

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

April 25, 2017

INVOCATION AND PLEDGE OF ALLEGIANCE

The Commissioners observed a moment of silence 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 10:05 a.m. at 100 West Washington Street, Room 1113, with the following members present: Vice President Jeffrey A. Cline and Commissioners Wayne K. Keefer and LeRoy E. Myers, Jr. Commissioner John F. Barr was absent.

APPROVAL OF MINUTES – APRIL 11, 2017

Commissioner Myers, seconded by Keefer, moved to approve the minutes of April 11, 2017. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

There were no reports given.

CONVENE IN CLOSED SESSION

Commissioner Myers, seconded by Keefer, moved to convene in closed session at 10:08 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; and 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 of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

In closed session, the Commissioners discussed a number of County employee position recommendations and other related staffing and transition issues with the County Administrator and staff.

During closed session, the Commissioners provided direction to the County Administrator and staff as to a number of County employee position recommendations and requested that the recommendations be brought up for further discussion and consideration during next week's open session meeting.

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Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, Wayne K. Keefer and LeRoy Myers, Jr. Also present were Robert J. Slocum, County Administrator; Sarah Sprecher, Assistant County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; and Debra Murray, Chief Financial Officer.

RECONVENE IN OPEN SESSION

Commissioner Myers, seconded by Keefer, moved to reconvene in open session at 10:31 a.m. The motion passed unanimously. (Commissioner Barr was absent.)

AUTHORIZING RESOLUTION FOR PUBLIC IMPROVEMENT BONDS OF 2017

Lindsey Rader, Bond Counsel for Washington County, presented an authorizing resolution for approval by the County Commissioners to issue and sell at public sale, upon its full faith and credit, a series of general obligation bonds for the purpose of financing the cost of certain public facilities and projects. Ms. Rader advised that certain laws of Maryland authorize and empower the County Commissioners to issue and sell at public sale, upon its full faith and credit, a series of general obligation bonds for the purpose of financing the cost of certain public facilities and projects. The contemplated bonds will not exceed \$13,780,000 in the aggregate principal amount (\$12,000,000 tax-supported and \$1,780,000 self-supported).

The proceeds from the bonds will be used to fund costs of certain infrastructure, public safety, public facilities, educational and environmental public facilities and projects. There is no additional "new money" being requested other than as was approved in the 2017 Capital Budget and subsequently reduced by \$2,245,000. Issuance costs are expected to be funded from pay-go funds or from the net premium received from the successful bidder for the bonds.

The Commissioners discussed the proposal and the \$12 million borrowing amount that was originally set at \$16 million. Chief Financial Officer Debra Murray stated that the amount was reduced in part due to availability of a state loan at a lower interest rate for the Conococheague Wastewater Treatment Plant project.

Commissioner Myers, seconded by Cline, moved to approve the resolution authorizing the County Commissioners of Washington County to issue and sell at public sale, upon its full faith and credit, a series of general obligation bonds in the aggregate principal amount not to exceed \$13,780,000 for the purpose of financing costs of certain public facilities and projects as presented. The motion passed unanimously. (4-0, Commissioner Barr was absent.) (Resolution No. RS-2017-08 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CITIZENS' PARTICIPATION

No citizens attending the meeting wished to participate.

RECOGNITION OF PATRICK SPEAKER FOR WINNING TWO SPECIAL OLYMPICS BRONZE MEDALS

Commissioner Baker presented a plaque on behalf of the Commissioners to Special Olympian Patrick Speaker for winning two bronze medals at the 2017 Special Olympics Winter Games. Patrick and his family traveled last month to Ramsau, Austria, where he competed in snowshoeing events. Patrick, his father Mike Speaker, and James Schmutz, President and CEO of Special Olympics Maryland, Inc., spoke about the trip to Austria and the competition. Patrick also received a certificate from Mark Galinsky, representative of Congressman John Delaney. The Commissioners commended Patrick for his achievements.

(Commissioner Cline left the meeting at 11:26 a.m. to attend graduation ceremonies for the Pittsburgh Institute of Aeronautics.)

MARYLAND AGRICULTURAL LAND PRESERVATION PROGRAM 60/40 MATCH FOR FISCAL YEAR 2017-18

Eric Seifarth, Rural Preservation Administrator, and Chris Boggs, Land Preservation Planner, Planning and Zoning, presented a recommendation to approve a \$330,000 commitment from the local share of the Agricultural Transfer Tax (\$130,000) and Real Estate Transfer Tax (\$200,000) to fund the 60/40 match component of the Maryland Agricultural Land Preservation Program (MALPP) (easement program) for FY 2017-18. Mr. Seifarth stated that each year MALPP requests that counties advise if they wish to obligate funds to the 60/40 match portion of the Land Preservation Easement Program. Land Preservation staff is recommending that Washington County designate \$330,000 as its 40% local match in order to receive the 60% State match of \$495,000. This is consistent with the County Commissioners' approval on March 7, 2017 of a change in funding strategy to use a portion of the local Real Estate Transfer Tax for this program instead of exclusively for the local Installment Purchase Program. That commitment will result in total funding of \$1,625,000 for easement purchases in FY 17 and FY 18 (including \$800,000 of general allotment funds that all counties receive) as compared to only \$1,125,000 under the former funding policy. Agricultural Transfer Taxes and the first \$400,000 of the Real Estate Transfer Tax collected each year are designated for use in preservation programs and are not General Fund money.

Mr. Seifarth discussed an email just received from the State notifying the County that the State's entire fund was split in half and each county would receive \$975,000 for the county general allotment. The other half of the State funds will go to counties contributing to the 60/40 match. Due to Washington County's commitment made March 7, the County will receive an additional \$500,000 that it would not have received without using the county installment payment funds. A portion of those, approximately one-half, will be contributed to the 60/40 match.

Commissioner Baker discussed the program and the amount of funds available for the County's contribution. Mr. Seifarth indicated that the County can only use funds that are in specified accounts and are not obligated.

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Commissioner Keefer, seconded by Myers, moved to approve a \$330,000 commitment from the local share of the Agricultural Transfer Tax (\$130,000) and Real Estate Transfer Tax (\$200,000) to fund to the 60/40 match component of the Maryland Agricultural Land Preservation Program (MALPP) (easement program) for FY 2017-18 as presented. The motion passed unanimously. (3-0, Commissioners Barr and Cline were absent.)

REPORTS FROM COUNTY STAFF

County Administrator – World War II Monument Contribution

County Administrator Rob Slocum stated that a request has been presented to the Commissioners by the Williamsport American Legion for a County contribution toward a World War II monument planned at the post located on South Conococheague Street.

Commissioner Myers, seconded by Keefer, moved to approve \$10,000 toward the planned World War II memorial project as presented. The motion passed unanimously. (3-0, Commissioners Barr and Cline were absent.)

Mr. Slocum commented that Commissioner John Barr is attending an Allegiant Air conference in Las Vegas, Nevada with Hagerstown Regional Airport staff. He also noted that Commissioner Cline left the meeting to attend graduation ceremonies for students of the Pittsburgh Institute of Aeronautics.

FEDERAL FISCAL YEAR 2017 EMERGENCY SOLUTIONS GRANT

APPLICATION

Stephanie Lapole, Grant Manager, Community Grant Management, requested approval for the submission of an Emergency Solutions Grant Program application that would provide funds to prevent homelessness and improve the quality of existing emergency and transitional shelters for the homeless in Washington County. The Department of Housing and Community Development requires that local governments be the lead applicant on behalf of the agencies seeking such funding. The Federal Fiscal Year (FFY) 2017 application to be submitted to the Department of Housing and Community Development includes specific requests totaling \$145,000 from the three sub-applicants, CASA, REACH, and the Washington County Community Action Council for the maintenance and operation of shelters and the provision of direct services to individuals. The application includes \$4,350 for the Office of Community Grant Management to cover administrative support expenses.

Commissioner Keefer, seconded by Myers, moved to approve the submission of the FFY 2017 Emergency Solutions Grant application totaling \$145,000 to the Department of Housing and Community Development and to accept the awarded funding and forthcoming grant and sub recipient agreements as presented. The motion passed unanimously. (3-0, Commissioners Barr and Cline were absent.)

BETHEL GARDENS PAYMENT IN LIEU OF TAXES PROPOSAL

Attorney Andrew Wilkinson, Divelbiss & Wilkinson, representing Bethel Gardens Development Partners, LP, presented a request to execute a Payment in Lieu of Taxes

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(PILOT) agreement for Bethel Gardens. The 94 unit low income housing complex built in 1976 and located within the City of Hagerstown is to undergo major renovations if tax-preferred financing is approved. The proposed PILOT agreement provides for an increased amount of real property tax revenue to the County over the 42-year life of the project than is currently being generated from the complex. The proposal also requires the complex's exterior and common areas to be maintained in good repair and proper working order. Rehabilitation efforts will include over \$6 million in renovations or \$65,000 per unit.

The Commissioners discussed the matter and the fact that the Hagerstown City Council would be voting on the proposal tonight during their evening meeting. The Commissioners reached a consensus to postpone their vote until they meet this evening with the Hagerstown Mayor and City Council.

CONVENE IN CLOSED SESSION

Commissioner Myers, seconded by Keefer, moved to convene in closed session at 11:55 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; and 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 of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously. (3-0, Commissioners Barr and Cline were absent.)

In closed session, the Commissioners considered several County employee position recommendations by the County Administrator and staff; discussed the potential appointment of two specific individuals to a local advisory council over which the Commissioners have appointment authority; discussed the potential appointment of a number of specific individuals to a local design review committee over which the Commissioners have appointment authority; discussed an ongoing personnel matter involving a specific individual with the County Administrator; discussed specific proposals submitted by several business entities desiring to locate or expand in the County/State; and received an update from the County Administrator regarding several additional transition related items/issues.

