

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

January 24, 2017

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

President Terry L. Baker called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:07 a.m. at 100 West Washington Street, Room 227, with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr.

APPROVAL OF MINUTES – JANUARY 10, 2017

Commissioner Keefer, seconded by Myers, moved to approve the minutes of January 10, 2017. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer commented on the inauguration of President Donald J. Trump.

Commissioner Myers discussed the upcoming State of the County address to be presented February 7 at 7:00 a.m. at Fountain Head Country Club and 7:00 p.m. at the Kepler Theatre. He noted that February 1 is the "Day in Annapolis" reception sponsored by the Washington County Community Lobbying Coalition to highlight local interests. Mr. Myers commented that plans are moving forward with the Hagerstown Urban Revitalization Project.

County Administrator Greg Murray provided a review of the proposed Memorandum of Understanding (MOU) regarding the Hagerstown Urban Revitalization Project that involves the County Commissioners, City of Hagerstown, Board of Education, Maryland Theatre, University System of Maryland-Hagerstown and private developers now being reviewed by all parties. The MOU sets forth the responsibilities for each party including financial commitments. The County serves as the leading partner in the project. Commissioner Baker commented on the possibility of setting future two-on-two meetings with Hagerstown City Council members to discuss joint projects.

Commissioner Barr commented on the Hagerstown Urban Revitalization Project and the improvements/investment to be made in downtown Hagerstown. He noted that the current legislative session in Annapolis is in its third week and he discussed meetings he attends as past president of the Maryland Association of Counties (MACo). Mr. Barr asked his fellow Commissioners to stand in for him during scheduled Transportation Advisory Committee meetings that he will miss during the legislative session.

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Commissioner Myers discussed citizens' comments he received regarding plans for the three abandoned school sites previously transferred to the County. He proposed the possibility of leasing the properties to interested parties for up to ten years since the bids received were not full value. The possibility of using some of the space for County parks/recreation activities or for the Election Board was discussed. Staff will look into the options.

Commissioner Baker stated that he attended the presidential inauguration last week and met many citizens from across the United States.

REPORTS FROM COUNTY STAFF

Public Relations and Community Affairs

Sarah Sprecher, Assistant County Administrator, provided details on the State of the County addresses scheduled for Tuesday, February 7. The morning breakfast event at 7:00 a.m. requires a registration/fee through the Chamber of Commerce and the evening event at 7:00 p.m. at the Kepler Theatre is free to the public. Ms. Sprecher noted that the County's Public Relations Department would be sponsoring a booth showcasing Washington County during the "Day in Annapolis" on February 1 at the Calvert House in Annapolis. The event offers networking opportunities for county representatives and legislators.

County Administrator – Town of Williamsport Allocation Fees Debt

County Administrator Greg Murray discussed the money owed the County by the Town of Williamsport under an agreement for payment of past allocation fees for the Conococheague Wastewater Treatment Plant. The Town previously agreed to certain payment terms that required a \$46,000 payment due on January 1, 2017 with subsequent payments on January 1 in each of the next four years. Williamsport Mayor James McCleaf and staff met with Mr. Murray this week and requested additional time to make the first payment due to the lack of available funds. The Town did not specify a date for the delayed payment but discussed funds being available the next fiscal year. The County has credited the Town \$34,000 for one year of billings so the initial amount due is \$12,000. The agreement stipulates 3% interest for late payments. The Commissioners discussed the request, including not wanting to place a financial hardship on Williamsport citizens or set a precedent for other municipalities. Commissioner Barr proposed that the Town pay \$2,000 per month for six months this year only and Commissioner Cline suggested \$4,000 per month for three months. The Commissioners reached a consensus, with the exception of Commissioner Cline, to request the Town pay \$2,000 per month for four months at 3% interest.

FISCAL YEAR 2018 RURAL LEGACY PROGRAM GRANT

Jim Hovis, Director, Community Grant Management, and Eric Seifarth, Rural Preservation Administrator, Planning and Zoning, requested approval to submit a grant application for a Fiscal Year 2018 Rural Legacy Program grant award of \$2,253,000 from the Maryland Department of Natural Resources and to accept the award funding. Mr. Hovis stated that the yearly request submitted by the County's Department of Planning and Zoning provides

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for the purchase of conservation easements in the County's Rural Legacy Area. Rural Legacy properties are lands of significant agricultural, historic, environmental, public and cultural value. Landowners agree to protect areas vulnerable to development that can weaken the area's natural resources. The funding would be allocated to other Maryland counties if rejected by Washington County. Mr. Seifarth commented that the County requests a certain amount each year but has historically received approximately \$1 million. He noted that with current funding from all programs, the County has now exceeded \$75 million of total land preservation funding and will exceed 35,000 acres toward the 50,000-acre goal. The Commissioners discussed the proposal and the Rural Legacy Program.

