

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

August 22, 2017

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

President Terry L. Baker called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 9:07 a.m. at 100 West Washington Street, Room 1113, with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr.

APPROVAL OF MINUTES – AUGUST 8, 2017

Commissioner Keefer, seconded by Myers, moved to approve the minutes of August 8, 2017. The motion passed with Commissioners Keefer, Myers, Barr and Baker voting “AYE” and Commissioner Cline “ABSTAIN”.

COMMISSIONERS’ REPORTS AND COMMENTS

Commissioner Keefer reported attending last week’s Maryland Association of Counties (MACo) Summer Conference in Ocean City. He discussed information learned about the “Dad’s Connection” program that assists non-custodial parents to find employment to help provide for their children.

Commissioner Cline thanked all for their support and well wishes during his ongoing recuperation from surgery.

Commissioner Barr also attended the 66th MACo Summer Conference. He reported that Governor Larry Hogan and First Lady Yumi Hogan were present along with several members of the governor’s staff. He discussed MACo’s Diversity Caucus and stated that he has requested bylaws from the group.

Commissioner Baker thanked County staff that participated in the MACo conference. He reported attending a meeting during the conference to discuss local issues with Secretary of Transportation Pete Rahn that included Commissioners Barr, Keefer and County Administrator Rob Slocum.

REPORTS FROM COUNTY STAFF

Public Works – Budget Transfer

Jim Sterling, Director, Public Works, requested approval of a \$49,000 budget transfer from the Public Works’ land acquisition transfer account to the land acquisition account involving Program Open Space (POS) funds. Mr. Sterling indicated that \$44,000 represents a grant from POS and \$5,000 is from the land acquisition budget account. The

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transfer pertains to the rebuilding of the Pinesburg Park concession stand. The design and bidding process is now complete. The item was previously approved by the Commissioners in 2012.

Commissioner Barr, seconded by Keefer, moved to approve a \$49,000 budget transfer from the Public Works' land acquisition transfer account to the land acquisition account for Program Open Space funds as presented. The motion passed unanimously.

Hagerstown Regional Airport – Grant Report

Phil Ridenour, Director, Hagerstown Regional Airport, updated the Commissioners regarding several grant reimbursements received from the Federal Aviation Administration (FAA) concerning the Taxiway Alpha Project, a three-phase funding project completed one and a half years ago (\$260,000 FAA share), and a De-Icing Truck purchase (\$278,303 FAA share).

Mr. Ridenour advised that his office has applied for two other grants concerning the Grove Farm and the Airport Layout Plan Update, which have been combined into one project. Partial funding of \$572,000 is expected from the FAA for the combined project. Another grant for a rotary plow was also applied for and the bid recommendation will be forthcoming. The airport has applied for/received approximately \$1.7 million in grant project funding this year from the FAA for various airport projects.

Planning and Zoning – 2020 Census

Stephen Goodrich, Director, and Jennifer Kinzer, GIS Coordinator, Planning and Zoning, discussed the 2020 Census that is mandated by the U.S. Constitution to be conducted every ten years. The census was begun in 1790 and the 2020 census will be the 24th one conducted since that time. Jennifer Kinzer, who has participated in past censuses, will be the designee/official contact person. Mr. Goodrich advised that a Local Update of Census Addresses (LUCA) was recently requested by the Census Bureau. He stated that the Bureau also contacted municipalities to determine if they wanted to participate directly or delegate the process to a higher government. The Planning Department will reach out to the municipalities, with the exception of the City of Hagerstown which will conduct its own census, to see if they would like to delegate the process to County Government. What is most important to providing accurate census figures is the distribution of \$400 billion in Federal aid and representation in the House of Representatives.

Approval of Resolutions for Lease of Multi Terrain Loaders

Rick Curry, Purchasing Director, requested approval of two resolutions needed to complete lease/purchase agreements awarded by the Commissioners on January 24, 2017. The first resolution involves two new 297D2 Caterpillar Multi Terrain Loaders at an annual lease payment of \$20,594.36 each for five years with the final payment being \$2 (\$205,945.60 total). The second involves one new 297D2 Caterpillar Multi Terrain Loader at an annual lease payment of \$15,715 for five years with the final payment being \$1 (\$78,580 total).

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Commissioner Barr, seconded by Myers, moved to approve the two resolutions as presented. The motion passed unanimously. (Resolution Nos. RS-2017-12 and RS-2017-13 are recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

County Clerk – Appointments to Boards/Commissions

Hagerstown Regional Airport Advisory Commission

Commissioner Barr, seconded by Keefer, moved to reappoint Norman Morin to serve a third, three-year term retroactively from March 30, 2017 through March 30, 2020 on the Hagerstown Regional Airport Advisory Commission. The motion passed unanimously.

Adult Public Guardianship Review Board

Commissioner Keefer, seconded by Barr, moved to reappoint retroactively from July 1, 2017 Dr. Allen Ditto (physician representative), Catherine Drummond (attorney representative) and Jill Parker (disability representative) to serve additional three-year terms through June 30, 2020; to appoint Cebrina Young (Dept. of Aging representative) to serve an unfulfilled term through November 30, 2018; and appoint Jennifer Sprecher (professional from the disability field) to a first, three-year term through August 31, 2020 on the Adult Public Guardianship Review Board. The motion passed unanimously.

CITIZENS' PARTICIPATION

Jim Devine, P.O. Box 2217, Hagerstown, discussed various concerns including land preservation and the Federal government.

PROCLAMATION FOR DISABLED AMERICAN VETERANS "FORGET-ME-NOT" MONTH

The Commissioners presented a proclamation to Senior Vice Commander J. R. Arnold of Chapter 14 of the Disabled American Veterans in recognition of "Forget-Me-Not Month" observed in September. Mr. Arnold stated that all monies collected by group members at various locations in the community go toward local veterans' needs. The Commissioners commended the organization for its service to the community.

PROGRAM OPEN SPACE LAND PRESERVATION EASEMENT PROJECTS

Eric Seifarth, Rural Preservation Administrator, Planning and Zoning, requested approval of Washington County's participation in Program Open Space (POS) acquisition of land preservation easements to be held jointly by the Department of Natural Resources (DNR) and the Board of County Commissioners. Mr. Seifarth indicated that easements are 100% funded through the DNR to be used for permanent land preservation in counties willing to participate. Currently, County Land Preservation staff is working with DNR to evaluate and purchase easements on three properties totaling 560 acres with an estimated easement value of approximately \$1.5 million. In order for County property owners to be eligible for the easements, the County Commissioners must co-hold the easements with the DNR. The easements are similar to Rural Legacy Easement projects that protect agricultural,

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environmental and historic features. Mr. Seifarth advised that there are recurring expenses of approximately \$225 per year for the required inspections of easement properties by staff, (estimated to be approximately six hours per year). The cost of the inspections will be covered through the Department of Planning and Zoning's budget.

Commissioner Cline, seconded by Barr, moved to approve Washington County's participation in Program Open Space acquisition of land preservation easements to be held jointly by the Department of Natural Resources and the Board of County Commissioners as presented. The motion passed unanimously.

COMMUNITY ORGANIZATION FUNDING - SERVICE PRIORITY AREAS FOR FISCAL YEAR 2019

Jim Hovis, Director, Office of Community Grant Management, presented the proposed service priority areas developed by the Community Organization Funding Committee (COFC) in preparation for the Fiscal Year 2019 application process. Mr. Hovis indicated that \$1.7 million is available for disbursement subject to any adjustments that may be made during the budget year. The COFC developed the following six service priority areas for consideration by the County Commissioners: Arts and Culture (13.4%), Domestic Violence (18%), Families and Children (15%), Recreation (1.6%), Seniors (51.4%), and Other (0.6%). Mr. Hovis stated that the COFC retains the latitude to move 10% from one category to another. The Commissioners discussed the process involved in the disbursement of funds.

Commissioner Cline, seconded by Barr, moved to approve the Community Organization Funding priorities and funding percentages for Fiscal Year 2019 as recommended by the Community Organization Funding Committee. The motion passed unanimously.

HOTEL RENTAL TAX FUNDING REQUEST – WASHINGTON COUNTY MUSEUM OF FINE ARTS

Jim Hovis, Rebecca Massie-Lane, Director, Al Martin, President, and John Schnebly, immediate Past President, Washington County Museum of Fine Arts, appeared before the Commissioners to request Hotel Rental Tax funding toward direct expenses associated with the facility's HVAC replacement and upgrades that are projected to cost \$1,096,575. The museum is requesting \$350,000 toward the HVAC project to be disbursed in five annual installments of \$70,000 each. Jim Hovis stated that the museum previously secured \$120,413 in funding from a Maryland Energy Administration grant and is seeking funding of \$412,335 and \$213,827 from private foundations and a combination of sources including self-funding, the City of Hagerstown and private donations. Mr. Hovis noted that the museum is an economic driver for Hagerstown and Washington County with an impact of \$1,328,470 as cited by State and local tourism statistics. Al Martin stressed the importance of preserving artwork at the museum that was founded in 1929 under a City and County partnership. John Schnebly discussed the museum's sound financial management.

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Commissioner Barr noted the museum's collaboration of over 85 years with Washington County Public Schools. Commissioner Keefer commented that a MACo attendee from Carroll County last week praised the County's museum.

Commissioner Barr, seconded by Cline, moved to approve the request totaling \$350,000 in Hotel Rental Tax funding to be disbursed by the County in five annual installments of \$70,000 each to be used by the museum toward direct expenses associated with the Washington County Museum of Fine Arts' HVAC energy efficiency improvement projects. The motion passed unanimously.

WASHINGTON COUNTY STRATEGIC HIGHWAY SAFETY PLAN

Sheriff Doug Mullendore and Merle Saville, Public Works Engineer, Engineering and Construction Management, discussed the significant number of fatal and serious injury crashes in Washington County over the past six years. As part of a statewide initiative to reduce the number of deaths and serious injuries, the County's Traffic Advisory Council (TAC) established a subcommittee to prepare a Strategic Highway Safety Plan for Washington County (SHSP). The TAC voted to approve and present the plan to various governmental agencies including the County Commissioners. Approval by County and municipal governments will sanction the plan for implementation in the effort to reduce deaths and serious injuries.

Sheriff Mullendore discussed the goals and objectives to be accomplished through public education, public awareness, engineering improvements and enforcement efforts. Merle Saville noted that approval of the plan is associated with several grants that are available for accomplishing the goals listed in the SHSP. Commissioner Barr, an ex-officio member of the TAC, discussed its important work and noted that all citizens may attend meetings or forward their concerns to the group.

Commissioner Barr, seconded by Keefer, moved to adopt the Strategic Highway Safety Plan for Washington County as presented. The motion passed unanimously.

2017 HOUSING BOND ALLOCATION TRANSFER

Stephen Goodrich, Director, Planning and Zoning, requested approval to transfer Washington County's 2017 Housing Bond Allocation of \$5,078,411 to the Maryland Community Development Administration for issuing housing bonds on behalf of the County. Mr. Goodrich indicated that the State of Maryland invites local governments to collaborate each year in a statewide bond pool for first-time homebuyers. Washington County has traditionally used its allocation to participate in the Maryland Mortgage program. Allocating the money back to the State might allow more for Washington County residents if excess funds from other counties are returned to the pool for re-distribution. The County has done so since 2007.

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Commissioner Myers, seconded by Barr, moved to approve the transfer of Washington County's 2017 Housing Bond Allocation of \$5,078,411 to the Maryland Community Development Administration for the issuance of housing bonds on behalf of Washington County. The motion passed unanimously.

REQUEST TO CONVEY CERTAIN REAL PROPERTY – BOTTENFIELD ROAD

Susan Small, Real Property Administrator, Engineering and Construction Management, requested authorization to advertise the County's intent to convey 2,636.55± linear feet (31,638.6 square feet) of property to the adjacent property owners at Valley Meadow Farms, LLC. Ms. Small indicated that Valley Meadow Farms, LLC requested that the County consider closing and conveying to it approximately 0.7 miles of Bottenfield Road in Hancock ending at the Pennsylvania border. The road currently dead ends between two Valley Meadow Farms, LLC parcels. The road bed into Pennsylvania is wooded, gated and leads to a private driveway. The closed portion would serve as the driveway to the parcels and Valley Meadow Farms, LLC would assume the responsibility for all road maintenance. The Commissioners discussed the proposal during their February 28, 2017 meeting and directed staff to move forward with the process and installation of a turnaround for school buses at the last private property on Bottenfield Road. County staff has since installed the turnaround. The fair market value of the roadbed has been determined to be \$2,400. The Commissioners discussed their desire to convey the property for \$1.

Commissioner Myers, seconded by Keefer, moved to authorize the advertisement of the County's intent to convey 2,636.55± linear feet (31,638.6 square feet) at a purchase price of \$1 to the adjacent property owners Valley Meadow Farms, LLC. Commissioner Keefer discussed the road's non-value to the County. The motion passed unanimously.

INTERGOVERNMENTAL COOPERATIVE PURCHASE OF THREE DUMP TRUCKS

Rick Curry, Purchasing Director, and Ed Plank, Highway Director, recommended authorization by Resolution the Intergovernmental Cooperative Purchase (PUR-1358) relating to the purchase of three 4x2 Mack Dump Trucks from Potomac Truck Center, Inc. of Bladensburg, Maryland. By "piggy-backing" on a bid processed by the Howard County, Maryland Office of Purchasing (Contract #4400003267), the Board will be able to purchase the trucks for a total sum of \$560,100 (\$183,500 per truck plus an extended warranty of \$3,200 on each). Mr. Plank indicated that the three dump trucks would replace three that are between fourteen and sixteen years old. The County's replacement guideline for vehicles greater than 33,000 pounds recommends replacement at ten years. Funds for the purchase are contained in the Highway Department's budget.

Mr. Curry discussed the intergovernmental cooperative purchase process that permits the County to use another entity's contract to eliminate Washington County's bid process and obtain overall better pricing due to economies of scale offered by the existing contract. A determination to allow or to participate in an intergovernmental cooperative purchasing arrangement is by a resolution indicating the cost benefits and efficiencies to the County.

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Commissioner Barr, seconded by Myers, moved to authorize by Resolution the Intergovernmental Cooperative Purchase relating to the purchase of three 4x2 Mack Dump Trucks from Potomac Truck Center, Inc. of Bladensburg, Maryland, for a total sum of \$560,100 (\$183,500 per truck plus an extended warranty of \$3,200 on each) by using the Howard County, Maryland Office of Purchasing's contract award (Contract #4400003267). The motion passed unanimously. (Resolution No. RS-2017-14 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Keefer, moved to convene in closed session at 10:17 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 consult with counsel to obtain legal advice on a legal matter; and to consult with staff, consultants or other individuals about pending or potential litigation, in accordance with Section 3-305(b)(1), (7) and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed/considered two County employee position hiring recommendations and related staffing issues with County staff; discussed the potential appointment of three specific individuals to a local board over which the Commissioners have appointment authority; discussed the potential reappointment/appointment of a number of specific individuals to a local funding committee over which the Commissioners have appointment authority; and discussed specific issues relating to a personnel/legal matter that may ultimately result in litigation with staff and counsel.

During closed session, the Commissioners provided direction to staff regarding two specific hiring/employment recommendations; agreed to further discuss the individuals being considered for appointment to a local board at a future open session meeting; agreed to further discuss various individuals being considered for appointment/reappointment to a local funding committee at a future open session meeting; and provided direction to staff and counsel relating to ongoing legal/personnel matter.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, LeRoy E. Myers and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; and at various times Kirk C. Downey, Deputy County Attorney; Stephanie Stone, Director, Health and Human Services; Jim Hovis, Director, and Stephanie Lapole, Grant Manager, Community Grant Management; and Attorney Kevin Karpinski.

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ADJOURNMENT

The closed session adjourned at 10:54 a.m.

The Commissioners attended the Michael G. Callas Memorial New Educator's Luncheon Reception for new Washington County educators at Williamsport High School, 5 South Clifton Drive, Williamsport.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk