid, at the price of \$59,371.00 to repair the unit, or
2. Do not award the bid.

ATTACHMENTS: Bid Tabulation Matrix

AUDIO/VISUAL NEEDS: N/A

PUR-1416

Repair of Airport Fire Fighting Vehicle

	Beyer Brothers Corporation Fairview, New Jersey	Emergency Vehicle Specialist, Inc. Hagerstown, Maryland
TOTAL SUM BID PRICE FOR REPAIRS	\$149,250.00	\$59,371.00
REMARKS/EXCEPTIONS:	<p>Beyer Bros. Corp. / Beyer Airfield Services is a Full-Service Dealer/Distributor for Oshkosh Corporation. Our Service Technicians are factory certified. Our Service Technicians are also Master ASE Technicians and ARFF EVT Certified. Beyer Airfield Services is dedicated to Airport ARFF and Snow Removal Equipment Sales, Parts and Service Support. Included are our Technicians certifications. Beyer Bros. Corp. cannot comply the statement (Section: Supplemental Terms and Conditions; Page 18; Item 14: Liquidated Damages:) as it appears in the bid document as it references a schedule that the bidder will be held to but does not specify the details of said "schedule". Therefore, we respectfully declare that Beyer Bros. Corp. cannot be held to a schedule that has not been clearly defined in the bid document.</p>	<p>(E.1.) Unable to find pricing on Flir Model M-423S campra system. Price will have to be determined at a later date. (G.19 to 21) Number of rear facing flood lights, deck lights and step lights is unknown and could change cost of labor and parts. (J.3.) More info needed to determine repair of air ride seats. (K.4.) More info needed on cab interior wall liner.</p>



Agenda Report Form

Open Session Item

SUBJECT: Reimbursement of Design Costs for Maryland Theatre Expansion

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Susan Buchanan, Director, Office of Grant Management,

RECOMMENDED MOTION: Move to approve \$345,225 of reimbursable design costs from the Governor's Capital Bond bill for the Urban Improvement Project be directed to the Maryland Theatre as additional County support for their expansion.

REPORT-IN-BRIEF: The Maryland Department of General Services has determined that \$345,225 of the design expenses paid for by the County for the Maryland Theatre's expansion project are reimbursable through the Governor's bond bill. The refund of those funds may either be used as a reimbursement to the County or directed to the Maryland Theatre as additional local support for their expansion.

DISCUSSION: The County has provided the following funding as support to the Maryland Theatre expansion component of the Hagerstown Urban Improvement Project:

Design Costs for Theatre Expansion	\$500,000
Construction Administration	\$227,000
Cash Contribution (Approved 12/11/18)	\$1,000,000
Total support	\$1,727,000
Refunded Design fees	\$345,225
Total including design refund	\$2,072,225

FISCAL IMPACT: If the reimbursed design fees are directed to the Maryland Theatre it will increase the local funding for the project by \$345,225, if the funds are retained by the County it will provide an additional \$345,225 to the County's budget.

ALTERNATIVES: The County retains the reimbursed costs.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Hotel Rental Tax Funding Request, The Maryland Theatre Association, Inc.

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Susan Buchanan, Director, Office of Grant Management, Jessica Green, Executive Director, The Maryland Theatre Association, Inc., Benito Vattelana, Board President, The Maryland Theatre Association, Inc.

RECOMMENDED MOTION: Move to approve the request for Hotel Rental Tax funding from the Maryland Theatre Association, Inc. in the amount of \$_____, for expenses associated with the Urban Improvement Project.

REPORT-IN-BRIEF: The Maryland Theatre is requesting a financial contribution of \$455,000, spread over four years, to assist the organization's expansion which is part of the Urban Improvement Project.

DISCUSSION: The Maryland Theatre's expansion project is a key component of the Hagerstown Urban Improvement Project (UIP). The expansion will serve as a catalyst for the City's economic development, in enhancing the long-term development of the downtown business district, by creating a strong community environment which will encourage local business development. The project is expected to foster job creation, increase the tax base, and result in increased foot traffic in the Arts & Entertainment District and is expected to generate over \$5 million in economic expenditures in the form of dining, retail entertainment, and overnight stays.

The projected cost of the expansion is \$15,268,737. This includes design costs and furnishings & fixtures. Funding sources for the project are anticipated to be nearly equally split between private donations, local and state government funding along with a federal grant for a portion of the equipment costs. In addition to the \$5,000,000 forward funding agreement related to the Governor's bond bill, current funding commitments from Washington County are as follows:

Scenario 1 (assumes design fees are not directed to Maryland Theatre)

Design Costs for Theatre Expansion	\$500,000
Construction Administration	\$227,000
Cash Contribution (Approved 12/11/18)	\$1,000,000
Total support	\$1,727,000

Scenario 2 (Design fee reimbursement directed to Maryland Theatre)

Design Costs for Theatre Expansion	\$500,000
Construction Administration	\$227,000
Cash Contribution (Approved 12/11/18)	\$1,000,000
Total support	\$1,727,000
Refunded Design fees	\$345,225
Total including design refund	\$2,072,225

The Maryland Theatre is requesting \$455,000 from the Hotel Rental Tax Fund to support the final phases of construction. The funding request can be structured in four annual installments of \$113,750. This grant funding will be financed by the two local banks who provided low interest financing for expansion project pledges committed over multiple years. If the request for Hotel Rental Tax funding is approved as requested today the total funding commitment from the County will be:

	Scenario 1	Scenario 2
Design Costs	\$500,000	\$500,000
Construction Administration	\$227,000	\$227,000
Cash Contribution	\$1,000,000	\$1,000,000
Refunded Design fees		\$345,255
Hotel Rental Tax Funds	\$455,000	\$455,000
Total County Funding	\$2,182,000	\$2,527,225

In addition, discussions with Washington County Public School staff have indicated they do not anticipate being able to utilize their entire allocation of the Governor’s Capital Bond Bill grant funding, resulting in up to \$1,000,000 of funding available to other portions of the Urban Improvement project, including the County’s expenses for design, construction of the Plaza, and the Maryland Theatre expansion. The amount of funding reallocated to the Theatre will be limited due to Maryland prevailing wage law, which mandates that prevailing wages be paid on construction contracts over \$500,000, with 50% or more of state funding. The County is currently revising the capital bond bill subrecipient agreements to allow flexibility in directing available grant funds to UIP components as needed to ensure all state funds are maximized.