Commissioner Myers, seconded by Barr, moved to approve the submittal of a grant application for a Fiscal Year 2018 Rural Legacy Program grant award of \$2,253,000 from the Maryland Department of Natural Resources, to accept all funding as awarded, and to approve the execution of all necessary documents to accept all awarded funding. The motion passed unanimously.

**APPALACHIAN REGIONAL COMMISSION LOCAL ACCESS ROAD
APPLICATION FOR HALFWAY BOULEVARD EXTENSION PHASE I**

Susan Buchanan, Grant Manager, Community Grant Management, and Scott Hobbs, Deputy Director, Engineering and Construction Management, requested approval to submit a \$1 million grant application for Halfway Boulevard Extension Phase I to the Appalachian Regional Commission (ARC) and to accept the funding as awarded. The Division of Engineering and Construction is requesting \$1 million from the Appalachian Regional Commission Local Access Road Grant program to extend Halfway Boulevard approximately 1,000 linear feet. This Phase I extension of Halfway Boulevard will ultimately connect it to Maryland 63 (Greencastle Pike.) This grant will fund only a portion of the entire cost to connect the two roads and will not require matching funds. Either the County, through future ARC grant funding, private development or other funding sources will fund additional phases. Ms. Buchanan commented that this is not the typical process for ARC projects each year in May; however, additional funds were made available for which the County could apply

Commissioner Barr, seconded by Keefer, moved to approve the submission of a \$1 million grant application for Halfway Boulevard Extension Phase I to the Appalachian Regional Commission, to accept all funding as awarded, and to approve the execution of the necessary documents to accept all awarded funding. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE – UNIFORM RENTAL
SERVICE FOR VARIOUS COUNTY DEPARTMENTS**

Rick Curry, Buyer, Purchasing, recommended authorizing by resolution the Intergovernmental Cooperative Purchase/Uniform Rental Services with U.S. Communities via Hartford County Public Schools, Maryland, contract awarded to Cintas of Cincinnati, Ohio; and to extend the existing contract with Prudential Overall Supply of Irvine, California through March 8, 2017. Mr. Curry discussed the intergovernmental cooperative

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purchase bid method that allows entities to use another entity's contract to eliminate Washington County's bid process and obtain overall better pricing due to economies of scale offered by the subject contract. A determination to allow or participate in an intergovernmental cooperative purchasing arrangement is by a resolution indicating the cost benefits and efficiencies to the County.

Commissioner Barr, seconded by Myers, moved to authorize by resolution the Intergovernmental Cooperative Purchase/Uniform Rental Services with U.S. Communities via Hartford County Public Schools, Maryland, contract awarded to Cintas of Cincinnati, Ohio; and to extend the existing contract with Prudential Overall Supply of Irvine, California through March 8, 2017. The motion passed unanimously. (Resolution No. RS-2017-01 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

INDUSTRIAL EQUIPMENT (LEASE/PURCHASE AND TRADE-IN) FOR VARIOUS COUNTY DEPARTMENTS

Rick Curry, recommended award of the contracts for Industrial Equipment (Lease/Purchase and Trade-In) for various County Departments (PUR-1327) to the responsive, responsible bidders with the lowest bid, contingent upon approval of the final Lease Agreements by the County Attorney's office, as follows:

Item #1A – Four Backhoe/Front End Loaders to Jesco, Inc. of South Plain, New Jersey, for an annual lease payment for 5 years of \$65,658/year; Item #1B – Two Backhoe/Front End Loaders to Jesco, Inc. of South Plain, New Jersey, for an annual lease payment for 5 years of \$26,518/year; Item #2 – Six Rubber Tire Wheel Loaders to Jesco, Inc. of South Plain, New Jersey, for an annual lease payment for 5 years of \$112,923/year; Item #3 – Two Multi-Terrain Loaders to Alban Tractor Co. of Baltimore, Maryland, for an annual lease payment for 5 years of \$41,524/year; Item #4 – One Backhoe Front End Loader to Jesco, Inc. of South Plain, New Jersey, for an annual lease payment for 5 years of \$15,913/year; Item #5 – One Multi-Terrain Loader to Alban Tractor Co. of Baltimore, Maryland, for an annual lease payment for 5 years of \$15,766/year; and Item #6 – One Backhoe Front End Loader to Jesco, Inc. of South Plain, New Jersey, for an annual lease payment for 5 years of \$18,325/year. Items # 1A, 1B, 2, 4 and 6 include the trade-in of used equipment. The County initiated a lease/purchase program for equipment in 1996 and replacement guidelines for loaders, backhoes, etc. recommend a five-year cycle. Funds are budgeted in various accounts within each department's budget for the first year's lease payment. Mr. Curry indicated that a budget transfer of \$113,000 is necessary for approval of this matter.

