



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

March 3, 2020

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

A moment of silence was observed, followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President Jeffrey A. Cline called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:00 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the minutes of February 25, 2020. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to convene in closed session at 10:01 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 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; and to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter, in accordance with Sections 3-305(b) (1), (7), and (13) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the potential appointment of specific individuals to a local services board over which the Commissioners have appointing authority; discussed specific employment recommendations with staff as well as appointment, assignment, promotion, compensation of specific employees; discussed and received legal advice/information on certain employment and contractual matters and provided direction to Counsel with respect thereto. Additionally, the Commissioners discussed matters which are protected by attorney-client privilege and/or the work-product doctrine in order to receive legal advice on said matters.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Krista L. Hart, County Clerk; Kendall Desaulniers, Deputy County Attorney; and at various times; Garrison Plessinger, Director, Hagerstown Regional Airport; Jaime Dick, Deputy Director, Recreation and Parks; Jill Baker, Director, Planning and Zoning; Rachel Brown, Director, Human Resources; Sara Greaves, CFO; Jeremy Mose, Director, Environmental Management; and a specific employee in regard to a personnel matter.

RECONVENE IN OPEN SESSION

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to reconvene in open session at 11:06 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioners provided a brief insight into events attended and support provided throughout Washington County community.

Commissioner Keefer thanked staff from GIS and the Division of Emergency Services for hosting various meetings to discuss the NextGen911 address changes with the community. Commissioner Keefer also requested that the various Washington County Advisory Boards provide the Commissioners with activity updates and to provide input on certain matters. Additionally, he asked that staff in the County Attorney's Office arrange hours during lunch so that personnel can be available to provide coverage.

Commissioner Meinelschmidt requested support to submit letters on various bills.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to submit a letter of support for House Bill 1611. The motion passed unanimously.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to submit a letter of opposition for House Bill 1628. The motion passed unanimously.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to submit a letter of opposition for House Bill 1494 (Senate Bill 1040). The motion passed unanimously.

Commissioner Meinelschmidt advised that House Bills 1485 and 1496 (Medicaid Reimbursement) will be discussed in Annapolis on March 4th at 1:00 PM and requested support by attendance.

Commissioner Wagner thanked the City of Hagerstown for the State of the City, which he attended prior to the Commissioners meeting. He further stated that, as a member of the Community Health Advisory Committee, he has asked that they present the Board with insight on the realm of the drug situation in Washington County, to include the needle exchange program.

President Cline attended a portion of the State of the City and thanked those involved. He discussed the joint efforts of the Urban Improvement Project and the Northpoint Project. President Cline reminded the Board that the Home Show will be held Saturday and Sunday at the Hagerstown Community College and encouraged all to attend the event.

REPORTS FROM COUNTY STAFF

Human Resource Personnel Requests; Rachel Brown, Director

Superintendent of Landfill Operations, Solid Waste

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve Donald Morgan for this position; Grade 15, Step 1, \$59,634, to fill a vacancy due to the retirement of Cathy Mills. The motion passed unanimously.

Deputy Director, Planning and Zoning

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve Jennifer Kinzer for this position, Grade 16, Step 13, \$86,590, to fill a vacancy due to the promotion of Jill Baker. The motion passed unanimously.

Division of Emergency Services

Dave Hays, Director, and Dave Chisholm, Assistant Director, provided the Board with an update regarding the coronavirus and precautionary measures being taken throughout his Division. He shared that discussions have been held with the Interim County Administrator and President Cline to appoint a County Government Task Force to work on continuity of operations and planning for County staff in the event of exposure, or suspected exposure, in any County department.

Construction

Rich Eichelberger, Director, shared information regarding a request from the Insurance Services Office, or the ISO, regarding an audit on the processes of the Division of Construction, Plan Review and Permitting, and the Division of Engineering. He echoed President Cline's note on the Home Show and advised that staff members from various County departments will be available during the event for citizen inquiries.

Office of Grant Management

Susan Buchanan, Director, advised the Commissioners of a funding request to be granted from the Hotel Rental Tax Fund that meets all the criteria considered for such funding. Operating expenses of \$3,000 will be awarded to fund the 9th Maryland Annual Film Festival, Maryland Theatre, March 27 through March 29th.

