



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201  
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## BOARD OF COUNTY COMMISSIONERS

April 23, 2019

### OPEN SESSION AGENDA

- 08:00 A.M. EARTH DAY TREE PLANTING (*Proclamation*)– *Board of County Commissioners*  
(*Location: 901 Northern Avenue, Hagerstown*) *Northern Middle School*
- 08:40 A.M. DEPART FOR 100 WEST WASHINGTON STREET, SUITE 1113, HAGERSTOWN
- 09:00 A.M. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE  
CALL TO ORDER, *President Jeffrey A. Cline*  
APPROVAL OF MINUTES – April 16, 2019
- 09:05 A.M. CLOSED SESSION  
(*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*)
- 10:00 A.M. RECONVENE IN OPEN SESSION
- 10:01 A.M. COMMISSIONERS’ REPORTS AND COMMENTS
- 10:15 A.M. REPORTS FROM COUNTY STAFF
- 10:20 A.M. CITIZENS PARTICIPATION
- 10:25 A.M. PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 2019 AS “FAIR HOUSING MONTH” – *Board of County Commissioners and Stephanie Lapole, Senior Grant Manager, Office of Grant Management*
- 10:30 A.M. PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 2019 AS “NATIONAL ARAB AMERICAN HERITAGE MONTH” – *Board of County Commissioners*
- 10:35 A.M. COMBINED ELECTION BOARD FACILITY – *Kaye Robucci, Director, Washington County Board of Elections, Bruce Field, President and Martin Lumm, Board Member*
- 10:45 A.M. **PUBLIC HEARING:** 2019 AGRICULTURAL LAND PRESERVATION DISTRICT APPLICATION – *Chris Boggs, Land Preservation Planner, Department of Planning and Zoning*

11:00 A.M. RECESS

*The Board of County Commissioners have been invited to attend various "Open Houses" within Washington County as their schedule permits.*

*The Board of County Commissioners have been invited to attend a luncheon at the University of Maryland Extension Office at 7303 Sharpsburg Pike, Hagerstown*

02:30 P.M. COUNTY COMMISSIONERS OF WASHINGTON COUNTY PUBLIC IMPROVEMENT BONDS OF 2019 AUTHORIZING RESOLUTION – *Lindsey Rader, Bond Counsel for Washington County, and Sara Greaves, Chief Financial Officer*

02:45 P.M. ROCKDALE SOLAR – REQUEST FOR PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT – *Andrew F. Wilkinson, Esquire*

03:00 P.M. EMERGENCY MANAGEMNT PERFORMANCE GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING – *Allison Hartshorn, Grant Manager, Office of Grant Management; Charles Brown, Assistant Director, and Oley Griffith, Emergency Management Specialist, Division of Emergency Services*

03:10 P.M. CONTRACT AWARD (PUR-1407) – CENTRALIZED REENGAGEMENT SERVICES FOR DISCONNECTED YOUTH – *Rick Curry, CPPO, Director, Purchasing Department and Stephanie Lapole, Senior Grant Manager, Office of Grant Management*

03:20 P.M. RETIREMENT PLAN AND PENSION FUNDING POLICY CHANGES – *Deb Peyton, Director, Division of Health & Human Services and Sara Greaves, Chief Financial Officer*

03:40 P.M. SOLID WASTE SUPERVISOR CONSOLIDATION PLAN – *Dan DiVito, Director, Environmental Management and Sara Greaves, Chief Financial Officer*

04:00 P.M. REVIEW OF THE 2019 LEGISLATIVE SESSION – IMPACTS ON WASHINGTON COUNTY – *Senator Andrew A. Serafini and Delegate William J. Wivell*

04:20 P.M. ADJOURN



Open Session Item

**SUBJECT:** *Proclamation:* Fair Housing Month, April 2019

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** The Board of County Commissioners and Stephanie Lapole, Senior Grant Manager, Office of Grant Management

**PROCLAMATION:**

**WHEREAS,** April 2019 marks the 51<sup>st</sup> anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act, and;

**WHEREAS,** the Fair Housing Act emphasizes a national policy of Fair Housing designed to protect Americans from discrimination in the sale, rental and financing of housing based on color, race, sex, national origin, disability, family status and religion, and;

**WHEREAS,** equal housing is an important component of family and community health and stability, and;

**WHEREAS,** housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies, and;

**WHEREAS,** the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing, and;

**WHEREAS,** ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities.

**NOW THEREFORE,** We the Board of County Commissioners of Washington County, Maryland, do hereby recognize April as Fair Housing Month.



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Open Session Item

**SUBJECT:** *Proclamation:* "National Arab American Heritage Month, April 2019

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** The Board of County Commissioners

**PROCLAMATION:**

WHEREAS, for over a century, Arab Americans have been making valuable contributions to virtually every aspect of American society: in medicine, law, business, education, technology, government, military service, culture, and;

WHEREAS, since migrating to America, men and women of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants, and;

WHEREAS, they brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy, and;

WHEREAS, Arab Americans have also enriched our society by sharing in the entrepreneurial American Spirit that makes our nation free and prosperous, and;

WHEREAS, they join all Americans in the desire to see a peaceful and diverse society, where all individuals are treated equally, and;

WHEREAS, the incredible contributions and heritage of Arab Americans have helped us build a better nation, and;

NOW THEREFORE, We the Board of County Commissioners of Washington County, Maryland, do hereby celebrate April 2019 to be National Arab American Heritage Month. We encourage our citizens, employees, and the larger community, to join us in this special observance.



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Open Session Item

**SUBJECT:** Combined Election Board Facility

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Bruce Field, President, Martin Lumm, Board Member and Kaye Robucci, Director, Washington County Board of Elections

**RECOMMENDED MOTION:** For Discussion Purpose

**REPORT-IN-BRIEF:** The Washington County Board of Elections has determined that there are currently (2) locations that would meet their needs for a combined office, warehouse, Early Voting center, and election judge training center. The Board of Elections has presented in Open Session the property at 17718 Virginia Avenue, Hagerstown, MD 21740. The County Commissioners had requested information regarding the cost to lease or purchase the said property. The information was provided to them on March 19, 2019. The Board of Elections would like to know if a decision was made and where we stand with the property at 17718 Virginia Avenue.

The 2<sup>nd</sup> location is The CoinOp warehouse, located at 367 E. Franklin Street. This facility would also meet all of our requirements regarding space, location, loading docks and parking.

**DISCUSSION:** The Washington County Board of Elections, County Commissioners and staff have been working together since 2013 to find a suitable location for the Board of Elections' office, warehouse, Early Voting center, and election judge training center.

Currently, the Election Board does not have a location for Early Voting or a facility for Election Worker Training Classes for 2020. While many contacts have been made – we are still waiting for confirmation. There are very few locations that can commit to leasing or loaning their conference rooms for 16 days of Early Voting and/or 90 days of Training Classes during a year. We continue to expend time and energy every year to locate and survey suitable locations. This is not only a hardship and terrible waste of resources on the Election Board but also a disservice to the voters of Washington County. We cannot continue to move our Early Voting Site around the County. At some point it is going to be viewed as Voter Suppression. In five (5) election cycles since 2010, no fewer than four (4) locations have been used for Early Voting. The Board of Elections maintains that a permanent home is needed for Early Voting in order to adequately serve the voters of Washington County. If we don't soon find a permanent location for Early Voting and Election Worker Training Classes – we will have to consider leasing store fronts.

During the February 12, 2019 County Commissioners meeting, it was stated that it is under the Board of Elections initiative to find a suitable location to house all four components (office, warehouse, Early Voting, and election judge training center) under one roof.

The Board of Elections believes it has found such a place in the former Shop and Save, located at 17718 Virginia Avenue, Hagerstown and a suitable alternative in the CoinOp warehouse, located at 367 E. Franklin Street, Hagerstown.

**Considerations for the Shop and Save:**

- Location;
- Size of facility;
- Loading docks;
- Abundant parking;
- Public Transportation

**FISCAL IMPACT:** Total Fiscal Impact for the Shop and Save was provided at the March 19, 2019 meeting.

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A



Public Hearing

**SUBJECT:** PUBLIC HEARING - Agricultural Land Preservation District Applications

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Chris Boggs, Land Preservation Planner, Department of Planning & Zoning

**RECOMMENDED MOTION:** Move to approve the 10-year Agricultural Land Preservation Districts for the following six (6) property owners: Baker, Whitman, Miller (Battletown Road), Miller (Ringgold Pike), Householder, and Otzelberger (see attachments for complete owner and location information).

**REPORT-IN-BRIEF:** Establishing a 10-year Agricultural Land Preservation District demonstrates each landowner's commitment to use the property for only agricultural purposes through a recorded district agreement for a minimum of ten years. Landowners may elect to terminate or continue the district after 10 years (or after 5 years, per ORD-2018-20). District establishment is also the first step towards eligibility to sell a permanent agricultural preservation easement. Basic information for each applicant can be found on the attached list. Each application has met the criteria of being a minimum of 50 acres in size (or a minimum of 20 acres if contiguous to another district or permanent easement), 50% Class 1, 2 or 3 soils and outside areas programmed for public water and sewer.

**DISCUSSION:** In exchange for the landowners' commitment to agriculture they will receive County property tax credits on their agricultural land or buildings and a credit of up to \$711 on their farm house. The District/Credit program was adopted at the County level in 1991 and was updated in 2018 by ORD-2018-20 and ORD-2018-21. These Ordinances were updated in order to bring the program up-to-date after the State – which previously administered districts – released the districts to the County. The purpose of the public hearing is to take public comment from interested parties.

