

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

September 19, 2017

The Commissioners attended a ribbon cutting at 9:00 a.m. at the new location of the Community Foundation of Washington County, 37 South Potomac Street, Hagerstown.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Barr offered the Invocation followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President Terry L. Baker called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:07 a.m. at 100 West Washington Street, Room 1113, with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr.

APPROVAL OF MINUTES – SEPTEMBER 12, 2017

Commissioner Keefer, seconded by Myers, moved to approve the minutes of September 12, 2017. The motion passed with Commissioner Keefer, Myers and Baker voting “AYE” and Commissioners Barr and Cline “ABSTAIN” due to being absent from all or part of that meeting.

COMMISSIONERS’ REPORTS AND COMMENTS

Commissioner Barr reported that Maryland Association of Counties’ First Vice President Jerry Walker of Anne Arundel County would be its new president due to the resignation of President Kevin Kamenetz, who announced his bid for Governor of Maryland. Mr. Barr recently attended the 50th anniversary meeting of the National Association of Development Organizations for the Tri-County Council in Anchorage, Alaska. He read a statement from the meeting on the power of creative place making projects, relating it to the downtown Hagerstown Urban Improvement Project.

Commissioner Baker reported attending yesterday’s Urban Improvement Project meeting with County Administrator Rob Slocum.

REPORTS FROM COUNTY STAFF

Emergency Services

Charles Summers, Assistant Director, Emergency Services, informed the Commissioners that County emergency staff members David Hays, Sam Anderson, Kevin Lewis and Alan Crawford would be traveling tomorrow to Fort Lauderdale, Florida, as members of the Maryland Incident Management team to assist in the recovery efforts after Hurricane Irma. The team expects to be managing a base camp in the Florida Keys.

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County Administrator

County Administrator Rob Slocum reminded attendees of tonight's County Commissioners meeting in the Town of Sharpsburg. On September 26, the Commissioners will tour Lanco Pennland and attend the groundbreaking for the Hancock library followed by a meeting in the town. A joint meeting with the City of Hagerstown will be held October 10.

CITIZENS' PARTICIPATION

No citizens were present that wished to participate.

MARYLAND AVIATION ADMINISTRATION SPECIAL GRANT - VIRTUAL PERIMETER MONITORING SYSTEM

Stephanie Lapole, Grant Manager, Community Grant Management, and Phil Ridenour, Director, Hagerstown Regional Airport, requested approval to accept an award from the Maryland Aviation Administration for \$112,500. Ms. Lapole advised that a request was formally submitted on July 25, 2017 seeking approval to obtain a special grant to fund additional upgrades to the existing Virtual Perimeter Monitoring System. Phase III of the project includes the modernization of the wireless infrastructure upgrading the existing wireless internet capabilities of the newly installed perimeter cameras that were installed in Phase II. The special grant requested for Fiscal Year 2018 allows the Airport to accomplish smaller projects that would not be eligible for Federal Aviation Administration funding and pays up to 75% of the total project. There is a required 25% County match of \$37,500 that is contained in the Airport's Capital Improvement Project budget.

Commissioner Barr, seconded by Myers, moved to accept the award from the Maryland Aviation Administration for \$112,500 for a special grant to fund additional upgrades to the Virtual Perimeter Monitoring System as presented. The motion passed unanimously.

CIVIL WAR RAIL TRAIL - RESPONSE TO AUGUST 1, 2017 PRESENTATION

Scott Hobbs, Director, Engineering, reported on research conducted by County staff to clarify ownership of property that would be a part of the proposed Civil War Rail Trail (CWRT) presented to the Commissioners on August 1, 2017. The proposed CWRT project corridor begins at City Park in Hagerstown and ends at the C&O Canal towpath in the southern portion of the County. Mr. Hobbs provided information showing that the Department of Natural Resources (DNR) and CSX, Inc. own the land. In 1991, the DNR purchased a portion of the railroad corridor from CSX for \$550,000. This abandoned corridor runs from approximately Roxbury Road to the C&O Canal towpath. It appears that the property was conveyed by quitclaim deed and lists the original parcel acquisitions but did not have detailed deed description and title listing for each parcel and acquisition. The DNR has not taken an active role in asserting ownership or maintenance of the property. It is the DNR's responsibility as the owner to respond and resolve any uncertainty regarding ownership of the land. The Commissioners briefly discussed the information provided.

REVISED AND UPDATED COUNTY POLICIES

Stephanie Stone, Director, Health and Human Services, and Kendall McPeak, Assistant County Attorney, presented information relating to staff's progress in drafting updates and revisions to various County policies that will be presented to the Commissioners for consideration in October. Once approved, the revised policies would be posted in a central location accessible to all current and new employees. Ms. Stone indicated that some of the proposed updates pertain to County, State and federal regulations that have changed over time. Others involve issues related to the new Oracle Cloud software being implemented in the County. Most policies will not change but will be consolidated under specific categories.

The Commissioners generally discussed the updating process. Commissioner Cline requested a regular review of policies and Ms. Stone stated that a review will be part of the plan moving forward. Ms. Stone advised that the consequences of failing to comply with or violating County policy are currently outlined in Policy PR-2, Progressive Disciplinary and Dismissal. The proposed updated policies will be presented to the Commissioners for review, consideration and ultimately formal approval at a future meeting.

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Myers, moved to convene in closed session at 10:41 a.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; to consider the acquisition of real property for a public purpose and matters directly related thereto; to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the State; to consult with staff, consultants or other individuals about pending or potential litigation, and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b)(1), (3), (4), (7) and (8), of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the potential reappointment of a specific individual to a local board over which the Commissioners have appointment authority; discussed the potential acquisition of real property for a specific public use with staff; considered issues relating to several proposals by business entities hoping to locate, expand or remain in the County/State; and discussed specific issues relating to a personnel/legal matter that may ultimately result in litigation with staff, consultants, and counsel.

During closed session, the Commissioners agreed to further discuss the individual being considered for reappointment to a local board during tonight's open session meeting in Sharpsburg; provided direction to staff relating to the potential acquisition of real property for a public purpose; provided guidance to staff regarding several distinct proposals by business entities hoping to locate/expand in the County/State; and requested additional information from staff and counsel regarding an ongoing legal/personnel matter.

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Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; and at various times Commissioner LeRoy E. Myers, Jr.; Kassie Lewis, Director, Business Development; Scott Hobbs, Director, John Van Riper, Civil Engineer, and Andrew Eshelman, Structural Engineer, Engineering and Construction Management; Stephanie Stone, Director, Health and Human Services; Jim Sterling, Director, Public Works; Phil Ridenour, Director, Hagerstown Regional Airport; Charles G. Meyer and Albert B. Randall.

RECONVENE IN OPEN SESSION

Commissioner Barr, seconded by Cline, moved to reconvene in open session at 1:50 p.m. The motion passed unanimously.

RECESS

The Commissioners recessed at 1:50 p.m.

EVENING MEETING – TOWN OF SHARPSBURG

The evening session of the regular meeting of Board of County Commissioners of Washington County was held at Sharpsburg Town Hall, 106 East Main Street, Sharpsburg.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Barr gave the Invocation followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President Terry L. Baker called the evening session of the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 7:03 p.m. with the following members present: Vice President Jeffrey A. Cline and Commissioner John F. Barr. Commissioners Wayne K. Keefer and LeRoy E. Myers, Jr. were absent.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Cline reported attending the Economic Development Partners Forum at Rocky Gap sponsored by FirstEnergy. He described 3-D printing/manufacturing demonstrated during the forum.

Commissioner Baker thanked the town for hosting the evening meeting of the Commissioners. He reported attending a meeting regarding public housing planned in Hagerstown's west end. The Commissioners are considering sending a letter in opposition to the project. Mr. Baker noted the accomplishments of local wrestler Aaron Brooks of North Hagerstown High School. He proposed that he be honored during a future Commissioner meeting.

MAYOR AND COUNCIL COMMENTS

Sharpsburg Mayor Hal Spielman welcomed the Commissioners to the town. He thanked them for approving the new resident deputy program and requested to defer the town's

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payment of the deputy's salary while in training until next year when it will be included in the town's budget. Mayor Spielman also anticipated that the new speed cameras to be placed at Sharpsburg Elementary School would be installed as soon as possible.

Vice Mayor Russ Weaver referred to the Washington County Strategic Highway Safety Plan approved by the County Commissioners that was now under review by the municipalities. He noted that it does not mention community policing. The town would like some control over the focus areas of the community deputy.

Commissioner Baker introduced County Administrator Rob Slocum.

REPORTS FROM COUNTY STAFF

County Clerk – Appointment to Boards/Commissions

Washington County Soil Conservation District Board of Supervisors

Commissioner Barr, seconded by Cline, moved to reappoint J. Scott Shank, III to serve a second, five-year term retroactive to March 31, 2016 through March 31, 2021 on the Washington County Soil Conservation District Board of Supervisors. The motion passed unanimously. (3-0, Commissioner Keefer was absent.)

County Clerk Vicki Lumm described the County's various boards and commissions and encouraged citizens to visit the County's website to see which ones might be of interest to them and to complete an online application for membership.

County Administrator

County Administrator Rob Slocum introduced James Jenkins, Manager, and Katie Yoder, Communications Coordinator, of the County's Public Relations and Community Affairs Office. He noted that the Commissioners' evening meetings in the municipalities are being streamed live online. Mr. Slocum mentioned that the contract for the installation and approval of speed cameras in the County would be brought before the Commissioners in the near future.

CITIZENS PARTICIPATION

Sharpsburg resident Ron Vertrees commented in favor of the establishment of a Civil War Rail Trail in the County. He also stated that speeding is a problem in the town and he suggested the placement of electronic signs that show motorists' speeds.

Rob Shoemaker, Sharpsburg, discussed the high water and sewer rates in the town. Julie Pippel, Director, Water Quality, indicated that the average customer uses 12,000 gallons of water for a monthly bill of \$328.52 per quarter. All water systems operated by the County are under one rate structure. She explained the various State and federal directives that dictate how water is treated and provided to citizens. State and federal grants for mandated projects are also now harder to obtain. Water and Sewer funds are enterprise funds that may neither make money nor lose money. Aging infrastructure is also a factor. Ms. Pippel also discussed the debt history of the Washington County Sanitary Commission.

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Three citizens commented in favor of establishing a Civil War Rail Trail in the County.

Miriam Cunningham, owner of a Bed and Breakfast at 220 East Main Street, Sharpsburg, spoke in favor of the Civil War Rail Trail for economic reasons.

County Administrator Rob Slocum discussed the findings reported during the Commissioners' morning meeting that show the property along the proposed Civil War Rail Trail is owned by the Department of Natural Resources and CSX Railroad. Some portions owned by CSX are still in operation. He provided an email address for Chip Wood, consulting environmental engineer, for supporters to obtain information he has compiled.

ADJOURNMENT

Commissioner Cline, seconded by Barr, moved to adjourn at 8:12 p.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk