



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

June 2, 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 10:03 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 Keefer, moved to approve the minutes of April 16, 2020 and April 28, 2020. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker thanked staff for providing continuous updates on the COVID-19 Pandemic.

Commissioner Keefer reminded citizens that today is Election Day via mail or in person at the new election facility on Virginia Avenue, Hagerstown.

Commissioner Keefer asked for an update regarding convening as the Board of Health to discuss the pandemic and options moving forward.

Commissioner Meinelschmidt echoed Commissioner Keefer's comments. He fully supports convening as the Board of Health in effort to begin opening local businesses.

Commissioner Wagner echoed Commissioner Baker's comments regarding the pandemic. He fully supports opening local businesses but stressed that he will not support violating the Governor's Executive Order; and advised business owners to research insurance liability, etc. He suggested that the local legislation provide support to revisit the Executive Order in Annapolis.

President Cline echoed the comments of each Commissioner. He praised the members of the Emergency Operations Center and shared that the information is being shared promptly. He thanked Rebecca Gander in the Permits Department on aiding to ensure that all business questions on reopening to outside dining is handled professionally.

Commissioner Keefer recommended that local counties join efforts in reaching out to Governor Hogan's office on reopening the businesses. President Cline fully supports this recommendation.

The Commissioners reached a consensus to begin communication with local counties to develop a joint effort in reaching out to Governor Hogan.

REPORTS FROM COUNTY STAFF

County Attorney / Interim County Administrator

Kirk Downey thanked members of the Emergency Operations Center. Additionally, he will ensure that the Health Officer be asked to join the next meeting of the Commissioners.

BLACK ROCK AGRICULTURAL LEASE

Andrew Eshleman, Director, Public Works, and Todd Moser, Real Property Administrator, recommended approval to proceed with the Request for Quotation for the rental of a tract of land, consisting of 46.25 +/- acres, adjacent to the Black Rock Golf Course and Landis Road, and to enter into an Agricultural Lease with the highest bidder. Mr. Eshleman advised the Commissioners that the existing five (5) year lease with the current tenant is set to expire at the end of October 2020.

The Commissioners discussed options of renewing current contract versus advertising for a new lease, as well as other uses for said property.

The Commissioners made no decision on the presented matter and requested staff to bring forward at a future meeting for additional discussion.

NEXT GENERATION 911 UPDATE

Dave Hays, Director, Emergency Services (EMS); Bud Gudmundson, GIS Manager, and Jennifer Kinzer, Deputy Director, Planning and Zoning, provided the Board with an update to the Next Generation 911 Workgroup. Mr. Hays shared that while efforts with the Town of Hancock continues, the workgroup has been met with a lack of willingness to proceed with much needed changes in the town. He shared that by changing the addresses, it becomes a matter of public safety and that has been shared with the Town of Hancock Mayor and Council. Mr. Gudmundson shared his realization that this issue can be an inconvenience to the property owners but truly is a matter of public safety.

The Commissioners recommended that the members reach out to the Town of Hancock Mayor and Council to discuss the matter further.

WATER AND SEWER STUDY

Kirk Downey, Interim County Administrator, provided the Board with an update regarding the potential Water and Sewer study as previously requested. The Commissioners discussed options to include hiring a consultant or utilizing the Environmental Management Committee. Additionally, the Commissioners made the recommendation to add Sara Greaves, CFO, and Jeremy Mose, Director, Environmental Management, to work on this taskforce for their expertise in the current Water and Sewer model.

The Commissioners reached a consensus to permit the Environmental Management Advisory Committee to create a sub-committee to review this matter. The sub-committee will consist of a recommendation of each individual Commissioner; two (2) ex-officio members (Sara Greaves, CFO, and Jeremy Mose, Director); and the Chair and Vice-Chair of the Environmental Management Advisory Committee; the sub-committee will report directly to the Commissioners.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the formation of a sub-committee under the current Environmental Management Advisory Committee. The sub-committee will consist of seven (7) voting members to include the following: Chair and Vice-Chair of the Environmental Management Advisory Committee, and an appointment by each individual Commissioner; and two ex-officio members: Sara Greaves, CFO, and Jeremy Mose, Director, Environmental Management. The final report will need to be submitted to the Commissioners within a total of three (3) months. The motion passed unanimously.

