Terry L. Baker, *President* Jeffrey A. Cline, *Vice President* 



John F. Barr Wayne K. Keefer LeRoy E. Myers, Jr.

100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201 WWW.WASHCO-MD.NET

#### BOARD OF COUNTY COMMISSIONERS OCTOBER 10, 2017 Agenda

- 02:00 P.M. INVOCATION AND PLEDGE OF ALLEGIANCE CALL TO ORDER, *President Terry L. Baker* APPROVAL OF MINUTES –SEPTEMBER 26, 2017
- 02:05 P.M. COMMISSIONERS' REPORTS AND COMMENTS
- 02:10 P.M. REPORTS FROM COUNTY STAFF
- 02:15 P.M. CITIZENS PARTICIPATION
- 02:25 P.M. BID AWARD (PUR-1361) BULK ROAD SALT- Rick Curry, Director, Purchasing Department and Ed Plank, Director, Highway Department
- 02:30 P.M. INTENT TO CONVEY REAL PROPERTY TO HOPEWELL LANDING, LLC Susan Small, Real Property Administrator, Division of Engineering
- 02:40 P.M. ROHRERSVILLE RURITAN CLUB, INC. REQUEST TO RELEASE CONDITIONS AND REVERSIONARY PROVISION – Susan Small, Real Property Administrator, Division of Engineering
- 02:45 P.M. URBAN EDUCATION COMPLEX BOE COMPONENT Scott Hobbs, Director, Chairman – ASDRC Committee, Division of Engineering

#### 02:55 P.M. CLOSED SESSION

(To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; to consider the acquisition of real property for a public purpose and matters directly related thereto; 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.)

04:00 P.M. JOINT MEETING: CITY OF HAGERSTOWN Location: 100 West Washington Street, Suite 1113, Hagerstown, MD Greater Hagerstown Committee and Mayor and City Council with MD Theatre – Jim Kercheval and Jessica Green WCH Aeronautics – Mayor Bob Bruchey EVENING MEETING AT THE TOWN OF SMITHSBURG Location: 21 West Water Street, Smithsburg, MD

- 07:00 P.M. INVOCATION AND PLEDGE OF ALLEGIANCE CALL TO ORDER, *President Terry L. Baker*
- 07:05 P.M. COMMISSIONERS' REPORTS AND COMMENTS
- 07:10 P.M. TOWN OF SMITHSBURG LEADERS' REPORTS AND COMMENTS
- 07:20 P.M. REPORTS FROM COUNTY STAFF
- 07:25 P.M. CITIZENS PARTICIPATION

Individuals requiring special accommodations are requested to contact the Office of the County Commissioners, 240.313.2200 Voice/TDD, to make arrangements.

Board of County Commissioners of Washington County, Maryland



Agenda Report Form

**Open Session Item** 

#### SUBJECT: Bid Award (PUR-1361) Bulk Road Salt

PRESENTATION DATE: October 10, 2017

**PRESENTATION BY:** Rick Curry, CPPO, Director - Purchasing Department and Ed Plank, Director – Highway Department

**RECOMMENDED MOTION:** Move to award the contract for the purchase/delivery of **Bulk Road Salt** to the responsible, responsive bidder, *Cargill, Inc. of North Olmsted, Ohio* who submitted the lowest price in the amount of **\$62.38** per ton and contingent upon the compnay becoming registered with the Maryland Department of Assessments and Taxation and being in "Good Standing."

**REPORT-IN-BRIEF:** On August 18, 2017 the County issued an Invitation to Bid (ITB) for Bulk Road Salt. A total of nine (9) bids were received; one (1) bid being a "No Bid". The salt will be purchased on an as-needed basis to be used on County maintained roads for snow and ice control. The County uses an average of twenty thousand (20,000) tons of road salt annually. The contract period is tentatively to begin October 1, 2017 and end April 30, 2018. The above recommendations are for the County's requirements only; the City of Hagerstown shall make its award independently from the County. The County guarantees neither a minimum/maximum quantity of bulk road salt to be purchased under this contract.

The Invitation to Bid was published in the local newspaper, on the County web site, and on the State of Maryland's "eMaryland Marketplace" web site. Thirty-three (33) persons/companies registered/downloaded the bid document on-line.