Commissioner Myers, seconded by Barr, moved to award the contracts for Industrial Equipment (Lease/Purchase and Trade-In) for various County Departments to the responsive, responsible bidders with the lowest bids as presented, contingent upon approval of the final Lease Agreements by the County Attorney's Office, and to approve the associated budgeted transfer of \$113,000. The motion passed unanimously.

2016 SALARY STUDY COMMISSION – ESTABLISHMENT OF SALARIES

Kendall McPeak, Assistant County Attorney, discussed the 2016 Salary Study Commission (SSC) convened this year according to State law to make recommendations regarding salaries for the Board of County Commissioners, Board of Education, Board of License Commissioners, Orphans' Court Judges, Sheriff and County Treasurer. She stated that the recommendations include increased salaries for the following positions: County Commissioner - member salary from \$30,000 to \$38,000, president's salary from \$33,000 to \$41,000; Board of Education - member salary from \$7,000 to \$12,000, president's salary from \$7,200.00 to \$12,500; and Sheriff - \$100,000 to \$110,000. There are no recommended changes suggested for the positions of Judges of the Orphans' Court, Board of License Commissioners or Treasurer. Ms. McPeak stated that the Commissioners may accept, reduce or reject, but not increase the recommendations. She indicated that any fiscal impact would commence with the next term of office, not any current terms.

The Commissioners discussed each salary recommendation and reached a consensus to approve increases for the Board of County Commissioners, Board of Education and Sheriff, and to not make any changes to the salaries of the Judges of the Orphans' Court, Board of License Commissioners or Treasurer. The County Attorney's Office will prepare an ordinance to be brought back for formal approval and adoption by the Commissioners.

HISTORIC ADVISORY COMMITTEE REPORT

Betty Shank, Chair, and Pat Schooley, Member, Washington County Historical Advisory Committee, addressed the Commissioners regarding activities of the Committee. Ms. Shank discussed the preservation of historic County structures and stone walls. She also discussed the use of solar panels and the environment. Ms. Schooley discussed the fiscal benefits of promoting tax credits in Washington County.

CITIZENS' PARTICIPATION

Tadd Tweed of Mace Energy updated the Commissioners regarding his request that the State not plant trees in its right-of-way in front of his business on the Ringgold Pike. He reported meeting with delegation members that may propose legislation not allowing trees to be planted in front of existing businesses.

DESIGNATION RESOLUTION FOR TAX INCREMENT FUNDING (TIF) FINANCING RELATED TO THE FORMER FORT RITCHIE MILITARY RESERVATION

Debra Murray, Chief Financial Officer, Budget and Finance, and Lindsey Rader, the County's Bond Counsel, presented a resolution providing for the designation by the Board of County Commissioners of a contiguous area within Washington County as the "Cascade Development District", establishing the "Cascade Development District Tax Increment Fund," pledging to deposit the incremental tax revenues provided for in such resolution to such fund, and providing for the use and application of monies in such fund. Ms. Rader indicated that pursuant to the terms of a Memorandum of Understanding dated July 12,

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2016 with the PenMar Development Corporation (PenMar) and a quitclaim deed dated September 20, 2016, the Board has acquired from PenMar approximately 591 acres of land in Cascade, Maryland that was part of the former Fort Ritchie Military Reservation (Property).

The County intends to pursue and oversee the development of all or a portion of the Property for mixed uses, including residential, institutional or commercial, retail and manufacturing uses, and eventually to transfer all or a portion of the Property to private ownership. The County desires to designate the portion of the Property comprising a contiguous area as a "development district" pursuant to the Maryland Tax Increment Financing Act (TIF Act) in anticipation of issuing future tax increment financing bonds to finance or reimburse costs of infrastructure improvements in or related to such development district.

The proposed resolution provides for (i) establishment of the "Cascade Development District" as a development district for purpose of the TIF Act, (ii) establishment of the "Cascade Development District Tax Increment Fund" as a special fund for purposed of the TIF Act, (iii) the calculation and deposit to such special fund of incremental tax revenues collected from properties in such development district, (iv) the use and application of monies deposited to such special fund, and (v) a sunset date of December 31, 2022, as of which such resolution will be automatically revoked if no "bonds" (within the meaning of the TIF Act) are issued to finance or reimburse costs of infrastructure improvements within or related to such development district and other costs permitted by the TIF Act by that date. The proposed resolution further provides that the County may by appropriate action agree that the incremental tax revenues will continue to be deposited to the special fund for a specified period beyond the stated maturity date of any bonds or refunding bonds issued with respect to the development district. Beginning in fiscal year 2018, any incremental tax revenues collected with respect to the development district must be deposited in the established special fund.

The Commissioners discussed the proposal. A company interested in locating at the proposed Cascade Town Centre could request the issuance of a TIF bond to pay for public infrastructure improvements. Money from the district's special fund could be used to pay the principal and interest on that bond. Greg Murray commented that it is possible the tax revenues in the special fund could potentially cover the bond's entire principal and interest. Ms. Radar stated that the resolution does not force or require the County to issue any TIF bonds. The Commissioners would have to take additional action to do so. The incremental tax revenue that goes into the fund is the difference between what the County is collecting on the property's assessable base as of January 1, 2016 and what that County property tax revenue would be once any of those properties is improved.

Commissioner Myers, seconded by Keefer, moved to approve a resolution providing for the designation by the Board of County Commissioners of a contiguous area within Washington County as the "Cascade Development District," establishing the "Cascade

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Development District Tax Increment Fund,” pledging to deposit the incremental tax revenues provided for in such resolution to such fund, and providing for the use and application of monies in such fund as presented. The motion passed unanimously. (Resolution No. RS-2017-02 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners’ Office.)

CONVENE IN CLOSED SESSION

Commissioner Keefer, seconded by Myers, moved to convene in closed session at 12:28 p.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the State; and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b) (1), (4) and (7) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the potential appointment/reappointment of three specific individuals to a local advisory commission over which the Commissioners have appointment authority; discussed the potential appointment/reappointment of three specific individuals to a local corporation board over which the Commissioners have appointment authority; discussed the potential appointment/reappointment of three specific individuals to a local advisory board over which the Commissioners have appointment authority; considered several personnel/position hiring recommendations; and discussed the specifics of several written proposals of entities hoping to expand their operations in the County.

During closed session, the Commissioners instructed staff to bring forth the potential reappointments/appointments to a local advisory commission over which the Commissioners have appointment authority for further consideration and discussion and a possible vote during a future open session meeting; instructed staff to bring forth the potential reappointments/appointments to a local board over which the Commissioners have appointment authority for further consideration and discussion and a possible vote during a future open session meeting; instructed staff to bring forth the potential reappointments/appointments to a local advisory commission over which the Commissioners have appointment authority for further consideration and discussion and a possible vote during a future open session meeting; directed staff to bring the various employment recommendations before the Commissioners in a future open session meeting for further discussion and consideration; and provided direction to staff as to how to proceed regarding the written proposals received from entities hoping to expand their operations in the County.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, Wayne K. Keefer and LeRoy Myers, Jr. Also present were Gregory B. Murray, County Administrator; Sarah Sprecher, Assistant County Administrator; Vicki C. Lumm,

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County Clerk; John M. Martirano, County Attorney; Kirk C. Downey, Deputy County Attorney, and at various times Phil Ridenour, Director, Hagerstown Regional Airport; Jim Sterling, Public Works Director; Rob Slocum, Director, Scott Hobbs, Deputy Director and Susan Small, Real Property Administrator, Engineering and Construction Management; Rick Curry, Buyer, Purchasing; Stephanie Stone, Director, Health and Human Services; Ed Plank, Director, Highway Department; and Darryl Brown, Accounting Supervisor, Budget and Finance.

RECESS

The Commissioners recessed at 1:28 p.m.

EVENING MEETING – TOWN OF FUNKSTOWN

An evening meeting of Board of County Commissioners of Washington County, Maryland, was held at Funkstown Town Hall, 30 East Baltimore Street, Funkstown.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

President Terry L. Baker called the meeting to order at 6:57 p.m. with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers.

COMMISSIONERS REPORTS AND COMMENTS

Commissioners Myers and Cline thanked the Mayor and Council for hosting the evening meeting.

Commissioner Keefer stated that he enjoys shopping at Funkstown's antique stores. He also reported meeting recently with Mayor Paul Crampton.

Commissioner Barr commented on the progress of the Southern Boulevard bypass project.

Commissioner Baker commented on the Town's purchase of the Artz farm property that will add to its parkland, to be accomplished through a ten-year loan from the County repaid in part using Program Open Space funds. He presented a \$1 million check to Mayor Crampton representing the loan amount. County Administrator Greg Murray commented that the amount is distributed using reserve funds and that an agreement would be signed this evening. The Mayor and council members thanked the County Commissioners for the support. The acquisition adds to the County's open space for all citizens.

Council member Phillips thanked the County for the funds received from the Hotel Rental Tax Fund used by municipalities for local events.

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MAYOR AND COUNCIL COMMENTS

Mayor Paul N. Crampton, Jr. welcomed the Commissioners to Funkstown.

Council Member John Phillips discussed the Southern Boulevard project that has now begun and will help alleviate traffic congestion in the town.

Assistant Mayor Sharon Chirgott thanked the Commissioners for all their assistance in the Town.

REPORTS FROM COUNTY STAFF

Engineering and Construction Management

Rob Slocum, Director, Engineering and Construction Management, discussed progress on the Southern Boulevard project, noting that contractor C. William Hetzer had just signed the contract. The \$5.17 million, 600-calendar day project should commence in February 2017.

Public Relations and Community Affairs

Assistant County Administrator Sarah Sprecher invited citizens to attend the State of the County address on Tuesday, February 7. The 7:00 a.m. breakfast presentation sponsored by the Chamber of Commerce requires a registration fee. The 7:00 p.m. evening presentation at the Kepler Theatre is free to the public.

County Administrator

County Administrator Greg Murray appreciated the town's warm welcome. He updated attendees on the Downtown Urban Revitalization Project that will help revitalize downtown Hagerstown and assist with economic development.

County Clerk - Appointments to Boards/Commissions

Hagerstown Regional Airport Commission

Commissioner Barr, seconded by Myers, moved to reappoint Bertrand Iseminger to serve a second, three-year term retroactive from November 30, 2016 through November 30, 2019; and appoint William McKinley and Paula Lampton to serve first, full three-year terms through January 31, 2020 on the Hagerstown Regional Airport Advisory Commission. The motion passed unanimously.

Public Golf Corporation (Black Rock Golf Course)

Commissioner Keefer, seconded by Barr, moved to appoint Randy Dick to serve a first, three-year term through November 30, 2019; appoint Danny Cobb to serve a first, three-year term through January 31, 2020; and reappoint Selena Wilkes Tory to serve a second, three-year term through January 31, 2020 on the Public Golf Corporation Board. The motion passed unanimously.

Recreation and Parks Advisory Board

Commissioner Myers, seconded by Keefer, moved to reappoint Eric Michaels as the Board of Education's Supervisor of Physical Education member to serve a third, three-year term

through November 30, 2020; reappoint Gregory Shank to serve a fourth, three-year term through November 30, 2020; and appoint Brian Getz as the Board of Education's ex-officio, non-voting member to serve a first, three-year term through November 30, 2020 on the Recreation and Parks Advisory Board. The motion passed unanimously.

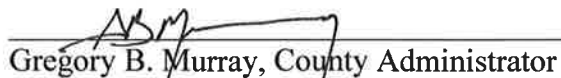
CITIZENS' PARTICIPATION

Doug Stone, Chair of the Funkstown Planning and Zoning Commission, commented on the park's expansion and the Town's policy of denying new development before the Southern Boulevard bypass is completed. Rob Slocum advised that October 2018 should be the project's completion date.

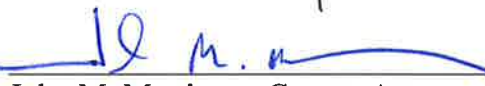
Mayor Crampton invited the Commissioners to attend Town-sponsored events such as the Day in the Park held the third weekend in July.

ADJOURNMENT

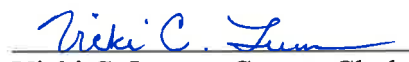
Commissioner Myers, seconded by Barr, moved to adjourn at 7:18 p.m. The motion passed unanimously.



Gregory B. Murray, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk