

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

October 24, 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 9:41 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 – OCTOBER 17, 2017

Commissioner Barr, seconded by Keefer, moved to approve the minutes of October 17, 2017. The motion passed with Commissioners Barr, Keefer, Cline and Baker voting “AYE” and Commissioner Myers “ABSTAIN” due to being absent from part of the meeting.

COMMISSIONERS’ REPORTS AND COMMENTS

Commissioner Keefer commented on the recent high Scholastic Aptitude Test (SAT) scores attained by Washington County Public Schools students.

REPORTS FROM COUNTY STAFF

County Administrator

County Administrator Rob Slocum noted the untimely passing of Permits Technician Kathleen Lange.

Commissioner Barr reported attending the Washington County Public Schools’ budget presentation to the Board of Public Works last week in Annapolis. Governor Hogan commended Washington County for having the largest contingency present to support the budget request.

CITIZENS’ PARTICIPATION

Henry Allenberg, 20425 Splendor View Terrace, Smithsburg, owner of a vineyard/orchard near the proposed Cloverly Hill development, commented on the process to notify citizens of the express approval issue regarding the proposed development.

Liam Corballis, 13741 Kretzinger Road, Smithsburg, commented on the Cloverly Hill development and recommended slowing down the annexation process to allow more input from citizens.

FOURTH QUARTER (FINAL) ADJUSTMENTS TO THE WASHINGTON COUNTY BOARD OF EDUCATION'S FISCAL YEAR 2017 GENERAL FUND BUDGET

Jeff Proulx, Chief Operating Officer, Washington County Public Schools (WCPS), and David Brandenburg, Executive Director of Finance, requested adjustments to the Fourth Quarter Fiscal Year 2017 General Fund Budget by increasing the following categories: Revenue - \$149,739; Instructional Textbooks and Supplies - \$118,918; Other Instructional Costs - \$38,304; Student Personnel Services - \$15,200; and Maintenance of Plant - \$475,721; and by decreasing the following categories: Administration - \$72,835; Mid-Level Administration - \$70,500; Instructional Salaries - \$15,711; Special Education - \$351,377; Student Health Services - \$87,483; Student Transportation Services - \$274,806; Operation of Plant - \$463,294; Capital Outlay - \$1,245; Food Service - \$7,636; and Fixed Charges - \$1,003,492, for a net change in fund balance of \$1,849,975. Mr. Brandenburg indicated that the proposed changes are necessary to properly categorize the Board's FY 2017 budget and finalize the closeout of FY 2017. There is a full year change of \$2,303,155, which represents approximately 0.88% of the total operating budget. WCPS intends to bring a large portion of the FY 2017 fund balance to the Board of Education for recommending additional commitments to infrastructure programs including the Capital Improvement Plan, infrastructure improvements for Pre-K educational programs, increasing textbook purchases and investing in school playgrounds.

Commissioner Myers, seconded by Barr, moved to approve the requested adjustments to the Washington County Board of Education's Fourth Quarter (Final) Fiscal Year 2017 General Fund Budget as presented. The motion passed unanimously.

POTENTIAL LEGISLATIVE ITEMS

Kirk C. Downey, Deputy County Attorney, initiated a preliminary discussion of potential legislative items the County Commissioners would like to see addressed during the next session of the General Assembly. Two items of potential interest have been identified:

- 1) Bond Borrowing Authorization – The County is reaching the limit of its statutorily-authorized borrowing limit which was last addressed in 2013. It is time for the County to request General Assembly approval to issue bonds for capital improvement projects and infrastructure capital. The proposed bill establishes the authority to borrow a certain amount, typically over a period of years. Chief Financial Officer Debra Murray advised that the average amount issued each year is around \$12 million.
- 2) Expansion of Disabled Veterans Tax Credit - The County has legislative authority to provide a tax credit to veterans that are 50% or more disabled in an amount equivalent to their percentage of disability. This request would authorize the County to expand the eligibility to any disabled veteran. A disabled veteran could qualify for a real property tax credit of the same percentage as their disability rating.

October 24, 2017

Page 3

Commissioner Barr discussed the need for increases in highway user revenue from the State, which has been requested for several years by most Maryland counties.

Commissioner Cline suggested the possibility of obtaining increased authority, if needed, to more timely address weed issues, especially regarding repeat offenders.

Commissioner Myers discussed seeking legislative authority to address complaints by citizens about commercial trucks and heavy vehicles parking in neighborhoods and on the shoulders of roads.

The County Commissioners are meeting with delegation members on December 5 to present their legislative proposals.

CONTRACT AWARD – BOND COUNSEL SERVICES

Rick Curry, Purchasing Director, and Sara Greaves, Deputy Director, Budget and Finance, recommended award of the contract for Bond Counsel Services (PUR-1363) to the responsive, responsible firm of Funk and Bolton, P.A., Attorneys at Law, Baltimore, Maryland. Mr. Curry stated that the firm's proposal is \$107,100 plus out-of-pocket expenses related to bond issues and for all other work. The contract's initial term is for one-year tentatively commencing November 1, 2017 and ending October 31, 2018, with an option by the County to renew for up to four consecutive one-year periods thereafter, based on the annual lump sum fees proposed by the firm. The Commissioners briefly discussed the proposal.

Commissioner Barr, seconded by Keefer, moved to award the contract for Bond Counsel Services to the responsive, responsible firm of Funk and Bolton, P.A., Attorneys at Law, for \$107,100 plus out-of-pocket expenses related to bond issues and for all other work as presented. The motion passed unanimously.

CITIZEN COMMENT REVIEW AND EXPRESS APPROVAL – SMITHSBURG ANNEXATION OF CLOVERLY HILL, LLC

Stephen Goodrich, Director, Planning and Zoning, initiated a discussion of the issue of the potential granting of express approval by the County Commissioners relating to the proposed zoning of approximately 65.5 acres owned by Cloverly Hill, LLC in the Town of Smithsburg. Mr. Goodrich referred to a compilation of comments made by citizens during the Commissioners' October 10 evening meeting in the Town of Smithsburg that included concerns about the cost of sewer upgrades, alleged tax exemption for ten years, the maximum development allowed, school over-capacity issues and traffic impact. Mr. Goodrich discussed the annexation process.

The Commissioners discussed the development and the express approval process. Developer Daniel Cross and his attorney Jason Divelbiss also offered comments. Commissioner Myers commented that the Town of Smithsburg's mayor, council and planning commission have not yet communicated whether they would be approving the

October 24, 2017

Page 4

proposed annexation. He suggested that the Commissioners postpone their vote until the town decides on the matter. Commissioner Cline agreed with the suggestion. The Commissioners reached a consensus to delay their vote regarding express approval until the Town of Smithsburg reaches consensus on the annexation request.

COUNTY EMPLOYEE VACANCIES AND ORGANIZATION

County Administrator Rob Slocum and Stephanie Stone, Director, Health and Human Services, presented a proposal to reclassify various vacant positions and eliminate a budgeted position. Ms. Stone described the proposals that recommend the vacant Project Liaison position be eliminated and the new position of Business Leader, Grade 15, be established; the budgeted, vacant, Workforce Development and Partnership Manager position, Grade 17, be eliminated; the vacant Director of Engineering and Construction Management position, Grade 20, be changed to Chief Operations Officer, Grade 19; the vacant Assistant County Administrator position, Grade 19, become the new position of the Director of Public Relations and Marketing, Grade 18; and the vacant Public Relations Coordinator, Grade 15, be advertised as such.

In addition, the existing position of Agricultural Business Development Specialist will be renamed Agricultural Business Specialist and upgraded to Grade 14; the Business Development Specialist will become the Business Specialist and be upgraded to Grade 14; the existing Business Support and Retention Specialist position will be renamed Business and Event Coordinator and be upgraded to Grade 12; the Administrative Assistant will be upgraded to Office Manager at Grade 10; and the Business Development Director will be upgraded to Grade 18. The vacant Director of Engineering and Construction Management (Grade 20) will be changed to Chief Operations Officer, Grade 19. The proposals as presented will result in a total savings of \$84,454.

The Commissioners discussed the duties and job descriptions of the proposed positions with Mr. Slocum. Commissioner Cline questioned whether increases in salary equated to increased duties. He requested to see the job description for Business Leader as well as the others and suggested that the Salary Study be presented to the Commissioners before deciding on these proposals. Since that job description was not provided with the agenda, Ms. Stone agreed to provide it within the hour along with several others for the Commissioners' review. Commissioner Myers suggested that the subject be further discussed during the evening meeting for a possible vote.

PARKS AND FACILITIES DIRECTOR

Jim Sterling, Director, Public Works, and Ms. Stone presented the recommendation that a Deputy Director of Public Works, Parks and Facilities position be approved at Grade 17. Current Deputy Director John Pennesi is recommended to be granted the proposed pay adjustment and position for the work he has been performing and will continue to perform in that capacity for the County. The proposal is consistent with the naming convention adopted years ago for the department and director positions throughout the County. The workload and leadership required of Mr. Pennesi has increased since 2015, when Parks and Facilities Director Jim Sterling was promoted to Director of Public Works.

October 24, 2017

Page 5

Commissioner Cline, seconded by Myers, moved to approve the establishment of the Deputy Director of Public Works, Parks and Facilities position at Grade 17 and fill the position with John Pennesi, currently the Deputy Director of Parks and Facilities. Commissioner Cline commented on the good job performed by John Pennesi. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Barr, seconded by Myers, moved to convene in closed session at 11:04 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), (3) 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/reappointment of two specific individuals to a local commission over which the Commissioners have appointment authority; discussed two County employee hiring recommendations with County staff; and discussed several personnel/employment issues.

During closed session, the Commissioners agreed to further discuss and present for approval the individuals being considered for appointment/reappointment to a local commission during this evening's open session meeting; provided direction to staff regarding two specific hiring/employment recommendations; and took action and provided direction to staff relating to two specific personnel matters.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, LeRoy E. Myers, Jr. and Wayne K. Keefer. Also present were Robert J. Slocum, County Administrator; Vicki C. Lumm, County Clerk; John M. Martirano, County Attorney; and at various times Stephanie Stone, Director, Health and Human Services; and Kevin Cerrone, Director, Transit.

RECONVENE IN OPEN SESSION

Commissioner Barr, seconded by Keefer, moved to reconvene in open session at 12:52 p.m. The motion passed unanimously.

EVENING MEETING – MAUGANSVILLE RURITAN CLUB

The evening session of Board of County Commissioners of Washington County, Maryland, was held at the Maugansville Ruritan Club, 18007 Maugans Avenue, Maugansville.

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October 24, 2017

Page 6

CALL TO ORDER

President Terry L. Baker called the meeting to order at 7:01 p.m. with the following members present: Vice President Jeffrey A. Cline and Commissioners John F. Barr, Wayne Keefer and LeRoy E. Myers, Jr.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Baker read a press release to be given to the media. The statement indicated that a \$250,000 loan was initiated in 2015-2016 without following the appropriate protocols and without seeking the approval of the County Commissioners. The loan provided funding to a waste to energy contractor. The energy initiative was approved by the County Commissioners in 2013 with the understanding that the County would not fund any aspect of the project but would partner in using the County's landfill waste. The loan was executed on the premise that it would be fully repaid or the County would receive the design plans for the project. To fully and productively address the matter, the County Commissioners will consider an independent audit of select accounts. Already, various County policies have been updated and provided by staff for review by the Commissioners.

Commissioner Cline commented that the new World War II monument at the Williamsport American Legion would be dedicated on Veterans Day, November 11.

Commissioner Keefer thanked citizens for attending the meeting.

Commissioner Barr commented that he is a member of Wilson Ruritan Club but also attends the Maugansville Ruritan Club's pancake breakfasts.

Commissioner Myers commented that he is anxious to hear from the large turnout of citizens.

RURITAN CLUB MEMBER COMMENTS

Maugansville Ruritan Club member Marty Lumm thanked the Commissioners for holding a meeting in the community. He noted that the club is 64 years old with 77 members, one of the largest around. Karl Pile has been a member for 60 years. He thanked the Commissioners for considering giving the club playground equipment from the closed Winter Street Elementary School. Mr. Lumm announced that a pancake breakfast would be held this Saturday. The club also sponsors a food bank each month for 50 families, holds blood drives for the Red Cross, sponsors a children's Christmas party each year and sells Christmas trees at the Long Meadow Shopping Center. The club President is Barb Jacob, its first female president.

Ruritan Treasurer Don Funk thanked the County Commissioners for the \$5,800 tax break each year so the club can perform its volunteer service to the community.

October 24, 2017

Page 7

REPORTS FROM COUNTY STAFF

Engineering

Scott Hobbs, Director of Engineering, updated attendees on various engineering projects, stating that the County maintains 850 miles of roadway, 300 bridges and several thousand culverts. Two nearby projects are Crayton Boulevard Extended that will extend to Showalter Road. The County also purchased property at the intersection of Showalter Road and Pennsylvania Avenue for a future road enhancement project that will extend to Paradise Church Road.

Rich Eichelberger, Director of Construction, stated that his department works in conjunction with Engineering to provide inspections for capital improvement projects such as the new Meritus Medical health facility on Crayton Boulevard and the Mennonite Home on Marshall Street.

Health and Human Services – Reorganization of Business Development and Public Relations and Community Affairs

Stephanie Stone, Director, Health and Human Services, presented proposed plans to reorganize several positions in the Business Development and Public Relations and Community Affairs departments by renaming certain positions and eliminating one position, with total savings of \$84,454. The Commissioners discussed the proposals which were presented during the Commissioners' morning meeting.

Commissioner Barr, seconded by Myers, moved to approve the reclassification and advertisement of various vacant positions and move to eliminate a budgeted position as presented. The motion passed with Commissioner Barr, Myers, Keefer and Baker voting "AYE" and Commissioner Cline "NO".

Certificate of Appreciation to Holsinger Family

The Commissioners presented a certificate of appreciation to Robert Holsinger, and his grandson Richie and wife April, of Holsinger's Meats, to honor the Maugansville business that has been in operation since 1876. Richie and April now run the business that specializes in fresh meats, homemade bologna, jerky, hot dogs and sausages. Catering was recently added to its services. The Holsinger family thanked the County Commissioners for the recognition.

County Clerk – Appointments to Boards and Commissions

Commissioner Barr, seconded by Keefer, moved to appoint Michelle Elzie to serve an unfulfilled term through September 30, 2019 and Andreana Overton to serve a first, three-year term through October 31, 2020 on the Commission for Women. The motion passed unanimously.

CITIZENS PARTICIPATION

Al Wood, 13802 Distant View Avenue, Maugansville, discussed an ongoing problem with water and mud sitting in a swale at his property next to a local lumber company yard. A County service request will be initiated.

October 24, 2017

Page 8

Maugansville Ruritan Club member Charles Lumm discussed the club's request for playground equipment from the former Winter Street School. He was advised that County staff is checking on insurance liability issues but generally the request has been approved by the Commissioners.

Williamsport resident Richard Rombarger commented that today is United Nations Day, founded 72 years ago.

Gary Ellis, 13625 Dixie Drive, presented a petition signed by five neighbors in Orchard Hills requesting a 4-way stop sign at the intersection of Orchard Hills Parkway and Dixie Drive due to sight problems. County staff will visit the area and assess the request.

Tina Rolls, 12205 Dellwood Avenue, Cedar Lawn, thanked Commissioners Baker, Keefer and Cline for voting to send a letter of opposition regarding the McCleary Hill project planned near her neighborhood.

Dave Williams, 11 West Water Street, Smithsburg, thanked Commissioner Cline for his transparency regarding an employee's harassment claim filed against the County.

Ray Givens, Hancock, commented on transparency in the County and requested more facts from the Commissioners on issues. He requested the release of reports/investigation ordered by the Commissioners regarding the harassment claim.

Commissioner Baker commented that he would like to release the investigative report. Commissioner Keefer added that he too was in favor of its release. Mr. Baker called for a consensus among the Commissioners. Commissioner Cline commented that it was a legal matter and Commissioners Barr and Myers had no comment.

ADJOURNMENT

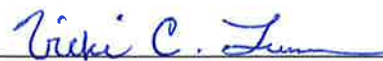
Commissioner Myers, seconded by Keefer, moved to adjourn at 8:02 p.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John M. Martirano, County Attorney



Vicki C. Lumm, County Clerk