

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

May 16, 2017

**EMPLOYEE SERVICE AWARDS**

The County Commissioners attended the Washington County Employee Service Awards breakfast at 7:30 a.m. at the Hager Hall Conference and Event Center, 901 Dual Highway, Hagerstown.

**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 10:03 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 – MAY 9, 2017 and MARCH 14, 2017**

Commissioner Myers, seconded by Keefer, moved to approve the minutes of May 9, 2017 and March 14, 2017. The motion passed unanimously.

**CONVENE IN CLOSED SESSION**

Commissioner Keefer, seconded by Myers, moved to convene in closed session at 10:04 a.m. to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the state; 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 the acquisition of real property for a public purpose and matters directly related thereto, 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 an ongoing personnel matter involving a specific individual with staff; discussed the potential acquisition of real property for a public purpose and matters directly related thereto; and considered/discussed specific issues relating to various proposals by several entities desiring to locate, expand or remain in the County/State.

During closed session, the Commissioners provided specific direction to staff regarding an ongoing personnel matter; instructed staff to obtain additional information concerning the

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potential acquisition of real property and related issues; and provided direction to staff relating to proposals from several entities desiring to locate, expand or remain in the County/State.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, 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 at various times Stephanie Stone, Director, Health and Human Services; Jim Sterling, Director, Public Works; Scott Hobbs, Director of Engineering; Debra Murray, Chief Financial Officer, Budget and Finance; Brennan Garrett, Architectural Project Manager, Engineering and Construction Management; Kirk C. Downey, Deputy County Attorney; Senator Andrew Serafini and Delegate Brett Wilson.

**RECONVENE IN OPEN SESSION**

Commissioner Myers, seconded by Barr, moved to reconvene in open session at 11:18 a.m. The motion passed unanimously.

**PUBLIC HEARING - AMENDMENTS TO THE WASHINGTON COUNTY FLOODPLAIN MANAGEMENT ORDINANCE**

President Baker convened a public hearing at 11:20 a.m. to obtain public comment regarding proposed amendments to the Washington County Floodplain Management Ordinance (Ordinance). President Baker reviewed the procedures for the Public Hearing.

Tim Lung, Director, Plan Review; Mark Stransky, Senior Plan Reviewer and Floodplain Manager; and Rebecca Calimer, Plan Reviewer, provided information on the amendments. Mark Stransky discussed the reasons to adopt the amendments to the Ordinance; it would allow Washington County citizens the opportunity to obtain flood insurance through the National Flood Insurance Program (NFIP), and the County would be eligible for disaster assistance. As a member of NFIP, the County performs a service for its incorporated municipalities by administering and enforcing floodplain ordinances in/for those municipalities. The proposed Ordinance has been reviewed and pre-approved by the State of Maryland and is ready for adoption by the County Commissioners. Mr. Stransky stated that the deadline for adoption of the proposed Ordinance by the County and municipalities is August 15, 2017. The Commissioners discussed the matter.

The hearing was opened for public comment and two individuals offered comments. John and Jenny Ferguson of Foxleigh Meadows discussed a recent bill from their insurer for flood insurance that has increased substantially.

The matter was opened for questions from the Commissioners and no comments were offered. The public hearing was closed at 11:34 a.m.

Commissioner Myers, seconded by Barr, moved to repeal and reenact with amendments an ordinance entitled the "Washington County Floodplain Management Ordinance" adopted

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May 27, 1992, revised October 19, 2004, effective November 1, 2004. Commissioner Barr referred to public meetings held last fall regarding this matter at the Washington County Free Library. The motion passed unanimously.

(Commissioner Myers left the meeting at 11:36 a.m.)

**ADULT DAY REPORTING CENTER GRANT**

Susan Buchanan, Grant Manager, Community Grant Management; and Major Craig Rowe, Sheriff's Office, requested authority to submit a \$270,000 grant application for the Fiscal Year 2018 Adult Day Reporting Center to the Governor's Office of Crime Control and Prevention and to accept all funding if awarded. Ms. Buchanan stated that the Sheriff's Office plans to use the grant funding to continue the operations of the Adult Day Reporting Center. The Center provides community based services and treatment to offenders under parole/probation or pretrial supervision to reduce recidivism, jail populations and associated corrections related costs. The County previously was awarded \$540,000 to establish the Center with the option to apply for two additional years of funding with a 50% match requirement.

Commissioner Barr, seconded by Keefer, moved to approve the submission of a \$270,000 grant application for the Fiscal Year 2018 Adult Day Reporting Center to the Governor's Office of Crime Control and Prevention and to accept all funding if awarded. The motion passed unanimously. (4-0, Commissioner Myers was absent during the vote.)

(Commissioner Myers returned to the meeting at 11:40 a.m.)

**HOTEL RENTAL TAX FUND REQUEST – MARYLAND SYMPHONY ORCHESTRA SALUTE TO INDEPENDENCE**

Jim Hovis, Director, Community Grant Management, and Emily Socks, Director of Advancement, Maryland Symphony Orchestra, appeared before the Commissioners to request \$35,000 in Hotel Rental Tax funding toward direct expenses associated with the 32nd Annual Salute to Independence event at the Antietam National Battlefield to be held July 1 this year. Mr. Hovis discussed the event and its positive impact on hotels and businesses in Washington County. The total budget for the event is \$247,000; \$102,542 has been received from private sources and \$109,458 from in-kind contributions, community partners, and the Antietam National Battlefield. Mr. Hovis stated that many hotels are booked the weekend of the event, which contributes to tourism with an estimated economic impact of \$1.1 million. The Salute to Independence also fulfills all seven of the Commissioners' goals and criteria for use of Hotel Rental Tax Funds. Michael Jonnes, retired Executive Director, Maryland Symphony Orchestra, commented on the popular event. Commissioner Barr praised the Maryland Symphony Orchestra that is based in Washington County.

Commissioner Barr, seconded by Cline, moved to approve \$35,000 in Hotel Rental Tax funding toward direct expenses associated with the 32<sup>nd</sup> Annual Salute to Independence event at the Antietam National Battlefield. The motion passed unanimously.

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**PURCHASE OF 14201 PENNSYLVANIA AVENUE**

Susan Small, Real Property Administrator, requested approval to purchase real property at 14201 Pennsylvania Avenue for the purpose of a future Showalter Road Extended and to improve the safety at the intersection of Pennsylvania Avenue and Showalter Road. Ms. Small stated that a recent accident left the house on the property uninhabitable. The property owner has agreed to sell the property to the County for \$150,000. A retrospective appraisal was performed by Bowers Appraisal Services and the previous appraised value was determined to be \$300,000. The approximate value of the damage to the structure is \$150,000-\$200,000 pursuant to the Homeowner's insurance inspection. The property owner has verbally agreed to \$150,000 for the fee simple purchase of the entire property. Funds for the purchase are available in the Capital Improvement Project budget.

The Commissioners discussed the proposal. County Administrator Rob Slocum advised that there is a long range plan involving that intersection. Demolition of the existing structure is estimated at \$25,000-35,000. Commissioner Keefer questioned whether that cost could be deducted from the purchase price. Commissioner Baker questioned whether any unneeded portion of the property could be sold to adjoining owners. The Commissioners took no action on the proposal at this time and indicated their desire to take the matter under advisement.

**RECESS**

The Commissioners relocated at 11:58 a.m. to Room 2001, 100 West Washington Street.

**LUNCH WORKSHOP WITH THE ECONOMIC DEVELOPMENT COMMISSION AND DEPARTMENT OF BUSINESS DEVELOPMENT**

Commissioners Baker, Cline, Barr and Keefer met during lunch with members of the Economic Development Commission and Department of Business Development staff to discuss their functions and priorities. The group also discussed recommendations to improve economic development in Washington County.

**RECONVENE**

The Commissioners reconvened in Room 1113, 100 West Washington Street, at 1:58 p.m. Commissioner Myers was absent.

**DISCUSSION OF APPLICATION FOR MAP AMENDMENT - RZ-16-007**

Kirk C. Downey, Deputy County Attorney, brought forward Map Amendment application RZ-16-007 from Applicant Pennsylvania Avenue 2003 for consideration and discussion by the Commissioners. The application concerns the request to change the zoning classification on the property from Residential, Suburban (RS) to Business General (BG). The Applicant has suggested a mistake was made in zoning the property during the 2012 Comprehensive Urban Growth Area Rezoning. During their meeting held December 5, 2016, the Washington County Planning Commission deemed there was insufficient evidence to support the Applicant's claim that there was a mistake in zoning in 2012. The

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Commissioners took no action following a public hearing held March 7, 2017. Mr. Downey generally reviewed the public comments received during the public hearing and asked that the Commissioners reach a consensus to grant or deny the rezoning request.

The Commissioners discussed the matter and the recommendation by the Planning Commission. It was their consensus that the Applicant had not sufficiently justified that a mistake was made during the 2012 Comprehensive Urban Growth Area Rezoning. Commissioner Barr stated that he was not present for the public hearing and would be abstaining from voting on the matter. A Decision and Findings of Fact relating to the application will be prepared by staff and presented to the Commissioners for consideration and vote during a future meeting.

### **PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

President Baker convened a public hearing at 2:08 p.m. to obtain public comment regarding the proposed resolution of support authorizing the submission of the County's application for Fiscal Year 2018 Community Development Block Grant (CDBG) funding of \$428,250 for the expansion of the Senior Center Activities Center (Center) and to accept the funding if awarded.

Susan Buchanan, Grant Manager, and Amy Olack, Director, Washington County Commission on Aging (COA), discussed plans to expand the Center located at 535 East Franklin Street, Hagerstown. The State of Maryland provides funds through the federally funded program designed to assist units of local government with activities directed toward neighborhood revitalization, housing opportunities, economic development and improved public facilities and services. If approved, the County will submit an application requesting \$428,250 to be used to fund the renovation of an existing building located on the campus of the Center to provide additional space for activities. The Center's membership has increased exponentially since the new location's opening in February 2016.

The hearing was opened for public comment and six persons spoke in favor of the application:

C. Richard Miller, Hagerstown  
Laura Sulchek, Woodburn Drive, Hagerstown  
Casmir Gordon, Mountain Maple Court, Hagerstown  
Patricia Crowley, Hagerstown  
Lorraine Blades, Pheasant Trail, Hagerstown  
Diana Shepherd, Woodburn Drive, Hagerstown

The meeting was opened for discussion by the Commissioners. Commissioner Keefer commended the Commission on Aging and seniors for the success of the Senior Activities Center.

The Public Hearing was closed at 2:22 p.m.

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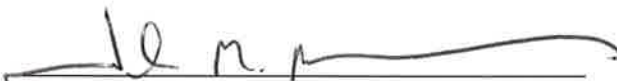
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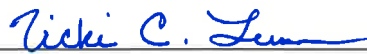
Commissioner Keefer, seconded by Barr, moved to authorize the submission of the County's application for Fiscal Year 2018 Community Development Block Grant (CDBG) funding of \$428,250 for the expansion of the Senior Center Activities Center (Center), to accept the funding if awarded, and to approve the execution of all necessary documents including the required sub-recipient agreement to effectuate the grant. The motion passed unanimously. (4-0, Commissioner Myers was absent.) (Resolution No. RS-2017-11 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

**ADJOURNMENT**

Commissioner Cline, seconded by Keefer, moved to adjourn the meeting at 2:23 p.m.

  
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Robert J. Slocum, County Administrator

  
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John M. Martirano, County Attorney

  
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Vicki C. Lumm, County Clerk