County Attorney's Office

Kirk Downey, County Attorney / Interim County Administrator, presented additional information regarding House Bill 1367 and a request for a letter of support from Delegate Corderman.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to submit a letter of support for HB1367 as requested. The motion passed unanimously.

Budget and Finance

Sara Greaves, Director, presented the Board with information as previously requested regarding the addition of the 911 Center to the Public Safety Training Center project; adding that the approximate cost to be incurred would be \$10 million.

Ms. Greaves requested approval to pay a sponsorship from Commissioners Contingency Fund in the amount of \$2,000 for a booth at the Shades of Age Expo, Commission on Aging.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the cost of \$2,000 for the booth as requested. The motion passed unanimously.

Appointment / Reappointment to Boards and Commissions; Krista Hart, County Clerk

Hagerstown Regional Airport Advisory Commission

Commissioner Wagner, seconded by Commissioner Keefer, moved to appoint George Stone to serve an unfulfilled term through September 30, 2020, and to appoint Samuel Cool to serve a first three-year term from March 1, 2020 through February 28, 2023. This is NOT a paid board. The motion passed unanimously.

Washington County Recreation and Parks Advisory Board

Commissioner Wagner, seconded by Commissioner Keefer, moved to appoint Julie Sanders to serve a first three-year term from March 1, 2020 through February 28, 2023. This is NOT a paid board. The motion passed unanimously.

Washington County Commission for Women

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to appoint Shadae Paul to serve a first three-year term from March 1, 2020 through February 28, 2023. This is NOT a paid board. The motion passed unanimously.

CITIZENS' PARTICIPATION

Dr. Boyd Michael, Superintendent, Washington County Public Schools, discussed the shortage of teachers in Washington County and the challenges of the budget to support.

Kevin Speilman provided a comment regarding the deteriorating condition of the mobile home park in Funkstown and shared his support for the proposed Community Park in lieu of said mobile home park.

Greg Mahrle, Sabillisville, discussed the Fort Ritchie contract and forthcoming discussions; additionally, he provided the Board with a copy of his recent offer on the property.

John Krumpotich; Tom Lynch, Esquire, Miles & Stockbridge, P.C.; and Matthew Cesna, Frederick Seibert and Associates, discussed the importance of the proposed plan for the Fort Ritchie community and requested continued support for Mr. Krumpotich's purchase of said property.

FUNKSTOWN PARK ACQUISITION

Andrew Eshleman, Director, Public Works, and Paul Crampton Jr., Mayor, Town of Funkstown, presented a request from the Town of Funkstown regarding assistance in property acquisition. Mr. Eshleman explained that the Town of Funkstown seeks to expand park and recreational opportunities and has signed an Agreement of Sale with intent to purchase 20 West Poplar Street. He added that the project would be eligible for Program Open Space (POS) funds however, the project is not currently in the County's approved POS Annual FY20 program.

The Town of Funkstown has requested assistance from the County in forward funding the acquisition cost. The County would need to execute an Agreement with the Town to forward fund the money and define repayment terms. The Town would submit applications and reimbursements through POS with a portion of the cost covered from the County's unencumbered POS acquisition fund balance in FY20 with a commitment to approve the remaining balance in the FY21 Annual Program. FY21 Annual Program requests have been received, and there is approximately \$264,500 of acquisition funds available that could be allocated to the project to cover the total project cost without future funding commitment outlays. The FY21 POS Annual Program is anticipated to be presented to the BOCC in June 2020 with funding available July 2020 pending Maryland Department of Natural Resources and Maryland Board of Public Works concurrence and approval.

Commissioner Wagner, seconded by Commissioner Baker, moved to support the acquisition of the property and to make it eligible for POS funding and to allow the reallocation or submission in the upcoming years.

FORT RITCHIE / CASCADE SUSTAINABLE COMMUNITIES DESIGNATION RENEWAL

Jill Baker, Director, Planning and Zoning, brought forth an application to renew the *Sustainable Communities* designation for Fort Ritchie / Cascade. Ms. Baker explained the terms regarding the designation, which originated in 2014, and remained effective for five (5) years; she has requested that the Board renew the application for an additional five (5) years. This matter had been previously approved by the Board on February 12, 2019; however, the application was held at the direction of the former County Administrator due to ongoing discussion regarding the sale of the property.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to renew the application for the *Sustainable Communities* designation as presented. The motion passed unanimously.