During closed session, the Commissioners provided direction to the County Administrator and staff as to several County employee position recommendations; instructed Staff to bring forth the potential appointments to a local advisory council over which the Commissioners have appointment authority for further consideration and discussion and a possible vote during a future open session meeting; instructed Staff to bring forth the potential appointments to a local design review committee over which the Commissioners have appointment authority for further consideration and discussion and a possible vote

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during a future open session meeting; provided direction to staff regarding an ongoing personnel matter; and requested additional information regarding the proposals by several entities hoping to locate or expand in the County/State.

Present during closed session were Commissioners Terry L. Baker, Wayne K. Keefer and LeRoy Myers, Jr. Also present were Robert J. Slocum, County Administrator; Sarah Sprecher, Assistant County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; Kirk C. Downey, Deputy County Attorney; and at various times Stephanie Stone, Director, Health and Human Services; and Amy Olack, Executive Director, Area Agency on Aging.

RECONVENE IN OPEN SESSION

Commissioner Myers, seconded by Keefer, moved to reconvene in open session at 1:24 p.m. The motion passed unanimously. (Commissioners Barr and Cline were absent.)

RECESS

The Commissioners recessed at 1:24 p.m.

JOINT EVENING MEETING WITH THE CITY OF HAGERSTOWN MAYOR AND COUNCIL

A joint evening meeting of Board of County Commissioners of Washington County, Maryland, and the City of Hagerstown Mayor and Council was held at Hagerstown City Hall, 1 East Franklin Street, Hagerstown. Mayor Bruchey called the meeting to order at 6:03 p.m. In attendance were Commissioners Terry L. Baker, Jeffrey A. Cline, Wayne K. Keefer and LeRoy E. Myers, Jr. Mayor Robert E. Bruchey, II and City Council members Kristin Aleshire, Lewis Metzner, Donald Munson, Emily Keller and Paul Corderman were present.

DOWNTOWN URBAN IMPROVEMENT PROJECT (UIP)

County Administrator Rob Slocum discussed recent progress on the downtown Urban Improvement Project (UIP). He indicated that the State of Maryland would be providing partial funding for the demolition of certain buildings and that several project partners are working with the architect regarding building concepts. More details regarding funding and project concepts will be shared during future joint meetings of the elected bodies. City Engineer Rodney Tissue commended the cooperation of all involved parties. The City has committed to providing \$1.5 million toward the UIP. Council member Lewis Metzner commented on the unprecedented project. Council member Kristin Aleshire paraphrased Senator Andrew Serafini who has stated, "If you don't have a successful urban core, it affects everything from there on out." Council member Donald Munson thanked the County for taking the lead on the project.

HAGERSTOWN FIRE DEPARTMENT TRAINING FACILITY

City of Hagerstown Fire Chief Steve Lohr addressed attendees on the deteriorating condition of the City's Fire Training Facility at 613 West Washington Street. He indicated that he fully supports the County's planned Fire and Rescue Training facility on Roxbury

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Road but cannot support City career staff traveling outside City limits for training. Chief Lohr estimated that \$300,000 would be necessary to update the City's facility. Commissioner Keefer thanked Chief Lohr for attending the monthly meetings of the County's Emergency Services Advisory Council. Council member Aleshire also plans to attend those meetings on a regular basis.

BETHEL GARDENS PAYMENT IN LIEU OF TAXES PROPOSAL

The Commissioners and Council members discussed the proposal by Bethel Gardens Development Partners, LP that the City and County to approve a Payment in Lieu of Taxes (PILOT) to fund improvements to Bethel Gardens located in the City of Hagerstown. The topic was earlier discussed by the County Commissioners during their regular meeting. The City plans to vote on the request during their 7:00 p.m. meeting. Commissioner Myers requested comments from council members regarding the proposal. He expressed concern that if the PILOT is not approved, the housing complex would continue to deteriorate. Council member Munson agreed that a PILOT was the only option. Council member Corderman commented on the financial impact to the City but agreed that both sides have valid positions.

Commissioner Myers moved to approve a PILOT agreement between Bethel Gardens Development Partners, LP and Washington County for Bethel Gardens as earlier presented during the Commissioners regular meeting. Commissioner Keefer commented that he would like to see whether the 13% lease revenue could be increased. The motion died for the lack of a second.

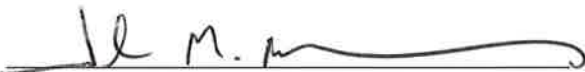
COMMENTS

Commissioner Myers commented that he would like to have future discussions regarding Chief Lohr's presentation. He also stated that the City's cooperation with the UIP regarding expedient permitting and inspections would make for a smooth and successful project. Commissioner Baker recommended future meetings of the City/County 2+2 Committee with rotating members.

The joint meeting ended at 6:40 p.m.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney


Vicki C. Lumm, County Clerk