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## **BOARD OF COUNTY COMMISSIONERS**

**April 2, 2019**

### **OPEN SESSION AGENDA**

- 08:00 A.M.    **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**  
CALL TO ORDER, *President Jeffrey A. Cline*  
APPROVAL OF MINUTES – March 26, 2019
- 08:05 A.M.    **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 consult with counsel to obtain legal advice on a legal matter; to consult with staff, consultants, or other individuals about pending or potential litigation.*)
- 10:00 A.M.    **RECONVENE IN OPEN SESSION**
- 10:05 A.M.    **COMMISSIONERS' REPORTS AND COMMENTS**
- 10:15 A.M.    **REPORTS FROM COUNTY STAFF**
- 10:25 A.M.    **CITIZENS PARTICIPATION**
- 10:35 A.M.    **GOVERNOR'S OFFICE FOR CHILDREN FY20 COMMUNITY PARTNERSHIP AGREEMENT PROPOSAL SUBMITTAL – *Stephanie Lapole, Senior Grant Manager, Office of Grant Management***
- 10:40 A.M.    **ADMINISTRATIVE OFFICE OF THE COURTS SECURITY FUNDING – APPROVAL TO ACCEPT GRANT AWARD – *Stephanie Lapole, Senior Grant Manager, Office of Grant Management and Kristin Grossnickle, Court Administrator, Circuit Court for Washington County***
- 10:45 A.M.    **EMERGENCY NUMBERS SYSTEMS BOARD – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING – *Allison Hartshorn, Grant Manager, Office of Grant Management and Bardona Woods, Quality Assurance & Training Coordinator, Division of Emergency Services***
- 10:50 A.M.    **PR-34 LEAVE POLICY REVISION – *Deb Peyton, Director, Division of Health & Human Services and Kendall McPeak, Deputy County Attorney***
- 10:55 A.M.    **PR-36 TOBACCO-FREE CAMPUS POLICY REVISION - *Deb Peyton, Director, Division of Health & Human Services and Kendall McPeak, Deputy County Attorney***

- 11:00 A.M. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-19-0015) – PURCHASE OF ONE (1) COMPACT TRACK LOADER AND ONE (1) COMPACT EXCAVATOR – *Rick Curry, CPPO, Director, Purchasing Department and Mark Bradshaw, P.E., Deputy Director, Engineering Services, Division of Environmental Management*
- 11:05 A.M. ETHICS ORDINANCE - *Board of County Commissioners*
- 11:10 A.M. FY2020 GENERAL FUND BUDGET – *Sara Greaves, Chief Financial Officer, and Kim Edlund, Director, Office of Budget and Finance*
- 11:45 A.M. ADJOURNMENT



## Agenda Report Form

### Open Session Item

**SUBJECT:** Governor's Office for Children FY20 Community Partnership Agreement Proposal Submittal

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Stephanie Lapole, Senior Grant Manager, Office of Grant Management

**RECOMMENDED MOTION:** Move to approve the submission of the FY20 Community Partnership Agreement proposal to the Governor's Office for Children requesting \$726,447 and accept funding as awarded.

**REPORT-IN-BRIEF:** The Washington County Office of Grant Management, on behalf of and at the direction of the Local Management Board, requests approval to submit a Community Partnership Agreement Proposal to the Governor's Office for Children for fiscal year 2019 in response to their FY19 Notice of Funding Availability. The proposal requests funding for six (6) programs impacting the well-being of children, youth and families in Washington County as well as support for County administrative expenses.

**DISCUSSION:** The funding requested by the Local Management Board includes the following programmatic strategies and their respective vendors:

- Family Centered Support Services (Department of Social Services) - \$69,060
- School Based Mental Health Services (Brook Lane Health Services, Inc.) - \$211,560
- Disconnected Youth Program Enhancements (Western Maryland Consortium) - \$52,687
- Family Strong Program (Potomac Case Management Services, Inc.) - \$100,000
- Washington County Reengagement Center for Disconnected Youth (vendor to be determined) - \$119,740
- Local Care Team Coordinator (Potomac Case Management Services, Inc.) \$52,000
- Office of Grant Management Administration expenses - \$121,400

**FISCAL IMPACT:** The grant will provide up to \$121,400 to the Office of Grant Management for the administrative costs of the Local Management Board.

**CONCURRENCES:** The Local Management Board approved the submission of the proposal and recommends the acceptance of this award.

**ALTERNATIVES:** Deny approval of submission and award of requested funding.

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A



Open Session Item

**SUBJECT:** Administrative Office of the Courts Security Funding – Approval to Accept Grant Award

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Stephanie Lapole, Senior Grant Manager, Office of Grant Management and Kristin Grossnickle, Court Administrator, Circuit Court for Washington County

**RECOMMENDED MOTION:** Move to approve the acceptance of grant funds in the amount of \$59,650 for Circuit Court security funding.

**REPORT-IN-BRIEF:** Circuit Court submitted an application on December 18, 2018 to the Administrative Office of Courts requesting security funding for the installation of bullet proof barrier in the Land Records portion of the Courthouse.

**DISCUSSION:** The Office of Grant Management has reviewed the grant funding guidelines. There are no unusual conditions or requirements attached to the acceptance of the grant.

**FISCAL IMPACT:** Provides \$59,650 for Circuit Court expenses

**CONCURRENCES:** Susan Buchanan, Director, Office of Grant Management

**ALTERNATIVES:** Deny acceptance of funding

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A



## Agenda Report Form

### Open Session Item

**SUBJECT:** Emergency Numbers Systems Board – Approval to Submit Application and Accept Awarded Funding

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Allison Hartshorn, Grant Manager, Office of Grant Management and Bardona Woods, Quality Assurance & Training Coordinator, Division of Emergency Services

**RECOMMENDED MOTION:** Move to approve the submission of the grant application for the Emergency Numbers Systems Board in the amount of \$61,249.53 and accept funding as awarded.

**REPORT-IN-BRIEF:** The Emergency Number Systems Board was established by the Maryland General Assembly to coordinate the implementation, enhancement, maintenance and operation of county or multi-county 911 systems. Washington County Emergency Services is requesting funding for 911 customer premise equipment (CPE) enhancements, maintenance and support for one year to facilitate the county's implementation of Text to 911 services.

**DISCUSSION:** The Office of Grant Management has reviewed the funding request and has determined the request is consistent with the Emergency Number Systems Boards' purpose. There is no matching funds requirement associated with this funding request.

**FISCAL IMPACT:** Provides \$61,249.53 for Division of Emergency Services related expenses which may otherwise be charged to the Emergency Services budget.

**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:** PR-34 Leave Policy Revision

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Deb Peyton, Director, Division of Health & Human Services and Kendall McPeak, Deputy County Attorney

**RECOMMENDED MOTION:** A motion to approve PR-34 Leave Policy as revised.

**REPORT-IN-BRIEF:** The Health & Human Services Department has revised PR-34 Leave policy to extend vacation carryover to 250 hours annually. In addition, the policy was updated in accordance with the Maryland Sick and Safe Leave Act.

**DISCUSSION:** The policy has been updated to reflect the following changes: the carryover of vacation hours has been increased from 200 to 250 hours; employee's vacation, sick, and personal leave will not be terminated upon an extended illness; and the policy was revised to reflect accrual rates in hours, instead of days.

In addition, the following items have been updated in accordance with the Maryland Sick and Safe Leave Act: sick leave accruals payout upon termination; the sick leave benefit for part-time employees; the definitions of a family member; full and part-time employees are now entitled to use up to 40 hours of their accumulated sick leave per calendar year for absences that are necessary due to domestic violence, sexual assault, or stalking against the employee or the employee's family member. The leave may be used for medical or mental health attention; services from a victim services organization; legal services or proceedings; or temporary relocation.

Section VI Abuse of Sick Leave (B) (2) was added to include language regarding, "Any pattern of unsubstantiated tardiness or early departure, not approved in advance;"

Administrative Leave of Absence with Pay has been updated to include eight (8) hours of Administrative time annually to work an election event for the Board of Washington County Election Board.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** N/A

**ALTERNATIVES:** None

**ATTACHMENTS:** Current PR-34 Leave Policy and Revised PR-34 Leave Policy

**AUDIO/VISUAL NEEDS:** None

**POLICY TITLE:** Leave

**POLICY NO.:** PR-34

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**I. PURPOSE**

This Policy establishes consistent practices County-wide regarding administering employee leave; provides information and sets County policy regarding compliance with federal and State statutes, rules, and regulations; and establishes uniformity in reporting absences.

Absences adversely impact employees and their departments. Loss of earnings can be devastating to employees, and loss of productivity to County departments can disrupt the County's provision of services to its citizens. Therefore, while the County provides a paid leave program to eligible employees as income protection for absences, the administration of the paid leave program is subject to strict requirements and monitoring.

**II. SCOPE**

This Policy addresses various types of leave and applies to all full-time (working at least [40] hours per week) personnel employed by the Board of County Commissioners of Washington County. If other leave policies are in place within departments reporting to elected officials, such as the Washington County Sheriff's Office, the State's Attorney's Office, and the Washington County Treasurer's Office, this Policy is intended to work in conjunction with, and not to supersede, those other leave policies. If this Policy conflicts with any federal, State, and local laws, ordinances, rules, and regulations, then the federal, State, and local laws, ordinances, rules, and regulations will prevail.

**III. VACATION LEAVE**

A. The amount of paid vacation leave to which an employee is entitled each year depends on the employee's length of service with the County. The employee should consult with his or her supervisor each year concerning scheduling vacation leave. Every effort will be made to accommodate employees' requests for vacation leave. However, the needs of the County and the balancing of work schedules will take precedence over vacation leave requests. If a department head cannot accommodate all employees when two or more employees request overlapping vacation leave periods, the requests will be granted on the basis of seniority within the County. Vacation is a benefit granted to employees by the County and may be denied if the circumstances described here in so warrant.

B. Although vacation leave begins to accrue during the first month of employment, vacation leave may not be taken by any employee until six (6)

months of employment have been completed. Employees who terminate prior to the completion of six (6) months of employment are not entitled to vacation pay. However, after six (6) months of employment, an employee will be eligible for vacation leave pay for unused vacation if the employee terminates employment with the County.

- C. Vacation leave may be taken in increments of one-quarter (¼) hour or more.
- D. Carryover of vacation leave will run on a calendar year basis from January 1 to December 31. Years of service for purposes of vacation leave accrual are based on an employee’s actual time in full-time County employment, computed from the employee’s anniversary date of hire. Earned vacation leave will accrue as indicated in the following table, according to the anniversary date of hire.

Years of Service	Rate of Accrual per Pay Period	Annual Vacation Leave Entitlement	Maximum Carryover at end of the calendar year
0 through 5	3.08 hours	2 weeks	200 hours
6 through 15	4.62 hours	3 weeks	200 hours
Over 15	6.16 hours	4 weeks	200 hours

- E. For an employee who is on extended unpaid leave, the accrual of vacation leave will be suspended until the employee returns to work.

**IV. PERSONAL LEAVE**

Employees are entitled to personal leave consisting of six (6) personal days per calendar year. Three (3) days of personal leave are granted on January 1 of each year, and three (3) days of personal leave are granted on July 1 of each year. Personal days must be taken in full day increments with the exception of Emergency Services which has its own policy regarding the use of personal leave. Personal leave cannot be carried over at the end of a calendar year.

**V. SICK LEAVE**

- A. Sick leave accrues for all eligible employees from the first day of work; however, no sick leave may be taken until completion of three (3) months of employment. Any absence during the first three (3) months of employment due to illness will be unpaid unless the use of any available personal leave is authorized by an employee’s supervisor.
- B. Sick leave accrues on a bi-weekly basis at the rate of fifteen (15) days per year, and accumulation of sick leave is unlimited.
- C. For an employee who is on extended unpaid leave, the accrual of sick leave will be suspended until the employee returns to work.



- D. Sick leave is paid only for days and hours of regularly scheduled work. If an employee has been approved for use of sick leave under the Family and Medical Leave Act (FMLA), any used sick leave will be counted against and will run consecutively with the approved period of absence allowed under the FMLA.<sup>1</sup>
- E. Upon termination of employment, an employee will be paid Ten Dollars (\$10.00) for each accumulated sick day [measured in increments of eight (8) hours] up to a maximum of one hundred thirty (130) days not to exceed \$1,300.00. No sick leave payout will be made to any employee who has not completed his or her first three (3) months of employment.
- F. Any accrued sick leave may be applied to credited service for retirement purposes only.
- G. If an employee is absent for three (3) or more consecutive work days, the employee must obtain an excuse from a licensed healthcare provider and must provide the excuse to the employee's supervisor upon return to work. The employee must also provide the Department of Human Resources with a copy of the excuse upon return to work. This requirement also applies to an employee who is absent from work either the day before or the day after a holiday; failure to provide the required excuse will result in the employee not being paid for the holiday.

## **VI. ABUSE OF SICK LEAVE**

- A. Sick leave is intended to be used for bona fide illnesses and for health-related reasons such as doctor appointments. Sick leave is not to be used for vacation, personal business, or leave of absence.
- B. An employee's supervisor and department head are jointly responsible for monitoring sick leave usage, notifying an employee of problematic sick leave use, and taking appropriate disciplinary action in cases of substantiated sick leave abuse.

Examples of sick leave abuse include, but are not limited to the following:

1. Any pattern of unsubstantiated sick leave use, such as the use of six (6) days in a six (6) month period in increments of one (1) or two (2) days at a time;
2. Habitual sick leave absences on Mondays, Fridays, and the days immediately before and after holidays;

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<sup>1</sup> See Policy No. PR-15 Family and Medical Leave (FMLA).

3. Use of sick leave in excess of any sick leave accrued, whether substantiated or unsubstantiated, during the first calendar year of employment;
4. Use of sick leave along with other types of leave;
5. Use of sick leave to avoid undesirable scheduling of work;
6. Participation in activities or secondary employment that would indicate fitness for duty while an employee is on sick leave;
7. Engaging in unsubstantiated sick leave use for lengthy illnesses;
8. No significant accumulation of sick leave after at least three (3) to five (5) years of service, without sustaining a major illness during that time period.

## **VII. FAMILY SICK LEAVE**

- A. Employees are entitled to use up to forty (40) hours of their accumulated sick leave per calendar year (January through December) to care for ill family members. A family member includes spouse, eligible dependent, or parent. Family sick leave may also be used for the birth or adoption of a child, for the placement of a child in foster care with an employee, or for the care of any person for whom the employee is financially responsible.
- B. All family sick leave hours should be coded **FAMILY SICK (SFM)** on time reporting records.
- C. Family sick leave is paid only for days and hours of regularly scheduled work. If an employee has been approved for use of family sick leave under the Family and Medical Leave Act (FMLA), any used family sick leave will be counted against and will run consecutively with the approved period of absence allowed under the FMLA.<sup>2</sup>
- D. If an employee is absent for three (3) or more consecutive work days due to care of an ill family member, the employee must obtain an excuse from a licensed healthcare provider and must provide the excuse to the employee's supervisor upon return to work. The employee must also provide the Department of Human Resources with a copy of the excuse upon return to work. This requirement also applies to an employee who is absent from work either the day before or the day after a holiday; failure to provide the required excuse will result in the employee not being paid for the holiday.

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<sup>2</sup> See Policy No. PR-15 Family and Medical Leave (FMLA).

- E. Use of family sick leave will be counted against an employee's eligibility for incentives under the County's Sick Leave Incentive Program (see Section VIII of this Policy).

### **VIII. SICK LEAVE INCENTIVE PROGRAM**

- A. To reward employees who sparingly use sick leave, an incentive of up to \$90.00 per day (with a maximum payout of a five [5] days) will be given to each employee whose sick leave usage record during the fiscal payroll period (from the first pay end of the fiscal payroll year to the last pay end of the fiscal payroll year) meets the following eligibility requirements:
  - 1. One (1) day incentive payment not to exceed \$90.00 for two (2) days of sick leave used;
  - 2. Two (2) day incentive payment not to exceed \$180.00 for one (1) day of sick leave used;
  - 3. Three (3) day incentive payment not to exceed \$270.00 for zero (0) days of sick leave used;
  - 4. Four (4) day incentive payment not to exceed \$360.00 for three (3) or four (4) consecutive fiscal payroll years with no sick leave usage;
  - 5. Five (5) day incentive payment not to exceed \$450.00 for five (5) or more consecutive fiscal payroll years with no sick leave usage.
- B. For immediately preceding subsections A.4. and A.5., **any** use of sick leave will constitute a break in consecutive fiscal payroll years; and the employee must work at least three (3) consecutive fiscal payroll years before regaining eligibility for the sick leave incentive.
- C. Sick leave used due to a work-related injury or to visit a physician at the County's direction due to a past work-related injury will not adversely affect the calculation of an employee's eligibility for the sick leave incentive if the employee's time is properly coded on time records.
- D. If sick leave is used for additional bereavement leave purposes (see Section XI of this Policy), the use of sick leave for that purpose will not be counted against an employee's eligibility for the sick leave incentive.
- E. The incentive at the end of the fiscal payroll year will not be subject to any applicable deduction from accumulated sick leave totals.
- F. Any sick leave approved under the FMLA will be treated as sick leave for purposes of calculating eligibility for the sick leave incentive.

- G. All new employees who are hired during the course of the fiscal payroll year will receive sick leave incentive benefits on a pro rata basis. The County will calculate the benefit due to a new employee by using only that specific period of time that the employee could have actually used sick leave.

The following example illustrates the practical application of this subsection VIII.F. A new employee who is hired effective October 1 would have nine (9) full months of County service as of July 1 of the following fiscal payroll year. However, during the first three (3) months of the individual's employment, sick leave was not usable pursuant to County policy. Assuming no sick leave usage for the full nine (9) months, the employee would not receive nine-twelfths (9/12) of the total sick leave incentive, but would instead receive six-twelfths (6/12) because  $6/12 \times 3$  days equals  $1\frac{1}{2}$  days of sick leave incentive pay due, not to exceed \$90.00 per day.

## IX. HOLIDAYS

- A. Regular full-time employees observe thirteen (13) holidays per calendar year listed below. Yearly holiday schedules are established by the County Administrator prior to the beginning of each new calendar year and distributed to each department.

<u>Month</u>	<u>Holiday</u>
January	New Year's Day Martin Luther King Day
February	Presidents' Day
March/April	Good Friday
May	Memorial Day
July	Independence Day
September	Labor Day
November	Veterans' Day Thanksgiving Day Friday after Thanksgiving
December	Christmas Eve Christmas Day New Year's Eve

- B. Certain County departments have twenty-four (24) hour operations or have schedules requiring work on County holidays. Employees required to work on County holidays will abide by the guidelines established by the County.

#### **X. ANNUAL PHYSICAL LEAVE BENEFIT**

To promote good health and well-being of employees, routine annual physicals are covered under the County's health care plan, subject to any applicable office visit co-pays and charges for non-covered procedures. All full-time employees will be granted up to two (2) hours per fiscal year (July through June) during normal business hours for an annual physical under the following conditions:

- A. The physical must be with the employee's primary care physician;
- B. The physical must be documented as an annual physical;
- C. The documentation of the annual physical must be forwarded to the Department of Human Resources;
- D. No special time reporting is needed because annual physical leave will show on time reporting records as time worked.

#### **XI. BEREAVEMENT LEAVE AND PROCEDURE**

- A. A regular full-time employee who experiences the death of an immediate family member may take off up to three (3) working days with pay to attend services and handle related matters. An immediate family member is defined as mother, father, parent-in-law, step-parent, spouse, grandparent, grandchild, child, step-child, brother, sister, step-sibling, foster parent, or foster child as recognized by law, or other close relative residing with the employee. The employee should notify his or her supervisor as soon as possible of the death and plans to take bereavement leave.
- B. Bereavement leave should be coded as **BEREAVEMENT** on time reporting records.
- C. Temporary full- and part-time employees are not eligible for paid bereavement leave.
- D. If an employee needs more than three (3) days of bereavement leave, the employee may use up to three (3) additional days of any available leave for bereavement purposes. If sick leave is used for additional bereavement leave and is coded **BEREAVEMENT SICK** on time reporting records, an employee's use of sick leave for bereavement purposes will not be counted against the employee's eligibility under the sick leave incentive program (see Section VIII of this Policy).

**XII. WORKERS' COMPENSATION DISABILITY LEAVE**

- A. If an employee suffers a compensable workers' compensation illness or injury and is unable to work, he or she will receive temporary total disability benefits from the County's third-party administrator and as provided by Maryland and other applicable law. These benefits are due only if the employee is off work more than three (3) days and will be administered according to applicable State and federal statutes, laws, rules, and regulations.
- B. An employee's workers' compensation disability period will not be deducted from the employee's accrued vacation, personal, or sick leave balances. In addition, the employee's regular accruals of benefit time will continue during the period of workers' compensation disability. However, this workers' compensation disability period of leave will be calculated toward and will run concurrently with any approved period of absence allowed under the FMLA.
- C. While an employee is on workers' compensation disability leave, the County will continue the employee's health, life, and disability benefits during the leave period at the same level and under the same conditions as if the employee were continuing to work, paying both the employer's share and the employee's share of benefit premiums. Upon the employee's return to work, the employee will repay the County for the amounts paid by the County for the employee's share of the benefit premiums during the period of workers' compensation disability leave. The employee's repayment will be made by the employee's payment of an additional 25% above the employee's share of the benefit premium for each pay period until the County is repaid in full. Repayment amounts will be automatically deducted from the employee's paycheck. Alternatively, the employee may elect to pay the employee's share of benefit premiums while on workers' compensation disability leave.
- D. An employee who is released to duty with medical restrictions may be eligible to participate in the County's modified duty assignment program on a case-by-case basis.<sup>3</sup>

**XIII. FAMILY AND MEDICAL LEAVE**

See Policy No. PR-15 Family and Medical Leave (FMLA).

**XIV. ADMINISTRATIVE LEAVE OF ABSENCE WITH PAY**

Any approved administrative leave or leave of absence with pay is available only sparingly, on a case-by-case basis, upon the recommendation of the department head and in concurrence with the Director of Health and Human Services and the County Administrator.

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<sup>3</sup> See Policy No. PR-17 Modified Duty Procedure.

**XV. ADMINISTRATIVE LEAVE OF ABSENCE WITHOUT PAY**

Upon an employee's exhaustion of available paid leave, department heads and elected officials may, at their discretion, grant up to five (5) days of administrative leave or leave of absence without pay within each fiscal year. The County Administrator will review all requests for administrative leave or leave of absence without pay for more than five (5) days on a case-by-case basis. Such requests must be made in writing through the department head to the County Administrator, specifically stating the reasons for the request and the covered time period. The department head will accompany an employee's request with a written recommendation for approval or disapproval and state the supporting reasons if disapproval is recommended. The employee may initiate the County's four (4) step grievance procedure<sup>4</sup> if he or she is dissatisfied with the disapproval. For an employee who is on extended unpaid leave, the accruals of sick and vacation leave will be suspended until the employee returns to work.

**XVI. SHORT-TERM DISABILITY**

See Policy No. EB-4 Short-Term Disability.

**XVII. LONG-TERM DISABILITY**

The County provides for long-term disability benefits with eligibility determined by the County's insurance carrier on a case-by-case basis. Employees who require more information regarding long-term disability should contact the Department of Human Resources.

**XVIII. REPORTING DOCUMENTATION, AND RETURN TO DUTY REQUIREMENTS**

- A. If an employee cannot report to work because of illness, his or her supervisor must be notified as soon as possible. Each department head will develop and post notification requirements specifically applicable to their areas of responsibility. If an employee's illness of several days' duration, the employee must keep his or her supervisor informed at regular intervals (no less than weekly) of the state of his or her condition and expected return-to-work date.
- B. Sick leave taken for three (3) consecutive work days or more must be substantiated by a statement from a licensed healthcare provider on professional letterhead, signed and dated by the provider, indicating the dates or anticipated dates of the employee's absence, the probable duration of the employee's illness or condition, and the employee's fit-for-duty status.

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<sup>4</sup> The County's four (4) step grievance procedure is set forth in Washington County's Employee Handbook.

- C. Each department head is responsible for notifying the Department of Human Resources when an employee is absent for three (3) or more consecutive days for the same health-related reason. Each department head is responsible for forwarding medical and disability statements to the Department of Human Resources for inclusion in personnel files.
  
- D. The Department of Human Resources will distribute periodic absence utilization reports to department heads, division directors, and the County Administrator.







**POLICY TITLE:** Leave

**POLICY NO.:** PR-34

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**I. PURPOSE**

This Policy establishes consistent practices County-wide regarding administering employee leave; provides information and sets County policy regarding compliance with Federal and State statutes, rules, and regulations; and establishes uniformity in reporting absences.

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Absences adversely impact employees and their departments. Loss of earnings can be devastating to employees, and loss of productivity to County departments can disrupt the County's provision of services to its citizens. Therefore, while the County provides a paid leave program to eligible employees as income protection for absences, the administration of the paid leave program is subject to strict requirements and monitoring.

**II. SCOPE**

This Policy addresses various types of leave and applies to all regular full-time (working at least [40] hours per week) and part-time personnel employed by the Board of County Commissioners of Washington County. If other leave policies are in place within departments reporting to elected officials, such as the Washington County Sheriff's Office, the State's Attorney's Office, and the Washington County Treasurer's Office, this Policy is intended to work in conjunction with, and not to supersede, those other leave policies. If this Policy conflicts with any Federal, State, and local laws, ordinances, rules, and regulations, then the Federal, State, and local laws, ordinances, rules, and regulations will prevail.

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**III. VACATION LEAVE**

A. All regular full-time employees are eligible for vacation time.

B. The amount of paid vacation leave to which an employee is entitled each year depends on the employee's length of service with the County. The employee should consult with his or her supervisor each year concerning scheduling vacation leave. Every effort will be made to accommodate employees' requests for vacation leave. However, the needs of the County and the balancing of work schedules will take precedence over vacation leave requests. If a department head cannot accommodate all employees when two or more employees request overlapping vacation leave periods, the requests will be granted on the basis of seniority within the County. Vacation is a benefit granted to employees by the County and may be denied if the circumstances described herein so warrant.

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C. Although vacation leave begins to accrue during the first month of employment, vacation leave may not be taken by any employee until six (6) months of employment have been completed. Employees who terminate prior to the completion of six (6) months of employment are not entitled to vacation leave pay for unused vacation. However, after six (6) months of employment, an employee will be eligible for vacation leave pay for unused vacation if the employee terminates employment with the County.

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D. Vacation leave may be taken in increments of one-quarter (¼) hour or more.

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E. Carryover of vacation leave will run on a calendar year basis from January 1 to December 31. Years of service for purposes of vacation leave accrual are based on an employee’s actual time in full-time County employment, computed from the employee’s anniversary date of hire. Earned vacation leave will accrue as indicated in the following table, according to the anniversary date of hire.

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Years of Service	Rate of Accrual per Pay Period	Annual Vacation Leave Entitlement	Maximum Carryover at end of the calendar year
0 through 5	3.08 hours	80 hours	250 hours
6 through 15	4.62 hours	120 hours	250 hours
Over 15	6.16 hours	160 hours	250 hours

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#### IV. PERSONAL LEAVE

Regular full-time employees are entitled to personal leave consisting of six (6) personal days per calendar year. Three (3) days of personal leave are granted on January 1 of each year, and three (3) days of personal leave are granted on July 1 of each year. Personal days must be taken in full day increments with the exception of Emergency Services which has its own policy regarding the use of personal leave. Personal leave cannot be carried over at the end of a calendar year.

#### V. SICK LEAVE

A. Regular full-time and regular part-time employees are eligible for sick leave. Sick leave accrues for all eligible employees from the first day of work; however, no sick leave may be taken until completion of three (3) months of employment. Any absence during the first three (3) months of employment due to illness will be unpaid unless the use of any available personal leave is authorized by an employee’s supervisor.

B. Sick leave for regular full-time employees accrues at 120 hours per year (4.62 hours bi-weekly). Accumulation of sick leave is unlimited.

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C. Sick leave for part-time employees accrues on the basis of one (1) hour for every 30 hours worked. Employees are permitted to carry over 24 hours

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each year; not to exceed 64 hours.

D. Sick leave is paid only for days and hours of regularly scheduled work. If an employee has been approved for use of sick leave under the Family and Medical Leave Act (FMLA), any used sick leave will be counted against and will run consecutively with the approved period of absence allowed under the FMLA.<sup>1</sup>

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For an employee who is on extended unpaid leave, the accrual of sick leave will be suspended until the employee returns to work.¶

E. Upon termination of employment, if the employee has not used any Sick Family Medical (SFM) or Earned Sick and Safe Leave (ESS), the employee will receive payment at the regular rate of pay for up to 40 hours. If the SFM and ESS does not equal \$1300, then the employee will be paid at a rate of \$10.00 per eight (8) hour increments; not to exceed \$1300 or 1040 hours. No sick leave payout will be made to any employee who has not completed his or her first three (3) months of employment.

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F. All accrued sick leave will be applied to credited service for retirement purposes.

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G. If an employee is absent for three (3) or more consecutive work days, the employee must obtain an excuse from a licensed healthcare provider and must provide the excuse to the employee’s supervisor upon return to work. The employee must also provide the Department of Human Resources with a copy of the excuse upon return to work. This requirement also applies to an employee who is absent from work either the day before or the day after a holiday. Failure to provide the required excuse will result in the employee not being paid for the holiday.

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**VI. ABUSE OF SICK LEAVE**

A. Sick leave is intended to be used for bona fide illnesses and for health-related reasons such as doctor appointments. Sick leave is not to be used for vacation, personal business, or leave of absence.

B. An employee’s supervisor and department head are jointly responsible for monitoring sick leave usage, notifying an employee of problematic sick leave use, and taking appropriate disciplinary action in cases of substantiated sick leave abuse.

Examples of sick leave abuse include, but are not limited to, the following:

- 1. Any pattern of unsubstantiated sick leave use, such as the use of six (6) days in a six (6) month period in increments of one (1) or two (2) days at a time;

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<sup>1</sup> See Policy No. PR-15 Family and Medical Leave (FMLA).

- 2. Any pattern of unsubstantiated tardiness or early departure, not approved in advance;
- 3. Habitual sick leave absences on Mondays, Fridays, and the days immediately before and after holidays;
- 4. Use of sick leave in excess of any sick leave accrued, whether substantiated or unsubstantiated, during the first calendar year of employment;
- 5. Use of sick leave along with other types of leave;
- 6. Use of sick leave to avoid undesirable scheduling of work;
- 7. Participation in activities or secondary employment that would indicate fitness for duty while an employee is on sick leave;
- 8. Engaging in unsubstantiated sick leave use for lengthy illnesses;
- 9. No significant accumulation of sick leave after at least three (3) to five (5) years of service, without sustaining a major illness during that time period.

**VII. FAMILY SICK LEAVE**

A. Employees are entitled to use up to forty (40) hours of their accumulated sick leave per calendar year to care for ill family members. A family member includes spouse, ~~biological child; an employee's adopted child, foster child, or stepchild; a child for whom an employee has legal or physical custody or guardianship; a child for whom the employee stands in loco parentis; an employee's biological parent, adoptive parent, foster parent, or stepparent or an employee's spouse; an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor; an employee's legal guardian, biological grandparent, adopted grandparent, foster grandparent, or step-grandparent; an employee's biological grandchild, adopted grandchild, foster grandchild, or step-grandchild; an employee's biological sibling, adopted sibling, foster sibling, or step-sibling; and an employee's parent-in-law.~~ Family sick leave may also be used for the birth or adoption of a child, for the placement of a child in foster care with an employee, or for the care of any person for whom the employee is financially responsible.

B. Employees are entitled to use up to forty (40) hours of their accumulated sick leave per calendar year for absences that are necessary due to domestic violence, sexual assault, or stalking against the employee or the employee's family member if the leave is to obtain any of the following:

- 1. Medical or mental health attention;

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- 2. Services from a victim services organization;
- 3. Legal services or proceedings;
- 4. Temporary relocation;

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C. All family sick leave hours should be coded **FAMILY SICK (SFM)** on time reporting records.

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D. All part-time employees' use of family sick hours should be coded FAMILY SICK (ESS) on time reporting records.

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E. Family sick leave is paid only for days and hours of regularly scheduled work. If an employee has been approved for use of family sick leave under the Family and Medical Leave Act (FMLA), any used family sick leave will be counted against and will run consecutively with the approved period of absence allowed under the FMLA.<sup>2</sup>

F. If an employee is absent for three (3) or more consecutive work days due to care of an ill family member, the employee must obtain an excuse from a licensed healthcare provider and must provide the excuse to the employee's supervisor upon return to work. The employee must also provide the Department of Human Resources with a copy of the excuse upon return to work. This requirement also applies to an employee who is absent from work either the day before or the day after a holiday; failure to provide the required excuse will result in the employee not being paid for the holiday.

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G. Use of family sick leave will be counted against an employee's eligibility for incentives under the County's Sick Leave Incentive Program (see Section VIII of this Policy).

**VIII. SICK LEAVE INCENTIVE PROGRAM**

A. To reward employees who sparingly use sick leave, an incentive of up to \$90.00 per day (with a maximum payout of five [5] days) will be given to each employee whose sick leave usage record during the fiscal payroll period (from the first pay end of the fiscal payroll year to the last pay end of the fiscal payroll year) meets the following eligibility requirements:

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- 1. One (1) day incentive payment not to exceed \$90.00 for two (2) days of sick leave used;
- 2. Two (2) day incentive payment not to exceed \$180.00 for one (1) day of sick leave used;
- 3. Three (3) day incentive payment not to exceed \$270.00 for zero (0) days of sick leave used;

<sup>2</sup> See Policy No. PR-15 Family and Medical Leave (FMLA).

- 4. Four (4) day incentive payment not to exceed \$360.00 for three (3) or four (4) consecutive fiscal payroll years with no sick leave usage;
- 5. Five (5) day incentive payment not to exceed \$450.00 for five (5) or more consecutive fiscal payroll years with no sick leave usage.

B. For immediately preceding subsections A.4. and A.5., **any** use of sick leave will constitute a break in consecutive fiscal payroll years; and the employee must work at least three (3) consecutive fiscal payroll years before regaining eligibility for the sick leave incentive.

C. Sick leave used due to a work-related injury or to visit a physician at the County’s direction due to a past work-related injury will not adversely affect the calculation of an employee’s eligibility for the sick leave incentive if the employee’s time is properly coded on time records.

D. If sick leave is used for additional bereavement leave purposes (see Section XI of this Policy), the use of sick leave for that purpose will not be counted against an employee’s eligibility for the sick leave incentive.

E. The incentive at the end of the fiscal payroll year will not be subject to any applicable deduction from accumulated sick leave totals.

F. Any sick leave approved under the FMLA will be treated as sick leave for purposes of calculating eligibility for the sick leave incentive.

G. All new employees who are hired during the course of the fiscal payroll year will receive sick leave incentive benefits on a pro rata basis. The County will calculate the benefit due to a new employee by using only that specific period of time that the employee could have actually used sick leave.

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The following example illustrates the practical application of this subsection VIII.G. A new employee who is hired effective October 1 would have nine (9) full months of County service as of July 1 of the following fiscal payroll year. However, during the first three (3) months of the individual’s employment, sick leave was not usable pursuant to County policy. Assuming no sick leave usage for the full nine (9) months, the employee would not receive nine-twelfths (9/12) of the total sick leave incentive, but would instead receive six-twelfths (6/12) because 6/12 x 3 days equals 1½ days of sick leave incentive pay due, not to exceed \$90.00 per day.

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**IX. HOLIDAYS**

A. Regular full-time employees observe thirteen (13) holidays per calendar year listed below. Yearly holiday schedules are established by the County Administrator prior to the beginning of each new calendar year and

distributed to each department.

<u>Month</u>	<u>Holiday</u>
January	New Year's Day Martin Luther King Day
February	Presidents' Day
March/April	Good Friday
May	Memorial Day
July	Independence Day
September	Labor Day
November	Veterans' Day Thanksgiving Day Friday after Thanksgiving
December	Christmas Eve Christmas Day New Year's Eve

- B. Certain County departments have twenty-four (24) hour operations or have schedules requiring work on County holidays. Employees required to work on County holidays will abide by the guidelines established by the County.

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#### X. ANNUAL PHYSICAL LEAVE BENEFIT

To promote good health and well-being of employees, routine annual physicals are covered under the County's health care plan, subject to any applicable office visit co-pays and charges for non-covered procedures. All full-time employees will be granted up to two (2) hours per fiscal year (July through June) during normal business hours for an annual physical under the following conditions:

- A. The physical must be with the employee's primary care physician;
- B. The physical must be documented as an annual physical;
- C. The documentation of the annual physical must be forwarded to the Department of Human Resources;
- D. No special time reporting is needed because annual physical leave will show on time reporting records as time worked.

#### XI. BEREAVEMENT LEAVE AND PROCEDURE



- A. A regular full-time employee who experiences the death of an immediate family member may take off up to three (3) working days with pay to attend services and handle related matters. An immediate family member is defined as mother, father, parent-in-law, step-parent, spouse, grandparent, grandchild, child, step-child, brother, sister, step-sibling, foster parent, or foster child as recognized by law, or other persons residing with the employee. The employee should notify his or her supervisor as soon as possible of the death and plans to take bereavement leave.
- B. Bereavement leave should be coded as **BEREAVEMENT** on time reporting records.
- C. Temporary full-time and part-time employees are not eligible for paid bereavement leave.
- D. If an employee needs more than three (3) days of bereavement leave, the employee may use up to three (3) additional days of any available leave for bereavement purposes. If sick leave is used for additional bereavement leave and is coded **BEREAVEMENT SICK** on time reporting records, an employee's use of sick leave for bereavement purposes will not be counted against the employee's eligibility under the sick leave incentive program (see Section VIII of this Policy).

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**XII. WORKERS' COMPENSATION DISABILITY LEAVE**

- A. If an employee suffers a compensable workers' compensation illness or injury and is unable to work, he or she will receive temporary total disability benefits from the County's third-party administrator and as provided by Maryland and other applicable law. These benefits are due only if the employee is off work more than three (3) days and will be administered according to applicable State and federal statutes, laws, rules, and regulations.
- B. An employee's workers' compensation disability period will not be deducted from the employee's accrued vacation, personal, or sick leave balances. In addition, the employee's regular accruals of benefit time will continue during the period of workers' compensation disability leave. However, this workers' compensation disability period of leave will be calculated toward and will run concurrently with any approved period of absence allowed under the FMLA.
- C. While an employee is on workers' compensation disability leave, the County will continue the employee's health, life, and disability benefits during the leave period at the same level and under the same conditions as if the employee were continuing to work, paying both the employer's share and the employee's share of benefit premiums. Upon the employee's return to work, the employee will repay the County for the amounts paid by the

County for the employee’s share of the benefit premiums during the period of workers’ compensation disability leave. The employee’s repayment will be made by the employee’s payment of an additional 25% above the employee’s share of the benefit premium for each pay period until the County is repaid in full. Repayment amounts will be automatically deducted from the employee’s paycheck. Alternatively, the employee may elect to pay the employee’s share of benefit premiums while on workers’ compensation disability leave.

- D. An employee who is released to duty with medical restrictions may be eligible to participate in the County’s modified duty assignment program on a case-by-case basis.<sup>3</sup>

**XIII. FAMILY AND MEDICAL LEAVE**

See Policy No. PR-15 Family and Medical Leave (FMLA).

**XIV. ADMINISTRATIVE LEAVE OF ABSENCE WITH PAY**

Any approved administrative leave or leave of absence with pay is available only sparingly, on a case-by-case basis, upon the recommendation of the department head and in concurrence with the Director of Health and Human Services and the County Administrator.

Exception: On an annual basis, employees who lives in Washington County, Maryland, and are a registered voter of Maryland may be granted eight (8) hours of administrative leave, upon request and approval, to volunteer as election worker at Washington County polling places. Consideration should be given to the operations of the department when considering this benefit.

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**XV. ADMINISTRATIVE LEAVE OF ABSENCE WITHOUT PAY**

Upon an employee’s exhaustion of available paid leave, department heads and elected officials may, at their discretion, grant up to five (5) days of administrative leave or leave of absence without pay within each fiscal year. The County Administrator will review all requests for administrative leave or leave of absence without pay for more than five (5) days on a case-by-case basis. Such requests must be made in writing through the department head to the County Administrator, specifically stating the reasons for the request and the covered time period. The department head will accompany an employee’s request with a written recommendation for approval or disapproval and state the supporting reasons if disapproval is recommended. The employee may initiate a grievance under the County’s grievance procedure<sup>4</sup> if he or she is dissatisfied with the disapproval. For

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<sup>3</sup> See Policy No. PR-17 Modified Duty Procedure.

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Deleted: The County’s four (4) step grievance procedure is set forth in Washington County’s Employee Handbook

an employee who is on extended unpaid leave, the accruals of sick and vacation leave will be suspended until the employee returns to work.

**XVI. SHORT-TERM DISABILITY**

See Policy No. EB-4 Short-Term Disability.

**XVII. LONG-TERM DISABILITY**

The County provides for long-term disability benefits with eligibility determined by the County's insurance carrier on a case-by-case basis. Employees who require more information regarding long-term disability should contact the Department of Human Resources.

**XVIII. REPORTING DOCUMENTATION, AND RETURN TO DUTY REQUIREMENTS**

- A. If an employee cannot report to work because of illness, his or her supervisor must be notified as soon as possible. Each department head will develop and post notification requirements specifically applicable to their areas of responsibility. If an employee experiences an extended illness of several days' duration, the employee must keep his or her supervisor informed at regular intervals (no less than weekly) of the state of his or her condition and expected return-to-work date.
- B. Sick leave taken for three (3) consecutive work days or more must be substantiated by a statement from a licensed healthcare provider on professional letterhead, signed and dated by the provider, indicating the dates or anticipated dates of the employee's absence, the probable duration of the employee's illness or condition, and the employee's fit-for-duty status.
- C. Each department head is responsible for notifying the Department of Human Resources when an employee is absent for three (3) or more consecutive days for the same health-related reason. Each department head is responsible for forwarding medical and disability statements to the Department of Human Resources for inclusion in personnel files.
- D. The Department of Human Resources will distribute periodic absence utilization reports to department heads, division directors, and the County Administrator.

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Agenda Report Form

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Open Session Item

**SUBJECT:** PR-36 – Tobacco-Free Campus Policy Revision

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Deb Peyton, Director, Division of Health & Human Services and Andrew Eshleman, Director, Public Works

**RECOMMENDED MOTION:** A motion to approve PR-36 Tobacco-Free Campus revisions.

**REPORT-IN-BRIEF:** The Health & Human Services Department has revised PR-36 Tobacco-Free Campus policy to better define the County Departments and/or facilities which are currently excluded from this policy.

**DISCUSSION:** Section IV. Procedures (B) has been updated to stated, “With the exception of Black Rock Golf Course where tobacco use is permitted outdoors only, the Washington County Agricultural Center where tobacco use is permitted outdoors only in rental areas during scheduled events...”

**FISCAL IMPACT:** N/A

**CONCURRENCES:** County Administrator and County Attorney

**ALTERNATIVES:** None

**ATTACHMENTS:** Current PR-36 Tobacco-Free Campus; Revised PR-36 Tobacco-Free Campus

**AUDIO/VISUAL NEEDS:** None



**POLICY TITLE:** Tobacco Free Campus

**POLICY NO.:** PR-36

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**I. PURPOSE**

The purpose of this Policy is to establish and maintain the safest possible environment for Washington County’s employees and citizens, to minimize adverse effects of tobacco to employees, visitors, volunteers, and citizens; to reduce the risk of fire; to promote health and wellness; to serve as a community role model; to enhance employee productivity; and to reduce healthcare costs.

**II. GENERAL POLICY**

No employee, volunteer, or visitor may use any form of tobacco product on property that is owned, leased, occupied, or operated by Washington County, except in areas designated for tobacco use pursuant to this Policy.

**III. APPLICABILITY**

This Policy applies to all employees, volunteers, and visitors while at, on, or in property that is owned, leased, occupied, or operated by Washington County, including County vehicles.

**IV. PROCEDURE**

- A. Washington County is tobacco-free. This Policy applies to all forms of tobacco products including cigarettes, electronic cigarettes, cigars, pipes, herbal tobacco products, snuff, and chewing tobacco, the use of which is prohibited at, on, or in property owned, leased, occupied, or operated by Washington County, unless otherwise accepted by this Policy.
- B. With the exception of Black Rock Golf Course, the Washington County Agricultural Center, and the Washington County Transit Transfer Center, tobacco use is prohibited at, on, or in all campuses, facilities, and properties owned, leased, occupied, or operated by Washington County, or used for County government functions, including, but not limited to, buildings, parking lots, parks, recreation areas. Tobacco use is also prohibited in all vehicles which are owned, leased or operated by Washington County.<sup>1</sup> Additionally, County employees are prohibited from using tobacco products on private property if they are on private property for County business purposes.

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<sup>1</sup> See Policy No. PR-25 Use of Official Cars and Equipment for guidelines on permitted uses of County vehicles.

- C. Notice of this Policy will be given to employees in writing with formal and informal reminders as necessary for implementation and enforcement. Additional notice of this Policy will be given by the posting of signage at each campus, facility, or property subject to this Policy.
- D. New employees will be made aware of this Policy at orientation for new hires.
- E. Supervisors are responsible for managing the implementation and enforcement of this Policy within their respective work areas. Employees violating this Policy will be subject to progressive disciplinary action. Volunteers and visitors will be asked to cease the activity causing the violation and/or leave the property.
- F. Washington County understands that it is not easy to overcome a reliance on nicotine and is willing to assist in this undertaking. A variety of smoking cessation resources are and will be offered to employees. Employees interested in such resources are encouraged to contact the Department of Health and Human Services for more information.







**POLICY TITLE:** Tobacco Free Campus

**POLICY NO.:** PR-36

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- B. With the exception of Black Rock Golf Course which permit tobacco use outside only, the Washington County Agricultural Center, permits tobacco use outside in rental areas during scheduled events, and the Washington County Transit Transfer Center, tobacco use is prohibited at, on, or in all campuses, facilities, and properties owned, leased, occupied, or operated by Washington County, or used for County government functions, including, but not limited to, buildings, parking lots, parks, recreation areas. Tobacco use is also prohibited in all vehicles which are owned, leased or operated by Washington County.<sup>1</sup> Additionally, County employees are prohibited from using tobacco products on private property if they are on private property for County business purposes.

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## Agenda Report Form

### Open Session Item

**SUBJECT:** Intergovernmental Cooperative Purchase (INTG-19-0015) - Purchase of One (1) Compact Track Loader and One (1) Compact Excavator

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Rick Curry, CPPO, Director, Purchasing Department and Mark Bradshaw, P. E., Deputy Director, Engineering Services, Division of Environmental Management

**RECOMMENDED MOTION:** To authorize by Resolution, the Department of Water Quality to purchase one (1) John Deere 331G Compact Track Loader, at a cost of \$65,037.59 and one (1) John Deere 85G Compact Excavator, at a cost of \$101,658.72 from Jesco, Inc. of South Plainfield, NJ and to utilize another jurisdiction's contract (#032515-JDC) that was awarded by Sourcewell (formerly National Joint Powers Alliance) to John Deere.

**REPORT-IN-BRIEF:** The compact excavator will allow the department to work in confined (tight) areas where a conventional rubber tire backhoe would have limited accessibility. In the past, when the department needed to excavate in a confined area, they would have to schedule the work based on availability of renting a compact excavator. The compact track loader is a versatile piece of equipment, which will be used to load dump trucks, transport material between the dig site and the roadway, used in grading disturbed areas and snow removal. The compact excavator and compact track loader will replace four (4) existing pieces of equipment; a 1986 Case 580E rubber tire backhoe, 1998 Case 688 track excavator, 1998 Case 580K rubber tire backhoe, and a 1998 Case W11B rubber tire front-end loader. The existing equipment will be auction/sold on GovDeals.

The Code of the Public Laws of Washington County, Maryland (the Code) §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. 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 the equipment in accordance with the Code 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 the equipment because of the economies of scale this large buying group Sourcewell has leveraged.

**DISCUSSION:** N/A

**FISCAL IMPACT:** Funds are budgeted in Capital Improvement Plan (CIP) account 32-42010-VEH010.

**CONCURRENCES:** Dan DiVito, Director, Division of Environmental Management

**ALTERNATIVES:** Do not award the purchase of the equipment.

**ATTACHMENTS:** Jesco, Inc. price quote dated March 25, 2019.

**AUDIO/VISUAL NEEDS:** N/A



PREPARED FOR:

WASHINGTON COUNTY

Date: 3/26/2019

**Machine Configuration: JOHN DEERE 331G COMPACT TRACK LOADER**

Code	Description	Qty	Unit Price
<b>0BE0T</b>	<b>331G COMPACT TRACK LOADER</b>	<b>1</b>	<b>\$ 72,011.00</b>
0800	STANDARD COMPACT TRACK LOADER	1	IN BASE
1301	ENGINE - TURBOCHARGED	1	\$ 3,579.00
6500	STANDARD FAN DRIVE	1	IN BASE
5204	CAB ENCLOSED W/ HEAT, DEFROST, & A/C	1	\$ 4,473.00
6001	MECHANICAL SUSPENSION SEAT	1	IN BASE
4001	2" SEAT BELT W/ SHOULDER HARNESS	1	\$ 212.00
0950	E-H JOYSTICK CONTROLS	1	IN BASE
3002	HIGH FLOW HYDRAULICS	1	\$ 1,830.00
2650	WIDE ZIG-ZAG BAR TRACKS - 17.7"	1	\$ 477.00
1501	ENGLISH OPERATOR'S MANUAL & DECALS	1	IN BASE
5500	STANDARD LIGHTING PACKAGE	1	IN BASE
5000	POWER QUIK-TATCH	1	\$ 724.00
8380	FOOTREST W/ FLOORMAT	1	\$ 144.00
8300	SINGLE COUNTERWEIGHT SET	1	\$ 349.00
8305	SECOND COUNTERWEIGHT SET	1	\$ 349.00
8370	HD REAR GRILLE	1	\$ 486.00
8042	REAR VIEW CAMERA	1	\$ 850.00
9062	84" HD CONSTRUCTION BUCKET W/ EDGE	1	\$ 1,593.00
<b>Total List Price</b>			<b>\$ 87,077.00</b>
<b>Sourcewell Discount 33.00%</b>			<b>\$ (28,735.41)</b>
<b>Net Price</b>			<b>\$ 58,341.59</b>

**Additional Costs**

Code	Description	Qty	Price
001	WARRANTY: 60 MONTHS / 5000 HOURS POWERTRAIN & HYDRAULICS	1	\$ 2,031.00
002	PREDELIVERY	1	\$ 500.00
003	FREIGHT FROM FACTORY	1	\$ 2,000.00
004	FREIGHT TO CUSTOMER	1	\$ 750.00
<b>Total</b>			<b>\$ 5,281.00</b>

**Attachments**

Class	Description	Qty	Price
005	48" FORKS	1	\$ 1,415.00
<b>Total</b>			<b>\$ 1,415.00</b>
<b>Total Price Per Machine</b>			<b>\$ 65,037.59</b>
<b>Trade-In:</b>			\$ -
<b>Total Net Price (Quantity = 1)</b>			<b>\$ 65,037.59</b>

**Remarks:**

Please note that this quote is valid for 30 days, all price are on a per machine basis

WARRANTY: POWERTRAIN & HYDRAULICS COVERAGE FOR 60 MONTHS OR 5000 HOURS, WHICHEVER OCCURS FIRST.

60 MONTH MUNICIPAL LEASE PAYMENTS IN ARREARS: \$15,399.38

Quoted under Sourcewell Contract 032515-JDC

Purchase Orders must be made out to: Jesco Inc, 118 St Nicholas Ave, South Plainfield, NJ



PREPARED FOR:

WASHINGTON COUNTY WATER

Date: 3/26/2019

**Machine Configuration: JOHN DEERE 85G COMPACT EXCAVATOR**

Code	Description	Qty	Unit Price
0081FF	85G COMPACT EXCAVATOR	1	\$ 133,087.00
3265	CRAWLER RUBBER PAD - 450MM 18"	1	IN BASE
7060	6'11" ARM W/ BUCKET CYLINDER	1	\$ 6,724.00
<b>Total List Price</b>			\$ 139,811.00
<b>Sourcewell Discount</b>			<b>34.00%</b> \$ (47,535.74)
<b>Net Price</b>			\$ 92,275.26

**Additional Costs**

Code	Description	Qty	Price
001	WARRANTY: POWERTRAIN & HYDRAULICS 72 MONTHS / 6000 HOURS		\$ 3,405.00
002	PREDELIVERY		\$ 500.00
003	FREIGHT FROM FACTORY		\$ 3,000.00
004	FREIGHT TO CUSTOMER		\$ 1,000.00
<b>Total</b>			\$ 7,905.00

**Attachments**

Class	Description	Qty	Price
005	36" BUCKET	1	\$ 1,478.46
<b>Total</b>			\$ 1,478.46
<b>Total Price Per Machine</b>			\$ 101,658.72
Trade-In:			\$ -
<b>Total Net Price (Quantity = 1)</b>			<b>\$ 101,658.72</b>

**Remarks:**

Please note that this quote is valid for 30 days, all price are on a per machine basis

WARRANTY: POWERTRAIN & HYDRAULICS COVERAGE FOR 60 MONTHS OR 5000 HOURS, WHICHEVER OCCURS FIRST.

MUNICIPAL LEASE APPROXIMATE ANNUAL PAYMENTS: \$23,386.43

\$1 BUYOUT

Quoted under Sourcewell Contract 032515-JDC

Purchase Orders must be made out to: Jesco Inc, 118 St Nicholas Ave, South Plainfield, NJ



Agenda Report Form

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Open Session Item

**SUBJECT:** Ethics Ordinance

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Board of County Commissioners

**RECOMMENDED MOTION:** N/A

**REPORT-IN-BRIEF:** During the Board's regular meeting on March 19, 2019, the Board reached consensus to bring forward an agenda item for discussion regarding the Ethics Ordinance and related matters.

**DISCUSSION:** The Ethics Ordinance is currently under review by the Board and the Washington County Ethics Commission to address changes that must be adopted for local government compliance with the requirements of Subtitle 8 of the Maryland Public Ethics Law or COMAR 19A.04. The Board may wish to make additional changes prior to the submission of the Ethics Ordinance for review and approval by the Maryland State Ethics Commission. The Board's discussion of this agenda item will give direction to the Washington County Ethics Commission and County staff to address these matters on or before the Washington County Ethics Commission's next scheduled meeting on May 9, 2019.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A





Open Session Item

**SUBJECT:** FY2020 General Fund Budget

**PRESENTATION DATE:** April 2, 2019

**PRESENTATION BY:** Sara Greaves, Chief Financial Officer and Kim Edlund, Director, Office of Budget & Finance

**RECOMMENDED MOTION:** None

**REPORT-IN-BRIEF:** Discussion related to revenues and expenditures for the FY2020 budget.

**DISCUSSION:** The FY2020 budget includes revenues in the amount of \$228.6 million, a decrease from FY19 budget of \$1.1M.

Revenue estimates were based on FY19 projections and average increases over the last three years.

A 5-step approach to be taken includes:

Step 1 – Start with FY2019 budget

Step 2 – Fund Mandates

Step 3 – Major Safety Requests

Step 4 – Employee wage

Step 5 – Department or external agency requests

**FISCAL IMPACT:** \$228,584,630

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** PowerPoint

**AUDIO/VISUAL NEEDS:** PowerPoint

# FY2020 General Fund Budget

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Draft 2

FY2020  
General Fund  
Budget  
\$228,584,630

- Major Revenue Changes (budget 2019 to budget 2020)
  - Income Tax – (\$1.3M)
  - Real Estate Tax - \$2.25M
  - Interest Income - \$500K
  - Speed Camera Revenue – (\$2.5M)  
(\$1,054,680)

FY2020  
General  
Fund Budget  
\$228,584,630

- Major Expense Changes (budget 2019 to budget 2020)
    - Capital Appropriation – (\$4.2M)
    - Other dept Appropriations – (\$600K)
    - Liability Insurance cost – (\$200K)
      - Fleet, Prop & casualty, Public & Gen
    - Pension – (\$1M) – Related to upcoming agenda item 4/16/19
    - Savings from FY18/19 turnover – (\$250K)
    - FY2020 DROP participants – (\$300K)
    - Vacant positions not filling – (\$350K)
    - Department operating reductions – (\$160K)
- \$7,060,000

# Funding through Current Capital Projects

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- VEH008 – Savings from vehicle purchases will provide for Patrol software \$62K
- General Fund contingency will provide for VFRA lighting upgrades \$124K



Expense changes were used to provide for mandates, safety, and reduced and delayed step

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Mandates -  
\$4.5M

Safety -  
\$1.8M

Mid year  
2.5% Step -  
\$700K

# Mandates - \$4.5 Million

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- Maintenance of Effort - \$2 M
- Debt Service - \$750K
- Health Insurance - \$500K
- Contracts - \$390K\*
- Software - \$175K
- Utility increases - \$78K
- Fuel Increases - \$60K
- Election Board - \$287K
- Speed Camera Fees - \$50K
- Circuit Court positions - \$124K\*\*
- Commitment to SR Center Reno - \$90

- \* - Includes maint cont svcs, inmate medical, inmate food

- \*\* - Directly related to new judge

# Major Safety Related Requests – \$1.8M

- Fire - \$0.4M
- EMS - \$1M
- Accounting for Fire and EMS - \$100K
- Additional School Resource Officer funding assistance
- FF Turnout gear - \$163K
- Bullet Proof Vests - \$30K
- Tasers - \$30K
- Ballistic Vests - \$10K
- Detention Software - \$65K



## Step 4 – Employee Step - \$700K

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- Value is for 2.5% step effective January 1, 2020.
  - One time cost for changing step scale to be funded through reserves - \$550K

# County Dept and External Agency Requests above & beyond existing funding

## Unfunded

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- Board of Education - \$1.8M
- HCC - \$301K
- VFRA - \$220K
- Library - \$119K
- Social Services - \$8K
- Univ of Md Ext - \$9K
- Humane Society - \$59K
- Soil Conservation District - \$152K
- Additional School Resource Officers – pending funding in step 3
- Community Organization Funding
- County Personnel Requests
- Other departmental requests



# Speed Camera Revenue for FY2020 - \$1,575,000 (Net)

1

\$1.5 Million appropriated to CIP  
for Police, Fire, and Emergency  
Services Training Facility

2

\$75K to remain in operations for  
cost of community deputy for  
Sharpsburg and Williamsport

# Minimum Funding Level Required

	2020	2021	2022	2023	2024
Deficit	(8,834,050)	(11,209,956)	(15,781,640)	(16,390,426)	(18,248,413)
	FY2020	FY2021	FY2022	FY2023	FY2024
Real Property Add	\$ 0.05	\$ 0.04	\$ -	\$ -	\$ -
Income Tax Add	0.20%	0.10%	0.00	0.00	0.00
Revenue Add	8,600,000	6,100,000	0	0	0
Sewer Rate	0	0%	0	5%	0
Water Rate	0	0%	0	5%	0
Solid Waste	0	3%	0	0	0



# Appendices

# Without Revenue Increase

- Reduce funding to outside agencies by 10%
- Reduce number of employees

Average Wage	54,950
Benefit Cost - 38%	20,881
Health Care	16,000
Cost per Employee	91,831

	2020	2021	2022	2023	2024
	(8,834,050)	(11,209,956)	(15,781,640)	(16,390,426)	(18,248,413)
Outside Agencies	(1,960,000)	(1,960,000)	(1,960,000)	(1,960,000)	(1,960,000)
Position reduction	(75)	(101)	(151)	(157)	(177)



# Water and Sewer Rate Increases

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		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
		0.00%	0.00%	0.00%	5.00%	0.00%	5.00%	0.00%	5.00%	0.00%	5.00%
Annual Deficiency	Sewer	(3,169,300)	(2,308,400)	(2,391,600)	(983,100)	(1,097,300)	(702,200)	(932,200)	(561,300)	(750,700)	(222,000)
Annual Deficiency	Water	(473,200)	(259,900)	(266,900)	(262,100)	(337,200)	(330,000)	(378,800)	(391,500)	(406,800)	(376,100)

# Sewer Fund Scenarios

0.00%	5.00%	0.00%	5.00%	0.00%	5.00%	0.00%	5.00%	0.00%	5.00%
(3,169,300)	(1,838,400)	0	(413,400)	(523,300)	(95,100)	(320,400)	86,000	(98,400)	468,100

0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(3,169,300)	(2,308,400)	0	(1,525,800)	(1,644,000)	(1,831,200)	(2,069,700)	(2,324,100)	(2,527,200)	(2,669,500)

5.00%	5.00%	5.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
(2,703,000)	(1,345,000)	0	561,900	850,200	1,087,300	1,292,100	1,500,600	1,781,100	2,142,600



# Water Fund Scenarios

0.00%	5.00%	0.00%	5.00%	0.00%	5.00%	0.00%	5.00%	0.00%	5.00%
(473,200)	(217,400)	(223,200)	(216,100)	(289,900)	(280,200)	(327,500)	(337,600)	(351,300)	(317,600)

0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(473,200)	(259,900)	(266,900)	(305,900)	(382,400)	(422,700)	(474,200)	(538,500)	(557,800)	(583,200)

5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
(430,700)	(172,900)	(129,000)	(117,000)	(133,100)	(115,200)	(95,500)	(93,400)	(29,200)	21,200

**Washington County, Maryland  
Long Range Financial Projections**

Source	2019		2020		2021		2022		2023		2024		
	Projected	Budget	\$ Change	Projected	\$ Change	Projected	\$ Change	Projected	\$ Change	Projected	\$ Change		
<b>General Revenue</b>	<i>Projected actual</i>		<i>Budget</i>		<i>Proposed budget</i>								
Real Estate/Property Tax	126,900,000	126,448,250	2,845,840	128,676,030	2,227,780	137,249,551	8,573,521	144,794,542	7,544,991	147,835,227	3,040,685	150,939,767	3,104,540
Income Tax	81,129,000	84,000,000	2,000,000	82,750,000	(1,250,000)	89,605,000	6,855,000	93,997,100	4,392,100	95,877,042	1,879,942	97,794,583	1,917,541
Admission and Amusement Tax	255,000	255,000	(25,000)	255,000	0	255,000	0	255,000	0	255,000	0	257,550	2,550
Recordation Tax	6,900,000	6,500,000	500,000	6,500,000	0	6,500,000	0	6,500,000	0	6,565,000	65,000	6,630,650	65,650
Trailer	550,000	550,000	25,000	550,000	0	550,000	0	550,000	0	550,000	0	555,500	5,500
Interest	2,000,000	692,400	267,400	1,200,000	507,600	1,200,000	0	1,212,000	12,000	1,333,200	121,200	1,346,532	13,332
	217,734,000	218,445,650	5,613,240	219,931,030	1,485,380	235,359,551	15,428,521	247,308,642	11,949,091	252,415,469	5,106,827	257,524,582	5,109,113
<b>Program Revenues:</b>													
Charges for Services	6,885,360	8,885,360	2,304,940	6,532,300	(2,353,060)	6,532,300	0	6,597,623	65,323	6,663,599	65,976	6,730,235	66,636
Operating Grants	2,000,000	2,308,300	16,070	2,121,300	(187,000)	2,121,300	0	2,142,513	21,213	2,163,938	21,425	2,185,578	21,639
	8,885,360	11,193,660	2,321,010	8,653,600	(2,540,060)	8,653,600	0	8,740,136	86,536	8,827,537	87,401	8,915,813	88,275
<b>Total Revenues</b>	<b>226,619,360</b>	<b>229,639,310</b>	<b>7,934,250</b>	<b>228,584,630</b>	<b>(1,054,680)</b>	<b>244,013,151</b>	<b>15,428,521</b>	<b>256,048,778</b>	<b>12,035,627</b>	<b>261,243,006</b>	<b>5,194,229</b>	<b>266,440,394</b>	<b>5,197,388</b>
<b>Wages:</b>													
Full Time Wages	31,987,331	32,558,240	2,139,490	32,187,350	(370,890)	33,492,034	1,304,684	34,329,335	837,301	35,187,568	858,233	36,067,257	879,689
Part Time Wages	1,653,902	1,747,870	169,740	1,740,410	(7,460)	1,783,920	43,510	1,828,518	44,598	1,874,231	45,713	1,921,087	46,856
Overtime Wages	1,728,018	997,410	129,670	1,035,020	37,610	1,060,896	25,876	1,087,418	26,522	1,114,603	27,185	1,142,468	27,865
	35,369,250	35,303,520	2,438,900	34,962,780	(340,740)	36,336,850	1,374,070	37,245,271	908,421	38,176,403	931,132	39,130,813	954,410
<b>Fringe Costs:</b>													
Fica	2,705,748	2,753,760	159,120	2,747,870	(5,890)	2,779,769	31,899	2,849,263	69,494	2,920,495	71,232	2,993,507	73,012
Health	8,501,132	8,442,750	171,120	8,941,760	499,010	9,165,304	223,544	9,394,437	229,133	9,629,298	234,861	9,870,030	240,732
Pension	10,555,565	9,871,790	3,152,780	9,021,420	(850,370)	9,292,063	270,643	9,570,824	278,762	9,857,949	287,125	10,153,688	295,738
OPEB	0	565,000	0	565,000	0	565,000	0	565,000	0	565,000	0	565,000	0
Other	2,693,460	3,750,920	957,690	2,847,270	(903,650)	2,918,452	71,182	2,991,413	72,961	3,066,198	74,785	3,142,853	76,655
	24,455,905	25,384,220	4,440,710	24,123,320	(1,260,900)	24,720,587	597,267	25,370,937	650,350	26,038,940	668,003	26,725,078	686,138
<b>Operations:</b>													
Education	111,784,060	111,784,060	1,862,320	113,752,720	1,968,660	116,027,774	2,275,054	118,348,330	2,320,555	120,715,296	2,366,967	123,129,602	2,414,306
Public Safety	14,926,910	14,438,810	(488,100)	14,910,770	471,960	15,208,985	298,215	15,513,165	304,180	15,823,428	310,263	16,139,897	316,469
State	4,374,140	4,823,160	449,020	4,975,830	152,670	5,075,347	99,517	5,176,854	101,507	5,280,391	103,537	5,385,998	105,608
Internal Operations	38,606,850	37,659,070	(947,780)	34,569,410	(3,089,660)	35,952,186	1,382,776	37,390,274	1,438,087	38,885,885	1,495,611	40,441,320	1,555,435
	169,691,960	168,705,100	875,460	168,208,730	(496,370)	172,264,293	4,055,563	176,428,622	4,164,330	180,705,000	4,276,378	185,096,818	4,391,818
<b>Controllable Assets/Capital Outlay:</b>													
Education	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Safety	55,950	149,670	93,720	273,520	123,850	0	(273,520)	0	0	0	0	0	0
State	0	16,500	16,500	174,070	157,570	191,477	17,407	191,477	0	191,477	0	191,477	0
Internal Operations	11,340	80,300	68,960	700	(79,600)	500,000	499,300	1,000,000	500,000	1,000,000	0	1,000,000	0
	67,290	246,470	179,180	448,290	201,820	691,477	243,187	1,191,477	500,000	1,191,477	0	1,191,477	0
<b>Future</b>													
Fire				400,000	400,000	400,000	0	1,353,210	953,210	2,646,863	1,293,653	2,646,863	0
EMS				1,000,000	1,000,000	2,000,000	1,000,000	2,050,000	50,000	2,101,250	51,250	2,153,781	52,531
Capital				0	0	1,000,000	1,000,000	2,000,000	1,000,000	3,000,000	1,000,000	4,000,000	1,000,000
Sewer	2,200,000			7,849,300	7,849,300	3,000,000	(4,849,300)	4,000,000	1,000,000		(4,000,000)		0
Water				0	0	259,900	259,900	266,900	7,000	262,100	(4,800)	337,200	75,100
Solid Waste				226,260	226,260		(226,260)		0		0		0
Police Fire & EMS Training Facility				0	0	500,000	500,000	500,000	0	550,000	50,000	550,000	0
SRO				0	0	250,000	250,000	500,000	250,000	750,000	250,000	750,000	0
Kirwan				0	0	1,000,000	1,000,000	1,500,000	500,000	2,000,000	500,000	2,500,000	500,000
Cascade Fund Appropriation				200,000	200,000	1,000,000	800,000	1,000,000	0	1,000,000	0	1,000,000	0
				9,675,560	9,675,560	9,409,900	(265,660)	13,170,110	3,760,210	12,310,213	(859,897)	13,937,844	1,627,631
<b>Total Expenditures</b>	<b>231,784,405</b>	<b>229,639,310</b>	<b>7,934,250</b>	<b>237,418,680</b>	<b>7,779,370</b>	<b>243,423,107</b>	<b>6,004,427</b>	<b>253,406,417</b>	<b>9,983,311</b>	<b>258,422,033</b>	<b>5,015,615</b>	<b>266,082,030</b>	<b>7,659,997</b>
<b>Excess Revenue (Expenditures)</b>	<b>(5,165,045)</b>	<b>0</b>	<b>0</b>	<b>(8,834,050)</b>	<b>(8,834,050)</b>	<b>590,044</b>	<b>9,424,094</b>	<b>2,642,360</b>	<b>2,052,316</b>	<b>2,820,974</b>	<b>178,613</b>	<b>358,364</b>	<b>(2,462,609)</b>
Real Estate Tax Rate .948		0.948		0.05		0.04		0		0		0	
Income Tax Rate 2.80%				\$6,000,000		4,800,000		-		-		0	
				0.20%		0.10%		0.00%		0.00%		0.00%	
				2,600,000		1,300,000		-		-		-	
<b>Total GF Revenue Impact</b>				<b>8,600,000</b>		<b>6,100,000</b>		<b>0</b>		<b>0</b>		<b>0</b>	
Sewer Rate Increases				<b>0%</b>		<b>0%</b>		<b>0%</b>		<b>5%</b>		<b>0</b>	
Water Rate Increase				<b>0%</b>		<b>0%</b>		<b>0%</b>		<b>5%</b>		<b>0</b>	
Solid Waste Increase				<b>0</b>		<b>226K</b>		<b>0</b>		<b>0</b>		<b>0</b>	

Fire includes SAFER grant for FY2020 and 2023  
EMS assumes 90% return  
Capital to increase \$1 million per year to build back up  
Financial impact of Kirwan currently unknown