



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

May 7, 2024

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

A moment of silence was observed, followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President John F. Barr called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 8:02 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey, Commissioner Randall E. Wagner and Commissioner Wayne K. Keefer.

FIRST CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Cline, moved to convene in closed at 8:02 a.m. to consult with counsel to obtain legal advice on a legal matter and to consult with staff, consultants, or other individuals about pending or potential litigation. The motion passed unanimously.

In closed session, the Commissioners discussed legal matters.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne Keefer and Randall E. Wagner; Dawn Marcus, County Clerk; Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Assistant County Attorney, Aaron Weiss, Assistant County Attorney and Roger Schlossberg, Attorney.

RECESS

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Harvey, moved to reconvene in open session at 9:00 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner attended the Hagerstown Aviation Museum East Coast Military Vehicle Rally. He helped to kick off the Washington County Girls Softball League. Commissioner Wagner congratulated Eagle Scout Aubrey Rayhel. He attended the UAW171 Central Maryland Workers Memorial Service and thanked Dan Tedrick for hosting the event. Commissioner Wagner commented both he and his father were members of the UAW171 for many years.

Commissioner Keefer shared his condolences to the family of former Commissioner Ron Bowers in the passing of his mother Ms. Pearl Bowers. He commented on the communication received regarding a blighted property, with wild animal concerns, in Hancock and requested conversations to enhance our code enforcement and to involve the necessary agencies to avoid future occurrences.

Couty Attorney, Zachary Kieffer commented staff is working on the issue.

Commissioner Harvey attended the soft opening of the Flying Boxcars at Meritus Park and congratulated everyone who made that happen. He shared we are in day six of early voting and shared the early voting sites. Commissioner Harvey commented on concerns regarding deteriorating buildings and restoring historical homes in downtown Williamsport and Hancock and would like staff to address the issue. He noted May is Military appreciation month and recognized all who are currently serving in the military. Commissioner Harvey shared tomorrow is Victory in Europe Day celebrating the end of World War II in Europe and commented on antisemitism then and today. He shared there will be Memorial Day weekend parades in Sharpsburg and Boonsboro.

Commissioner Cline commented he voted early at the Boonsboro American Legion location and, he thanked the Election Board and Election workers. He commented on honoring former Mayor Mickey Myers at the evening meeting and thanked her for her years of service. Commissioner Cline attended the grand opening ceremony at the Community Foundations Office on Marsh Pike. He recognized this National Teachers Week and National Nurses Week. Commissioner Cline attended the Williamsport Community Band Concert at the Springfield Barn. He attended the soft opening of the Flying Boxcars at Meritus Park. Commissioner Cline attended the kickoff of the Washington County Girls Softball League. He watched as the Highways Department clear the debris from Broadfording Bridge. Commissioner Cline attended the Eagle Scout Ceremony for Aubrey Rayhel. He attended the ribbon cutting ceremony for the playground at Veteran's Park in Boonsboro. Commissioner Cline attended the Western Maryland Delegation Economic Development Summit at Hagerstown Airport and thanked Jonathan Horowitz for his detailed presentation. He attended the Big Brothers and Big Sisters Bowl for Kids fundraiser event and recognized Tom Kline. Commissioner Cline attended Thunder in the Square. He attended the UAW171 Central Maryland Workers Memorial Service and thanked Dan Tedrick for hosting the event.

Commissioner Barr thanked his fellow Commissioners for reaching out to the Community and attending many events. He attended the 75th Annual Banquet at Brook Lane and recognized Jeff O'Neal and the staff for their services and critical resources for the Community. Commissioner Barr thanked Dan Tedrick for the UAW171 Central Maryland Workers Memorial Service and commented it is near and dear to his heart. He shared multiple upcoming events to include the dedication and unveiling at the Clara Barton Memorial Park today at 1:30 p.m.

STAFF COMMENTS

Dawn Marcus, County Clerk presented the request to approve the appointment of Timothy Ammons to serve a first full, three-year term from June 1, 2024, through May 31, 2027, as a regular member on the Board of Zoning and Appeals. This is a paid board.

Commissioner Wagner, seconded by Commissioner Harvey moved to approve the appointment of Timothy Ammons as presented. The motion passed unanimously.

Dawn Marcus, County Clerk presented the request to approve the re-appointment of Mayor William Green to serve a fourth two-year term from May 1, 2024, through April 30, 2026, as the Washington County Municipalities Representative on the Hagerstown/Eastern Panhandle Metropolitan Planning Organization. This is not a paid board.

Commissioner Keefer, seconded by Commissioner Wagner moved to approve the reappointment of Mayor William Green as presented. The motion passed unanimously.

