

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

September 12, 2017

INVOCATION AND PLEDGE OF ALLEGIANCE

The Commissioners observed a moment of silence 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 9:38 a.m. at 100 West Washington Street, Room 1113, with the following members present: Vice President Jeffrey A. Cline and Commissioners Wayne K. Keefer and LeRoy E. Myers, Jr. Commissioner John F. Barr was absent due to attending an out of town meeting of the Tri-County Council.

APPROVAL OF MINUTES – AUGUST 29, 2017

Commissioner Myers, seconded by Keefer, moved to approve the minutes of August 29, 2017. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

REPORTS FROM COUNTY STAFF

Planning and Zoning - Annual Report to Maryland Department of Planning

Stephen Goodrich, Director, Planning and Zoning, referred to an annual report prepared by local governments for the Maryland Department of Planning that details how those entities are managing growth and development relating to their long-term growth plan. The report also includes information on preservation programs. Eric Seifarth, Rural Preservation Administrator, stated that every three years the County is required to recertify its land preservation program and land transfer tax fund. The Maryland Agricultural Land Preservation Foundation last month approved the County's application for recertification. As a result, the County may now keep 75% of the agricultural transfer tax collected instead of 30%. That relates to \$200,000 of extra funds to purchase easements.

Health and Human Services - Budget Transfer

Stephanie Stone, Director, Health and Human Services, requested a budget adjustment to transfer leftover Fiscal Year 2017 budgeted funds of \$33,830 from the Salary Study to the Fiscal Year 2018 budget.

Commissioner Myers, seconded by Keefer, moved to approve the \$33,830 budget transfer of leftover Fiscal Year 2017 budgeted funds from the Salary Study to the Fiscal Year 2018 budget as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

Hagerstown Regional Airport - Wings & Wheels Expo

Phil Ridenour, Director, Hagerstown Regional Airport, described last weekend's successful Wings & Wheels Expo that drew 5295 attendees. The event included many unique aircraft and a cruise-in of vehicles, motorcycles and vintage fire engines. The

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Hagerstown Aviation Museum received over \$7000 toward its fundraising efforts through the event. Airport expenses were \$13,000; however, with credits and sponsor contributions, those costs may break even. Mr. Ridenour thanked all the volunteers who helped make the event a success.

Purchasing - Modification to Existing Contract

Rick Curry, Purchasing Director, requested approval of a modification to the existing contract awarded in 2016 for Electronic Monitoring Equipment/Services at the Washington County Detention Center to include the same pricing for those services at the Washington County Day Reporting Center.

Commissioner Cline, seconded by Keefer, moved to modify the contract for Electronic Monitoring Equipment/Services at the Washington County Detention Center to include the same pricing for those services at the Washington County Day Reporting Center as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

County Attorney - Resolution Enacting a Revised Fee System for Sediment and Erosion Control Plan Review

County Attorney John M. Martirano presented a resolution for approval by the Commissioners relating to a recent proposal by the Washington County Soil Conservation District (WCSCD) for an increase of fees for plan review services. The proposed fee increases will enable the WCSCD to maintain existing levels of service and become effective October 1, 2017. The Commissioners previously voted to approve the fee increases during their August 29, 2017 meeting.

Commissioner Cline, seconded by Myers, moved to approve Resolution No. RS-2017-19 (Enacting Revised Fee System for Sediment and Erosion Control Plan Review) as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.) (Resolution No. RS-2017-19 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

County Administrator

County Administrator Rob Slocum stated that Commissioner Barr was absent from the meeting due to attending an out of town meeting of the Tri-County Council. He reminded all of the Remembrance in the Park event this evening at 6:00 p.m. at Hagerstown City Park.

County Clerk - Appointments to Boards/Commissions

Mental Health Authority

Commissioner Cline, seconded by Myers, moved to reappoint Sandra Rogers to serve a second, three-year term as a consumer representative retroactive to July 1, 2017 through June 30, 2020; to appoint Kyle Powderly to serve a first full, three-year term as a clergy representative through September 30, 2020; reappoint Jennifer Lowery to serve a third, three-year term as a child advocate representative through September 30, 2020; and to

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appoint Rita Bratcher to serve a first, three-year term as a consumer representative through August 31, 2020 on the Washington County Mental Health Authority, Inc. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

CITIZENS' PARTICIPATION

Brent Walls, Upper Potomac Riverkeeper and Williamsport resident, invited the Commissioners to attend a public information meeting on Thursday, September 14 at John Wesley United Methodist Church regarding a natural gas pipeline proposed be installed under the Potomac River.

REJECTION OF BID FOR ONE NEW AIRCRAFT DEICE TRUCK

Rick Curry, Purchasing Director, and Phil Ridenour, Director, Hagerstown Regional Airport, recommended rejection of the single bid received from Ground Support Specialist, LLC of Horn Lake, Mississippi, for One New Aircraft Deice Truck with Rapid Heat and Forced Air System (PUR-1354). Mr. Curry indicated that the bid was deemed non-responsive as it did not meet the bid specifications. The department plans to revise the specifications in order to solicit new pricing for one Aircraft Deice unit.

Commissioner Myers, seconded by Keefer, moved, in the best interest of the County, to reject the bid received from Ground Support Specialist, LLC of Horn Lake, Mississippi, for One New Aircraft Deice Truck with Rapid Heat and Forced Air System as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

BID AWARD - ONE NEW MULTI-PURPOSE AIRPORT ROTARY PLOW, AIRPORT RUNWAY BROOM WITH AIRBLAST SYSTEM AND CARRIER VEHICLE

Rick Curry and Phil Ridenour indicated that before considering the proposed bid award for the Multi-Purpose Airport Rotary Plow, Airport Runway Broom with Airblast System and Carrier Vehicle, a motion is necessary to accept a \$725,000 grant award from the Federal Aviation Administration to be used for the purchase. Mr. Ridenour advised that the \$725,000 grant exceeds the amount of the proposed bid award; however, excess funds may be used towards another airport procurement.

Commissioner Keefer, seconded by Cline, moved to accept a \$725,000 grant award from the Federal Aviation Administration to be used for the purchase of the Multi-Purpose Airport Rotary Plow, Airport Runway Broom with Airblast System and Carrier Vehicle. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

The bid for One New Multi-Purpose Airport Rotary Plow, Airport Runway Broom with Airblast System and Carrier Vehicle (PUR-1355) is proposed to be awarded to the responsible bidder with the lowest responsive bid, Wausau Equipment Company, Inc. of New Berlin, Wisconsin, for the total sum of \$639,767. The new unit is equipped with a high-speed rotary snowplow that will primarily be used to case heavy concentrations of snow away from the operational areas such as runways and taxiways.

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Commissioner Myers, seconded by Keefer, moved to award the bid for One New Multi-Purpose Airport Rotary Plow, Airport Runway Broom with Airblast System and Carrier Vehicle to the responsible bidder with the lowest responsive bid, Wausau Equipment Company, Inc. of New Berlin, Wisconsin for the total sum of \$639,767 as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

BID AWARD - INTERVENTION AND CASE MANAGEMENT FOR YOUTH OF INCARCERATED PARENTS

Rick Curry and Stephanie Lapole, Grant Manager, Community Grant Management, requested approval to award the contract for Intervention and Case Management for Youth of Incarcerated Parents in Washington County, Maryland, (PUR-1356) to the responsible proposer with the responsive proposal, Potomac Case Management Services, Inc. of Hagerstown, Maryland, for \$100,000. After assessing the needs of the community and reviewing current data about school readiness, the Local Management Board concluded that programming is necessary to affect the issue of youth with incarcerated parents that often have poor school performance issues. The program will include family assessments, case management and referral to services. It will target youths 0-18 years of age and include parent/caregiver classes to include school readiness and parenting skills curriculum.

Commissioner Myers, seconded by Keefer, moved to award the contract for Intervention and Case Management for Youth of Incarcerated Parents in Washington County, Maryland to the responsible proposer with the responsive proposal, Potomac Case Management Services, Inc. of Hagerstown, Maryland, for \$100,000 as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

CONTRACT AWARD - COMMUNITY PLANNING AND PROGRAM DEVELOPMENT CONSULTANT

Rick Curry and Stephanie Lapole requested approval of the proposal to award a contract for the Community Planning and Program Development Consultant in Washington County, Maryland, (PUR-1357) to the responsible proposer with the responsive proposal, Thomas P. Miller Associates of Indianapolis, Indiana, for \$120,000. Mr. Curry indicated that this service fulfills the requirements of a Contractual Agreement for Fiscal Year 2018 with the Governor's Office for Children. The consultant will work closely with the Local Management Board, staff and members of the Washington County Annie E. Casey Results for Leadership team to access the unique needs of the disconnected youth population in the County and develop effective programming to assist this population in gaining employment or enrollment at an educational institution and ultimately becoming self-sufficient.

