

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

May 23, 2017

**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 10:08 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 16, 2017**

Commissioner Myers, seconded by Barr, moved to approve the minutes of May 16, 2017. The motion passed unanimously.

**COMMISSIONERS' REPORTS AND COMMENTS**

Commissioner Keefer stated that he addressed graduates of Hagerstown Community College and the University System of Maryland-Hagerstown campus during their respective ceremonies.

Commissioner Barr reported attending Governor Hogan's first economic summit in Baltimore. He noted that several Department of Business Development staff and County Administrator Rob Slocum were in attendance. Mr. Barr reported talking to Frederick/Carroll County Delegate Kelly Schultz about expanding the Youth Apprenticeship Program in Washington County.

Commissioner Baker attended a Social Services board meeting this week. He noted that Executive Director Michael Piercy recently attended a conference in Mississippi where Hagerstown and Washington County were praised for operating an excellent Department of Social Services.

**REPORTS FROM COUNTY STAFF**

**Emergency Service**

Charles Summers reported that the Division of Emergency Services has entered into a partnership with the private neighborhood social network "Nextdoor" to share important news and updates, provide preparedness information and communicate with residents before, during and after times of emergency.

**CITIZENS' PARTICIPATION**

No citizens attending the meeting wished to participate.

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**DISCUSSION OF APPLICATON FOR MAP AMENDMENT – RZ-16-004**

Kirk C. Downey, Deputy County Attorney, brought forward Map Amendment application RZ-16-004 from Applicant ACH, LLC for consideration and discussion by the Commissioners. The application is a request to change a zoning classification from Office, Research and Technology (ORT) to Highway Interchange (HI). The Applicant has argued that a mistake was made in zoning the Property during the 2012 Comprehensive Urban Growth Area Rezoning. The Washington County Planning Commission considered the application during its regular meeting held December 5, 2016 and recommended approval of Map Amendment RZ-16-004. The County Commissioners held a public hearing on March 21, 2017 and five individuals commented against the proposal. Mr. Downey briefly 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. Commissioner Myers stated that because he was not present for the public hearing he would be abstaining from voting on the matter. Commissioner Baker stated that he was not in favor of the proposed rezoning. The three other Commissioners reached a consensus to approve the rezoning request. 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.

**MARYLAND STATE DEPARTMENT OF EDUCATION SCHOOL BASED HEALTH CENTERS GRANT AWARD**

Stephanie Lapole, Grant Manager, Office of Community Grant Management, presented a request to submit a grant application for the provision of School Based Health Centers in Washington County to the Maryland State Department of Education for \$200,384. Ms. Lapole stated that there are currently two centers in the County, one located at South Hagerstown High School and one at Western Heights Middle School, that provide exams, prescriptions, immunizations, nutritional assessments, order lab work and assist in the management of chronic conditions. Funding of \$10,019 is included in the award for County administrative support.

Commissioner Barr, seconded by Myers, moved to approve the submission of the grant application for \$200,384 for the provision of School Based Health Centers in Washington County as presented. The motion passed unanimously.

**HEALTHY FAMILIES HOME VISITING PROGRAM GRANT APPROVAL**

Stephanie Lapole recommended the acceptance of an award from the Maryland State Department of Education for the provision of Healthy Families Home Visiting Services Program for Fiscal Year 2018 for \$277,993. The comprehensive program is modeled after a national renowned initiative, Healthy Families America. The Washington County Health Department is the vendor contracted to provide the services that seek to prevent child maltreatment through early intervention, promote healthy growth and development, and strengthen the parent-child relationship. In order to be a vendor for the Healthy Families Program the vendor must be certified as qualified by "Healthy Families America." The Washington County Health Department is the sole certified applicant in Washington

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County. Funding of \$6,950 is included in the award for County administrative support and no County funds are involved. The funding allocated to the Washington County Health Department is \$271,043. Ms. Lapole indicated that a sole source procurement is authorized and permissible when only one source exists that meets the County's requirement. In addition, at least four of the five County Commissioners must approve any procurement using the sole source procurement process.

Commissioner Barr, seconded by Cline, moved to approve the submission of the grant application for the Healthy Families Home Visiting Services Program for Fiscal Year 2018, to accept the total award funding of \$277,993 from the Maryland State Department of Education, and to award a sole source contract contingent upon approval of the application for funding. The motion passed unanimously.

### **PUBLIC HEARING – AGRICULTURAL PRESERVATION DISTRICT APPLICATIONS**

President Baker convened a Public Hearing at 10:30 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. Mr. Seifarth stated that on January 13, 2009, the Board of County Commissioners voted to continue with ten year District Agreements to maintain the tax credit program and as a means for landowners showing a commitment to agriculture while waiting for funding for an easement sale. 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 for these properties for the ten-year period equal about \$12/acre per year for a total of approximately \$41,186 for the full ten-year period for 343.22 acres. This will be in the form of property taxes not collected. The Agricultural Advisory Board approved the Districts and found the applications to be consistent with the Comprehensive Plan.

Mr. Boggs described the five 2018 Washington County Agricultural Preservation District Applicants are as follows:

- 1) Grove, Harry C., III & Martha P. (AD-17-002) tax map 68, parcel 537, lot 1, consisting of 39.83 acres; 19347 Lappans Road, Boonsboro, Maryland 21713
- 2) Myer, John C. & Wendy E. (AD-17-004) tax map 60, parcel 20, consisting of 103.11 acres; 8422 Neck Road, Williamsport, Maryland 21795
- 3) Foltz, Robert W. & Nancy C. (AD-17-005) tax map 68, parcel 537, lot 2, consisting of 37.24 acres; 19349 Lappans Road, Boonsboro, Maryland 21713
- 4) Seibert, Mark N. & Clare H. (AD-17-007) tax map 22, parcel 41, consisting of 71.29 acres; 14312 Saint Paul Road, Clear Spring, Maryland 21722

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- 5) Burns, James A., Neal, Angela S., & McQuaid, Mary M. (AD-17-008) tax map 62, parcel 44, consisting of 91.75 acres; 8428 Sharpsburg Pike, Fairplay, Maryland 21733

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

Commissioner Keefer questioned the fiscal impact of \$41,186 in taxes that would have been received without the agricultural preservation designation. Mr. Seifarth stated that the sum reflects an amount over a ten-year period. The ten-year temporary district permits no commercial or industrial development on the property and further requires that the property remain agricultural for the ten-year period.

The public hearing was closed at 10:35 a.m.

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

#### **RECESS**

The Commissioners recessed from 10:37 a.m. until 10:53 a.m. Commissioner Barr left the meeting at 10:37 a. m. to attend to a County business matter.

#### **CONTRACT AWARD – STOP LOSS INSURANCE COVERAGE**

Karen Luther, Purchasing Director introduced Steve Dillman and Bill Hudak, account executives with the County's consulting firm, CBIZ Benefits and Insurance Services, Inc. Ms. Luther presented the recommendation to award the contract for Stop Loss Insurance to the responsive, responsible proposer, Sun Life Financial of Wellesley Hills, Massachusetts, which submitted the lowest price with no special terms for high claimants for a total annual premium of \$573,663, with specific stop loss at \$175,000 per claimant. She stated that four firms submitted quotes to provide the coverage but two were received after the deadline and were not considered. The amount budgeted in Fiscal Year 2018 for health insurances and stop loss insurance coverage is \$15,146,250 based on a 1.74% increase to the Fiscal Year 2017 approved budget amount of \$14,887,760. Mr. Hudak advised that the County is self-insured and stop loss insurance limits the exposure of large claims to the County. The stop loss being discussed today involves the specific \$175,000 limit for any one individual; anything above that is covered by the insurance carrier.

Commissioner Keefer, seconded by Myers, moved to award the contract for Stop Loss Insurance to the responsive, responsible proposer, Sun Life Financial of Wellesley Hills, Massachusetts, which submitted the lowest price with no special terms for high claimants for a total annual premium of \$573,663, with specific stop loss at \$175,000 per claimant. The motion passed unanimously. (4-0, Commissioner Barr was absent.)

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**CONVENE IN CLOSED SESSION**

Commissioner Myers, seconded by Keefer, moved to convene in closed session at 11:06 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 discuss public security if the public body determines that public discussion would constitute a risk to the public or to the public security, including (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b) (1) (7) and (10) 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 the potential appointment/reappointment of several specific individuals to a local development commission over which the Commissioners have appointment authority; discussed a County employee position recommendation and related staffing issues with staff; and discussed specific issues relating to the deployment of fire services in the County.

During closed session, the Commissioners agreed to further discuss the individuals being considered for appointment to a local development commission at a future open session meeting; requested a more detailed analysis from staff regarding an employment position recommendation, and requested that staff provide the Commissioners with additional information and a recommendation relating to issues concerning the specific deployment of certain fire services in the County.

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 at various times Debra Peyton, Benefits Administrator, Health and Human Services; Sara Greaves, Deputy Director, Budget and Finance; Michael Piercy, Director, Social Services; Julie Rohm, Board Member, Economic Development Commission; David Hays, Director, Jonathan Hart, Director of Fire Service, and Sam Anderson, Emergency Planner, Emergency Services; Dale Hill, Vice President, Washington County Volunteer Fire and Rescue Association; Oley Griffith, Kingsley Poole and Michael Reid, Emergency Services Advisory Council members; and Roger Otzelberger, Deputy Chief, Potomac Valley Volunteer Fire Company.

**ADJOURNMENT**

The meeting adjourned at 12:04 p.m.

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The Commissioners attended the 2017 John Frey Preservation Awards luncheon at the Academy Theatre, 58 East Washington Street, Hagerstown, sponsored by the Washington County Historical Advisory Committee and County Commissioners, hosted by the Hagerstown-Washington County Convention and Visitors Bureau. President Baker presented awards to the following organizations and individuals for their efforts that significantly impact the preservation of historic homes, businesses, landmark structures and/or lands: "Preservation Award" to Friends of Tolson's Chapel, Edie Wallace, President, for the Restoration and Reconstruction of Tolson's Chapel African American Church, School and Cemetery of the Freedmen, Built in 1866; "Preservation Award" to Howard B. Bowen for his outstanding dedication and personal financial commitment to the restoration of traditional dry-laid stone fences bordering his historic property, and the "Adaptive Reuse-Historic Structure Award" to the Washington County Commission on Aging for the acquisition and renovation of the former armory building to establish offices and a permanent Senior Center for Washington County's senior citizens.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk