



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201
WWW.WASHCO-MD.NET

BOARD OF COUNTY COMMISSIONERS

May 14, 2019

OPEN SESSION AGENDA

- 12:30 P.M. **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
CALL TO ORDER - *President Jeffrey A. Cline*
APPROVAL OF MINUTES – May 7, 2019
- 12:35 P.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 consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; to consult with counsel to obtain legal advice on a legal matter; to consult with staff, consultants, or other individuals about pending or potential litigation.)
- 01:30 P.M. **RECONVENE IN OPEN SESSION**
- 01:35 P.M. **COMMISSIONERS' REPORTS AND COMMENTS**
- 01:45 P.M. **REPORTS FROM COUNTY STAFF**
- 01:55 P.M. **CITIZENS PARTICIPATION**
- 02:00 P.M. **PROCLAMATION: BUILDING SAFETY MONTH – *Washington County Commissioners and Rich Eichelberger, Director, Division of Construction***
- 02:05 P.M. **CONTRACT AWARD, PUR1419 – REAL PROPERTY APPRAISAL SERVICES – *Rick Curry, CPPO, Director, Purchasing Department, Todd Moser, Real Property Administrator, Division of Engineering and Scott Hobbs, P.E., Director, Division of Engineering***
- 02:10 P.M. **CONTRACT AWARD, PUR1420 – REAL PROPERTY SERVICES – *Rick Curry, CPPO, Director, Purchasing Department, Todd Moser, Real Property Administrator, Division of Engineering and Scott Hobbs, P.E., Director, Division of Engineering***
- 02:15 P.M. **BUDGET TRANSFER, DIVISION OF ENVIRONMENTAL MANAGEMENT – *Mark Bradshaw, Deputy Director, Water Quality***
- 02:20 P.M. **NEXT GENERATION 911 – *Bud Gudmundson, GIS Manager, Department of Information Technology, R. David Hays, Director, Division of Emergency Services, and Jennifer Kinzer, GIS Coordinator, Department of Planning & Zoning***

- 02:35 P.M. EASTERN BOULEVARD WIDENING – *Scott Hobbs, Director, Division of Engineering*
- 02:40 P.M. FUEL CENTER IMPROVEMENTS AT SHERIFF’S OFFICE/DETENTION CENTER – *Scott Hobbs, Director, Division of Engineering*
- 02:45 P.M. THIRD QUARTER ADJUSTMENTS TO THE WASHINGTON COUNTY BOARDS OF EDUCATION’S FY2019 GENERAL FUND BUDGET – *Jeffrey Proulx, Chief Operating Office, WCPS and David Brandenburg, Executive Director of Finance, WCPS*
- 03:00 P.M. SOLID WASTE SUPERVISOR CONSOLIDATION PLAN – *Daniel DiVito, Director, Division of Environmental Management, David A. Mason, P.E., Deputy Director, Division of Environmental Management*
- 03:10 P.M. DIRECTOR OF HEALTH AND HUMAN SERVICES ADVERTISEMENT AND FUTURE ALIGNMENT OF FUNCTION – *Rob Slocum, County Administrator*
- 03:20 P.M. SMITHSBURG EMS REQUEST FOR ASSISTANCE – *R. David Hays, Director, Division of Emergency Services (DES), Robert Moncrief, President, Washington County Volunteer Fire and Rescue Association (WCVFRA) and Joanie Gerber, President, Smithsburg EMS*
- 03:35 P.M. RECESS
- 06:00 P.M. BUDGET HEARING
Location: Hagerstown Community College, Kepler Theater, 11400 Robinwood Drive, Hagerstown



Open Session Item

SUBJECT: Presentation of Proclamation Building Safety Month

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Board of County Commissioners

RECOMMENDED MOTION: None

REPORT-IN-BRIEF: Proclamation Presentation

WHEREAS, Washington County continuing efforts to address the critical issue of safety, energy efficiency, water conservation and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

WHEREAS, our confidence is achieved through the devotion of vigilant guardians-building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry- who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians-dedicated members of the International code Council- develop and implement the highest- quality codes to protect Americans in the building where we live, learn, work, worship, and play, and;

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires and earthquakes, and;

WHEREAS, "No Code. No Confidence." The theme of Building Safety Month 2019 encourages all Americans to raise awareness of the importance of building safety.

NOW THEREFORE, We the Board of County Commissioners of Washington County, Maryland, do hereby recognize Building Safety Month 2019. Washington County citizens are asked to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

Open Session Item

SUBJECT: Requirements Contract Award (PUR-1419) - Real Property Appraisal Services

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Rick Curry, CPPO, Director, Purchasing Department, Todd Moser, Engineering, Real Property Administrator, Division of Engineering and Scott Hobbs, P.E., Director of Engineering

RECOMMENDED MOTION: Move to award a *primary* requirement contract to a firm and to award a *secondary* requirement contract to a firm, based on responsive, responsible price proposals at the specified unit costs and estimated hours (no minimum or maximum guaranteed) in each firm's price proposal.

REPORT-IN-BRIEF: As a result of the Division of Engineering and Construction Management's (DECM) ongoing workload, it is anticipated that the DECM shall require right-of-way related support from outside consultant(s). To this end, the DECM desires to enter into a "Requirements Contract" with a consultant(s) to provide the necessary assistance on an as-needed basis.

Federal financial assistance carries requirements with regard to negotiations and relocation contacts with property owners. Contracting consultants to utilize qualified personal is permitted with regard to appraisal, acquisition, negotiation or relocation. Consultants must follow approved State or local procurement procedures when Federal funds are used in the acquisition cost of the right-of-way.

The following provision is included in this contract: "Consultants shall be reimbursed for mileage traveled to and from the job site and between job sites. Washington County will employ a mileage rate based on the most recent U.S. Federal Government reimbursement rate. The present effective rate as of January 1, 2019 is \$0.58 per mile. The allowed maximum mileage to and from the job site shall be fifty (50) miles each way, per day. Reimbursement for travel between sites shall be made at the same rate. However, mileage between sites will not be limited. All mileage will be subject to County review and approval." With this proposal process/contract, additional individual services were also added and are indicated as Item Nos. F.1.a. thru I.1.a. on the Price Proposal Tabulation sheet.

Notice of the Request for Proposal (RFP) was advertised in the local newspaper, on the County's web site, and on the State's "e-Maryland Marketplace" web site. Twenty-two (22) individuals/companies/bid houses downloaded the RFP document from the County's web site. Five (5) companies were represented at the Pre-Proposal Conference. Proposals were received from two (2) firms. The Q&E submittals of the two (2) firms were evaluated and both firms were considered to be responsive; therefore, the Price Proposals of both firms were then opened and evaluated.

The contract term is for a one (1) year period with an option by the County to renew for up to three (3) additional consecutive one-year periods. The County reserves the right to accept or reject any request for renewal. These are requirements contracts; therefore, services will be utilized on an as-needed basis at the respective unit costs as specified on the attachment with no guarantee of a maximum or minimum amount of services to be provided.

The Coordinating Committee was comprised of the following members: Director of the Division of Engineering and Construction Management (Committee Chairman Designee), County Director of Purchasing, Deputy Director of Engineering, Director – Division of Environmental Management and the County Real Property Administrator.

DISCUSSION: N/A

FISCAL IMPACT: Funds are available in various project accounts.

CONCURRENCES: Coordinating Committee

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Open Session Item

SUBJECT: Requirements Contract Award (PUR-1420) - Real Property Services

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Rick Curry, CPPO, Director, Purchasing Department, Todd Moser, Engineering, Real Property Administrator, Division of Engineering and Scott Hobbs, P.E., Director of Engineering

RECOMMENDED MOTION: Move to award a *primary* requirement contract to a firm and to award a *secondary* requirement contract to a firm, based on responsive, responsible proposals at the specified unit costs and estimated hours (no minimum or maximum guaranteed) in each firm's price proposal.

REPORT-IN-BRIEF: As a result of the Division of Engineering and Management's (DECM) ongoing workload, it is anticipated that the DECM shall require right-of-way related support from outside consultant(s). An upset limit shall be established on a project-by-project basis although the actual value shall be dependent upon the amount of work performed. The specific projects to be covered under this contract are not known at this time.

The following provision is included in the contract: "Consultants shall be reimbursed for mileage traveled to and from the job site and between job sites. Washington County will employ a mileage rate based on the most recent U.S. Federal Government reimbursement rate. The present effective rate as of January 1, 2019 is \$0.58 per mile. The allowed maximum mileage to and from the job site shall be fifty (50) miles each way, per day. Reimbursement for travel between sites shall be made at the same rate. However, mileage between sites will not be limited. All mileage will be subject to County review and approval." Included this year in the contract, there is a hourly unit cost pricing for court testimony services by the consultants as indicated in the attached Price Proposal Tabulation.

Notice of the Request for Proposal (RFP) was advertised in the local newspaper, on the County's web site, and on the State's "e-Maryland Marketplace" web site. Twenty-six (26) individuals/companies/bid houses downloaded the RFP document from the County's web site. Four (4) companies were represented at the Pre-Proposal Conference. Proposals were received from two (2) firms. The Q&E submittals of the two (2) firms were evaluated and both firms were considered responsive; therefore, the Price Proposals of those firms were then opened and evaluated.

The Coordinating Committee was comprised of the following members: Director of the Division of Engineering and Construction Management (Committee Chairman Designee), County Director of Purchasing, Deputy Director of Engineering, Director – Division of Environmental Management and the County Real Property Administrator.

The contract term is for a one (1) year period with an option by the County to renew for up to three (3) additional consecutive one-year periods. The County reserves the right to accept or reject any request for renewal. These are requirements contracts; therefore, services will be utilized on an as-needed basis at the respective unit costs as specified on the attachment with no guarantee of a maximum or minimum amount of services to be provided.

DISCUSSION: N/A

FISCAL IMPACT: Funds are available in various project accounts.

CONCURRENCES: Coordinating Committee

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL TO BE USED: N/A



Agenda Report Form

Open Session Item

SUBJECT: Budget Transfer, Division of Environmental Management

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Mark D Bradshaw PE, Deputy Director

RECOMMENDED MOTION: Approve budget transfer as presented.

REPORT-IN-BRIEF: Staff recommends approval to transfer funds from the PO1 Pump Station Expansion project (LIN041) to the Pump Station Upgrade Various Location project (LIN034), in the amount of \$510,000.00.

DISCUSSION: Water Quality is proposing to upgrade the PO#2 and Oak Ridge pump stations from Capital Improvement Project (CIP) LIN034 however, that account currently has inadequate funds. To accommodate development within the drainage basin, PO#2 Pump Station will need to be updated. With regards to the Oak Ridge Pump Station, an expansion to the wetwell is included. This proposed expansion is needed to prevent back up of surcharged lines into residential basements. Should a failure of the pump occur, our team would have five minutes to respond before the back-up would affect residential homes; a larger wetwell will increase response time prior to a potential backup (upon pump failure).

FISCAL IMPACT: Transfer of \$510,000 from CIP LIN041 to LIN034, Pump Station Upgrade, Various Location.

CONCURRENCES: Dan DiVito, Director, Environmental Management, and Sara Greaves, Chief Financial Officer, Budget and Finance

ALTERNATIVES: Postpone the upgrade to Oak Ridge Pump Station

ATTACHMENTS: Budget Transfer Form



Washington County, Maryland Budget Adjustment Form

Print Form

- Budget Amendment - Increases or decrease the total spending authority of an accounting fund or department
- Budget Transfer - Moves revenues or expenditures from one account to another or between budgets or funds.

Transaction/Post -Finance

Deputy Director - Finance **Kelcee Mace** Digitally signed by Kelcee Mace Date: 2019.04.24 13:56:19 -04'00'

Preparer, if applicable **Mark D Bradshaw** Digitally signed by Mark D Bradshaw Date: 2019.04.24 13:58:26 -04'00'

Department Head Authorization **Mark D Bradshaw** Digitally signed by Mark D Bradshaw Date: 2019.04.24 13:58:02 -04'00'

Division Director / Elected Official Authorization *Daniel F DiVito* Digitally signed by Daniel F DiVito Date: 2019.04.24 16:08:36 -04'00'

Budget & Finance Director Approval

County Administrator Approval

County Commissioners Approval

Required approval with date

If applicable with date

Required approval with date

Required approval with date

Required > \$ 25,000 with date

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) +/-
498012	32	42010	LIN041		0000	Bond Fund - 2016	-510,000
599999	32	42010	LIN041		CNST	PO 1 Pump Station Expansion	-510,000
498012	32	42010	LIN034		0000	Bond Fund - 2016	510,000
599999	32	42010	LIN034		CNST	Pump Station Upgrades - Various Loactions	510,000

Explain Budget Adjustment

Required Action by County Commissioners No Approval Required Approval Required Approval Date if Known



Agenda Report Form

Open Session Item

SUBJECT: Next Generation 911

PRESENTATION DATE: May 14th, 2019

PRESENTATION BY: Bud Gudmundson, GIS Manager, IT Dept., David Hays, Director of Emergency Services, Jennifer Kinzer, GIS Coordinator, Planning & Zoning

RECOMMENDED MOTION: Approve MOU with Towns to assign Addresses

REPORT-IN-BRIEF: The Commissioners were briefed on this topic on 11-28-2017. NG911 is a nation-wide coordinated effort to move 911 to the next level of technology. A local or regionally managed infrastructure to route 911 calls is being planned, and in addition, the address database will be maintained in a GIS (map) format. Our street and address database must be refined to an accuracy level to meet this need which could have life or death consequences. The Planning & Zoning Department already maintains the master address database for the entire county and is responsible for assigning new addresses in county areas, as needed. A draft MOU to transfer authority for address assignment and maintenance from the 8 smaller municipalities to the County is presented for your approval. The City of Hagerstown will maintain their own addresses and provide regular updates to the County for emergency response purposes.

DISCUSSION: The Mayors were given a preview of this project over a year ago. Now we will be giving a more detailed presentation to them and asking that they sign the MOU. The Planning and Zoning GIS staff will work cooperatively with each town to assign new addresses. With the NextGen911 effort, staff will also be making corrections to address errors discovered around the county, including in the towns. All corrections will be made fire district by fire district. Local fire companies will assist in informing the citizens of the need for accurate addresses. Leitersburg will be used as a pilot area, starting in June 2019. The remainder of the county to be completed in 2020.

FISCAL IMPACT: Application will be made for a grant to the Maryland Emergency Numbers Board for certified postage fees to mail out address correction letters.

CONCURRENCES: Director of Emergency Services, Director of Planning & Zoning

ALTERNATIVES:

ATTACHMENTS: Draft MOU with towns for county assignment of addresses

AUDIO/VISUAL NEEDS:

MEMORANDUM OF UNDERSTANDING

BETWEEN

BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND,
TOWN OF BOONSBORO, TOWN OF CLEAR SPRING, TOWN OF FUNKSTOWN, TOWN OF
HANCOCK, TOWN OF KEEDYSVILLE, TOWN OF SHARPSBURG, TOWN OF SMITHSBURG,
AND TOWN OF WILLIAMSPORT

Re: Addressing and Road Naming

This Memorandum of Understanding (“MOU”) is entered into this ____ day of _____, 2019, by and between the Board of County Commissioners of Washington County, Maryland, hereinafter referred to as the “County”), the Town of Boonsboro, the Town of Clear Spring, the Town of Funkstown, the Town of Hancock, the Town of Keedysville, the Town of Sharpsburg, the Town of Smithsburg, and the Town of Williamsport, hereinafter referred to as the “Town” or “Towns.”

RECITALS

The purpose of this MOU is to memorialize the Towns’ and County’s agreement regarding responsibility for assignment of site addresses and approval of proposed road names within the incorporated towns and unincorporated areas of Washington County, Maryland.

The County maintains a geographic information system (“GIS”) and address attribute database for property located within Washington County, Maryland, including unincorporated and incorporated areas.

The Towns and the County recognize the importance of developing and maintaining accurate addresses and road and name information for the protection of public health, safety, and welfare.

The County GIS and attribute databases support the functions of the Washington County Emergency Communications Center by providing a means of verifying information contained within the Master Street Address Guide (“MSAG”).

Duplication of road names and inconsistent addressing has the potential to create confusion among emergency responders, service providers, and the general public.

NOW, THEREFORE, in consideration of the foregoing, the Towns and the County hereto agree as follows:

1. **Effective Date and Term.**

The effective date of this MOU is _____, 2019. The initial term of this MOU shall commence on its effective date and continue indefinitely unless terminated by the mutual agreement of all of the parties hereto.

2. **Addressing Ordinance.**

By Ordinance No. ORD-2012-38, the County enacted an ordinance entitled, "An Ordinance to Enact the Addressing Ordinance for Washington County, Maryland," (the "Ordinance"), effective December 18, 2012. The Ordinance, which may be amended from time to time, forms the basis of this MOU.

3. **Authority and Purpose.**

The purpose of this MOU is to formalize an agreement between the municipalities located in Washington County, Maryland, and the County, the authoritative body authorized by the Ordinance to give authority for addressing and road naming within the municipalities of Washington County, Maryland, and to:

- (a) closely coordinate the development review processes within the respective jurisdictions so that further duplication of road names will be minimized;
- (b) ensure that addresses will be assigned to new development that follow a systematic and consistent scheme, and to reduce errors;
- (c) maintain the Master Address File for the entire county in one repository;
- (d) facilitate implementation of Next Generation 911 initiative; and
- (e) to remedy address or road name errors as set forth herein.

4. **Definitions.**

Terms defined in the Ordinance shall be given the same meaning when used in this MOU.

5. **New Road Names.**

The Towns shall submit any new road names to the County for approval as soon as they are submitted for review by the respective jurisdiction. In general, road naming or the naming of private lanes can be initiated by either an entity or a property owner but shall be completed

using the standards promulgated in the Ordinance. The Towns shall have the ability to veto a proposed name, but the Towns have no authority to waive any requirement of the Ordinance.

6. **Road Signage.**

The Towns or private developers shall be responsible for providing or updating road signage, as needed or required. The County shall not provide signage inside municipal jurisdictions. House number sizing shall be in accordance with the specifications outlined in the Ordinance or the Towns' formally adopted building codes. Location of posted numbers to the structure or property access shall follow the provisions of the Ordinance. The Towns or entity that is responsible for issuing Use & Occupancy Permits shall enforce proper address posting on new and existing structures.

7. **New Land Development Activity.**

Any new land development activity within the Towns (building permit, entrance permit, site plan, plat, or other request from a property owner) shall be routed to (or require that an application for an address be sent to) the County. The addresses shall be assigned to conform to the existing numbering schema of the Towns. A Town Numbering System Boundary ("NSB") shall be drawn around the existing town numbering area and approved by the both the Town and the County. That NSB shall remain fixed, even if the Town annexes additional land outside of the NSB. The County shall have the authority to provide an address for any new land development activity. Once assigned, the address will be provided to the Town and the Town will notify the applicant. Either a paper or electronic process for the submissions of applications is acceptable.

8. **Road Naming Changes.**

Overall, if an address or a road naming change are required, either as a result of land development, property owner request, or through identification by the Division of Emergency Services, the County Planning Department, or other emergency services entities, the County shall work with the Towns in an efficient manner using standards promulgated in the Ordinance in order to change the address or road name to ensure the safety of citizens.

9. **Duty of Owner.**

The duty of Owner, as that term is defined in the Ordinance, shall apply within the Towns as well.

10. **Addressing File.**

The Towns and the Division of Emergency Services shall consider the Addressing File as maintained by the County Planning Department as the master address file for the County. The County Planning Department shall also maintain the master road list, and the prohibited words list for Washington County.

11. **Violations and Penalties.**

The Towns shall decide if they will adopt the Violations and Penalties section of the Ordinance. The County shall not be responsible for enforcement inside of Town municipal boundaries. The County may provide notification to municipalities when property owners are not in compliance with any portion of the Ordinance. Any correspondence to resolve these violations must come directly from the Towns and reference an appropriate section of this MOU or adopted ordinances. The Towns must also follow the Notification of Address Change and information to be included on an address change letter portion of the Ordinance to maintain a minimum level of information for relevant agencies. The Washington County Planning Department must be notified of all Address Changes that are initiated by the Towns.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seals by their duly authorized representatives and signatories.

ATTEST:

Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: _____(SEAL)
Jeffrey A. Cline, President

ATTEST:

Sarah Campbell, Town Clerk

MAYOR AND COUNCIL OF THE TOWN
OF BOONSBORO

BY: _____(SEAL)
Howard W. Long, Mayor

ATTEST:

Juanita Grimm, Town Clerk

MAYOR AND COUNCIL OF THE TOWN OF
CLEAR SPRING

BY: _____(SEAL)
Paul D. Hose, Jr., Mayor

ATTEST:

Brenda Haynes, Town Manager

MAYOR AND COUNCIL OF THE TOWN OF
FUNKSTOWN

BY: _____(SEAL)
Paul Crampton, Jr., Mayor

ATTEST:

David Smith, Town Manager

MAYOR AND COUNCIL OF THE TOWN OF
HANCOCK

BY: _____(SEAL)
Dr. Ralph Salvagno, Mayor

ATTEST:

Richard L. Bishop, Town
Administrator

MAYOR AND COUNCIL OF THE TOWN OF
KEEDYSVILLE

BY: _____(SEAL)
Ken Lord, Mayor

ATTEST:

Kimberly Fulk, Town Clerk

MAYOR AND COUNCIL OF THE TOWN OF
SHARPSBURG

BY: _____(SEAL)
Hal Spielman, Mayor

ATTEST:

Debra Smith, Town Manager

MAYOR AND COUNCIL OF THE TOWN OF
SMITHSBURG

BY: _____(SEAL)
Jack Kesselring, Mayor

ATTEST:

Donald L. Stotemyer, Town
Manager

MAYOR AND COUNCIL OF THE TOWN OF
WILLIAMSPORT

BY: _____(SEAL)
William Green, Mayor



Agenda Report Form

Open Session Item

SUBJECT: Eastern Boulevard Widening

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Scott Hobbs, Director, Division of Engineering

RECOMMENDED MOTION: Move to accept a state funding contribution for the Eastern Boulevard improvements at Jefferson Boulevard (MD 64) for a not-to-exceed amount of \$3.19 million for construction, utility, and design costs and sign an updated Memorandum of Understanding (MOU). The recommended motion includes approving the attached budget adjustment form.

REPORT-IN-BRIEF: On September 25, 2018, the Board of County Commissioners accepted a state funding contribution of \$1.99 million for the project as presented by County staff. Since that time, the cost estimate and scope of work has been updated, and accordingly the Maryland Department of Transportation State Highway Administration (MDOT SHA) is increasing its contribution amount.

DISCUSSION: The County is receiving a funding contribution from MDOT SHA for work at Eastern Boulevard and Jefferson Boulevard (MD 64). MDOT SHA has requested that its upcoming intersection improvements at Jefferson Boulevard (MD 64) be part of the Eastern Boulevard Phase I project for project efficiencies and to reduce additional impacts to motorists. The previous agenda report form (ARF) is attached for reference. The widening of Eastern Boulevard will be constructed in multiple phases.

FISCAL IMPACT: This is a budgeted Capital Improvement Plan (CIP) project (RDI042). The County will be reimbursed for a not-to-exceed amount of \$3.19 million. The overall project scope remains the same.

CONCURRENCES: Chief Financial Officer, County Attorney

ALTERNATIVES: N/A

ATTACHMENTS: MOU, ARF from 9/25/18, Budget Adjustment Form, Aerial Map

AUDIO/VISUAL TO BE USED: N/A

MEMORANDUM OF UNDERSTANDING

**MD 64 (JEFFERSON BOULEVARD)
INTERSECTION WIDENING AT EASTERN BOULEVARD**

by and between

**MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION**

and

WASHINGTON COUNTY, MARYLAND

THIS MEMORANDUM OF UNDERSTANDING (“MOU”), made effective the _____ day of _____ 2019, **“EFFECTIVE DATE”**, by and between the Maryland Department of Transportation State Highway Administration acting for and on behalf of the State of Maryland, hereinafter referred to as **“MDOT SHA”**, and Washington County, Maryland, hereinafter referred to as **“COUNTY”**.

WHEREAS, the COUNTY will design and construct the roadway widening Phase 1 along Eastern Boulevard between Security Road, and MD 64 (Jefferson Boulevard), hereafter referred to as **“COUNTY IMPROVEMENTS”**; and

WHEREAS, MDOT SHA requested and the COUNTY has agreed to include MDOT SHA Contract No. WA4485187 with the COUNTY IMPROVEMENTS consisting of the design, construction, and utility relocations for the widening of (i) the MD 64 (Jefferson Boulevard) and Eastern Boulevard intersection and (ii) a stretch of MD 64 to the East and to the West of the intersection, hereafter referred to as **“STATE IMPROVEMENTS”**; and

WHEREAS, COUNTY IMPROVEMENTS and STATE IMPROVEMENTS may sometime be referred to as the **“PROJECT”**; and

WHEREAS, the COUNTY has requested MDOT SHA to contribute funds towards the STATE IMPROVEMENTS shown as the yellow or white hatched area on **EXHIBIT 1**, attached hereto and incorporated herein; and

WHEREAS, MDOT SHA has agreed to reimburse the COUNTY an amount not to exceed One Hundred Ninety Two Thousand Nine Hundred Forty Two Dollars and Eleven cents (\$192,942.11) for the items related to design of the STATE IMPROVEMENTS; and

WHEREAS, the MDOT SHA has agreed reimburse the COUNTY an amount not to exceed Three Million Dollars (\$3,000,000) for the items related to the construction, including utility relocations, of the STATE IMPROVEMENTS, which is anticipated to be completed in 2021; and

WHEREAS, MDOT SHA issued an Access Permit (10APWA00113) (**“PERMIT”**) to the COUNTY, for COUNTY access to all MDOT SHA owned or controlled right-of-way needed for the design and construction activities of the STATE IMPROVEMENTS; and

WHEREAS, MDOT SHA and the COUNTY agree that the PROJECT will benefit the parties of this MOU, and will promote the safety, health and general welfare of the citizens of the COUNTY and State.

NOW, THEREFORE, be it understood that MDOT SHA and the COUNTY do hereby agree as follows:

I. PROJECT DESCRIPTION AND DEFINITIONS

- A. The PROJECT shall generally consist of design and construction of the improvements to COUNTY roadways, including Phase 1 widening of Eastern Boulevard from Security Road to MD 64 (Jefferson Boulevard) and roadway improvements and the widening of the MD 64 (Jefferson Boulevard) and Eastern Boulevard intersection and a stretch of MD 64 to the east and to the west of the Eastern Boulevard intersection. The COUNTY, or their designee, will prepare right-of-way plats, design and construction plans, and specifications for the PROJECT based on preliminary concept plans and related information provided by MDOT SHA. MDOT SHA will review and approve the design and construction plans, perform and coordinate all activities for Maryland Environmental Policy Act (MEPA) requirements, acquire necessary right of way, and facilitate utility relocation for the STATE IMPROVEMENTS.
1. The COUNTY IMPROVEMENTS shall generally consist of all tasks necessary to design, acquire right-of-way, and construct the modifications along the COUNTY roadway Eastern Boulevard from Security Road to MD 64, including, but not limited to, grading, paving, striping, signage, and installation of drainage and stormwater management facilities and landscaping.
 2. The STATE IMPROVEMENTS shall consist of all elements necessary to design, acquire right-of-way, and construct the roadway modifications, including utility relocations, from the Eastern Boulevard – Jefferson Boulevard intersection extending northerly for approximately one thousand linear feet (1000 LF). In addition, the STATE IMPROVEMENTS include road way modifications, along MD 64 to the east and to the west, as illustrated on **Exhibit 1**. The design and construction for the STATE IMPROVEMENTS shall comply with current edition of MDOT SHA’s Standard Specifications for Construction and Materials, and the plans and design details approved by MDOT SHA and the COUNTY.
 3. The PROJECT is expected to be less than 50% state funded and therefore will not be advertised with wage rates attached.
- B. MDOT SHA DESIGN PHASE FUNDING shall be the maximum amount MDOT SHA shall reimburse the COUNTY for the design of the STATE IMPROVEMENTS, equal to One Hundred Ninety Two Thousand Nine Hundred Forty Two Dollars and Eleven Cents (\$192,942.11). Any costs to design the STATE IMPROVEMENTS which exceed MDOT SHA DESIGN PHASE FUNDING shall be the COUNTY’s responsibility.

- C. MDOT SHA CONSTRUCTION PHASE FUNDING shall be the maximum amount MDOT SHA shall reimburse the COUNTY for construction of the STATE IMPROVEMENTS, equal to Three Million Dollars, (\$3,000,000). Construction costs shall include, but not be limited to, actual costs pertaining to construction, and utility relocations. Any costs to construct the STATE IMPROVEMENTS which exceed MDOT SHA CONSTRUCTION PHASE FUNDING shall be the COUNTY's responsibility.

II. DESIGN PHASE

A. MDOT SHA Responsibility:

1. MDOT SHA will provide to the COUNTY, when requested, all related information in its possession to design and construct the STATE IMPROVEMENTS.
2. MDOT SHA will review and approve the design plans for the STATE IMPROVEMENTS.
3. MDOT SHA will perform and coordinate all activities necessary, per the requirements of the Maryland Environmental Policy Act (MEPA), for the STATE IMPROVEMENTS portion of the PROJECT. During the construction of the PROJECT, MDOT SHA will review any necessary modifications to construction plans for the STATE IMPROVEMENTS pursuant to the PERMIT.

B. COUNTY Responsibility:

1. The COUNTY shall be fully responsible for the design of the PROJECT. The COUNTY will perform or cause to be performed all activities necessary to design the PROJECT.
2. The COUNTY shall coordinate with MDOT SHA the design of the utility relocations necessary for the construction of the STATE IMPROVEMENTS.
3. The COUNTY shall issue all the plats necessary to acquire the right-of-way for the STATE IMPROVEMENTS and provide to MDOT SHA within 30 days of the EFFECTIVE DATE.
4. In the event the COUNTY desires to revise the design of the STATE IMPROVEMENTS subsequent to final plan approval, but prior to initiation of construction activities, the COUNTY shall provide MDOT SHA with written notification of said revision and shall request MDOT SHA comments and/or concurrence.

III. RIGHT OF WAY PHASE

A. MDOT SHA RESPONSIBILITY

MDOT SHA will acquire all necessary right-of-way for the STATE IMPROVEMENTS, at no cost to the COUNTY.

B. COUNTY RESPONSIBILITY

The COUNTY shall be responsible for obtaining any right-of-way required for the COUNTY IMPROVEMENTS

IV. CONSTRUCTION PHASE

A. MDOT SHA Responsibility;

1. In the event MDOT SHA desires to revise the STATE IMPROVEMENTS subsequent to final plan approval and/or during construction, it shall promptly submit a request in writing to the COUNTY, including the requested revisions and their estimated costs.
2. At its option MDOT SHA may provide an inspector (**“Project Engineer”**) during construction of the STATE IMPROVEMENTS in a manner consistent with the State issued PERMIT.
3. MDOT SHA’s inspector shall consult with the COUNTY inspector prior to decisions that affect the STATE IMPROVEMENTS portion of the PROJECT throughout construction, during emergency and non-emergency events.

B. COUNTY Responsibility:

1. The COUNTY shall construct the STATE IMPROVEMENTS as shown on the final plans, and provide Construction Engineering Services during construction (i.e., construction inspection and material testing/certification) consistent with MDOT SHA standards and requirements, and the PERMIT.
2. If revisions to the STATE IMPROVEMENTS must be made due to conditions encountered during construction, the COUNTY shall seek MDOT SHA concurrence to said revisions.
 - a. The COUNTY shall notify MDOT SHA and seek concurrence in advance for all anticipated revisions or extra and/or unanticipated work and subsequent change orders, including justification for such change orders. A Change Order must have all supporting documentation of anticipated revision necessary for extra unanticipated work.
 - b. In the event the COUNTY is unable to give MDOT SHA prior notice, due to revisions required by an emergency or possible delay claim situations, the COUNTY shall promptly notify MDOT SHA within 24 hours of the commencement of work and submit the documented invoice immediately.
3. The COUNTY shall coordinate with MDOT SHA the utility relocations necessary for the construction of the STATE IMPROVEMENTS portion of the PROJECT in a manner consistent with the PERMIT.

V. DESIGN PHASE FUNDING

A. MDOT SHA Responsibility:

1. MDOT SHA shall be responsible for reimbursement of the design phase cost of the STATE IMPROVEMENTS in an amount not to exceed One Hundred Ninety Two Thousand Nine Hundred Forty Two Dollars and Eleven Cents (\$192,942.11), MDOT SHA DESIGN PHASE FUNDING. If the total actual cost of the design exceeds the MDOT SHA DESIGN PHASE FUNDING, the COUNTY shall complete the design at no cost to MDOT SHA.
2. Within thirty (30) days following the receipt of each periodic invoice from the COUNTY, MDOT SHA shall reimburse the COUNTY for documented costs incurred by the COUNTY to design the STATE IMPROVEMENTS in amount not to exceed the MDOT SHA DESIGN PHASE FUNDING.

B. COUNTY Responsibility:

1. COUNTY shall submit periodic invoices to MDOT SHA for documented costs pertaining to the design of the STATE IMPROVEMENTS, including COUNTY's direct salaries, payroll burden and overhead for Consultant Engineering Services incurred during the design phase, not to exceed MDOT SHA DESIGN PHASE FUNDING.
2. The COUNTY shall be responsible for all costs incurred by the COUNTY for the design of the COUNTY IMPROVEMENTS, plus any portion of the STATE IMPROVEMENTS, that exceeds the MDOT SHA DESIGN PHASE FUNDING for design phase.