Commissioner Cline, seconded by Keefer, moved to award a contract for the Community Planning and Program Development Consultant in Washington County, Maryland, to the responsible proposer with the responsive proposal, Thomas P. Miller Associates of Indianapolis, Indiana, for \$120,000. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

EMERGENCY NUMBERS BOARD SECURITY SYSTEM - ACCEPTANCE OF AWARD FUNDING FOR UPDATED SECURITY SYSTEM

Stephanie Lapole and Bardona Woods, Assistant Director, Emergency Communications, requested approval to submit a funding request to the Emergency Number Systems Board for \$79,467.39 to purchase and install a completely undated security system for the primary Public Safety Answering Point. The Emergency Numbers Board was established by the Maryland General Assembly to coordinate the implementation, enhancement, maintenance and operation of County or multi-county 9-1-1 systems. The funding request includes 32 electronic door locks, 17 security cameras, 3 video stations, associated equipment and licenses. Ms. Lapole indicated that there would be recurring annual maintenance expenses of \$2,446 that will be reflected for the first time in the Fiscal Year 20 Emergency Services proposed operating budget. The total annual maintenance expense for four years is \$9,784. The Emergency Number Systems Board covers all first year maintenance costs.

Commissioner Myers, seconded by Keefer, moved to approve the submission of a funding request to the Emergency Number Systems Board for \$79,467.39 to purchase and install a completely undated security system for the primary Public Safety Answering Point as presented, and to accept any and all awarded funding. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

HAGERSTOWN URBAN IMPROVEMENT PROJECT PEDESTRIAN BRIDGE

Jim Hovis, Director, Community Grant Management, and Brennan Garrett, Senior Architectural Project Manager, Engineering, initiated a discussion of the Pedestrian Bridge component of the Urban Improvement Project (UIP) to be located at 55-59 West Washington Street and the role and responsibilities of the County. Mr. Hovis discussed the project plans and grant applications being developed to determine final details of the bridge project estimated to cost \$1.5 million, though its actual cost may be lower. The modified plan calls for a secure, semi-open walkway for students connecting the Barbara Ingram School for the Arts (BISFA) and the University System of Maryland at Hagerstown (USMH). The semi-open design will eliminate HVAC and sprinkler requirements and the initial and long-term expenses. The Developer has committed to funding one-third or up to \$250,000 of the walkway expenses. The Washington County Delegation has secured \$200,000 in State funding in Fiscal Year 2018 and is committed to securing additional funds to cover all remaining expenses. Construction of the walkway will not increase the County's financial commitment to the overall UIP and funds are available to allow the County to forward-fund the project allowing its completion to be consistent with the remainder of the UIP components.

The suggested consensus of the Commissioners would include: 1) support of the plan for the City of Hagerstown or USM construct and own the pedestrian walkway; 2) the County's continued commitment to maintain the exterior of the pedestrian walkway, and 3) the County's commitment to forward fund the pedestrian walkway expenses to allow its completion to coincide with the completion of BISFA and USM-Hagerstown.

The Commissioners discussed the proposal relating to the County's costs and responsibilities. Annual exterior maintenance costs to the County are estimated to be \$5,000 per year. The interior will be maintained by the Washington County Board of Education. Commissioner Baker stated that he would only approve long-term maintenance costs being taken from the \$4.5 million in capital funds the County has already allocated toward the overall UIP. County Administrator Rob Slocum indicated that funds could potentially be committed toward the useful life cycle of the bridge and not in rebuilding it in a certain amount of years. There may also be grants or other funding available in lieu of using a portion of the \$4.5 million. A consensus was reached among the Commissioners that funds would be taken from the County's \$4.5 million capital budget amount for the UIP or from another source if one were found to cover that amount.

Commissioner Myers, seconded by Keefer, moved to approve the following criteria for the County's commitment to the pedestrian walkway connecting the Barbara Ingram School for the Arts (BISFA) and the University System of Maryland (USM) at 55-59 West Washington Street: 1) support of the plan for the City of Hagerstown or USM to construct and own the pedestrian walkway; 2) the County's continued commitment to maintain the exterior of the pedestrian walkway, with funds to be taken from the County's \$4.5 million capital budget amount for the Urban Improvement Project or from another source if one is found to cover that amount; and 3) the County's commitment to forward fund the pedestrian walkway expenses to allow its completion to coincide with the completion of BISFA and USM-Hagerstown. The Commissioners discussed the motion. County Administrator Rob Slocum reiterated the discussed verbiage to include that the pedestrian bridge's maintenance cost shall be taken from the \$4.5 million and that the County would not be responsible for its replacement at the end of its normal life cycle. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

CONSTRUCTION BID AWARD - BOTTOM ROAD DRAINAGE IMPROVEMENT CONTRACT

Scott Hobbs, Director, Engineering, presented the proposal to award the Bottom Road Drainage Improvement contract to the lowest responsive, responsible bidder, Fayetteville Contractors, Inc. of Fayetteville, Pennsylvania, for \$174,281.29. Mr. Hobbs described the project that involves the installation of a storm drain consisting of precast concrete inlets, precast concrete manholes, high performance polypropylene pipe and minor roadwork including grading, asphalt paving and pavement markings. The Maryland State Highway Administration is contributing approximately \$20,000 toward the project since some of the drainage area causing the flooding issue relates to its right of way. A Memorandum of Understanding is to be executed with the State to secure those funds and is being made a part of this request.

Commissioner Keefer, seconded by Myers, moved to award the Bottom Road Drainage Improvement contract to the lowest responsive, responsible bidder, Fayetteville Contractors, Inc. of Fayetteville, Pennsylvania, for \$174,281.29 as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

**REQUEST TO DECLARE CERTAIN REAL PROPERTY AS SURPLUS
PROPERTY AND CONVEY SAME**

Susan Small, Real Property Administrator, Engineering, presented the proposal to declare certain real property as surplus property and convey the same. She stated that the Board of County Commissioners (Board) is the current owner of an old abandoned roadbed that at one time was part of old Hopewell Road. Hopewell Road was long ago relocated and the subject roadbed was abandoned by action of the Board on January 22, 1985. It is not a functioning public roadway. Other portions of the old roadbed were formerly conveyed to an adjacent property owner. Ms. Small indicated that the fair market value of the roadbed has been determined to be \$4,300 using comparable properties and sales in the area. Developer Hopewell Landing, LLC has requested the Board convey any interest it may have in the approximately 430 linear feet of the old abandoned roadbed as Hopewell Landing, LLC plans to develop two parcels of land located along that portion of the abandoned roadbed.

The Commissioners discussed details of the proposal with Andrew Wilkinson, attorney for Hopewell Landing, LLC. Hopewell Landing, LLC has agreed to pay up to \$300,000 toward road safety improvements. Hopewell Landing, LLC owns the current Hopewell Manor that is rent subsidized; however, Hopewell Landing will not be rent-subsidized.

Commissioner Myers, seconded by Cline, moved to declare certain real property as surplus property and authorize the advertising of the County's intent to convey 430± linear feet (8,552 square feet) to the adjacent property owner Hopewell Landing, LLC. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

APPLICATION FOR MAP AMENDMENT - RZ-16-004

Kirk C. Downey, Deputy County Attorney, brought forth the matter of Map Amendment Application RZ-16-004 from Applicant ACH, LLC for consideration by the Commissioners. The application concerns the request to change a zoning classification of property on the south side of Western Maryland Parkway north of Md. 144 from office, Research and Technology (ORT) to Highway Interchange (HI). The County Commissioners held a public hearing on March 21, 2017 to obtain comments regarding the application.

Commissioner Cline, seconded by Myers, moved to adopt the ordinance to approve the requested reclassification of the property that is the subject of RZ-16-004 and to adopt the Decision and Findings of Fact as prepared in support of the approval. The motion passed with Commissioners Cline, Myers and Keefer voting "AYE" and Commissioner Baker "NO". (Commissioner Barr was absent.) (Ordinance No. ORD-2017-14 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

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CONVENE IN CLOSED SESSION

Commissioner Myers, seconded by Keefer, moved to convene in closed session at 10:49 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, in accordance with Section 3-305(b)(1) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

In closed session, the Commissioners discussed the potential reappointment of two specific individuals to a local board over which the Commissioners have appointment authority and discussed the potential appointment of a specific individual to a local board over which the Commissioners have appointment authority.

