



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

September 10, 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 8:01 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

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the minutes of August 27, 2019. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 8:02 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; 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, 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 appointment of specific individuals to a local advisory services board over which the Commissioners have appointing authority; discussed a specific employment recommendation with staff, as well as the employment, assignment, promotion, and compensation of specific employees over whom the Board has jurisdiction; the Board received legal advice regarding a contractual matter and the parties' contractual obligations; the Commissioners provided staff with direction concerning the matter.

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 Andrew Bright, Assistant County Attorney; Deborah Condo, Deputy Director, Human Resources; Mark Bradshaw, Deputy Director of Engineering Services, Environmental Management; Mike Smith, Deputy Director of Collections and Operations, Environmental Management; Dave Mason, Deputy Director, Solid Waste, Environmental Management; Ashley Holloway, Director, Plan Review and Permitting; Todd Moser, Real Property Administrator; Andrew Eshleman, Director, Public Works; Susan Small, Director, Business Development; and John Kenney, Program Manager, Social Services.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to reconvene in open session at 9:10 a.m. The motion passed unanimously.

The Commissioners recessed at 9:10 a.m. and returned to the meeting at 10:00 a.m.

COMMISSIONERS' REPORTS AND COMMENTS

The Commissioners provided a brief insight into events attended and support provided throughout Washington County community.

Commissioner Keefer shared that he would be leaving at 11:30 a.m. to attend a roundtable discussion at the Commission on Aging with Secretary Kramer.

Commissioner Meinelschmidt discussed auditing of EMS companies and asked that the Board reconsider adding Community Rescue Service (CRS) to the audit process.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to add as amendment, CRS to the RFP process for auditing services of EMS companies in Washington County. The motion passed unanimously.

Commissioner Meinelschmidt also discussed the recordation of leave time among different departments and asked staff to review the process utilized. He further asked staff to inquire with the Washington County Health Department on guidelines governing the disposal of food at venues such as the YMCA, public schools, etc. and potentially donate the food to Micah's Backpack or the Homeless Shelters.

Commissioner Wagner asked staff to consider creating a Liaison position for the Washington County Fire and Rescue Association who could provide a direct connection between the association and the County; staff will provide a draft job description for the Commissioners review.

President Cline reminded staff and the community of the 9/11 Remembrance scheduled for this evening.

REPORTS FROM COUNTY STAFF

Division of Plan Review and Permitting

Ashley Holloway, Director, thanked the Commissioners for their support in the Outreach Meeting held by staff within his Division. He shared that the next meeting is scheduled for December 6th and will be held quarterly.

Human Resource Personnel Requests; Deborah Condo, Deputy Director:

Director, Planning and Zoning

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the advertisement for this position, Grade 18, Step 1 (\$75,088). The position will be vacant in December 2019 with the retirement of Stephen Goodrich. The motion passed unanimously.

Division of Public Works

Andrew Eshleman, Director, and Rick Curry, Director of Purchasing, presented the Board with information regarding utility service rate reductions for the County. He shared that the rate purchase of \$0.4.918 was secured with Direct Energy for a period of five (5) years. Additionally, he briefed the Board on several small business direct install work orders for lighting upgrades at the Hagerstown Regional Airport, which is anticipated to reduce electricity lighting consumption per fixture by 30-70%; this is at no cost to the County.

Office of Grant Management – Hotel Rental Tax Fund Grant Award

Susan Buchanan, Director, advised the Commissioners of a funding request to be granted from the Hotel Rental Tax Fund that meets all the criteria considered for such funding. Operating expenses of \$5,000 will be awarded to fund the 2019 Middletown Valley Bank Krumpke Donut Drop, December 31, 2019 at the square in downtown Hagerstown.

County Clerk – Appointment / Reappointment to Boards and Commissions:

Adult Public Guardianship Review Board Reappointment; Krista Hart, County Clerk

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to re-appoint Diane Lewis to serve a second, three (3) year term as the Local Non-Profit Social Service Organization Representative from July 1, 2019 through June 30, 2022; and Susan Parks to serve a third, three (3) year term as the Public Health Representative from July 1, 2019 through June 30, 2022; and to appoint the following each to serve a first term: Brenda Gordon to serve a three (3) year term as the Community Representative from September 1, 2019 through August 31, 2022; Gwenn Leatherman to serve a partial two (2) year term as the Community Representative from September 1, 2019 through August 31, 2021; Marcia South to serve a one (1) year term as the Commission on Aging Representative from September 1, 2019 through August 31, 2020; Bonnie Winders to serve a partial two (2) year term as the Attorney Representative from September 1, 2019 through August 31, 2021; and Deborah Phillips to serve a three (3) year term as Professional Representative of a Local Department from September 1, 2019 through August 31, 2022. This is NOT a paid board. The motion passed unanimously.

Budget and Finance

Sara Greaves, CFO, recognized Brandi Naugle and Rick Curry for attending the annual forum for National Institute for Governmental Purchasing (NIGP). Additionally, she recognized Ms. Naugle for her participation in the NIGP; adding that she currently serves as vice-president for the local chapter, Maryland Public Procurement Association. Ms. Greaves shared that during the forum, the local chapter received two awards and Ms. Naugle individually received a “You Rock” Award for her involvement throughout the organization and her dedication displayed for various activities with the organization.

County Administrator

Rob Slocum clarified that Mr. Goodrich’s upcoming retirement has been planned and the advertisement of his position is for pre-planning purposes only.

CITIZENS’ PARTICIPATION

Arthur Hicks, Zunny Miller-Matema, and Carlos Mellott presented on behalf of the Washington County Diversity and Inclusion Committee, sharing information regarding upcoming listening sessions scheduled for September 30, 6:00 p.m. – 7:45 p.m. at the Washington County Free Library; and October 22, 5:30 p.m. – 6:30 p.m. at the Hancock Library.

SENIOR CENTER FITNESS PARK PARTNERSHIP AGREEMENT AND OPERATIONS AND MAINTENANCE AGREEMENT AMENDMENT

Andrew Eshleman, Director, Public Works; Susan Buchanan, Director, Office of Grant Management; and Brad Tritch, Chief of Operations, Commission on Aging (COA), requested approval to execute the Fitlot Partnership Agreement and Maintenance and Operations Agreement Amendment for the Washington County Senior Center at 535 E. Franklin Street. There is no matching capital or operation funds required.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the execution of the Fitlot Partnership Agreement and Maintenance and Operations Agreement Amendment as presented. The motion passed unanimously.

ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) ORDINANCE

Mark Bradshaw, Deputy Director, Engineering Services; John Swauger, Stormwater Regulatory Coordinator; and Alex Reed, Watershed Specialist, Division of Environmental Management, requested the adoption of an ordinance to control the introduction of Pollutants into the Municipal Separate Storm Sewer System in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

Commissioner Keefer, seconded by Commissioner Wagner, moved to adopt an ordinance as required by the NPDES permit. The motion passed unanimously.

(Ordinance No. ORD-2019-15 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

BATTERY STORAGE PROJECTS – PAYMENT IN LIEU OF TAXES (PILOT)

AGREEMENT

Bill Schofield, Customized Energy Solutions, Ltd.; Stephen Wiley, Innolith Snook, LLC; and Nathan Fridinger, Hagerstown Light, requested execution of two (2) PILOT agreements with Innolith Snook LLC. Mr. Wiley explained that in 2016, the Board of County Commissioners approved PILOT agreements for three utility scale battery storage projects, proposed in cooperation with the Hagerstown Light Department; one (1) project by Mitsubishi Heavy Industries (MHI) and two (2) with Alevo USA. He noted that only the MHI project, subsequently assigned to Alevo, was built; Alevo went bankrupt before constructing the other two (2) projects. Innolith Snook LLC has acquired the existing project and seeks to revive the other two (2) projects as well. Mr. Wiley confirmed that positions would be filled from the local community. Mr. Fridinger shared that Hagerstown Light Department is fully prepared to accept the PILOT as presented.

The Commissioners discussed the information as presented and reached a consensus that additional information is needed, to include a formal proposal showing payment amounts. The Commissioners also asked for information as approved in 2016 on the same project.

Commissioner Keefer left the meeting at 11:17 a.m. to attend a Roundtable Event with Secretary Kramer at the Commission on Aging.

PUBLIC HEARING: TEXT AMENDMENTS TO BUILDING EXCISE TAX ORDINANCE

President Cline convened a public hearing at 11:17 a.m. to obtain public comment concerning proposed text amendments to the Building Excise Tax Ordinance. Mr. Holloway presented the Board with the proposed amendments to include fire and EMS companies as exempt from the tax per section 6.02; to extend the sunset provision in section 7.08 regarding certain changes in use; and to remove Article 13 concerning the Advisory School Design Review Committee.

The hearing was opened for public comment and no individuals offered comment.

The public hearing was closed at 11:21 a.m.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the text amendments as presented; with the condition that the sunset provision (7.08) is immediately reviewed and decided upon. The motion passed unanimously (4-0, Commissioner Keefer was absent).

(Ordinance No. ORD-2019-18 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

TOWN OF HANCOCK MEMORANDUM OF UNDERSTANDING (MOU)

Mr. Holloway; Rich Eichelberger, Director of Construction; and Joseph Gilbert, Town Manager, Town of Hancock, requested approval of an MOU with the Town of Hancock which would provide the town with County building code enforcement, permitting, and inspection services. Mr. Holloway explained that zoning review/approval would remain with the Town of Hancock.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the MOU as presented. The motion passed unanimously (4-0, Commissioner Keefer was absent).

HOUSE KEYS PROGRAM

Sara Greaves, CFO, and Ms. Condo, recommended elimination of the House Keys Program from County Government. Ms. Greaves provided the Commissioners with several required qualifications

for the program as well as information relative to the staff requirements necessary to continue the program. Ms. Greaves assured the Board that efforts would continue for collection towards repayment of existing outstanding amounts.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the elimination of the House Keys Program for reasons stated. The motion passed unanimously (4-0, Commissioner Keefer was absent).

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-19-0017)

Rick Curry, Director, Purchasing Department; Zane Rowe, Deputy Director, Highway Department; and Jack Reynard, Fleet Manager, Highway Department, requested authorization by Resolution for the Intergovernmental Cooperative Purchase relating to the purchase of two (2) 4x2 Mack dump trucks from Potomac Truck Center, Inc. of Bladensburg, MD, and to utilize another jurisdiction's contract (4400003267) that was awarded by Howard County, MD. The cost of each truck is \$205,500 with extended warranty of \$3,241 each; total amount of \$417,482. Funds are budgeted in the Highway Department's capital improvement plan account (EQP042) in the amount of \$491,869.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the Intergovernmental Cooperative Purchase as presented. The motion passed unanimously (4-0, Commissioner Keefer was absent).

(Resolution No. RS-2019-18 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

INTENT TO CONVEY REAL PROPERTY

Todd Moser, Real Property Administrator, Engineering; and Sydney Machat, Broker, requested the adoption of an ordinance declaring property located on Jefferson Boulevard (Tax Map 50, Parcel 1737), and Hunters Green Parkway (Tax Map 48, Parcel 930 and Tax Map 48, Parcel 947) as surplus property and to approve the conveyance of same, and to authorize the execution of the necessary documentation to finalize the conveyance. Mr. Moser provided information regarding the offers on the properties as follows: Hunters Green Parkway – \$51,2680 from Philip and Melanie Thurber; Jefferson Boulevard – \$18,300 from Richard and Susan Daughtridge.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to adopt an ordinance declaring the properties as presented as surplus properties and to convey the same and authorize the execution of the necessary documentation to finalize the conveyance. The motion passed unanimously (4-0, Commissioner Keefer was absent).

(Ordinance Nos. ORD-2019-19 and 2019-20 are recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are located in the County Commissioners' Office.)

FISCAL YEAR 2020 SCHOOL RESOURCE OFFICER/ADEQUATE COVERAGE GRANT

Jeffrey Proulx, Chief Operations Officer, Washington County Public Schools; Stephanie Lapole, Senior Grant Manager, Office of Grant Management; and Mark Knight, Washington County Sheriff's Office, presented information regarding the submission of a grant application for the FY20 School Resource Officer Adequate Coverage Grant in the amount of \$318,246.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to accept the grant for additional School Resource Officers, Springfield Middle and Ruth Ann Monroe Schools, as presented. The motion passed unanimously (4-0, Commissioner Keefer was absent).

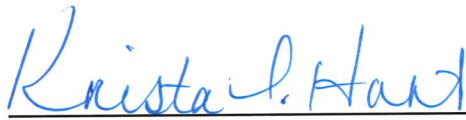
**FOURTH QUARTER ADJUSTMENTS TO THE WASHINGTON COUNTY BOARD OF
EDUCATION'S FY2019 GENERAL FUND BUDGET**

Jeffrey Proulx, Chief Operating Officer, and David Brandenburg, Executive Director of Finance, Washington County Public Schools presented for approval, the fourth quarter adjustments to the Board of Education's (BOE) Fiscal Year 2019 (FY19) General Fund Budget. Mr. Proulx reviewed the changes to the budget as approved by the BOE on September 3, 2019.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the requested adjustments to the BOE's Fourth Quarter FY19 General Fund Budget as presented. The motion passed unanimously. The motion passed unanimously (4-0, Commissioner Keefer was absent).

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to adjourn at 11:54 a.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*