**FISCAL IMPACT:** The cost of tax credits for these properties for the full ten-year period is approximately \$12/acre/year for a total of about \$86,925, or \$8,692 per year. This will be in the form of property taxes not collected. A total of 724.38 acres will be included in the 6 districts.

**CONCURRENCES:** The Agricultural Land Preservation Advisory Board approved all of the Districts because they meet program criteria for size, soils, and assessment. The Planning Commission/Planning Staff have determined the properties are consistent with Comprehensive Plan requirements due to their locations outside of County-designated growth areas and planned water and sewer service areas.

**ALTERNATIVES:** Deny any of the pending 10-year Districts.

**ATTACHMENTS:** 2019 Applicant list; Map of Ag District applicants; Aerials Each Property.

**AUDIO/VISUAL NEEDS:** PDF map with district locations.

**2019 Agricultural Land Preservation Districts  
Applicant List  
Public Hearing April 23, 2019**

Baker, Brian E. & Teri M. (AD-18-031), tax map 68, parcel 514, consisting of 54.82 acres;  
Barnes Road, Boonsboro, MD 21713

Whitman, Jean Bowman (AD-19-003), tax map 26, parcels 306 & 414 Lot 3, 54.89 acres; 13506  
Little Antietam Road & 21137 Leitersburg Pike, Hagerstown, MD 21742

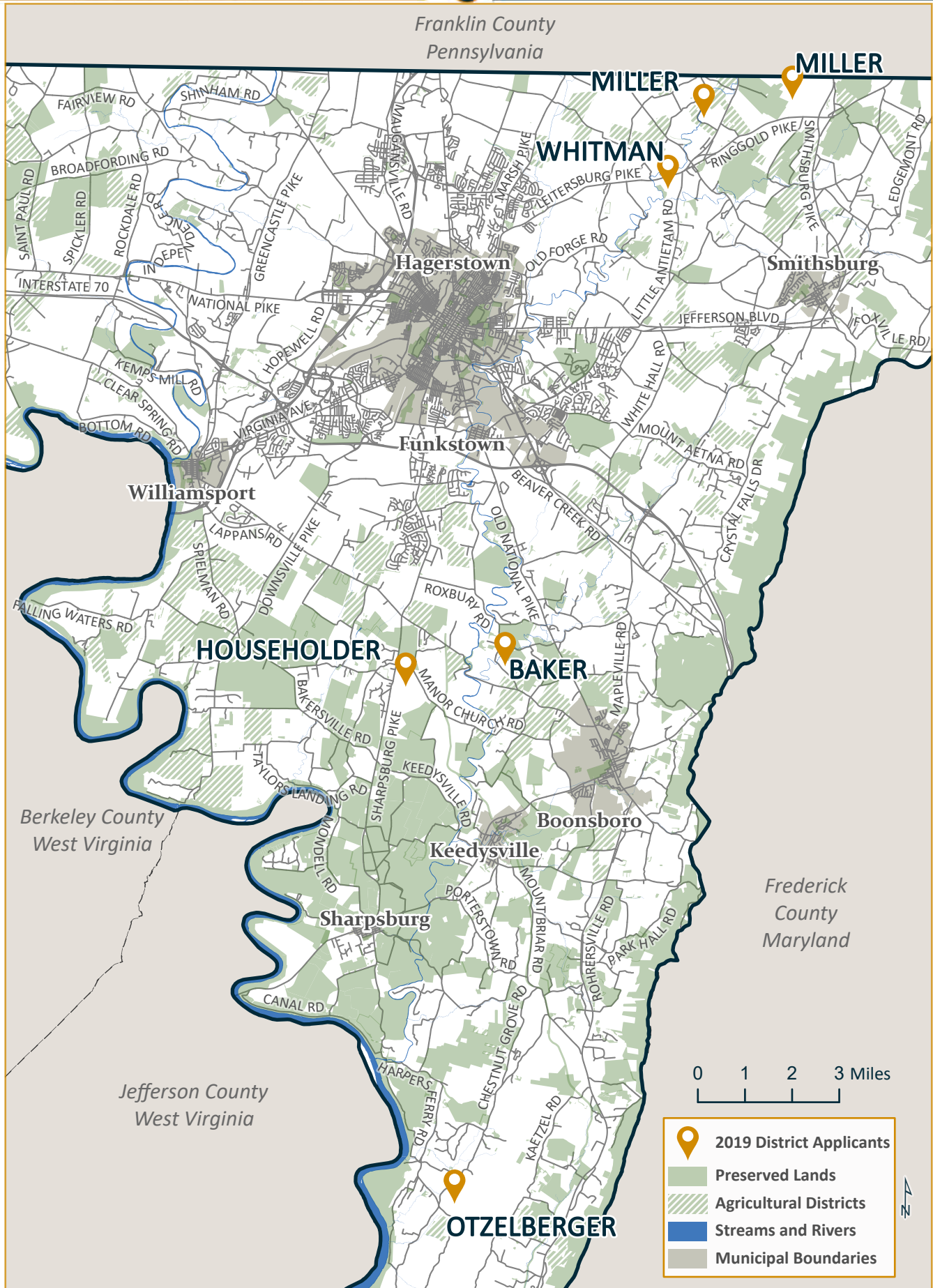
Miller, Dwight R. & Kristen F. (AD-19-004), tax map 26, parcel 5, 88.12 acres; 14203  
Battletown Road, Hagerstown, MD 21742

Miller, Dwight R. & Kristen F. (AD-19-005), tax maps 12 & 26, parcels 8 & 423, 241.77 acres;  
22702 & 22414 Ringgold Pike, Hagerstown, MD 21742

Householder, Robert and Darlene (AD-19-011), tax map 67, parcel 61, 132.43 acres; 18461  
Manor Church Road, Boonsboro, MD 21713

Otzelberger, Roger L., Sr., Rose M. & Roger L., Jr. and Rachel M. Brown (AD-19-017), tax map  
85, parcels 128 & 185, 152.35 acres; 18800 McCoy Road, Sharpsburg, MD 21782







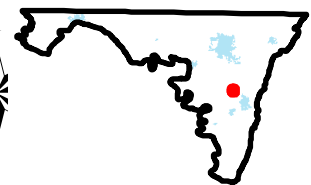
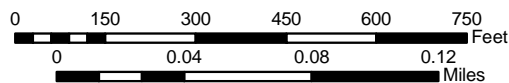
# Baker, Brian and Teri



Brian & Teri Baker  
Barnes Road  
Boonsboro, MD 21713

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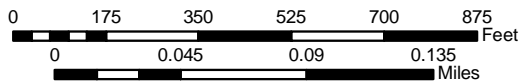
# Miller, Dwight & Kristen



Dwight & Kristen Miller  
14203 Battletown Road  
Hagerstown, MD 21742

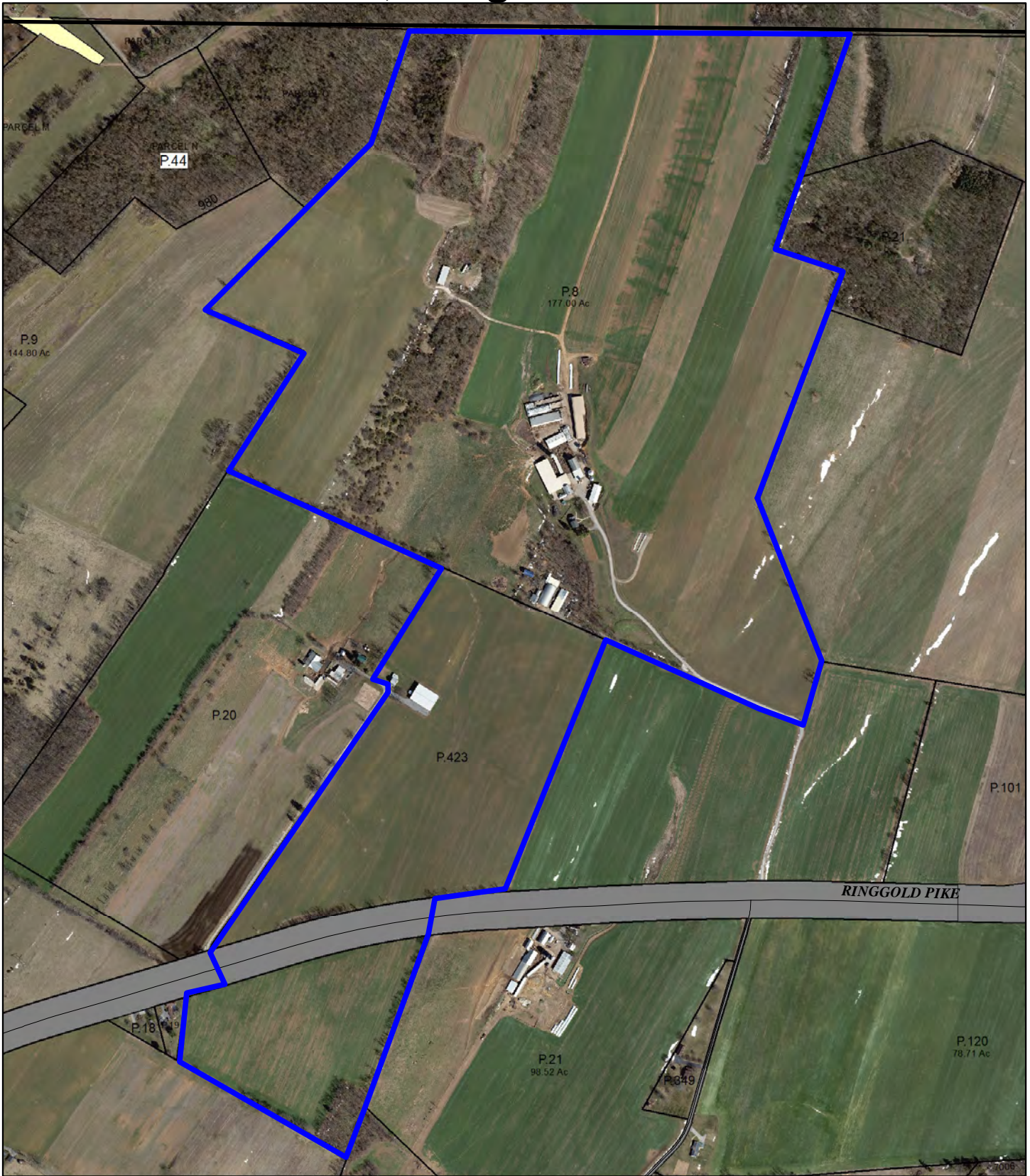
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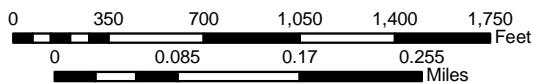
# Miller, Dwight & Kristen



