



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201
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BOARD OF COUNTY COMMISSIONERS

July 11, 2023

OPEN SESSION AGENDA

- 9:00 AM INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President John F. Barr*
APPROVAL OF MINUTES: *June 27, 2023*
- 9:05 AM COMMISSIONERS' REPORTS AND COMMENTS
- 9:15 AM STAFF COMMENTS
- 9:20 AM CITIZEN PARTICIPATION
- 9:30 AM 2023 AUGUSTOBERFEST
Jill Colbert, Chairwoman, Augustoberfest; Cody Hill, Marketing and Communications Chair, Augustoberfest
- 9:45 AM EXPRESS APPROVAL – CITY OF HAGERSTOWN ANNEXATION FOR BLAINE PROPERTIES LIMITED PARTNERSHIP AND ALL OF THE LANDS OF EDWARD A. BLAINE REVOCABLE TRUST OF 1991
Jill Baker, Director, Planning and Zoning; William C. Wantz, Esquire
- 10:15 AM FY25 FAMILY LAW FUND – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING
Kristin Grossnickle, Court Administrator, Circuit Court for Washington County; Nicole Phillips, Grant Manager, Grant Management
- 10:25 AM INVESTMENT POLICY STATEMENT UPDATE
Michelle Gordon, Acting County Administrator; Patrick Wing, Marquette Associates
- 10:30 AM CONSTRUCTION BID AWARD – DOGSTREET ROAD CULVERT REPLACEMENT
Scott Hobbs, Director, Engineering
- 10:35 AM BID AWARD (PUR-1619) CONOCOCHEAGUE WIN-911 UPGRADE
Rick Curry, Director, Purchasing; Mark Bradshaw, Director, Environmental Management
- CONTRACT AWARD (PUR-1606) MARTIN LUTHER KING (MLK) NATURAL GAS AND MECHANICAL UPGRADES
Rick Curry, Director, Purchasing; Andrew Eshleman, Director, Public Works

10:45 AM CONTRACT AWARD (PUR-1607) – MARTIN LUTHER KING (MLK) ELECTRICAL UPGRADES

Brandi Naugle, Buyer, Purchasing; Andrew Eshleman, Director, Public Works

REJECTION OF BID (PUR-1626) – PURCHASE OR LEASE AND SUPPLYING OF GOLF CARTS FOR WASHINGTON COUNTY’S BLACK ROCK GOLF COURSE

Brandi Naugle, Buyer, Purchasing; Andrew Eshleman, Director, Public Works

INTERGOVERNMENTAL COOPERATIVE PURCHASE PRICE INCREASE (INTG-20-0030) UNIFORM RENTAL SERVICE FOR VARIOUS COUNTY DEPARTMENTS

Brandi Naugle, Buyer, Purchasing

10:55 AM WATER LINE FUNDING MEMORANDUM (MOU) WITH THE TOWN OF HANCOCK AND BRUCETON FARM SERVICES, INC.

Michelle Gordon, Acting County Administrator; Kirk Downey, County Attorney

11:05 AM POTENTIAL DISSOLUTION OF THE EMERGENCY SERVICES ADVISORY COUNCIL (ESAC)

Michelle Gordon, Acting County Administrator

11:15 AM MOU WITH CITY OF HAGERSTOWN REGARDING OUTSTANDING EMERGENCY COMMUNICATION DISPATCHER COSTS

Michelle Gordon, Acting County Administrator

11:25 AM 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; To consult with counsel to obtain legal advice on a legal matter; To consult with staff, consultants, or other individuals about pending or potential litigation; To conduct collective bargaining negotiations or consider matters that related to the negotiations; and To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information; or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices)*

12:20 PM RECONVENE IN OPEN SESSION

ADJOURNMENT

**THE COMMISSIONERS TO TOUR BEACON HOUSE AT
20 WEST WASHINGTON STREET, SUITE B100, HAGERSTOWN, MARYLAND 21740
IMMEDIATELY FOLLOWING THE MEETING.**



Agenda Report Form

Open Session Item

SUBJECT: 2023 Augustoberfest

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Jill Colbert, Augustoberfest Chairwoman, Cody Hill, Augustoberfest Marketing and Communications Chair

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: N/A

DISCUSSION: We want to thank them for their support last year, update them on the event this year including our grant request that will have been submitted by the meeting, and to invite them to the event this year.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ATTACHMENTS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Express Approval – City of Hagerstown Annexation for Blaine Properties Limited Partnership & All of the Lands of Edward A. Blaine Revocable Trust of 1991

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Jill Baker, Director, Department of Planning and Zoning; William C. Wantz, Esquire

RECOMMENDED MOTION: Move to grant/deny express approval for the development of subject parcels for the stated annexation.

REPORT-IN-BRIEF: The basis for seeking Washington County Commissioners express approval of this annexation comes from the Local Government Article of Maryland's Annotated Code §4-416(b) which states:

“Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.”

DISCUSSION: The subject parcels, consisting of 28.35 acres, have petitioned the City of Hagerstown for annexation within municipal boundaries with a proposed zoning of Residential – Medium Density (RMED). Currently, under County zoning, the parcels are zoned Residential, Transitional (RT).

The County RT zoning is primarily a residential zoning that allows for low density residential uses (single family and two-family dwellings), schools, and childcare centers. The Town RMED zoning regulations also permit residential uses but at a higher density than that of the County. The City RMED zoning permits, by right, triplexes, quadplexes and townhouse uses whereas the County RT zoning does not. When an average of the two zoning districts are compared the County density equates to approximately 4.02 dwelling units per acre whereas the city zoning density equates to about 12.02 units per acre. This difference far exceeds the legislative definition of 50% and therefore prohibits new development from occurring on the property that is substantially different for a period of five (5) years unless express approval is granted by the Board of County Commissioners. Granting express approval of the proposed zoning district

would waive the 5-year period and allow development of a substantially different manner to move forward immediately.

A public hearing was held on May 23, 2023 by the Mayor and Council to take comment on the annexation petition. Two people spoke at the hearing and cited concerns about new growth and impacts from additional development including impacts on roads, schools, water and sewer.

FISCAL IMPACT: Not granting express approval could delay development on the subject property and thereby inhibit new tax revenue.

CONCURRENCES:

ALTERNATIVES:

ATTACHMENTS: Town Annexation Plan; Zoning Exhibit; County Express Approval Letter

AUDIO/VISUAL NEEDS: Zoning Exhibit

City of Hagerstown, Maryland

Annexation Case No. A-2023-02

Property Owners: Blaine Properties LP and the Edward A. Blaine Revocable Trust of 1991

Applicant: Burkentine Real Estate Group

Location of Property: McDade Road (Tax Map 36 Parcel 12 and 430)

Annexation Plan

Pursuant to the Annotated Code of Maryland, Local Government Article, Section 4-415, herewith is a proposed outline for extension of services and public facilities into the areas proposed to be annexed.

It is also noted that any future amendments to the Annexation Plan may not be construed in any way as an amendment to the resolution, nor may they serve in any manner to cause a re-initiation of the annexation procedure then in process.

I. Land Use Patterns of Areas Proposed to be Annexed

- A. The area of annexation is approximately +/- 28.347 acres.
- B. The proposed zoning is RMED (Residential-Medium Density). The parcel located to the east of the Property is a Planned Unit Development that is zoned RMED and exists as a medium density community. The intended purpose of the Property is to provide a townhome community consisting of 174 units, which is consistent with the adjacent city neighborhood. The property is designated as Medium Density on the City's Future Land Use Map which identifies RMOD (Residential-Moderate Density), RMED (Residential-Medium Density), or RO (Residential-Office) as compatible zoning districts. The RMED zoning classification proposed for this site allows uses permitted in the County's current zoning of RT (Residential Transitional), plus townhomes which are not permitted in RT without an overlay zone.
- C. It is within the City's Medium Range Growth Area, an area intended for new or expanded water and wastewater service based on development potential, as defined in the City's 2018 Comprehensive Plan, visionHagerstown 2035.

- D. It is within the County's Urban Growth Boundary and the State's designated Priority Funding Area.

II. Availability of Land Needed for Public Facilities

- A. The uses of the annexation area will be residential in nature and the tract is within the Washington County Public Schools (WCPS) system's school attendance boundaries for Jonathan Hager Elementary School, Western Heights Middle School, and North Hagerstown High School. Per the December 2022 enrollment report from WCPS, Jonathan Hager Elementary School was over capacity by 48 students, Western Heights Middle School was under by 95 students, and North Hagerstown High School was over by 5 students. Per the WCPS FY 2023 Facilities Master Plan and the County's FY 2023 Capital Improvement budget, there are plans for a replacement elementary school in the system with local funding planned for FY 2025-2027. The WCPS planner anticipates that the proposed development would severely impact the existing schools ability to accommodate the additional students. Development of the annexation area will generate revenues for the County which could be earmarked for school capacity enhancement funding from excise tax on all building permits and from real property tax payments on all new homes.
- B. The uses of the annexation area will be residential in nature and residents resulting from development of the land would be served by the Washington County Free Library. The central library in Downtown Hagerstown was expanded in 2011-2013 to better serve our community.

III. Schedule and Method of Financing the Extension of Each Municipal Service Currently Performed Within the City of Hagerstown into the Area Proposed to be Annexed

- A. The area of annexation is currently not served by City Water or Wastewater. The property will be served by City Water upon annexation. The property would be served with wastewater either by the County along McDade Road or as an amendment to the Joint Sewer Service Agreement (JSSA) Area through Hager's Crossing. Further assessment of the appropriate approach would need to be made by the Utilities Departments. Sufficient capacity exists to serve the property.
- B. Extension of sanitary sewer, water and storm drain lines, streets, curbs, gutters and all other public improvements, not currently existing, which may be required by the City to

be installed constructed and maintained as part of the development or re-development of the area of annexation, shall be that the expense of the then owner(s) or developer(s) of the area of annexation requesting same, and shall be at no cost to the City.

- C. The Electric Distribution System is external to the Hagerstown Light Department electric utility operating territory. Electric utility service is provided by the Potomac Edison Company of First Energy.
- D. The area of annexation contains a vacant house and farmland. The property will be served by existing emergency medical services provided by Meritus Medical Center, Community Rescue Service, Inc., and the City of Hagerstown Fire Department.
- E. The area proposed for annexation fronts McDade Road and Swann Road. No change to current ownership or service is proposed. Any public roads constructed in the future within the area of annexation will be completed at the direction of the City Engineer at the developer's expense and constructed per the City's Public Ways Construction Standards by the developer.
- F. Parks and recreation facility expansion are not proposed for this annexation. The property is nearby to Jonathan Hager Elementary School which includes a playground open to the public.
- G. Police protection will be provided by the Hagerstown Police Department. Fire protection will be provided by the Hagerstown Fire Department.
- H. Maintenance (i.e. snow removal, mowing of right-of-ways, litter removal) of McDade Road and Swann Road is performed by Washington County. Any public roads constructed in the future within the area of annexation will be maintained by the City Public Works Department.
- I. All future persons within the area proposed to be annexed shall obtain or be entitled to existing benefits of the City of Hagerstown. They shall also be required to pay for all applicable utility services, charges, assessments, taxes, and other costs and expenses which are required of the residents of the City of Hagerstown, unless alternative arrangements are provided for the Annexation Resolution.

A-2023-02: Blaine Properties Annexation

EXHIBIT #3

Legend

Zoning Districts

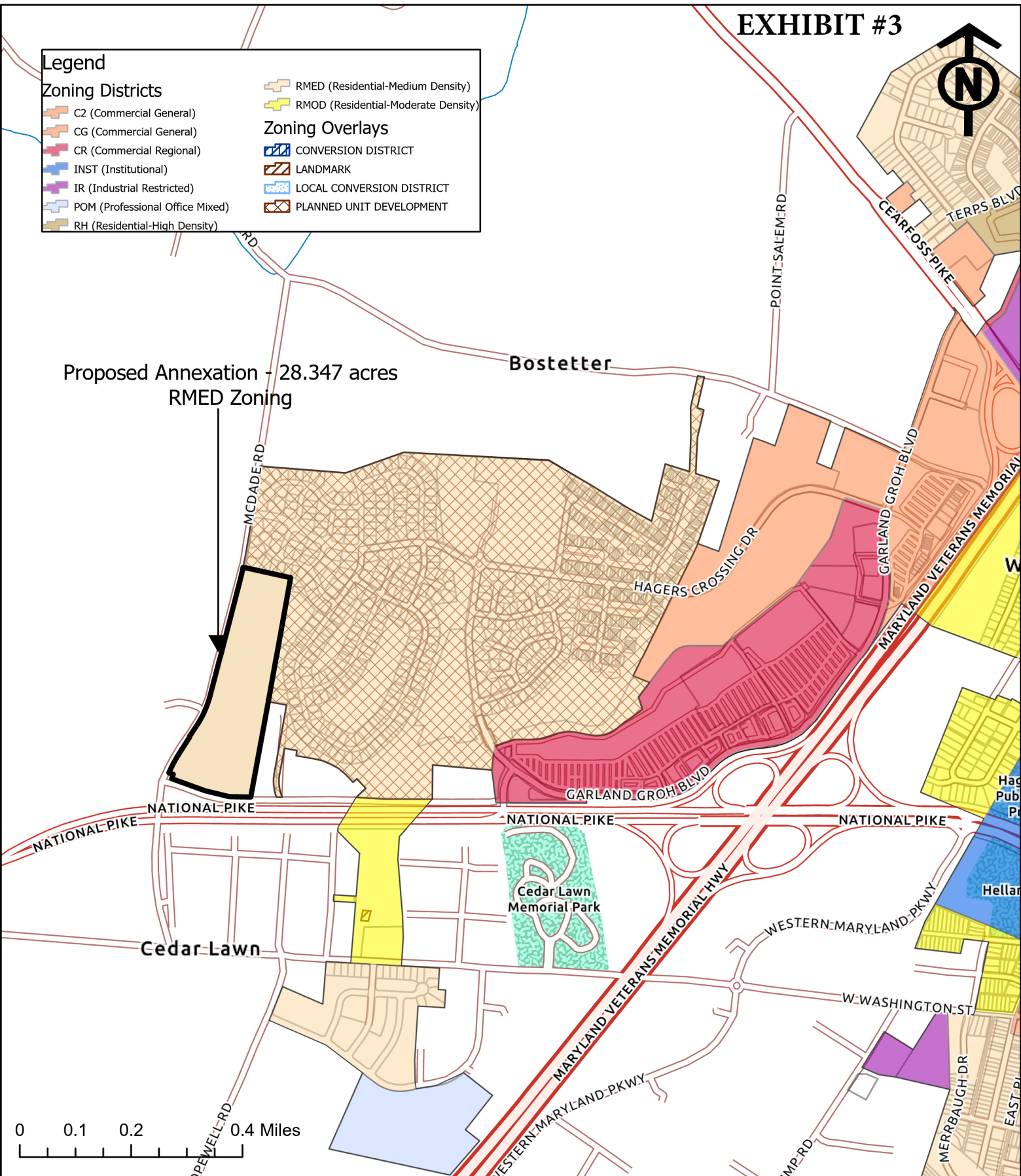
- C2 (Commercial General)
- CG (Commercial General)
- CR (Commercial Regional)
- INST (Institutional)
- IR (Industrial Restricted)
- POM (Professional Office Mixed)
- RH (Residential-High Density)

- RMED (Residential-Medium Density)
- RMOD (Residential-Moderate Density)

Zoning Overlays

- CONVERSION DISTRICT
- LANDMARK
- LOCAL CONVERSION DISTRICT
- PLANNED UNIT DEVELOPMENT

Proposed Annexation - 28.347 acres
RMED Zoning





DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

May 18, 2023

The Honorable Tekesha Martinez, Mayor
City of Hagerstown, City Hall
1 E. Franklin Street
Hagerstown, MD 21740
Re: Annexation Resolution No. A-2023-02

Dear Mayor Martinez,

Thank you for providing the Board of County Commissioners of Washington County with information pertaining to the annexation of land located along McDade Road (Tax map 36 Parcels 12, 315, 319 & 430) including land owned by Blaine Properties LP and the Edward A. Blaine Revocable Trust of 1991. We have reviewed the annexation information and have the following comments to offer.

1. It is understood that the City of Hagerstown does not regulate school impacts from development under their adopted Adequate Public Facilities Ordinance. However, the impacts from this development and others occurring within City limits cannot be ignored since they impact the school district as a whole. We would encourage the City to revisit their current policies regarding school adequacy determinations and work with the County to develop reasonable mitigation plans for new residential development.
2. As you are aware, the Local Government Article of the Annotated Code of Maryland §4-416(b) states that the proposed zoning to be applied to the newly annexed parcels cannot be substantially different from the existing County zoning. The subject parcels of this annexation currently have a County zoning of Residential, Transitional (RT). The annexation plan states that the City intends to apply Residential – Medium Density (RMED) zoning to the properties upon the effective date of the annexation.

Both the County RT zoning and the City RMED zoning are primarily residential zoning districts that principally permit single family and two family/duplex uses. However, the City RMED zoning also allows for higher density residential uses including triplexes, quadplexes, and townhouses. Both County and Town zoning regulations also permit a variety of public administration services and limited commercial uses.

When comparing the density of the two zoning districts, we averaged the minimum lot sizes per unit in each of the two ordinances to compare overall permissible residential density. Our

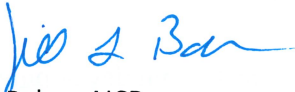
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calculations show that the County RT zone has an average density of 4.02 dwelling units per acre while the City RMED zone has an average density of 12.02 dwelling units per acre. This equates to increase in potential density by approximately 199%. Based upon our review of the two districts there does not appear to be a significant difference in uses, however, there is a significant increase in residential density above the 50% prescribed by State law.

Therefore, in accordance with §4-416 of the Land Use Article the municipality may not allow development substantially different or of a substantially higher density (over 50%) of the annexed land for a period of five (5) years following the annexation. Should the developer wish to proceed with a project that would be substantially higher in density prior to the five-year waiting period elapsing, they may petition the Board of County Commissioners to grant express approval of their project. The developer may contact my office for further instructions on how to apply for the express approval process through the County.

If you have any questions regarding these comments, please feel free to contact us.

Sincerely,



Jill Baker, AICP
Director

Cc: Kathy Maher, Director, Department of Planning and Code Enforcement, City of Hagerstown
Joseph Rogers, Regional Planner, Western MD Regional Office, Maryland Department of
Planning



Agenda Report Form

Open Session Item

SUBJECT: FY25 Family Law Fund – Approval to Submit Application and Accept Awarded Funding

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Kristin Grossnickle, Court Administrator, Circuit Court for Washington County and Nicole Phillips, Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the submission of the FY25 Family Law Fund application in the amount of \$396,986 and accept awarded funding.

REPORT-IN-BRIEF: This grant program provides funds from the Department of Juvenile and Family Service's Grant program of the Maryland Judiciary (DJFS), each year to Washington County Circuit Court to deliver appropriate services available for low income families who appear before the court to resolve family legal matters. Each court within the State of Maryland is required by Maryland Rules 16-307, to have a family support services division to implement the goals and objectives as set forth by the DJFS.

DISCUSSION: Through the Department of Family Service Grant program the following services are funded in the Washington County Circuit Court: salary and fringe benefits of the Family Support Services Coordinator and Permanency Planning Liaison, Family Law Advice Clinic, and as funding allows, Family Services Programs such as parent education classes, custody evaluations, children's attorney, mental health/substance abuse evaluations, parenting coordinators, Alternative Dispute Resolution (ADR)/Mediation, and supervised visitation. The Office of Grant Management has reviewed the grant funding guidelines. This grant is annually recurring. The funder caps pay increases at 3.5%, if there are any pay increases in FY25 in excess of 3.5% the Circuit Court would need to allocate funds within its approved budget for this expense.

FISCAL IMPACT: Provides \$396,986 for the Washington County Circuit Court's Family Court Program.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny approval for submission of this request

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Investment Policy Statement Update

PRESENTATION DATE: 07/11/2023

PRESENTATION BY: Michelle Gordon, Acting County Administrator; Patrick Wing, Marquette Associates

RECOMMENDATION: To approve updates/changes to the Investment Policy Statement

REPORT-IN-BRIEF: The Investment Policy Statement, IPS, sets forth guidelines and objectives for the Pension, OPEB, and LOSAP funds. It was last updated by the investment committee and the BOCC in September 2020. The outlook for fixed income has improved since 2020 due to rising interest rates; therefore, the asset allocation mix can be adjusted to a more conservative mix. This adjustment will reduce the effect of market volatility on plan assets and remains consistent with plan assumed rates of return.

DISCUSSION: The IPS serves several purposes, some of which are included below:

- Define and generally assign the responsibilities of all involved parties.
- Establish a clear understanding of the investment goals and objectives of the Funds.
- Establish the relevant investment horizon for which the Funds' assets will be managed.
- Establish a target asset allocation and re-balancing procedures for the Funds.
- Offer guidance and limitations to all third-party investment funds/managers ("Investment Managers") regarding the investment of assets.
- Establish a basis for evaluating the Funds' investment results.

These guidelines formulate the objectives and establish the parameters used in governing funds in the Employee Retirement Trust Fund (Pension), Retiree Health Plan Trust (Other Post Employment Benefits or OPEB), and the Length of Service Awards Program Fund (LOSAP). The Investment Committee has met several times over the last year with the County's investment advisor, Patrick Wing of Marquette Associates, to review plan performance, and plan susceptibility to economic and market conditions.

The Investment Committee would like to propose changes to the asset allocation mix that will maximize returns at an appropriate level of risk. Although, equities and other "growth engine" assets generate higher real returns over the long term, equities tend to perform poorly amid an environment of price instability (inflation/deflation). As interest rates have risen, core fixed income yields and returns have also risen, improving the outlook for investment-grade fixed income assets.

Recommended asset allocation changes to all three (3) plans includes allocation decreases in equity and high yield assets and allocation increases in core fixed income assets. These changes will help smooth out plan assets and reduce market volatility as experienced in recent fiscal years.

Asset Class	Pension		OPEB		LOSAP	
	Current %	Proposed %	Current %	Proposed %	Current %	Proposed %
U.S. Equities	35.0%	35.0%	38.0%	↓ 35.0%	38.0%	↓ 35.0%
Non-U.S. Equities	20.0%	20.0%	22.0%	↓ 20.0%	22.0%	↓ 20.0%
Options / Defensive Equity	12.0%	↓ 7.0%	15.0%	↓ 7.0%	15.0%	↓ 7.0%
Private Credit / High Yield	7.0%	↓ 5.0%	5.0%	5.0%	10.0%	↓ 5.0%
Core Fixed Income	16.0%	↑ 23.0%	13.0%	↑ 23.0%	13.0%	↑ 23.0%
Cash	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Core Private Real Estate	4.0%	4.0%	5.0%	↓ 4.0%	0.0%	↑ 4.0%
Core Private /Global Infrastructure	4.0%	4.0%	0.0%	↑ 4.0%	0.0%	↑ 4.0%
Total Allocation	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

FISCAL IMPACT: N/A

CONCURRENCES: Kelcee Mace, Interim Chief Financial Officer

ALTERNATIVES: N/A

ATTACHMENTS: Investment Policy Statement

AUDIO/VISUAL NEEDS: None



DIVISION OF
BUDGET & FINANCE
ACCOUNTING | PURCHASING | GRANT MANAGEMENT

TABLE OF CONTENTS

BACKGROUND	2
SCOPE	2
PURPOSE	3
DISTINCTION OF RESPONSIBILITIES	3
RESPONSIBILITIES OF THE BOARD OF COUNTY COMMISSIONERS	3
RESPONSIBILITIES OF THE INVESTMENT COMMITTEE	3
RESPONSIBILITIES OF THE INVESTMENT SERVICES CONSULTANT	4
RESPONSIBILITIES OF ANY INVESTMENT MANAGER(S)	4
RESPONSIBILITIES OF THE CUSTODIAN	5
STANDARD OF CARE	5
PRUDENCE	5
ETHICS	5
DELEGATION OF INVESTMENT AUTHORITY	6
INVESTMENT OBJECTIVES	6
RETURN OBJECTIVES	6
RISK TOLERANCE	6
INVESTMENT POLICY	7
ASSET ALLOCATION	7
REBALANCING AND EVALUATING THE ASSET ALLOCATION	7
DIVERSIFICATION	7
PROXY VOTING	7
INVESTMENT MANAGER SELECTION CRITERIA	7
INVESTMENT GUIDELINES	7
MUTUAL AND OTHER COMMINGLED FUNDS	8
EQUITIES	8
FIXED INCOME	8
REAL ESTATE	9
PRIVATE INFRASTRUCTURE	9
OPTIONS/DEFENSIVE EQUITY	10
PRIVATE CREDIT/HIGH YIELD	10
PROHIBITED INVESTMENTS	11
REVIEW PROCEDURES	11
REVIEW OF INVESTMENT OBJECTIVES	11
REVIEW OF INVESTMENT PERFORMANCE	11
REVIEW OF INVESTMENT SERVICES CONSULTANT AND OTHER SERVICE PROVIDERS	11
SIGNATURES	12
ATTACHMENTS I, II, III	13

BACKGROUND

Washington County, Maryland (the "County") sponsors the Employees' Retirement Plan of Washington County, the Washington County, Maryland Volunteer Length of Service Award Program Plan, and the County Commissioners of Washington County Other Post-Employment Benefits Plan (collectively, the "Plans"). The County has established the Employees' Retirement Trust Fund of Washington County, the Washington County, Maryland Volunteer Length of Service Award Program Trust Fund, and the County Commissioners of Washington County Other Post-Employment Benefits Trust Fund (collectively, the "Funds"). The Funds are intended to provide for funding of benefits for those who meet the applicable requirements set forth in the respective Plans.

SCOPE

This Investment Policy Statement (the "IPS") sets forth the investment policies (in the form of guidelines) and objectives of the Funds. The County has arrived at this IPS through careful study of the returns and risks associated with various investment strategies in relation to the current and projected liabilities of the Plans and the Funds, after consulting with such outside investment professionals as the County deemed appropriate. While this IPS has been chosen as the most appropriate policy for achieving the financial objectives of the Funds (at the time of adoption), this IPS is intended only to provide guidance to the County and the Investment Committee in performing their respective duties under the Plans. It is recognized that this IPS does not and cannot set forth all guidelines that the County and the Investment Committee may deem appropriate to consider when making investment decisions for the Funds. Accordingly, the terms of this IPS are merely general guidelines for application by the County and the Investment Committee where appropriate. It is expressly noted that the terms of this IPS are not binding on the County and the Investment Committee and the County and the Investment Committee may make decisions that are inconsistent with the terms of this IPS if they determine it is prudent and in the best interest of the Plans' participants to do so.

Notwithstanding the foregoing, this IPS is not intended, and shall not be deemed, to expand the duties of the Plans' fiduciaries or to create duties that do not exist under applicable law or the documents governing the Plan. If any term of this IPS conflicts with applicable law or those documents, applicable law and the governing Plan documents shall control.

Notwithstanding the preceding, it is intended that the policies within this IPS be binding on the Investment Services Consultant and Investment Managers, and that, among other responsibilities, the Investment Services Consultant certify to the Investment Committee at each meeting of the Investment Fiduciaries that the requirements of this IPS have been satisfied in both form and substance.

For purposes of this IPS, "Investment Fiduciary(ies)" means mean any individual or group of individuals that exercise authority or control over the management, disposition or administration of the Funds which includes but is not limited to: the County (acting through its Investment Committee and the County Commissioners), the Investment Services Consultant, the Investment Manager and the Custodian.