DISCUSSION: N/A

**FISCAL IMPACT:** Funds are available in various accounts for road salt for the Department of Water Quality, Highway Department, and Parks and Facilities Department.

**CONCURRENCES:** Division Director of Public Works and Division Director of Environmental Management

ALTERNATIVES: N/A

**ATTACHMENTS:** The complete Bid Tabulation may be viewed on-line at: <u>https://www.washco-md.net/wp-content/uploads/2017/09/purch-PUR-1361\_bidtab.pdf</u>

AUDIO/VISUAL NEEDS: N/A

#### PUR-1361 Bulk Road Salt

	Cargill, Inc. North Olmsted, Ohio	Mid-Atlantic Salt, LLC Narberth, PA	Eastern Salt Co., Inc. Lowell, MA	Commodities USA, Inc. Potomac, MD		Government MLO Supplies USA, Inc. Bethesda, MD	Eddie Mercer Argi- Services, Inc. Frederick, MD	Morton Salt, Inc. Chicago, IL.	Patuxent Materials, Inc. Crofton, MD		Compass Minerals Overland Park, KS
Bulk Road Salt (per ton - delivered)	\$62.38	\$62.90	\$63.00	\$72.00	Bulk Road Salt (per ton - delivered)	\$73.00	\$74.95	\$78.23	\$99.00	Bulk Road Salt (per ton - delivered)	NO BID

### **<u>Remarks/Exceptions</u>:**

•

**Cargill, Inc.** - Packing Slips or Delivery Tickets: Cargill is unable to list the quantity ordered and the quantity back ordered on delivery tickets. Quantity shipped will be provided

#### **<u>Remarks/Exceptions</u>:**

Mid-Atlantic Salt, LLC - Delivery will be made within three (3) business days from date of order.



Agenda Report Form

**Open Session Item** 

SUBJECT: Intent to convey Real Property to Hopewell Landing, LLC

PRESENTATION DATE: October 10, 2017

PRESENTATION BY: Susan Small, Real Property Administrator, Engineering Department

**RECOMMENDED MOTION:** Move to adopt the Ordinance declaring 430 +/- linear feet (8,552 SF) of the former Hopewell Road bed as surplus and approve the conveyance of the same and authorize the execution of the necessary documentation to finalize the conveyance.

**REPORT-IN-BRIEF:** Notice of this County's intent to convey this property was duly advertised on September 19<sup>th</sup>, 26<sup>th</sup> and October 3rd. We are ready to transfer the road bed as described to Hopewell Landing, LLC.

**DISCUSSION:** Hopewell Landing, LLC has requested that the Board convey any interest it may have in the approximately 430 +/- linear feet of the abandoned Hopewell Road to it since it intends to develop the two (2) parcels of land located on the west side of the abandoned Hopewell Road. There is an APFO Agreement in place where the developer will be providing additional consideration of \$300,000 towards infrastructure and road improvements as part of this project.

FISCAL IMPACT:N/ACONCURRENCES:County Attorney's OfficeALTERNATIVES:N/AATTACHMENTS:Aerial, Ordinance

AUDIO/VISUAL NEEDS: N/A

# Abandoned Hopewell Road to be Conveyed

Hopewell Landing LLC 2202011476

erstate

Hopewell Landing LLC 2202011468

Perbush.C

Hopewell Cushwa Farms Corp 2226013054

P. B. B. C.

Proposed Conveyance

Case Edward Management Co. 2202016273

Imn

1111

Hopewell Cushwa Farms Corp 2226013054

Legend

- Proposed Conveyance

75

150 225 300

Feet

#### ORDINANCE NO. ORD-2017-

#### AN ORDINANCE TO DECLARE CERTAIN REAL PROPERTY AS SURPLUS PROPERTY AND TO APPROVE THE CONVEYANCE OF SAID REAL PROPERTY

BE IT ORDAINED by the County Commissioners of Washington County, Maryland (the "County"), as follows:

1. It is hereby established and declared that the real property described on Exhibit A (the "Property") is no longer needed for a public purpose or a public use.

2. The County believes that it is in the best interest of the citizens of Washington County to convey the Property and Notice of Intention of Washington County To Convey was duly advertised pursuant to Section 1-301, Code of the Public Local Laws of Washington County, Maryland, in *The Herald-Mail*, a daily newspaper of general circulation, on September 19, September 26, and October 3, 2017.