Dwight & Kristen Miller  
 22702/22414 Ringgold Pike  
 Hagerstown, MD 21742

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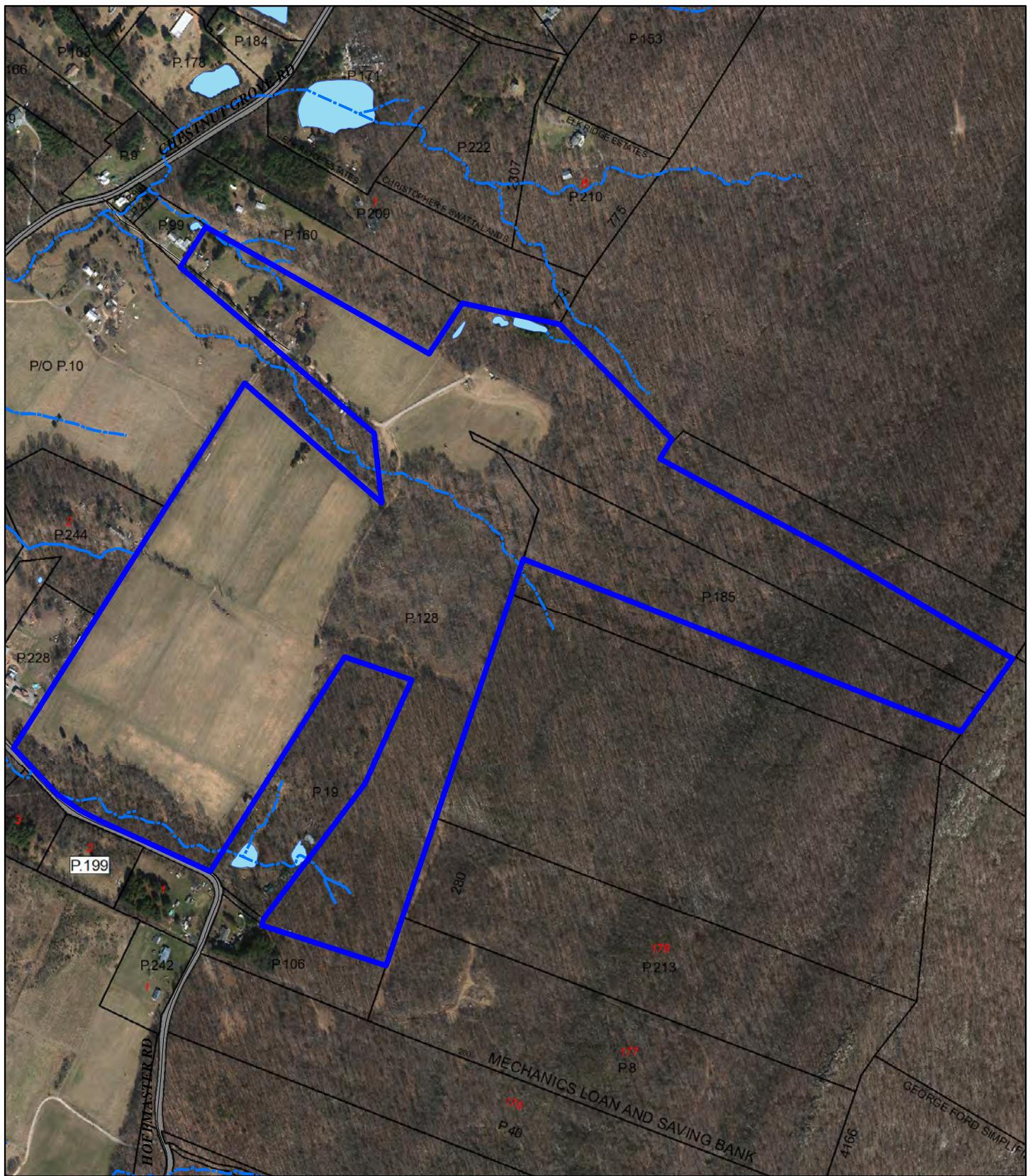








# Roger, Sr., Rose, & Roger, Jr. Otzelberger and Rachel Brown



18800 McCoy Road  
Sharpsburg, MD 21782

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Agenda Report Form

Open Session Item

**SUBJECT:** County Commissioners of Washington County Public Improvement Bonds of 2019 Authorizing Resolution

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Lindsey A. Rader, Bond Counsel for Washington County and Sara Greaves, Chief Financial Officer

**RECOMMENDED MOTION:** Move to approve the resolution authorizing County Commissioners of Washington County (the “County”) to issue and sell, at public sale, upon its full faith and credit, a series of general obligation bonds in the original aggregate principal amount not to exceed \$13,310,000 for the purpose of financing or reimbursing costs of certain public facilities and projects, as presented.

**REPORT-IN-BRIEF:** Certain Chapter Laws of Maryland and County Code provisions, as applicable, authorize the County to issue and sell at public sale, upon its full faith and credit, a series of general obligation bonds for the purpose of financing or reimbursing the cost of certain public facilities and projects (see attachment). The contemplated bonds will not exceed \$13,310,000 in original aggregate principal amount (\$12,255,000 tax-supported and \$1,055,000 self-supported). Certain details of the bonds are subject to adjustment based on market conditions, due to legal or tax considerations or for other reasons identified in the resolution. The Chief Financial Officer is authorized to make certain determinations and adjustments with respect to the bonds prior to release of the Preliminary Official Statement provided for in the resolution or following such release but prior to the sale of the bonds, including (without limitation) adjusting the original aggregate principal amount of the bonds, adjusting the amortization schedule for the bonds, and/or changing the principal, interest and/or optional redemption dates. In addition, authority to award or reject the bonds at the sale, and to make certain post-sale adjustments contemplated by the resolution, is delegated to the Chief Financial Officer, who shall act by order.

**DISCUSSION:** Proceeds from the bonds will be used to fund costs of certain infrastructure, educational and environmental public facilities and projects. Bond proceeds have been re-allocated to certain projects included in the fiscal year 2019 Capital Budget. The amount of bond funding has been reduced by \$97,000 from the amount originally anticipated, the public safety project originally budgeted to be funded from bond proceeds has been eliminated from the financing, and the amount of bond funds has been re-allocated among certain of the projects



since adoption of the fiscal year 2019 Capital Budget. Issuance costs are expected to be funded from pay-go funds or from the net premium received from the successful bidder for the bonds.

**FISCAL IMPACT:** Annual bond issuance has been included in the County's annual debt affordability analysis.

**CONCURRENCES:** County Administrator and County Attorney

**ALTERNATIVES:** If the resolution is not approved, it will be necessary to eliminate the public facilities and projects to be funded from the bonds as detailed in the Capital Improvement Plan. Also, it will be necessary to determine alternative funding for such public facilities and projects already in progress.

**ATTACHMENTS:** Resolution, schedule of public facilities and projects to be funded from the bonds, and draft Preliminary Official Statement. (Financial Statements and Supplemental Schedules together with Report of Independent Public Accountants available online at [www.washco-md.net](http://www.washco-md.net) under Budget and Finance Department.)

**AUDIO/VISUAL NEEDS:** N/A

**RESOLUTION NO. RS-2019-**

A RESOLUTION AUTHORIZING AND EMPOWERING COUNTY COMMISSIONERS OF WASHINGTON COUNTY (THE “COUNTY”) TO ISSUE AND SELL AT PUBLIC SALE, UPON ITS FULL FAITH AND CREDIT, A SERIES OF ITS GENERAL OBLIGATION BONDS DESIGNATED “COUNTY COMMISSIONERS OF WASHINGTON COUNTY PUBLIC IMPROVEMENT BONDS OF 2019”, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$13,310,000, SUBJECT TO ADJUSTMENT AS PROVIDED HEREIN, PURSUANT TO THE PROVISIONS OF, AS APPLICABLE, CHAPTER 60 OF THE LAWS OF MARYLAND OF 2013, CHAPTER 99 OF THE LAWS OF MARYLAND OF 2018 AND TITLE 6 OF THE CODE OF PUBLIC LOCAL LAWS OF WASHINGTON COUNTY (2007), EACH AS AMENDED AS APPLICABLE, FOR THE PUBLIC PURPOSES OF FINANCING THE COST OF CERTAIN PUBLIC FACILITIES AND PROJECTS IN WASHINGTON COUNTY, INCLUDING THE COST OF ACQUISITION, ALTERATION, CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, EQUIPPING, EXPANSION, EXTENSION, IMPROVEMENT, REHABILITATION, RENOVATION, UPGRADING AND REPAIR OF VARIOUS INFRASTRUCTURE, EDUCATIONAL AND ENVIRONMENTAL PROJECTS, TOGETHER WITH ANY RELATED ARCHITECTURAL, FINANCIAL, LEGAL, PLANNING OR ENGINEERING SERVICES; PRESCRIBING THE TERMS AND CONDITIONS OF SAID BONDS AND THE TERMS AND CONDITIONS UPON WHICH SAID BONDS SHALL BE ISSUED AND SOLD AND OTHER INCIDENTAL DETAILS WITH RESPECT THERETO; PLEDGING THE FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER OF THE COUNTY TO THE PAYMENT OF THE BONDS AND PROVIDING THAT, IN THE EVENT FUNDS AVAILABLE TO THE COUNTY ARE INSUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS, THE COUNTY SHALL LEVY AND COLLECT AD VALOREM TAXES UPON ALL THE LEGALLY ASSESSABLE PROPERTY WITHIN WASHINGTON COUNTY SUFFICIENT TO PROVIDE FOR SUCH PAYMENTS WHEN DUE; PROVIDING FOR THE DISBURSEMENT OF THE PROCEEDS OF THE BONDS; APPROVING A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE PREPARATION AND DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF SAID BONDS; MAKING CERTAIN FINDINGS CONCERNING DEBT LIMITATIONS OF WASHINGTON COUNTY; MAKING OR PROVIDING FOR THE MAKING OF CERTAIN ELECTIONS, COVENANTS OR DETERMINATIONS PERTAINING TO THE TAX-EXEMPT STATUS OF SAID BONDS; PROVIDING THAT THE PROVISIONS OF THIS RESOLUTION SHALL BE LIBERALLY CONSTRUED; AND GENERALLY PROVIDING FOR THE ISSUANCE OF SAID BONDS.

**RECITALS**

Chapter 60 of the Laws of Maryland of 2013 (the “2013 Act”) authorizes and empowers County Commissioners of Washington County (the “County”) to issue and sell bonds upon its full faith and credit in an aggregate principal amount not to exceed \$60,000,000 to provide funds to finance the cost of the construction, improvement or development (within the meaning of such Act) of certain public facilities in Washington County. The County has previously issued \$10,162,278 of its County Commissioners of Washington County Public Improvement Bonds of

2015, \$12,103,000 of its County Commissioners of Washington County Public Improvement Bonds of 2016, \$13,142,000 of its County Commissioners of Washington County Public Improvement Bonds of 2017 pursuant to the authority of the 2013 Act, and \$12,852,000 of its County Commissioners of Washington County Public Improvement Bonds of 2018 pursuant to the authority of the 2013 Act.

Chapter 99 of the Laws of Maryland of 2018 (the “2018 Act”) authorizes and empowers County Commissioners of Washington County (the “County”) to issue and sell bonds upon its full faith and credit in an aggregate principal amount not to exceed \$70,000,000 to provide funds to finance the cost of the construction, improvement or development (within the meaning of such Act) of certain public facilities in Washington County. To date, the County has not issued any general obligation bonds in reliance on the issuing authority provided by the 2018 Act.

Title 6 of the Code of Public Local Laws of Washington County, Maryland (2007), as amended (the “Water and Sewer Act”), authorizes and empowers the County to issue bonds upon its full faith and credit to provide funds for the purpose of paying the cost of a water system, sewerage system or drainage system or any part of such system that the County owns, constructs or operates (referred to as “projects” in the Water and Sewer Act).

Pursuant to the authority of the 2013 Act, the 2018 Act and the Water and Sewer Act, as applicable, the County has determined to issue and sell its general obligation bonds in an original aggregate principal amount not to exceed \$13,310,000 (the “New Money Bonds”) to finance the cost of the construction, improvement or development (within the meaning of the 2013 Act and the 2018 Act) of certain public facilities in Washington County and the cost of certain projects (within the meaning of the Water and Sewer Act). The New Money Bonds are being issued to finance the cost of certain public facilities and projects as more particularly described in Section 2 herein. The issuance of the New Money Bonds shall not cause the County to exceed the debt limitation provided for in the Water and Sewer Act.

The Water and Sewer Act, the 2013 Act and the 2018 Act are together referred to as the “Acts”.

The New Money Bonds, as authorized to be issued and sold by this Resolution, are a single series of bonds for the purposes of financing the cost of certain public facilities and projects in Washington County, all as described herein.

References in this Resolution to “principal amount” or “principal amounts” shall be construed as “par amount” or “par amounts”, respectively. References in this Resolution to “finance” or “financing” are deemed to include “reimburse” or “reimbursing”, respectively.

These Recitals constitute an integral part of this Resolution. Capitalized terms used in these Recitals and not otherwise defined in the following Sections of this Resolution shall have the meanings given to such terms in these Recitals.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY:

Section 1. The County hereby determines that it is necessary to borrow money and incur indebtedness pursuant to the authority of the 2013 Act, the 2018 Act and the Water and Sewer Act, as applicable, to finance the cost of the public facilities and projects described in Section 2 hereof.

Pursuant to the authority of the 2013 Act, the 2018 Act and the Water and Sewer Act, as applicable, the County shall borrow on its full faith and credit the aggregate sum of not to exceed \$13,310,000 in order to provide funds to finance the cost of the construction, improvement or development of certain public facilities in Washington County (within the meaning of the 2013 Act and the 2018 Act) and to finance the cost of certain projects (within the meaning of the Water and Sewer Act), as further described in Section 2 hereof, and shall evidence such borrowing by the issuance of a series of its general obligation bonds in the original aggregate principal amount not to exceed \$13,310,000 and designated “County Commissioners of Washington County Public Improvement Bonds of 2019” (the “Bonds”).

The Chief Financial Officer of the County (who constitutes the Director of the Office of Budget and Finance for purposes of the County Code, the “Chief Financial Officer”), on behalf of the County, with the advice of the financial advisor to the County and bond counsel to the County, is hereby authorized from time to time prior to the sale of the Bonds to adjust the original aggregate principal amount of the Bonds as set forth in Section 3 hereof upward or downward (so long as such original aggregate principal amount, as adjusted, does not exceed \$13,310,000), to eliminate one or more of the maturities of the Bonds provided for in Section 3 hereof and/or to adjust the principal amounts of each maturity of the Bonds upward or downward, due to tax considerations, due to market considerations, in order to restructure the amortization schedule for the Bonds to meet financial considerations impacting the County and/or in order to reduce the proceeds of the Bonds to be applied to any of the contemplated public facilities or projects provided for in Section 2 hereof, and such adjustment (i) shall be reflected in the Preliminary Official Statement provided for in Section 19 hereof if such determination is made prior to the release of such Preliminary Official Statement or (ii) shall be communicated in accordance with the provisions of the official Notice of Sale provided for in Section 11 hereof if such determination is made after the release of such Preliminary Official Statement.

Section 2. Subject to net original issue discount, if any, and adjustments made in connection with the sale of the Bonds (including as contemplated in Section 1 hereof), the projects and purposes on account of which the Bonds are issued and the approximate amount of the par value of proceeds of the Bonds allocated to each class of projects are identified as follows:

<u>Proceeds</u>	<u>Use</u>
\$8,004,000	Infrastructure Projects
3,996,000	Education Projects
1,310,000	Environmental Projects

Notwithstanding the foregoing allocation, the County, without notice to or the consent of the registered owners of the Bonds, may reallocate the approximate amount of the par value of the proceeds of the Bonds to be spent among the projects referenced above (as such projects may be further identified in materials provided or available to the Board of County Commissioners of Washington County (the “Board”) or in resolutions of the Board) in compliance with applicable County budgetary procedures or applicable law.

Section 3. The Bonds shall be dated their dated date and shall be issued in the denominations of \$5,000 each or any integral multiple thereof. The Bonds shall bear interest from their dated date. Subject to the further provisions of this Section 3, interest on the Bonds shall be payable on January 1, 2020 and on each July 1 and January 1 thereafter until maturity or, as applicable, prior redemption. Each January 1 or July 1 on which interest is due on the Bonds is referred to herein as an “Interest Payment Date”. Interest shall be calculated on a 30-day month/360-day year basis.

Subject to the provisions of this Resolution, the Bonds shall mature or be subject to mandatory sinking fund redemption as designated by the successful bidder for the Bonds, on July 1 of the years and in the amounts as follows:

<u>Year</u> <u>(July 1)</u>	<u>Principal Amount</u>	<u>Year</u> <u>(July 1)</u>	<u>Principal Amount</u>
2020	\$410,000	2030	\$675,000
2021	430,000	2031	700,000
2022	455,000	2032	730,000
2023	475,000	2033	760,000
2024	500,000	2034	790,000
2025	525,000	2035	825,000
2026	555,000	2036	855,000
2027	585,000	2037	890,000
2028	615,000	2038	925,000
2029	645,000	2039	965,000

Note: The original aggregate principal amount of, and original aggregate principal amount of each maturity of, the Bonds, is subject to adjustment prior to sale as provided in Section 1 hereof and in the official Notice of Sale provided for in Section 11 hereof. In addition, the original aggregate principal amount of, and/or the original aggregate principal amount of each maturity of, the Bonds is subject to adjustment after receipt of bids in accordance with the provisions of the official Notice of Sale provided for in Section 11 hereof.

The foregoing provisions of this Section 3 are also subject to the provisions of Sections 1, 11 and 12 hereof.

Subject to the provisions of Section 11 hereof, each Bond shall bear interest from its dated date if no interest payment has been paid or from the most recent Interest Payment Date to which interest has been paid or duly provided for; provided, however, that each Bond authenticated after

the Record Date (as hereinafter defined) for any Interest Payment Date, but prior to such Interest Payment Date, shall bear interest from such Interest Payment Date. Interest on the Bonds shall be paid at the rate or rates named by the successful bidder for the Bonds in accordance with the terms of the official Notice of Sale hereinafter provided for.

The County hereby appoints Manufacturers and Traders Trust Company, a New York state banking corporation, as bond registrar and as paying agent for the Bonds (the “Bond Registrar and Paying Agent”).

The principal of and interest on the Bonds shall be payable in such money of the United States of America as is lawful at the time of payment.

So long as the Bonds are maintained in Book-Entry Form (as hereinafter defined), payments of principal or redemption price of the Bonds shall be made as described in Section 5 hereof. At any other time, the principal or redemption price of each Bond shall be paid upon presentment and surrender of such Bond on the date such principal or redemption price is payable or if such date is not a Business Day (as hereinafter defined) then on the next succeeding Business Day at the designated corporate trust office of the Bond Registrar and Paying Agent.

Interest on each Bond shall be payable to the person in whose name such Bond is registered (the “Registered Owner”) on the registration books for the Bonds as of the close of business on the 15th calendar day of the month immediately preceding each Interest Payment Date (the “Record Date”). So long as the Bonds are maintained in Book-Entry Form, payment of interest on the Bonds shall be made as described in Section 5 hereof. At any other time, payment of the interest on each Bond shall be made by check mailed on the date such interest is payable or, if such date is not a Business Day, then the next succeeding Business Day to the address of such Registered Owner as it appears on said registration books for the Bonds (the “Bond Register”).

“Business Day” means a day other than a Saturday, Sunday or day on which the Bond Registrar and Paying Agent is authorized or obligated by law or required by executive order to remain closed.

The interest on any Bond which is payable, but is not punctually paid or duly provided for, on the appropriate Interest Payment Date shall forthwith cease to be payable to the Registered Owner thereof by virtue of having been such Registered Owner on the relevant Record Date; and such interest shall be paid by the Bond Registrar and Paying Agent to the person in whose name the Bond (or its predecessor Bond) is registered at the close of business on a date to be fixed by the Bond Registrar and Paying Agent for the payment of such interest, notice thereof being given by first class mail (postage prepaid) to said person not fewer than 30 days prior to such record date, at the address of such person appearing on the Bond Register, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which the Bonds may be listed and upon such notice as may be required by such exchange.

Section 4. The Bonds shall be issued as fully registered bonds registered on the Bond Register kept for that purpose by the Bond Registrar and Paying Agent, and shall be registered and transferred in accordance with the terms and conditions set forth in the Bonds. The Bonds shall be

initially issued in the form of authenticated, fully registered Bonds in the amount of each separate maturity of the Bonds.

Section 5. The provisions of this Section 5 shall apply to the Bonds so long as the Bonds shall be maintained in Book-Entry Form with a Depository (as hereinafter defined), any other provisions of this Resolution to the contrary notwithstanding.

A system for registration of the Bonds in Book-Entry Form with a Depository, which shall initially be The Depository Trust Company, New York, New York (“DTC”), shall be in effect on the date of the issuance and delivery of the Bonds.

(a) Upon initial issuance and delivery, one fully registered bond for the original aggregate principal amount of each maturity of the Bonds will be registered in the name of Cede & Co., as nominee for DTC, and immobilized in the custody of DTC or held by the Bond Registrar and Paying Agent on DTC’s behalf through DTC’s “FAST” system.

(b) Transfer of ownership interests in the Bonds will be accomplished by book entries made by the Depository and, in turn, by the direct or indirect participants (the “Participants”) who act on behalf of the ultimate purchasers of the Bonds (the “Beneficial Owners”). The Beneficial Owners will not receive certificates representing their ownership in the Bonds, except as hereafter provided.

(c) The principal or redemption price of and interest on the Bonds shall be payable to the Depository, or registered assigns, as the registered owner of the Bonds, in same day funds on each date on which the principal or redemption price of or interest on the Bonds is due as set forth in this Resolution and in the Bonds or as otherwise required by the Depository. Such payments shall be made to the offices of the Depository specified by the Depository to the Bond Registrar and Paying Agent in writing. Without notice to or the consent of the holders of the Bonds, the County, the Bond Registrar and Paying Agent and the Depository may agree in writing to make payments of principal and interest in a manner different from that set out herein; no such written agreement shall be required if a change is provided for in the Depository’s operational arrangements. Neither the County nor the Bond Registrar and Paying Agent shall have any obligation with respect to the transfer or crediting of the appropriate principal and interest payments to the Participants or the Beneficial Owners or their nominees.

(d) The County may replace any Depository as the securities depository for the Bonds with another Depository or discontinue the maintenance of the Bonds with any Depository if (i) the County, in its sole discretion, determines that any (A) such Depository is incapable of discharging its duties with respect to the Bonds, or (B) the interests of the Beneficial Owners might be adversely affected by the continuation of the Book-Entry System (as hereinafter defined) with such Depository as the securities depository for the Bonds, or (ii) such Depository determines not to continue to act as a securities depository for the Bonds or is no longer permitted to act as such securities depository. Notice of any determination pursuant to clause (i) shall be given to such Depository at least 30 days prior to any such discontinuance (or such fewer number of days as shall be acceptable to such Depository). Neither the County nor the Bond Registrar and Paying

Agent will have any obligation to make any investigation to determine the occurrence of any events that would permit the County to make any determination described in this paragraph.

(e) If, following a determination or event specified in subsection (d) above, the County discontinues the maintenance of the Bonds in Book-Entry Form, the County will issue replacement bonds (the “Replacement Bonds”) directly to the applicable Participants as shown on the records of the Depository or, to the extent requested by any Participant, to the Beneficial Owners of the Bonds as further described in this Section. The Bond Registrar and Paying Agent shall make provisions to notify the applicable Participants and the applicable Beneficial Owners by mailing an appropriate notice to the Depository, or by other means deemed appropriate by the Bond Registrar and Paying Agent in its discretion, that the County will issue Replacement Bonds directly to the Participants shown on the records of the Depository or, to the extent requested by any Participant, to Beneficial Owners of the Bonds shown on the records of such Participant, as of a date set forth in such notice, which shall be a date at least 10 days after receipt of such notice by the Depository (or such fewer number of days as shall be acceptable to the Depository).

In the event that Replacement Bonds are to be issued to the Participants or to the Beneficial Owners with respect to the Bonds, the Bond Registrar and Paying Agent shall promptly have prepared Replacement Bonds registered in the names of such Participants as shown on the records of the Depository or, if requested by such Participants, in the names of the Beneficial Owners of the Bonds, as shown on the records of such Participants as of the date set forth in the notice delivered in accordance with the immediately preceding paragraph. Replacement Bonds issued to Participants or to Beneficial Owners shall be in the authorized denominations, be payable as to principal and interest on the same dates as the Bonds, with interest being payable by check or draft mailed to each registered owner at the address of such owner as it appears on the Bond Register and principal being payable upon presentation to the Bond Registrar and Paying Agent, and be in fully registered form.

Replacement Bonds issued to a Depository shall have the same terms, form and content as the Bonds initially registered in the name of the Depository to be replaced or its nominee except for the name of the record owner.

(f) The Depository and its Participants and the Beneficial Owners, by their acceptance of the Bonds, agree that neither the County nor the Bond Registrar and Paying Agent shall have any liability for the failure of the Depository to perform its obligations to the Participants and the Beneficial Owners, nor shall the County or the Bond Registrar and Paying Agent be liable for the failure of any Participant or other nominee of the Beneficial Owners to perform any obligation to the Beneficial Owners of the Bonds.

For purposes of this Section 5, the following words have the following meanings:

“Book-Entry Form” or “Book-Entry System” means a form or system, as applicable, under which (i) the ownership of beneficial interests in the Bonds may be transferred only through a book-entry and (ii) physical bond certificates in fully registered form are registered only in the name of a Depository or its nominee as holder, with the physical bond certificates “immobilized”



in the custody of the Depository or in the custody of the Bond Registrar and Paying Agent on behalf of the Depository.

“Depository” means any securities depository that is a “clearing corporation” within the meaning of the New York Uniform Commercial Code and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, as amended, operating and maintaining, with its participants or otherwise, a Book-Entry System to record ownership of beneficial interests in municipal bonds, and to effect transfers of municipal bonds, in Book-Entry Form, and includes and means initially The Depository Trust Company, New York, New York.

Section 6. (a) The Bonds that mature on or before July 1, 2028 are not subject to redemption at the option of the County prior to their maturities. The Bonds maturing on and after July 1, 2029 shall be redeemable at the option of the County, in whole or in part, on any date on or after July 1, 2028, in any order directed by the County, at a redemption price of the principal amount of the Bonds (or portions thereof) to be redeemed, plus accrued interest on the principal amount being redeemed to the date fixed for redemption, without premium or penalty. The particular maturities or portions of maturities of the Bonds to be so redeemed shall be determined in the sole discretion of the County.

(b) Notwithstanding any provisions contained herein, during any period in which the Bonds are maintained pursuant to a Book-Entry System, redemption of the Bonds shall occur in accordance with the Depository’s standard procedures for redemption of obligations such as the Bonds.

(c) Additional provisions relating to the optional redemption of the Bonds and the mandatory sinking fund redemption of the Bonds (if applicable) are provided for in the form of Bond set forth in Section 8 hereof.

The provisions of this Section 6 are also subject to the provisions of Section 11 hereof.

Section 7. The Bonds, when issued, shall be executed in the name of the County by the manual or facsimile signature of the President or the Vice President of the Board and the seal of, or a facsimile of the seal of, the County shall be imprinted thereon, and the Bonds shall be attested by the manual or facsimile signature of the County Clerk and authenticated by the manual signature of the Bond Registrar and Paying Agent.

