

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

Open Session Minutes

September 11, 2018

9/11 REMEMBRANCE AND INVOCATION

Dave Hays, Director, Division of Emergency Services, shared with the Commissioners that September has been designated as Emergency Preparedness Month by the President of the United States, in remembrance of the 9/11 Event.

Chaplain Richard Bower offered a moment of silence and prayer for those affected by the tragic events which occurred on September 11, 2001.

CITIZENS EMERGENCY PREPAREDNESS MONTH

The Commissioners presented a proclamation to Dave Hays, Director, Emergency Services, and staff, in recognition of Citizens' Emergency Preparedness Month, September 2018. President Baker commended the Emergency Services staff and thanked them for all they do for Washington County citizens.

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 8:52 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr and Wayne K. Keefer. (Commissioner LeRoy E. Myers, Jr. was absent.)

APPROVAL OF MINUTES – August 14, 2018

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the minutes of August 14, 2018. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

CONVENE IN CLOSED SESSION

Commissioner Keefer, seconded by Commissioner Barr, moved to convene in closed session at 8:53 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 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; 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 in accordance with Section 3-305(b)(1), (3), (4), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

In closed session, the Commissioners discussed the potential appointment/reappointment of specific individuals to two local authorities, a bureau, a board, and an advisory committee over which the Commissioners have appointing authority; discussed several specific employment recommendations with staff; discussed a specific personnel matter; considered the potential acquisition of real property for a public purpose; and discussed and received legal advice/information on an ongoing contractual matter, including potential legal action.

During closed session, the Commissioners provided direction regarding the filing of a certain vacancies on two authorities, a bureau, a board and an advisory committee including the further discussion and presentation for approval of individuals during today's open session meeting; provided guidance to staff relating to several employment recommendations; provided instruction to staff relating to a personnel matter; reached a consensus to move forward with the potential acquisition of real property; and agreed to further discuss the ongoing contractual matter at a later time.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Krista L. Hart, County Clerk; John M. Martirano, County Attorney, and at various times Kendall McPeak, Assistant County Attorney; Kirk Downey, Deputy County Attorney; Jim Hovis, Chief Operations Officer; Deb Peyton, Director, Health and Human Services; Dave Mason, Deputy Director, Solid Waste, Division of Environmental Management; Dan DiVito, Director, Division of Environmental Management; Sherry Alidoosti, Division of Environmental Management; Dan Spedden, Washington County Convention & Visitors Bureau; Todd Moser, Real Property Administrator, Engineering; Scott Hobbs, Director, Engineering; Susan Small, Business Leader, Business Development; and Sara Greaves, Chief Financial Officer, Budget and Finance.

RECONVENE IN OPEN SESSION

Commissioner Barr, seconded by Commissioner Cline, moved to reconvene in open session at 10:15 a.m. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

COMMISSIONERS' REPORTS AND COMMENTS

None

REPORTS FROM COUNTY STAFF

Chief Operations Officer

Jim Hovis informed the Commissioners that Senior Staff and Emergency Services will be readily available to act should Washington County be impacted by Hurricane Florence. In addition, he mentioned that the Governor has declared a State of Emergency for Maryland based on the potential impact of Hurricane Florence. Mr. Hovis, along with Emergency Services staff, will be participating in a meeting today at 1:30 p.m. to discuss and plan preparedness; he will keep the Commissioners and citizens updated regularly.

County Administrator

Rob Slocum shared with the Commissioners that last week, staff met with Dr. Jin, Issac Holdings, Inc., and staff from JG Business Link International. During that meeting, Dr. Jin presented staff with a GiGi wristwatch which will be displayed and owned by the County.

Mr. Slocum requested that the Commissioners approve the removal of a County vehicle from the benefits package for the County Administrator, adding that since the County Administrator would no longer be assigned a County vehicle that he would be paid a vehicle stipend of \$1,000/month. The County vehicle currently assigned to the County Administrator will be reassigned into the County fleet. The County Administrator will be fully responsible for all gas, insurance, maintenance and mileage from this stipend regardless of travel.

Commissioner Barr, seconded by Commissioner Keefer, approved the request as presented. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Mr. Slocum stated that there will be a meeting this evening with the Smithsburg Mayor and Council to discuss the Smithsburg Wastewater Treatment Plant.

Mr. Slocum thanked Danielle Weaver, Director, Public Relations and Marketing, for her efforts in maintaining County social media, stating that she has gone above and beyond the call of duty. In efforts to alleviate her commitment to social media, software will be purchased to monitor keywords from citizens posted on the County's social media pages. Mr. Slocum stated that this will reduce the need to respond 24/7 to citizen's comments and questions; adding that should an emergency occur, he requests that the citizens contact 911 rather than posting on the County social media page.

County Clerk – Appointment / Reappointment to Boards and Commissions:

Washington County Mental Health Authority

Commissioner Cline, seconded by Commissioner Barr, moved to appoint Connie Pauley to serve a second, three (3) year term as an at-large Member, retroactively from July 1, 2018 through June 30, 2021. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Hagerstown / Washington County Convention and Visitors Bureau, Inc.

Commissioner Barr, seconded by Commissioner Keefer, moved to appoint Leslie Hart as the Washington County Board of County Commissioners appointee to serve a first, five (5) year term, retroactively from January 1, 2018 through December 31, 2023. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Washington County Board of Zoning Appeals

Commissioner Barr, seconded by Commissioner Cline, moved to reappoint Jay Miller to serve a first full, three (3) year term through May 31, 2021. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Animal Control Authority of Washington County

Commissioner Barr, seconded by Commissioner Cline, moved to appoint Clarence (Lance) Davis, III to complete an unfulfilled term as a sworn Officer from the Sheriff's Department from September 1, 2018 through October 31, 2018. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Commissioner Barr, seconded by Commissioner Cline, moved to appoint Clarence (Lance) Davis, III to complete a first, full three-year term as a sworn officer from the Sheriff's Department from November 1, 2018 through October 31, 2021. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Washington County Environmental Management Advisory Committee

Commissioner Barr, seconded by Commissioner Keefer, moved to appoint Rebecca Beecroft and Dennis Cumbie, each to serve an initial one (1) year term from September 1, 2018 through August 31, 2019; Brendan Elliott, AnnMarie McPherson, Lisa Horn, and Brock Shriver, all to serve an initial full, two (2) year term from September 1, 2018 through August 31, 2020; and Lisa Reigh to serve a first full, three (3) year term from September 1, 2018 through August 31, 2021. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

CITIZENS' PARTICIPATION

None

COMMUNITY ORGANIZATION FUNDING – SERVICE PRIORITY AREAS FOR FISCAL YEAR 2020

Susan Buchanan, Director, Office of Grant Management, presented the proposed service priority areas developed by the Community Organization Funding Committee (COFC) in preparation for the Fiscal Year 2020 application process. Ms. Buchanan indicated that \$1.7 million is available for disbursement subject to any adjustments that may be made during the budget year. The COFC developed the following six (6) service priority areas for consideration by the County Commissioners: Arts and Culture (13.4%), Domestic Violence (18%), Families and Children (15%), Recreation (1.6%), Seniors (51.4%), and Other (0.6%). Ms. Buchanan stated that the COFC retains the latitude to move 10% from one category to another. The Commissioners discussed the process involved in the disbursement of funds.

Commissioner Cline, seconded by Commissioner Barr, moved to approve the Community Organization Funding priorities and funding percentages for Fiscal Year 2020 as recommended by the Community Organization Funding Committee. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

APPLE – LEGAL AUTHORITY

Danielle Weaver, Director, Public Relations and Marketing; Brad Turner, Hub City Mobile, and Kendall McPeak, Assistant County Attorney, requested approval of the delegation of legal authority to Public Relations and Marketing Director, Danielle Weaver, to sign current and subsequent versions of Apple Developer Program legal agreements. Ms. Weaver explained to the Commissioners that the County's Agritourism Mobile Application was launched and advertised

by Hub City Mobile pursuant to Apple's terms, conditions, and permissions in place at that time; however, the application needs updated. Under Apple's current terms, conditions, and permissions, Apple requires application owners to launch and advertise applications under their own names. To update the Agritourism Mobile Application or to develop any new iOS applications, the County must submit them under a dedicated Apple Developer account for Washington County Government. Ms. Weaver stated that any delegated legal authority granted would be exercised only upon review and approval of applicable legal agreements and documents by the County Attorney's Office.

Kendall McPeak stated that the Board of County Commissioners has full authority to act as owner of the application should it wish to deny this request. Ms. McPeak confirmed that the request is to delegate authority to Ms. Weaver, in her capacity as Director, Public Relations and Marketing for Washington County, to act as agent for the County and to sign legal agreements from Apple, subject to the review and approval of the County Attorney's office.

Commissioner Keefer asked where the authority would fall should Ms. Weaver vacate her position, Ms. McPeak stated Apple would be contacted stating that delegated authority has changed and would need to be updated.

Commissioner Barr, seconded by Commissioner Keefer, moved to delegate authority to the Public Relations and Marketing Director, Danielle Weaver, to sign current and subsequent versions of Apple Developer program legal agreements as presented subject to the review and approval of the County Attorney's Office. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

RECONVENED IN CLOSED SESSION

Commissioner Keefer, seconded by Commissioner Barr, moved to reconvene in closed session at 10:38 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 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; 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 in accordance with Section 3-305(b)(1), (3), (4), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

In closed session, the Commissioners discussed several specific proposals/projects relating to companies that are hoping to locate, expand, or remain the County/State as well as available and potential economic incentives; and briefly discussed several employment vacancies with staff.

During closed session, the Commissioners requested that staff continue to provide regular updates on the proposed projects and other potential economic development opportunities in the County; and provided general guidance to staff relating to several personnel vacancies.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Krista L. Hart, County Clerk; John M. Martirano, County Attorney, Jim Hovis, Chief Operations Officer; Susan Small, Business Leader, Business Development; and Sara Greaves, Chief Financial Officer, Budget and Finance.

ADJOURNMENT

Commissioner Barr, seconded by Commissioner Cline, moved to adjourn at 10:59 a.m. The motion passed unanimously. (4-0, Commissioner Myers was absent.)



Robert J. Slocum, County Administrator



John Martirano, County Attorney



Krista L. Hart, County Clerk