FORT RITCHIE CONTRACT

Kirk Downey, County Attorney / Interim County Administrator, recommended approval as proposed of the Second Amendment to the Contract between John W. Krumpotich ("Buyer") and the Board of County Commissioners ("County") for the sale of Fort Ritchie. Mr. Downey shared the parties have negotiated other modifications of the amended Agreement as to roadways, utilities,

lakes, and dams, together with an increased purchase price and other commitments from Buyer, and that the extended feasibility period and closing date remains unchanged.

Commissioner Baker shared that it had been his position to sell the property “as is” but, with the proposed changes, it is his opinion that a new contract has been created and should be rebid as such.

Commissioner Wagner reviewed previous discussions and actions taken.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the proposed second amendment changes as presented. The motion passed 3-2 (Commissioner’s Keefer and Baker voted “NAY”).

Commissioner Keefer shared concern over the unknown liabilities potentially placed upon taxpayers and added that the Board was aware of the condition of the roads and sewer system and was advertised as such. Commissioner Keefer distributed a letter of opinion from a local real estate agent regarding the property.

ACCEPTANCE OF EASEMENT FROM THE TOWN OF WILLIAMSPORT

Todd Moser, Real Property Administrator, recommended approval to accept an easement consisting of 5,280 +/- square feet from the Town of Williamsport. This easement adjoins to the former Miller Lumber Company and will allow a stormwater infrastructure to be placed over the easement.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to accept the easement as presented. The motion passed unanimously.

SEWER BUDGET ADJUSTMENT

Mark Bradshaw, Deputy Director, Environmental Management, presented the request for approval of a budget adjustment in the amount of \$500,000. Mr. Bradshaw explained that the CIP for FY 2020 included the issuance of \$500,000 worth of bonds for Pump Stations Upgrades-Variou Locations; however, staff has not identified a pump station upgrade project which would require those funds. He has requested that the funds be placed in a future budget for use once a project has been identified.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the budget adjustment as requested. The motion passed unanimously.

GOVERNOR’S OFFICE FOR CHILDREN FY21 COMMUNITY PARTNERSHIP AGREEMENT PROPOSAL

Stephanie Lapole, Senior Grant Manager, Office of Grant Management, requested approval of the submission of the Fiscal Year 2021 (FY21) Community Partnership Agreement proposal to the Governor’s Office for Children requesting \$723,447 and to accept the funding as awarded. The Office of Grant Management (OGM), on behalf of and at the direction of the Local Management Board (LMB), requests approval to submit the proposal in response to the FY21 Notice of Funding Availability.

The funding requested by the LMB includes the following programmatic strategies and their respective vendors: Family Centered Support Services (Department of Social Services) - \$78,800; School Based Mental Health Services (Brook Lane Health Services, Inc.) - \$226,560; Disconnected Youth Program Enhancements (Western Maryland Consortium) - \$67,687; Family Strong Program (vendor to be determined) - \$90,000; True Opportunities Program (Potomac Case Management Services, Inc.) - \$90,000; Local Care Team Coordinator (vendor to be determined) - \$49,000; and OGM Administration expenses - \$121,400.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the submission of the FY21 Community Partnership Agreement proposal to the Governor's Office for Children requesting \$723,447 and to accept the awarded funding. The motion passed unanimously.

PASSENGER TERMINAL EXPANSION – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING

Garrison Plessinger, Director, Hagerstown Regional Airport, Mahesh Kukata, Airport Design Consultants Inc. and Allison Hartshorn, Grant Manager, Office of Grant Management, requested approval to submit a funding request to the Federal Aviation Administration in the amount of \$1,011,606, and to accept awarded funding. Ms. Hartshorn explained that the proposed funding is for the Hagerstown Regional Airport to acquire a passenger boarding bridge. There is a matching requirement of 5% for Washington County, and a match provided by the Maryland Aviation Administration (\$51,100). There is a 5% match associated in the amount of \$60,301 pending approval in the Airport's FY21 CIP budget.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the submission of the funding request to the Federal Aviation Administration in the amount of \$1,011,606, with a County match of \$60,301, and to accept awarded funding, as presented. The motion passed unanimously.

RUNWAY REHABILITATION – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING

Mr. Plessinger, Ms. Hartshorn, and Mr. Kukata presented the requested approval to submit a funding request to the Federal Aviation Administration in the amount of \$6,000,000 and accept awarded funding. Ms. Hartshorn explained that the proposed funding is for the Hagerstown Regional Airport to rehabilitate the main runway 9-27. There is a 5% match associated in the amount of \$333,334 which was approved in the Airport's CIP budget RUN018; and a 5% match from the Maryland Aviation Administration.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the submission of the funding request to the Federal Aviation Administration in the amount of \$6,000,000 and to accept awarded funding, as presented. The motion passed unanimously.

FY2021 GENERAL FUND BUDGET, INCLUDING HUMANE SOCIETY, LAW ENFORCEMENT, AND EMERGENCY SERVICES

Sara Greaves, CFO, presented as discussion, information related to three separate budgets to include the Humane Society, presented by Colin Berry, Executive Director of the Humane Society; Law Enforcement, presented by Sheriff Mullendore; and Emergency Services, presented by Dave Hays, Director of Emergency Services.

Commissioner Wagner left the meeting at 1:18 pm and returned to the meeting at 1:21 pm

Vice-President Baker left the meeting at 1:32 pm and returned to the meeting at 1:37 pm

Ms. Greaves shared that the total FY2021 General Fund requests total \$251,792,570, or \$18.0M and 7.7% more than the FY2020 budget.

RECESS

The Commissioners recessed at 1:41 p.m.

EVENING MEETING -TOWN OF BOONSBORO

An evening meeting of Board of County Commissioners of Washington County, Maryland, was held at Boonsboro Town Hall, 21 North Main Street, Boonsboro, Maryland.

MOMENT OF SILENCE 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 Jeffrey A. Cline called the meeting to order at 6:01 p.m. with the following members present: Vice President Terry L. Baker and Commissioner Randall E. Wagner (Commissioner Wayne K. Keefer, and Commissioner Cort F. Meinelschmidt were absent).

MAYOR AND COUNCIL COMMENTS

Mayor Howard Long welcomed the Commissioners to Boonsboro and thanked them for all they've done for the Town. He further addressed several issues to include potential benefits of a volume dewatering press for the Wastewater Treatment Plant at a cost of approximately \$500,000. Mayor Long discussed the MD Municipal Separate Storm Sewer System (MS4) Permitting. Additionally, he discussed the need for a Town Planner. Mayor Long discussed a traffic signal for the Boonsboro Educational Complex, sharing that this location creates a safety issue for students. He discussed the Hotel Rental Tax Bill proposal, Shafer Park Drive Extension, and necessary crosswalk improvements.

COMMISSIONERS REPORTS AND COMMENTS

The Commissioners thanked the Boonsboro Mayor and Town Council for hosting the meeting.

President Cline shared information regarding an upcoming unity of churches for an Easter egg hunt.

REPORTS FROM COUNTY STAFF

Kirk Downey, Interim County Administrator / County Attorney shared that several staff members were in attendance to offer support. He asked each one to introduce themselves: Jeremy Mose, Director, Environmental Management; Rachel Brown, Director, Human Resources; Sara Greaves, Chief Financial Officer; Andrew Eshleman, Director, Public Works; Scott Hobbs, Director, Engineering; Susan Small, Director, Business Development; Rich Eichelberger, Director, Construction; Oley Griffith, Volunteer Services Coordinator; Mike Smith, Deputy Director, Water Quality; and Danielle Weaver, Director, Public Relations.

Mr. Eshleman provided a brief update to the Mayor and Council on the part-time signal request.

Mr. Eichelberger provided information regarding the upcoming Home Show at Hagerstown Community College.

Mr. Mose discussed the volute dewatering press and the MS4 permitting.

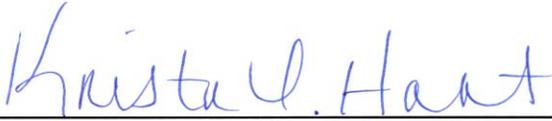
Ms. Weaver urged the community to participate in the ever-important process of the consensus.

CITIZENS' PARTICIPATION

Joe Swope, 27 Chestnut Ave, Boonsboro, commented on various topics and issues throughout Washington County to include Shafer Park, Boonsboro Police Department, County Commuter, Fort Ritchie, CHIEF, preservation and the needle exchange program.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn at 6:42 p.m. The motion passed unanimously (3-0, Commissioners Keefer and Meinelschmidt were absent).



Krista L. Hart, *County Clerk*