

**BOARD OF COUNTY COMMISSIONERS OF
WASHINGTON COUNTY, MARYLAND
Open Session Minutes**

July 17, 2018

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner John F. 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 8:36 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.

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Commissioner Myers, moved to convene in closed session at 8:36 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 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), (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 a number of specific employment recommendations with staff, discussed several specific ongoing personnel matters with staff and counsel; discussed and received advice/information on a matter that may lead to legal action; and considered several proposals from companies hoping to locate or expand in the County/State.

During closed session, the Commissioners provided guidance to staff regarding a number of employment recommendations and vacancies; provided direction regarding several ongoing personnel matters, including a request for additional information on one matter; provided guidance to staff relating to a matter that may potentially lead to litigation; and provided direction to staff relating to several proposals received from companies hoping to locate and/or expand in the County/State.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, Wayne K. Keefer, and LeRoy E. Myers Jr. Also present were Robert J. Slocum, County Administrator; Krista L. Hart, County Clerk; John M. Martirano, County Attorney, and at various times Kendall McPeak, Assistant County Attorney; Jim Hovis, Chief Operations Officer; Deb Peyton, Deputy Director, Human Resources; Mark Bradshaw, Deputy Director of Engineering Services and Dan DiVito, Deputy Director of Water Quality, Division of Environmental Management; Jim Sterling, Director of Public Works, and Sara Greaves, Chief Financial Officer, Budget and Finance.

RECONVENE IN OPEN SESSION

Commissioner Barr, seconded by Commissioner Keefer, moved to reconvene in open session at 11:03 a.m. The motion passed unanimously.

MARYLAND ASSOCIATION OF COUNTIES (MACo) VISIT

Michael Sanderson, Executive Director, MACo, Jerry Walker, MACo President, and Kevin Kinnally, MACo Policy Associate, presented a State legislative and budget update, and provided an opportunity to discuss concerns and/or issues regarding State policy, conferences and events. Michael Sanderson touched on various legislative issues, budget, and what occurred at the State level, in addition to how it has or may affect Washington County. He also discussed the issue of cost shifting from the State Department of Assessments and Taxation to the local governments of nearly \$20 million annually beginning FY2019, stating that this would have required that the counties fund functions over which they had no managerial control. In addition, he mentioned that, under the new 5-year plan, State funding for local roads will nearly double for FY2020 – FY2024.

Jerry Walker discussed how the MACo Summer Conference will focus on ways the counties work with water, “Water, Water Everywhere.” He added that there will be a Tech Expo on Wednesday at the start of the event and will focus on the latest technology for county governments. Mr. Walker stated that the conference will end on Saturday with an address from Governor Hogan regarding his plans and perspective for the upcoming General Assembly Session.

Kevin Kinnally explained the role of the Commission on Innovation and Excellence in Education Task Force that is responsible for making recommendations on changes to formulas and teacher requirements/training. In addition, he discussed several items of interest regarding the Task Force agenda and stated that they have released preliminary numbers for schools to offer pre-kindergarten classes to at-risk 3- and 4-year-old children.

Mr. Kinnally also briefly discussed the upcoming Next Gen 911, which will greatly improve location accuracy of 911 callers, and allow texts, videos, and other methods of reaching emergency communication 911 centers.

President Baker thanked the MACo representatives for their time and the update. Commissioner Barr also thanked MACo representatives for travelling to Western Maryland and the time they have given to Washington County.

CITIZENS’ PARTICIPATION

None

COMMISSIONERS’ REPORTS AND COMMENTS

Commissioner Cline stated that Saturday, July 21, 2018 will be a Korean War remembrance ceremony at the Koreans Veterans Monument on South Potomac Street

(Ended Commissioners’ Reports and Comments; will continue later in the meeting)

CONTRABAND BUDGET TRANSFER

Sergeant Mark Price, Narcotics Task Force, requested approval to use funds which were received by the Narcotics Task Force upon seizure. Sgt. Price has requested an increase in the Contraband revenue and expense budget by \$161,830. He explained that the Narcotics Task Force worked a multi-state narcotics investigation where a large sum of money was seized. Due to the Washington

County Narcotics Task Force involvement in the investigation, the Task Force received a sum of \$97,419.97 from the seizure as the money was forfeited in a plea agreement in federal court. Also, an additional sum of \$64,407.85 had been seized from local narcotic investigations and was forfeited through plea agreements in the circuit court; these amounts total \$161,827.82. Sgt. Price stated that the Department plans to replace an SRT Box Truck with another vehicle for approximately \$50,000 and to purchase simunitions for the Sheriff's Office in the amount of \$29,000; the remaining dollars are not yet earmarked.

(Commissioner Barr left the meeting at 11:26 a.m.)

Commissioner Myers, seconded by Commissioner Keefer, moved to approve the budget transfer as presented. Per the request, the Contraband Revenue and Expense account will be increased by \$161,830. The motion passed unanimously. (4-0, Commissioner Barr was absent)

(Commissioner Barr returned to the meeting at 11:29 a.m.)

WASHINGTON COUNTY GOES PURPLE CAMPAIGN

Council Woman Emily Keller requested county participation in the Washington Goes Purple Campaign. Ms. Keller stated that the Washington Goes *Purple* Campaign requests that the Commissioners contribute \$2,400 for advertising the campaign on the County Commuter Buses. In addition, she asked that the Commissioners support the campaign by lighting as many of the County buildings purple as possible and by tying purple ribbons on County vehicles for the month of September. Ms. Keller explained that this campaign is an awareness program, as the opioid epidemic is growing across the quad state region and Washington County is severely impacted by the epidemic. She stated that educating youth on the use of pain killers and preventing the misuse of synthetic opiates are the only way out of the epidemic. Ms. Keller recommended Washington County employees purchase shirts to wear on Fridays, as "purple Friday." She also invited the Commissioners to a kickoff event at the City Park, August 31st at 7:00 p.m.

Commissioner Keefer, seconded by Commissioner Myers, moved to approve the request of \$2,400 for advertising on County Commuter buses, and to support the campaign by lighting several County buildings purple and to place purple ribbons on County vehicles. The motion passed unanimously.

BID AWARD (PUR-1382) LEASE TWO (2) NEW TRANSIT VEHICLES

Brandi Naugle, Buyer, Purchasing, and Kevin Cerrone, Director of Transit, requested approval to award the bid for PUR-1382, Option A to lease two (2) new latest production model gasoline engine transit vehicles for the Job Opportunity Bus Shuttle (JOBS) Program from the responsible, responsive bidder, Hagerstown Ford of Hagerstown, Maryland, with the lowest bid price of \$26,077.00 (1st annual lease payment in advance) per year for a total annual lease cost over a 3-year period of \$78,231.00, contingent upon approval of the final lease agreement by the County Attorney's Office. She stated that the department has leased vehicles for the JOBS program since 2001 using funds provided by the Washington County Department of Social Services. The proposed lease for these vehicles includes warranty coverage for 3 years/36,000 miles, bumper to bumper, powertrain 5 year/60,000 miles to be returned in "inspected" condition. Funds for this request are budgeted in the Transit Department's account number 535000-44-44020.

Commissioner Myers, seconded by Commissioner Barr, moved to award the bid for (PUR-1382) Option A to lease two (2) new, latest production model gasoline engine transit vehicles for the

JOBS program from the responsible, responsive bidder, Hagerstown Ford of Hagerstown, Maryland, with the lowest bid price of \$26,077.00 per year for a Total Annual Lease Cost over a 3-year period of \$78,231.00 contingent upon approval of the final lease agreement by the County Attorney's Office. The motion passed unanimously.

BID AWARD (PUR-1387) RECYCLING DROP-OFF CENTER SERVICES

Brandi Naugle, Buyer, Purchasing, and David Mason, Deputy Director of Solid Waste, requested approval to extend the contract currently in place for Recycling Drop Off Center Services until September 1, 2018 to give the new vendor the requested six (6) weeks from date of bid award to deliver all required equipment. Ms. Naugle also requested approval to award the contract for Recycling Drop-Off Center Services (PUR-1387) to the responsive, responsible bidder, Apple Valley Waste of Maryland, Kearneysville, West Virginia, for Dual Stream Roll-Off Containers in the amount of \$103,200 for the Drop-Off Center service and Segregated Cardboard Containers in the amount of \$10,400 for the total sum bid of \$113,600 for the first-year contract period. The contract is a 1-year contract commencing September 2, 2018 with an option by the County to renew for up to two (2) additional 1-year periods. The County shall only pay for trips as required; there is no annual guaranteed minimum or maximum number of trips. Funds are budgeted in the FY'19 proposed budget in the amount of \$74,400 under account number 515150-21-21200.

Commissioner Barr, seconded by Commissioners Myers, moved to extend the current contract in place for Recycling Drop-Off Center Services until September 1, 2018 and to award the bid for (PUR-1387) Recycling Drop-Off Center Services to the responsive, responsible bidder, Apple Valley Waste of Maryland, Kearneysville, West Virginia, beginning September 2, 2018, in the amount of \$103,200 for the Drop-Off Center service and Segregated Cardboard Containers in the amount of \$10,400 for the total sum of \$113,600, as presented. The motion passed unanimously.

BID AWARD (PUR-1388) CONTRACT SERVICES AT TRANSFER STATIONS AND ON-SITE AT FORTY WEST LANDFILL

Brandi Naugle and David Mason, Deputy Director, Department of Solid Waste, requested approval to award the contract services at transfer stations and on-site at the Forty West Landfill to the responsive, responsible bidder, Apple Valley Waste of Maryland, Kearneysville, West Virginia based on the total sum bid (transfer station location numbers 1 through 5) of \$312,550 plus Alternate No. 1 (cardboard transports at Forty West Landfill) \$6,000 for a total amount of \$318,550. Ms. Naugle stated that the contract is for a 1-year period, tentatively beginning August 1, 2018 with an option by the County to renew for up to three (3) additional consecutive 1-year periods, subject to written notice given by the County at least sixty (60) calendar days in advance of expiration. Additionally, the County guarantees neither a maximum/minimum of transports from each location under the contract. Funds are budgeted in the amount of \$307,280 in the Department's various operating expense accounts under account numbers 515190-21-21100 and 515190-21-21020.

Commissioner Myers, seconded by Commissioners Barr, moved to award the contract (PUR-1388) for Contract Services at Transfer Stations and On-Site at Forty West Landfill to the responsive, responsible bidder Apple Valley Waste of Maryland, Kearneysville, West Virginia, based on a Total Sum Bid (Transfer Location Nos. 1 through 5) \$312,550.00 plus Alternate No. 1 (cardboard transports at Forty West) \$6,000 for a total amount of \$318,550, as presented. The motion passed unanimously.

PERSONAL PROPERTY TAX WRITE-OFF PROCESS

Sara Greaves, Chief Financial Officer, Budget and Finance, and Todd Hershey, County Treasurer, requested approval for the Chief Financial Officer (CFO) to act on behalf of the County to sign off on the Personal Property Tax Write-off form. Ms. Greaves explained that, in accordance with Tax-Property Article, Title 4-401 of the Annotated Code of Maryland, the County is authorized to write-off personal property taxes when certain conditions exist. Further, it is a requirement that the Tax Collector, the Tax Collector's attorney, and an authorized official of the local governing body sign off on the form; request is made for the Commissioners to grant authority to the CFO to sign on behalf of the local governing body. Ms. Greaves stated that this process/request is limited to personal property tax only and does not include real property tax. She explained the process for collection of past due accounts by the Treasurer's Office, stating that following final legal demand for payment, the Treasurer's office would then file suit in September or October for past due accounts above a certain threshold. Once the Treasurer's office and legal representatives have exhausted all reasonable collection efforts, a review begins with the Treasurer and counsel to determine the accounts which are uncollectible. This information is shared with the CFO and once the CFO has completed the review of each account, the CFO would then sign the form, authorizing the Treasurer to write off the account.

Commissioner Barr, seconded by Commissioner Keefer, moved to grant authority for the Chief Financial Officer to sign on behalf of the local governing body with regards to the personal property tax write-off process as presented. The motion passed unanimously. (Resolution No. RS-2018-16 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

FABRICATED EXTRUSION COMPANY OF MARYLAND, LLC

Susan Small, Business Leader, Business Development, requested approval and adoption of a resolution endorsing of the State of Maryland's \$166,667 Maryland Economic Development Assistance Fund (MEDAF) loan and to provide a County \$50,000 conditional loan to Fabricated Extrusion Company of Maryland, LLC. Ms. Small stated that the State of Maryland Department of Commerce, under the Maryland Economic Development Assistance Authority, has agreed to conditionally loan Fabricated Extrusion Company of Maryland, LLC, or an entity acceptable to the Maryland Department of Commerce, the amount of \$166,667 from MEDAF. In accordance with Md. Code, Economic Development Article, Section 5-319(d), the County is required to endorse the making of the MEDAF loan for the project and to approve the required local match. It is understood that any incentive will have an impact on the Hotel Rental Tax Fund Revenue balance.

Commissioner Barr, seconded by Commissioner Myers, moved to approve and adopt the resolution for endorsement of the State of Maryland's \$166,667 MEDAF loan and to provide a County \$50,000 conditional loan as presented. The motion passed unanimously.

SENIOR CENTER ACTIVITIES CENTER CAPITAL IMPROVEMENT GRANTS PROGRAM – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARD FUNDING

Tina Wilson, Senior Grant Manager, Office of Grant Management, and Amy Olack, Executive Director, Commission on Aging, requested approval to submit an application for the Senior Citizen Activities Center Capital Improvement Grants Program in the amount of \$100,000 and to accept funding as awarded by the agency. The engineer's estimate for the proposed improvement is \$200,000. On June 19, 2018, the Commissioners approved \$90,000 of FY20 funding for the

project, which combined with \$10,000 funds raised by the Commission on Aging, will meet the matching fund requirement of at least a 50% local match as required by the Senior Citizen Capital Improvement Grant Program. As proposed, if the grant is awarded, \$90,000 of FY20 county funds will be utilized as match for the grant funded project. In addition, the County's insurance cost for the building may increase.

Commissioner Myers, seconded by Commissioner Keefer, moved to approve the submission of the application for the Senior Center Activities Center Capital Improvement Grants Program in the amount of \$100,000 and to accept funding as awarded by the agency. The motion passed unanimously. (Resolution No. RS-2018-17 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

ADOPTION OF COUNTY HAZARD MITIGATION PLAN

Tom Brown, Emergency Management Specialist, Division of Emergency Services, requested the adoption of the 2018 Updated Washington County Hazard Mitigation Plan. Mr. Brown explained that the process of updating the Washington County Hazard Mitigation Plan began in September of 2017 with Emergency Services, along with other County departments and local municipality representatives. The plan is required to be updated every five (5) years. The proposed updated plan has been sent to Maryland Emergency Management Agency and the Federal Emergency Management Agency and approval from both of those agencies have been received. This approval would allow Washington County the opportunity to receive future funding opportunities for hazard mitigation projects which, without an adopted plan, would require funds to be used from the general budget.

Commissioner Barr, seconded by Commissioner Myers, moved to adopt the 2018 Updated Washington County Hazard Mitigation Plan as presented. The motion passed unanimously. (Resolution No. RS-2018-18 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

JG BUSINESS LINK INTERNATIONAL – REQUEST FOR RESPONSE

Jim Sterling, Director of Public Works, discussed a request from JB Business Link International (JGBLI) received at the Board meeting on July 10, 2018 asking for a response to the following items: The Jangheung Clover Corporation proposed lease, the open Request for Proposal (RFP) process issue, and the County's attendance at the Global Infrastructure Cooperation Conference (GICC).

Regarding the RFP, Rob Slocum stated that Washington County staff, with the Board of Commissioners' consent, will proceed in coordination with JGBLI within and in accordance to the terms of the Master Developer Agreement dated November 15, 2016. Jim Sterling stated that the attendance question for the GICC has been resolved.

Commissioners recessed at 11:55 a.m.

The meeting reconvened at 12:05 p.m.

COMMISSIONER COMMENTS, (continued)

Commissioner Keefer expressed his desire to move the closed session to the end of the agenda if possible. He also stated that he has received numerous comments from concerned citizens regarding potential release of the two reports.

Commissioner Keefer, seconded by Commissioner Myers, moved to release the report with names and titles redacted. County Attorney John Martirano stated any release of these reports would be against his recommendation due to the confidential nature of the information contained therein. The motion passed with Commissioners Keefer, Myers and Baker voting "AYE" and Commissioners Cline and Barr voting "NAY".

REPORTS FROM COUNTY STAFF

County Administrator

Rob Slocum stated that after 18 years with Washington County, Debra Peyton will become the Director of Health and Human Resources, effective August 1, 2018, due to the retirement of Stephanie Stone. Ms. Peyton thanked the Commissioners and staff for the support.

Jim Hovis, Chief Operations Officer, requested permission to advertise for the position of Deputy Director of Human Resources, Grade 16, Step 1 \$64,397 per year due to the promotion of Debra Peyton to Director of Health and Human Resources.

Commissioner Barr, seconded by Commissioner Myers, moved to approve the advertising for the position of Deputy Director of Human Resources, Grade 16, Step 1 as presented. The motion passed unanimously.

President Baker stated the meeting will continue with a tour of South County flood damage prior to the Town of Sharpsburg Evening Meeting.

RECESS

The Commissioners recessed at 2:09 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 7:08 p.m. with the following members present: Vice President Jeffrey A. Cline, Commissioner John F. Barr, and Commissioner Wayne K. Keefer; Commissioner LeRoy E. Myers, Jr. was absent.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer thanked Mayor Spielman for hosting the evening meeting of the Commissioners. He also expressed gratitude for a successful Memorial Day parade in Sharpsburg.

Commissioner Cline also thanked the Town of Sharpsburg for the meeting. He stated that the Korean War Veteran Annual Celebration will be on July 21st at 7:00 p.m.

Commissioner Barr thanked the Town of Sharpsburg for the hospitality. He reminded citizens that the Ag Expo began this week and asked that everyone drive carefully. Commissioner Barr stated that he attended the MACo legislative meeting in Annapolis last week.

President Baker thanked the Town of Sharpsburg, and Mayor Spielman for the outstanding parade. He also stated that he and Commissioner Keefer toured South County so that they could see the progress being made by the County. In addition, President Baker stated that he was glad to hear a resolution was found regarding the Sharpsburg Elementary school entrance issue.

MAYOR AND COUNCIL COMMENTS

Mayor Hal Spielman thanked the Commissioners and Sheriff's Department for the speed cameras, as they have been very successful; he also thanked them for the Deputy Program, which should begin in a few months.

REPORTS FROM COUNTY STAFF

Scott Hobbs, Director of Engineering, offered a brief update on South County projects with regards to the clean-up efforts. He stated that Chestnut Grove Road should be opened by mid-August; still in preliminary phase for Back Road; working on alternate route for Garretts Mill Road at the bridge; Harpers Ferry Road is open, and one lane is open on Sandy Hook Road.

Rob Slocum, County Administrator, thanked all staff who was able to attend the Board of Commissioners' evening meeting.

CITIZENS PARTICIPATION

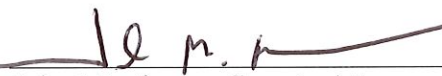
None

ADJOURNMENT


Commissioner Cline, seconded by Commissioner Keefer, moved to adjourn at 7:25 p.m. The motion passed unanimously (4-0, Commissioner Myers was absent)



Robert J. Slocum, County Administrator



John Martirano, County Attorney



Krista L. Hart, County Clerk