

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

June 12, 2018

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 9:18 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 – JUNE 5, 2018

Commissioner Keefer, seconded by Cline, moved to approve the minutes of June 5, 2018. The motion passed with Commissioners Keefer, Cline, Myers and Baker voting “AYE” and Commissioner Barr “ABSTAIN” due to being absent from the meeting.

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Myers, moved to convene in closed session at 9:19 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 staff, consultants, or other individuals about pending or potential litigation; and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b) (1), (4) and (8) 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 services board over which the Commissioners have appointing authority; discussed the potential appointment of a specific individual to a local board over which the Commissioners have appointing authority; discussed a specific employment recommendation with staff; and discussed and received legal advice/information on certain matters, including potential legal action.

During closed session, the Commissioners provided direction regarding the filling of a several vacancies on a local services board including the further discussion and presentation for approval of those individuals during today’s open session meeting; provided direction regarding the filling of a certain vacancy on a local board including the further discussion and presentation for approval of that individual during today’s open

June 12, 2018

Page 2

session meeting; provided direction to staff relating to a specific employment recommendation and vacancy; requested that staff have further discussions and obtain additional information regarding several legal/contractual matters and to provide that information to the Commissioners at a future meeting.

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; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney, and at various times Jim Hovis, Chief Operations Officer; Michael Piercy, Director, Social Services; Tim Lung, Director, Plan Review and Permitting; Debra Peyton, Deputy Director, Health and Human Services; Jim Sterling, Public Works Director; and Susan Small, Business Leader, Business Development.

RECONVENE IN OPEN SESSION

Commissioner Cline, seconded by Barr, moved to reconvene in open session at 10:49 a.m. The motion passed unanimously.

REPORTS FROM COUNTY STAFF

Engineering

Scott Hobbs, Director, and Andrew Eshleman, Structural Engineer, Engineering, updated the Commissioners on the condition of Sandy Hook Road after it was affected by a landslide last month during severe flooding conditions. Mr. Hobbs advised that the road could be open to one lane traffic next week after a stone gabion wall made of wire mesh filled with stone is erected to protect the motoring public. The County used expedited bids for the project. The National Parks Service has not yet advised staff regarding the removal of the landslide debris and stabilizing the slope. The temporary gabion wall will allow citizens and emergency crews to travel the area and avoid a long detour. County Administrator Rob Slocum stated that the County has been contacted by the Federal Emergency Management Agency (FEMA) regarding qualifying for reimbursements from storm damage and that an additional 15% reimbursement may be realized.

Emergency Services

David Hays, Director, Emergency Services, stated that the draft Fire and Rescue Study has been completed earlier than expected and was distributed to the Washington County Volunteer Fire and Rescue Association and Emergency Services Advisory Council for initial review. The matter will be presented to the Commissioners during a future meeting.

County Clerk – Appointments to Boards/Commissions

Board of Zoning Appeals

Commissioner Barr, seconded by Myers, moved to appoint Tracie Felker an alternate member of the Board of Zoning Appeals to serve an unfulfilled term through June 30, 2019. The motion passed unanimously.

June 12, 2018

Page 3

Social Services Board

Commissioner Barr, seconded by Keefer, moved to reappoint David Pool and Norma Sappington to serve second, three-year terms through June 30, 2021; and appoint Luis Flores to serve a first, full term through June 30, 2021 on the Board of Social Services. The motion passed unanimously.

County Attorney - Zoning Map Amendment RZ-17-005

Deputy County Attorney Kirk C. Downey brought forth the Decision and Findings of Fact for RZ-17-005 from applicant BSM Big Pool, LLC (Contract Purchaser) and Richard and Rhonda Mummert (owner) for Map Amendment RZ-17-005 to the Washington County Zoning Ordinance (Ordinance). The County Commissioners held a public hearing regarding the application and reached a consensus to deny the request. The Decision and Findings of Fact have been prepared and are ready for adoption.

Commissioner Keefer, seconded by Myers, moved to deny the requested reclassification of the property that is the subject of RZ-17-005 and to adopt the Decision and Findings of Fact as prepared in support of the denial. The motion passed with Commissioners Keefer, Myers and Baker voting "AYE", Commissioner Cline "NO" and Commissioner Barr "ABSTAIN". (The original Decision and Findings of Fact are with the signed minutes.)

CITIZENS' PARTICIPATION

Commissioner Baker recognized County Commissioner candidates Donny Ravas and William McKinley. Mr. Ravas commented on the campaign.

REPORT ON THE 2018 WASHINGTON COUNTY COMMUNITY COALITION INITIATIVE AND DAY IN ANNAPOLIS

Paul Frey, President/CEO of the Washington County Chamber of Commerce, and Jim Kercheval, Executive Director of the Greater Hagerstown Committee, presented an update on 2018 legislation promoted by the Community Coalition, of which the County is a member. Jim Kercheval stated that the Interstate 81 Widening may not be fully funded according to various sources. He briefly discussed legislation addressing Interstate 70 and Maryland 65 Interchange Upgrades, Capital Budget Requests, the downtown Urban Improvement Project, Thomas Kennedy Memorial Park, Boonsboro Road Museum, Williamsport National Parks Service Project, and funding for a 24/7 Crisis Center and Mobile Crisis Teams. Mr. Kercheval thanked County staff for their assistance during the recent legislative session and noted that the next Day in Annapolis will be January 30, 2019. He stressed that bills should be ready earlier than normal this year for pre-filing purposes. The Commissioners thanked both individuals and the Community Coalition for the work done on behalf of Washington County.

RECOMMENDATIONS OF THE POSITION REVIEW TEAM

Sara Greaves, Chief Financial Officer, Budget and Finance, Stephanie Stone, Director, and Debra Peyton, Deputy Director, Health and Human Services, presented findings of the Position Review Team that reviewed requests for specific County employee positions recommended for adjustment using the approved budget of \$400,000. Sara Greaves

June 12, 2018

Page 4

indicated that the review team was careful not to create an inequity across departments when making their recommendations. Of the 71 requests submitted, the team is recommending adjustments to 58 positions representing 82% of requests. Of those positions, 44 represent a change related to wages, 10 represent grade and title changes, and four include title changes only. All positions recommended for a grade increase will follow the County practice of moving up one grade then moving back one step. These positions affect approximately 132 employees representing 16.5% of the employee population. The Commissioners discussed the proposal and Commissioner Cline requested a list of all the requests received.

Commissioner Barr, seconded by Myers, moved to approve the recommendations of the Position Review Team to become effective July 1, 2018 and to approve a budget transfer of \$400,000 to the appropriate accounts to accommodate the recommendations as presented. The motion passed unanimously.

9-1-1 EMERGENCY COMMUNICATIONS CAREER PATH PROPOSAL

Sara Greaves, Stephanie Stone and Debra Peyton discussed a plan to promote a career path for 9-1-1 Call Takers to address the turnover of employees and extended routine overtime at the 9-1-1 Emergency Communications Center. Ms. Stone stated that two approaches were considered; first, to add two additional Call Takers over and above the two already approved in the FY 2019 budget, and second, to provide a career path for new and long-term employment at the 9-1-1 Center. The career path proposal would serve to enhance the organizational structure of the Emergency Communications Center staff and provide opportunities for employee advancement by delineating a viable career path through training and support that will expand employee skill sets to best serve citizens. The cost of the plan is \$111,050 and 52 current employees are affected.

Ms. Greaves discussed the action plan to improve the quality of Call Taker positions through higher pay scales, the elimination 18-hour shifts, added breaks, training enhancements and providing an enhanced career path for longevity. Commissioner Cline commented on the resignation of another 9-1-1 Call Taker this past week and was informed that the position would be filled immediately according to policy.

Commissioner Cline, seconded by Barr, moved to approve the 9-1-1 Emergency Communications Career Path Proposal to be implemented July 1, 2018 as presented. The motion passed unanimously.

2018 – 2019 PROPERTY AND CASUALTY INSURANCE RENEWALS

Tracy McCammon, Risk Management Administrator, Health and Human Services, and Patrick Hancock, AON Risk Solutions, presented the recommendation to renew policies in place with Travelers Insurance Company, property and equipment policies with Local Government Insurance Trust, and the airport liability policy with Global Aerospace. Ms. McCammon advised that the renewal quotes from the insurance carriers show a total increase of \$49,237 over last year's actual, a 4.3% increase for Fiscal Year 2019. AON was able to negotiate renewal quotes from carriers well within the 8% budgeted increase.

June 12, 2018

Page 5

Commissioner Myers, seconded by Barr, moved to renew policies in place with Travelers Insurance Company, property and equipment policies with Local Government Insurance Trust, and airport liability policy with Global Aerospace as presented. The motion passed unanimously.

PUBLIC HEARING – 2018 AGRICULTURAL PRESERVATION DISTRICT APPLICATIONS

President Baker convened a Public Hearing at 11:39 a.m. to obtain public comment on the ten-year term County Agricultural Land Preservation District Applications. Eric Seifarth, Rural Preservation Administrator, and Chris Boggs, Land Preservation Planner, Planning and Zoning, presented the applications from fourteen property owners. If approved, the listed applicants will be restricted to agricultural use only on their farms for a period of ten years. In exchange, the landowners will not pay County property tax on their agricultural land or buildings and they will receive a credit of up to \$711 on their farmhouse. The cost of tax credits relating to these properties for the ten-year period equals approximately \$12 per acre per year for a total of approximately \$185,254 for the full ten-year period for 1,543.782 acres. The Agricultural Land Preservation Advisory Board and Washington County Planning Commission approved all proposed districts as the applications met the program criteria for size, soils, assessment and Comprehensive Plan requirements.

Mr. Boggs described the criteria to be met for consideration which includes being a minimum of fifty acres in size, 50% Class 1, 2, or 3 soils and having outside areas programmed for public water and sewer. The property also cannot be located in the Urban Growth Area. The fourteen 2018 Washington County Agricultural Preservation District applicants are as follows: Jeremiah A. and Janelle R. Weddle (65.29 acres), Paul G. Rhoderick (149.08 acres), Curvin and Glennis Eby (97.49 acres), Donna K. McCauley (81.04 acres), Page A. and Ronda L. Houser (152.73 acres), Bragunier Farms, Inc. (72.17 acres), David C. Forcino (25.5 acres), Terry R. and Deborah A. Roane (75.99 acres), Donald J. Houser (130.81 acres), Larry W. and David R. Keadle (139.06 acres), Janet S. Fulton (125.75 acres), Neal I. and Kathryn Sincell-Corwell (189.18 acres), Houser's Produce Farm, Inc. (83.21 acres), and Janet S. Fulton (156.482 acres).

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

Commissioner Barr questioned the property boundaries that lie next to the Urban Growth Area. Mr. Seifarth stated that the preservation districts are permanent; however, the State could terminate a permanent easement through legislative action, but it has not yet happened.

The public hearing was closed at 11:47 a.m.

Commissioner Keefer, seconded by Myers, moved to approve the ten-year Agricultural Land Preservation District applications for the fourteen specific properties as presented. The motion passed unanimously.

June 12, 2018

Page 6

RECESS

The Commissioners recessed at 11:48 a.m. and relocated to Room 2000 to hold a lunch meeting with the Washington County Historical Advisory Committee.

LUNCH MEETING WITH THE HISTORICAL ADVISORY COMMITTEE

The Commissioners met at 12:10 p.m. with members of the Historical Advisory Committee (Committee) and Dan Spedden, President of the Visit Hagerstown-Washington County Convention and Visitors Bureau. Chair Betty Shank and members of the Committee addressed the Commissioners regarding their activities and presented four concerns for discussion: 1) Solar Panels/Farms, 2) Zoning Violations, 3) Tax Credits, and 4) the possible membership of a Historical Advisory Committee member on the Planning Commission or Board of Zoning Appeals.