In the event any official of the County whose signature shall appear on any Bond described in this Resolution shall cease to be such official prior to the delivery of said Bond, his/her signature shall nevertheless be valid, sufficient and binding for the purposes herein intended.

There shall be printed on or attached to each of the Bonds the text of the approving legal opinion of Bond Counsel with respect to the Bonds. Such printed text shall be certified by the manual or facsimile signature of the President or the Vice President of the Board to be a true and complete copy of such opinion as delivered to the County on the date of delivery of the Bonds to the original purchasers thereof.

Section 8. The Bonds shall be in substantially the following form, which form together with all of the terms, covenants and conditions therein contained, is hereby adopted by the County as and for the form of obligation to be incurred by it, and said terms, covenants and conditions are hereby made binding upon the County, including the promise to pay therein contained, in accordance with said form:

[CONTINUED ON NEXT PAGE]

(Form of Face of Bond)

*Note: Bracketed language is intended to reflect that such provisions apply only in certain circumstances, and such language shall be deleted from or included in the final form of Bonds, as appropriate.*

UNITED STATES OF AMERICA  
STATE OF MARYLAND  
COUNTY COMMISSIONERS OF WASHINGTON COUNTY

PUBLIC IMPROVEMENT BOND OF 2019

No. R- \_\_\_\_\_ \$ \_\_\_\_\_

<u>Annual Interest Rate</u>	<u>Maturity Date</u>	<u>Bond Date</u>	<u>CUSIP Number</u>
	July 1, _____	_____, 2019	[937777] ____

Registered Owner: Cede & Co.

Principal Amount: \_\_\_\_\_ Dollars

County Commissioners of Washington County, a body politic and corporate organized and existing under the Constitution and laws of the State of Maryland (the "County"), hereby acknowledges itself indebted for value received and, upon surrender hereof, promises to pay to the Registered Owner shown above, or his registered assigns, on the Maturity Date shown above, unless, to the extent applicable, this bond shall have been called for prior redemption and payment of the redemption price made or provided for, the Principal Amount shown above, and to pay interest on the outstanding principal amount hereof from the later of the Bond Date shown above and the most recent Interest Payment Date (as hereinafter defined) to which interest has been paid or provided for; provided, however, if this bond is authenticated after a Record Date (as hereinafter defined) for any Interest Payment Date and before such Interest Payment Date, it shall bear interest from such Interest Payment Date.

Interest on this bond shall be paid at the Annual Interest Rate shown above, payable on January 1, 2020 and semiannually thereafter on July 1 and January 1 in each year (the "Interest Payment Dates") until payment of such Principal Amount shall be discharged as provided in the Resolution (as hereinafter defined). Such interest shall be paid to the person in whose name this bond is registered on the registration books for the series of bonds of which this bond is one (the "Bond Register") maintained by the Bond Registrar and Paying Agent (as hereinafter defined) at the close of business on the 15th calendar day of the month next preceding each Interest Payment Date (the "Record Date"). Interest shall be calculated on a 30-day month/360-day year basis.

Notwithstanding the preceding sentence, interest on this bond which is payable, but is not punctually paid or duly provided for, on any Interest Payment Date shall forthwith cease to be payable to the Registered Owner by virtue of having been such Registered Owner on the relevant Record Date and such interest shall be paid by the Bond Registrar and Paying Agent to the person in whose name this bond (or its predecessor bond) is registered at the close of business on a date fixed by the Bond Registrar and Paying Agent for the payment of such interest, notice thereof being given by first class mail, postage prepaid, to said person not fewer than 30 days prior to such Record Date, at the address of such person appearing on the Bond Register, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which this bond may be listed and upon such notice as may be required by such exchange.

Principal or redemption price of and interest on this bond are payable in such money of the United States of America as is lawful at the time of payment.

This bond is one of an issue of bonds limited in original aggregate principal amount to \$ \_\_\_\_\_, all dated the date of delivery and all known as “County Commissioners of Washington County Public Improvement Bonds of 2019” (the “Bonds”). The Bonds are issued as registered bonds, without coupons, in the denominations of \$5,000 or any integral multiple thereof. The Bonds are numbered consecutively from No. 1 upward and mature on July 1 in the years and in the amounts and bear interest at the annual rates, all as set forth below:

<u>Maturing (July 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturing (July 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
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[AMORTIZATION SCHEDULE FOR THE BONDS TO BE COMPLETED]

*[Include the following for each maturity constituting a term bond only to extent the successful bidder for the Bonds designates term bonds--*The Bonds maturing on July 1, \_\_\_\_\_ are subject to mandatory sinking fund redemption at a redemption price equal to 100% of the principal amount thereof, together with interest accrued to the date fixed for redemption, on the dates and in the principal amounts set forth below:

<u>Redemption Date</u>	<u>Mandatory Sinking Fund Installment]</u>
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The Bonds that mature on or before July 1, 2028 are not subject to redemption at the option of the County prior to their respective maturities. The Bonds maturing on and after July 1, 2029 shall be subject to redemption prior to their respective maturities, at the option of the County, in whole or in part on any date on or after July 1, 2028, in such order as shall be determined by the County, at a redemption price of the principal amount of the Bonds (or portions thereof) to be redeemed, plus accrued interest on the principal amount being redeemed to the date fixed for redemption, without premium or penalty.

If fewer than all of the Bonds of any one maturity shall be called for redemption, then the particular Bonds of such maturity to be redeemed in whole or in part shall be selected by such means and in such manner as the Bond Registrar and Paying Agent, in its sole discretion, shall determine. Each \$5,000 principal amount of any Bond shall be considered a separate Bond for the purposes of selection of Bonds for redemption.

If all or a portion of the Bonds outstanding are to be redeemed, the County shall give or cause to be given notice of such redemption by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption to each registered owner of a Bond or portion thereof to be redeemed at the address of such registered owner appearing on the Bond Register. The failure to mail the redemption notice or any defect in the notice so mailed shall not affect the validity of the redemption proceedings. The County may, but shall not be obligated to, publish such notice of redemption at least once not fewer than 30 days prior to the date fixed for redemption in a newspaper circulating in the City of Baltimore, Maryland and also in a financial journal or daily newspaper of general circulation published in the City of New York, New York. The redemption notice shall state (i) whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities, numbers and CUSIP numbers of the Bonds to be redeemed, (ii) in the case of a partial redemption of any Bond, the portion of the principal amount which is to be redeemed, (iii) that interest shall cease to accrue on the Bonds (or portions thereof) called for redemption on the date fixed for redemption, (iv) the date fixed for redemption and the redemption price, (v) the address of the Bond Registrar and Paying Agent with a contact person and phone number, and (vi) that the Bonds to be redeemed in whole or in part shall be presented for redemption and payment on or after the date fixed for redemption at the designated corporate trust office of the Bond Registrar and Paying Agent. Any such notice may be conditioned upon receipt by the Bond Registrar and Paying Agent of sufficient funds to effect such redemption.

From and after the date fixed for redemption, if monies sufficient for the payment of the redemption price of the Bonds (or portions thereof) called for redemption plus accrued interest due

thereon to the date fixed for redemption are held by the Bond Registrar and Paying Agent on such date, the Bonds (or portions thereof) so called for redemption shall become due and payable at the redemption price provided for redemption of such Bonds (or portions thereof) on such date, interest on such Bonds (or portions thereof) shall cease to accrue and the registered owners of such Bonds so called for redemption in whole or in part shall have no rights in respect thereof except to receive payment for the redemption price thereof plus accrued interest thereon to the date fixed for redemption from such monies held by the Bond Registrar and Paying Agent. Upon presentation and surrender of a Bond called for redemption in whole or in part in compliance with the redemption notice, the Bond Registrar and Paying Agent shall pay the appropriate redemption price of such Bond plus accrued interest thereon to the date fixed for redemption. If Bonds (or portions thereof) so called for redemption are not paid upon presentation and surrender as described above, such Bonds shall continue to bear interest at the rates stated therein until paid.

In case part but not all of a Bond shall be selected for redemption, then, upon the surrender thereof, there shall be issued without charge to the registered owner thereof Bonds in any of the authorized denominations as specified by the registered owner. The aggregate principal amount of Bonds so issued shall be equal to the unredeemed balance of the principal amount of the Bond surrendered, and the Bonds issued shall bear the same interest rate and shall mature on the same date as the Bond surrendered.

*[TO BE USED FOR BONDS IN BOOK-ENTRY FORM ONLY THAT ARE SUBJECT TO REDEMPTION--*So long as all of the Bonds shall be maintained in book-entry form with a Depository (as defined in the Resolution) in accordance with Section 5 of the Resolution, in the event that part, but not all, of this bond shall be called for redemption, the holder of this bond may elect not to surrender this bond in exchange for a new Bond and in such event shall make a notation indicating the principal amount of such redemption and the date thereof on the Payment Grid attached hereto. For all purposes, the principal amount of this bond outstanding at any time shall be equal to the lesser of (A) the Principal Amount shown on the face hereof and (B) such Principal Amount reduced by the principal amount of any partial redemption of this bond following which the holder of this bond has elected not to surrender this bond. The failure of the holder hereof to note the principal amount of any partial redemption on the Payment Grid attached hereto, or any inaccuracy therein, shall not affect the payment obligation of the County hereunder. THEREFORE, IT CANNOT BE DETERMINED FROM THE FACE OF THIS BOND WHETHER A PART OF THE PRINCIPAL OF THIS BOND HAS BEEN PAID.

Unless this bond is presented by an authorized representative of The Depository Trust Company, a limited-purpose trust company organized under the New York Banking Law (“DTC”), to the County or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.]

