



BOARD OF COUNTY COMMISSIONERS OF
WASHINGTON COUNTY, MARYLAND

Open Session Minutes

April 23, 2019

The Board of County Commissioners attended the Earth Day Tree Planting event at Northern Middle School, 901 Northern Avenue, Hagerstown and issued a proclamation to recognize Earth Day.

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

President Jeffrey A. Cline called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 9:01 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the minutes of April 16, 2019. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Baker, seconded by Commissioner Wagner, moved to convene in closed session at 9:02 a.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials over whom this public body has jurisdiction, in accordance with Section 3-305(b)(1) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed a personnel matter regarding a specific employee. The Commissioners gave specific direction to staff regarding the personnel matter.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were Robert J. Slocum, County Administrator; Krista L. Hart, County Clerk; Kendall McPeak, Deputy County Attorney, and at various times Deb Peyton, Director; and Brian Overcash, Health and Human Services; Andrew Eshleman, Director of Public Works; Zane Rowe, Deputy Director, Highway Department; a specific employee; and a specific employee's representative.

RECONVENE IN OPEN SESSION

Commissioner Keefer, seconded by Commissioner Baker, moved to reconvene in open session at 10:12 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer shared that he would like to see Commissioner direction for the Economic Development Coalition.

Commissioner Wagner discussed the proposed tax increases and how it would benefit first responders; he requested additional discussion on the topic.

Commissioner Meinelschmidt echoed Commissioner Wagner's comment.

President Cline thanked staff and Northern Middle School for the Earth Day Celebration. He also followed up on comments regarding Fire and Rescue funding. Additionally, he would like a line item projection explaining the water and sewer rates, a \$7 million contribution. He also would like an explanation from staff as to why the county showed approximately a million-dollar loss in revenue in February 2019, and now a shortfall of \$3.9 million, so that the citizens of Washington County can understand why there is a proposed tax increase.

REPORTS FROM COUNTY STAFF

Health and Human Services Position Recommendations

Deb Peyton, Director, introduced several position recommendations for approval by the County Commissioners, as follows:

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve hiring Thomas “Mike” Smith for the position of Deputy Director, Maintenance/Collection, Division of Environmental Management, Water Quality, Grade 17, Step 1, \$69,534; this position is vacant due to departmental reorganization. The motion passed unanimously.

Ms. Peyton informed the Commissioners that Kris Lescalleet will be transferred to the position of Collection Operator with the Division of Environmental Management, Grade 9, Step 1; this position is a lateral transfer.

Division of Engineering

Scott Hobbs, Director, provided an update on road repairs in South County due to previous flooding issues.

County Administrator

Rob Slocum will have an update on May 7 regarding Fire and EMS budget. He also thanked staff and students at Northern Middle staff for Earth Day celebration.

County Clerk

Krista Hart asked the Commissioners to vote on any position presented to the Board which is a grade 13 and above, for this meeting and all future meetings.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve hiring Brian Albert for the position of Operations Manager, Division of Emergency Services, Grade 14, Step 1, \$55,203, to fill a vacancy due to the resignation of Alan Crawford. The motion passed unanimously.

CITIZENS' PARTICIPATION

Joshua Ryan 17540 Virginia Avenue, Hagerstown, Maryland, discussed deteriorating conditions of the vacant home next to his property. Mr. Ryan was deferred to Rich Eichelberger, Director of Construction.

Cindy Russell, 18210 Wisteria Way, Hagerstown, Maryland, discussed Board of Elections location.

PRESENTATION OF PROCLAMATION RECOGNIZING APRIL AS FAIR HOUSING MONTH

Commissioner Cline presented a proclamation to the Hagerstown Housing Authority, Washington County Housing Authority, the Hagerstown Neighborhood Development Partnership in recognition of Fair Housing Month.

PRESENTATION OF PROCLAMATION RECOGNIZING APRIL AS FAIR HOUSING MONTH

Commissioner Keefer presented a proclamation to Mr. Khan in recognition of National Arab American Heritage Month.

Commissioner Baker left the meeting at 10:50 a.m. and returned at 10:54 a.m.

PUBLIC HEARING – AGRICULTURAL LAND PRESERVATION DISTRICT APPLICATIONS

President Cline convened a Public Hearing at 10:54 a.m. to obtain public comment on the ten-year term County Agricultural Land Preservation District Applications. Chris Boggs, Land Preservation Planner, Planning and Zoning, presented the applications from six (6) property owners. If approved, the listed applicants will be restricted to agricultural use only on their farms for a period of ten years. In exchange, the landowners will not pay County property tax on their agricultural land or buildings and they will receive a credit of up to \$711 on their farmhouse. The cost of tax credits relating to these properties for the ten-year period equals approximately \$12 per acre per year for a total of approximately \$86,925 for the full ten-year period and includes 724.38 acres. The Agricultural Land Preservation Advisory Board and Washington County Planning Commission approved all proposed districts as the applications met the program criteria for size, soils, assessment and Comprehensive Plan requirements.

The six (6) Washington County Agricultural Preservation District applicants are as follows: Brian and Teri Baker (54.82 acres), Jean Bowman Whitman (54.89 acres), Dwight and Kristen Miller (88.12 acres), Dwight and Kristen Miller (241.77 acres), Robert and Darlene Householder (132.43 acres), and, Roger Sr., Rose Otzelberger, Roger Jr. Otzelberger and Rachel Brown (152.35 acres).

The hearing was opened for public comment. There were no individuals present that desired to offer comment.

The meeting was opened for discussion by the Commissioners.

The Public Hearing was closed at 11:01 a.m.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the ten-year Agricultural Land Preservation District applications for the six (6) specific properties as presented. The motion passed unanimously.

COMBINED ELECTION BOARD FACILITY

Bruce Field, President; Martin Lumm, Board Member; and Kaye Robucci, Director, Washington County Board of Elections, presented follow-up information regarding an earlier presentation on February 26th regarding proposed relocation to 17718 Virginia Avenue, Hagerstown, for the Board of Elections (BOE). The BOE has determined that there are two (2) locations which would meet its need for combined office, warehouse, early voting center, and election judge training center. The properties are described as 17718 Virginia Avenue, Hagerstown; and CoinOp Warehouse, 367 East Franklin Street, Hagerstown.

Commissioners discussed options to include the Tandy Drive building. Mr. Slocum shared that the options could be presented and discussed at staff level. Staff will obtain pricing, investor options, budget information, and present at a future meeting for Commissioner discussion.

Commissioners recessed at 11:17 a.m.

The Commissioners attended a luncheon at the University of Maryland Extension Office at 7303 Sharpsburg Pike, Hagerstown, Maryland.

The Commissioners returned to the meeting at 2:32 p.m.

COUNTY COMMISSIONERS OF WASHINGTON COUNTY PUBLIC IMPROVEMENT BONDS OF 2019 AUTHORIZING RESOLUTION

Lindsey Rader, Bond Counsel for Washington County, and Sara Greaves, Chief Financial Officer, presented information on the authorizing resolution for the County's sale of general obligation bonds. Ms. Rader stated that the resolution authorizes the Commissioners to issue and sell at public sale, upon its full faith and credit, a series of general obligation bonds in the original aggregate principal amount not to exceed \$13,310,000 for financing or reimbursing costs of certain public facilities and projects. The contemplated bonds will not exceed \$13,310,000 in the original aggregate principal amount (\$12,000,000 tax-supported and \$1,310,000 self-supported).

The proceeds from the bonds will be used to fund costs of certain infrastructure, public safety, public facilities, educational and environmental public facilities and projects; and have been reallocated to certain projects in the 2019 Capital Budget. The amount of the bond funding has been reduced by \$97,000 from the amount originally anticipated, and the public safety project originally expected to be funded from bond proceeds has been eliminated from the financing. Issuance costs are expected to be funded from pay-go funds or from the net premium received from the successful bidder for the bonds.

Commissioner Meinelschmidt, seconded by Keefer, moved to approve the resolution authorizing the sale of general obligation bonds in the original aggregate principal amount not to exceed \$13,310,000 as presented. The motion passed unanimously.

(Resolution No. RS-2019-10 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

ROCKDALE SOLAR – REQUEST FOR PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT

Andrew Wilkinson, Esquire, and Tom Anderson, representative of Rockdale Solar, LLC, requested authorization to accept the proposal for the PILOT Agreement for payment in lieu of personal property taxes per Md. Code, Tax-Property §7-514(c)(1) with Rockdale Solar, LLC, at 14339 Clear Spring Road, Williamsport, Maryland, at a proposed annual payment of \$6,000 per megawatt (MW) or \$12,000/year. The PILOT would begin the first year the project breaks ground and continue through the initial thirty (30) year term of the projects ground lease with the landowners.

Commissioners discussed the request as proposed. Mr. Anderson, as a response to Commissioners concerns, suggested an annual payment of \$12,500 rather than the proposed \$12,000/year.

Commissioner Wagner moved to approve the proposal for the PILOT Agreement with Rockdale Solar, LLC, as proposed, with the annual payment of \$12,500. The motion failed with no second. The Commissioners instructed staff to bring the matter for further discussion at a future meeting.

Commissioners reached a consensus that there is a need for a meeting on April 30, 2019. The meeting will be scheduled for 8:00 a.m. at 100 West Washington Street, Suite 1113.

EMERGENCY MANAGEMENT PERFORMANCE GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING

Allison Hartshorn, Grant Manager, Office of Grant Management; Charles Brown, Assistant Director, and Oley Griffith, Emergency Management Specialist, Division of Emergency Services, requested approval to submit a \$103,381 Emergency Management Performance Grant application to the Maryland Emergency Management Agency (MEMA). The grant will be used to provide federal funds to states to assist state, local, tribal and territorial emergency management agencies to obtain the resources required to support the National Preparedness Goals associated with the areas and core capabilities. The performance period for this federal grant is October 1, 2019 through June 30, 2020. Matching funds will be in the form of budgeted salaries which is subject to approval in the County's Fiscal Year 2020 Operating Budget.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the submittal of a grant application for an Emergency Management Performance Grant of \$103,381 to the MEMA as presented and to accept the awarded funding and to execute all required documentation necessary to accept the funding. The motion passed unanimously.

CONTRACT AWARD (PUR-1407) CENTRALIZED REENGAGEMENT SERVICES FOR DISCONNECTED YOUTH

Rick Curry, Director, Purchasing Department, and Stephanie Lapole, Senior Grant Manager, Office of Grant Management, recommended approval to award a contract to perform Centralized Reengagement services for Disconnected Youth in Washington County to Potomac Case Management Services, Inc., Hagerstown, Maryland, in the amount of \$109,740. The contract shall commence after contract execution and issuance of notice to proceed, ending June 30, 2019 with option to renew for up to two (2) consecutive one-year periods through fiscal year 2021. The county has received an award of \$109,740 and plans to expend the entire award for the Centralized Reengagement Services as presented.

Commissioner Baker, seconded by Commissioner Keefer, moved to award the contract for Centralized Reengagement Services for Disconnected Youth to Potomac Case Management Services in the amount of \$109,740 as presented. The motion passed unanimously.

RETIREMENT PLAN AND PENSION FUNDING POLICY CHANGES

Ms. Peyton, and Sara Greaves, Chief Financial Officer, requested approval to the retirement plan and policy funding changes as previously presented on April 16th. Ms. Greaves provided the Commissioners with additional details to the changes as previously requested. Ms. Peyton discussed the proposed changes and the Commissioners voted individually as follows:

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the change of “effective July 1, 2019, the plan will no longer offer the in-service retirement plan (ISRP)”. The motion passed 3–2 (Commissioner Cline and Commissioner Baker voted “NAY”).

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the change of “effective January 1, 2020, the 6% earned interest rate on employee funds that accumulate in the DROP program will decrease to 4% for all future DROP participants. Current DROP participants, or those entering before January 1, 2020, will remain at 6%.” The motion passed 3-2 (Commissioner Cline and Commissioner Baker voted “NAY”).

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the change of “effective January 1, 2020, the interest rate earned by vested employees leaving their monies in the county plan will decrease from 6% to 4% annual multiplier when they become retirement eligible. This applies to all employees who leave county employment on or after January 1, 2020”. The motion passed 3-2 (Commissioner Cline and Commissioner Baker voted “NAY”).

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the change of “effective July 1, 2019, all new employees will be required to work ten (10) years to become vested period”. The motion failed 2-3 (Commissioner Cline, Commissioner Baker, and Commissioner Keefer voted “NAY”).

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the change of “for fiscal year 2020, the county will change the plan funding for the current unfunded accrued liability from the current 15-year level percent of pay amortization to a 20-year level dollar amortization. Any future increases or decreases in the UAL from gains or losses would be amortized over 15 years. Shorter periods would apply to benefit improvements such as retiree COLA’s. The assumed return will be reduced from 7.5% to 7.25%”. The motion passed unanimously.

The Commissioners determined that the plan currently provides no standard methodology for retiree cost of living increases and declined to vote on the following item identified by Ms. Peyton and Ms. Greaves as a requested approval: “The Retirement Committee considered a standard methodology for future retiree cost of living increases (COLAs). The Committee concluded to defer any standard methodology until the plan reaches an 80% funding level.”

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the change of “effective July 1, 2019, for new employees only, the normal retirement age will be 62 years of age and 30 years of service. This represents a change from the current plan which has benefit made payable at age 60 with 25 years of service. This was a recommendation from the actuary due to changes in workforce demographics. There will be no changes to the uniformed law enforcement normal retirement age or years of service”. The motion passed 3-2 (Commissioner Cline and Commissioner Baker voted “NAY”).

Commissioner Baker left the meeting at 3:53 p.m.

SOLID WASTE SUPERVISOR CONSOLIDATION PLAN

Dan DiVito, Director, Environmental Management, and Ms. Greaves returned to the Commissioners with a request to approve a consolidation plan and to internally advertise the Operations Supervisor position (Grade 11), within the Division of Environmental Management. Mr. DiVito stated that due to the consolidation of the Assistant Director and the Operations Supervisor/Recycling Coordinator positions, additional duties have been placed upon Tony Drury, prompting the recommendation for his promotion to Superintendent of Landfill and Recycling Operations, Grade 15. Also, the Operations Supervisor position would consolidate the current position of Weigh Clerk with additional supervisory responsibilities. Mr. DiVito clarified that, not included in this consolidation plan, is the employee filling an Operator position, who will soon retire. That position will be evaluated once it becomes vacant.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the promotion of Mr. Drury to Superintendent of Landfill and Recycling Operations, Grade 15, and to internally advertise the Operations Supervisor position as requested. Commissioner Keefer requested an amendment to the motion to include the upgrade of a current part-time Weigh Clerk position to a full time Weigh Clerk position, and to guarantee the replacement of the Operator position once it becomes vacant.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to amend the plan by upgrading a current part-time Weigh Clerk position to a full-time Weigh Clerk position; and to guarantee the replacement of the Operator position once it becomes vacant. The amended motion failed 2-2-1 (Commissioner Meinelschmidt and Commissioner Wagner voted “NAY”, Commissioner Baker was absent).

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the Solid Waste Supervisor Consolidation Plan as presented. The motion failed 2-2-1 (Commissioner Cline and Commissioner Keefer voted” NAY”, Commissioner Baker was absent)

REVIEW OF THE 2019 LEGISLATIVE SESSION – IMPACT ON WASHINGTON CO.

Senator Andrew Serafini and Delegate William Wivell provided the Commissioners with a review of the final status of legislation with a significant impact on the functions of county government.

ADJOURNMENT

Commissioner Keefer, seconded by Commissioner Wagner, moved to adjourn at 4:28 p.m. The motion passed unanimously, 4-0 (Commissioner Baker was absent).



Krista L. Hart, County Clerk