FISCAL IMPACT: \$_____ payable in four annual installments of \$_____ as determined by the Board of County Commissioners. Reports on expenditures will be submitted annually to the Office of Grant Management.

ALTERNATIVES: Deny or amend the request for funding.

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Open Session Item

SUBJECT: FY20 Appalachian Regional Commission (ARC) Preliminary Project Description Review and Ranking

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Susan Buchanan, Director, Office of Grant Management

RECOMMENDED MOTION: Move to accept the Preliminary Project Descriptions as prioritized by this Board and forward the ranking to Tri-County Council of Western Maryland for funding consideration. Further move to allow applicants to proceed with application submission to the Appalachian Regional Commission for those projects that receive funding recommendation from Tri-County Council and to accept grant funding for County projects approved and provided by the Appalachian Regional Commission.

REPORT-IN-BRIEF: As part of the annual ARC funding program, Tri-County Council for Western Maryland, the local administrator of these federal funds, requests the County review and prioritize projects submitted for grant funding consideration. A review committee consisting of the County Administrator, directors from the offices of Planning and Zoning, Business Development, Grant Management, and the Director of Engineering has reviewed the projects and assigned a preliminary ranking. The Board of County Commissioners has the final authority to review and rank the proposals at its sole discretion prior to submission to Tri-County Council.

DISCUSSION: ARC's Preliminary Project Description (PPD) packages were distributed in February to municipalities, educational agencies, healthcare providers and non-profit agencies inviting them to submit requests for funding through ARC. There are two categories of funding available through ARC, Area Development which requires a 50/50 funding match and Local Access Road which requires no match. This year, ARC's funding for Allegany, Garrett and Washington counties is expected to be approximately \$1,500,000 for Area Development Projects and \$2,500,000 for Local Access Road Projects. Funding requests for Washington County's Area Development Projects include ten (10) proposed projects requesting \$2,842,000 in ARC funding and six (6) projects requesting \$4,850,000 in funding from the Transportation Equity Act for the 21st Century (TEA-21) Access Road category. Total requested ARC funding for the sixteen (16) projects is \$7,692,000.

FISCAL IMPACT: If awarded by ARC, the local access road project(s) submitted by Washington County will reduce the cost to the County to complete these project(s) by the award amount. Non-County projects will have no fiscal impact.

CONCURRENCES: County Administrator, Director of Planning, Director of Business Development, Director of Engineering

ALTERNATIVES: Amend ranking and forward revised ranking to Tri-County Council

ATTACHMENTS: Ranking Spreadsheet

AUDIO/VISUAL NEEDS: N/A

**PRELIMINARY RANKING OF APPALACHIAN REGIONAL COMMISSION PROJECT DESCRIPTIONS
FISCAL YEAR 2020**

Ranking	Requestor	Project Description	Local/Private Funds	Other	ARC Request	Total
Area Development Projects						
1	Hagerstown Community College	Workplace Based Assessments to Meet Employer Needs	\$57,000		\$57,000	\$114,000
2	Town of Boonsboro	Inflow & Infiltration Upgrade Phase II	\$150,000		\$150,000	\$300,000
3	City of Hagerstown	Wastewater Collection System Rehab	\$200,000		\$200,000	\$400,000
4	City of Hagerstown	Life Safety Code Upgrades Fund	\$250,000		\$250,000	\$500,000
5	Town of Hancock	Sewer Rehabilitation	\$150,000		\$150,000	\$300,000
6	Washington County Public Schools	Pre-K -12 Environmental Literacy Enhancement & Expansion	\$20,000	\$130,000	\$150,000	\$300,000
7	Town of Boonsboro	Sludge De-Watering Facility-Volute Press	\$375,000		\$375,000	\$750,000
8	City of Hagerstown	Third Parking Deck	\$8,000,000		\$1,000,000	\$9,000,000
9	The Arc of Washington County	Fitness Center	\$10,000		\$10,000	\$20,000
10	The Housing Authority of Washington County	Blue Mountain Estates Senior Community	\$4,500,000		\$500,000	\$5,000,000
			ARC Funding Requests		\$2,842,000	\$16,684,000

TEA-21 Funds - Local Access Road Projects (100% ARC Funded)						
1	Washington County	Wright Road Extension Phase I			\$1,000,000	\$1,000,000
2	City of Hagerstown	Professional Court Widening: Eastern Blvd Improvements			\$750,000	\$750,000
3	Town of Boonsboro	Boonsboro Connector (MD-68 - MD 34)			\$1,000,000	\$1,000,000
4	Washington County	Eastern Boulevard Extension Phase I			\$1,000,000	\$1,000,000
5	Washington County	Wright Road Extension Phase II			\$1,000,000	\$1,000,000
6	Town of Smithsburg	East School Lane Access Road			\$100,000	\$100,000
			ARC Funding Requests		\$4,850,000	\$4,850,000

Open Session Item

SUBJECT: Construction Bid Award – Marsh Pike Sidewalk Extension, County Contract No. MS-MP-199-28, Safe Routes to School Project, SHA Contract No. AX933B52, Federal Aid Project No. SRTS-3(338)E

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Scott Hobbs, P.E., Director, Division of Engineering

RECOMMENDED MOTION: Move to conditionally award the Marsh Pike Sidewalk Extension contract to the lowest responsive, responsible bidder, Priority Construction of Baltimore, Maryland, in the amount of \$386,241.25. Conditional award is based on receiving concurrence in award from Maryland State Highway Administration (SHA).