VI. CONSTRUCTION PHASE FUNDING

A. MDOT SHA Responsibility:

1. MDOT SHA shall be responsible for all costs to construct the STATE IMPROVEMENTS up to maximum amount of Three Million Dollars (\$3,000,000), MDOT SHA CONSTRUCTION PHASE FUNDING.
2. Within thirty (30) days following the receipt of each periodic invoice from the COUNTY, MDOT SHA shall reimburse the COUNTY for all undisputed documented costs incurred by the COUNTY to construct the STATE IMPROVEMENTS, including the COUNTY's costs for Construction Engineering Services in an amount not to exceed the CONSTRUCTION PHASE FUNDING.
3. If MDOT SHA disputes items included in the COUNTY'S periodic invoice, MDOT SHA may withhold payment for said disputed items. Within thirty (30) days of MDOT SHA's receipt of the COUNTY's normal documentation included in the periodic invoice for the STATE IMPROVEMENTS, MDOT SHA shall meet with the COUNTY to resolve disputed items.

B. COUNTY Responsibility:

1. The COUNTY shall be responsible for all costs incurred by the COUNTY for the construction of the COUNTY IMPROVEMENTS, plus any portion of the STATE IMPROVEMENTS, that exceeds the MDOT SHA CONSTRUCTION PHASE FUNDING.
2. The COUNTY shall provide an invoice to MDOT SHA, on a periodic basis, for all costs incurred by the COUNTY to construct the STATE IMPROVEMENTS including the COUNTY's direct salaries and payroll burden for Construction Engineering Services and other direct costs such as materials and inspection up to the MDOT SHA CONSTRUCTION PHASE FUNDING. If the total actual cost of construction for the STATE IMPROVEMENTS exceeds the MDOT SHA CONSTRUCTION PHASE FUNDING, the COUNTY shall complete the construction at no cost to MDOT SHA.
3. The COUNTY shall notify MDOT SHA and seek concurrence in advance of all anticipated changes for construction of the STATE IMPROVEMENTS including justification for such changes.

VII. GENERAL

- A. The total amount that may be reimbursed to the COUNTY by MDOT SHA for the STATE IMPROVEMENTS is limited to Three Million One Hundred Ninety Two Thousand Nine Hundred Forty Two Dollars and Eleven Cents (3,192,942.11), said amount to include (a) Design Cost, including right-of-way plats and the COUNTY's Consultant Engineering Services (b) Construction costs including the COUNTY's Construction Engineering Services. If the total actual cost of the STATE IMPROVEMENTS exceeds amount allocated by MDOT SHA, the COUNTY shall complete the STATE IMPROVEMENTS at no additional cost to MDOT SHA.
- B. All COUNTY invoices shall be accompanied by sufficient documentation as determined by MDOT SHA to evidence actual costs incurred.
- C. Whenever the approval of the COUNTY is required, such approval shall not be unreasonably withheld or delayed. The parties hereto agree to cooperate with each other to accomplish the terms and conditions of this MOU.
- D. This MOU shall inure to and be binding upon the parties hereto, their agents, successors, and assigns.
- E. This MOU and the rights and liabilities of the parties hereto shall be determined in accordance with Maryland law.
- F. Following completion of construction of the PROJECT, MDOT SHA shall own and maintain the portion of PROJECT that is within MDOT SHA right of way.
- G. The recitals (WHEREAS clauses) are incorporated herein as part of this MOU.
- H. All parties to this MOU shall comply with the requirements of **APPENDIX A** (2 pages) and **APPENDIX E** (1 page) of MDOT SHA's Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A which generally set forth non-discriminatory regulations and other civil rights related regulations. **APPENDIX A**

and **APPENDIX E** are attached hereto and incorporated herein as substantive parts of this document. The term "Acts" in Appendix A refers to Title VI of the Civil Rights Act of 1964. The term "Regulations" in Appendix A refers to 49 C.F.R Part 21 and 28 C.F.R. Section 50.3. The term "Recipient" in Appendix A refers to MDOT SHA.

I. All notices and/or invoices, if to the COUNTY, shall be addressed to:

Mr. Scott Hobbs, P.E. (or designated alternate)
Director
Washington County
Division of Engineering
80 West Baltimore Street
Hagerstown, MD 21740
Phone: 240-313-2407
Email: shobbs@washco-md.net

If to MDOT SHA:

Mr. Anthony Crawford, P.E.
District Engineer, D-6
State Highway Administration
1250 Vocke Road
La Vale, MD 21502
Phone: 301 729-8486
Fax: 301-729-6968
E-mail: acrawford@MDOT SHA.state.md.us

With a copy to:

MDOT SHA Agreements Team
Office of Procurement and Contract Management
State Highway Administration
Mail Stop C-405
707 N. Calvert Street
Baltimore MD 21202
Phone: 410-545-5636
Fax: 410-209-5025
E-mail: SHAAgreementsTeam@SHA.state.md.us

**MARYLAND DEPARTMENT OF
TRANSPORTATION
STATE HIGHWAY ADMINISTRATION**

WITNESS:

By: _____ (SEAL)

Tim Smith, P.E. Date
Deputy Administrator/Chief Engineer
for Operations

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

RECOMMENDED FOR APPROVAL:

Assistant Attorney General

Jason Ridgeway, P.E.
Deputy Administrator/Chief Engineer
for Planning, Engineering, Real Estate, and
Environment

William Bertrand
Director
Office of Finance

Attest :

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

Krista L. Hart, County Clerk

By: _____ (SEAL)
Jeffrey A. Cline, President Date _____

Approved for Execution:

Scott Hobbs, P.E., Director of Engineering

Approved as to form and legal sufficiency:

Kirk C. Downey
County Attorney

DRAFT

Exhibit No. 1



MARYLAND STATE HIGHWAY ADMINISTRATION
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. **Compliance with Regulations:** The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

DRAFT

MARYLAND STATE HIGHWAY ADMINISTRATION
APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).



Agenda Report Form

Open Session Item

SUBJECT: Eastern Boulevard Widening

PRESENTATION DATE: September 25, 2018

PRESENTATION BY: Scott Hobbs, Director, Division of Engineering

RECOMMENDED MOTION: Move to accept a state funding contribution for Eastern Boulevard improvements at Jefferson Boulevard (MD 64) for a not to exceed amount of \$1,800,000 for construction and \$190,000 for design work as written in the agreement and to approve a proposed a budget adjustment in the amount of \$190,000 for the design contribution.

REPORT-IN-BRIEF: The County is receiving a funding contribution from the Maryland Department of Transportation State Highway Administration (MDOT SHA) for work at Eastern Boulevard and Jefferson Boulevard (MD 64). MDOT SHA has requested that their upcoming intersection improvements at Jefferson Boulevard (MD 64) be part of the Eastern Boulevard Phase I project to reduce the impact to the traveling public.

DISCUSSION: Phase I of this project involves the widening of Eastern Boulevard from Jefferson Boulevard to Security Road. The County will be reimbursed by MDOT SHA for design and construction costs relating to the improvements at Jefferson Boulevard (MD 64). The work will include widening from two lanes to four lanes on Eastern Boulevard and providing additional turn lanes on Jefferson Boulevard (MD 64) with traffic signal upgrades. Storm water management will be provided by utilizing an existing regional pond and construction of bioretention areas. Eastern Boulevard carries an estimated 20,000 vehicles per day and will maintain the posted speed limit of 40 mph. Lane shifts will occur to facilitate construction and the project will be subject to flagging operations during the work day with lanes open through the work zone during non-work periods.

FISCAL IMPACT: This is a budgeted Capital Improvement Plan (CIP) project (RDI040). The County will be reimbursed for an amount not to exceed \$1,800,000 for construction and for an amount not to exceed \$190,000 for the design.

CONCURRENCES: Kim Edlund, Director, Office of Budget and Finance, and John Martirano, County Attorney

ALTERNATIVES: N/A

ATTACHMENTS: Aerial Map, Agreement

AUDIO/VISUAL TO BE USED: N/A



Washington County, Maryland Budget Adjustment Form

Print Form

- Budget Amendment - Increases or decrease the total spending authority of an accounting fund or department
- Budget Transfer - Moves revenues or expenditures from one account to another or between budgets or funds.

Transaction/Post -Finance

Deputy Director - Finance Digitally signed by Kelcee Mace
Date: 2019.05.03 08:37:11 -04'00'

Preparer, if applicable

Department Head Authorization Digitally signed by Scott Hobbs
Date: 2019.05.03 14:00:18 -04'00'

Division Director / Elected Official Authorization Digitally signed by Scott Hobbs
Date: 2019.05.03 14:00:37 -04'00'

Budget & Finance Director Approval

County Administrator Approval

County Commissioners Approval

Required approval with date

If applicable with date

Required approval with date

Required approval with date

Required > \$ 25,000 with date

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) + / -
498710	30	11620	RDI042		0000	Capital Transfer - General	-1,200,000
498410	30	11620	RDI042		0000	Capital Grant - State	1,200,000

Explain Budget Adjustment

To accept an additional \$1.2 Million from the state for Eastern Boulevard project which will pay for intersection improvements at Jefferson Boulevard.

Required Action by County Commissioners No Approval Required Approval Required Approval Date if Known

Eastern Boulevard





Agenda Report Form

Open Session Item

SUBJECT: Fuel Center Improvements at Sheriff's Office / Detention Center

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Scott Hobbs, Director, Division of Engineering

RECOMMENDED MOTION: Move to approve a budget adjustment in the amount of \$65,000 for fuel center improvements at the Sheriff's Office / Detention Center.

REPORT-IN-BRIEF: Improvements are required for the fuel center at the facility as part of the Maryland Department of the Environment (MDE) Oil Control Program. This will include cathodic protection to underground piping and compatibility improvements to the computer system. These improvements will extend the service life of the facility.

DISCUSSION: The MDE Oil Control Program regulates oil-related activities in the State, such as above-ground and underground storage facilities. Underground system deficiencies at this facility have been identified by the MDE Oil Control Program.

FISCAL IMPACT: Budget transfer of \$65,000 from Detention Center – Systemic Projects (BLD089) to a new project, Fuel Center Repairs – Sheriff's Office / Detention Center (EQP066).

CONCURRENCES: Chief Financial Officer, Sheriff Mullendore

ALTERNATIVES: N/A

ATTACHMENTS: Budget Adjustment Form, Aerial Map

AUDIO/VISUAL TO BE USED: N/A



Washington County, Maryland Budget Adjustment Form

Print Form

- Budget Amendment - Increases or decrease the total spending authority of an accounting fund or department
- Budget Transfer - Moves revenues or expenditures from one account to another or between budgets or funds.

Transaction/Post -Finance

Deputy Director - Finance Digitally signed by Kelcee Mace Date: 2019.02.07 10:58:51 -05'00'

Preparer, if applicable

Department Head Authorization

Scott Hobbs Digitally signed by Scott Hobbs Date: 2019.05.03 11:07:27 -04'00'

Division Director / Elected Official Authorization

Doug Mullendore Digitally signed by DougMullendore Date: 2019.02.13 10:51:32 -05'00'

Budget & Finance Director Approval

County Administrator Approval

County Commissioners Approval

Required approval with date

If applicable with date

Required approval with date

Required approval with date

Required > \$ 25,000 with date

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) + / -
498710	30	11320	BLD089		0000	Capital Transfer - General Fund	-65,000
599999	30	11320	BLD089		OTHR	Detention Center Systemic	-65,000
498710	30	11620	EQP066		0000	Capital Transfer - General Fund	65,000
599999	30	11620	EQP066		CNST	Fuel Center Repairs- Sheriff's Office/Detention Cente	65,000

Explain Budget Adjustment

A separate project was created for the Sheriff's Office Fuel Center repairs. The funding will be provided from the Detention Center Systemic project. This adjustment will move the FY19 appropriated funds for the Fuel Center into the new project.

Required Action by County Commissioners

No Approval Required

Approval Required

Approval Date if Known

Sheriff's Office / Detention Center Fuel Upgrades





Open Session Item

SUBJECT: Third Quarter Adjustments to the Washington County Board of Education's FY2019 General Fund Budget

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Jeffrey Proulx, Chief Operating Officer, WCPS and David Brandenburg, Executive Director of Finance, WCPS

RECOMMENDED MOTION: Move to approve the requested third quarter adjustments to the Board of Education's FY2019 General Fund Budget.

REPORT-IN-BRIEF: The Annotated Code of Maryland requires local school systems to periodically re-forecast their financial needs and make necessary changes to their budgets. To that end, the Washington County Board of Education approved the attached list of changes to its FY2019 General Fund Budget at its May 7, 2019 meeting.

DISCUSSION: Several of the changes that the Board of Education approved on May 7, 2019 cross major categories. Therefore, these requested adjustments must also be approved by the Board of County Commissioners. The Board of Education has asked its Finance staff to review the requested budget changes with the Commissioners and answer any questions that they may have.

FISCAL IMPACT: None. These proposed modifications merely adjust the budget to allow for proper categorization of revenues and expenses.

CONCURRENCES: The Board of Education's Finance Committee reviewed the proposed adjustments at their meeting on April 30, 2019, and recommended them for approval by the full Board. The Board of Education unanimously approved these changes at their May 7, 2019 meeting.

ALTERNATIVES: None

ATTACHMENTS:

- Proposed third quarter budget adjustments for the Washington County Board of Education's FY2019 General Fund Operating Budget.

AUDIO/VISUAL NEEDS: None

**Washington County Public Schools
Third Quarter FY2019 Budget Adjustments**

Category	Value	The primary reason for variance is:
Revenue	131,000	Increased interest income, tuition from non-resident students, and State funding for teacher incentives
Administration	181,040	Higher indirect cost recovery from grants due to higher rate, savings in testing services and materials
Student Personnel Services	17,919	Savings in overtime, additional pay, and travel
Student Health Services	89,755	Vacancies and estimated savings in contracted services
Maintenance of Plant	124,555	Vacancies
Fixed Charges	760,000	Savings in termination payments of accumulated leave, as well as employer health contributions based on enrollment
Total Expense Reductions/Additional Revenue	<u>1,304,269</u>	
Mid-Level Administration	40,040	Higher school communications/broadband costs, partially offset by vacancies
Instructional Textbooks and Supplies	580,773	Pre-K materials and literacy materials classroom libraries
Other Instructional Costs	84,278	Instructional equipment and transfers for Essence program
Special Education	112,920	Higher contracted services for interpreters, therapists, etc...
Student Transportation Services	131,280	Higher diesel fuel prices and parts needed for repairs
Operation of Plant	324,978	Technology infrastructure costs
Food Services	30,000	Needed for adjustments to student accounts
Total Expense Increases/Reduced Revenue	<u>1,304,269</u>	
Net Effect on Fund Balance	0	

Washington County Public Schools
Summary of FY2019 Budget Adjustments by Quarter

Category	Increase/(Decrease)				
	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Full Year
Revenue		\$99,420	\$131,000		\$230,420
Administration	(60,000)	(161,750)	(181,040)		(\$402,790)
Mid-Level Administration	(33,909)	(33,665)	40,040		(\$27,534)
Instructional Salaries	136,410				\$136,410
Instructional Textbooks and Supplies	(43,415)		580,773		\$537,358
Other Instructional Costs	96,324	110,159	84,278		\$290,761
Special Education			112,920		\$112,920
Student Personnel Services		(121,320)	(17,919)		(\$139,239)
Student Health Services			(89,755)		(\$89,755)
Student Transportation Services		237,930	131,280		\$369,210
Operation of Plant	50,000	613,040	324,978		\$988,018
Maintenance of Plant		(47,790)	(124,555)		(\$172,345)
Capital Outlay		(10,715)			(\$10,715)
Food Service		30,000	30,000		\$60,000
Fixed Charges	(145,410)	(516,469)	(760,000)		(1,421,879)
Undesignated Fund Balance Change	\$0	\$0	\$0	\$0	\$0

Note: An increase in the revenue budget has the same effect as a decrease in the expense budget. They are both positive. Therefore, when adding the column, one must reverse the sign on the requested change in revenue.



Open Session Item

SUBJECT: Solid Waste Supervisor Consolidation Plan

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Daniel Divito, Director, Division of Environmental Management; David A. Mason, P.E. Deputy Director, Division of Environmental Management

RECOMMENDED MOTION: Motion to approve the consolidation plan and to internally advertise the Operations Supervisor position

REPORT-IN-BRIEF: Division Staff continues to evaluate every opportunity to increase efficiency while controlling/decreasing operational costs. Due to a retirement in January and the consolidation of Assistant Director and the Operations Supervisor/Recycling Coordinator positions, we are recommending the promotion of Mr. Tony Drury to Superintendent of Landfill and Recycling Operations (Grade 15). In addition, we are requesting to internally advertise for an Operations Supervisor (Grade 11); this position will consolidate the current position of Weigh Clerk with additional supervisory responsibilities.

DISCUSSION: The Maryland Department of the Environment (MDE) requires a supervisor to be on site at all time during landfill operations. We have determined that level of supervision requires a minimum of three (3) supervisory positions. It is anticipated we will be able to accomplish this with current Solid Waste personnel. To satisfy this requirement we are recommending the following:

The position of Superintendent will consolidate responsibilities of both the former Assistant Director and the current Recycling Coordinator and because the additional duties are currently being performed by Tony Drury (Grade 14), Mr. Drury will be promoted to Superintendent Grade 15.

The Operation Supervisor position will combine a current Weigh Clerk responsibility with Supervisory responsibilities. The current weigh clerks will be the best qualified candidates for the position, so the position will be advertised internally. This position, when filled, will help to facilitate supervisory coverage as required by our permit. The overall Consolidation Plan as proposed will reduce the number of office staff by one full time position and produce additional savings totally approximately \$71,426 per year.

FISCAL IMPACT: Savings as outlined.

CONCURRENCES: County Administrator, CFO, HR Director

ALTERNATIVES: Amendment offered by Commissioner Keefer would upgrade current weigh clerk, grade 8, to Operations Supervisor, grade 11, and backfill the Weigh Clerk's position, grade 8, by upgrading a part time weigh clerk to full time. The amendment changes the fiscal impact from savings of \$71,426 to \$15,905 a difference of \$55,521. This savings assumes the part time position is eliminated. If the part time position is also backfilled, the fiscal impact changes to a savings of only \$7,875 or a difference of \$63,551.

ATTACHMENTS: Job Description



JOB TITLE:	Operations Supervisor	GRADE	11
DEPARTMENT:	Solid Waste	FLSA STATUS:	Non-Exempt
REPORTS TO:	Deputy Director of Solid Waste		

GENERAL DEFINITION OF WORK:

Performs difficult technical and intermediate administrative work supervising employees at a lined municipal solid waste landfill and several transfer stations to local, state and federal regulations which include overseeing permit sales, inspecting and weighing waste and billing all accounts. Coordinates landfill activities and acts as supervisor in the absence of the Superintendent of Landfill Operations. Direction is provided by the Deputy Director. Supervision is exercised over subordinate personnel.

ESSENTIAL FUNCTIONS/TYPICAL TASKS AS OPERATIONS SUPERVISOR:

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Answers questions arising about business waste, scale operations concerns' and employee issues. Oversees scheduling of landfill employees. Schedules employee vacation to keep operation running smoothly.
2. Ensures accuracy of all scale house records and cash receipts accounting. Assists with scale house operations as required.
3. Oversees the disposal of municipal, commercial and industrial wastes, performing appropriate tests and working with management to resolve any potential problems.
4. Works with local business on special waste for all kinds of different material. Reviews test results before delivery. Performs free liquids test before disposal. Inspects material.
5. Completes interview for hire of new employees with the Superintendent and Deputy Director. Recommends appropriate candidate for hire. Performs employee's evaluations on subordinates. Trains new employees.
6. Performs first step grievance procedures with union employees. Works with union President on daily basis to resolve issues as arise before first step is needed.
7. Meet with Department of Environment Inspector to discuss landfill activities. Ensures operating permit is maintained and that the landfill is built as designed.
8. Answers telephone, listens to and resolves complaints. Explains landfill regulations to residents and businesses.
9. Assures all activity falls within the Maryland Department of Environment (MDE) guidelines to include contractors working outside permit hours, assuring patrons are off site at closing, conducting compliance inspections with MDE, etc.
10. Investigates accidents, incidents and completes all necessary reports for Human Resources.
11. Assists with schedules and supervises Weigh Clerks, attendants and temporary employees, at scale house locations and drop off sites; tracks and reports hours worked/leave usage and conducts performance evaluations.
12. Weighs and records solid waste. Enters data concerning vehicles entering and leaving, including account number, material code, charges, gross and tare weight, etc. Generates ticket for customers from computer print-out, or manually. Collects fees and makes change for cash customers.
13. Issues refuse permits.
14. Opens and closes scale house.
15. Runs daily accumulative reports, enters new accounts and information into the computer for records.
16. Maintains inventory of supplies for scale operation.
17. Answers questions concerning weights and tickets with the ability to deal courteously and tactfully with the public.
18. Initiates tonnage reports, records and other correspondence as directed.
19. Verifies all cash receipts and transmittals daily/weekly.

20. Directs traffic to proper unloading area. Ensures unloading areas are kept neat and orderly.
21. Visually inspects loads of waste and observes for unacceptable waste. Estimates weight of vehicles based on experience in the event the scales would be out of operation.
22. Maintains recycling drop off sites, picks up material around sites, moves material to ensure a clean and safe environment.
23. Performs related work as required.

KNOWLEDGE, SKILLS AND ABILITIES:

General knowledge of the operation of a weigh station; general knowledge of transfer station policies; some knowledge of recycling operations; general knowledge of basic clerical and office procedures; ability to use calculator in making simple arithmetic calculations; ability to write legibly and make written reports; ability to use computer system; ability to maintain detailed records; ability to establish and maintain effective working relationships with associates and the general public.

EDUCATION AND EXPERIENCE:

Any combination of education and experience equivalent to graduation from high school and some general office assistance experience. Prior weighing experience desirable.

PHYSICAL REQUIREMENTS:

This is work requiring the exertion of 50 to 80 pounds of force occasionally, up to 10 pounds of force frequently, and a negligible amount of force constantly to move objects; work requires stooping, kneeling, reaching, standing, walking, pulling, lifting, fingering, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for depth perception, color perception, peripheral vision, preparing and analyzing written or computer data, use of measuring devices, operation of machines, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is subject to inside and outside environmental conditions, extreme cold, noise, atmospheric conditions, and oils. The worker may be exposed to blood borne pathogens and may be required to wear specialized personal protective equipment.

SPECIAL REQUIREMENTS:

Possession of an appropriate valid driver's license, CDL License preferred. Ability to work six (6) days a week (minimum 48 hour/week operation).

3/2019

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.



JOB TITLE:	Superintendent of Landfill and Recycling Operations	GRADE	15
DEPARTMENT:	Solid Waste	FLSA STATUS:	Non-Exempt
REPORTS TO:	Deputy Director of Solid Waste		

GENERAL DEFINITION OF WORK:

Performs responsible professional and administrative functions developing, implementing and coordinating a County wide recycling program; managing the County sponsored recycling programs related to compliance with numerous environmental codes; and meeting the recycling goals as defined by the Maryland Recycling Act. Coordinates landfill activities with Operation Supervisor. Direction is provided by the Deputy Director. Supervision is exercised over subordinate personnel.

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Design, implement and manage a variety of County-wide recycling and waste reuse/reduction programs for residential and business customers.
2. Develop and administer a County-wide public education programs on recycling and related solid waste and environmental programs, including educational materials that match curriculum guidelines for teachers,
3. Advises residents/businesses/industries on waste reduction, recycling and solid waste disposal options.
4. Analyzes solid waste and recycling data from business, industry, and government.
5. Supervises monitoring/care of remote and on-site recycling drop off sites, including areas for used motor oil/antifreeze, auto batteries, tires, metals, and cardboard, and composting and mulching operations.
6. Prepares reports required by the Maryland Department of the Environment and for departmental purposes.
7. Provides input and direction in the preparation of the County's Solid Waste and Recycling Plan.
8. Monitors County recycling services contracts. Participates in drafting/reviewing policy for the County's Solid Waste Department.
9. Organizes and manages special recycling and solid waste events. Leads tours of solid waste and recycling facilities. Represents the County as a guest speaker on solid waste/recycling issues.
10. Serves as a liaison for County as directed on related committees.
11. Develops and purchases advertisements and prepares news releases for media. Markets products from composting/mulching operation.
12. Prepares and maintains database of disposal/recycling/waste reduction options for staff and community use.
13. Prepares budgets and requests for proposals.
14. Collaborates with regional Maryland Department of the Environment staff concerning regulatory compliance.
15. Compiles annual reports and submit to State Department of the Environment.
16. Ability to work evenings and weekends as required to perform outreach to the recycling community.
17. Search, apply and institute grants for various Solid Waste and Recycling programs. Prepares reports for Grant Agencies per grant requirements.
18. Interacts with the local business community and residential customers regarding landfill regulations and policies; enforces these regulations and attempts to resolve any complaints/problems.
19. Assures all activity falls within the Maryland Department of Environment (MDE) guidelines to include contractors working outside permit hours, assuring patrons are off site at closing, conducting compliance

- inspections with MDE, etc.
20. Responsible for keeping MSDS book on site up to date and check equipment and facilities for safety.
 21. Investigates accidents, incidents and completes all necessary reports for Human Resources.
 22. Answers questions arising about business waste, scale operations concerns and employee issues.
 23. Assists with interviews and recommendations for hire of new employees. Assists with training of new employees.
 24. Performs related tasks as required.

KNOWLEDGE, SKILLS AND ABILITIES:

Thorough knowledge of the practices and techniques of recycling and clean community programs; thorough knowledge of program objectives, procedures and organization; general knowledge of modern office practices, procedures and equipment; ability to devise detailed procedures and methodologies; ability to plan and organize the work of volunteers; ability to communicate ideas effectively, both orally and in writing; ability to prepare reports and records; ability to establish and maintain effective working relationships with associates and the general public.

EDUCATION AND EXPERIENCE:

Possession of an Associate's Degree in Environmental Science, Environmental Management, or a related field, bachelor's degree is preferred; considerable experience in developing and/or managing recycling or waste reduction programs in the public or private sector; experience working with community groups.

PHYSICAL REQUIREMENTS:

This is light work requiring the exertion of up to 20 pounds of force occasionally, up to 10 pounds of force frequently, and a negligible amount of force constantly to move objects; work requires standing, pushing, pulling, fingering, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for depth perception, color perception, preparing and analyzing written or computer data, use of measuring devices, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is not subject to adverse environmental conditions.

SPECIAL REQUIREMENTS:

Possession of an appropriate valid driver's license. Possession of a certification in Managing Municipal solid Waste Recycling Systems, Managing Composting Programs, or similar, or ability to obtain within 2 years of employment.

Revised: 9/2016, 1/2019

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.



Open Session Item

SUBJECT: Director of Health and Human Services Advertisement with naming alignment

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: Robert Slocum, County Administrator

RECOMMENDED MOTION: Approve to rename the Health and Human Services Division to Human Resources Division and advertise the vacant position of Director as such.

REPORT-IN-BRIEF: It has been suggested that the Recreation and Fitness Department be moved from the Division of Health and Human Services (HHS) to the Division of Public Works (DPW) to streamline planning and programming of resources. To do so will require clarification in the now vacant Director position, prior to advertisement of the vacant position.

DISCUSSION: The renaming of HHS and advertisement of the Director as proposed will allow for further and future consideration. That is to rename "Recreation and Fitness" to "Parks and Recreation" and move it to DPW. The future move would accommodate the growing need to align recreational activities with recreational parks.

County Parks and Black Rock Golf Course stand to benefit from a Parks and Recreation Department under a single leader, such as the current leader of Recreation and Fitness.

Regardless, the most pressing matter, if necessary, is modification of the current HHS name and Director job description so that it may be accurately advertised as soon as possible. The name change in position has been suggested by the former Director to better resemble the position and enhance recruiting. The proposed change will also accommodate, future considerations above.

FISCAL IMPACT: There is no measurable cost associated with the change

CONCURRENCES: N/A

ALTERNATIVES: Keep Division and future organizational structure as is

ATTACHMENTS: Proposed Job Description

AUDIO/VISUAL NEEDS: N/A



JOB TITLE: Director of ~~Health and~~ Human Resources Services **GRADE:** 18

DEPARTMENT: ~~Health and~~ Human Resources Services **FLSA STATUS:** Exempt

REPORTS TO: County Administrator

GENERAL DEFINITION OF WORK:

Professional position responsible for planning, implementation, and direction of Health and Human Services functions which includes supervision of the Deputy Director of Human Resources ~~and Director of Fitness and Recreation~~. The Director of Health and Human Services will be responsible for management of EEOC requirements in conjunction with the County Attorney; employee classification and compensation evaluation and management; performance evaluation system management; benefits administration; labor relations; negotiations and contract administration; employee relations, development, and training; safety and risk management, Health and Wellness programs and workers compensation. Direction is provided by the County Administrator.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Works with elected officials, the County Administrator and County Attorney on a wide variety of issues dealing with County operations.
2. Responsible to assure that all ~~County Commissioners, senior staff and all other~~ county staff and elected officials receive training to meet and improve workplace productivity and professionalism standards.
- ~~3. Directs the operation of the Human Resources and Fitness & Recreation Departments.~~
- 4.3. Reviews and responds to general correspondence, including preparing correspondence on vendor's issues for the County Administrator and the County Commissioners.
- 5.4. Maintains open lines of communication with all ~~C~~county staff, elected officials, community organizations and other stakeholders particularly as it relates to issues of Health and Human Services.
- 6.5. Participates in preparing fiscal year budgets. Previews requests for and presents recommendations to the Administrator and Board of County Commissioners on new positions, reclassifications and miscellaneous matters.
- 7.6. Participates in County strategic planning process and has primary responsibility for recommending organizational changes to the County Administrator and County Commissioners.
- 8.7. Coordinates, develops, revises and updates policies, procedures, job descriptions, employee handbook and other requirements specific to Health and Human Services.
- 9.8. Performs related tasks as required.

KNOWLEDGE, SKILLS, AND ABILITIES:

Comprehensive knowledge of the philosophy, principles and practices of public personnel administration such as the accepted methods and practices of classification and pay, testing and selection and insurance administration, Retirement and other county benefits; comprehensive knowledge of governmental organization and administration; ability to communicate ideas effectively, both orally and in writing; knowledge and ability to bargain union contracts; ability to conduct detailed analytical evaluations and studies, and to prepare related reports and recommendations; ability to establish and maintain effective working relationships with County officials, supervisors, associates and the general public.

EDUCATION AND EXPERIENCE:

Possession of a Bachelor's Degree from an accredited college or university with major course work in human resource management, business management or related field and management or supervisory experience. Master's Degree in a related field preferred.

PHYSICAL REQUIREMENTS:

Physical capability to effectively use and operate various items of office related equipment, such as, but not limited to a personal computer, calculator, copier, phone and fax machine. No significant standing, walking, moving, climbing, carrying, bending, kneeling, crawling, reaching, and handling, pushing, and pulling.

SPECIAL REQUIREMENTS:

Certified Human Resource Professional - PHR or SHRM-CP or ability to receive this certification within 6 months; Washington County, MD residency (or ability to meet residency requirement within six (6) months of appointment); possession of a valid driver's license.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.

Human Resources: 6/18

RS 5/19



Open Session Item

SUBJECT: Smithsburg EMS Request for Assistance

PRESENTATION DATE: May 14, 2019

PRESENTATION BY: R. David Hays, Director, Division of Emergency Services (DES), Robert Moncrief, President, Washington County Volunteer Fire and Rescue Association (WCVFRA) and Joanie Gerber, President, Smithsburg EMS

RECOMMENDATION: That the Division of Emergency Services, the Offices of Budget and Finance, Human Resources and the County Administrator, along with the Washington County Volunteer Fire and Rescue Associations Executive Leadership (WCVFRA) immediately begin working with Smithsburg EMS to further reduce expenses. These efforts will work to extend the existing Smithsburg EMS revenues until a long-term solution can be developed and implemented. The steps outlined above are necessary to meet the operational needs and ensure the continued and uninterrupted delivery of emergency medical services to the Town of Smithsburg and surrounding communities.

REPORT-IN-BRIEF: On Tuesday May 7, 2019, Washington County Emergency Services Director Hays received a communication from Assistant Chief Ward Fleger of the Smithsburg Emergency Medical Services. The request expressed a need for the Director to call him concerning an emergency Board of Directors Meeting being held at that time. During the phone call, Director Hays was informed by the Board of Directors of Smithsburg EMS that they needed immediate assistance from the County relative to revenues, expenses and the continuation of service delivery.

DISCUSSION: During the May 7th phone conversation, Director Hays advised the Board of Directors that a letter should be drafted detailing the information provided to the Director and any additional information that has affected or contributed to the current situation.

FISCAL IMPACT: Unknown

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Letter from Smithsburg Emergency Medical Services



**Smithsburg
Emergency
Medical
Services, Inc.**

P.O. Box 411
Smithsburg, Maryland 21783

Web: www.SLMS79.org

Phone: 301.824.3314

Fax: 888.557.6158

To: Washington County Board of Commissioners

As President of the Board of the Smithsburg Emergency Medical Services, I am writing to inform you of our need for immediate funding. At our May 7th Emergency Board meeting we voted to solicit the assistance of the Washington County Board of Commissioner's. We currently have only enough money to cover next payroll. Our coffers will then be completely depleted and we will be forced to close our doors. We will have no additional funds for payroll or other expenses. We have tried to honor the county MOU concerning matching pension contributions but have now seen our funds depleted.

We have recently had one of our staff members leave and another key member of our team has informed us that they are looking to leave as well. The uncertainty of a stable funding source has many of our staff concerned about their future positions with us. The EMS board is also aware that there are internal issues that we need to resolve. We are working to rectify that situation by seeking outside accounting support to make sure it does not happen in the future. We have hired SEK and Company and will continue to operate as transparently as possible I have included SEK's recommendations. We are following all of their suggestions regarding accounting practices. I recently received full access to all SEMS bank accounts. Director Hayes was contacted during our meeting on May 7th and has been given full access to all of SEMS accounts and records. We are prepared to do an audit.

Of course, our first priority is our community. We desperately want to continue to provide high quality medical care and services to the Smithsburg community and surrounding area. The men and women of SEMS have an excellent reputation for patient care. It is our hope to resolve this matter as quickly as possible and continue to serve the residents of Smithsburg and the surrounding community.

Thank you for your time and consideration.

Joanie Gerber
President SEMS