The Bonds are issued pursuant to the authority of Chapter 60 of the Laws of Maryland of 2013, Chapter 99 of the Laws of Maryland of 2018 and Title 6 of the Code of Public Local Laws

of Washington County (2007), each as amended (collectively, the “Act”), and in accordance with Resolution No. RS-2019-\_\_ of the Board of County Commissioners of the County adopted on \_\_\_\_\_, 2019 (the “Resolution”).

The Bonds will be transferable only upon the Bond Register by the Bond Registrar and Paying Agent. Any Bond presented for transfer, exchange, registration, redemption or payment (if so required by the Bond Registrar and Paying Agent) shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the Bond Registrar and Paying Agent, duly executed by the registered owner thereof or by his duly authorized attorney. Upon any transfer or exchange, the County shall execute and the Bond Registrar and Paying Agent shall authenticate and deliver in the name of the registered owner or the transferee or transferees, as the case may be, a new registered Bond or Bonds, in any of the authorized denominations in an aggregate principal amount equal to the principal amount of the Bond exchanged or transferred and maturing on the same date and bearing interest at the same rate. In each case, the County and the Bond Registrar and Paying Agent may require payment by the registered owner requesting the exchange or transfer of any tax, fee or other governmental charge, shipping charges and insurance that may be required to be paid with respect thereto, but otherwise no charge shall be made to the registered owner for the exchange or transfer.

The Bond Registrar and Paying Agent shall not be required to transfer or exchange any Bond after the mailing of notice calling such Bond or portion thereof for redemption; provided, however, that this limitation shall not apply to any portion of a Bond which is not being called for redemption.

It is hereby certified and recited that each and every act, condition and thing required to exist, to be done, to have happened and to be performed precedent to and in the issuance of this bond, does exist, has been done, has happened and has been performed in full and strict compliance with the Constitution and laws of the State of Maryland and the Resolution authorizing the issuance of the issue of bonds, of which this bond is one, and that said issue of bonds, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of said State. This bond is an obligation of the County, payable as provided in the Resolution, and the full faith and credit and unlimited taxing power of County Commissioners of Washington County are hereby irrevocably pledged to the payment of the principal of this bond and of the interest to accrue hereon at the dates and in the manner mentioned herein.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until the Certificate of Authentication endorsed hereon shall have been signed by an authorized signatory of the Bond Registrar and Paying Agent.

IN WITNESS WHEREOF, the County has caused this bond to be executed in its name by the [Vice] President of the Board of County Commissioners of Washington County and attested by the County Clerk, and has also caused its corporate seal to be affixed or imprinted hereon.

(SEAL)

ATTEST:

COUNTY COMMISSIONERS OF  
WASHINGTON COUNTY

By: \_\_\_\_\_  
County Clerk

By: \_\_\_\_\_  
[Vice] President, Board of  
County Commissioners of Washington County



CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the registered bonds of County Commissioners of Washington County designated "County Commissioners of Washington County Public Improvement Bonds of 2019".

MANUFACTURERS AND TRADERS TRUST COMPANY,  
as Bond Registrar and Paying Agent

By: \_\_\_\_\_  
Authorized Signatory



ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ (Tax Identification or Social Security No. \_\_\_\_\_) the within bond and all rights thereunder, and does hereby constitute and appoint \_\_\_\_\_ attorney to transfer the within bonds on the books kept for the registration thereof, with full power of substitution in the premises.

Dated:

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signatures must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company

\_\_\_\_\_  
(Signature of Registered Owner)  
NOTICE: Signature must correspond with the name of the Registered Owner of the within bond as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatever

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete legal opinion of Funk & Bolton, P.A., Baltimore, Maryland, with respect to the issue of bonds of which this bond is one, that the original of said opinion was manually executed, dated and issued as of the date of delivery of, and payment for, said issue of bonds by the original purchaser thereof, and that an executed copy thereof is on file with the Bond Registrar and Paying Agent.

COUNTY COMMISSIONERS OF  
WASHINGTON COUNTY

By: \_\_\_\_\_  
[Vice] President, Board of  
County Commissioners of Washington County

(Insert or Attach Opinion of Bond Counsel)

(End of Form of Bond)

[CONTINUED ON NEXT PAGE]

Section 9. The President or the Vice President of the Board shall be and is hereby authorized to make such changes in the form of bond set forth in Section 8 hereof as the President or the Vice President shall deem necessary to carry into effect the provisions of this Resolution, including, without limitation, to include or remove bracketed provisions set forth in the form of Bond provided for in Section 8 hereof, to reflect matters determined in accordance with Sections 1, 3, 6, 11, 12 or 18(b) hereof, or to comply with recommendations of bond counsel to the County; provided, however, that the President or the Vice President shall make no change materially affecting the substance of such form unless such change is determined by the Chief Financial Officer, with the advice of the financial advisor to the County, to be in the best interest of the County.

The execution of the Bonds by such officer shall be conclusive evidence of the approval by the County of all changes in the form of the Bonds and of the due execution of the Bonds by the County.

Section 10. No Bond shall be valid or obligatory for the purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication of such Bond substantially in the form hereinabove provided shall have been duly executed by the Bond Registrar and Paying Agent and such executed certificate of the Bond Registrar and Paying Agent on such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The Bond Registrar and Paying Agent's certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer or signatory of the Bond Registrar and Paying Agent. It shall not be necessary that the same officer or signatory of the Bond Registrar and Paying Agent sign the certificate of authentication on all the Bonds issued hereunder.

Section 11. The Bonds shall be sold at public sale by electronic bids to the bidder therefor for cash whose bid results in the lowest true interest cost to the County in the manner and in accordance with the formula set forth in the form of Notice of Sale attached as Appendix C to the Preliminary Official Statement identified in Section 19 hereof and made a part hereof (the "Notice of Sale"). Electronic bids for the Bonds shall be received by the Chief Financial Officer on May 7, 2019, subject to the further provisions of this Section 11. The Chief Financial Officer shall be and is hereby authorized to make such changes in the form of Notice of Sale set forth in the form of the Preliminary Official Statement provided to the Board with this Resolution as the Chief Financial Officer shall deem necessary to carry into effect the purposes of this Resolution (including, without limitation, to reflect matters determined in accordance with Sections 1, 3, 6 or 18(b) hereof) or to comply with recommendations of bond counsel to the County, or, with the advice of the financial advisor to the County, to be in the best interest of the County, including, without limitation, modifying or limiting the manner in which the issue price of the Bonds will be determined, modifying or limiting the premium payable by a bidder for the Bonds, modifying the manner of adjusting the amortization schedule for the Bonds pre- or post-sale, modifying or eliminating the maximum interest rate for the Bonds, modifying or eliminating the maximum spread between the lowest and highest interest rates bid with respect to the Bonds by a bidder, or modifying the amount of or method of delivery for the good faith deposit. The Chief Financial

Officer, upon the advice of the financial advisor to the County, is authorized to adjust the original aggregate principal amounts of the Bonds and the maturities thereof in the manner and in accordance with Sections 1 or 3 hereof and this Section 11 and the Notice of Sale. The form of the Notice of Sale as contained in the final Preliminary Official Statement shall constitute the official Notice of Sale, subject to modification in accordance with the provisions thereof.

Notwithstanding any other provision hereof, the Chief Financial Officer shall be and hereby is authorized to accept electronic bids for the Bonds, and to make such adjustments to the official Notice of Sale in the manner provided for therein as she shall deem necessary or advisable, upon the advice of bond counsel to the County or the financial advisor to the County, including to accomplish electronic bidding procedures, to change the bid specifications for the Bonds or to comply with applicable regulations, notices and other official guidance.

In view of the desirability of flexibility in the scheduling of the sale of the Bonds to take full advantage of shifts in market conditions, the County determines that it is in the best interest of the County to authorize and empower the Chief Financial Officer to change the time of or cancel said sale at any time prior to May 7, 2019, and to reschedule said sale without publishing a new Notice of Sale or advertisement, if (i) the financial advisor to the County has advised her that market conditions are such that it is in the best interest of the County to do so, and (ii) she concurs in such recommendation to cancel and/or reschedule the sale. The Chief Financial Officer may cancel and reschedule any rescheduled sale in accordance with phrases (i) and (ii) of the preceding sentence. If the date of sale is rescheduled as provided above, the Chief Financial Officer may also postpone the expected date of delivery of the Bonds. If the sale is postponed to a date later than May 31, 2019, then the Chief Financial Officer may also change the dated date of the Bonds (and hence the date from which interest shall accrue), the dates of the semi-annual interest payments and annual principal payments, the optional redemption dates, and the mandatory sinking fund redemption dates, if any, accordingly.

The Notice of Sale authorized by this Resolution shall be substantially in the form set forth in Appendix C to the Preliminary Official Statement, and the terms, provisions and conditions set forth in the final form of the Notice of Sale are hereby adopted and approved as the terms, provisions and conditions under which the Bonds shall be sold, issued and delivered at public sale. Said Notice of Sale, or an advertisement in substantially the form attached hereto as Exhibit A, shall be published at least once, at least ten days preceding said date of sale, in one or more daily or weekly newspapers having a general circulation in Washington County and may also be published in one or more journals having a circulation primarily among banks and investment bankers. The Chief Financial Officer, on behalf of the County, is hereby authorized to make any changes to such advertisement before publication to reflect matters determined in accordance with Sections 1, 3, 6, 11 or 18(b) of this Resolution before such publication, if applicable. In addition, the Chief Financial Officer is hereby authorized to cause to be prepared and distributed or made available to prospective bidders printed or printable copies of said Notice of Sale, as well as the Preliminary Official Statement hereinafter authorized. The Chief Financial Officer or her designee is hereby authorized and directed to handle all inquiries in connection with the sale authorized hereby and the Official Statement hereafter referred to and is further authorized to reschedule any postponed sale with or without the republication of the Notice of Sale or advertisement.