During closed session, the Commissioners agreed to further discuss the individuals being considered for appointment/reappointment to two local boards during tonight's open session meeting in Keedysville.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, LeRoy E. Myers and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; and at various times Rebecca Gander, Chief of Permits; Tim Lung, Director, Plan Review and Permitting; and Eric Seifarth, Rural Preservation Administrator, Planning and Zoning.

RECONVENE IN OPEN SESSION

Commissioner Myers, seconded by Cline, moved to reconvene in open session at 11:04 a.m. The motion passed unanimously.

RECESS

The Commissioners recessed at 11:04 a.m. They attended the Annual Conservation Awards luncheon with the Washington County Soil Conservation District at the Homewood Suites by Hilton, 1650 Pullman Lane, Hagerstown.

EVENING MEETING – TOWN OF KEEDYSVILLE

The evening session of the regular meeting of Board of County Commissioners of Washington County was held at Keedysville Town Hall, 19 South Main Street, Keedysville.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Commissioners observed a moment of silence followed by the Pledge of Allegiance to the Flag by the full assemblage.

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CALL TO ORDER

President Terry L. Baker called the evening meeting of the Board of County Commissioners of Washington County, Maryland, to order at 7:07 p.m. with the following members present: Commissioners Wayne K. Keefer and LeRoy E. Myers, Jr. Vice President Jeffrey A. Cline and Commissioner John F. Barr were absent.

COMMISSIONERS REPORTS AND COMMENTS

Commissioner Keefer reported speaking recently with the Keedysville Town Council members and others about the community deputy program being instituted in the town. He advised that the approved deputy is currently in training.

Commissioner Baker thanked the town for hosting the meeting. He reported attending the recent ribbon-cutting ceremony for Doey's House and commented on the need for such a hospice facility. Mr. Baker introduced new County Administrator Rob Slocum to attendees.

MAYOR AND COUNCIL COMMENTS

Mayor Ken Lord introduced himself and reported that there were no concerns in the town. He thanked Commissioner Keefer for working on the community deputy program.

Town Council member Gina Ellis discussed an area at Hitt Bridge where debris continues to accumulate. Rob Slocum discussed efforts planned to address the problem. Ms. Ellis also discussed the condition of the building that formerly held programs for senior citizens that needs some rehabilitation work and perhaps a new use by the community.

REPORTS FROM COUNTY STAFF

County Administrator

Rob Slocum reported attending the afternoon meeting of the City of Hagerstown Mayor and Council where members agreed to construct and own the pedestrian bridge planned for the Downtown Hagerstown Urban Improvement Project. The County will maintain the exterior of the bridge structure.

Mr. Slocum also reported speaking to Keedysville Assistant Mayor Barry Levey who described the State project/improvements planned in the town.

County Clerk – Appointments to County Boards/Commissions

Plumbing and Mechanical Board

Commissioner Myers, seconded by Keefer, moved to reappoint Brian Tana as a Master Plumber member and William Vance as an at-large member to third, three-year terms retroactive to August 1, 2017 through July 31, 2020. The motion passed unanimously. (3-0, Commissioners Cline and Barr were absent.)

Agricultural Land Preservation Advisory Board

Commissioner Keefer, seconded by Myers, moved to appoint Robert Meyers to serve a first, five-year term on the Agricultural Land Preservation Advisory Board. The motion passed unanimously. (3-0, Commissioners Cline and Barr were absent.)

CITIZENS PARTICIPATION

Gina Ellis invited the Commissioners to attend an Ice Cream Social in Keedysville Park on October 7 to benefit breast cancer.

Keedysville resident Austin Flook discussed concerns with the recent proposal to the County Commissioners to support a Civil War Rail Trail ending at the C&O Canal. Rob Slocum stated that County staff is researching the matter and indicated that it mostly involves the Department of Natural Resources and private property owners. A report will be presented during an October meeting of the County Commissioners.

Town Administrator Rick Bishop complimented County staff for their assistance and advice with town issues.

ADJOURNMENT

Commissioner Myers, seconded by Keefer, moved to adjourn at 7:34 p.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk