

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

July 10, 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 9:09 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 19, 2018

Commissioner Keefer, seconded by Commissioner Myers, moved to approve the minutes of June 19, 2018. The motion passed unanimously

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Commissioner Myers, moved to convene in closed session at 9:13 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 the acquisition of real property for a public purpose and matters directly related thereto; 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), (3), (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 several local boards over which the Commissioners have appointing authority. During closed session, the Commissioners provided direction regarding the filing of a certain vacancy on an advisory commission, including the further discussion and presentation for approval of an individual or individuals during today's open session meeting. The Commissioners received legal advice concerning the County's rights and obligations in regard to specific real property. The Commissioners discussed the potential for a business entity to locate in the County and discussed the filling of several personnel vacancies. Furthermore, the Commissioners discussed the potential acquisition of land for a public purpose.

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 Jim Hovis, Chief Operations Officer; Tim Lung, Director of Plan Review and Permitting; Phil Ridenour, Director of Hagerstown Regional Airport; Todd Moser, Real Property Administrator, Engineering; Rick Curry, Director of Purchasing; Jim Sterling, Director of Public Works; Sara Greaves, CFO, Budget and Finance; and Scott Hobbs, Director of Engineering.

RECONVENE IN OPEN SESSION

Commissioner Myers, seconded by Commissioner Barr, moved to reconvene in open session at 11:03 a.m. The motion passed unanimously.

The Commissioners recessed at 11:03 a.m. and returned at 11:13 a.m.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer thanked everyone who participated in the Gubernatorial Primary Election.

Commissioner Cline thanked everyone who was involved in The Salute to Independence at the Antietam National Battlefield on Saturday; he stated that the event went well.

Commissioner Barr also thanked those involved for the success of the Salute to Independence; he felt that everyone involved worked very hard to achieve the success of the event.

President Baker thanked those in attendance at the Antietam National Battlefield, Salute to Independence event, further adding that he felt it was a beautiful evening and a typical July day in Washington County. He also welcomed newly appointed County Clerk, Krista Hart, who was sworn in on July 5th; he is confident she will do a great job.

President Baker also recognized the candidates running for County Commissioner who attended the meeting.

REPORTS FROM COUNTY STAFF

Public Relations and Marketing

Danielle Weaver, Director, informed the Commissioners that Washington County has partnered with The Herald-Mail to provide a live feed showing construction progress of the Urban Improvement Project at the Maryland Theatre location via one camera located on the rooftop of the 28 South building; real estate provided by Bowman Development and the camera/livestream is provided by Antietam Broadband. Ms. Weaver explained that there will be a short video from Washington County, which will be shown prior to anyone viewing the live feed.

Washington County Sheriff's Office, Detention

Warden Craig Rowe briefed the Commissioners on House Bill 447 of the 2018 Legislative Session of the Maryland General Assembly, which established a Pretrial Services Program Grant Fund. Major Rowe stated that the Governor's Office of Crime Control and Prevention (GOCCP) offered the bill, which would allow \$1 million to be distributed to counties to begin a Pretrial Supervision Program. Due to the short turnaround time in which the GOCCP is requiring, the application is due by Tuesday, July 17th. He is requesting permission to submit the application only.

Commissioner Barr, seconded by Commissioner Cline, moved to approve the submittal of the application for the Pretrial Services Program Grant as presented. The motion passed unanimously.

Health and Human Services Position Recommendations

Deb Peyton, Deputy Director, and Stephanie Stone, Director, introduced several position recommendations for approval by the County Commissioners, as follows:

Commissioner Keefer, seconded by Commissioner Myers, moved to approve the advertisement for the position of Director, Department of Business Development (internal/external) due to a vacancy. The motion passed unanimously.

Commissioner Keefer, seconded by Commissioner Barr, moved to approve the advertisement for the position of Director for the Hagerstown Regional Airport (internal/external) due to the forthcoming retirement of Phil Ridenour. The motion passed unanimously.

Commissioner Keefer, seconded by Commissioner Barr, moved to approve the advertisement for the position of Business Specialist, Department of Business Development (internal/external) due to a vacancy. The motion passed unanimously.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the advertisement for the position of Assistant Director of Emergency Management (internal/external) due to the forthcoming retirement of Charlie Summers. The motion passed unanimously.

Office of Grant Management

Susan Buchanan, Director, informed the Commissioners that award was made to fund the Sheriff's Department overtime expense for the Washington County Ag Expo and Fair beginning July 14th, in the amount of \$7,500.00 from the Hotel Rental Tax Fund.

County Administrator

Rob Slocum offered thanks to Krista Hart, newly appointed County Clerk, and noted that until her vacated position of Executive Assistant is filled, she will be performing functions of both positions and noted that she is extremely capable of doing so. Mr. Slocum mentioned that on Monday, August 13th, the Administrators' office will host an Open House for Commissioner candidates; further information will be announced through Public Relations. He extended a thank you to Ellsworth Electric for providing the lights at the Salute to Independence on Saturday.

County Clerk – Appointments to Boards / Commissions

Antietam Battlefield Advisory Committee

Commissioner Barr, seconded by Commissioner Keefer, moved to appoint Vernell Doyle to serve an unfulfilled term through February 28, 2020; and to appoint Michael Barnhart to serve a three-year term through July 31, 2021. The motion passed unanimously.

Hagerstown Regional Airport Advisory Commission

Commissioner Barr, seconded by Commissioner Myers, moved to appoint Rob Ferree to serve an unfulfilled term through September 30, 2020. The motion passed unanimously.

WELLNESS PROGRAM EVENT – 2018 WELLNESS FAIR

Deb Peyton, Deputy Director of Human Resources, and Stephanie Stone, Director, Health and Human Services, presented information on a joint effort between departments for the 2018 Wellness Fair for all full-time county employees and their families on Thursday, August 23, 2018, 9:00 a.m. – 3:00 p.m. at the Washington County Ag Center on the Sharpsburg Pike.

The event will be sponsored through the county's insurance contract with Aetna; the event will include local fitness and various wellness vendors. Full-time county employees who attend the event will be entered into a drawing for door prizes to include a Yeti cooler, golf package, camping package, Fitbits, wireless earphones, bikes, running package, Apple watch, and more. All full-time county employees will be permitted two (2) working hours of time to attend (including travel).

CITIZENS' PARTICIPATION

None

BID AWARD (PUR-1383) PLUMBING AND HEATING MAINTENANCE SERVICES

Brandi Naugle, Buyer, Purchasing, and John Pennesi, Deputy Director, Parks and Facilities, presented a proposal to award the contract for Plumbing and Heating Maintenance Services (PUR-1383) to the responsive, responsible low bidder, Beaver Mechanical Contractors, Inc. of Hagerstown for the base bid amount of \$43,575.00. The contract services include maintenance on steam and hot water boilers, the wet sides of the heat distribution systems and domestic hot and cold-water distribution and fixtures. Ms. Naugle stated that the contract is a one (1) year contract tentatively beginning on July 1, 2018 with an option by the County to renew for up to four (4) additional one (1) year periods. Ms. Naugle added that in addition to County facilities, the Washington County Health Department and The Housing Authority of Washington County buildings are also included in this contract. Also, it was noted that the recommended bidder included on the Provisions for Other Agencies listing that they would extend the contract pricing to other Washington County Municipalities. The funds for these services are budgeted in various departmental/agencies budget line item accounts.

Commissioner Barr, seconded by Commissioner Myers, moved to award the contract for Plumbing and Heating Maintenance Services to the responsive, responsible low bidder, Beaver Mechanical, Inc. of Hagerstown, Maryland, for the base bid amount of \$43,575.00 as presented. The motion passed unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION, REVISION TO RESOLUTION

Tina Wilson, Senior Grant Manager, Office of Grant Management, requested approval for a revision to the resolution of support authorizing the submission of the County's application for Fiscal Year 2018 Community Development Block Grant funding for the Hagerstown YMCA After-School Program in Hancock, Maryland.

On June 5, 2018, the Commissioners approved a request to submit an application requesting \$51,455.00 to be used to fund the After-School Program in Hancock, Maryland, to begin in the 2018-2019 academic year. The grant application was made available for public review June 20, 2018, at the Washington County Office of Grant Management located at 100 West Washington Street, Suite 2200, Hagerstown, Maryland. Ms. Wilson stated that the Office of Grant Management received notification from the Department of Housing and Community Development requesting a revised resolution to include required language from its updated 2019 Policies and Procedures Manual as follows: "The Board understands and acknowledges that it would be responsible for completion of grant activities and any corrective actions including the repayment of funds if necessary." The grant will provide up to \$51,455.00 for the Hagerstown YMCA After-School Program in Hancock and included \$2,450.00 of administrative funding to Washington County Office of Grant Management for the cost of administering and monitoring the grant.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the Amended Resolution authorizing the submission of the County's application for FY18 Community Development Block Grant funding for the Hagerstown YMCA After-School Program in Hancock. The motion passed unanimously.

ADULT DAY REPORTING CENTER GRANT – APPROVAL TO SUBMIT APPLICATION

Tina Wilson, Senior Grant Manager, Office of Grant Management, requested approval to submit the grant application for the FY19 Adult Day Reporting Center Grant to the Governor's Office of Crime Control and Prevention in the amount of \$270,000.00 and to accept funding as awarded.

Ms. Wilson stated that the Washington County Sheriff's Office intends to utilize the funding provided by the grant to continue operations of the Adult Day Reporting Center. Ms. Wilson stated that in FY17, Washington County was awarded \$540,000.00 by the Governor's Office of Crime Control and Prevention to establish the Day Reporting Center, with the option to apply for two (2) additional years of funding with a 50% match requirement; this application marks the final year grant funding from this program. The Office of Grant Management has reviewed the grant application and grant funding guidelines. The performance period of this State funded grant is one (1) year commencing July 1, 2018. The grant will fund personnel and operating costs associated with the program. The grant requires a 1:1 match for all grant funds received.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the submission of the grant application for the FY19 Adult Day Reporting Center Grant to the Governor's Office of Crime Control and Prevention in the amount of \$279,000.00 and to accept funding as awarded. The motion passed unanimously.

CONOCOHEAGUE TREATMENT PLANT ENR UPGRADE

Mark Bradshaw, Deputy Director of Engineering Services with Environmental Management, requested approval of Change Order #5 for HRI Bridge Company, Inc. in the amount of \$110,469.00, includes eleven (11) different items and the addition of six (6) calendar days to the Conococheague Treatment Plant ENR Upgrade. Mr. Bradshaw described the reasons for the request that involved cost increases and decreases for necessary or required modifications to the project as suggested from HRI. He advised that there are adequate funds in the project (TRP018) budget to cover the change order.

Commissioner Barr stated that he has concerns with line items #2 and #9; he questioned why the two items were not covered under the Errors and Omissions clause of the contract with the Engineering firm. Commissioners discussed the Change Order and agreed to request a response from the Engineering firm regarding Item # 2 & Item #9; stating that the two items should be covered under the Engineer's Errors and Omissions insurance clause in the contract.

The Commissioners took no action at this time regarding the Conococheague Treatment Plant ENR Upgrade Change Order #5 and agreed to discuss the item at a future meeting pending resolution from the Engineering firm on items #2 and #9.

PAUL F. AND PATRICIA B. MILLER CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP) EASEMENT PROPOSAL (REVISED)

Eric Seifarth, Rural Preservation Administrator, Planning and Zoning, requested approval for a revision to the Paul F. and Patricia B. Miller CREP easement project, which is paid for 100% by the State in the amount of \$117,829.84 for 55.37 CREP easement acres, to adopt a curative ordinance approving the purchase of the easement, and to authorize the execution of the necessary documentation to finalize the easement purchase.

Mr. Seifarth stated that this property is located at 17816 Spielman Road, Fairplay, Maryland, and will consist of both a CREP easement and a Rural Legacy Program (RLP) easement. He explained that both projects were previously approved by the Board of County Commissioners during a June 5, 2018 meeting, however, the CREP project has been brought forth again due to a revised dollar amount for the purchase of the easement. The purchase price for the CREP easement is \$117,829.84, not \$191,269.84 which was previously approved. These funds are 100% State dollars; in addition to the easement funds, the County receives up to 3% of the easement value for

administrative costs, a mandatory 1.5% for compliance costs and funds to cover all legal costs and surveys.

Commissioner Barr, seconded by Commissioners Keefer, moved to approve the revised amount of \$117,829.84 for the purchase of the Paul F. and Patricia B. Miller CREP easement for 55.37 acres, to adopt a curative ordinance approving the purchase of the easement, and to authorize the execution of the necessary documentation to finalize the easement purchase. The motion passed unanimously.

DISCUSSION OF THE JANGHEUNG CLOVER CORPORATION LEASE IN CONJUNCTION OF THE BOARD OF COUNTY COMMISSIONER MEETING ON JUNE 19, 2018

Wonro Lee, CEO, JG Business Link International (JGBLI), Joe Lee, President, Washington Realty Management, and Greg Murray, newly appointed CEO of Washington Realty Management, requested to have a discussion with the Commissioners regarding the Jangheung Clover Corporation lease and the overall Cascade Town Centre project. These items were previously discussed by the Commissioners on June 19, 2018 as an unofficial agenda item. Mr. Lee explained Greg Murray's role in the project as the Chief Executive Officer for Washington Realty Management, a company working with JGBLI on the Cascade development project.

Wonro Lee addressed four issues with the Commissioners: The proposed Jangheung Clover Corporation lease; the discussion during open session on June 19th relating to an open RFP process; the 63-acre parcel previously conveyed, and an email from a concerned partner.

Discussions were held regarding the marketing and promotion of the Cascade website as well as the status of the architectural drawings.

Commissioner Keefer questioned the status of development of the 63 acres; it was his understanding that this was to be the start of the project. Mr. Lee responded that they could have solidified contracts during their previous trip, however the investors are concerned about the status of the project.

Wonro Lee asked the Commissioners to respond to three questions: the proposed Jangheung Corporation Lease, the discussion of the potential open Request for Proposals as discussed on June 19th; and the attendance of County staff at the Global Infrastructure Cooperative Conference.

AUDIT REQUEST

Sara Greaves, Chief Financial Officer (CFO), Budget and Finance provided information regarding a possible audit of certain accounts and/or funds within the County. For informational purposes only, Ms. Greaves presented several audit types and their purposes to the Commissioners for consideration. She explained that a Financial Audit involves performing procedures to obtain evidence about amounts and disclosures in the financial statements of an entity by an external auditor; an Operational Audit would be undertaken by an organization which could provide assurance over the effectiveness of internal controls, risk management and governance to facilitate the achievement of organizational objectives; and, a Forensic Audit involves the application of auditing and investigative skills to situations that may have legal implications.

Ms. Greaves explained that in order to provide a cost for the audit, she would need a scope of work from the Commissioners which would include the number of years to be audited and the accounts to be included.

Rob Slocum, County Administrator, requested that the Commissioners, individually, via e-mail, provide him with their thoughts on the information presented and what they would like any potential audit would include.

CASCADE INVESTOR RELATIONS EXPENDITURES

Sara Greaves, Chief Financial Officer, Budget and Finance, presented an update to the Commissioners, in accordance with their request from June 19, 2018, related to the investment and redevelopment for the Cascade Town Centre. Ms. Greaves stated that the County acquired the property of Cascade Town Centre in September 2016 and received funds totaling \$3,554,725.00, which had been used to pay for all costs associated with Cascade Town Centre, including costs related to investor relations and the redevelopment of Fort Ritchie. The total cost through June 26, 2018 for Cascade Town Centre redevelopment initiatives is \$684,977. These costs were incurred from August 31, 2015 through June 26, 2018; costs incurred prior to September 15, 2016 were originally paid out of the Hotel Rental Funds and were then subsequently reimbursed through funds received at closing for the Cascade Town Centre. The remaining fund balance for Cascade Town Centre as of June 26, 2018 is \$1,738,511. Ms. Greaves stated that, due to a change in leadership in the Spring of 2017, trips to Korea, which occurred in 2015 and 2016, do not include as much detail as the trips following in 2017 and 2018. The Board has formally approved all funds expended in 2017 and 2018 and expense approval and reporting related to documentation for such trips have become more formalized since 2017.

Commissioner Baker requested a breakdown of expenses spent directly on representatives of JGBLI to show the total amount incurred by that entity only; not to include any County employees. He would also like the total amount spent on County employees, separately.

Commissioner Cline would like to know the source of the \$3.5 million previously referenced. He asked if the source was COPT (Corporate Office Properties Trust). Ms. Greaves will look further into the source and will return to the Commissioners with the information requested.

BUSINESS EXPENSE POLICY – REVISION

Sara Greaves, Chief Financial Officer, Budget and Finance, requested approval of a revision to the Business Expense Policy which includes the addition of an overnight travel authorization form. Ms. Greaves stated that this form is to be completed by the employee who is requesting overnight travel for work purposes prior to making any travel arrangements and/or departure. The form is then to be reviewed by the department head or division director and the County Administrator.

Commissioner Myers, seconded by Commissioners Barr, moved to approve the revision to the Business Expense Policy to include the addition of the overnight travel authorization form. The motion passed unanimously.

UPDATE ON PROJECTS IN SOUTH COUNTY

Scott Hobbs, Director, and Andrew Eshleman, Chief of Design, Engineering, and Jim Sterling, Director of Public Works, presented an update on the flood damage in South County from May. Mr. Hobbs informed the Board of County Commissioners that the work at Chestnut Grove Road has been on-going since June 25th with a 50-calendar day project showing an anticipated road opening for August. He stated that the geotechnical work has been completed at Garretts Mill Road Bridge with the design-build project being advertised the previous week. Mr. Eshleman stated that the extended road closure has been discussed with Department of Natural Resources (DNR) and a

request has been made by the County to allow temporary public access to the right-of-way along the old railroad between Garretts Mill Road at the bridge and Valley Road, dependent on the County to maintain the road to acceptable standards and to create minimal improvements, and to providing traffic calming measures to ensure public safety. The County will issue public notices should this option of the alternate route become available.

Mr. Eshleman stated that the County is utilizing an incentive/disincentive clause which could allow for a short duration project by 30 days; current contract completion is projected for late March 2019. This clause would include a credit to the contractor of \$1,000 per day that the construction is completed prior to completion date and the deduction of \$1,000 per day for each day after contract completion.

In addition to the incentives/disincentives, this contract is being pursued as a design build contract which can assist in time savings for project completion.

The Commissioners thanked the staff for the remarkable job they have done in handling the roads in South County.

ADJOURNMENT

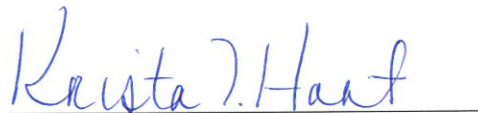
Commissioner Myers, seconded by Commissioner Keefer, moved to adjourn at 12:54 p.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John Martirano, County Attorney



Krista L. Hart, County Clerk