Dawn Marcus, County Clerk presented the request to approve the appointment of Karen Hays to serve a first-full three-year term from May 1, 2024, through April 30, 2027, on the Washington County Commission for Women. This is not a paid board.

Commissioner Wagner, seconded by Commissioner Keefer moved to approve the appointment of Karen Hays as presented. The motion passed unanimously.

Dawn Marcus, County Clerk presented the request to approve the appointment of Catherine Magi to serve a first-full three-year term from May 1, 2024, through April 30, 2027, on the Washington County Commission for Women. This is not a paid board.

Commissioner Wagner, seconded by Commissioner Keefer moved to approve the appointment of Catherine Magi as presented. The motion passed unanimously.

Zachary Kieffer, County Attorney presented a request to approve a revision to the Ethics Ordinance which was adopted on March 26, 2024. The revision was to correct a typographical error on page ten (10) of the Ordinance the correct number of days for a candidate to file for candidacy should be eight (8) not the listed twenty (20).

Commissioner Wagner, seconded by Commissioner Harvey moved to adopt the correction to the Ethics Ordinance as presented. The motion passed unanimously.

Michelle Gordon, County Administrator attended the Maryland Theater Board meeting as the County representative. She shared last week Chief Financial Officer Kelcee Mace, Budget Director Kim Edlund and Director of Business and Economic Development Jonathan Horowitz presented information to rating agencies, she thanked them for their outstanding job representing the County's economic and financial conditions to the three rating agencies and noted we expect to have the review completed by May 13, 2024. Ms. Gordon attended the 34th Annual National Fire and Emergency Services dinner presented by the Congressional Fire Services Institute in Washington D.C. The symposium highlighted critical factors that impact the health and safety of firefighters and emergency services personnel and honored individuals' and organizations for their dedicated services. She attended the Post Legislative Forum relating the 2024 General Assembly programs and bills impacting Washington County. Ms. Gordon shared the second meeting of the Permits and Inspections staff regarding the transition to the new building codes will be held May 15, 2024, and the next meeting will be May 14, 2024.

CITIZEN PARTICIPATION

Hope Cline, Hagerstown commented on the Kirwan Blueprint and the need for funding for the Washington County Public Schools.

Bernadette Wagner, Hagerstown is a former Board of Education Member she shared her support to fund education through the school systems.

Julie Dagenhart, Hagerstown shared her concerns of speeding and racing on Route 40 and requested additional police patrol officers.

Joyce Shull, Hagerstown is a public educator currently teaching at Roxbury Institution. She requested the Commissioners fully fund the Washington County Schools budget.

Genie Massey, Boonsboro shared her children attend Washington County Public Schools and requested the Commissioners fully fund the Washington County Schools budget.

Mary Heeringa, WCTA Hagerstown recognized this week as National Teacher's Week and welcomed the Commissioners to visit the schools.

PUBLIC HEARING – MODIFICATION OF CHARGES, RENTALS, AND FEES AT THE HAGERSTOWN REGIONAL AIRPORT FOR FY2025

President Barr convened a Public Hearing at 9:41 a.m. to obtain public comment for modification of charges, rentals, and fees at the Hagerstown Regional Airport for FY2025.

Neil Doran, Director, Hagerstown Regional Airport, Kelcee Mace, Chief Financial Officer presented the proposed increase in current charges, rentals, and fees at the Hagerstown Regional Airport. The new schedule of rates and charges, if adopted, will become effective July 1, 2024. An approximate 4% increase in T-Hangar rental charges is necessary to maintain compliance with fair market value grant assurance required by the FAA as well as aging facilities and operations. Increases in parking and landing fees are necessary to maintain a fee and rental structure for the facilities and services at Hagerstown Regional Airport which will make the airport as self-sustaining as possible, taking into account such factors as the volume of traffic and economy of collection. Based on the proposed rate schedule, approximately \$21,110.00 in revenue will be generated from T-Hangar rental charges; \$25,025.00 in revenue from badge and accessory charges; and \$12,970.00 for other miscellaneous fees related to operations.

Commissioner Barr requested clarification on the one-time charges vs. annual charges and a rationale for the badge charges.

Mr. Doran clarified the dumpster cost recovery fee is for the cost of two dumpsters, the transient ramp fees and overnight aircraft parking fees are a one-off request at the terminal area and are not charged to the FBO, they are not changing the Landing fees which is different from the agenda report, they are not changing the fuel flow fees.

Michelle Gordon, County Administrator requested clarification on the new fees that were not charged before. She went through each fee individually to clarify the confusion.