RECESS

The Commissioners recessed at 1:06 p.m. and returned to Room 1113.

AFTERNOON SESSION

The Commissioners reconvened at 1:22 p.m. with the following members present: Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr.

CONTRACT AWARD FOR FOOD SERVICES AT THE WASHINGTON COUNTY DETENTION CENTER

Rick Curry, Purchasing Director, and Major Craig Rowe, Warden, Washington County Detention Center, presented the proposal to award the contract for Food Services at the Washington County Detention Center (PUR-1390) to the responsive, responsible proposer, Aramark Correctional Services, Inc. of Downers Grove, Illinois, for the total proposal amount of \$628,639.50 based on estimated annual quantities of meals and the proposer's unit costs per meal type. Mr. Curry indicated that the contract term is for one year tentatively beginning July 1, 2018 with an option by the County to renew for up to four additional consecutive one-year periods. The annual price increases or decreases to cover contract years two through five will be based upon the Producer Price Index. The present contract with Aramark was awarded in April 2013. The request for proposal requested that one additional employee be added to the kitchen staff; this requirement increased staffing levels above the current practice, which resulted in an additional labor cost.

Commissioner Myers, seconded by Barr, moved to award the contract for Food Services at the Washington County Detention Center to the responsive, responsible proposer, Aramark Correctional Services, Inc. of Downers Grove, Illinois, for the total proposal amount of \$628,639.50, based on estimated annual quantities of meals and the proposer's unit costs per meal type. The motion passed unanimously.

CONTRACT RENEWAL FOR #2 HEATING OIL

Brandi Naugle, Buyer, Purchasing, and Jim Sterling, Public Works Director, recommended renewal of the contract for Washington County Government's #2 Heating Fuel Oil to the

responsive, responsible low bidder, AC& T Company of Hagerstown, Maryland, that submitted the bidder factor of \$0.149 per gallon for tank wagon deliveries. Ms. Naugle advised that the County and City of Hagerstown cooperatively bid heating fuel requirements with Washington County Public Schools (WCPS). WCPS awarded its contract for tank wagon loads to AC& T Company with the lowest bid of \$0.149 per gallon over the weekly wholesale average price for #2 (high sulfur) heating oil as published in the Oil Price Information Service bulletin (OPIS, Pad 1, Baltimore gasoline and distillate reseller prices). The contract is effective August 1, 2018 and ends July 31, 2019. This is the last renewal option of the contract.

Commissioner Keefer, seconded by Barr, moved to renew the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, AC& T Company of Hagerstown, Maryland, that submitted the bidder factor of \$0.149 per gallon for tank wagon deliveries as presented. The motion passed unanimously.

BID AWARD – BRUMBAUGH-KENDLE-GROVE FARMSTEAD DEMOLITION

Brandi Naugle and Phil Ridenour, Director, Hagerstown Regional Airport, recommended the award of the Brumbaugh-Kendle-Grove Farmstead Demolition Project (PUR 1392) to the responsive, responsible bidder, Ritz Construction of Monrovia, Maryland, for the lump sum bid of \$89,864. The scope of work includes, but is not limited to, the coordination of salvage material removal with a 501(c) 8 organization, removal of salvage items (where applicable), building/site demolition and removal, backfill/restoration of site, electric utility removal, erosion and sediment control, top soiling, seeding, sodding, mulching, and well/cistern sealing. Funds of \$90,000 are in the department's Capital Improvement Project account for the project.

Commissioner Myers, seconded by Barr, moved to award the Brumbaugh-Kendle-Grove Farmstead Demolition Project to the responsive, responsible bidder, Ritz Construction of Monrovia, Maryland, for the lump sum bid of \$89,864.

RESCINDING BID AWARD FOR JANITORIAL SERVICES FOR WASHINGTON COUNTY OFFICE BUILDINGS

Brandi Naugle and John Pennesi, Deputy Director, Parks and Facilities, recommended rescinding the bid award without prejudice for Janitorial Services for Washington County Office Buildings (PUR-1380) at the request of P2 Cleaning Services of Laurel, Maryland, that was awarded the contract by the County Commissioners on April 24, 2018. After the award, P2 Cleaning Services requested that its bid be rescinded due to a mistake on its part in the calculation of hours to clean the County Administration Building. Staff is recommending that the contract be awarded to the next lowest responsive, responsible bidder, Beck & Call Professional Services, LLC of Laurel, Maryland, for the lump sum bid of \$249,206.15. The contract term is for one year with an option by the County to renew for up to four additional consecutive one-year periods tentatively commencing July 1, 2018.

June 12, 2018

Page 8

Commissioner Myers, seconded by Keefer, moved to rescind the previous bid award to P2 Cleaning Services without prejudice for Janitorial Services for Washington County Office Buildings at the request of P2 Cleaning Services of Laurel, Maryland. The motion passed unanimously.

Commissioner Barr, seconded by Myers, moved to award the contract for Janitorial Services for Washington County Office Buildings to the next lowest responsive, responsible bidder, Beck & Call Professional Services, LLC of Laurel, Maryland, for the lump sum bid of \$249,206.15. The motion passed unanimously.

SEX OFFENDER COMPLIANCE AND ENFORCEMENT MARYLAND GRANT

Tina Wilson, Senior Grant Manager, Grant Management, and Cody Miller, Sheriff's Department, requested approval of the submission of a grant application for the Fiscal Year 2019 Sex Offender Compliance and Enforcement Maryland Grant for \$36,259 to the Governor's Office of Crime Control and Prevention and accept the funding as awarded. The Sheriff's Department plans to use the funding provided toward the salaries of two part-time civilian employees who assist the Sex Offender Registrar with the register/re-register of sex offenders, while also conducting compliance checks of employment and home addresses. The grant will also cover training expenses to include registration fees, meals, lodging and travel. There is no matching fund requirement associated with this grant.

Commissioner Myers, seconded by Keefer, moved to approve the submission of a grant application for the Fiscal Year 2019 Sex Offender Compliance and Enforcement Maryland Grant for \$36,259 to the Governor's Office of Crime Control and Prevention and accept the funding as awarded. The motion passed unanimously.

STATE HOMELAND SECURITY GRANT PROGRAM MODIFICATION

Tom Brown, Emergency Management Specialist, Emergency Services, advised that on October 11, 2016, approval was obtained to accept the total award of \$183,341 for the FY 2016 State Homeland Security Grant Program. The program is intended to enhance and maintain current Homeland Security initiatives as they pertain to prevention, preparedness, response, recovery and mitigation. Mr. Brown indicated that the projects submitted in the grant application did not move forward as originally anticipated. Due to the cancelled projects, a budget modification was submitted to the Maryland Emergency Management Agency (MEMA) requesting to move the remaining grant funds from the software and communication line items to allow for the equipment purchase of ballistic helmets and body armor for emergency medical services personnel who are responding to active assailant incidents. MEMA has approved the modification request and the approval of the County Commissioners is necessary to move forward. The total cost of the project is \$28,404.

Commissioner Barr, seconded by Keefer, moved to approve the modification of funds being moved from certain expense accounts to other expense accounts for the FY 2016 State Homeland Security Grant Program. The motion passed unanimously.

HOTEL RENTAL TAX FUNDING REQUEST – MARYLAND SYMPHONY ORCHESTRA

Susan Buchanan, Director, Grant Management, and Emily Socks, Director of Advancement, Maryland Symphony Orchestra, appeared before the Commissioners to request \$35,000 of Hotel Rental Tax funding toward direct expenses associated with the 33rd Annual Salute to Independence event at the Antietam National Battlefield to be held July 7 this year. Ms. Buchanan discussed the event and its positive impact on hotels and businesses in Washington County. The total budget for the event is \$252,978; \$124,138 has been received from private sources and \$93,840 from in-kind contributions, community partners, and the Antietam National Battlefield. Emily Socks stated that the event draws approximately 35,000 attendees annually and many hotels are booked the weekend of the event.

Commissioner Barr, seconded by Myers, moved to approve \$35,000 in funding from the Hotel Rental Tax Fund toward direct expenses associated with the 33rd Annual Salute to Independence event at the Antietam National Battlefield as presented. The motion passed unanimously.

APPROVAL OF BYLAWS FOR THE DIVERSITY AND INCLUSION COMMITTEE

County Clerk Vicki Lumm presented the proposed bylaws for the new Diversity and Inclusion Committee (Committee) sponsored by the Board of County Commissioners. She stated that several Commissioners were approached by citizens in the community regarding the formation of a Committee to address inclusion and diversity issues in the County. After several collaborative meetings, the proposed bylaws were developed to incorporate the mission and goals of such a Committee. The mission as set forth in the bylaws is to advise the Board of County Commissioners on public policy relating to ethnic affairs, to promote the involvement of all ethnic groups in business and community affairs, and to advocate services and programs relating to the quality of life for all residents. The Committee is to be comprised of seven individual voting members and two non-voting, ex-officio members (one County Commissioner member and one Board of Education member). Once the bylaws are approved, applications from the community will be encouraged through a media release and members will be appointed by the Commissioners. ZSun-nee Miller-Matema and Arthur Hicks, who were involved in the formation of the Committee, commented on its formation and goals.

Commissioner Barr, seconded by Myers, moved to approve the bylaws for the Diversity and Inclusion Committee as presented. The motion passed unanimously.

JG BUSINESS LINK INTERNATIONAL (JGBLI) REQUEST FOR FUNDING

Wonro Lee, CEO, JG Business Link International (JGBLI), Joe Lee, President, Washington Realty Management, and Gunseon Lee, Chairman, JG Group, presented a request for up to \$47,050 in funding for a June 2018 Korean Business Development Mission trip to South Korea. Wonro Lee described follow-up meetings planned with Issac Holdings and Jangheung Clover Corporation during the proposed trip. JGBLI

June 12, 2018

Page 10

representatives also will meet with other potential investors in the Cascade Town Centre (CTC). JGBLI hopes to have an approved lease for the commissary building from the County Commissioners prior to leaving for the South Korea trip. Future plans include attending the September 2018 Global Infrastructure and Cooperation Conference (GICC) and Real Estate Expo Korea. During the GICC, the CTC project will be presented as a major project in the U.S. that would be eligible for Central Government support according to JGBLI.

The Commissioners discussed several development aspects of the CTC project including the plan to grow organic crops on 800 acres in Washington County (yet to be identified), the number of memorandums of understanding (MOUs) signed thus far (14), and the plan to upgrade and lease the former commissary building (with permanent improvements such as a new roof). The County would own an improved building if the development plans did not work out as conceived. Commissioner Cline questioned when the signed MOUs would turn into contracts. Commissioner Myers referenced the proposed lease and stated that the County cannot continue to provide upkeep on the real property that was transferred last year to JGBLI. Commissioner Barr questioned when the former fort would see some physical change. Wonro Lee advised of plans to break ground for a hotel on the property after returning from the June trip to South Korea. Commissioner Keefer indicated that he has some concerns with the lease as proposed, adding that he would like to see more progress on the 63 acres previously transferred to JGBLI.


Commissioner Cline, seconded by Barr, moved to approve up to \$47,050 in funding to JGBLI for a June 2018 Korean Business Development Mission trip to South Korea. The motion passed with Commissioners Cline, Barr and Baker voting "AYE" and Commissioners Keefer and Myers "NO".

ADJOURNMENT

Commissioner Cline, seconded by Barr, moved to adjourn the meeting at 2:25 p.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk