

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

Open Session Minutes

December 18, 2018

INVOCATION 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 7:33 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 Wagner, moved to approve the minutes of December 4, 2018. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to convene in closed session at 7:34 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, and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b)(1) 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 board over which the Commissioners have appointing authority; discussed the potential employment of specific individuals to fill certain personnel vacancies; discussed several personnel matters over which the public body has jurisdiction; and received legal advice concerning several legal issues. The Commissioners gave staff specific directions concerning the appointment to a board, the filling of certain personnel vacancies, and the resolution of several personnel matters. The Commissioners also provided direction to staff concerning several legal issues.

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, Interim County Attorney; and at various times Jim Hovis, Chief Operations Officer; Deb Peyton, Director, Health and Human Services; Kendall McPeak, Assistant County Attorney; Tom Brown, Assistant Director, Emergency Management; Alex Reed, Watershed Specialist, Environmental Management; Dan DiVito, Director, Environmental Management; Susan Buchanan, Director, Office of Grant Management; Eric Paltell, Esquire, Kollman and Saucier, P.A.; Sara Deal, Office Associate, Environmental Management; Carol Braun; and Jennifer Swisher, Program Manager, Emergency Services.

The Commissioners recessed at 10:27 a.m. and returned at 10:30 a.m.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to reconvene in open session at 10:30 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker attended the Fire / Police Christmas event on Saturday and thanked the organizers for the invitation.

Commissioner Keefer also attended the Fire / Police banquet. Additionally, he thanked staff for their efforts towards a productive year, and for all staff who assisted with the flood event in South County.

Commissioner Wagner wished everyone a Merry Christmas and Happy Holidays. Also, Commissioner Wagner would like to hold further Board discussion regarding local preference for Washington County.

Commissioner Meinelschmidt thanked staff for welcoming him to the Board.

President Cline discussed Commissioner goals and requested that each Commissioner compose a listing of goals they would like to discuss in the new year. He also shared that he attended the Fire / Police Christmas event as well.

President Cline requested hiring Bruce Bereano as lobbyist for Washington County in the amount of \$10,000 / year.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the request as presented. The motion passed 3-2 (Commissioners Baker and Keefer voted "NAY").

REPORTS FROM COUNTY STAFF

Health and Human Services

Deb Peyton, Director, recommended approval for the promotion of Kirk Downey to the position of County Attorney (Grade 20, Step 12, \$127,858).

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the promotion of Kirk Downey to the position of County Attorney as presented. The motion passed unanimously. The Commissioners congratulated Mr. Downey on his promotion. Mr. Downey thanked the Commissioners for their support.

Ms. Peyton presented several positions to the Board for consensus:

- Allison Hartshorn as Grant Management (Grade 11, Step 1, \$43,826)
- Michael Kline and Allen Wetzel as Clean County Technicians (Grade 9, Step 1, \$37,565)
- Brittany Canterbury as Emergency Communication Specialist III (Grade 11, Step 1, \$43,826)
- Jodi Bentz as Emergency Communication Specialist – Call Taker (Grade 8, Step 1, \$34,278)
- Carmen Harbaugh as Business Support Specialist (Grade 12, Step 1, \$47,341)

Ms. Peyton recommended approval to hire Mr. Ashley Holloway for the position of Director / Zoning Administrator (Grade 18, Step 1, \$75,088) with the Division of Plan Review & Permitting. Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the recommendation as presented. The motion passed unanimously.

Public Relations & Marketing

Danielle Weaver, Director, shared with the Board, a handout indicating Washington County as the first participant of the FirstNet in Maryland.

Office of Grant Management

Susan Buchanan, Director, provided information to the Board as a follow up discussion regarding the Black Fly program. She stated that the cost would be \$12,000 for fiscal year 2019, which includes three (3) treatments, and \$24,000 for a full year in fiscal year 2020, which includes six (6) treatments. The previous request presented at the previous Board of County Commissioners meeting was 10% of cost.

Commissioner Meinelschmidt stated that he would like the commitment letter to reflect an agreement pending contribution by the State of Maryland.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the request for funding for a percentage but up to a total of \$12,000 for fiscal year 2019, and up to \$24,000 for fiscal year 2020; to include the stipulation that the State of Maryland will contribute as well. Funding source will be Hotel Rental Tax fund.

PRESENTATION OF THE JUNE 30, 2018 AUDITED FINANCIAL STATEMENTS

Christopher Lehman, Partner, SB and Company, provided the Board with a report of the audit opinion for financial statements ending June 30, 2018.

CITIZENS' PARTICIPATION

None

County Clerk – Appointment / Reappointment to Boards and Commissions:

Washington County Electrical Board of Examiners and Supervisors

Commissioner Baker, seconded by Commissioner Wagner, moved to re-appoint Robert Kochera to serve a third, two (2) year term as the Master Electrician designee, from October 1, 2018 through September 30, 2020; this is a paid board. The motion passed unanimously.

Budget and Finance

Sara Greaves, Director, requested approval for the endorsement of a contribution letter to the Maryland Theatre for a grant in the amount of \$1,000,000 as was previously approved on December 1, 2018 during a regularly scheduled Board of County Commissioner meeting.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the contribution letter as presented. The motion passed unanimously.

County Administrator

Rob Slocum congratulated Kirk Downey on his promotion to County Attorney. Mr. Slocum requested consensus to advertise for Mr. Downey's former position of Deputy County Attorney;

Mr. Downey concurs. The Commissioners discussed the request and reached a consensus to approve the advertisement of the position as requested.

Mr. Slocum discussed an opportunity for the development of a strategic plan, which would incorporate senior staff and the Commissioners in several work group sessions. He has requested approval of the quote from The Jinks Perspective, Columbia, South Carolina, in the amount of \$12,500. Commissioner Wagner, seconded by Commissioner Keefer, moved to award the lowest quote of \$12,500 to The Jinks Perspective, as presented. The motion passed unanimously.

**PUBLIC HEARING- NOT TO EXCEED \$17,500,000 OF ECONOMIC DEVELOPMENT
REFUNDING REVENUE BONDS FOR THE BENEFIT OF DIAKON LUTHERAN
SOCIAL MINISTRIES AND PROPOSED RESOLUTION**

President Cline convened a Public Hearing at 11:23 a.m., to obtain public comment on the County's proposal to issue and sell its economic development refunding revenue bonds in one or more series in an aggregate principal amount not to exceed \$17,500,000 (the "Bonds"), and to loan the proceeds from the sale of such bonds to Diakon Lutheran Social Ministries (the "Borrower").

Lindsay A. Rader, Bond Counsel, indicated that the public hearing is required by the federal tax code with respect to a Resolution pending before the Board of County Commissioners of Washington County. Ms. Rader advised the County would not be pledging its full faith and credit or its taxing power toward payment of the bonds. Diakon's letter of intent indicates that the refinancing money would be freed to fix the debt service component of its annual operating costs because the bonds are expected to be issued as fixed rate bonds, which will eliminate budgetary uncertainty the Borrower currently experiences because the 2014C Note is a variable rate instrument.

The public hearing was opened for public comment. There were no individuals present who wished to comment.

The meeting was opened for questions from the Commissioners. Ms. Rader reaffirmed that the County was acting as a conduit and would not incur any liability or costs by agreeing to the proposal.

The hearing was closed at 11:25 a.m.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the resolution expressing the intention of the County to issue and sell one or more series of Economic Development Refunding Revenue bonds in an original aggregate principal not exceeding \$17,500,000 and loan the proceeds of the bonds to Diakon Lutheran Social Ministries as presented. The motion passed unanimously.

(Resolution No. RS-2018-28 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

FISCAL YEAR 2018 YEAR END REPORT

Sara Greaves, Chief Financial Officer, provided the Board a summary on the fiscal year 2018 end financial report. She stated that the year ended in an overall positive manner, with an increase in

the General Fund by \$1.4 million, or 0.6% of budget. Commissioner Meinelschmidt would like a summary of the \$1 million actual expenses for the Cascade fund.

NARCOTICS TASK FORCE CONTRABAND BUDGET TRANSFER

John Martin, Sargent, Narcotics Task Force (NTF), requested approval to transfer funds from the Contraband NTF Sheriff-Contraband Revenue fund, which were obtained during seizures, to the Contraband (NTF) Other/Miscellaneous fund in the total amount of \$39,477.13.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the budget transfer in the amount of \$39,477.13, as presented. The motion passed unanimously.

SECOND CHANGE GRANT – APPROVAL TO ACCEPT AWARDED FUNDING

Stephanie Lapole, Senior Grant Manager, Office of Grant Management; Sheriff Douglas Mullendore; Major Craig Rowe, Washington County Sheriff's Office; and Rebecca Hogamier, Director, Day Reporting Center; recommended acceptance of the subgrantee award from Governor's Office of Crime Control and Prevention in the amount as awarded. Ms. Lapole stated that the awarded funding would be utilized primarily to reduce the impact of incarceration on children, families, and communities by strengthening the relations between the justice system involved parents and their minor children through parent management skills training programs. The anticipated award amount is \$370,092.

Commissioner Baker, seconded by Commissioner Keefer, moved to accept the awarded funding from Governor's Office of Crime Control and Prevention, in the amount as awarded. The motion passed unanimously.

WASHINGTON COUNTY FIRE AND RESCUE ASSOCIATION INSURANCE RENEWAL, JANUARY 1, 2019 THROUGH JANUARY 1, 2020

Tracy McCammon, Risk Coordinator, Human Resources; Carleen Patterson, Managing Director, Aon Risk Solutions; and Dave Hays, Director, Division of Emergency Services, recommended approval of the Washington County Fire and Rescue Companies (WCFR) commercial property, auto and casualty package with VFIS Insurance Company at the quoted premium of \$324,596, and workers compensation insurance with Chesapeake Employers Insurance Company at the quoted premium of \$624,963. The premium paid to VFIS for the 2018 policy year was \$551,423; the premium cost saving is \$226,827 for this package. The workers compensation insurance premium for 2018 was \$621,270; an increase in premium of \$3,693. The total premium for both programs is \$949,559, with a total savings in premiums of \$223,134; well within budget.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to renew the commercial property, auto, and casualty package with VFIS Insurance Company at the quoted premium of \$324,596 and workers compensation insurance with Chesapeake Employers Insurance Company at the quoted premium of \$624,963 as presented with a note that the policy can be amended if need be. The motion passed unanimously.

LEAVE BALANCE

Rob Slocum, County Administrator, requested the Boards consideration regarding leave balances for County staff. He explained that policy limits vacation leave carry-over by calendar year to 200

hours, adding that current balances show there are 172 staff members carrying more than the 200 hours.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the one-time request to carry over a total of 250 hours. The motion passed unanimously.

President Cline would like this option presented earlier in the future years, so employees are aware sooner.

BOARDS AND COMMISSIONS – COMMISSIONER ASSIGNMENT DISCUSSION

The Commissioners decided their representation on various boards and commissions which require their participation as follows, though several positions will be decided in the near future:

Commissioner Cline – Agricultural Education Center Board, Commission on Aging, Hagerstown/Eastern Panhandle Metropolitan Planning Organization, Historic District Commission, Local Management Board, MACo Legislative Committee (alternate; with Commissioner Meinelschmidt), Mental Health Authority, Transportation Advisory Committee, Tri-County Council for Western Maryland (with Commissioners Baker and Keefer), and Western Maryland Consortium.

Commissioner Baker – Area Agency on Aging Council, Community Action Council, Recreation and Parks Advisory Board, Tri-County Council for Western Maryland (with Commissioners Cline and Keefer), Weed Control Committee, and Western Maryland Consortium (alternate).

Commissioner Keefer – Diversity and Inclusion Committee, Historical Advisory Committee, Housing Authority of Washington County, Social Services Board, and Tri-County Council for Western Maryland (with Commissioners Cline and Baker).

Commissioner Meinelschmidt – Disabilities Advisory Committee, Hagerstown / Eastern Panhandle Metropolitan Planning Organization (alternate), I-81 Corridor Coalition, MACo Legislative Committee, with Commissioner Cline as alternate), and Tri-County Council for Western Maryland Revolving Loan Fund.

Commissioner Wagner – Agricultural Land Preservation Board, Emergency Services Advisory Council, Hagerstown Airport Advisory Committee, Health Advisory Board, Planning Commission, and Commission for Women.

RECESS

The Commissioners recessed at 12:19 p.m.

The Commissioners attended Southern Boulevard Opening Ceremony at 222 East Oak Ridge Drive, Hagerstown, Maryland.

The Commissioners returned to the meeting at 2:02 p.m. at 10435 Downsville Pike, Hagerstown, Maryland.

JOINT MEETING WITH WASHINGTON COUNTY BOARD OF EDUCATION

The Board of County Commissioners met with the Board of Education at 10435 Downsville Pike, Hagerstown. President Jeffrey A. Cline called the meeting to order at 2:02 p.m. In attendance were Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort E. Meinelschmidt, and Randall F. Wagner. Board of Education members present were President Melissa Williams, Vice President Stan Stouffer, and members Jacqueline Fischer, Michael Guessford, Linda Murray, Wayne Ridenour and Pieter Bickford; also present were Dr. Boyd Michael, Superintendent of Schools and Jeffrey Proulx, Chief Operating Officer.

Ms. Melissa Williams, President, welcomed Washington County Board of Commissioners and thanked all for attending the joint meeting.

PRIORITIES AND NEEDS OF WASHINGTON COUNTY PUBLIC SCHOOLS

Dr. Boyd Michael, Superintendent; and Jeffrey Proulx, Chief Operating Officer, presented the Board with the priorities and needs of Washington County Public Schools, History of Funding Fiscal Year 2009 – 2019.

The Commissioners and Dr. Michael discussed the priorities and needs of Washington County Public Schools.

President Cline thanked Dr. Michael and staff for the presentation, adding that he looks forward to working together over the next year on education needs.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to adjourn at 2:54 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