PUBLIC HEARING: AGRICULTURAL LAND PRESERVATION DISTRICT APPLICATIONS

President Cline convened a Public Hearing at 11:04 a.m. to obtain public comment on the ten-year term County Agricultural Land Preservation District Applications. Chris Boggs, Land Preservation Planner, Planning and Zoning, presented the applications from sixteen (16) property owners. If approved, the listed applicants will be restricted to agricultural use only on their farms for a period of ten years. In exchange, the landowners will not pay County property tax on their agricultural land or buildings and they will receive a credit of up to \$711 on their farmhouse. The cost of tax credits relating to these properties for the ten-year period equals approximately \$12 per acre per year for a total of approximately \$29,784 for the full ten-year period and includes 2,482.011 acres. The Agricultural Land Preservation Advisory Board and Washington County Planning Commission approved all proposed districts as the applications met the program criteria for size, soils, assessment and Comprehensive Plan requirements.

The sixteen (16) Washington County Agricultural Preservation District applicants are as follows: Robert Martz and Michael Martz (123,281 acres), Blue Mountain Farm LLC (56,257.01 acres), Eklund Family, LLC (136.3 acres), Walnut Hill Farm LLC (114.75 acres), Robert and Doris Harbaugh (47.865 acres), Donald and Charlene Bragunier (88.9 acres); Billie and Carol Winders (114 acres); KB Farm Properties LLC (1216.424 acres); Philip Bowers (69.674 acres); Melinda Golden (239.04 acres); Melinda Golden (132.56 acres); Melinda Golden (109.75 acres); Bobbie Grimm and Maxine O'Neal (22.8 acres); Bobbie Grimm and Maxine O'Neal (118.18 acres); Philip and Rachel Hege (63.867 acres); Jane Hess (125.22 acres); Katherine Byron and Timothy Stark; David and Barbara Baker (127.2 acres); Mark and Angela Kessler (40.31 acres); Russel Wolfinger (89 acres); Bonnard Morgan Trustee (192.745 acres); Dale Green (25.45 acres); and Janet Fulton (67.79 acres).

The matter will remain open for a total of seven (7) days for public comment. All comments must be received by phone or email no later than close of business Monday, June 8, 2020.

The meeting was opened for discussion by the Commissioners.

The Public Hearing was closed at 11:19 a.m. The matter will be brought forth for an official vote on June 9, 2020.

PARADISE HEIGHTS SECTION B – REQUEST TO PAY ADEQUATE PUBLIC FACILITIES ORDINANCE ALTERNATE MITIGATION CONTRIBUTION

Jill Baker, Director, Planning and Zoning, recommended the Commissioners approve or deny a request to allow the developer, Mr. Lee Downey, of Paradise Heights Section B to pay the Alternate Mitigation Contribution in two (2) equal payments with one-half (\$37,798.30) being due prior to subdivision plat approval and the final payment (\$37,798,30) at the completion of the new road. Ms. Baker recommended that rather than requiring the final payment at the completion of the road, it be made payable at the issuance of the first Use and Occupancy permit.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the request as presented. The motion passed unanimously.

FORT RITCHIE CONTRACT EXTENSION REQUEST

Kirk Downey, County Attorney, shared that the contract purchaser of the Fort Ritchie property requires a contract extension to allow for the appeal period to expire in the *Marhle* lawsuit (30 days from May 12th); the extension is needed if the transaction is to proceed to settlement.

The Commissioners discussed the option of providing an extension to the current contract of the Fort Ritchie property as presented.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the extension to June 30, 2020. The motion passed 3-2 (Commissioner Baker and Commissioner Keefer voted "NAY").

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to convene in closed session at 11:32 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.

In closed session, the Commissioners discussed the employment, recruitment, and assignment of specific County personnel and the potential filling of certain personnel vacancies with particularly identified staff.

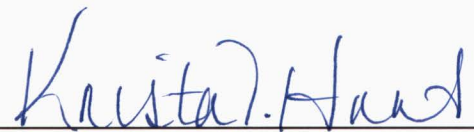
Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; and Krista L. Hart, County Clerk; and at various times Rachel Brown, Director, Human Resources.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to reconvene in open session at 12:08 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to adjourn at 12:08 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*