

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

August 7, 2018

JOINT MEETING WITH WASHINGTON COUNTY BOARD OF EDUCATION

The Board of County Commissioners met with the Washington County Board of Education (BOE) at 10435 Downsville Pike, Hagerstown. President Terry L. Baker called the meeting to order at 09:05 a.m. In attendance were Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr. Washington County Public School staff members in attendance included Dr. Boyd Michael, Superintendent, Jeffrey Proulx, Chief Operations Officer; Rob Rollins, Director, Facilities Planning and Development, and Chad Criswell, Supervisor, Facilities Planning and Development. BOE members in attendance included Melissa Williams, President, and members Linda Murray, Wayne Ridenour and Pieter Bickford.

Educational Facilities Master Plan

Melissa Williams, President, BOE, opened the joint meeting by thanking the Board of County Commissioners for attending the joint meeting.

Dr. Boyd Michael, Superintendent, Washington County Public Schools (WCPS), introduced attendees and proceeded to discuss the development of the Ten (10)-Year Educational Facilities Master Plan.

Jeffrey Proulx, Chief Operating Officer, WCPS, explained that the Educational Facilities Master Plan evaluates the status of schools in terms of the community, upcoming developments, enrollment changes, facility inventory, and a review of BOE policies; this plan is updated annually. He stated that this will become the basis for the WCPS Five (5)-Year Capital Improvement Plan (CIP) which is submitted to the State and to the County for long term funding.

Rob Rollins, Director, Facilities Planning and Development, shared information on the current infrastructure which would be a site area to maintain of 1,111 acres and forty-seven (47) educational facilities; this does not include the property located at 820 Commonwealth Avenue, Hagerstown, Maryland or the Center for Education, 10435 Downsville Pike, Hagerstown, Maryland. Mr. Rollins indicated that of the forty-seven (47) schools, twenty-four (24) schools were constructed in the 1970's or early 1980's, showing an aging inventory of facilities. He stated that under the ideal preventative maintenance program, one school would be replaced every fifty (50) years. The proposal combines/closes six (6) schools and builds three (3) new schools. This would allow lower costs for maintenance, design costs and staffing. Additionally, the plan would provide contractor familiarity, newer state of the art facilities to students more quickly, full-time support staffing opportunities and increase student capacity by five hundred (500) seats. The BOE proposes that one of the schools would be constructed on the facility currently owned by WCPS at 10435 Downsville Pike, Hagerstown, Maryland.

Mr. Proulx quantified cost of the proposed plan. He stated that a savings of nearly \$31 million in local funding would be a result of constructing the three (3) new buildings in the near term. Should the plan not be approved for the three (3) new schools, renovation and/or maintenance of the six (6) existing schools would be close to \$158 million and those schools would all exceed the fifty

(50) year plan in the next decade. To construct the proposed three (3) new schools and close the six (6) older schools would cost approximately \$112 million.

President Baker asked if the Board has considered using one (1) of the six (6) schools proposed for closure as a location for a new school. Mr. Rollins responded by stating that the Board will research that option as far as location and space.

Commissioner Myers expressed concern over classroom size in the proposed schools. Mr. Proulx confirmed that there would be no change to student population per classroom. Mr. Myers presented the suggestion of purchasing identical brands of chillers / boilers for each proposed school, for cost savings and efficiency. Mr. Rollins indicated that the Board could investigate that option.

Commissioner Myers also questioned future expansion needs and the financial responsibility for each proposed new school. Mr. Rollins indicated that enrollment projections are provided to the State for the next seven (7) years; the State bases expansion opportunities on that number. Dr. Michael added that if a future development is known within the seven (7)-year period, the State will allow for additional space based on the projected count of future students, during the design phase only.

Dr. Michael indicated that with the proposed three (3) new schools, space would be available to be used by the community, possibly to include an oversized gymnasium and cafeteria, or a community room.

The Board discussed funding options for the upcoming ten (10)-years and effects to the CIP.

Urban Improvement Project - Board of Education Funding

Rob Slocum, County Administrator, requested that the BOE provide the Commissioners with an update regarding the construction contract for the Barbara Ingram School for the Arts (BISFA) project. Dr. Michael indicated that the contract with Bowman Development Corporation (Bowman), in the amount of \$18.7 million, had been formally approved by the BOE and made public several weeks ago. Currently, the contract has been signed by the BOE and is awaiting signatures from Bowman. With regards to construction, the demolition is underway and utility work will begin shortly. He confirmed that the work in the alley is moving forward as planned. Dr. Michael affirmed the BISFA project has been fully funded through a variety of sources; project total cost is over \$19 million with over \$21 million in secured funding. Currently, a completion date of FY2020 is anticipated for the BIFSA building and a fall completion date is anticipated for the Maryland Theatre.

President Baker expressed concern that Bowman has not yet signed the contract yet has begun work on the project. Dr. Michael confirmed that Bowman has been moving forward at their own risk and the BOE is cooperating. Total cost of the project is approximately \$19,000,300.00.

(The Board of County Commissioners departed for 100 West Washington Street, Suite 1113, Hagerstown, Maryland at 10:05 a.m.)

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 10:49 a.m. at 100 West Washington Street, Room 1113, Hagerstown, 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 – July 17, 2018

Commissioner Barr, seconded by Commissioner Myers, moved to approve the minutes of July 17, 2018. The motion passed unanimously.

REPORTS AND COMMENTS

Commissioner Keefer recognized guest Caton Snyder, a Williamsport High School student interested in learning more about local government.

President Baker thanked everyone who has reached out to him during his time of difficulty regarding a personal matter. He added that he received an outpour of care, concern and support from staff, Delegate Wivell, and Delegate Parrott. He personally thanked Commissioner Myers and Commissioner Keefer for checking on his well-being.

REPORTS FROM COUNTY STAFF

Division of Construction

Rich Eichelberger, Director, requested that the Commissioners waive all permit fees for the residents of the Town of Clear Spring, Maryland, relating to recent flood damage, to include building, trade and floodplain fees. He added that the waiver request only included permits for flood related damage.

Commissioner Barr, seconded by Commissioner Myers, moved to approve the waiver of all permit fees for the residents of the Town of Clear Spring, Maryland, for any damages or repairs resulting directly from the flooding incident in May as presented. The motion passed unanimously.

Commissioner Keefer thanked Rich Eichelberger, Mark Stransky, and Andrew Eshleman for meeting to discuss flood damage.

Division of Engineering

Scott Hobbs, Director, and Andrew Eshleman, Chief of Design, and Jim Sterling, Director of Public Works, provided the Commissioners with an update regarding flood related damage to the County's infrastructure in South County. Mr. Hobbs indicated that the repair and culvert replacement on Chestnut Grove Road had previously been scheduled for completion in mid-August but is delayed until the end of August due to additional heavy rain from the last two (2) weeks.

Mr. Eshleman stated that Sandy Hook Road is expected to be closed in the coming weeks to allow a National Park Service contractor to remove debris from the landslide caused by the flooding. Additionally, a permanent plan will be evaluated and developed for the slope along this road.

Mr. Hobbs requested that the Board, for the sake of efficiency and to expedite the project, award the Garretts Mill Road Bridge Replacement Contract No. BR-GM-224-14 to the lowest, responsive, responsible bidder, Building Systems, Inc. of Hagerstown, Maryland, in the amount of \$1,134,000.00. This is a design-build contract, with an engineer's estimate of \$1,250,000.00. The project is funded with 75% contribution from Federal Emergency Management Agency (FEMA) and 25% local funding, 225 calendar day timeline.

Commissioner Barr, seconded by Commissioner Keefer, moved to award the bid for Garretts Mill Road Bridge Replacement Contract No. BR-GM-224-14 to the lowest, responsive, responsible bidder, Building Systems, Inc., in the amount of \$1,134,000.00 as presented. The motion passed unanimously.

President Baker thanked staff for keeping the projects moving forward in a timely manner.

Mr. Hobbs identified a plan for Back Road which includes rebuilding the road, installing new culverts and providing stream restoration work. This project has an anticipated start of next spring and includes 75% FEMA reimbursement.

With regard to Southern Boulevard, Mr. Hobbs stated that Frederick Street was closed Monday and will be closed for approximately thirty (30) days to accommodate the construction of the roundabout; detour routes are posted. He added that the road will be reopened prior to the start of school on September 4, 2018.

Jim Sterling stated that South County crews are working to install pipes on Harpers Ferry Road, Back Road and Limekiln Road.

Environmental Management

Dave Mason, Deputy Director, Solid Waste, requested guidance regard to the Agreement on Ownership of the Engineering Documents for the Waste to Renewable Energy Facility at the 40 West Landfill with Green Kinetics Gateway (GKG). County Attorney John Martirano stated that he has received a phone call from GKG, during which GKG stated they were seeking a resolution with the County. Staff recommended that a meeting be scheduled with GKG to discuss repayment of the gap funding as would be the County's preference.

The Commissioners discussed the matter and instructed Staff to schedule a meeting with GKG as soon as possible. Staff will return with an update at a future meeting.

Public Relations (PR) and Marketing and Information Technology (IT)

Danielle Weaver, Director, PR, and Joshua O'Neal, Deputy Director, IT, informed the Commissioners that a new internal training center at 33 West Washington Street has been launched. This new center includes sixteen (16) learning stations which will be available for the training of new employees. Mr. O'Neal thanked David Elliott, Technical Support Analyst, for putting this project together and leading the work for the new training facility. The facility was well received by the Commissioners.

County Administrator

Rob Slocum provided an update to the Board regarding the VFIS Study for the Fire and Emergency Medical Services adding that it will be presented to the Commissioners at the next meeting.

CITIZENS' PARTICIPATION

Steven Griffith, Hagerstown, Maryland, addressed President Baker stating that he was shocked and saddened at the personal issues Mr. Baker has been dealing with as written about in The Herald Mail and asked if Mr. Baker has considered resigning from his position on the Board. President Baker informed him that the matter is personal, and that he is resolving the issues through his attorney.

WASHINGTON COUNTY GAMING COMMISSIONS' ANNUAL REPORT AND FISCAL YEAR 2018 GAMING FUND ALLOCATION ANNOUNCEMENT

Susan Buchanan, Director, Tina Wilson, Senior Grant Manager, Office of Grant Management, and Tom Brooks McBurney, Vice-Chair of Gaming Commission, introduced Gaming Commission members in attendance David Kline and Tony Aravanis. Ms. Buchanan presented the annual report and announced the Commission's Fiscal Year 2018 funding decisions. In Fiscal Year 2018, the Gaming Commission had \$1,976,373.76 available for distribution to local charitable organizations and the Volunteer Fire and Rescue Association. This figure reflects an increase in revenues of \$2,101.74 or 11% as compared to the previous fiscal year. In 2018, the Gaming Commission received 100 funding applications from 86 charitable organizations. The total amount of funding requested within those 100 applications was \$1,975,857.33; the applications were reviewed and considered by the Commission. After review, group deliberations, and public hearings, the Gaming Commission determined appropriate funding allocations based on the published and approved "Guidelines for Distribution of Gaming Funds" and were consistent with the State statute governing the distribution of such funds.

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Commissioner Keefer, moved to convene in closed session at 11:23 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; and to consult with counsel to obtain legal advice on a legal matter; in accordance with Section 3-305(b)(1), (4) 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 reappointment of two specific individuals to a local board over which the Commissioners have appointment authority; considered issues relating to proposals by several business entities hoping to locate, expand or remain in the County/State.

During closed session, the Commissioners agreed to further discuss the individuals being considered for reappointment to a local board at this evening's open session meeting; and provided direction to staff regarding various proposals by several business entities hoping to locate/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 Rich Eichelberger, Director, Construction; Jim Sterling, Director of Public Works; Scott Hobbs, Director of Engineering, and Kirk Downey, Deputy County Attorney.

RECONVENE IN OPEN SESSION

Commissioner Myers, seconded by Commissioner Keefer, moved to reconvene in open session at 12:28 p.m. The motion passed unanimously.

RECESS

The Commissioners recessed at 12:30 p.m.

EVENING MEETING – TOWN OF KEEDYSVILLE

An evening meeting of the Board of County Commissioners of Washington County, Maryland, was held at Keedysville Town Hall, 19 S. Main Street, Keedysville, MD.

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 meeting to order at 07:06 p.m. with the following members present: Commissioners John F. Barr and Wayne K. Keefer. (Vice-President Jeffrey A. Cline and Commissioner LeRoy E. Myers, Jr. were absent)

MAYOR AND COUNCIL COMMENTS

Rick Bishop, Town Administrator, shared information regarding the Town's celebration of its 250th anniversary which is being held September 29th and will include events such as a walking tour, games, and video depicting the Town's history.

Mr. Bishop also expressed gratitude on behalf of the Town and the event planners for the assistance on obtaining funding for the event. Mr. Bishop shared with the Commissioners how pleasant and gratifying it is to work with all Washington County staff.

COMMISSIONERS REPORTS AND COMMENTS

Commissioner Keefer thanked the Mayor and Council of the Town for hosting the evening Board of Commissioners' meeting. He also thanked Danielle Weaver and Krista Hart, County Clerk, for finding photos of former Commissioner Rome Schwagel, which were given to the Town to use at the 250th Town Anniversary event in September.

Commissioner Keefer also commented on the grant previously referred to by Mr. Bishop. He elaborated by stating that it was funding through the Commissioners Contingency Fund in the amount of \$500.00 to assist with the anniversary event.

President Baker thanked Mr. Bishop for allowing the Commissioners to meet at the Town Hall. Mr. Baker asked what the total requested amount from Keedysville was, noting that he would be willing to fund a higher amount if it was requested. Commissioner Keefer will obtain that number.

REPORTS FROM COUNTY STAFF

Division of Construction

Rich Eichelberger, Director, thanked Rick Bishop for his generous comments and advised him that the Town is welcome to call upon Washington County staff anytime.

County Administrator

Rob Slocum, Administrator, thanked Mr. Bishop for his generosity on behalf of the Town. He acknowledged Washington County staff in attendance for the evening meeting.

Mr. Slocum provided an update regarding the loan proposal with First Hose Company of Boonsboro; a plan will be available at a future meeting.

County Clerk – Appointments to Boards / Commissions

Washington County Electrical Board of Examiners and Supervisors

Commissioner Barr, seconded by Commissioner Keefer, moved to re-appoint Charlie Shindle as the fifth member of the Board designated by the Washington County Fire and Rescue Association to serve a second, full two-year term through June 30, 2020, and to re-appoint Steve Ryan as a member who represents an electric public utility company in Washington County to serve a second, full two-year term through June 30, 2020 on the Washington County Electrical Board of Examiners and Supervisors. The motion passed unanimously (3-0, Vice President Jeffrey A. Cline and Commissioner LeRoy E. Myers, Jr. was absent)

CITIZENS PARTICIPATION


Ms. Sue Gemey, 50 South Main Street, Keedysville, Maryland, thanked the Commissioners for their continued support. She mentioned that there is an old school house building located in town and they would like to have the building updated so that it is viable for use as a community center.

Ms. Judy Warner, Rohrersville, Maryland, and Ms. Linda Ebersole, 910 Israel Creek Court, Knoxville, Maryland, provided a brief update on the Black Fly Suppression Project in South County. Ms. Ebersole stated that funding is needed to continue with the pilot program, which provides treatment for nuisances. She asked if the Board would cooperate with a proposal of a Bill for the program to be reinstated. She agreed to keep the Commissioners updated.

Council Member Matt Hull expressed his dissatisfaction, and that of other residents, with the bicyclists who passed through South County as well as the various road closures.

ADJOURNMENT

Commissioner Barr, seconded by Commissioner Keefer, moved to adjourn at 07:36 p.m. The motion passed unanimously. (3-0, Vice President Cline and Commissioner Myers were absent)



Robert J. Slocum, County Administrator



John Martirano, County Attorney



Krista L. Hart, County Clerk