



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

*Open Session Minutes*

**April 16, 2019**

**MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

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

**CALL TO ORDER**

President Jeffrey A. Cline called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:01 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

**APPROVAL OF MINUTES**

March 26, 2019 and April 2, 2019

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the minutes of March 26, 2019, and April 2, 2019. The motion passed unanimously.

**CONVENE IN CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to convene in closed session at 10:02 a.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals, and to consult with counsel to obtain legal advice on a legal matter, in accordance with Sections 3-305(b)(1) and (7) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the potential appointment of specific individuals to a local services board over which the Commissioners have appointing authority; discussed the potential appointment of a specific individual to a local board over which the Commissioners have appointing authority; discussed specific individuals for employment recommendations with staff; and discussed a personnel matter involving a specific individual.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were Robert J. Slocum, County Administrator; Krista L. Hart, County Clerk; Kirk C. Downey, County Attorney; Kendall McPeak, Deputy County Attorney, and at various times Deb Peyton, Director, Health and Human Services; Dave Hays, Director, Emergency Services; Jen Swisher, Program Manager, Emergency Services; Dan DiVito, Director, Environmental Management; Sara Greaves, Chief Financial Officer; and Andrew Eshleman, Director, Public Works.

**RECESS**

The Commissioners recessed at 11:36 a.m.

**RECONVENE IN OPEN SESSION**

The Commissioners reconvened in open session at 3:00 p.m.

## **COMMISSIONERS' REPORTS AND COMMENTS**

Vice-President Baker discussed talking with Dan Spedden, Hagerstown-Washington Convention & Visitors Bureau, regarding a resolution with Joseph Jefferson.

Commissioner Keefer shared several events he attended over the past week to include a Tri-County Council Meeting, opening day ceremonies for Hancock Little League and Antietam Youth Athletic League, and an Open House for the Rural Heritage Museum. He also shared that County Clerk, Krista Hart, joined him in meeting with the Historical Advisory Committee to discuss plans for the upcoming (May 21<sup>st</sup>) John Frye awards; he shared his appreciation to Ms. Hart and the Public Relations team for the efforts.

Commissioner Wagner extended thoughts and prayers to the family of Dave Rider, who has passed away. He also attended the 30<sup>th</sup> Anniversary of the Black Rock Golf Course.

Commissioner Meinelschmidt extended thoughts and well-wishes to Keith Grunow, Chairman of the Board, Chamber of Commerce. He attended the Barbara Ingram School for the Arts performance of Momma Mia and shared that the rappel from the Alexander House building went well.

President Cline thanked the Commissioners for their involvement in the community. He attended the spaghetti dinner for Special Olympic Athletics.

## **REPORTS FROM COUNTY STAFF**

### **Health and Human Services Position Recommendations**

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

#### **MEO 2 – Southern Section Highway Department**

Mike McGill was hired for the position.

#### **Deputy Director of Water Quality**

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve hiring Jeremy Mose to the position of Deputy Director, Water Quality (Grade 17, Step 1, \$69,534). The position is vacant due to the promotion of Dan DiVito. The motion passed unanimously.

#### **Deputy Director of Public Works – Highway Department**

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to approve the promotion of Zane Rowe to the position of Deputy Director, Highway Department (Grade 18, Step 8, \$95,514). The position is vacant due to the retirement of Ed Plank and departmental reorganization. The motion passed unanimously.

#### **Division of Environmental Management**

Dan DiVito, Director shared that he attended a ceremony with First Energy and Public-School representatives; with Department of Labor, Licensing and Regulation. He was presented with \$1,000 to offset costs for training of junior apprentices. He also shared that since October 2018, the street sweeper has collected 236,000 pounds of debris from Washington County streets.

#### **Hotel Rental Grant Awards**

Susan Buchanan, Director, Office of Grant Management, advised the Commissioners of funding requests to be granted from the Hotel Rental Tax Fund that meet all the criteria considered for such funding. The first is \$3,000, which represents \$250/month for twelve (12) months, to fund Hagerstown Neighborhood Development Partnership unanticipated rental expenses. And second is \$2,000 to Sharpsburg Volunteer Fire Company to partially cover un-budgeted expenses incurred for emergency repair due to water intrusion into the lower level of their facility.

County Administrator

Rob Slocum met with Interim City Administrator and incoming City Administrator. He attended a tour at Tolson's Chapel in Sharpsburg. Additionally, he and members of the State and Town of Williamsport, attended a National Park Service meeting regarding the C&O Canal relocation.

**County Clerk – Appointment / Reappointment to Boards and Commissions:**

Emergency Services Advisory Council

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to waive the exception to the two-term-limit requirement, per Policy PR-22. Commissioner Wagner, seconded by Commissioner Keefer, moved to reappoint Robert "Dwayne" Lunsford to serve a third, three (3) year term as Commissioner Wagner's representative from April 1, 2019, through March 31, 2022. This is not a paid board. The motion passed unanimously.

**CITIZENS' PARTICIPATION**

Joseph Jefferson, 1321 Glenwood Avenue, Hagerstown, MD, shared information regarding the Hagerstown-Washington County Convention and Visitors Bureau.

**ESTABLISHMENT OF ANDREW MICHAEL FOREST MITIGATION BANK**

Travis Allen, Comprehensive Planner, Planning and Zoning, recommended approval for the Andrew Michael forest mitigation bank and recordation of the Deed of Conservation Easement. Mr. Allen provided a brief update regarding forest mitigation banks, adding that they are established to provide off-site mitigation for development projects that must offset regulated forest clearing under the terms of the Washington County Forest Conservation Ordinance. Mr. Allen stated that a Forest Mitigation Bank Easement and a Declaration of Maintenance and Inspection Covenants will be recorded for this application. The Planning Commission unanimously recommended approval of this bank on March 4, 2019.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the establishment of the forest mitigation bank as presented, and to record the deed of conservation easement. The motion passed unanimously.

**SOIL EROSION AND SEDIMENT CONTROL PLAN REVIEW FEE INCREASE**

Elmer Weibley, District Manager, Washington County Soil Conservation District (WCSCD), and Denise Price, Urban Program Director, WCSCD, brought forth a request for a fee increase for Soil Erosion and Sediment Control Plan review services, Pond As-Built approvals, and Field Inspection Services. Mr. Weibley stated that the increase would be effective July 1, 2019.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the plan review fee increase as presented. The motion passed unanimously.

(Resolution No. RS-2019-07 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

**INCREASE FOREST CONSERVATION EASEMENT PER ACRE PAYMENT TO PARTICIPATING PROPERTY OWNERS**

Mr. Weibley and Steve Goodrich, Director of Planning and Zoning, brought forth a request for an increase of the per acre forest conservation easement payment to participating private property owners as follows: Easements on existing forest current payment \$500, proposed payment \$1500; Easements on new planting within 300 feet of an intermittent or perennial stream current payment \$800, proposed payment \$2000; Easements on new planting beyond 300 feet of an intermittent or perennial stream current payment \$500, proposed payment \$1800. Mr. Goodrich explained the program which utilizes

“fee in lieu of forestation” payments from developers to plant new forest or protect existing forest. He shared that the cost to WCSCD to administer the program was increased from \$700 to \$900 in March 2019; therefore, an increase to property owners is warranted.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the forest conservation easement per acre payment as presented. The motion passed unanimously.

(Resolution No. RS-2019-08 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners’ Office.)

**BUDGET LINE ITEM FUNDING CONSIDERATION – WASHINGTON COUNTY  
MUSEUM OF FINE ARTS**

Lee Stine, Board of Trustees; James Holzapfel, Board of Trustees; and Rebecca Massie Lane, Director, Washington County Museum of Fine Arts (WCMFA) requested approval to add the WCMFA as an annual budget line item within the County’s budget and to provide funding of \$120,000 for Fiscal Year 2020. Ms. Lane explained that this approval would stabilize the WCMFA’s status as a State-Chartered “public museum” founded as part of the Code of Public Local Laws of Washington County.

The Commissioners discussed the request transferring the funding source from the Community Organization Funding to the Washington County Budget.

Commissioners reached a consensus to approve the request to add the Washington County Museum of Fine Arts as an annual budget line item within the County’s budget and to provide funding of \$120,000 for fiscal year 2020 as presented.

**WASHINGTON COUNTY COMMISSION ON AGING – 2018 EXPENDED FUNDS**

Amy Olack, Chief Executive Officer, and Bill Beard, President, Commission on Aging (COA), shared information regarding the success of the Area Agency on Aging. Ms. Olack also shared information regarding future needs of the organization. Commissioner Keefer asked if an increase to the budget could be considered for the COA. Board of Commissioner luncheon is rescheduled for May 7<sup>th</sup>.

**WASHINGTON COUNTY POLICY PR-22 – BOARDS AND COMMISSIONS**

Deb Peyton, Director, Health and Human Services, and Krista Hart, County Clerk, presented revisions to the Washington County Policy PR-22, Boards and Commissions. Ms. Peyton described the changes to include the removal of the Economic Development Commission, which is no longer a County committee; residency requirements; term limits; and, administering the oath of office.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the revisions as presented. The motion passed unanimously.

**RETIREMENT POLICY CHANGES**

Ms. Peyton, and Sara Greaves, Chief Financial Officer, presented proposed benefit changes to the Washington County Retirement Plan (the Plan), as presented by the Retirement Committee. Ms. Peyton explained that the information is being presented for discussion only. Ms. Peyton shared an outline as presented by the County’s brokers, Mr. Colin England, Senior Consultant Actuary, and Erika Bode, Senior Consultant from Bolton USA.

The Commissioners discussed the proposed changes and the changes to the Pension Funding Policy and reached a consensus to permit additional time for review. Commissioner Wagner would like to receive a list of employees who may be eligible for the DROP beyond January 2020.

### **COPAY CHANGES AND PREMIUM DISCUSSION**

Ms. Peyton and Ms. Greaves requested approval to proposed copay changes for the health and pharmacy benefits, effective July 1, 2019. Ms. Peyton shared that a proposed increase to the employer portion of premiums by 7% is also being recommended. Ms. Peyton provided information regarding the changes to the copay structure.

The Commissioners discussed the proposed changes to the increase to the plan as well as the copay changes and proposed allowing the Urgent Care copay to remain at \$35.00 rather than increase to the proposed \$50.00 fee.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the proposed copay changes with the Urgent Care remaining at \$35.00. The motion passed unanimously.

### **SOLID WASTE SUPERVISOR CONSOLIDATION PLAN**

Mr. DiVito, and David Mason, Deputy Director, Solid Waste, requested approval of the consolidation plan for the Solid Waste Department and to advertise internally the Operations Supervisor position. Mr. DiVito shared details of the proposed consolidation plan to include the promotion/addition of duties to Tony Drury to Superintendent of Landfill and Recycling Operations (Grade 15). Mr. DiVito also requested approval to advertise internally, for the position of Operations Supervisor (Grade 11), which would consolidate the current position of Weigh Clerk with additional supervisory responsibilities.

Commissioners discussed the proposed changes and reached a consensus that the matter would be brought forth during a future open session meeting to permit the Commissioners additional time to review the request. (President Cline, Vice-President Baker, and Commissioner Keefer were in favor of not moving forward at this time.)

### **CHANGES TO SEWER FUND**

Mr. DiVito and Ms. Greaves requested approval of a budget adjustment in the amount of \$95,000 and to move forward with operational changes to include, but not be limited to, the elimination of several positions through attrition over the next eighteen (18) months, reassignment of positions for best use of staff, and improved collection methods. Mr. DiVito shared details of the operational changes.

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to approve the budget adjustment in the amount of \$95,000 and to move forward with the operational changes as presented. The motion passed unanimously.

### **AMOUNT FORGIVEN TO THE TOWN OF WILLIAMSPORT**

Ms. Greaves shared information regarding a debt forgiveness to the Town of Williamsport in the amount of \$161,000, and the effects of that decision on current and future rates. Ms. Greaves requested approval to transfer monies from the sale of Conococheague Elementary, which sold in January 2018 in the amount of \$161,030. The transfer of funds in the amount of \$161,030 from reserves generated by that sale would move to the sewer fund so that no rate payer or tax payer is held responsible. President Cline requested that the county attempt to collect fees from any unpaid EDU's.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the budget adjustment in the amount of \$161,030 from the general fund to the sewer fund as presented. The motion passed unanimously.

### **FISCAL YEAR 2020 BUDGET – ALL FUNDS**

Ms. Greaves, and Mr. Slocum presented a summary of cost saving measures, revenues, and expenditures for the fiscal year 2020 (FY20) budget for informational purposes only. Ms. Greaves stated that the FY20 General Fund budget is \$237,180,760; total Operating funds \$298,352,420, and

Capital Improvement funds \$55,819,000. The cost savings will pay for sewer regulatory expenses while increased revenue will pay for education, fire, and EMS in FY20, and future years. Mr. Slocum provided a brief insight to the FY19 / FY20 budget and considerations.

Ms. Greaves outlined the budget to include the start with FY19 at \$229,639,310, total cuts of \$7,810,000, total required additions \$15,288,300, and miscellaneous items \$63,150 for a total FY2020 Budget of \$237,180,760.

### **RECESS**

The Commissioners recessed at 5:44 p.m. and returned to the meeting at 6:02 p.m.

### **PUBLIC HEARING – PROPOSED MODIFICATION TO CERTAIN CHARGES, RENTALS, AND FEES AT THE HAGERSTOWN REGIONAL AIRPORT**

Kirk Downey, County Attorney, convened a public hearing at 6:02 p.m. to obtain public comment regarding the proposed modification of Water and Sewer Rates, Landfill User Fees, and Airport Charges, Rental and Fees.

#### **Hagerstown Regional Airport Charges, Rental, and Fees**

Ms. Greaves, and Garrison Plessinger, Director of HRA, discussed the proposal to include an approximate 4% increase in T-Hangar Rental Charges, which would be necessary to maintain compliance with fair market value grant assurance as required by the FAA, as well as aging facilities and operations. Ms. Greaves indicated that the proposed increase in fees in T-Hangar Rental Charges would increase revenue by approximately \$20,580; the changes would be effective July 1, 2019.

The hearing was opened for public comment regarding the Hagerstown Regional Airport Charges. There were no individuals present that desired to offer comments.

#### **Landfill User Fees**

Dave Mason, Deputy Director of Solid Waste, and Ms. Greaves discussed the proposal. The proposed fee schedule as presented is one component of the overall proposal to help address the projected FY20 Solid Waste operation budget shortfall. Ms. Greaves indicated that the change in fees would increase revenue by \$226,160. The FY20 landfill proposed fee increases includes Inbound Material, minimum scale charge proposed to increase by \$5.00; Auto and Light Truck Tires proposed to increase by \$2.00 and \$38.00 per ton; new line for Mattress at \$10.00 each; Residential Permit Fees proposed to increase by \$10.00 annually, second permit proposed to increase \$5.00 annually; Yard Debris Permits proposed to increase by \$25.00 annually.

The hearing was opened for public comment regarding the Landfill User Fees. There were no individuals present that desired to offer comments.

#### **Water and Sewer Rates**

Dan DiVito and Sara Greaves discussed the proposal. The proposed fee increase is necessary to facilitate the Department of Water Quality's long-range financial plans. Ms. Greaves stated that approximately \$413,000 in revenue will be generated from the proposed sewer rate increases and \$24,000 from the proposed water rate increases.

The hearing was opened for public comment regarding the Water and Sewer Rates. There were no individuals present that desired to offer comments.

The meeting was opened for discussion by the Commissioners. The Commissioners had no comments.

The Public Hearing was closed at 6:09 p.m.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the fee increases to the Hagerstown Regional Airport as presented. The motion passed unanimously.

(Resolution No. RS-2019-09 is recorded among the Acts, Ordinances, and Resolutions of Washington county and the original is located in the County Commissioners' Office.)

The Commissioners made no decision on the Water and Sewer Rate increase and the Landfill Rate increase.

***President Cline permitted citizens of the audience to address the Board; after seeking advice and consent from Kirk Downey, County Attorney.***

The following citizens offered comments regarding the Board of Education budget:

- Carlos Mellott, Representative of the Washington County Teachers Association (and taxpayer).
- Becky (inaudible), resident of Pennsylvania and teacher at North Hagerstown High School.
- Robbie Burton, 4<sup>th</sup> Grade Teacher, Eastern Elementary School.
- Jeff Farr, resident of Washington County.
- Sally Poole, 9328 Childacrest Drive, Boonsboro, Maryland.
- Jaharra (inaudible), resident of Frederick, Maryland and teacher of 16 years.
- Denise Near, Williamsport, Maryland.
- Jay Near, resident of Berkeley County, West Virginia.

**ADJOURNMENT**

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to adjourn at 6:39 p.m. The motion passed unanimously.

  
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Krista L. Hart, County Clerk