No employee of the County (in his or her individual capacity) shall be considered a fiduciary of the Plan or Fund. Instead, to the maximum extent permitted by applicable law, any employee acting for the County in connection with County's role under this IPS shall be deemed to be acting merely as a representative of the County and not in his or her individual capacity.

PURPOSE

Purpose of the IPS

This IPS has been adopted by the Funds in order to:

- Define and generally assign the responsibilities of all involved parties.
- Establish a clear understanding of the investment goals and objectives of the Funds.
- Establish the relevant investment horizon for which the Funds' assets will be managed.
- Establish a target asset allocation and re-balancing procedures for the Funds.
- Offer guidance and limitations to all third-party investment funds/managers ("Investment Managers") regarding the investment of assets.
- Establish a basis for evaluating the Funds' investment results.

In developing this IPS, considerations included liquidity requirements, the need to diversify assets, and the financial impact (including the possibility of significant loss) of a range of asset allocations (among other factors considered by the County). This IPS will be updated from time to time as determined by the County in its discretion. Further, changing market conditions, economic trends or business needs may necessitate modification of this IPS. For this purpose, any such modifications shall be deemed to be made part of this IPS as of the date deemed appropriate by the County (or its designee), notwithstanding the incorporation of such modifications into this IPS at a later date. In that regard, this IPS may be amended, if appropriate, at any time and such amendments may be made retroactively effective if necessary (e.g., to reflect a modification previously made that is later incorporated into this IPS).

In general, the purpose of this IPS is to outline a philosophy which will guide the investment management of Funds' assets toward the desired results. It is intended to be sufficiently specific, yet flexible enough to be practical and to ensure that sufficient prudence and care are exercised in the investment program. This IPS is intended to serve as a reference tool, an operating code, and a communication link between and among the County Commissioners, the Investment Committee, the Investment Services Consultant and the Investment Managers. As appropriate, the Investment Fiduciaries will consult with the Funds' actuary(ies) to align investment decisions with the County's funding obligations under the respective Plans.

DISTINCTION OF RESPONSIBILITIES

Responsibilities of the Board of County Commissioners

- Approve this IPS.

Responsibilities of the Investment Committee

The Investment Committee shall consist of the County Administrator, the Director of Human Resources, the Chief Financial Officer as Chairperson, the Director of Finance, one County Commissioner appointed who will be appointed by the Board of County Commissioners to serve a four-year term. The Investment Committee (with the assistance of the Investment Services Consultant) shall assist in the development of policies and guidelines regarding the Funds' investments. These policies and guidelines shall include (but are not restricted to) establishment of:

- Investment Objectives, Investment Policy, Investment Guidelines, and Review Procedures.
- Standards for measuring, monitoring, evaluating and comparing investment performance of the Funds.
- Procedures for authorization, reporting, control, review and general governance to ensure that the Funds' investment policies and guidelines are reviewed on a regular basis.

The Investment Committee shall examine this IPS periodically (and not less frequently than annually) and monitor implementation of the IPS with a frequency deemed appropriate by the Investment Committee.

The Chairperson of the Investment Committee shall have the authority to sign and execute any third-party investment manager agreements necessary to invest the Funds' assets in a manner consistent with this IPS. A minimum of two members of the Investment Committee, including the Chairperson, shall be designated as authorized signers, on any such agreements.

Neither the Investment Committee nor the individual members of the Investment Committee shall be responsible for the investment and other decisions made by service providers, fiduciaries or others acting in connection with the Plan or Fund. Rather, the Investment Committee members serve in a representative capacity on behalf of the County and shall (to the maximum extent permitted by applicable law) have no liability whatsoever for their service as such.

Responsibilities of the Investment Services Consultant

The County has retained an Investment Services Consultant to assist in fulfilling its investment goals and objectives in accordance with this IPS. The Investment Services Consultant shall have the following responsibilities:

- Comply with applicable laws, regulations and rulings.
- Comply with the terms of this IPS.
- Select Investment Managers (mutual funds and other common investment vehicles) with discretion to purchase, sell, or hold specific securities that will be used to meet the Funds' investment objectives.
- After the initial selection of an Investment Manager, regularly measure, monitor and evaluate the performance of the Funds and Investment Managers against the established goals and objectives.
- Rebalance the Funds' assets, as appropriate, to bring the asset allocation in-line with the approved target ranges.
- Measure and evaluate the Funds' investment performance results.
- Review this IPS on a regular basis and recommend modifications as appropriate.
- Adhere to the applicable Investment Services Consultant Contract and perform all duties required of the Investment Services Consultant under such contract.

Responsibilities of any Investment Manager(s)

The Funds' assets will be invested by Investment Managers; such Investment Managers have the following responsibilities:

- Comply with all applicable laws, regulations and rulings.
- Be currently registered and maintain registration as an investment advisor under the Investment Advisors Act of 1940 (the "Act"), a bank (as defined in the Act), or an insurance company qualified to perform investment management services under the laws of more than one state unless otherwise approved on an exception basis.
- Manage the portion of the Funds' assets under their control in accordance with this IPS and any applicable management agreement or prospectus.
- Acknowledge in writing their fiduciary responsibility (if applicable) and fully comply with all portions of the IPS applicable to the Investment Manager, and as modified in the future.
- Exercise full investment discretion within the policies and standards as established as to buy, hold, and sell decisions for the Funds' assets under management.
- On at least a quarterly basis, reconcile the account's positions with the Funds' designated custodian.

- Provide reports and data sheets to the Investment Services Consultant, if applicable, on at least a quarterly basis detailing the Funds' investment performance and positioning.
- Promptly inform the Investment Services Consultant regarding significant matters pertaining to the investment of the Funds' assets, including, but not limited to changes in ownership, organizational structure, investment strategy, portfolio design, or configuration of the investment team.
- Unless the Funds' have retained a proxy voting service, exercise the proxy voting rights related to securities held in its portfolio in a manner consistent with the economic best interests of the Funds.
- If applicable, notify the Investment Committee and the Investment Services Consultant if at any time the Investment Manager feels that the guidelines in this IPS restrict the Investment Manager's performance, or that the objectives cannot be met.

Responsibilities of the Custodian

The Fund has retained a third-party custodian to hold the Funds' assets; such custodian shall manage, control, collect, and use the assets of the Funds in accordance with the terms of the separate Custodial Agreement(s) or Trust Agreement(s) (as applicable) and this IPS.

STANDARD OF CARE

Prudence

Guidelines respecting prudence have been developed in light of investment objectives related to the Plans' obligations to its participants and beneficiaries. Actuarial, economic, investment, and socio-political events and trends (among others) are factors that affect meeting those obligations. Accordingly, these guidelines are, as a part of this IPS, intended to present broad and balanced considerations to guide all parties concerned, seeking appropriate allocation, investment, safekeeping, monitoring and evaluation of the Funds.

The Funds' Investment Fiduciaries shall discharge their responsibilities and assets shall be invested in a manner consistent with this IPS, and generally accepted fiduciary standards. All transactions undertaken on behalf of the Funds shall be solely in the interest of the Plans' participants and their beneficiaries and for the exclusive purpose of providing benefits under the Plans and defraying the reasonable expenses of administration of the Plans.

Investments shall be made with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

Ethics and Conflicts of Interest

Individuals involved in the investment process shall comply with the applicable provisions of the Washington County, Maryland Ethics Ordinance then in effect. In addition, individuals involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Individuals shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Without limiting the generality of the foregoing, this would include any material benefit from any asset held by or under the Funds. Such disclosure shall be made in writing or, if knowledge of the conflict arises in the course of a discussion at a meeting of the Investment Fiduciaries, orally during the course of such meeting (and in writing following the meeting). Upon giving notice, the person or persons with an actual or potential conflict shall refrain and withdraw from all discussions and participation in decisions pertaining to those matters where a conflict of interest

exists or is perceived to exist, except to the extent circumstances or applicable legal guidance indicates refusal and/or non-involvement is unnecessary.

Delegation of Investment Authority

Authority to manage the Funds' assets is granted to the Investment Services Consultant, who, in turn, will select Investment Managers (mutual funds and other common investment vehicles) with discretion to purchase, sell, or hold specific securities that will be used to meet the Funds' investment objectives. The Investment Services Consultant and any Investment Manager(s) shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this IPS. No person may engage in an investment transaction except as provided under the terms of this IPS and the Investment Services Consultant Contract and the Investment Manager Agreement(s), as appropriate. The Investment Services Consultant and the Investment Manager(s) shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials, as appropriate.

INVESTMENT OBJECTIVES

Return Objectives

Investment objectives are long-term in nature. All parties recognize securities markets are unlikely to provide a consistently favorable climate, on a shorter-term basis. Given this, long-term objectives are:

- Earn a total rate of return, net of investment fees, that achieves at least the Plans' actuarially assumed rate of return.
- Total annualized net investment return from all investments of the Funds and each asset class of the Funds is expected to meet or exceed the annualized return of the designated benchmark over a market cycle.

Investment performance objectives for the Funds are, as stated above, long-term in nature. Concern respecting market value or investment return volatility and other measures reflecting investment uncertainty, will be addressed through asset (class) allocations, investment management processes or "styles", portfolio diversification requirements, and other investment management guidelines and/or limitations.

Risk Tolerance

The County recognizes that some risk is necessary to produce long-term investment results sufficient to meet the goals and objectives of this IPS. However, the Investment Managers are to make reasonable efforts to control risk, and they will be evaluated regularly by the Investment Services Consultant to ensure that the risk taken is commensurate with the given investment style and objectives. With that background in mind, the Funds' risk tolerance is outlined below:

- Accept prudent levels of short and long-term volatility consistent with the near-term cash flow needs, and long-term liability structure of the Funds.
- Tolerate appropriate levels of downside risk relative to the Funds' target rate of return. In doing so, the Investment Services Consultant will attempt to minimize the probability of underperforming the Funds' target rate of return over the long-term and to minimize the shortfall in the event such underperformance occurs.
- Accept certain variances in the asset allocation structure of the Funds relative to the broader financial markets and peer groups.
- Tolerate certain levels of short-term underperformance by the Funds' Investment Managers.

INVESTMENT POLICY

Investment Policy delineates controls and the associated monitoring intended to enhance the likelihood of meeting Investment Objectives.

Asset Allocation

Asset class allocation decisions are intended to identify an appropriate investment approach for achieving the Funds' Investment Objectives while limiting investment risk through diversification (and other factors deemed relevant by the Investment Fiduciaries). The asset class targets delineated in **Attachments I-III** provide a framework through which the Funds' investments may be adjusted to meet economic and/or investment market conditions while continuing to be invested within the broader allocation framework deemed appropriate to the Funds' long-term Investment Objectives. The progression from current asset class targets to the ones delineated in **Attachments I-III** is intended to be a thoughtful and deliberate process. It is important to note that private market investments will not occur until the Investment Manager(s) fully or partially call committed capital. The asset class targets will be adjusted, with the private market investments' respective targets being increased on an approximately pro-rata basis upon the drawdown of each asset class's respective capital commitment, while targets for the source allocation will be decreased on an approximately pro-rata basis.

Rebalancing and Evaluating the Asset Allocation

The asset allocation ranges represent a long-term perspective. As such, rapid unanticipated market shifts or changes in economic conditions may cause the asset mix to fall outside IPS ranges. When these divergences occur, the Investment Services Consultant will rebalance the assets within the specified ranges when and if the Investment Services Consultant believes it is prudent to do so. The Investment Services Consultant will provide assumptions on the capital markets over the long-term and optimize the asset allocation to best meet the target risk and return objectives of the Funds.

Diversification

Investments must be broadly diversified to minimize the risk of substantial loss unless under the circumstances it is clearly not prudent to do so. Significant diversification can be accomplished through asset allocation, portfolio structure, and the selection of different Investment Managers (among other things). This IPS includes certain constraints intended to optimize investment diversification.

Proxy Voting

The Investment Services Consultant is not responsible for voting proxies, except for mutual fund proxies, in which case the Investment Services Consultant will vote proxies received in accordance with Investment Services Consultant's proxy voting policy as set forth in its ADV Part 2A.

INVESTMENT MANAGER SELECTION CRITERIA

The Investment Services Consultant may select, monitor and replace appropriate Investment Managers to invest the assets of the Funds, provided that any such selection is done prudently and for the exclusive benefit of the Plans' participants and beneficiaries. If the Investment Services Consultant determines that an Investment Manager should be selected or replaced, the below criteria will be used as a guide (among other factors the Investment Services Consultant deems prudent) to evaluate potential alternatives:

- Overall firm strength and investment professional tenure.
- Well-articulated and consistent application of investment philosophy and process.
- Portfolio characteristics and sector weightings relative to style benchmark.

- Consistent long-term performance relative to style benchmark and industry style universe.
- Portfolio's long-term risk/reward profile compared to style benchmark and industry style universe.
- Investment management fees compared to industry average.

Notwithstanding any other provision of this IPS to the contrary, and subject to any limitations on the Investment Service Consultant's ability to unilaterally remove or replace an investment option due to any restrictive provisions applicable to the Fund's current investment options, an investment option may be placed under formal performance review or be immediately terminated at any time and for any reason.

INVESTMENT GUIDELINES

Mutual and Other Commingled Funds

Given the nature of mutual and other commingled funds, it is recognized that there may be deviations between the objectives, intent or specific requirement of this IPS and the stated objectives, intent or content of any mutual or other commingled fund. However, reasonable efforts shall be made, to the extent practical, prudent and appropriate, to select mutual or other commingled funds that have investment objectives and policies that are consistent with this IPS.

Equities

Investment Manager(s) are expected to purchase marketable equity securities listed on national securities exchanges. The structure of equity investments may be in the form of exchange-traded funds (ETFs), mutual funds, separately managed accounts and/or pooled trusts (and such other forms deemed appropriate by the Investment Manager(s)).

Investment Managers are given latitude in security selection subject to the following:

- Permissible equity investments include, but are not limited to, common equity, convertible securities, publicly traded REITs and American Depositary Receipts.
- Sector, industry, regional and individual security diversification should be maintained.
- No Investment Manager shall invest on a market value basis more than (the greater of): a) five (5) percent of their assigned portfolio in the security (-ies) of a single corporation or group of directly affiliated corporations or, b) 1.5 times the weighting of a security(-ies) within an Investment Manager's equity benchmark.
- No Investment Manager may use assigned funds to make or maintain an investment equaling or exceeding ten (10) percent ownership of the outstanding equity security(-ies) of a single corporation, or group of directly affiliated corporations.
- Stock options may be utilized by an Investment Manager(s) managing U.S. equity securities in "covered" or hedging postures but not in "naked" or speculative postures;
- Hedging to protect against currency impact upon a security position is permissible. Nevertheless, the purchase of speculative or "naked" currency contracts (i.e., currency trading or related risk taking), undertaken without a demonstrable exposed investment position to be hedged in a specific currency, is prohibited.

Fixed Income

Suitable fixed income investments include, but are not limited to, U.S. Treasury and Federal agency securities, municipal securities, marketable debt securities of U.S. corporations, domestic and Yankee certificates of deposit, banker's acceptances, commercial paper, or other generally utilized money market or cash equivalent investments, including money market mutual funds meeting the quality standards delineated below. The structure of the investments may be in the form of direct purchases, ETFs, mutual

funds, separately managed accounts and/or pooled trusts (and such other forms deemed appropriate by the Investment Manager(s)).

The effective duration of fixed income securities, said average including any investments considered to be reserve or cash equivalent assets specific to any fixed income portfolio, shall be no more than 25 percent greater nor fifty (50) percent less than the effective duration of the policy benchmark.

Investment Managers are given latitude in security selection subject to the following:

- No issuer, other than the U.S. Government or Federal agencies, may represent more than five (5) percent of the total market value of the fixed income portfolio managed by any Investment Manager(s).
- There is no limit upon investment in U.S. Treasury securities as a percentage of fixed income investments, except that any single issue thereof may constitute no more than twenty five (25) percent of any Investment Manager(s)' fixed income investments at market value and any single Treasury zero coupon issue ten (10) percent at market value. Federal Agency securities are hereby limited to twenty-five (25) percent per agency, and to ten (10) percent, at market value, per any single Federal Agency issue.
- Cash and equivalents are the only permissible form of investment that is to be used for operating capital necessary for daily operations and reserves. Investments in cash and equivalents shall be in U.S. dollars in either:
 - Money market mutual funds in compliance with SEC rule 2a-7 or,
 - FDIC-insured Deposit Accounts or,
 - Cash sweep vehicles or Rule 2a-7 money market mutual funds held within SIPC-protected brokerage accounts.

Real Estate

Real estate assets may be held in publicly traded Real Estate Investment Trusts (REITs) and servicing companies.

Real estate assets may be also held in private real estate investments, which will be implemented through open-end commingled fund vehicles.

Pooled real estate investment funds will diversify their exposures by property type and location in an attempt to limit exposure to any single property type or to any single geographic area. It is expected that at various points in time, the portfolio may be more heavily exposed to a single property type or location by virtue of opportunities in the market that are expected to generate excess return above long-term expectations. The diversification of the real estate portfolio will be compared to the composition of its peer benchmark the NCREIF ODCE Index. Limited use of leverage is permissible within pooled real estate investment funds to enhance investment returns and to mirror the NCREIF ODCE Index.

Private Infrastructure

Infrastructure assets may be held in publicly traded Global Listed Infrastructure companies. Assets may also be held in private funds.

Infrastructure is broadly defined as the essential assets a society requires to facilitate the orderly operation of its economy and can be broken out into three broad categories: transportation, utility, and social. Typically, they are long-lived assets with low growth, similar volatility to real estate, and have an income stream tied to GDP/inflation that exceeds that of bonds. The Fund's private infrastructure allocation will consist predominately of core infrastructure strategies/assets. Such assets are generally characterized as

having a mature age, steady cash flows, long-term, regulated contracts, low growth opportunities, monopolistic or semi-monopolistic competitive positioning, and a total return profile consisting predominately of cash yield.

Private infrastructure investments will be implemented through open-end commingled fund vehicles. The underlying infrastructure assets held by the commingled vehicles shall be adequately diversified by geography and broad infrastructure sector.

With the understanding that private infrastructure managers employ leverage to enhance returns, leverage within the private infrastructure allocation of the Fund shall be limited to 75%. Leverage may be utilized at the commingled fund or asset-level. Leverage for individual asset may exceed 75%.

The investment risks associated with illiquid assets will be mitigated through the following requirements:

1. Institutional Quality: All investments must be institutional investment quality. Institutional quality is defined as an investment that would be considered acceptable by other prudent institutional investors (e.g., insurance companies, commercial banks, public employee retirement systems, corporate employee benefit plans, endowments and other tax-exempt institutions).
2. Diversification: No more than ten (10%) of the total portfolio will be invested at any time with any single partnership, entity, or organization.

Options/Defensive Equity

Investments that utilize options-writing strategies, provided that the strategy is clearly defined and articulated fully, in accordance with the relevant guidelines of this IPS, are permitted. Such investments will be implemented either through mutual funds or open-end commingled fund vehicles.

Any such strategy must be transparent and fully collateralized by high-quality short-to-intermediate fixed income securities for selling put options or the underlying equity and/or futures contracts for selling call options. These strategies are intended to capture the historical premium, or spread, between implied volatility and realized volatility within asset markets.

Private Credit/High Yield

The purpose of the private credit/high yield allocation is to generate returns greater than core fixed income over the long term. Assets may be held in publicly traded high yield securities and in private debt investments. ~~Investments will be made through funds,~~ which may be open end or closed end.

Private credit is an illiquid, lending-oriented strategy focused on private loans to performing companies. It includes primarily debt investments, where an investor expects to receive principal and interest, with the majority of returns being generated from cash flow yield. Private credit is typically structured with floating rate loans but can also include fixed rate loans. The average maturity of a loan is generally five years; however, loans tend to be repaid prior to maturity, so the average life of the loans is generally three years. Most loans are senior secured loans.

Investments will predominantly consist of direct lending, which are directly originated, nontraded, performing loans made to primarily middle market companies. Direct lending investments primarily are comprised of senior secured debt, which can be secured by general corporate collateral or by a company's specific collateral. Direct lending investments often utilize leverage (typically in the range of 0.5 to 2.5 times) at the fund level. Direct lending investments also have broadly diversified sector exposure and include a combination of sponsored (private equity backed companies) and non-sponsored borrowers. Private credit closed end fund terms are typically 5 to 8 years, with investment periods between 2 and 3 years. The potential for fund term extensions of up to three years is typically structured into most Private credit closed end funds.

A smaller, tactical allocation (e.g., mezzanine) within the private credit pool may be used to complement direct lending and to take advantage of the current investment environment.

Prohibited Investments

Securities having the following characteristics, unless stated otherwise in an investment management agreement, are not authorized and shall not be purchased: letter stock and other unregistered securities, commodities or commodity contracts where the Funds are a counterparty, short sales, and margin transactions. Further, derivatives, options, futures, or any other investment for the sole purpose of direct portfolio leveraging are prohibited. Direct ownership of real estate, natural resource properties such as oil, gas or timber and the purchase of collectibles is also prohibited.

Notwithstanding anything in the Investment Guidelines to the contrary, only an investment permitted by applicable law may be considered and, then, only if such investment is determined to be prudent and in the best interests of Plan participants and beneficiaries.

REVIEW PROCEDURES

Review of Investment Objectives

The Investment Services Consultant shall periodically review and report to the Investment Committee, not less frequently than annually, the appropriateness of this IPS for achieving the Funds' stated objectives. It is not expected that this IPS will change frequently. In particular, short-term changes in the financial markets generally should not require an adjustment in this IPS.

Review of Investment Performance

The Investment Services Consultant shall report on a quarterly basis to the Investment Committee to review the investment performance of the Funds. In addition, the Investment Services Consultant will be responsible for keeping the Investment Committee advised of any material change in investment strategy, Investment Managers, and other pertinent information potentially affecting performance of the Funds.

The Investment Services Consultant shall compare the investment results on a quarterly basis to appropriate peer universe benchmarks, as well as market indices in both equity and fixed income markets.

Review of Investment Services Consultant and Other Service Providers

The Investment Committee shall periodically, and not less frequently than annually, review the performance of the Investment Services Consultant and other service providers to the Funds.

SIGNATURES

The effective date of this Investment Policy Statement is _____, 20__.

Adopted by the Board of County Commissioners of Washington County, Maryland on _____,
20__.

ATTEST:

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

ATTACHMENT I - Employees' Retirement Trust Fund of Washington County

<u>Asset Class</u>	<u>Minimum, %</u>	<u>Target, %</u>	<u>Maximum, %</u>	<u>Benchmark</u>
Equities	45.0	55.0	65.0	
Domestic	25.0	35.0	45.0	Russell 3000
International	10.0	20.0	30.0	MSCI ACWI ex U.S. IMI (net)
Options / Defensive Equity	0.0	7 42.0	15 25.0	CBOE Covered Combo
Real Estate	0.0	4.0	10.0	NCREIF ODCE
Private Infrastructure	0.0	4.0	10.0	CPI +2.5% S&P Global Infrastructure
Private Credit / High Yield	0.0	5 7.0	10 5.0	Bloomberg Barelays High Yield
Fixed Income	8 15.0	18 25.0	35 28.0	
Investment Grade	13 6.0	16 23.0	33 26.0	Bloomberg Barelays Aggregate
Cash	0.0	2.0	10.0	BofAML 90-Day T-Bill

In the event an investment manager invests in more than one asset class, for example, a balanced manager or global equity manager, the manager's benchmark allocation to each asset class will be attributed to that particular asset class. For example, if a global equity manager's benchmark is allocated ten percent of the *total fund* and its benchmark is invested sixty percent in international equities, sixty percent of the global equity manager's allocations will be attributed to international equities and therefore, six percent of the *total fund* allocated to international equities.

Private market investments will not occur until the Investment Manager(s) fully or partially call committed capital. The asset class targets will be adjusted, with the private market investments' respective targets being increased on an approximately pro-rata basis upon the drawdown of each asset class's respective capital commitment, while targets for the source allocation will be decreased on an approximately pro-rata basis.

ATTACHMENT II - County Commissioners of Washington County Other Post-Employment Benefits Trust Fund

<u>Asset Class</u>	<u>Minimum, %</u>	<u>Target, %</u>	<u>Maximum, %</u>	<u>Benchmark</u>
Equities	45 50.0	56 65.0	70 65.0	
Domestic	25 8.0	35 8.0	45 8.0	Russell 3000
International	10 2.0	22 0.0	32 0.0	MSCI ACWI ex U.S. IMI (net)
Options/Defensive Equity	0 5.0	15 7.0	12 5.0	CBOE Covered Combo
Real Estate	0.0	4 5.0	10.0	NCREIF ODCE
<u>Infrastructure</u>	<u>0.0</u>	<u>4.0</u>	<u>10.0</u>	<u>FTSE Global Core Infrastructure 50/50 (net)</u>
Private Credit / High Yield	0.0	5.0	10 5.0	Bloomberg Barelays High Yield
Fixed Income	15 5.0	25 15.0	23 5.0	
Investment Grade	13 3.0	42 3.0	23 3.0	Bloomberg Barelays Aggregate
Cash	0.0	2.0	10.0	BofAML 90-Day T-Bill

In the event an investment manager invests in more than one asset class, for example, a balanced manager or global equity manager, the manager's benchmark allocation to each asset class will be attributed to that particular asset class. For example, if a global equity manager's benchmark is allocated ten percent of the *total fund* and its benchmark is invested sixty percent in international equities, sixty percent of the global equity manager's allocations will be attributed to international equities and therefore, six percent of the *total fund* allocated to international equities.

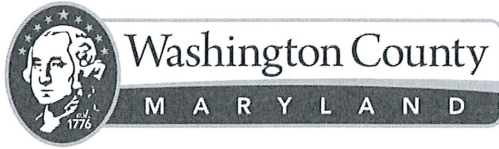
Private market investments will not occur until the Investment Manager(s) fully or partially call committed capital. The asset class targets will be adjusted, with the private market investments' respective targets being increased on an approximately pro-rata basis upon the drawdown of each asset class's respective capital commitment, while targets for the source allocation will be decreased on an approximately pro-rata basis.

**ATTACHMENT III - Washington County, Maryland Volunteer Length of Service Award
Program Trust Fund**

<u>Asset Class</u>	<u>Minimum, %</u>	<u>Target, %</u>	<u>Maximum, %</u>	<u>Benchmark</u>
Equities	45 50.0	60 55.0	70 65.0	
Domestic	25.0	38.0	48.0	Russell 3000
International	10.0	22.0	32.0	MSCI ACWI ex U.S. IMI (net)
Options/Defensive Equity	0 5.0	7 15.0	2 15.0	CBOE Covered Combo
<u>Real Estate</u>	<u>0.0</u>	<u>4.0</u>	<u>10.0</u>	<u>NCREIF ODCE</u>
<u>Infrastructure</u>	<u>0.0</u>	<u>4.0</u>	<u>10.0</u>	<u>FTSE Global Core Infrastructure 50/50 (net)</u>
Private Credit / High Yield	0.0	5 10.0	15 0.0	Bloomberg Barelays High Yield
Fixed Income	<u>15.0</u>	<u>215.0</u>	<u>325.0</u>	
Investment Grade	13.0	42.0	23.0	Bloomberg Barelays Aggregate
Cash	0.0	2.0	10.0	BofAML 90-Day T-Bill

In the event an investment manager invests in more than one asset class, for example, a balanced manager or global equity manager, the manager's benchmark allocation to each asset class will be attributed to that particular asset class. For example, if a global equity manager's benchmark is allocated ten percent of the *total fund* and its benchmark is invested sixty percent in international equities, sixty percent of the global equity manager's allocations will be attributed to international equities and therefore, six percent of the *total fund* allocated to international equities.

Private market investments will not occur until the Investment Manager(s) fully or partially call committed capital. The asset class targets will be adjusted, with the private market investments' respective targets being increased on an approximately pro-rata basis upon the drawdown of each asset class's respective capital commitment, while targets for the source allocation will be decreased on an approximately pro-rata basis.



Agenda Report Form

Open Session Item

SUBJECT: Construction Bid Award - Dogstreet Road Culvert Replacement

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Scott Hobbs, Director, Division of Engineering

RECOMMENDED MOTION: Move to award the bid for the Dogstreet Road Culvert Replacement contract to the lowest responsive, responsible bidder, Huntzberry Brothers, Inc. of Smithsburg in the amount of \$943,494.00.

REPORT-IN-BRIEF: The project was advertised in The Herald Mail, on the County's website, and on the State of Maryland's website, e-Maryland Marketplace Advantage. Four (4) bids were received on Wednesday, June 21, 2023 as listed below and detailed on the bid tabulation.

<u>Contractor:</u>	<u>Total Bid:</u>
Huntzberry Brothers, Inc.	\$943,494.00
DSM Contracting, LLC.	\$999,900.00
C. William Hetzer, Inc.	\$1,130,362.30
Concrete General, Inc.	\$1,747,353.00

The bids have been evaluated and the low bid is in order. The engineer's estimate is \$950,000.

DISCUSSION: The project involves the replacement of a multiple barrel pipe culvert with a precast reinforced concrete box culvert. Construction will also involve placement of cast-in-place concrete end walls, asphalt paving, and traffic barrier installation. The project is a 250 consecutive calendar day contract with an anticipated notice to proceed in August 2023 and a completion date in April 2024. The bid documents include liquidated damages in the amount of \$500.00 per calendar day for work beyond the completion date. There is a road closure / detour associated with this work. Public notices will be made and road work signs posted prior to the start of work.

FISCAL IMPACT: This is a budgeted Capital Improvement Plan (CIP) project (BRG049). Total expenses are estimated at \$1,018,494; including \$943,494 for the proposed bid award, \$50,000 for inspection/testing/utilities/right-of-way and \$25,000 for construction contingency.

CONCURRENCES: N/A

ALTERNATIVES: This is the most cost effective and practical alternative. The structure is in poor condition and in need of replacement.

ATTACHMENTS: Bid Tabulation, Aerial Maps

AUDIO/VISUAL TO BE USED: Aerial Maps



Washington County Division of Engineering
 Bid Tabulation
 Dogstreet Road Culvert Replacement, Contract No. BR-DS-220-14
 Bids Received: Wednesday, June 21, 2023, 11:00 AM
 Page 1 of 2

Huntzberry Brothers, Inc.
 21536 Chewsville Road
 Smithsburg, MD 21783

Unit No.	Description	Unit	Quantity	Unit Price	Item Total
101	Clearing and Grubbing	LS	LS	\$65,500.00	\$65,500.00
102	Mobilization	LS	LS	\$9,000.00	\$9,000.00
103	Maintenance of Traffic	LS	LS	\$12,488.00	\$12,488.00
104	Temporary Traffic Signs	SF	317	\$33.00	\$10,461.00
105	Temporary Concrete Traffic Barriers for MOT	LF	48	\$62.00	\$2,976.00
106	Type III Barricade for MOT	EA	2	\$760.00	\$1,520.00
107	Construction Stakeout	LS	LS	\$18,500.00	\$18,500.00
108	Contingent: Temporary Orange Construction Fence	LF	300	\$4.00	\$1,200.00
109	Drums for Maintenance of Traffic	EA	10	\$135.00	\$1,350.00
201	Stream Excavation	CY	700	\$30.00	\$21,000.00
202	Structure Excavation	CY	800	\$30.00	\$24,000.00
203	Contingent: Class III Excavation	CY	300	\$50.00	\$15,000.00
204	Common Borrow	CY	300	\$30.00	\$9,000.00
205	Selected Backfill	CY	200	\$63.00	\$12,600.00
206	Removal of Existing Pavement	SY	650	\$15.00	\$9,750.00
301	Stabilized Construction Entrance	EA	1	\$2,775.00	\$2,775.00
302	Stream Diversion	LS	LS	\$75,500.00	\$75,500.00
303	Filter Log - 12 Inch Diameter	LF	160	\$7.00	\$1,120.00
304	Class I Riprap	SY	130	\$80.00	\$10,400.00
305	Sump Pit	EA	1	\$2,750.00	\$2,750.00
306	Filter Bag	EA	2	\$600.00	\$1,200.00
401	Removal of Existing Structure	LS	LS	\$19,250.00	\$19,250.00
402	Reinforced Concrete Box Culverts - (2 EACH) 18FT x 5FT	LS	LS	\$332,600.00	\$332,600.00
403	Cast in Place Concrete Mix No. 3 for Endwall Footings	CY	60	\$800.00	\$48,000.00
404	Cast in Place Concrete Mix No. 6 for Endwall Wingwall Stem	CY	35	\$2,950.00	\$103,250.00
405	Traffic Barrier W Beam at Structure	LS	LS	\$44,500.00	\$44,500.00
406	Stone Wall Repointing	LF	75	\$265.00	\$19,875.00
501	6 Inch Graded Aggregate Base	SY	510	\$17.00	\$8,670.00
502	Hot Mix Asphalt Superpave Surface 9.5mm (PG64-22)	Ton	80	\$135.00	\$10,800.00
503	Hot Mix Asphalt Superpave Base 19mm (PG64-22)	Ton	140	\$125.00	\$17,500.00
504	Saw Cutting	LF	55	\$4.00	\$220.00
505	Crusher Run Aggregate	CY	5	\$55.00	\$275.00
506	5 Inch White Paint Pavement Markings	LF	250	\$5.00	\$1,250.00
507	5 Inch Yellow Paint Pavement Markings	LF	250	\$5.00	\$1,250.00
601	Remove and Dispose Existing Traffic Barrier	LF	128	\$8.00	\$1,024.00
602	Traffic Barrier W-Beam	LF	50	\$50.00	\$2,500.00
603	Traffic Barrier End Treatment (Type C)	EA	2	\$3,750.00	\$7,500.00
604	Traffic Barrier End Treatment (Type L)	EA	2	\$2,250.00	\$4,500.00
701	Placing Furnished Topsoil, 4 Inch Depth	SY	750	\$8.00	\$6,000.00
702	Temporary Seeding	SY	500	\$1.00	\$500.00
703	Turfgrass Establishment	SY	750	\$1.55	\$1,162.50
704	Type A Soil Stabilization Matting	SY	250	\$2.55	\$637.50
705	Black Walnut Tree (Minimum 1" Caliper)	EA	4	\$200.00	\$800.00
706	Box Elder Tree (Minimum 1" Caliper)	EA	4	\$200.00	\$800.00
707	Redbud Tree (Minimum 5' Height)	EA	4	\$425.00	\$1,700.00
801	Permanent Traffic Signs	SF	12	\$70.00	\$840.00
	SUBTOTAL				\$943,494.00

Washington County Division of Engineering

Bid Tabulation

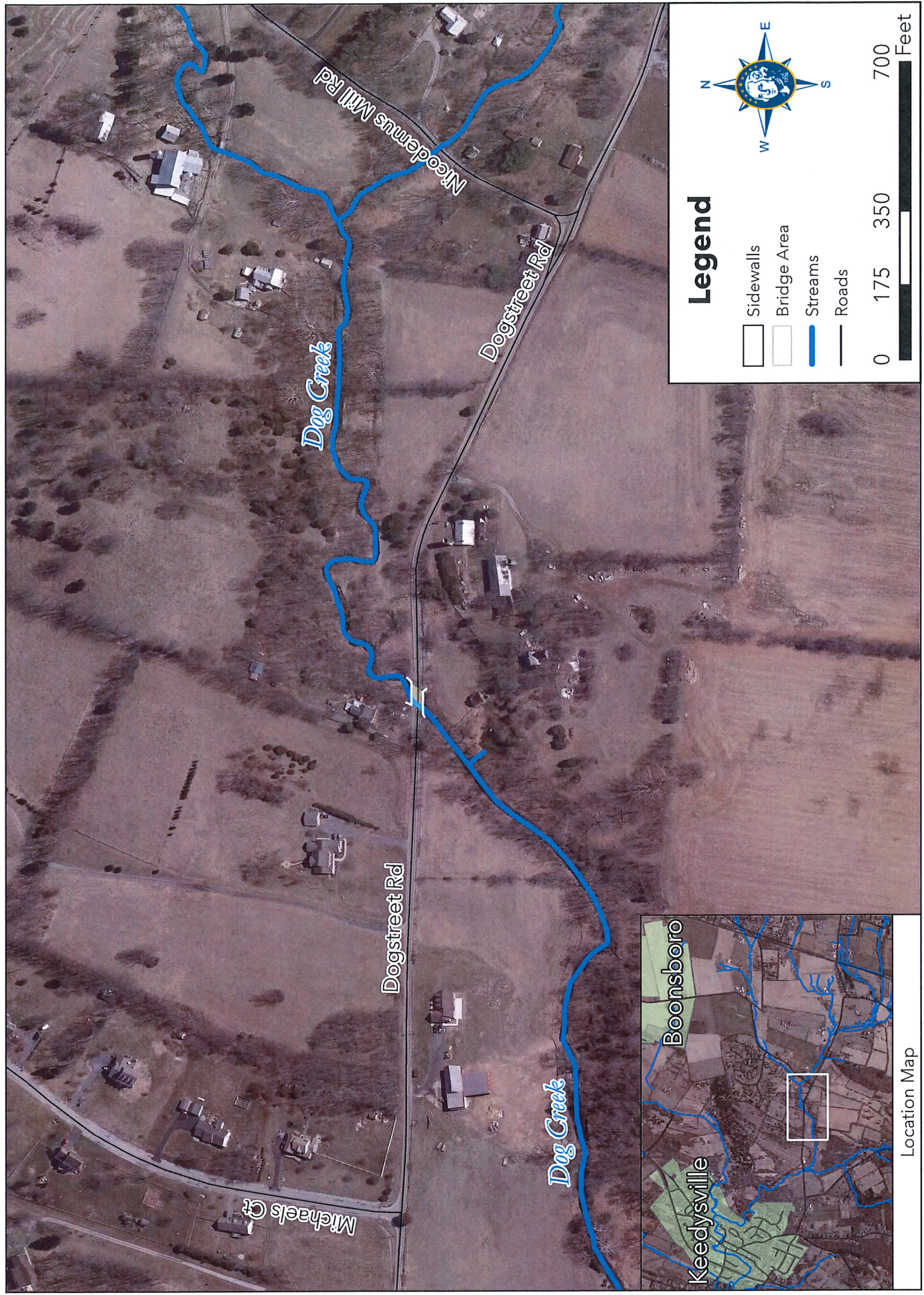
Dogstreet Road Culvert Replacement, Contract No. BR-DS-220-14

Bids Received: Wednesday, June 21, 2023, 11:00 AM

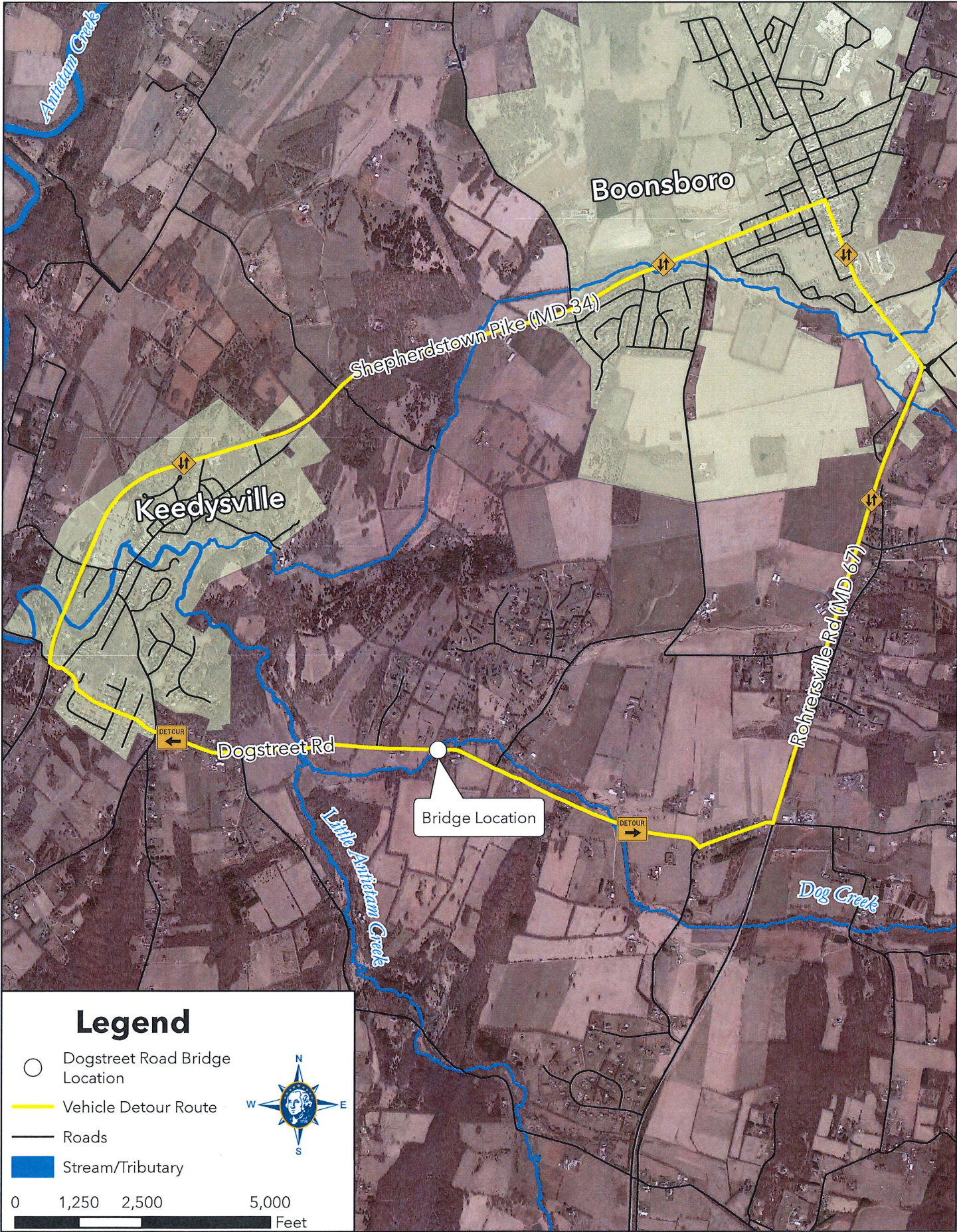
Page 2 of 2

DSM Contracting, LLC. 1417 Shoemaker Road Baltimore, MD 21209		C. William Hetzer, Inc. 9401 Sharpsburg Pike Hagerstown, MD 21741-0506		Concrete General, Inc. 8000 Beechcraft Avenue Gaithersburg, MD 20879	
Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
\$6,360.00	\$6,360.00	\$88,110.00	\$88,110.00	\$30,000.00	\$30,000.00
\$54,372.00	\$54,372.00	\$153,880.00	\$153,880.00	\$394,000.00	\$394,000.00
\$3,180.00	\$3,180.00	\$36,140.00	\$36,140.00	\$25,000.00	\$25,000.00
\$25.70	\$8,146.90	\$40.50	\$12,838.50	\$22.00	\$6,974.00
\$74.10	\$3,556.80	\$44.50	\$2,136.00	\$85.00	\$4,080.00
\$300.00	\$600.00	\$365.00	\$730.00	\$330.00	\$660.00
\$18,000.00	\$18,000.00	\$19,580.00	\$19,580.00	\$25,000.00	\$25,000.00
\$6.00	\$1,800.00	\$3.65	\$1,095.00	\$6.20	\$1,860.00
\$108.00	\$1,080.00	\$105.00	\$1,050.00	\$90.00	\$900.00
\$64.50	\$45,150.00	\$46.50	\$32,550.00	\$70.00	\$49,000.00
\$76.00	\$60,800.00	\$33.50	\$26,800.00	\$90.00	\$72,000.00
\$41.20	\$12,360.00	\$45.00	\$13,500.00	\$20.00	\$6,000.00
\$68.20	\$20,460.00	\$40.00	\$12,000.00	\$30.00	\$9,000.00
\$84.00	\$16,800.00	\$85.00	\$17,000.00	\$80.00	\$16,000.00
\$13.10	\$8,515.00	\$7.00	\$4,550.00	\$10.00	\$6,500.00
\$3,000.00	\$3,000.00	\$1,470.00	\$1,470.00	\$4,000.00	\$4,000.00
\$54,350.40	\$54,350.40	\$141,330.00	\$141,330.00	\$149,000.00	\$149,000.00
\$36.00	\$5,760.00	\$12.75	\$2,040.00	\$18.00	\$2,880.00
\$139.80	\$18,174.00	\$65.00	\$8,450.00	\$104.00	\$13,520.00
\$1,800.00	\$1,800.00	\$740.00	\$740.00	\$3,500.00	\$3,500.00
\$900.00	\$1,800.00	\$700.00	\$1,400.00	\$730.00	\$1,460.00
\$27,624.00	\$27,624.00	\$28,340.00	\$28,340.00	\$18,400.00	\$18,400.00
\$370,757.40	\$370,757.40	\$255,950.00	\$255,950.00	\$603,000.00	\$603,000.00
\$1,170.00	\$70,200.00	\$1,210.00	\$72,600.00	\$1,150.00	\$69,000.00
\$2,140.30	\$74,910.50	\$2,160.00	\$75,600.00	\$3,000.00	\$105,000.00
\$30,000.00	\$30,000.00	\$35,990.00	\$35,990.00	\$43,500.00	\$43,500.00
\$102.60	\$7,695.00	\$185.00	\$13,875.00	\$165.00	\$12,375.00
\$20.40	\$10,404.00	\$9.90	\$5,049.00	\$17.00	\$8,670.00
\$120.00	\$9,600.00	\$130.00	\$10,400.00	\$169.00	\$13,520.00
\$120.00	\$16,800.00	\$130.00	\$18,200.00	\$153.00	\$21,420.00
\$12.00	\$660.00	\$15.50	\$852.50	\$10.00	\$550.00
\$120.00	\$600.00	\$165.00	\$825.00	\$66.00	\$330.00
\$12.00	\$3,000.00	\$2.95	\$737.50	\$2.00	\$500.00
\$12.00	\$3,000.00	\$2.95	\$737.50	\$2.00	\$500.00
\$18.00	\$2,304.00	\$8.60	\$1,100.80	\$7.00	\$896.00
\$24.00	\$1,200.00	\$99.00	\$4,950.00	\$49.00	\$2,450.00
\$1,800.00	\$3,600.00	\$7,330.00	\$14,660.00	\$3,630.00	\$7,260.00
\$1,800.00	\$3,600.00	\$2,320.00	\$4,640.00	\$2,090.00	\$4,180.00
\$15.00	\$11,250.00	\$3.55	\$2,662.50	\$10.00	\$7,500.00
\$1.80	\$900.00	\$1.00	\$500.00	\$1.00	\$500.00
\$1.80	\$1,350.00	\$1.55	\$1,162.50	\$2.00	\$1,500.00
\$6.00	\$1,500.00	\$1.85	\$462.50	\$6.00	\$1,500.00
\$258.00	\$1,032.00	\$245.00	\$980.00	\$250.00	\$1,000.00
\$258.00	\$1,032.00	\$245.00	\$980.00	\$250.00	\$1,000.00
\$150.00	\$600.00	\$305.00	\$1,220.00	\$250.00	\$1,000.00
\$18.00	\$216.00	\$41.50	\$498.00	\$39.00	\$468.00
	\$999,900.00		\$1,130,362.30		\$1,747,353.00

Dogstreet Road Culvert Replacement



Dogstreet Road Culvert Replacement Detour Route





Agenda Report Form

Open Session Item

SUBJECT: Bid Award (PUR-1619) Conococheague Win-911 Upgrade

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Rick Curry, CPPO, Director, Purchasing Department; Mark Bradshaw, P.E., Director, Environmental Management

RECOMMENDATION: Move to award the Conococheague Win 911 Upgrade to the responsible bidder with the responsive bid, Micro-Tech Designs, Inc., of Hampstead, MD in the amount of \$52,550.

REPORT-IN-BRIEF: On June 14, 2023, the County received a total of one (1) bid for the Supervisory Control and Data Acquisition System (SCADA). The Invitation to Bid (ITB) notice was published in the local newspaper, listed on the State of Maryland's "*eMarylandMarketplaceAdvantage*" website and on the County's website. Twenty-seven (27) persons/companies registered/downloaded the bid document on-line.

The SCADA system is a combination of hardware and software that enables the automation of industry processes by capturing the operational technology (OT) real-time data. SCADA connects the sensors that monitor equipment like motors, pumps, and valves to an onsite or remote server. The system collects real-time and historical information and then provides operational personnel with a wide range of modes in which this information can be displayed and accessed. The project includes but not limited to: upgrading current PC's and software from Windows 7 to Windows 11, provide three new work stations, a new server. Install upgraded software and configure workgroup, plant logic and modifications. Industry standard one year warranty shall apply.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the department's Capital Improvement Project (CIP) budget 42010-TRP026.

CONCURRENCES: N/A

ATTACHMENTS: Bid Tabulation Matrix.

PUR-1619
Conococheague WIN 911 Upgrade

		Micro-Tech Designs, Inc. Hampstead, MD
Option No.	Item Description	Total Price
1	Task 1 – Upgrade all PC and Software to Windows 11 Platform @	\$32,270.00
2	Task 2 – Plant Logic and Modifications @	\$20,280.00
TOTAL LUMP SUM: (Task 1 & Task 2)		52,550.00

Remarks / Exceptions:



Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1606) – Martin Luther King (MLK) Natural Gas and Mechanical Upgrades

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Rick F. Curry, CPPO, Director, Purchasing Department; Andrew Eshleman, P.E., Director, Division of Public Works

RECOMMENDED MOTION: Move to award the contract for the MLK Natural Gas and Mechanical Upgrades project to the responsible, responsive bidder, Mick's Plumbing and Heating, Inc., of Thurmont, MD who submitted the lowest total lump sum bid in the amount of \$93,300.

REPORT-IN-BRIEF: The work to be performed by the Contractor under this project generally includes but is not limited to: Remove the existing hot water fuel oil boiler burner and replace with a natural gas hot water burner. The existing natural gas service fed from the alley will be removed and a new larger service line installed from North Avenue. Provide other miscellaneous work as indicated on the plans or required to complete the work. Furnish all supervision, labor, materials, tools, equipment and service necessary and incidental to install all plumbing work and related systems shown on the drawings, indicated in the Specification or necessary to provide a finished installation. The finished installation shall be in perfect working condition and be ready for continuous and satisfactory operation. The project is to be substantially completed within forty-five (45) consecutive calendar days of the Notice to Proceed. The County can assess liquidated damages in the sum of two hundred fifty (\$250) dollars for each consecutive day that the project is not completed.

The bid was advertised in the local newspaper, listed on the State of Maryland's "*eMaryland Marketplace Advantage*" website and on the County's web site. Six (6) companies were represented at the pre-bid teleconference. Forty-six (46) persons/companies registered/downloaded the bid document on-line. Two (2) bids were submitted as indicated on the attached bid tabulation matrix.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the Division's Capital Improvement Project (CIP) account 10910-BLD078.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Bid Matrix Tabulation

AUDIO/VISUAL NEEDS: N/A

PUR-1606

MLK NATURAL GAS AND MECHANICAL UPGRADES

Item No.	Description:	Denver-Elek, Inc. Essex, MD	Mick's Plumbing & Heating, Inc. Thurmont, MD
1	Total Lump Sum Bid for MLK Natural Gas & Mechanical Upgrades	\$117,897.00	\$93,300.00

Remarks / Exceptions:

Mick's Plumbing & Heating, Inc. Lead time on the new burner assembly is 7-9 weeks after submittal approval.

Bids Due: June 14, 2023



Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1607) – Martin Luther King (MLK) Electrical Upgrades

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department; Andrew Eshleman, P.E., Director, Division of Public Works

RECOMMENDED MOTION: Move to award the contract for the MLK Electrical Upgrades project to the responsible, responsive bidder, Star Excavating and Electrical, LLC., of Clear Spring, MD who submitted the lowest total lump sum bid in the amount of \$204,372.60.

REPORT-IN-BRIEF: The work to be performed by the Contractor under this project generally includes but is not limited to: The installation of a new 120/208v 1600A electrical service and a new 1600A main distribution panel. The contract shall plan for continuity of service and selected demolition of the old service. The County will be responsible for installing the new electrical closet and associated mechanical and finish items. The Contractor shall install all electrical receptacles, lights, fire alarm equipment, and associated wiring. Provide other miscellaneous work as indicated on the plans or required to complete the work. The project is to be substantially completed within forty-five (45) consecutive calendar days of the Notice to Proceed. The County can assess liquidated damages in the sum of two hundred fifty (\$250) dollars for each consecutive day that the project is not completed.

The bid was advertised in the local newspaper, listed on the State of Maryland's "*eMaryland Marketplace Advantage*" website and on the County's web site. Four (4) companies were represented at the pre-bid teleconference. Twenty-One (21) persons/companies registered/downloaded the bid document on-line. Three (3) bids were submitted as indicated on the attached bid tabulation matrix.

DISCUSSION: N/A

FISCAL IMPACT: Funds are budgeted in the Division's Capital Improvement Project (CIP) account 30-10910-BLD078 CNST.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Bid Matrix Tabulation

AUDIO/VISUAL NEEDS: N/A

PUR-1607

MLK Electrical Service Upgrade

Item No.	Description:	The Eastern Sales and Engineering Co. Baltimore, MD	Ebenezer Electric, LLC Woodbridge, VA	Star Excavating and Electrical, LLC Clear Spring, MD
1	Total Lump Sum for MLK Electrical Service Upgrade	\$299,000.00	\$290,000.00	\$204,372.60

Remarks/Exceptions:

Star Excavating and Electrical, LLC –

Star Excavating and Electrical propose to install a new 1600-amp service at the MLK Building. All labor and materials included. All work will be done as specified per bid pack, using square D gear. Underground rock is excluded, any rock we hit will be broke out and removed on a time and material basis. Price of material is only good for thirty days due to suppliers only holding material for this length of time.

Bids Due: June 14, 2023



Agenda Report Form

Open Session Item

SUBJECT: Rejection of Bid (PUR-1626) Purchase or Lease and Supplying of Golf Carts for Washington County's Black Rock Golf Course

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Brandi Naugle, CPPB, Buyer; Andrew Eshleman, P.E., Director, Division of Public Works

RECOMMENDED MOTION: Move to take action that is in the best interest of the County to reject the bid without prejudice for the Purchase or Lease and Supplying of Golf Carts for Washington County's Black Rock Golf Course due to the requirements of the bid specifications not being met and we are requesting permission to re-advertise to solicit pricing for the Purchase or Lease and Supplying of Golf Carts for Washington County's Black Rock Golf Course.

REPORT-IN-BRIEF: The Invitation to Bid (ITB) was advertised in the local newspaper, on the County's website, and on the State of Maryland's website, "*e-Maryland Marketplace Advantage*." Fifteen (15) persons/companies registered/downloaded the bid document online, one (1) bid was received on Wednesday, June 21, 2023, as indicated on the attached bid tabulation matrix.

DISCUSSION:

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase Price Increase (INTG – 20-0030) Uniform Rental Service for Various County Departments

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department

RECOMMENDED MOTION: Move to authorize a price increase based on the utilization of Intergovernmental Cooperative Purchase/Uniform Rental Services contract with Omnia/US Communities, via Prince William County Schools Virginia (Contract Number: R-BB-190002) that was awarded to Cintas of Cincinnati, OH. Pricing is to increase as presented in the attached spreadsheet, which the price increase varies between 3.7% - 8.33%.

REPORT-IN-BRIEF: The Omnia/U.S. Communities' contract is for a five (5) year period. The contract was awarded December 13, 2018, through October 31, 2023, with the option to renew for two (2) additional two (2) year periods, upon mutual written consent of the parties. Proposed prices shall remain firm for the initial term of the contract.

The Code of Public Laws of Washington County, Maryland (the Public Local Laws) §1-106.3 provides that the Board of County Commissioners may procure goods and services through a contract entered into by another governmental entity, in accordance with the terms of the contract, regardless of whether the County was a party to the original contract. The government of Prince William County Schools took the lead in soliciting the resulting agreement. If the Board of County Commissioners determines that participation by Washington County would result in cost benefits or administrative efficiencies, it could approve the purchase of this service in accordance with the Public Local Laws referenced above by resolving that participation would result in cost benefits or in administrative efficiencies.

The County will benefit with direct cost savings in the purchase of these services because of the economies of scale this large buying group leveraged. I am confident that any bid received as a result of an independent County solicitation would exceed the spend savings that U.S. Communities provides through this agreement. Additionally, the County will realize savings through administrative efficiencies as a result of not preparing, soliciting, and evaluating a bid, and potentially defending any resulting award. This savings/cost avoidance would, I believe, be significant.

DISCUSSION: N/A

FISCAL IMPACT: Funding is available in the various department's budget: Parks & Facilities, Building Maintenance, Highway Department, Solid Waste Department, Department of Transit, Black Rock Golf Course, Airport, and the Department of Water Quality.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: New Pricing Matrix

AUDIO/VISUAL NEEDS: N/A

MATERIAL	DESCRIPTION	FORMER PRICE	New Price	Difference	% Diff
BA2000S	NAVY/ NAVY/ WHITE*	0.5	\$0.53	\$0.03	6.00%
BD2000S	NAVY/ NAVY/ WHITE*	2	\$2.10	\$0.10	5.00%
X10184	3X5 ACTIVE SCRAPER	3.5	\$3.68	\$0.18	5.14%
X10184	3X5 ACTIVE SCRAPER	6	\$6.30	\$0.30	5.00%
X10189	3X5 XTRAC MAT ONYX	5.9	\$6.20	\$0.30	5.08%
X10192	4X6 XTRAC MAT ONYX	6.74	\$7.08	\$0.34	5.04%
X10202	3X10 XTRAC MAT ONYX	7.59	\$7.97	\$0.38	5.00%
X105	PRIOR SVC CHARGE	6	\$6.30	\$0.30	5.00%
X1802	3X5 SPRING STEP	2.41	\$2.53	\$0.12	4.98%
X1810	3X5 DURALITE MAT	2.25	\$2.36	\$0.11	4.88%
X205	WOMENS SHIRT PKT	0.17	\$0.18	\$0.01	5.88%
X2160	SM SHOP TWL-RED	0.08	\$0.08	\$0.00	na
X2160	SM SHOP TWL-RED	0.09	\$0.09	\$0.00	na
X2160	SM SHOP TWL-RED	0.12	\$0.13	\$0.01	8.33%
X2160	SM SHOP TWL-RED	0.45	\$0.47	\$0.02	4.44%
X2191	FENDER COVER	0.8	\$0.84	\$0.04	5.00%
X2477	3X5 SCRAPER MAT	2.25	\$2.36	\$0.11	4.89%
X2570	24" DUST MOP	0.84	\$0.88	\$0.04	4.76%
X259	PERFORMANCE POLO N/C COLLAR	0.23	\$0.24	\$0.01	4.35%
X2590	36" DUST MOP	1.05	\$1.10	\$0.05	4.76%
X2604	48" DUST MOP	1.25	\$1.31	\$0.06	4.80%
X2610	60" DUST MOP	1.55	\$1.63	\$0.08	5.16%
X268	T SHIRT PRO KNIT	0.19	\$0.20	\$0.01	5.26%
X270	CARGO PANT	0.33	\$0.35	\$0.02	6.06%
X27013	SIG AIR DSP ALU	0	\$0.00	\$0.00	na
X27013	SIG AIR DSP ALU	0	\$0.00	\$0.00	na
X27019	SIG AIR CVR BLUE	0	\$0.00	\$0.00	na
X27019	SIG AIR CVR BLUE	0	\$0.00	\$0.00	na
X27026	SIG AIR SVC	3.8	\$3.99	\$0.19	5.00%
X27026	SIG AIR SVC	7.12	\$7.48	\$0.36	5.06%
X27027	SIG AIR RFL CLEAN	0	\$0.00	\$0.00	na
X27028	SIG AIR RFL MANGO	0	\$0.00	\$0.00	na
X271	WOMENS SHIRT NO PKT	0.17	\$0.18	\$0.01	5.88%

X275	HI PERFORMANCE POLO	0.34	\$0.36	\$0.02	5.88%
X280	FR CARHARTT JEAN	0.37	\$0.39	\$0.02	5.41%
X294	CARHARTT FR WORK SH	0.42	\$0.44	\$0.02	4.76%
X294	CARHARTT FR WORK SH	49	\$51.45	\$2.45	5.00%
X330	COTTON WORK SHIRT	0.25	\$0.26	\$0.01	4.00%
X330	COTTON WORK SHIRT	18	\$18.90	\$0.90	5.00%
X340	COTTON WORK PANTS	0.34	\$0.36	\$0.02	5.88%
X366	HIGH IMAGE JKT	0.35	\$0.37	\$0.02	5.71%
X371	FR CARHARTT WORK PNT	0.49	\$0.51	\$0.02	4.08%
X374	CINTAS OXFORD	0.19	\$0.20	\$0.01	5.26%
X374	CINTAS OXFORD	22	\$23.10	\$1.10	5.00%
X376	CARHARTT ACTIVE JKT	1.25	\$1.31	\$0.06	4.80%
X381	CARHARTT 5 PKT JN	0.37	\$0.39	\$0.02	5.41%
X381	CARHARTT 5 PKT JN	27	\$28.35	\$1.35	5.00%
X382	CARHARTT CARP JN	0.37	\$0.39	\$0.02	5.41%
X383	CARHARTT PANT	0.42	\$0.44	\$0.02	4.76%
X383	CARHARTT PANT	30	\$31.50	\$1.50	5.00%
X384	CARHARTT SHIRT	0.33	\$0.35	\$0.02	6.06%
X386	CARHARTT JEAN STRETCH DENIM	0.37	\$0.39	\$0.02	5.41%
X386	CARHARTT JEAN STRETCH DENIM	29.99	\$31.49	\$1.50	5.00%
X388	SUSAN CARGO PANTS/WM	0.33	\$0.35	\$0.02	6.06%
X389	CATHY/CARGO PANTS/WM	0.33	\$0.35	\$0.02	6.06%
X390	WOMENS PANT SUSAN	0.19	\$0.20	\$0.01	5.26%
X391	CARHARTT FR CVRL	0.88	\$0.92	\$0.04	4.55%
X393	JEAN CARHARTT WOMENS	0.37	\$0.39	\$0.02	5.41%
X394	CINTAS DENIM JEAN	0.37	\$0.39	\$0.02	5.41%
X395	WOMENS PANT CATHY	0.19	\$0.20	\$0.01	5.26%
X59330	SHIRT W/REFLECT TRIM	0.64	\$0.67	\$0.03	4.69%
X59925	LAB COAT/POPLIN	0.25	\$0.26	\$0.01	4.00%
X59935	UF SHIRT REFL TRIM	0.45	\$0.47	\$0.02	4.44%
X59935	UF SHIRT REFL TRIM	37	\$38.85	\$1.85	4.08%
X59945	EVIS COMFORT PANT	0.49	\$0.51	\$0.02	4.08%
X59970	PRM LND JKT	0.55	\$0.58	\$0.03	5.45%
X59970	PRM LND JKT	51	\$53.55	\$2.55	5.00%

X65386	WK-SHRT/HI-VIS/ANSI2	0.65	\$0.68	\$0.03	4.62%
X65386	WK-SHRT/HI-VIS/ANSI2	80	\$84.00	\$4.00	5.00%
X66275	POLO WMNS POLY SS	0.34	\$0.36	\$0.02	5.88%
X66275	POLO WMNS POLY SS	28	\$29.40	\$1.40	5.00%
X677	PERMA LINED JKT	0.4	\$0.42	\$0.02	5.00%
X6913	24OZ SYNTH WET MOP	1.5	\$1.58	\$0.08	5.33%
X7462	FNDR COVER W/BARCODE	0.8	\$0.84	\$0.04	5.00%
X75293	POLY PERFORMANCE TEE	0.17	\$0.18	\$0.01	5.88%
X7540	GREY MICROFIBER WIPE	0.16	\$0.17	\$0.01	6.25%
X7705	ULTRACLEAN BASE CHG	30	\$31.50	\$1.50	5.00%
X7706	ULTRACLEAN SQ/FT CHG	0.186	\$0.20	\$0.01	7.53%
X8065	SIZE EXCHANGE CHARGE	15	\$15.75	\$0.75	5.00%
X82302	FR CTN/BLEND CVRL	0.81	\$0.85	\$0.04	4.94%
X84020	3X10 BLUE MAT	3.1	\$3.26	\$0.16	5.16%
X84020	3X10 BLUE MAT	4.6	\$4.83	\$0.23	5.00%
X84030	3X10 GRAY MAT	3.1	\$3.26	\$0.16	5.16%
X84030	3X10 GRAY MAT	4.6	\$4.83	\$0.23	5.00%
X84030	3X10 GRAY MAT	45	\$47.25	\$2.25	5.00%
X84035	3X10 BLACK MAT	3.1	\$3.26	\$0.16	5.16%
X84035	3X10 BLACK MAT	45	\$47.25	\$2.25	5.00%
X84301	3X5 LOGO MAT	2.4	\$2.52	\$0.12	5.00%
X84320	3X5 BLUE MAT	2	\$2.10	\$0.10	5.00%
X84320	3X5 BLUE MAT	3	\$3.15	\$0.15	5.00%
X84330	3X5 GRAY MAT	2	\$2.10	\$0.10	5.00%
X84330	3X5 GRAY MAT	3	\$3.15	\$0.15	5.00%
X84330	3X5 GRAY MAT	4	\$4.20	\$0.20	5.00%
X84401	4X6 LOGO MAT	6.14	\$6.45	\$0.31	5.05%
X84420	4X6 BLUE MAT	2.6	\$2.73	\$0.13	5.00%
X84420	4X6 BLUE MAT	3.9	\$4.10	\$0.20	5.13%
X84430	4X6 GRAY MAT	2.6	\$2.73	\$0.13	5.00%
X84430	4X6 GRAY MAT	6.5	\$6.83	\$0.33	5.08%
X865	PLEATED PANT	0.27	\$0.28	\$0.01	3.70%
X865	PLEATED PANT	22	\$23.10	\$1.10	5.00%
X910	COTTON COVERALLS	0.43	\$0.45	\$0.02	4.65%

X910	COTTON COVERALLS	50	\$52.50	\$2.50	5.00%
X912	COVERALL	0.25	\$0.26	\$0.01	4.00%
X912	COVERALL	30	\$31.50	\$1.50	5.00%
X914	INSULATED COVERALL	0.75	\$0.79	\$0.04	5.33%
X935	COMFORT SHIRT	0.17	\$0.18	\$0.01	5.88%
X935	COMFORT SHIRT	15	\$15.75	\$0.75	5.00%
X945	COMFORT PANT	0.19	\$0.20	\$0.01	5.26%
X9586	PREM SIZE EXCH CHRGE	15	\$15.75	\$0.75	5.00%
X970	HIP LENGTH JKT	0.4	\$0.42	\$0.02	5.00%



Agenda Report Form

Open Session Item

SUBJECT: Water line Funding Memorandum of Understanding (MOU) with the Town of Hancock and Bruceton Farm Services Inc.

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Michelle Gordon, Acting County Administrator; Kirk Downey, County Attorney

RECOMMENDED MOTION: To approve and ratify the Water line Funding MOU with the Town of Hancock and Bruceton Farm Services Inc (BFS) in a private-public partnership for one-third (1/3) the cost of the construction of an eight-inch (8") water line in an amount up to and not to exceed \$139,278.34 and to authorize the payment of \$139,278.34 to BFS from the CIP Reserves fund.

REPORT-IN-BRIEF: County staff and the BOCC met with the Town of Hancock and BFS in 2022 regarding their request for financial support for an economic development and revitalization project. Unexpected fire suppression requirements from the State Fire Marshal (SFM) necessitated the construction of an eight-inch (8") water line to ensure adequate water supply to several business development projects underway on Main Street in Hancock, Maryland.

DISCUSSION: Business Development, Planning and Zoning, Engineering, and DBED staff met with the Town of Hancock and BFS in 2022 regarding a request for financial support from the Town of Hancock and Bruceton Farm Services Inc (BFS). During the site plan review process for several business development projects underway on Main Street in Hancock, the State Fire Marshal (SFM) identified the need for increased water capacity to meet fire suppression requirements at those project site locations. For longevity, cost savings, and proper water pressure needs, the construction of an eight-inch (8") water line extension was determined to be the best long-term solution to provide adequate water supply and fire suppression to those sites. The Town of Hancock determined that the anticipated volumes were within the allowable capacity of the Town's current fresh water and wastewater systems. The Town requested funding from the County to support the project based on the potential benefit to Washington County that will result from increased attraction of business due to the new water line and the positive economic development consequences that will result from the establishment of the proposed businesses.

The water line extension is estimated to cost \$417,835.00. The Town and BFS asked the County to fund one-third (1/3) of the project cost in this private-public partnership. The Town, BFS, and the County concurred to fund an equal portion of the final project cost in an amount up to and not to exceed \$139,278.34. BFS is responsible for any cost over the original estimate of \$417,835.00.

The project is nearing completion and BFS is seeking reimbursement for its capital expenditures. At this time, it is appropriate to approve and ratify the agreement and MOU to provide for the County's one-third funding of the capital improvements of the project, up to and not exceeding \$139,278.34, and to confirm the source of funding for said improvements (CIP Reserves).

The Town shall have ownership and responsibility for any aspect of the operation, maintenance, and repair of the extension from the point of connections with the Town's existing water line to each water meter. BFS shall have ownership and responsibility for the operation, maintenance, and repair of any water line from its property to the point of connection with the water meter. The County shall not have any ownership interest or responsibility for any aspect of the operation, maintenance, or repair of the water line in its entirety.

FISCAL IMPACT: \$139,278.34 funding from CIP Reserves

CONCURRENCES: Kelcee Mace, Interim Chief Financial Officer

ALTERNATIVES: N/A

ATTACHMENTS: Memorandum of Understanding By, Between, and Among Bruceton Farms, Inc; The Town of Hancock, Maryland, and the Board of County Commissioners of Washington County, Maryland

AUDIO/VISUAL NEEDS: None

MEMORANDUM OF UNDERSTANDING
BY, BETWEEN, AND AMONG
BRUCETON FARM SERVICE, INC.;
THE TOWN OF HANCOCK, MARYLAND;
AND
THE BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

This Memorandum of Understanding (*MOU*) is entered into this 9th day of February, 2023, by, between, and among Bruceton Farm Service, Inc. (*BFS*); The Town of Hancock, Maryland (*Town*); and the Board of County Commissioners of Washington County, Maryland (*County*). *BFS*, the *Town*, and the *County* are collectively referred to as the "Parties." Each individually is referred to as a "Party."

RECITALS

A. *BFS* has undertaken a redevelopment project for a truck stop at 436 East Main Street, Hancock, Maryland (*Project*). The Project includes the construction of a service station, a convenience store, restaurants, parking areas, and supporting infrastructure.

B. *BFS* has encountered an unanticipated additional cost arising from the need for construction of a waterline extension to provide an appropriate water supply for the Project's domestic water and fire suppression systems. The location of the waterline extension is shown as a solid red line labeled "PROPOSED NEW LINE" on the attached Exhibit A titled "Town of Hancock, Existing Water Main System" (*Extension*).

C. Proposed construction and installation of the Extension consists of an eight-inch (8") waterline from Rayloc Road along the shoulder of Ford Drive to the Project, and includes, without limitation, a bridge crossing, utility trenching, and additional permitting.

D. Triad Engineering, Inc., has prepared a construction cost estimate of \$417,835.00 for the Extension as stated in the attached Exhibit B (*Estimate*). The Estimate includes labor, equipment, and installation pricing.

E. The Parties have agreed to collaborate in a private-public partnership whereby the Estimate will be divided among and paid evenly by the Parties.

F. Upon completion of the Extension's construction, *BFS* shall have sole ownership of and responsibility or liability for the continued operation, maintenance, and repair of the Extension and its supporting services to the Project over its property to the point of connection with the water meter. The *Town* shall have ownership and responsibility for any aspect of the operation, maintenance, and repair of the Extension from the water meter to the point of connection with the *Town's* existing water line. The *County* shall not have any

ownership interest in or responsibility or liability for any aspect of the operation, maintenance, and repair of the Extension, the Project, or the Town's water line.

NOW, THEREFORE, in consideration of the mutual promises in this MOU, the Parties agree as follows:

1. Recitals. The Recitals are a substantive part of this MOU.
2. Apportioned Payment of Construction Cost: The Parties agree that they will contribute to the Estimate in equally apportioned amounts as follows: in an amount up to \$139,278.33 by BFS (*BFS Contribution*); in an amount up to \$139,278.33 by the Town (*Town Contribution*); and in an amount up to and not to exceed \$139,278.34 by the County (*County Contribution*). If the final actual construction cost is less than the Estimate, each Party agrees to contribute one-third (1/3) of the final actual construction cost.
3. Cost Exceeding Estimate: The Parties agree that, if the Extension's construction cost exceeds the Estimate, BFS shall be responsible for any excess construction cost without contribution from the County or the Town.
4. Use of Funds: BFS agrees to use the Town Contribution and the County Contribution in conjunction with the BFS Contribution solely for construction and installation of the Extension.
5. Effective Date: This MOU is effective on the date set forth above (*Effective Date*).
6. Modification: This MOU may be modified only in a writing signed by all Parties.
7. County and Town Contributions: The County and the Town will pay the County Contribution and the Town Contribution, respectively, to BFS upon completion of the Extension's construction and receipt of satisfactory documentation of the final actual construction cost.
8. No Third-Party Beneficiaries: This MOU is made solely and specifically for the benefit of the Parties and their respective permitted successors and assigns. No other person or entity has or will have any right, interest, or claim under this MOU as a third-party beneficiary or otherwise.
9. Entire Agreement: This MOU constitutes the entire understanding and agreement of the Parties as to those matters contained in this MOU. No other oral or written understanding exists between or among the Parties, except that which may be set forth in a later written modification.
10. Governing Law: This MOU is governed by the laws of the State of Maryland.

IN WITNESS WHEREOF, each Party's duly authorized representative has signed this MOU with the intent to legally bind each said respective Party to the terms and conditions hereof as of the Effective Date.

Attest:


Printed Name: Heather Keefer
Title: _____

BRUCETON FARM SERVICE, INC.

By: 
Howard Goodstein, Vice President

Attest:


Heather Keefer, Clerk

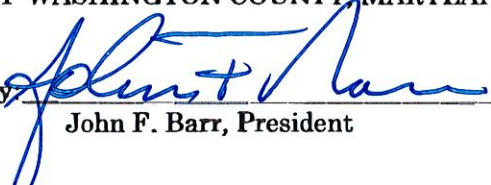
THE TOWN OF HANCOCK

By: 
Tim Smith, Mayor

Attest:



BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

By: 
John F. Barr, President



Agenda Report Form

Open Session Item

SUBJECT: Potential dissolution of the Emergency Services Advisory Council (ESAC)

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Michelle Gordon, Acting County Administrator

RECOMMENDED MOTION: Move to dissolve the Emergency Services Advisory Council.

REPORT-IN-BRIEF: Discussion regarding the continued need for the ESAC committee.

DISCUSSION: The ESAC committee was formed to provide recommendations regarding the provision of emergency services in Washington County. This committee serves in an advisory capacity. The committee has no decision-making authority. Eleven (11) members serve on this committee with one (1) of those members being a county employee, the Director of Emergency Services. Meetings are held monthly and are open to the public.

The most recent revision to the ESAC By-Laws occurred on October 11, 2016. Article I: Authority of the ESAC By-Laws, identifies that authority to establish this committee was given by the Board of County Commissioners. Therefore, that authorization may be rescinded by the Board.

Given the evolving nature of fire and emergency medical service delivery, the need for this advisory committee has diminished and its continuing operation has become obsolescent and unnecessary.

FISCAL IMPACT: N/A

CONCURRENCES: WCVFRA and the Division of Emergency Services County Attorney (as to legal sufficiency)

ALTERNATIVES: None

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: None



Agenda Report Form

Open Session Item

SUBJECT: MOU with City of Hagerstown regarding outstanding emergency communication dispatcher costs

PRESENTATION DATE: July 11, 2023

PRESENTATION BY: Michelle Gordon, Acting County Administrator

RECOMMENDATION: Approve the MOU with the City of Hagerstown

REPORT-IN-BRIEF: Enter into a Memorandum of Understanding with the City of Hagerstown to resolve the dispute regarding outstanding invoices to the City for wages & benefits related to former City employees employed by the County 911 Communication Center.

DISCUSSION: In 2010 the City and County combined their separate emergency communication centers into a consolidated emergency communications center (Center) for dispatch of fire, emergency medical and law enforcement personnel and equipment in Washington County. From FY2010 to FY2020, the City of Hagerstown paid an annual fee of \$405,630 for wages and benefits related to the City employees who left City employment to become County employees at the Center. The total amount of arrears is as follows:

Invoice	Date	Base	Interest	Balance Due
FY21-184290	5/3/2021	405,630.00	133,857.90	539,487.90
FY22-190537	5/2/2022	405,630.00	60,844.50	466,474.50
FY23-198057	5/15/2023	405,630.00	-	405,630.00
		1,216,890.00	194,702.40	1,411,592.40

The City proposes that the County waive the unpaid interest of \$194,702.40. The City proposes that the base amount owed for FY21 through FY23 of \$1,216,890 shall constitute the County's contribution to the Hagerstown Sportsplex (former Municipal Stadium site) and that no money shall change hands for that transaction. The City proposes that the base fee of \$405,630 be reduced over 3 fiscal years until it reaches zero (0) future payments as follows: FY24 base fee \$304,500; FY25 \$203,000; FY26 \$102,500; FY27 and future years are zero (0).

FISCAL IMPACT: "Write off" of the outstanding invoices from FY21 and FY22 as "in-kind" contributions for specified projects will mean that fund balance will be reduced by \$520,964.55 in FY23 (Balance due of \$1,005,692.40 less prior allowance for doubtful accounts of \$484,727.85 equals \$520,964.55.) "Write off" of the outstanding invoice from FY23 as "in-kind" contributions for specified projects means that revenue received in FY23 will reduce by \$405,630. Agreement of this MOU will reduce

revenue in FY24 by \$101,130, in FY25 by \$202,630, in FY26 by \$303,130, and in future years by \$405,630 each year.

CONCURRENCES: None

ALTERNATIVES: None

ATTACHMENTS: Memorandum of Understanding

AUDIO/VISUAL NEEDS: None

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("Agreement") is entered into this _____ day of _____, 2023, by and between the Mayor and City Council of Hagerstown, Maryland, a Maryland municipal corporation, hereinafter called "City," and the Board of County Commissioners of Washington County, Maryland, a body corporate and politic and a political subdivision of the State of Maryland, hereinafter called "County."

Recitals

For many years, the City and the County maintained, staffed, and operated separate and distinct emergency communication centers for the dispatch of law enforcement personnel. (The City dispatched Hagerstown Police Department calls, and the County dispatched Sheriff Department calls.)

In 2010, the City and the County combined their separate emergency communication centers into a consolidated emergency communications center ("Center") for the dispatch of fire, emergency medical, and law enforcement personnel throughout Washington County.

The consolidation was meant to achieve cost savings for both the City and the County through administrative and operational efficiencies and to avoid duplication of efforts. These cost savings have been material and ongoing.

Consolidated dispatch efforts also foster greater communication and cooperation amongst law enforcement agencies when responding to a single incident.

The City paid to the County \$405,630.00 annually from FY2010 to and including FY2020. The parties originally agreed upon this amount. It is believed to have represented 85% of the wages, salaries, and benefits of the City's employees who left City employment to be employed by the County at the consolidated emergency communications center.

A dispute has arisen amongst the parties concerning the parties' ongoing

responsibilities for the staffing, maintenance, and operation of the consolidated emergency communications center.

The parties wish to resolve this dispute on the terms set forth below.

Terms

For and in consideration of the mutual promises herein contained and intending to be legally bound, the City and the County agree as follows:

1. The foregoing Recitals are incorporated herein.
2. The County agrees to staff, maintain, and operate an emergency communications center. The Center will provide dispatch services for fire, emergency medical, and law enforcement throughout the County, including but not limited to the Hagerstown Police Department.
3. The parties agree the \$1,216,890.00 arrearage identified by the County shall constitute the County's contribution to the Hagerstown Sportsplex, which is to be constructed on the grounds of the former Municipal Stadium and, as such, no moneys shall change hands in satisfaction of that arrearage.
4. The City will pay to the County the following amounts to fully satisfy its obligations and contributions towards staffing, maintaining, and operating of the consolidated emergency communications center, as follows:
 - a. On July 1, 2023, the amount of \$304,500;
 - b. On July 1, 2024, the amount of \$203,000; and
 - c. On July 1, 2025, the amount of \$102,500.
5. Upon payment of the amounts set forth in Paragraph 4, above, without proration, reduction, or setoff, the City's obligation to contribute monetarily to the staffing, maintenance, or operation of the consolidated emergency communications center shall be deemed

satisfied and extinguished. Following payment by the City of the amounts set forth in Paragraph 4 above, the County will staff, maintain, operate the emergency communications center at its sole cost and expense.

6. This Agreement shall be governed by, construed under, and enforced pursuant to the laws of the State of Maryland, irrespective of its place of execution.
7. This Agreement shall constitute the entire agreement between the parties, and any prior understanding or representations of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated into this Agreement. This Agreement shall not be subject to amendment except by a writing signed by both parties to this Agreement.
8. The rights of each party under this Agreement may not be assigned or transferred to any other person, corporation, or entity without the other party's prior, express, and written consent.

The parties have caused this Agreement to be executed by their properly authorized representatives as of the date set forth above.

ATTEST:

MAYOR AND COUNCIL
OF THE CITY OF
HAGERSTOWN,
MARYLAND

Donna Spickler, City Clerk

By: _____
Tekesha Martinez, Mayor

Approved as to legal sufficiency
for execution by the City:

Jason Morton
City Attorney

ATTEST:

BOARD OF COUNTY
COMMISSIONERS OF
WASHINGTON COUNTY,
MARYLAND

Dawn L. Marcus, Clerk

By: _____
John F. Barr, President

Approved as to legal sufficiency
for execution by the County:

Kirk C. Downey
County Attorney