

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

Open Session Minutes

September 25, 2018

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner John F. 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 9:14 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 28, 2018 and September 4, 2018

August 28, 2018

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the minutes of August 28, 2018. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

September 4, 2018

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

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Commissioner Keefer, moved to convene in closed session at 9:14 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; and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State in accordance with-Section 3-305(b)(1), (4) 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 considered several specific employment recommendations and other staffing issues; and discussed proposals from and potential incentives for a business entity hoping to locate, expand or remain in the County/State.

During closed session, the Commissioners provided guidance to staff relating to several employment recommendations, vacancies and other staffing issues; and instructed staff to continue to work closely with companies that could potentially locate, expand or remain in the County/State.

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 Jim Hovis, Chief Operations Officer; Deb Peyton, Director, Health and Human Services; Mark Bradshaw, Deputy Director, Environmental Management; and Susan Small, Business Leader, Business Development. (Commissioner LeRoy E. Myers, Jr. was absent.)

RECONVENE IN OPEN SESSION

Commissioner Cline, seconded by Commissioner Barr, moved to reconvene in open session at 9:37 a.m. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Commissioners recessed at 9:37 a.m. and returned to the meeting at 10:08 a.m.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Cline thanked all those who attended the Maryland Municipal League meeting/dinner last evening and thanked the Town of Keedysville for hosting the event.

Commissioner Barr attended the Taste of the Town 2018 at the Hager Hall Conference and Event Center on September 23, 2018. He stated that Reach of Washington County hosted the event and it appeared to be successful.

President Baker wished Commissioner Jeff Cline a Happy Birthday.

REPORTS FROM COUNTY STAFF

Emergency Services

Dave Hays, Director, has been working jointly with the City of Hagerstown on instituting a Cadet Program. Mr. Hays stated that the proposed Cadet Program would provide sustainable employment opportunities for the City of Hagerstown Police Department, as well as the Division of Emergency Services, 911 Call Center.

Mr. Hays explained that the proposed Cadet Program would provide the County with numerous positive opportunities to include budget savings and a reduction in mandatory over-time hours at the 911 Call Center. He added that there are details remaining which would need to be resolved but once finalized, he will bring before the Board at a future meeting.

Office of Grant Management

Susan Buchanan, Director, Grant Management, advised the Commissioners of a funding request from the Hotel Rental Tax Fund that meets all the criteria considered for such funding. The request is in the amount of up to \$7,000 to fund the Sheriff's Department overtime associated with the Cumberland Valley Athletic Club's 56th Annual JFK 50 Mile Marathon to be held on Saturday, November 17, 2018 in which 1,200 participants are expected to participate.

Ms. Buchanan explained that the second request is from the General Fund Contingency in the amount of up to \$1,000 in landfill fees associated with the Boonsboro Greenfest Fall-Bulk Clean Up Day on October 13, 2018.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve both funding requests as presented. The motion passed unanimously. (Commissioner Myers was absent.)

County Administrator

Rob Slocum informed the Commissioners that the Washington County Community Coalition met last week, and he will share the agenda for this legislative session. He stated that one topic presented for discussion was Airport Parts Tax Waiver; he has asked that the Coalition review that subject.

Mr. Slocum addressed a concern that was shared regarding the Washington County Purchasing Policy, which claimed that Washington County does not pay invoices for a year. Mr. Slocum stated that it is Washington County Policy to make every attempt to pay invoices within a two (2) week timeframe. Mr. Slocum stated that additionally, Washington County has an open bid process and questions can be presented during a specific timeline. For any questions and/or concerns, he directed contact to Mr. Rick Curry, Director of Purchasing; Sara Greaves, Chief Financial Officer, Budget and Finance; or himself directly.

Mr. Slocum stated that he appreciates the collaborative effort with the City of Hagerstown regarding the proposed Cadet Program, adding that it is possible that the Sheriff's Office may be interested in participating as well.

Mr. Slocum stated that the City of Hagerstown will be dredging Pangborn Park pond and to assist with cost, the County will be using the pond material removed as cover at the Washington County Landfill rather than taken across the scales for disposal.

CITIZENS' PARTICIPATION

None

FOURTH QUARTER ADJUSTMENTS TO THE WASHINGTON COUNTY BOARD OF EDUCATION'S FISCAL YEAR 2018 GENERAL FUND BUDGET

David Brandenburg, Executive Director of Finance, Washington County Public Schools (WCPS), and Jeffrey Proulx, Chief Operating Officer, WCPS, requested approval to the fourth quarter adjustments to the Board of Education's (BOE) Fiscal Year (FY) 2018 General Fund Budget as shown in the following categories: Revenue - \$361,095; Administration - (\$38,390); Mid-Level Administration - \$50,120; Instructional Salaries - \$171,035; Instruction Textbooks and Supplies - \$540,877; Other Instructional Costs - \$24,949; Special Education - \$98,605; Student Personnel Services - (\$4,320); Student Health Services - (\$139,271); Student Transportation Services - (\$11,131); Operation of Plant - \$627,100; Maintenance of Plant - (\$86,268); Capital Outlay - (\$848); Food Service - \$73,540; and Fixed Charges - (\$1,226,561), for a net change in fund balance of \$281,648. Mr. Brandenburg indicated that the proposed changes are necessary to properly categorize the Board's FY2018 budget and finalize the closeout of FY2018. There is a full-year excess of \$281,648, which represents approximately 0.1% of the total operating budget.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the requested adjustments to the Washington County Board of Education's Fourth Quarter (Final) Fiscal Year 2018 General Fund Budget as presented. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

**AWARD THE PURCHASE OF EQUIPMENT, SOFTWARE AND SERVICES,
WASHINGTON COUNTY HEALTH DEPARTMENT (Convening as Board of Health)
ADJOURNMENT**

Convene as the Board of Health

Commissioner Barr, seconded by Commissioner Cline, moved to convene as the Board of Health at 10:24 a.m. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Earl Stoner, Deputy Health Officer, and Daniel Triplett, Administrator, Washington County Health Department, presented and recommended a proposal to award the purchase of equipment, software, and services under State of Maryland contract number 060B2490022, to Data Networks in the amount of \$98,830.00. If approved, this would virtualize the Washington County Health Department server environment and provide both backup and disaster recovery solutions to meet State of Maryland Information Technology security guidelines, grant conditions of approval, and HIPAA requirements. Mr. Stoner explained that this purchase would be completely funded within the operating budget of the Washington County Health Department and therefore no additional funds are being requested.

Commissioner Barr, seconded by Commissioner Keefer, moved to award the contract for the purchase of equipment, software, and services to Data Networks under State of Maryland contract number 060B2490022 in the amount of \$98,830.00 as presented. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

Reconvene in regular session as the Board of County Commissioners of Washington County

Commissioner Barr, seconded by Commissioner Cline, moved to reconvene in regular session as the Board of County Commissioners of Washington County at 10:26 a.m. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

FISCAL YEAR 2018 PRELIMINARY YEAR – END SUMMARY

Sara Greaves, Chief Financial Officer, Budget and Finance, provided information to the Commissioners with regard to the Fiscal Year (FY) 2018 findings to date.

Ms. Greaves stated that a comprehensive review of all funds was not available; however, she shared information on the following topics:

- Highway Fund – expenses exceeded revenues by approximately \$1 million.
- Black Rock Golf Course Fund – operational loss of approximately \$77,000.
- General Fund Revenues – approximately \$150,000 under budget;
 - Income Tax under budget by approximately \$4 million (possibly due to changes at Federal Level to income tax guidelines, as other Counties have experienced also),
 - Personal Property Tax over budget \$1 million,
 - Real Estate Tax over budget \$400,000,

- Recordation tax over budget \$700,000,
- Interest income over budget by \$1 million,
- Gain on sale of assets \$500,000.
- General Fund Expenditures – under budget by approximately \$4.6 million; a savings of \$570,000 can be attributed to the Health Care Campaign, “Fewer Claims, Greater Gains.”

Ms. Greaves assured the Commissioners that staff will continue to work with the auditors throughout the upcoming weeks and that once financial statements have been audited, an external presentation of findings will be shared at a future meeting.

**KEITH A. & M. ROSANNE HORST AND JOHN A. & LINDA F. HORST
CONSERVATION RESERVE ENHANCEMENT PROGRAM EASEMENT**

Chris Boggs, Land Preservation Planner, Department of Planning and Zoning, recommended approval of the Keith A. and M. Rosanne Horst and John A. and Linda F. Horst Conservation Reserve Enhancement Program (CREP) Easement in the amount of \$68,966.88 on 20.49 easement acres, paid for 100% by the Maryland Department of Natural Resources; to adopt an ordinance approving the easement purchase; and to authorize the execution of the necessary documentation to finalize the easement purchase. Mr. Boggs described the 20.49 easement acres as being located at 13626 Big Pool Road, Clear Spring, Maryland, adding that a CREP easement will serve to buffer 4,200 linear feet of the Little Conococheague Creek, which runs along the western boundary of the property and will be equivalent to 20.19 acres of entirely wooded stream buffer.

Commissioner Cline, seconded by Commissioner Keefer, moved to approve the Keith A. and M. Rosanne Horst and John A. and Linda F. Horst Conservation Easement Project in the amount of \$68,966.88 as presented, to adopt an ordinance approving the purchase of the easement, and authorize the execution of all such documents as may be required to finalize the easement purchase. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

(Ordinance No. ORD-2018-27 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner’s Office.)

**CONOCOCHEAGUE TREATMENT PLANT ENHANCED NUTRIENT REMOVAL
UPGRADE, Change Order Number 6 (FINAL)**

Mark Bradshaw, Deputy Director, Engineering Services, Environmental Management, presented a request to approve Change Order Number 6 to HRI Bridge Company, Inc., for \$93,133 for the Conococheague Wastewater Treatment Plant (WwTP) Enhanced Nutrient Removal (ENR) Upgrade.

Mr. Bradshaw stated that due to actual construction conditions, several changes have been proposed to the Conococheague WwTP ENR upgrade, which are required to maintain the daily operations of the WwTP; facilitate construction and ensure proper operation of the new process in the future. He explained that failure to proceed with the proposed changes would result in additional operations/maintenance costs of the upgraded WwTP and prevent construction from occurring as required to meet State regulations.

There are adequate funds in Capital Improvement Project number TRP018 to cover the requested Change Order Number 6.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve Change Order Number 6 to HRI Bridge Company in the total requested amount of \$93,133.00 as presented. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

EASTERN BOULEVARD WIDENING

Scott Hobbs, Director, Division of Engineering, presented a request to accept a State funding contribution from the Maryland Department of Transportation State Highway Administration (MDOT SHA) for Eastern Boulevard improvements at Jefferson Boulevard (MD64) for a not-to-exceed amount of \$1,800,000 for construction and \$190,000 for design work as written in the agreement and to approve a proposed budget adjustment in the amount of \$190,000 for the design contribution.

Mr. Hobbs explained that MDOT SHA has requested that its upcoming intersection improvements at Jefferson Boulevard (MD64) be part of the Eastern Boulevard Phase I project, to reduce the impact to the traveling public.

Mr. Hobbs described the work of Phase I to include the widening from two lanes to four lanes on Eastern Boulevard, provide additional turn lanes on Jefferson Boulevard with traffic signal upgrades, and stormwater management. He stated that lane shifts would occur to facilitate construction and the project would be subject to flagging operations during the work day with lanes open through the work zone during non-work periods.

This project is budgeted in the Capital Improvement Plan, project RDI040.

Commissioner Barr, seconded by Commissioner Cline, moved to accept the State of Maryland funding contribution from MDOT SHA for a not-to-exceed amount of \$1,800,000 for construction, and \$190,000 for design work on the Eastern Boulevard Widening project, as presented.

The Commissioners recessed at 11:00 a.m. and returned to the meeting at 11:12 a.m.

REINSTATEMENT OF HEALTH ADVISORY COMMISSION

Michael Reyka, Chair, Economic Development Commission (EDC), stated that he is informing and updating the Commissioners on the ongoing process rather than requesting a specific motion today. Mr. Reyka discussed the history of the Advisory Commission to the Washington County Board of Health (Advisory Commission), stating that there has been no meeting since January 2008; no clear mission/vision; and no specific dates included in the by-laws.

Mr. Reyka suggested that a small workgroup be created to discuss and assess the structure and the membership, modify and revise the mission and by-laws, as well as the general purpose of the Advisory Board; he suggested that the small workgroup meet three (3) times in late September and early October. Mr. Reyka stated that he will facilitate the workgroup; however, he will not offer

his insight and/or knowledge in the Health Care industry. The workgroup will submit a proposed structure, purpose/mission, and meeting frequency to the EDC for consideration and /or approval.

John Martirano, County Attorney, stated that a motion/vote is not necessary at this time since this matter (to reinstate the Advisory Commission and have EDC be the lead facilitator) was presented and formally approved by the Commissioners on April 24, 2018.

ECONOMIC DEVELOPMENT COMMISSION STRUCTURE

Michael Reyka, Chair, Economic Development Commission (EDC), and Susan Small, Business Leader, Department of Business Development, requested that the Commissioners repeal the current Economic Development Ordinance for Washington County, Maryland and to disband the existing organization (EDC) currently under the Board of County Commissioners purview, and to transform to a stand-alone Economic Development Coalition, using private-public partnerships.

Mr. Reyka informed the Commissioners that on September 13, 2018, the existing EDC formally voted to recommend to the Commissioners the proposed modified structure and name of the EDC. He added that, the new group would be called the Economic Development Coalition, the organization would have representatives from primary stakeholders as the new Executive Board, which would include the Washington County Chamber of Commerce, the City of Hagerstown, the Convention and Visitors Bureau, Maryland Department of Commerce, Greater Hagerstown Committee, and Washington County.

The Commissioners discussed the proposed Coalition structure as presented. Commissioner Cline asked if the current Maryland Municipal League representative, Donnie Stotemyer, will continue to represent nine (9) towns. According to Mr. Slocum, yes, he could still serve in that position; however, Mr. Stotemyer will represent eight (8), since the City of Hagerstown is a large economic driver.

Commissioner Keefer stated he is intrigued by the idea. He added that education should be a catalyst rather than an industry. Mr. Reyka stated that current partnerships with Greater Hagerstown Committee, Hagerstown-Washington County Industrial Foundation, Inc., and Chamber of Commerce, all have interest in education, making this a collaborative effort.

By approving this request, Mr. Reyka stated that it would allow the new Economic Development Coalition to provide support, inspire and influence economic growth within the community, and create transparent and open communication between organizations directly associated with economic development in Washington County. He added that, if approved, the next step would be to establish a new mission and vision for the new Coalition; and finalize the structure and industry sectors represented on the full Coalition. She stated that the existing EDC members would remain in their position during the transition of the new Coalition.

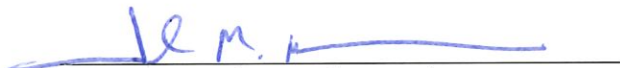
Commissioner Barr, seconded by Commissioner Cline, moved to repeal the Economic Development Ordinance for Washington County, Maryland, to disband its current organization (EDC) under the Board of County Commissioners purview, and to transform to a stand-alone

Economic Development Coalition, as presented. The motion passed unanimously. (4-0, Commissioner Myers was absent.)

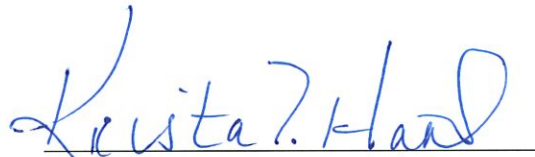
Commissioner Cline, seconded by Commissioner Barr, moved to adjourn at 11:32 a.m. The motion passed unanimously. (4-0, Commissioner Myers was absent.)



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Krista L. Hart, County Clerk