REPORT-IN-BRIEF: The project was advertised in the Herald Mail, on the County’s website, and on the State of Maryland’s website, “e-Maryland Marketplace.” Five (5) bids were received and opened on Friday, April 5, 2019, as listed below and further detailed on the attached Bid Tabulation.

<u>Contractor:</u>	<u>Bid:</u>
Priority Construction Corporation	\$386,241.25
Outdoor Contractors, Inc.	\$453,525.99
ECM Corporation	\$475,485.00
MIM Construction, Inc.	\$585,610.00
Huntzberry Brothers, Inc.	\$619,780.00

The bids have been evaluated and the low bid from Priority Construction is in order. The engineer’s estimate for this work is \$425,000.

DISCUSSION: The project involves installation of 600 linear feet of sidewalk and curb along Marsh Pike to improve safety for the children in the area that walk to and from Paramount Elementary School. The project also includes grading, curb ramps, pipe, stormwater management, and asphalt paving. The will be designed to comply with American with Disabilities Act (ADA) standards.

This is a 120 consecutive calendar day contract. The anticipated Notice to Proceed is for June 2019, with an anticipated completion date in September 2019, so that the majority of work can be completed with school out of session. The bid documents include liquidated damages in the amount of \$500.00 per calendar day for work beyond the completion date. Work performed for this project will require daily lane closures, Monday through Friday, 9:00 a.m. to 2:30 p.m.

FISCAL IMPACT: This is a budgeted Capital Improvement Plan (CIP) project (LDI048). Total expenses are estimated at \$426,241.25, which includes \$386,241.25 for the proposed bid award, \$20,000 for inspection/testing, and \$20,000 for construction contingency. The County secured a federal grant (Transportation Alternatives Program – Safe Routes to School) that covers these expenses.

CONCURRENCES: Budget and Finance (Fiscal Impact), SHA

ALTERNATIVES: Do not award and forgo funding which may jeopardize future grant awards.

ATTACHMENTS: Bid Tabulation, Aerial Map

AUDIO/VISUAL TO BE USED: Yes (Aerial Map)

Safe Routes to School: Marsh Pike Sidewalk





Washington County, Maryland Division of Engineering
 Marsh Pike Sidewalk Extension
 Contract No. MS-MP-199-28 Project No: 28-199, State Contract no. AX933B52 FAP No. SRTS-3(338)E
 Tabulatin of Bids received on Friday, April 5, 2019 at 2:00 p.m.

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	Priority Construction Corporation Baltimore, MD		Outdoor Contractors Incorporated Hancock, MD		ECM Corporation Jessup, MD		MIM Construction Incorporated Frederick, MD		Huntberry Brothers Incorporated Smithsburg, MD	
				UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1001	CLEARING AND GRUBBING	LS	1	\$ 6,145.00	\$ 6,145.00	\$ 77,585.00	\$ 77,585.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00
1002	MAINTENANCE OF TRAFFIC	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 25,400.00	\$ 25,400.00	\$ 41,500.00	\$ 41,500.00	\$ 50,000.00	\$ 50,000.00	\$ 92,000.00	\$ 92,000.00
1003	CONSTRUCTION STAKEOUT	LS	1	\$ 8,250.00	\$ 8,250.00	\$ 4,800.00	\$ 4,800.00	\$ 8,000.00	\$ 8,000.00	\$ 10,000.00	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00
1004	MOBILIZATION	LS	1	\$ 42,570.00	\$ 42,570.00	\$ 67,585.53	\$ 67,585.53	\$ 45,000.00	\$ 45,000.00	\$ 100,000.00	\$ 100,000.00	\$ 45,500.00	\$ 45,500.00
1005	AS-BUILT DRAWINGS	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 3,800.00	\$ 3,800.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00
1006	STEEL PLATES 12 FT X 14 FT X 1 INCH	EA	4	\$ 100.00	\$ 400.00	\$ 636.00	\$ 2,544.00	\$ 650.00	\$ 2,600.00	\$ 1,000.00	\$ 4,000.00	\$ 1,000.00	\$ 4,000.00
1007	TEMPORARY PRECAST CONCRETE TRAFFIC BARRIER (TCB) FOR MOT	LF	200	\$ 7.50	\$ 1,500.00	\$ 20.83	\$ 4,166.00	\$ 45.00	\$ 9,000.00	\$ 30.00	\$ 6,000.00	\$ 50.00	\$ 10,000.00
1008	RESET/REMOVE TEMPORARY CONCRETE TRAFFIC BARRIER (TCB) FOR MOT	LF	400	\$ 2.50	\$ 1,000.00	\$ 8.16	\$ 3,264.00	\$ 10.00	\$ 4,000.00	\$ 20.00	\$ 8,000.00	\$ 10.00	\$ 4,000.00
1009	TEMPORARY ORANGE CONSTRUCTION FENCE	LF	600	\$ 2.75	\$ 1,650.00	\$ 5.00	\$ 3,000.00	\$ 3.50	\$ 2,100.00	\$ 3.00	\$ 1,800.00	\$ 4.00	\$ 2,400.00
1010	TEMPORARY TRAFFIC SIGNS	SF	73	\$ 1.00	\$ 73.00	\$ 10.92	\$ 797.16	\$ 25.00	\$ 1,825.00	\$ 20.00	\$ 1,460.00	\$ 30.00	\$ 2,190.00
1011	DRUMS FOR MAINTENANCE OF TRAFFIC	EA	25	\$ 75.00	\$ 1,875.00	\$ 80.00	\$ 2,000.00	\$ 100.00	\$ 2,500.00	\$ 100.00	\$ 2,500.00	\$ 120.00	\$ 3,000.00
2001	UNCLASSIFIED EXCAVATION	CY	200	\$ 71.65	\$ 14,330.00	\$ 32.00	\$ 6,400.00	\$ 50.00	\$ 10,000.00	\$ 50.00	\$ 10,000.00	\$ 50.00	\$ 10,000.00
2002	COMMON BORROW - TYPE 1	CY	50	\$ 45.00	\$ 2,250.00	\$ 25.00	\$ 1,250.00	\$ 50.00	\$ 2,500.00	\$ 50.00	\$ 2,500.00	\$ 50.00	\$ 2,500.00
2003	TEST PIT EXCAVATION	CY	15	\$ 250.00	\$ 3,750.00	\$ 35.00	\$ 525.00	\$ 100.00	\$ 1,500.00	\$ 100.00	\$ 1,500.00	\$ 200.00	\$ 3,000.00
2004	REMOVAL AND DISPOSAL OF EXISTING PAVEMENT, SIDEWALK, AND PAVED DITCH	CY	125	\$ 85.00	\$ 10,625.00	\$ 80.00	\$ 10,000.00	\$ 80.00	\$ 10,000.00	\$ 10.00	\$ 1,250.00	\$ 250.00	\$ 31,250.00
2005	REMOVAL AND DISPOSAL OF EXISTING CURB AND COMB. CURB AND GUTTER	LF	60	\$ 15.00	\$ 900.00	\$ 80.00	\$ 4,800.00	\$ 15.00	\$ 900.00	\$ 10.00	\$ 600.00	\$ 15.00	\$ 900.00
2006	CONTINGENT: UNSUITABLE MATERIAL EXCAVATION	CY	15	\$ 100.00	\$ 1,500.00	\$ 70.00	\$ 1,050.00	\$ 65.00	\$ 975.00	\$ 10.00	\$ 150.00	\$ 110.00	\$ 1,650.00
3001	15 INCH STORM PIPE (POLYPROPYLENE)	LF	110	\$ 55.00	\$ 6,050.00	\$ 13.50	\$ 1,485.00	\$ 80.00	\$ 8,800.00	\$ 50.00	\$ 5,500.00	\$ 140.00	\$ 15,400.00
3002	14X23 INCH ERCP, CLASS IV	LF	230	\$ 97.90	\$ 22,517.00	\$ 62.61	\$ 14,400.30	\$ 100.00	\$ 23,000.00	\$ 250.00	\$ 57,500.00	\$ 250.00	\$ 57,500.00
3003	22X34 INCH ERCP, CLASS IV	LF	30	\$ 135.40	\$ 4,062.00	\$ 96.00	\$ 2,880.00	\$ 150.00	\$ 4,500.00	\$ 200.00	\$ 6,000.00	\$ 275.00	\$ 8,250.00
3004	STANDARD CONCRETE END SECTION HORIZONTAL ELLIPICAL PIPE 22X34	EA	1	\$ 2,910.00	\$ 2,910.00	\$ 2,400.00	\$ 2,400.00	\$ 4,500.00	\$ 4,500.00	\$ 2,500.00	\$ 2,500.00	\$ 3,400.00	\$ 3,400.00
3005	STANDARD METAL END SECTION, 15" HDPE PIPE	EA	1	\$ 445.00	\$ 445.00	\$ 200.00	\$ 200.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 550.00	\$ 550.00
3006	6 INCH PERFORATED HDPE PIPE	LF	80	\$ 16.20	\$ 1,296.00	\$ 7.50	\$ 600.00	\$ 40.00	\$ 3,200.00	\$ 30.00	\$ 2,400.00	\$ 60.00	\$ 4,800.00
3007	12 INCH NYLOPLAST RISER	EA	3	\$ 940.00	\$ 2,820.00	\$ 100.00	\$ 300.00	\$ 3,000.00	\$ 9,000.00	\$ 100.00	\$ 300.00	\$ 2,500.00	\$ 7,500.00
3008	PRECAST OR CAST IN PLACE SQUARE AND RECTANGULAR COG INLETS	EA	3	\$ 6,030.00	\$ 18,090.00	\$ 5,000.00	\$ 15,000.00	\$ 5,000.00	\$ 15,000.00	\$ 5,000.00	\$ 15,000.00	\$ 8,250.00	\$ 24,750.00
3009	PRECAST COG OPENING 10 FEET	EA	1	\$ 5,805.00	\$ 5,805.00	\$ 600.00	\$ 600.00	\$ 4,500.00	\$ 4,500.00	\$ 5,000.00	\$ 5,000.00	\$ 6,350.00	\$ 6,350.00
3010	STANDARD TYPE S INLET, SINGLE GRATE	EA	1	\$ 3,230.00	\$ 3,230.00	\$ 900.00	\$ 900.00	\$ 3,800.00	\$ 3,800.00	\$ 5,000.00	\$ 5,000.00	\$ 3,500.00	\$ 3,500.00
3011	STANDARD YARD INLET	EA	1	\$ 1,725.00	\$ 1,725.00	\$ 5,000.00	\$ 5,000.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 2,750.00	\$ 2,750.00
3012	FILTER INLET 10X4	EA	2	\$ 8,195.00	\$ 16,390.00	\$ 8,000.00	\$ 16,000.00	\$ 9,500.00	\$ 19,000.00	\$ 25,000.00	\$ 50,000.00	\$ 17,500.00	\$ 35,000.00
3013	SWM - MICRO BIORETENTION, MULCH	SY	90	\$ 5.05	\$ 454.50	\$ 20.00	\$ 1,800.00	\$ 15.00	\$ 1,350.00	\$ 50.00	\$ 4,500.00	\$ 9.00	\$ 810.00
3014	SWM - MICRO BIORETENTION, SOIL MIX	CY	20	\$ 117.25	\$ 2,345.00	\$ 65.00	\$ 1,300.00	\$ 250.00	\$ 5,000.00	\$ 100.00	\$ 2,000.00	\$ 155.00	\$ 3,100.00
3015	SWM - MICRO BIORETENTION, PEA GRAVEL (NO. 8 STONE)	CY	5	\$ 100.00	\$ 500.00	\$ 25.00	\$ 125.00	\$ 150.00	\$ 750.00	\$ 100.00	\$ 500.00	\$ 140.00	\$ 700.00
3016	SWM - MICRO BIORETENTION, NO. 57 STONE	CY	8	\$ 140.00	\$ 1,120.00	\$ 36.00	\$ 288.00	\$ 200.00	\$ 1,600.00	\$ 100.00	\$ 800.00	\$ 140.00	\$ 1,120.00
3017	STORMWATER MANAGEMENT AS-BUILT CERTIFICATION	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 3,800.00	\$ 3,800.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,700.00	\$ 3,700.00
3018	CONTINGENT: SELECT BACKFILL USING NO. 57 AGGREGATE	CY	25	\$ 99.00	\$ 2,475.00	\$ 36.00	\$ 900.00	\$ 80.00	\$ 2,000.00	\$ 50.00	\$ 1,250.00	\$ 80.00	\$ 2,000.00
3019	SILT FENCE	LF	575	\$ 5.00	\$ 2,875.00	\$ 5.00	\$ 2,875.00	\$ 3.00	\$ 1,725.00	\$ 3.00	\$ 1,725.00	\$ 4.00	\$ 2,300.00
3020	CLASS I RIPRAP	SY	10	\$ 100.00	\$ 1,000.00	\$ 78.00	\$ 780.00	\$ 100.00	\$ 1,000.00	\$ 500.00	\$ 5,000.00	\$ 100.00	\$ 1,000.00
3021	FILTER CLOTH	SY	10	\$ 17.90	\$ 179.00	\$ 25.00	\$ 250.00	\$ 15.00	\$ 150.00	\$ 10.00	\$ 100.00	\$ 10.00	\$ 100.00
3022	INLET PROTECTION	EA	9	\$ 650.00	\$ 5,850.00	\$ 100.00	\$ 900.00	\$ 300.00	\$ 2,700.00	\$ 300.00	\$ 2,700.00	\$ 400.00	\$ 3,600.00
3023	REMOVAL OF EXISTING STORM DRAIN, ANY SIZE	LF	60	\$ 35.00	\$ 2,100.00	\$ 75.00	\$ 4,500.00	\$ 40.00	\$ 2,400.00	\$ 50.00	\$ 3,000.00	\$ 100.00	\$ 6,000.00
3024	MISCELLANEOUS CONCRETE MIX NO. 2, FOR STRUCTURES	CY	3	\$ 400.00	\$ 1,200.00	\$ 200.00	\$ 600.00	\$ 900.00	\$ 2,700.00	\$ 200.00	\$ 600.00	\$ 600.00	\$ 1,800.00
3025	CONTINGENT: FLOWABLE BACKFILL	CY	5	\$ 350.00	\$ 1,750.00	\$ 200.00	\$ 1,000.00	\$ 400.00	\$ 2,000.00	\$ 100.00	\$ 500.00	\$ 600.00	\$ 3,000.00
5001	8 INCH GRADED AGGREGATE BASE COURSE	SY	130	\$ 28.00	\$ 3,640.00	\$ 6.30	\$ 819.00	\$ 16.00	\$ 2,080.00	\$ 10.00	\$ 1,300.00	\$ 18.00	\$ 2,340.00
5002	SUPERPAVE ASPHALT MIX FOR SURFACE 9.5MM (PG64S-22)	TON	225	\$ 104.00	\$ 23,400.00	\$ 159.90	\$ 35,977.50	\$ 200.00	\$ 45,000.00	\$ 95.00	\$ 21,375.00	\$ 120.00	\$ 27,000.00
5003	SUPERPAVE ASPHALT MIX FOR BASE 19.0MM (PG 64S-22)	TON	100	\$ 137.00	\$ 13,700.00	\$ 141.00	\$ 14,100.00	\$ 150.00	\$ 15,000.00	\$ 125.00	\$ 12,500.00	\$ 100.00	\$ 10,000.00
5004	0-2" MILL	SY	1600	\$ 5.23	\$ 8,368.00	\$ 8.58	\$ 13,728.00	\$ 7.00	\$ 11,200.00	\$ 5.00	\$ 8,000.00	\$ 6.50	\$ 10,400.00
5005	5 INCH YELLOW LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS	LF	1300	\$ 2.75	\$ 3,575.00	\$ 1.50	\$ 1,950.00	\$ 1.00	\$ 1,300.00	\$ 3.00	\$ 3,900.00	\$ 3.20	\$ 4,160.00
5006	5 INCH WHITE LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS	LF	1325	\$ 2.75	\$ 3,643.75	\$ 1.50	\$ 1,987.50	\$ 1.00	\$ 1,325.00	\$ 3.00	\$ 3,975.00	\$ 3.20	\$ 4,240.00
5007	HEAT APPLIED WHITE PREFORMED THERMOPLASTIC PAVEMENT MARKINGS LEGENDS & SYMBOLS, ARROWS	SF	35	\$ 25.85	\$ 904.75	\$ 21.60	\$ 756.00	\$ 25.00	\$ 875.00	\$ 50.00	\$ 1,750.00	\$ 30.00	\$ 1,050.00
5008	5 INCH WHITE, PAVEMENT MARKING PAINT LINES	LF	1300	\$ 1.20	\$ 1,560.00	\$ 1.00	\$ 1,300.00	\$ 1.00	\$ 1,300.00	\$ 1.00	\$ 1,300.00	\$ 1.35	\$ 1,755.00
5009	5 INCH YELLOW, PAVEMENT MARKING PAINT LINES	LF	1300	\$ 1.20	\$ 1,560.00	\$ 1.00	\$ 1,300.00	\$ 1.00	\$ 1,300.00	\$ 1.00	\$ 1,300.00	\$ 1.35	\$ 1,755.00
5010	PAVEMENT MARKING PAINT LEGEND & SYMBOLS, ARROWS	SF	35	\$ 25.85	\$ 904.75	\$ 6.00	\$ 210.00	\$ 10.00	\$ 350.00	\$ 50.00	\$ 1,750.00	\$ 30.00	\$ 1,050.00
5011	6 INCH PORTLAND CEMENT CONCRETE PAVEMENT FOR DRIVEWAY MIX 6	SY	65	\$ 100.00	\$ 6,500.00	\$ 129.60	\$ 8,424.00	\$ 144.00	\$ 9,360.00	\$ 150.00	\$ 9,750.00	\$ 160.00	\$ 10,400.00
5012	FULL DEPTH SAW CUTS	LF	900	\$ 4.00	\$ 3,600.00	\$ 7.50	\$ 6,750.00	\$ 3.00	\$ 2,700.00	\$ 5.00	\$ 4,500.00	\$ 5.00	\$ 4,500.00
6001	5 INCH PERVIOUS CONCRETE SIDEWALK AND SIDEWALK RAMPS, 5' WIDE	SF	2800	\$ 12.70	\$ 35,560.00	\$ 8.40	\$ 23,520.00	\$ 16.50	\$ 46,200.00	\$ 25.00	\$ 70,000.00	\$ 17.00	\$ 47,600.00
6002	STANDARD TYPE "D" COMBINATION CURB AND GUTTER	LF	630	\$ 37.35	\$ 23,530.50	\$ 28.80	\$ 18,144.00	\$ 40.00	\$ 25,200.00	\$ 50.00	\$ 31,500.00	\$ 32.00	\$ 20,160.00
6003	DETECTABLE WARNING SURFACES	SF	30	\$ 40.00	\$ 1,200.00	\$ 36.00	\$ 1,080.00	\$ 80.00	\$ 2,400.00	\$ 100.00	\$ 3,000.00	\$ 66.00	\$ 1,980.00
6004	RELOCATE EXISTING MAILBOX ASSEMBLY	EA	9	\$ 100.00	\$ 900.00	\$ 250.00	\$ 2,250.00	\$ 150.00	\$ 1,350.00	\$ 500.00	\$ 4,500.00	\$ 400.00	\$ 3,600.00
6005	RELOCATE EXISTING CHAINLINK FENCE	LF	125	\$ 49.50	\$ 6,187.50	\$ 16.00	\$ 2,000.00	\$ 20.00	\$ 2,500.00	\$ 10.00	\$ 1,250.00	\$ 30.00	\$ 3,750.00
6006	CONTINGENT: NEW CHAINLINK FENCE	LF	125	\$ 44.00	\$ 5,500.00	\$ 24.00	\$ 3,000.00	\$ 30.00	\$ 3,750.00	\$ 1.00	\$ 125.00	\$ 50.00	\$ 6,250.00
7001	PLACING FURNISHED TOPSOIL, 4" DEPTH	SY	1250	\$ 8.00	\$ 10,000.00	\$ 4.00	\$ 5,000.00	\$ 7.50	\$ 9,375.00	\$ 5.50	\$ 6,875.00	\$ 9.00	\$ 11,250.00

Open Session Item

SUBJECT: Maryland Nuisance Insects Fund Local Participation

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Susan Buchanan, Director, Office of Grant Management

RECOMMENDED MOTION: Move to approve \$_____ of Hotel Rental Tax funding for local participation costs for participation in the Maryland Nuisance Insects Fund in FY20.

REPORT-IN-BRIEF: The Maryland Nuisance Insect Fund was established during the 2019 legislative session, replacing the former Black Fly Management Program, based upon these changes the County's funding commitment to the Black Fly Management program must be revisited.

DISCUSSION: On December 18, 2018, the Board of County Commissioners approved local support for the Black Fly Management program. The approved funding was for 10% of the total program cost up to \$12,000 in FY2019 and 10% of total program costs up to \$24,000 in FY20. This was based upon a projected total program costs in FY19 of \$120,000 and FY20 of \$240,000. The funding was to be provided through the Hotel Rental Tax fund due to the impact of the insects on recreation and tourism in the affected area.

During the 2019 legislative session, HB1353 repealed the Black Fly Management program and replaced it with the Maryland Nuisance Insects Fund. The newly established program will provide treatment for black flies which are considered a nuisance insect, if the County agrees to pay for 50% of the cost. The program will be implemented in FY20. The re-structuring of the program necessitates the County revisit the funding commitment made in December. Suggested modifications to consider include but are not limited to the following:

- Removal of language stating up to 10% of program costs and replacing with up to 50%.
- Eliminating support in FY19, since the program will not be implemented until FY20.

Adding the \$12,000 previously committed for FY19 to the FY20 commitment to provide a total local funding commitment for the program of \$36,000.

The number of sprayings provided by the Dept. of Agriculture is estimated as follows:

\$36,000 local funding will provide 4 treatments along entire stretch of river, or 5 treatments at Harper's Ferry location.

\$24,000 local funding will provide 2 treatments along entire stretch of river, or 3 at Harper's Ferry location.

These estimates are based upon 100-year average flows of the river, so if we have a year of heavy rain similar to 2018, the treatment cost would go up resulting in a decreased number of treatments.

FISCAL IMPACT: The Hotel Rental Tax fund will be reduced by the award amount approved.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: HB 1353

AUDIO/VISUAL NEEDS: N/A

HOUSE BILL 1353

M4, M1

(9lr0140)

ENROLLED BILL

— *Environment and Transportation/Education, Health, and Environmental Affairs* —

Introduced by **Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Agriculture – Nuisance Insects**

3 FOR the purpose of authorizing the Secretary of Agriculture to implement, under certain
4 circumstances, a program *to use a certain pesticide* to control or eliminate nuisance
5 insects in the State; *requiring the program to be implemented on certain property;*
6 ~~authorizing~~ *specifying that a certain notice be provided to certain entities and posted*
7 *on certain social media sites; authorizing* the Secretary to carry out a certain project
8 to control or eliminate nuisance insects if the county or municipality in which the
9 nuisance insects are located agrees to pay a certain portion of certain costs;
10 establishing the Nuisance Insects Fund as a special, nonlapsing fund; requiring the
11 Secretary to remit certain payments to the Comptroller for deposit to the Fund;
12 requiring the Secretary or the Secretary's designee to administer the Fund;
13 specifying the contents of the Fund; specifying the purpose for which the Fund may
14 be used; repealing certain provisions of law relating to black fly management and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



control; authorizing the Secretary to adopt certain regulations; stating a certain finding of the General Assembly; defining certain terms; and generally relating to controlling or eliminating nuisance insects in the State.

BY adding to

Article – Agriculture

Section 5–1001 through 5–1005 to be under the new subtitle “Subtitle 10. Nuisance Insects”

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY repealing

Article – Natural Resources

Section 8–2201 through 8–2205 and the subtitle “Subtitle 22. Black Fly Management and Control”

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Agriculture

SUBTITLE 10. NUISANCE INSECTS.

5–1001.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “FUND” MEANS THE NUISANCE INSECTS FUND.

(C) (1) “NUISANCE INSECT” MEANS AN INSECT THAT IS DETERMINED BY THE SECRETARY TO PESTER OR ANNOY ONLY HUMANS.

(2) “NUISANCE INSECT” DOES NOT INCLUDE ~~AN~~:

(I) AN INSECT THAT IS A THREAT TO THE HEALTH OF HUMANS, ANIMALS, OR PLANTS; OR

(II) A POLLINATOR.

5–1002.

THE GENERAL ASSEMBLY FINDS THAT THE PROLIFERATION OF CERTAIN SPECIES OF INSECTS, INCLUDING THE GROUP *SIMULIUM JENNINGSI*, COMMONLY

1 KNOWN AS BLACK FLIES, WHILE NOT POSING A DIRECT THREAT TO THE HEALTH OF
2 HUMANS, ANIMALS, OR PLANTS, MAY CONSTITUTE A PUBLIC AND COMMON
3 NUISANCE ON LAND AND WATERS USED FOR RECREATION, EMPLOYMENT, AND
4 TOURISM.

5 **5-1003.**

6 (A) (1) SUBJECT TO AVAILABLE FUNDING IN THE STATE BUDGET AND
7 SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY IMPLEMENT
8 A PROGRAM TO USE *BACILLUS THURINGIENSIS ISRAELENسيس* TO CONTROL OR
9 ELIMINATE NUISANCE INSECTS IN THE STATE.

10 (2) THE PROGRAM SHALL BE IMPLEMENTED ON:

11 (I) STATE-OWNED PROPERTY;

12 (II) PROPERTY OWNED BY A LOCAL GOVERNMENT WITH THE
13 CONSENT OF THE LOCAL GOVERNMENT; AND

14 (III) PRIVATE PROPERTY WITH THE CONSENT OF THE PROPERTY
15 OWNER.

16 ~~(2) (3) TO CARRY OUT THE PROGRAM, THE SECRETARY MAY~~
17 ~~AUTHORIZE ANY METHOD THE SECRETARY CONSIDERS NECESSARY TO CONTROL OR~~
18 ~~ELIMINATE NUISANCE INSECTS, INCLUDING THE APPLICATION OF PESTICIDES.:~~

19 (I) TREAT PROPERTY WITH AN AERIAL SPRAYING OR BACKPACK
20 SPRAYING OF *BACILLUS THURINGIENSIS ISRAELENسيس*;

21 (II) CONDUCT FIELD STUDIES TO DETERMINE THE NEED FOR,
22 LOCATION, AND TIME OF SPRAYING;

23 (III) SCHEDULE SPRAYING WHEN THE CONDITIONS ARE OPTIMAL
24 FOR INGESTION BY NUISANCE INSECTS;

25 (IV) NOTIFY APPROPRIATE PERSONS OF THE DATE AND
26 LOCATION OF AN UPCOMING SPRAYING; AND

27 (V) REVIEW THE EFFECTIVENESS OF SPRAYING.

28 (B) NOTICE PROVIDED UNDER SUBSECTION (A)(3)(IV) OF THIS SECTION
29 SHALL, AT A MINIMUM, BE:

30 (1) PROVIDED TO:

1 **(I) LOCAL PRESS OUTLETS;**

2 **(II) COUNTY AND LOCAL GOVERNMENTS THAT ARE IN THE AREA**
3 **THAT WILL BE AFFECTED BY THE SPRAYING;**

4 **(III) EMERGENCY RESPONDERS AND ASSOCIATED AGENCIES**
5 **THAT SERVICE THE AREA THAT WILL BE AFFECTED BY THE SPRAYING; AND**

6 **(IV) THE LOCAL RIVERKEEPER FOR THE AREA THAT WILL BE**
7 **AFFECTED BY THE SPRAYING; AND**

8 **(2) POSTED ON APPROPRIATE SOCIAL MEDIA SITES.**

9 **(C) (1) THE SECRETARY MAY CARRY OUT A PROJECT TO USE BACILLUS**
10 **THURINGIENSIS ISRAELENIS TO CONTROL OR ELIMINATE NUISANCE INSECTS**
11 **UNDER THIS SECTION IF THE COUNTY OR MUNICIPALITY IN WHICH THE NUISANCE**
12 **INSECTS ARE LOCATED AGREES TO PAY 50% OF THE COSTS ASSOCIATED WITH THE**
13 **PROJECT.**

14 **(2) THE SECRETARY SHALL REMIT ANY PAYMENT FROM A COUNTY OR**
15 **MUNICIPALITY RECEIVED UNDER THIS SUBSECTION TO THE COMPTROLLER FOR**
16 **DEPOSIT TO THE NUISANCE INSECTS FUND, ESTABLISHED UNDER § 5-1004 OF THIS**
17 **SUBTITLE.**

18 **5-1004.**

19 **(A) THERE IS A NUISANCE INSECTS FUND.**

20 **(B) THE PURPOSE OF THE FUND IS TO FACILITATE THE CONTROL OR**
21 **ELIMINATION OF NUISANCE INSECTS IN THE STATE.**

22 **(C) THE SECRETARY OR THE SECRETARY'S DESIGNEE SHALL ADMINISTER**
23 **THE FUND.**

24 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
25 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

26 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
27 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

28 **(E) THE FUND CONSISTS OF:**

1 (1) ANY MONEY DISTRIBUTED TO THE FUND UNDER § 5–1003(B) OF
2 THIS SUBTITLE;

3 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
4 AND

5 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
6 THE BENEFIT OF THE FUND.

7 (F) THE FUND MAY BE USED ONLY TO COVER THE ACTUAL, DOCUMENTED
8 DIRECT AND INDIRECT COSTS ASSOCIATED WITH CONTROLLING OR ELIMINATING
9 NUISANCE INSECTS IN ACCORDANCE WITH A PROGRAM IMPLEMENTED UNDER §
10 5–1003 OF THIS SUBTITLE.

11 5–1005.

12 THE SECRETARY MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

13 **Article – Natural Resources**

14 [Subtitle 22. Black Fly Management and Control.]

15 [8–2201.

16 (a) The General Assembly finds that the proliferation of certain species of the
17 group *Simulium jenningsi*, commonly known as black flies, are a public and common
18 nuisance on land and waters used for recreation, employment, and tourism.

19 (b) It is the intent of the General Assembly that the Department, in conjunction
20 with the Department of Agriculture and the University of Maryland’s Department of
21 Entomology, significantly reduce the population of black flies in the State.]

22 [8–2202.

23 Subject to funding made available to the Department and the Department of
24 Agriculture to implement the provisions of this subtitle, the Department may, in
25 conjunction with the Department of Agriculture, implement a program to control the spread
26 of black flies in the State.]

27 [8–2203.

28 (a) The program shall be implemented initially in Washington County on:

29 (1) State-owned property;

1 (2) Property owned by a local government with consent of the local
2 government; and

3 (3) Private property with consent of the property owner.

4 (b) The Department, in conjunction with the Department of Agriculture and the
5 University of Maryland's Department of Entomology, may:

6 (1) Treat the property with an aerial spraying or backpack spraying of
7 *Bacillus thuringiensis israelensis*;

8 (2) Conduct field studies to determine the need for, location, and timing of
9 spraying;

10 (3) Schedule spraying when the conditions are optimal for ingestion by the
11 black flies;

12 (4) Notify appropriate persons of the date and location of an upcoming
13 spraying;

14 (5) Review the effectiveness of the spraying; and

15 (6) Conduct biomonitoring of aquatic macroinvertebrates and fish in
16 selected streams to ensure there is no impact on the environment.]

17 [8-2204.

18 The Department and the Department of Agriculture may accept, use, or expend any
19 aid, gift, or grant made available from any private or public source to implement the
20 provisions of this subtitle.]

21 [8-2205.

22 The Department may, in conjunction with the Department of Agriculture, adopt
23 regulations to implement the provisions of this subtitle.]

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2019.



Agenda Report Form

Open Session Item

SUBJECT: Making Connections Campaign/Colonel Henry K. Douglas Drive Groundbreaking Ceremony

PRESENTATION DATE: May 7, 2019

PRESENTATION BY: Rob Slocum, County Administrator; Scott Hobbs, Director, Division of Engineering and Danielle Weaver, Director, Public Relations & Marketing

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: Making Connections Campaign/Groundbreaking of Colonel Henry K. Douglas Drive. Colonel Henry K. Douglas Drive is the second of four Making Connection projects. The project involves the construction of 1,500 LF of four-lane closed-section road and will extend Colonel Henry K. Douglas Drive from Maryland Route 65 (Sharpsburg Pike) to Bushwillow Way in the Cross-Creek subdivision. The project will spur commercial development on the lands surrounding the new road and provide a much-needed second access to the subdivision. In addition, there are future plans to construct the road to Alternate Route 40 to access land for development and improve the transportation network.

DISCUSSION: The Making Connections Campaign is connecting Washington County by creating partnerships and improving economic development, transportation, public safety, and pedestrian access. Staying connected is a good thing. Making new connections is a great thing! Washington County will unveil the second of four public-private partnership projects. Colonel Henry K. Douglas Drive will open new opportunities for economic development, creating new connections in the community!

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A