3. The President of the Board of County Commissioners of Washington County, Maryland, and the County Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the County, a quitclaim deed conveying the Property to Hopewell Landing, LLC, for no monetary consideration.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND

BY: \_\_\_\_

Vicki C. Lumm, Clerk

Terry L. Baker, President

Approved as to form and legal sufficiency:

Kirk C. Downey Deputy County Attorney

#### EXHIBIT A

All that portion of the old road bed of Hopewell Road situate along the south side of Interstate 70 at its intersection with the abandoned Hopewell Road in Election District No. 2 Washington County, Maryland and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. dated April 10, 2017 as follows:

Beginning at a point on the western right of way line of Old Hopewell Road, said point being the point of beginning of Parcel 1 of the lands conveyed by Constance L. Hawbaker and Sandra L. Ridenour, surviving joint tenants of Hazel E. Resh to Hopewell Landing, LLC by deed dated May 31, 2005 and recorded in Liber 2680, folio 504 among the Land Records of Washington County, Maryland, thence running with said right of way N21°09'22"E 65.62 feet to a point, thence N17°14'04"E 105.49 feet to a point, thence N15°16'12"E 259.08 feet to a point on the southern right of way line of Interstate 70, thence with said right of way line and crossing Old Hopewell Road with a curve to the right having a radius of 3,669.72 feet, an arc length of 21.27 feet and a chord bearing and distance of S54°48'24"E 21.27 feet to a point on the eastern right of way line of Old Hopewell Road, thence with said right of way S15°16'12"W 252.18 feet to a point, thence S17°14'04"W 106.51 feet to a point, thence S21°09'22"W 66.31 feet to a point, thence crossing Old Hopewell Road N68°50'38"W 20.00 feet to the place of beginning;

Containing 8,552 square feet or 0.20 acres of land more or less;

Said road bed being 20 feet wide and approximately 430 feet long and ending at its intersection with Interstate 70.

Said lands being a portion of the old road bed of Hopewell Road as described in Road Book 1, page 248 among the Land Records of Washington County, Maryland.

Agenda Report Form

**Open Session Item** 

**SUBJECT:** Rohrersville Ruritan Club, Inc. request to release conditions and reversionary provision

PRESENTATION DATE: October 10, 2017

PRESENTATION BY: Susan Small, Real Property Administrator, Engineering Department

**RECOMMENDED MOTION:** Move to approve the release of the conditions and reversionary provision in the deed from the Board of County Commissioners of Washington County to the Rohrersville Ruritan Club, Inc. and to authorize the execution of the necessary documentation.

**REPORT-IN-BRIEF:** On August 15, 1978, the Board transferred the property located at 20123 Rohrersville School Road to the Rohrersville Ruritan Club, Inc. (Deed Liber 666, folio 149). The Rohrersville Ruritan Club, Inc. has asked the Board to release the conditions and reversionary provision giving them full right to the property in perpetuity.

**DISCUSSION:** The deed of transfer is subject to five (5) conditions which would, upon the happening of any, result in the title to the property reverting automatically to the County. Recently, the Rohrersville Ruritan Club, Inc. has expressed interest in making improvements to the property, such as replacing the existing structure on the property. In doing so, it will need to use borrowed funds. The lender(s) will not loan funds if the conditions and reversionary provision remain in the deed, as the Ruritan Club does not have unrestricted rights in and to the property. Upon the Board's approval, county staff would record a Release of Conditions and Reversionary Provision in the Land Records for Washington County, Maryland, thereby terminating the conditions and releasing and relinquishing any reverter provision contained in the aforesaid deed.

FISCAL IMPACT:	N/A
CONCURRENCES:	County Attorney's Office
ALTERNATIVES:	N/A
ATTACHMENTS:	Aerial Map, Deed (Liber 666 Folio 149)
AUDIO/VISUAL NEEDS:	N/A

## Rohrersville Ruritan Club Properties



149

AUG 16-78 A = 16450 ++++11.00

RECEIVED FOR RECORD August 15,1978 at 11:14 O'clock A M. liber 666

THIS DEED, Made this 15<sup>th</sup> day of any met , 1978, by the Board of County Commissioners of Washington County, a public body corporate of the State of Maryland, witnesseth,

WHEREAS, having determined that it is unable to provide the community, civic and recreational activities for the unincorporated Village of Rohrersville and the area of the County surrounding the same which have been supplied by the Grantee herein and which are intended to be supplied by the Grantee herein in the premises hereinafter described, and having determined that said property is no longer needed for the purposes of a school or for the Grantor's other public purposes, the said Board of County Commissioners is desirous of conveying said property to the Grantee herein without consideration as set forth in an advertisement heretofore duly published by it,

NOW THEREFORE, THIS DEED WITNESSETH, that for and in consideration of the premises and the sum of One (\$1.00) Dollar, receipt whereof is hereby acknowledged, the Board of County Commissioners of Washington County hereby grants and conveys, subject to the provisions for reverter and the restriction hereinafter set forth and all easements, rights of way, conditions and restrictions of record, unto Rohrersville Ruritan Club, Inc., a duly organized and existing nonprofit corporation of the State of Maryland, all that land together with any improvements thereon and all of the rights, ways, privileges and appurtenances thereunto belonging situate in the Village of Rohrersville, Election District No. 8, on the East side of a public road leading from Rohrersville to Trego, and on the West side of State Route No. 67, in Washington County, Maryland, and being described as follows:

PARCEL NO. 1: Beginning at a stone set up and planted at the Northeast corner of real property that is or was formerly owned by John A. Mullendore and Susan A. Mullendore, his wife, with said real property presently or formerly known as Old Orchard Field, and running then from said stone North 12 degrees East 5.8 perches to a stone planted on the South margin of a public road leading from Rohrersville to what was or is presently the Rohrersville Station on the Washington County Rail Road, and running then along the South margin of said Road North 71 degrees West 18.8 perches to a stone planted then South 10½ degrees West 5.8 perches to a stone planted on the East side of said Road then leaving said Road and running a division line between the land of said John A. Mullendore and Susan A. Mullendore, his wife, and the School House lot hereby conveyed by and with a straight line to the place of beginning, containing 106 perches, more or less.

PARCEL NO. 2: Beginning at a stone standing at the end of the third line of a Deed from John A. Mullendore and Susan A. Mullendore, his wife, to The Board of County School Commissioners of Washington County, said Deed bearing date of August 27, 1879, and being duly recorded in Liber 78, folio 469, one of the Land Records of said Washington County, and running thence along the said East side of the aforesaid Road South 9½ degrees West 77 feet to a stone, thence leaving the aforesaid Road South 86 degrees East 307½ feet to a stone, thence North 18 degrees East 56½ feet to a stone, the beginning of the aforesaid Deed, thence reversing the closing line of said Deed North 71 degrees West 310½ feet to the place of beginning; containing .47, more or less, of an acre of land.

PARCEL NO. 3: Beginning at a post in the East marginal line of Road leading from Rohrersville to Rohrersville Station, said post being at the end of the South 9½ degrees West 77 foot line in a Deed from Samuel J. Mullendore to The Board of Education dated August 22, 1918, and recorded in Liber 153, folio 600 and running thence with said Deed one line South 86 degrees 00 minutes East 307.5 feet to a post, thence South 9 degrees 30 minutes West

J.E. Nannah R+1 Box 347 Rohrensville, M.D.

VASHINGTON COUNTY CIRCUIT COURT (Land Records) VJB 666, p. 0149, MSA\_CE18\_616. Date available 09/27/2005. Printed 09/19/2017

I,

1

VASHINGTON COUNTY CIRCUIT COURT (Land Records) VJB 666, p. 0150, MSA\_CE18\_616. Date available 09/27/2005. Printed 09/19/2017.

193.0 feet to a stake, South 86 degrees 00 minutes West 307.5 feet to a stake on the East margin of the Road and with it North 9 degrees 30 minutes East 193.0 feet to the beginning, containing 1.36 acres.

Grantor further grants and conveys to Grantee all right, title and interest Grantor has in and to an easement and/or right of way from Samuel Jacob Mullendore and Lizzie M. Mullendore, his wife, to the Board of Education of Washington County, dated July 30, 1948, and recorded in Liber 248, folio 614, one of the Land Records of Washington County, Maryland.

BEING the same three parcels of land, easement and/or right of way which was conveyed to the Board of County Commissioners of Washington County by the Board of Education of Washington County by deed dated June 19, 1978; and recorded preceding this Deed among said Land Records of Washington County.

AND THE GRANTEE HEREIN accepts this conveyance subject to the following conditions, on the happening of any of which the title to said property shall revert to the Grantor herein without the necessity of a reconveyance of the same:

1. If said property is not used for the public community, civic or recreational purposes of the residents of the Village of Rohrersville and vicinity, or if the Grantee herein fails to permit public agencies or other community or civic organizations reasonable use of said premises as hereinafter set forth.

2. If the Grantee herein transfers or attempts to transfer said property, either by deed, mortgage or otherwise, without first having obtained the prior written approval of Grantor.

3. If any action is taken against the Grantee by foreclosure of a lien or otherwise, which may result in a divesting of the title to said land from Grantee.

4. If the Grantee herein takes any action itself, or if any action is taken against it, the result of which may be to have the Grantee declared insolvent or a bankrupt.

5. If the Grantee herein takes any action itself, or if any action is taken against it, which may result in a final dissolution of Grantee as a corporate entity or which changes its status as a nonprofit organization.

The above described property is hereby conveyed subject to the restriction that Grantee will permit public agencies, including but not limited to, the Health Department and other community or civic organizations, whether of the Village of Rohrersville or of the area of the County surrounding the same, to use portions of said land and/or improvements for their public, community, civic or recreational purposes in such fair and reasonable apportionment of the available space and time as may be practicable, and subject also to such easements, rights of way, conditions and restrictions as may be of record, all of which easements, rights of way, conditions and restrictions, including the restriction first above set forth, the Grantee, by the acceptance of this deed, covenants to abide by and perform.

IN WITNESS WHEREOF the said Board of County Commissioners of Washington County has caused these presents to be executed and its Seal hereunto affixed the day and year first above mentioned.

WITNESS as to signature ATTEST as to seal altrin F. Short

BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY

STATE OF MARYLAND, COUNTY OF WASHINGTON, to-wit:

I HEREBY CERTIFY, that on this 15<sup>th</sup> day of *ungust*, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Martin L. Snook who acknowledged himself to be President of the Board of County Commissioners of Washington County, and, being authorized so to do, acknowledged wthe aforegoing Deed to be the act and deed of the Board of County Commissioners of Washington County.

Mary Fliance Sendalls

WITNESS my hand and Official Notarial Seal.

My..Commission Expires:

â

イロト

. ŋ



Agenda Report Form

**Open Session Item** 

#### **SUBJECT:** Urban Educational Complex – BOE Component

PRESENTATION DATE: Tuesday, October 10, 2017

**PRESENTATION BY:** Scott Hobbs, P.E., Director, Chairman - ASDR Committee, Division of Engineering

**RECOMMENDED MOTION:** Move to approve the final design for the Urban Educational Complex – BOE Component as recommended by the Washington County Advisory School Design Review (ASDR) Committee. The project is currently in the bidding process with a condition that the construction contract will not be awarded until receiving Board of County Commissioners (BOCC) and Board of Education (BOE) design approval.

**REPORT-IN-BRIEF:** The ASDR Committee, established under Maryland Law, is responsible for reviewing and offering comments at various stages of the design process. This includes making recommendations regarding the project to the BOCC and BOE.

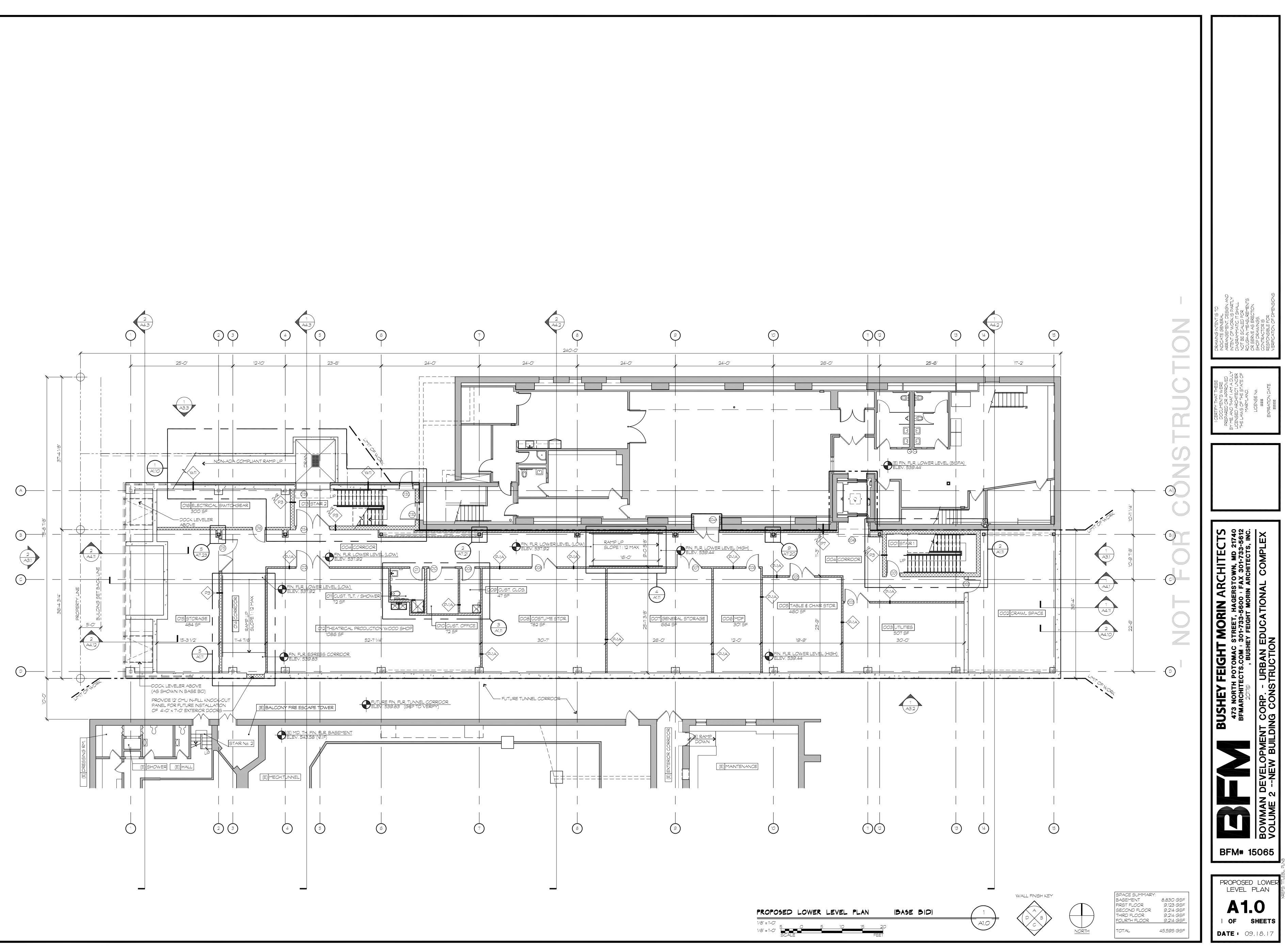
**DISCUSSION:** This design-build project is being coordinated with the Bowman Development Corporation and involves the removal of the existing building and construction of a new four story building, located between the existing Barbara Ingram School for the Arts (BISFA) building to the north and the Maryland Theatre to the south. The facility has been designed to provide connectivity with the existing BISFA building, a  $3^{rd}$  floor connection to the Maryland Theatre expansion, and a  $2^{nd}$  floor connection to a proposed pedestrian bridge from the west which will lead to educational spaces and opportunities being shared with the University System of Maryland – Hagerstown. The new building is approximately 45,000 square feet and will include storage and workshop facilities, cafeteria, kitchen, loading dock, lobby, administrative areas, and classrooms. The project will commence in the fall/winter of 2017 and work is anticipated to be completed and ready for students in the fall of 2019.

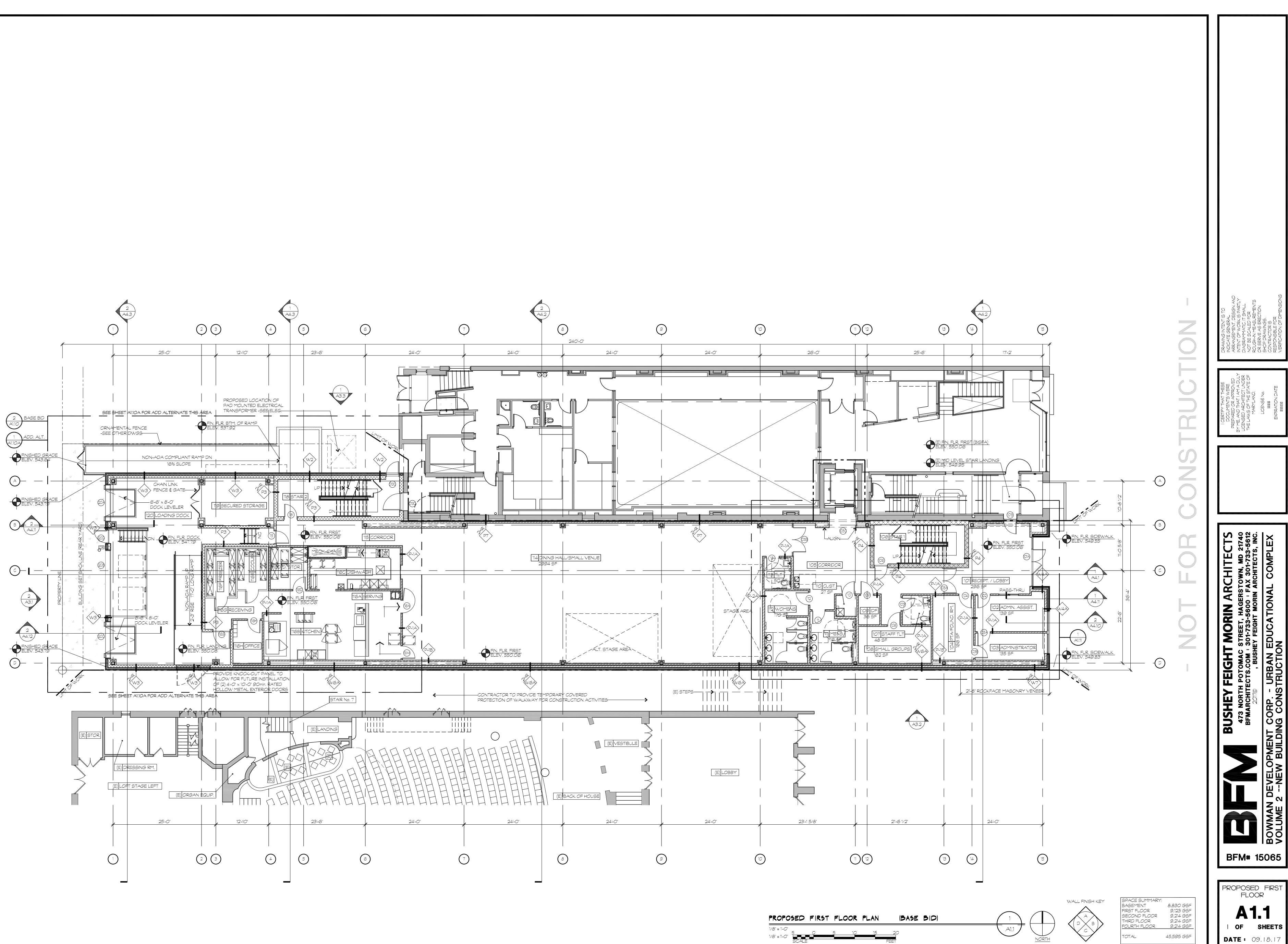
**FISCAL IMPACT:** Total Budget: \$19,248,000 including Construction: \$16,796,000, Furnishings & Equipment: \$500,000, Design: \$1,052,000, Land: \$900,000.

CONCURRENCES:	Washington County Public Schools
ALTERNATIVES:	N/A
ATTACHMENTS:	Rendering, Floor Plans
AUDIO/VISUAL TO BE USED:	N/A

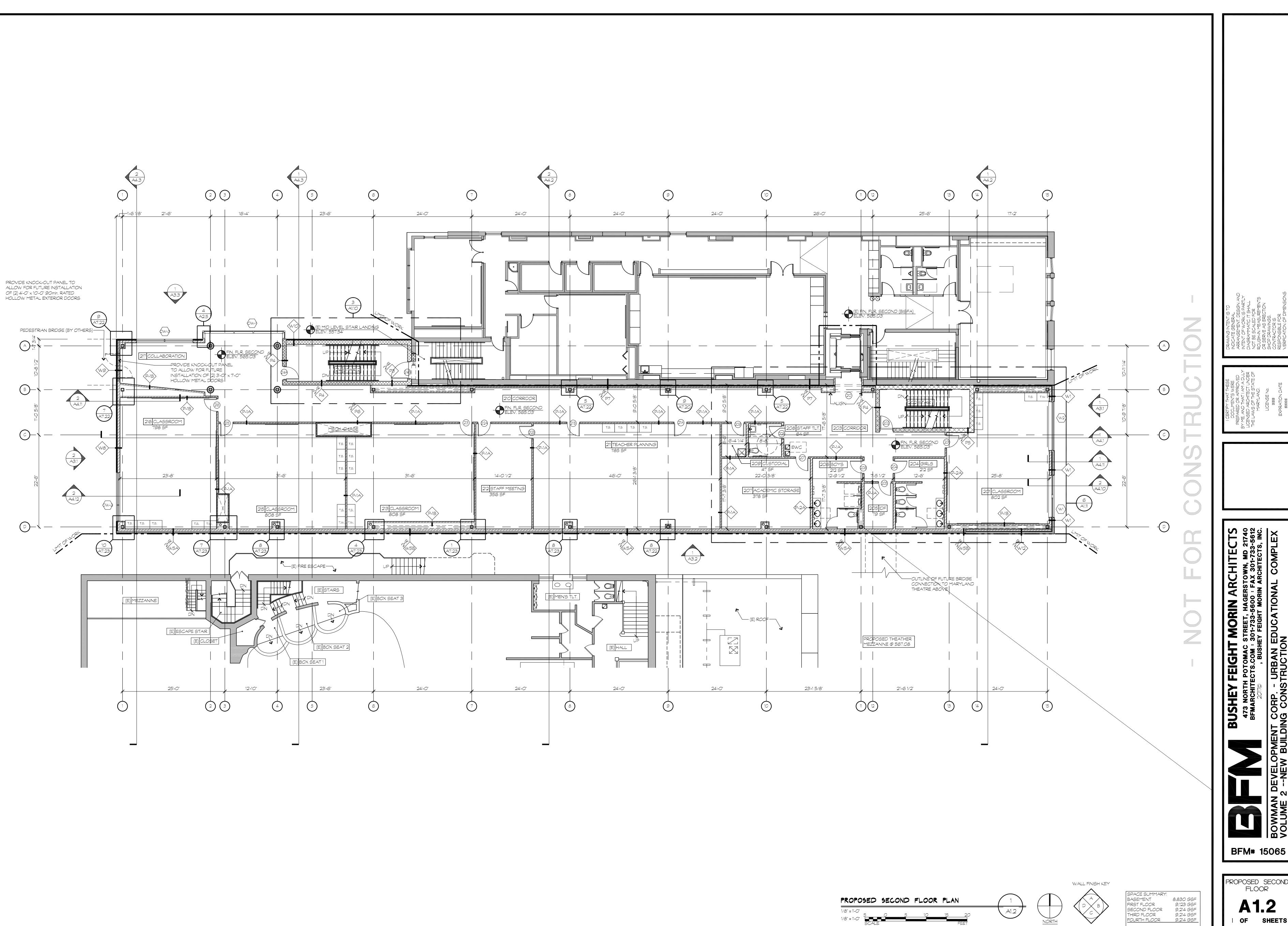
# DOWNTOWN URBAN EDUCATIONAL COMPLEX BOE COMPONENT

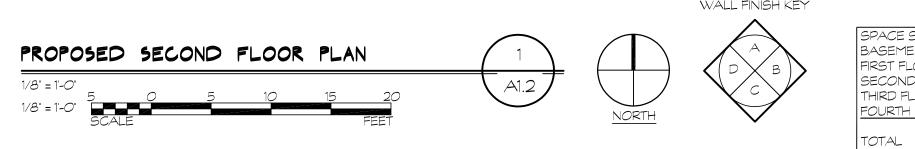






COMPLEX TIONAL DUCA INT CORP. - URBAN <u>א</u>ק ם





BOWMAN DEVELO VOLUME 2 --NEW BFM# 15065 PROPOSED SECOND FLOOR A1.2

DATE: 09.18.17

45,595 GSF