Mr. Doran clarified the security fee for the air operation area would apply to a small number of users at the airport. The badge fees are issued annually there is a mistake noting the monthly fee for the badges are an annual fee and badge holder and badge return fees are one time airport operations fees. The fee listing on the agenda is a mistake.

The Public Hearing was opened for public comment:

Carolyn Motz, Director Business Development Rider Jet Center shared her disappointment in not getting input from the airport stakeholders regarding the changes. She commented the dumpster fee should be a part of the rent, they are the fuelers for Allegiant airlines the badge fees for the Airport Rider Jet Center employees' cost are \$100.00 and they have twenty (20) employees who will need to have that badge each year which would be a cost of \$2,000.00. She does not support of the badge fees. Rider Jet Center receives Allegiant's fuel; they are responsible for making sure it is pure they work at cost to keep Allegiant at the airport. She did not hear about the airport maintenance fees until this week, and she is opposed to the fees stating they could be more reasonable.

Ale Hernandez, Plane Care, Hagerstown, expects that while leasing the land he is provided with the services that the fees are being requested for. He understands that there should be an increase in the T-Hangar fee however does not support the individual fees such as the dumpster fees. The badge fees should be airport personnel and not a tenant responsibility. He shared the disparity in airport fuel costs and recommended lower fuel costs. Mr. Hernandez commended the airport on being easy to work with however he commented he did not receive any information regarding the proposed increase of fees.

Commissioner Wagner questioned if the badge fee is brand new and shared that the tenants should not be charged for the badges, the tenants are always willing to help regardless of the problem or situation. He commented our fuel costs are acceptable. He believes the T-Hangar increases are acceptable however would like a quicker turnaround time for maintenance responses. He does not want to penalize the tenants with proposed fees.

Mr. Doran shared the badge fees are new as the airport has been absorbing the cost. The airport is currently a TSA category, if the TSA upgrades the security category it could create a need for hundreds of badges which would require training. The current cost is approximately \$100.00 per badge and an additional cost for software. He shared aviation fees on the fuel are common.

Commissioner Keefer requested clarification on the use of AOA and Cita badges.

Mr. Doran shared the Cita badge is for the highest level of security where the airliner sits. Airport staff including firefighters, Rider Jet Center fuelers and the contracted mechanics who provide maintenance service for Allegiant are required to have the badges.

Commissioner Harvey commented that he is not a private user of the airport however he has learned that Allegiant and our commercial service is on edge. He shared concerns of charging Allegiant more. He had questions regarding fuel costs, and costs not being included in normal tenant fees due to the difference in quantities needed such as the dumpster fees.

Mr. Doran shared they are not in control of Ryder Jet Center fees; however, the airport has not increased the fuel flowage fee in many years. The costs such as dumpster fees are being spread out so as not to charge any one business or individual user is facing a large fee for the month or the year.

Commissioner Cline requested an updated fee schedule before voting on the issue as information in the fee schedule provided is incorrect and he requested to make sure the information is provided to the tenants in advance as well.

Mr. Doran shared it was not intentional that the tenants were not notified, they value the relationships with the tenants.

Commissioner Barr requested the status of the terminal parking fees and passenger facility fees. He discussed the cost of paid parking to circumvent some of the fees.

Mr. Doran shared that the terminal parking fee is listed on the bottom, the first hour is free. They are preparing the application for the passenger facility fees which will need to go to the FAA and public hearings.

The Public Hearing was closed at 10:22 a.m.

The Public Hearing was opened for Commissioner comments: There were no additional Commissioner comments.

The Commissioners reached a unanimous consensus (5-0) to have the fees schedule properly updated and tenants notified of the fees prior to bringing this back before the commissioners for a vote.

Commissioner Keefer asked if the changes would be effective this budget season.

Michelle Gordon, County Administrator shared that the adjustments would need to be made to the airport budget before the public hearing. Additional public comment can be made at the budget hearing on May 15, 2024, at 6:00 p.m. at the Public Safety Training Center.

PUBLIC HEARING – MODIFICATION OF WATER AND SEWER RATES FY2025

President Barr convened a Public Hearing at 10:24 a.m. to obtain public comment for the modification of water and sewer rates FY2025.

Mark Bradshaw, Director, Environmental Management; and Kelcee Mace, Chief Financial Officer presented the proposed modification of water and sewer rates. Water and Sewer revenue requirements show that an increase in water and sewer rates is necessary to facilitate the Department of Water Quality's long-range financial plans. The presented rate schedule provides rates for the next three years. Having set rates for multiple years will provide clear directions for the budget in those years as well as letting rate payers know what to expect. Rate changes project a revenue impact of \$562,000.00 for Sewer and \$48,000.00 for Water for FY 2025. The proposed multiyear increase is 4.5% to 5.5%. The summary of the proposed schedule of utility rates for FY2025 – FY2027 is attached to the Agenda Report Form.

Kelcee Mace, Chief Financial Officer shared the 4.5% is average per year for over the three years. The proposed rate for FY2025 would be an average 6% for sewer and a 5.6% increase for water, for FY2026 a 3.5% increase for sewer and 5% for water and for FY 2027 a 3/5% increase for sewer and 5% for water. For FY2025 the average customer at 6000 gallons would be an additional \$10.97 increase for sewer and \$10.61 increase for water. Overall, for the three years the total increase combined would be \$24.80 or 13.65% for sewer and \$31.30 per quarter or 16.47% over the three years. There are no proposed changes to the allocation fees, administrative fees or laboratory fees just the water and sewer rates.

Michelle Gordon, County Administrator shared in FY 2020, FY2021 and FY2023 there was a 0% increase in the water fees and FY2023 and FY2024 there was a 0% increase in sewer fees for customers. The average increase in the five-year period was cumulatively 2 to 3%.

The Public Hearing was opened for public comment: There was no public comment.

Commissioner questions:

Commissioner Cline commented that a 0% increase affects the enterprise fund in a negative way with the increase of inflation and requested Ms. Mace explain this issue and shared it would not be the best practice of the County to continue to draw from the general fund.

Ms. Mace shared during those years they do not increase the rates and do not draw enough revenue, they take the funds from the general fund for the water and sewer which draws the fund down and can create an issue of not having the required 25% of operating revenue in the general fund. During those

years we were drawing from the general fund balance and the rate increases are required to bring the fund balance back to the required amount. Not bringing the fund balance to the required amount could affect our ratings. They will still run the rate model through the years, this would create a base and if there is a change it would come back before the Commissioners.

Commissioner Keefer discussed the needs for future upgrades and the rates needed to meet the upgrades and the need for future investment.

Mr. Bradshaw share information regarding upgrades for lead to copper line and PFOSS requirements that will be coming out in the near future which will require for additional treatments which will likely be a three-to-five-year timeframe.

The Public Hearing was closed at 10:35 a.m.

The Public Hearing was opened for Commissioner comments:

Commissioner Keefer shared they generally wait to vote on an increase with the budget to give additional time for public comment.

The Commissioners reached a unanimous consensus (5-0) to approve the request simultaneously with the budget.

PUBLIC HEARING – APPLICATION FOR ZONING TEXT AMENDMENT RZ-24-001

President Barr convened a Public Hearing at 10:36 a.m. to obtain public comment for application for Zoning: Text Amendment RZ-24-001.

Jill Baker, Director, Planning and Zoning presented the Application is being made to amend Section 23.4 (a) of the Washington County Zoning Ordinance to remove exemptions for height restrictions on high-density warehouse structures.

Washington County is located at the intersection of two significant interstates (I-70 and I-81) thus attracting transportation related uses including warehouses and distribution facilities. These uses are currently allowed only in the Industrial Restricted (IR), Planning Industrial (PI) and Highway Interchange (HI) zoning districts.

The Washington County Zoning Ordinance currently has no definition of high-density warehouse structures. In researching a definition to clarify this type of use, several definitions were found which varied slightly. However, the general concept is that high-density warehousing is the concept of condensing stored items into the smallest amount of space and eliminating aisle ways. In today's workplace environment, this definition would likely apply to most, if not all, new warehouses and distribution centers being built. In each of the districts mentioned, there is a height limitation of 75 feet. However, there is an exemption included within the exemptions and modifications section of the ordinance that allow for several specifically mentioned uses to exceed the zoning district height requirements without limitation. One of the uses listed as having no height limitation is "high-density warehouses". All of the other uses listed under this section are accessory structures that do not have need for occupancy. That makes the warehouse use stand out as an anomaly in this list of uses to be exempt. The County's Emergency Services department indicates that the highest ladder truck in the County is 100 feet; however, when the apparatus is fully set, the maximum height that can be reach is

75 feet. Given the proliferation of warehouses and distribution centers in the County, this exemption could easily overwhelm our local fire resources and cause potential life safety issues.

This amendment was reviewed by the Planning Commission at a public information meeting held on March 4, 2024. At their April 1, 2024, regular meeting, the Planning Commission voted unanimously to recommend approval of this text amendment.

The Public Hearing was opened for public comment: There was no public comment.

Commissioner Keefer requested clarification on current height requirements for warehouses and would we be lifting that restriction, and commented what we are striking in the proposed amendment is high-density warehousing. He requested clarification for the path for a high-density warehouse to move forward despite concerns from emergency services does not require a public hearing or a special exemption.

Ms. Baker shared in the districts where they are permitted the current height cannot exceed seventy-five (75) feet that restriction would stay in place. The restriction we are lifting is an exemption that a structure to exceed seventy-five (75) feet without any public participation or modifications from the jurisdiction. It is stated warehouses and all of the other uses within these districts is restricted to a height of seventy-five (75) feet and they may not exceed that height, there is a section within the zoning ordinance called exceptions and modifications that provide already codified exemptions so that people do not have to keep going back to the Board of Zoning Appeals or the Planning Commission to get modifications. She shared her concerns on how the high-density warehouses came in, and the exceptions that might allow for the height exemptions that would permit an unlimited height. This stems from the Ordinance put in place in 1973. The Planning Commission wants to limit the height on the high-density warehouses as it is an occupiable structure. This would require the facility to come back to the Planning Commission to request any variance to the height restriction. This would require them to go through the Board of Zoning and Appeals and request a public hearing for a variance over the seventy-five (75) feet.

Commissioner Cline clarified that they want to remove the automatic exemption from outside of the growth area and the automatic exemption allowing them to go from seventy-five (75) feet to one hundred and fifty (150) feet for high density warehouses.

Commissioner Wagner shared we are facing antiquated language in the zoning that someone has used for high density warehouses.

Commissioner Keefer thanked Ms. Baker for her explanations, and he supports the amendment.

The Public Hearing was closed at 10:51 a.m.

The Public Hearing was opened for Commissioner comments: There were no Commissioner comments.

Commissioner Wagner, seconded by Commissioner Cline moved to approve to amend Section 23.4 (a) of the Washington County Zoning Ordinance to remove exemptions for height restrictions on high-density warehouse structures as presented. The motion passed unanimously (5-0)

PUBLIC HEARING – FY25 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

President Barr convened a Public Hearing at 10:52 a.m. to obtain public comment for the FY25 Community Development Block Grant application.

Nicole Phillips, Senior Grant Manager, Grant management; Keith Fanjoy, CEO, San Mar Family and Community Services; Jerica Washington, Deputy Director, San Mar Family and Community Services presented the request to approve a resolution of support authorizing the submission of the County's application for FY25 Community Development Block Grant funding for San Mar Family and Community Services requesting \$800,000.00 and accept funding as awarded.

In accordance with 24 CFR 570.486(a) (5), Washington County must provide a public hearing for the purpose of obtaining citizens' views before submission of an application to the Community Development Block Grant Program. The County intends to submit an application requesting \$800,000.00 for San Mar Family and Community Services.

The Maryland Community Development Block Grant Program (CDBG) is a federally funded program designed to assist units of local government with activities directed toward neighborhood revitalization, housing opportunities, economic development and improved public facilities and services. The State of Maryland, specifically the Department of Housing and Community Development (DHCD), has assumed the responsibility for the administration of the program from the U.S. Department of Housing and Urban Development (HUD). The State provides CDBG funds for eligible projects based on meeting one of three national objectives: 1) benefit to persons of low and moderate income 2) prevention or elimination of slum or blight; or 3) meet an urgent need that is an immediate threat to community health, safety, or welfare. During state fiscal year 2025, the State of Maryland anticipates receiving an award of \$8,165,077.00. These funds will be distributed throughout the state based on a competitive grant process. If approved today, the County will submit an application requesting \$800,000.00. If funding is awarded, the County will enter into a subrecipient agreement with San Mar Family and Community Services, and San Mar will use the funding towards their campus renovation to create full-service housing for transition age youth. The grant application will be available for public review on May 30, 2024, until June 5, 2024, at the Washington County Office of Grant Management located at 100 W. Washington Street, Suite 1601. The grant will provide up to \$800,000.00 for San Mar Family and Community Services.

The Public Hearing was opened for public comment: There was no public comment.

Commissioner Harvey requested the timeframe for the transition period.

Mr. Fanjoy shared that the target is two years for the necessary training and to establish bank accounts to get the young person ready to move forward in life.

Commissioner Keefer requested how many individuals will be served, how many apartments?

Mr. Fanjoy shared that there are approximately fifteen (15) apartments to offer optimal space for the individuals.

The Public Hearing was closed at 10:59 a.m.

The Public Hearing was opened for Commissioner comments: There were no Commissioner comments.

Commissioner Wagner, seconded by Commissioner Cline moved to approve to approve a resolution of support authorizing the submission of the County's application for FY25 Community Development Block Grant funding for San Mar Family and Community Services requesting \$800,000.00 and accept funding as awarded. The motion passed unanimously (5-0).

NATIONAL DRUG COURT MONTH (MAY 2024)

Board of County Commissioners presented a proclamation to Jennifer Bricker, Drug Court Coordinator, Circuit Court for Washington County, Gray Barton, Director, Office of Problem-Solving Courts and The Honorable Brett R. Wilson, Administrative Judge, Circuit Court for Washington County. The Commissioners were invited to the Drug Court Graduation on May 31, 2024, an invitation will be sent out.

COUNTY COMMISSIONERS OF WASHINGTON COUNTY PUBLIC IMPROVEMENT AND REFUNDING BONDS OF 2024 AUTHORIZING RESOLUTION

Lindsay Rader, Bond Counsel for Washington County; Kelcee Mace, Chief Financial Officer presented the request to approve the resolution authorizing County Commissioners of Washington County (the "County") to issue and sell, at public sale by solicitation of competitive bids, upon its full faith and credit, a series of general obligation bonds in the original aggregate principal amount not to exceed \$28,555,000 for the purpose of financing or reimbursing costs of certain public facilities and projects and currently refunding certain outstanding County general obligation bonds, as presented.

Certain Chapter Laws of Maryland, County Code provisions and provisions of the Annotated Code of Maryland, as applicable, authorize the County to issue and sell, upon its full faith and credit, general obligation bonds for the purpose of (1) financing or reimbursing the cost of certain public facilities and projects, as such terms are used in such statutory provisions (see attachment for the contemplated public facilities and projects)—such purpose is typically referred to as a "new money purpose," and (2) currently refunding in whole or in part the outstanding County Commissioners of Washington County Public Improvement Bonds of 2013 that mature on or after July 1, 2025 and the outstanding County Commissioners of Washington County Public Improvement Bonds of 2014 that mature on or after July 1, 2025. The County anticipates issuing a single series of its general obligation bonds for both new money and current refunding purposes. The maximum original aggregate principal portion of the contemplated series of bonds to be issued for new money purposes will not exceed \$13,555,000.00 (a maximum of \$12,000,000.00 expected to be tax-supported and a maximum of \$1,555,000.00 expected to be self-supported), and the maximum original aggregate principal portion of the contemplated series of bonds to be issued for current refunding purposes will not exceed \$15,000,000.00. The amortization schedule for the bonds set forth in the resolution assumes an original aggregate principal amount of \$25,455,000.00 which is less than the maximum original aggregate principal amount of the bonds authorized by the resolution. Certain details of the bonds are subject to adjustment based on market conditions, due to legal or tax considerations or for other reasons identified in the resolution. The Chief Financial Officer is authorized to make certain determinations and adjustments with respect to the bonds prior to release of the Preliminary Official Statement provided for in the resolution or following such release but prior to the sale of the bonds, including (without limitation) adjusting the original aggregate principal amount of the bonds, adjusting the amortization schedule for the bonds, postponing the sale date, changing the principal, interest and/or optional redemption dates, and/or determining that either some of the potential refunded bonds will not be currently refunded in whole or that none of the potential refunded bonds will be currently refunded (and, accordingly, that no portion of the bonds will

be issued for refunding purposes). In addition, authority to award or reject the bonds at the sale, and to make certain post-sale bond sizing adjustments contemplated by the resolution, is delegated to the Chief Financial Officer, who shall act by order. Specified officials are authorized to finalize the form of the Preliminary Official Statement presented to the Board and to approve the final Official Statement. The resolution expresses the Board's intention that post-receipt of bids adjustments be made on the sale date in order to allocate net original issue premium resulting from the successful bid not needed for underwriter's discount, to the extent such additional net original issue premium is so available to the purposes for which the bonds are issued, thereby reducing the final par amount of the bonds to be issued. The resolution also provides for the County Administrator or the County Administrator's designee to take certain actions in connection with the issuance of the bonds that are typically taken by the County Clerk, due to any vacancy in the County Clerk's position or any unavailability of the County Clerk (attesting to the County seal and making certifications or representations in closing documents that are typically made by the County Clerk).

Commissioner Harvey requested information on how much of our bond do we pay off every year, how much new borrowing does this include and overall does the debt go up or down.

Kelcee Mace, Chief Financial Officer shared we generally pay off about \$15,000,000.00 to \$16,000,000.00 million dollars each year, for new borrowing the maximum is \$13,500,000.00, because of how they have been sized over the past few years the debt has gone down normally we do a \$12,000,000.00 issue where the \$12,000,000.00 is obligated, since we have done the sizing it has gone down with last year being a little over a \$9,000,000.00 for the general fund which we committed to pay back.

Commissioner Cline, seconded by Commissioner Wagner moved to approve the Resolution as presented. The motion passed (4-1). Commissioner Harvey was a Nay vote.

PRESERVATION MONTH (MAY 2024)

Meghan Jenkins, GIS Coordinator, Planning and Zoning; and Greg Smith, Chair of the Historic District Commission thanked the Commissioners for their recent increase to tax credit program for the HDC sharing she has had significant increase in interest in the program and has received a lot of positive feedback from the citizens. She shared they will be posting on Social Media and challenged the Commissioners to share their photos of their favorite historic structures in the County. They will be co-hosting an event with the Washington County Historic Trust and Preservation Maryland May 22, 2024, at 6:00 p.m. at the public library and also the John Frye Awards through the Historical Advisory Committee on May 16, 2024. Mr. Smith thanked the Commissioners for their help and support over the years and helping to directly assist the property owners. The Commissioners presented a proclamation to the Historic District Commission.

SUNNY LAND CORPORATION RURAL LEGACY PROGRAM (RLP) EASEMENT

Chris Boggs, Rural Preservation Administrator, Planning and Zoning presented the request to approve the Sunny Land Corporation RLP Easement project, in the amount of \$831,438.86 for 202.13249 easement acres, paid for 100% by the Maryland Department of Natural Resources, and to adopt an ordinance approving the easement purchase and to authorize the execution of the necessary documentation to finalize the easement purchase. The Sunny Land Corporation property is located at Dam 4 Rd., Williamsport, and the easement will serve to permanently preserve a valuable agricultural, scenic and environmental property in the County. The parcel is mostly woods with some agricultural areas. It lies in a part of Washington County that was heavily trafficked during the Civil War and the Battle of Antietam and is adjacent to a stone farmstead, a 19th Century farmstead, and the Dr. William

H. Grimes House, all on the Maryland Inventory of Historic Places. Additionally, the property is within close proximity to the C&O Canal and Potomac River, buffering approximately 3900 linear feet of those waterways. The parcel adds on to a block of thousands of acres of contiguous preserved farmland near Antietam Battlefield and Williamsport. Eight (8) development rights will be extinguished with this easement.

Commissioner Cline questioned how the property is valued and who is the Sunnyland Corporation.

Commissioner Keefer questioned the acreage on the map of 188 acres.

Commissioner Barr requested information on where the property line ends.

Mr. Boggs shared the Bergers of Williamsport own the property; the survey came back with more acreage than what was in the GIS map which changed the number of acres to 202.13249 and the property line does not go all of the way down to the canal, the National Park Service owns that property.

Commissioner Wagner seconded by Commissioner Harvey moved to approve the Sunny Land Corporation RLP Easement project, as presented. The motion passed unanimously (5-0)

IZER RURAL LEGACY PROGRAM (RLP) EASEMENT

Chris Boggs, Rural Preservation Administrator, Planning and Zoning presented the request to approve the Jean E. Izer Revocable Living Trust RLP Easement project, in the amount of \$500,544.00 for 118.78 easement acres, paid for 100% by the Maryland Department of Natural Resources, and to adopt an ordinance approving the easement purchase and to authorize the execution of the necessary documentation to finalize the easement purchase. The Izer property is located at 16152 Natural Well Rd., Williamsport, and the easement will serve to permanently preserve a valuable agricultural, historic, scenic and environmental property in the County. The parcel is mostly pastureland and cropland with some wooded areas. It lies in a part of Washington County that was heavily trafficked during the Civil War and the Battle of Antietam, sits along the historic Natural Well Road and is the site of a stone farmhouse listed on the Maryland Inventory of Historic Places. Additionally, the property serves to buffer approximately 1300 linear feet of a small tributary to the Potomac River. The parcel adds on to a block of thousands of acres of contiguous preserved farmland near Antietam Battlefield and Williamsport. Six (6) development rights will be extinguished with this easement.

Commissioner Cline seconded by Commissioner Keefer moved to approve the Jean E. Izer Revocable Living Trust RLP Easement project as presented. The motion passed unanimously (5-0).

BID AWARD RENEWAL (PUR-1567) – ELECTRONIC RECYCLING

Brandi Naugle, Buyer, Purchasing; Dave Mason, Deputy Director, Solid Waste presented the request to approve to renew the contract for Electronic Recycling Services at the 40 West Landfill with PC Recycler/dba Securis, of Chantilly, VA per the rates included in its letter dated April 2, 2024. Securis is requesting an approximate 2.6% increase above the current rates for the services.

Commissioner Harvey seconded by Commissioner Wagner moved to approve to approve to renew the contract for Electronic Recycling Services as presented. The motion passed unanimously (5-0).

PURCHASE OF ONE (1) 2024 FORD TRANSIT VAN FOR THE INFORMATION SYSTEMS DEPARTMENT

Rick Curry, Director, Purchasing; David Elliott, Director, Information Systems presented the request to approve for the Information Systems Department to purchase one (1) Ford Transit van from Hagerstown Ford of Hagerstown, MD in the amount of \$60,215.00. The purchase of vehicles has become very time-consuming and exhausting. Prior to the pandemic there were vetted programs in place to help local governments to expedite and streamline the procurement process of purchasing vehicles; that has changed to due manufacturer's business model of accepting vehicle orders that don't align with our fiscal year. Information Systems has made several attempts to purchase a vehicle from various dealership inventory only to have the vehicle sold prior to requesting Board approval to purchase the vehicle. This vehicle is available and is sitting on the dealership's car lot.

Commissioner Wagner seconded by Commissioner Cline moved to approve to purchase one (1) Ford Transit van from Hagerstown Ford of Hagerstown, MD in the amount of \$60,215.00 as presented. The motion passed unanimously (5-0).

HAGERSTOWN REGIONAL AIRPORT TAXIWAY C OBJECT FREE AREA DESIGN AND CONSTRUCTION AND RUNWAY 02-20 DESIGN PROJECTS – APPROVAL TO SUBMIT RELATED APPLICATIONS

Neil Doran, Director, Hagerstown Regional Airport presented the request for conditional approval to submit FAA/MAA grant applications, sign related paperwork and later accept awarded grants based upon the total project cost being below what is already programmed and approved in previous County budgets.

These are already previously identified and budgeted projects. The previously budgeted numbers are believed by staff and our consulting engineers to be more than adequate to cover the costs. In order to meet deadlines, requesting permission to move forward with applications to FAA and MAA as swiftly as possible, despite not yet having the construction bids in hand for the TWY C OFA Construction portion.

Commissioner Wagner seconded by Commissioner Keefer moved to approve the conditional approval to submit FAA/MAA grant applications as presented. The motion passed unanimously (5-0).

APPROVAL TO APPLY/ACCEPT GRANT FUNDING AND ISSUE PURCHASE ORDERS – AIRPORT RVZ/ROFA PROJECT

Neil Doran, Director, Hagerstown Regional Airport presented the request for conditional approval to sign/submit FAA/MAA grant applications and related paperwork for this "Grant 71" project based upon total costs being below amounts programmed and approved in previous County budgets; and for approval to issue Purchase Order for ADCI Design, Bid & Construction Phase Services totaling \$418,038.00; and for approval to issue Purchase Order for ADCI to subcontract with Taffy Pippen Consulting, LLC to perform DBE Program Update Services totaling \$40,500.00

Commissioner Wagner seconded by Commissioner Cline moved to approve the conditional approval to sign/submit FAA/MAA grant applications and related paperwork for this "Grant 71" project as presented. The motion passed unanimously.

SECOND CLOSED SESSION

Commissioner Cline, seconded by Commissioner Keefer, moved to convene in closed at 11:43 a.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 consult with counsel to obtain legal advice on a legal matter; and To conduct collective bargaining negotiations or consider matters that related to the negotiations. The motion passed unanimously.

In closed session, the Commissioners discussed, personnel matters, a business proposal and legal matters.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne Keefer and Randall E Wagner; Dawn Marcus, County Clerk; Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Assistant County Attorney; Aaron Weiss, Assistant County Attorney; Chip Rose, Director Human Resources; Jonathan Horowitz, Director, Business and Economic Development; Andrew Eshleman, Director of Public Works; Sheriff Brian Albert, Washington County Sheriff's Office; and Andrew Bright, Attorney for Washington County Sheriff's Office.

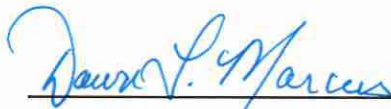
RECONVENE IN OPEN SESSION

Commissioner Harvey, seconded by Commissioner Keefer, moved to reconvene in open session at 12:31 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Harvey, seconded by Commissioner Keefer, moved to adjourn at 12:31 p.m. The motion passed unanimously.

***THE BOARD OF COUNTY COMMISSIONERS ATTENDED A DEDICATION CEREMONY
FOR THE CLARA BARTON STATUE, PARK CIRCLE AREA,
HAGERSTOWN MARYLAND AT 1:30 P.M.***



Dawn L. Marcus, County Clerk