Section 12. Promptly after the sale of the Bonds, and in accordance with the terms and conditions of the sale of the Bonds as set forth in the official Notice of Sale, the Chief Financial Officer, on behalf of the County, with the advice of the financial advisor to the County and bond counsel to the County, is hereby authorized and delegated the authority to deliver one or more orders determining the final original aggregate principal amount of the Bonds (including making any authorized adjustments to the final original aggregate principal amount of each maturity and the amortization schedule therefor following receipt of bids in accordance with the provisions of the Notice of Sale), and/or fixing the interest rate or rates payable on the Bonds (within the limitations set forth in or provided for in this Resolution), unless the Chief Financial Officer determines to reject all bids for the Bonds (any such rejection also to be made by order of the Chief Financial Officer). The execution and delivery by the Chief Financial Officer of any such order or orders shall constitute conclusive evidence of the award or rejection of bids for the Bonds. Any such order shall be retained in the records of the County. In order to accommodate market practice, the Chief Financial Officer may indicate any preliminary or final award, or any rejection of all bids, with respect to the Bonds on or through the electronic bidding platform on which bids were received and through any other communication mechanism recommended by the financial advisor to the County. Subsequently, unless all bids for the Bonds are so rejected by the Chief Financial Officer, the Bonds shall thereupon be suitably printed or engraved and delivered to the successful bidder therefor in accordance with the conditions of delivery set forth in the official Notice of Sale.

Section 13. Expenses relating to the issuance and sale of the Bonds, including, without limitation, the cost of printing the Bonds and advertising their sale and the fees and expenses of legal counsel and the financial advisor to the County, may be paid from the net premium constituting a portion of the gross proceeds received from the sale of the Bonds or from any other funds available to the County. In the event the date of the Bonds is adjusted in accordance with Section 11 hereof to be a date other than the date of delivery, any accrued interest received on the sale of the Bonds shall be applied to the first interest payment on the Bonds. Any net premium received from the sale of the Bonds shall be applied in such manner as shall be determined by the Chief Financial Officer, subject to applicable limits of the Internal Revenue Code of 1986, as amended (the "Code") or other applicable law. After providing for payment of costs of issuance from net premium, if applicable, and making such provision relating to net premium and accrued interest thereon, as applicable, the balance of the proceeds of the sale of the Bonds shall be deposited in separate accounts to be used as described in Section 2 hereof for the purpose of financing the public facilities and projects as described in Section 2 hereof. Any proceeds of the Bonds not required for the purposes stated in Section 2 hereof may be applied in accordance with the provisions of the applicable Acts, or the extent not provided for therein, as determined by the Chief Financial Officer.

Pending expenditure as contemplated hereby, the Chief Financial Officer may invest all or part of such balance of the proceeds of the Bonds held by the County in such manner as may be permitted by law; provided, however, that no such investment shall be made which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code and the treasury regulations with respect thereto.

Section 14. (a) On the date of issuance of the Bonds, the President or the Vice President of the Board and the Chief Financial Officer shall be responsible for the execution and

delivery to counsel rendering an opinion on the validity of the Bonds of a certificate of the County which complies with the requirements of Section 103 and Sections 141 through 150, inclusive, of the Code and the applicable regulations thereunder. Such officials are hereby authorized, on behalf of the County, to make in such certificate any elections, determinations or designations authorized or required by the Code and the applicable regulations thereunder.

(b) The County shall set forth in said certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds, or of any moneys, securities or other obligations which may be deemed to be proceeds of the Bonds pursuant to Section 148 of the Code or the said regulations (collectively, the “Bond Proceeds”). The County covenants with each of the holders of any of the Bonds that the facts, estimates and circumstances set forth in the said certificate will be based on the County’s reasonable expectations on the date of issuance of the Bonds and will be, to the best of the knowledge of the persons executing such certificate, true, correct and complete as of that date.

(c) The County covenants with each of the holders of any of the Bonds that it will not use, or permit the use of any of, the Bond Proceeds or any other funds of the County, directly or indirectly, to acquire any securities or obligations, and will not take or permit to be taken or fail to take any other action or actions which would cause any of the Bonds to be an “arbitrage bond” within the meaning of said Section 148 and said regulations or that would otherwise cause the interest on the Bonds to be includable in gross income of the holders of the Bonds for federal income tax purposes.

(d) The County further covenants that it will comply with said Section 148 and said regulations and such other requirements of the Code which are applicable to the Bonds on the date of issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds.

(e) The County will hold and shall invest Bond Proceeds within its control (if such proceeds are invested) in accordance with the expectations of the County set forth in said certificate.

(f) The County shall make timely payment of any rebate amount or payment in lieu thereof (or installment thereof) required to be paid to the United States of America in order to preserve the exclusion from gross income for purposes of federal income taxation of interest on the Bonds and shall include with any such payment such other documents, certificates or statements as shall be required to be included therewith under then applicable law and regulations.

(g) The President or the Vice President of the Board and the Chief Financial Officer may execute a certificate or certificates supplementing or amending said certificate, and actions taken by the County subsequent to the execution of such certificate shall be in accordance with said certificate as amended or supplemented; provided, however, that the County shall execute any such certificate only upon receipt by it of an opinion of bond counsel to the County addressed to the County to the effect that actions taken by the County in accordance with the amending or supplementing certificate will not adversely affect the exclusion from gross income for federal income taxation purposes of interest on the Bonds.



(h) The County shall retain such records as necessary to document the investment and expenditure of Bond Proceeds, the uses of Bond Proceeds and of the facilities financed with such proceeds, together with such other records as may be required by the tax certificate or the Internal Revenue Service in order to establish compliance with requirements of the Code and the regulations thereunder as conditions to the exclusion of interest on the Bonds from federal gross income.

Section 15. For the purposes of paying the interest on and principal of the Bonds hereby authorized as such interest and principal comes due, the County shall include in the levy against all legally assessable property in Washington County, in each and every fiscal year of the County that any of said Bonds are outstanding, ad valorem taxes sufficient to provide such sums as the County may deem sufficient and necessary in conjunction with any other funds that will be available for the purpose, to provide for the payment of the interest on the Bonds coming due in each such year and to pay the principal of the Bonds maturing or otherwise coming due in each such fiscal year. In the event the proceeds from taxes so levied in any such fiscal year shall prove inadequate for such purposes, additional taxes shall be levied in the succeeding fiscal year to make up such deficiency. The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds hereby authorized as and when such principal and interest comes due and to the levy and collection of the taxes hereinabove prescribed as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of said Bonds. The County hereby solemnly covenants to take all lawful action as may be appropriate from time to time during the period that any of said Bonds remain outstanding and unpaid to provide the funds necessary to make said principal and interest payments. The County further covenants and agrees to levy and collect the taxes hereinabove prescribed.

Subject to any applicable Code limitations, the County may apply to the payment of the principal of and interest on any of the Bonds any funds received by it and available for such purpose from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, including, without limitation, other sources provided for in the Act, and, to the extent any such funds are received or receivable in any fiscal year, the taxes that required to be levied hereunder may be reduced accordingly.

Section 16. If any Bond shall become mutilated or be destroyed, lost or stolen, the County in its discretion may execute, and upon its request the Bond Registrar and Paying Agent shall authenticate and deliver, a new Bond in exchange for the mutilated Bond or in lieu of and substitution for the Bond so destroyed, lost or stolen. In every case of exchange or substitution, the applicant shall furnish to the County and to the Bond Registrar and Paying Agent such security or indemnity as may be required by them to save each of them harmless from all risks, however remote, and the applicant shall also furnish to the County and to the Bond Registrar and Paying Agent evidence to their satisfaction of the mutilation, destruction, loss or theft of the applicant's Bond. Upon the issuance of any Bond upon such exchange or substitution, the County may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses, including counsel fees, of the County or the Bond Registrar and Paying Agent. If any Bond which has matured or is about to mature shall become mutilated or be destroyed, lost or stolen, instead of issuing a Bond in exchange or substitution

therefor, the County may pay or authorize the payment of such Bond (without surrender thereof except in the case of a mutilated Bond) if the applicant for such payment shall furnish to the County and to the Bond Registrar and Paying Agent such security or indemnity as they may require to save them harmless, and evidence to the satisfaction of the County and the Bond Registrar and Paying Agent of the mutilation, destruction, loss or theft of such Bond.

Section 17. Each Bond paid at maturity or upon prior redemption shall be canceled or destroyed by the Bond Registrar and Paying Agent and a certificate of destruction describing the Bond so canceled or destroyed and evidencing such cancellation or destruction shall be furnished by the Bond Registrar and Paying Agent to the County upon request.

Section 18. (a) It is hereby determined that the bonded indebtedness previously issued by the County pursuant to the authority of the 2013 Act is a \$10,162,278 principal portion of the County's Public Improvement Bonds of 2015, a \$12,103,000 principal portion of the County's Public Improvement Bonds of 2016, a \$13,142,000 principal portion of the County's Public Improvement Bonds of 2017, and a \$12,852,000 principal portion of the County's Public Improvement Bonds of 2018. It is hereby further determined that prior to the issuance of the Bonds, no bonded indebtedness has been issued by the County pursuant to the authority of the 2018 Act.

(b) Notwithstanding references in this Resolution to the Bonds being issued in part in reliance upon authority contained in the 2018 Act, to the extent any net reoffering premium received by the County in connection with the sale of the Bonds is significant enough to reduce the final original aggregate principal amount of the Bonds, as issued, to an amount that may be issued without reliance upon the 2018 Act, the President and the Chief Financial Officer are hereby authorized to sign a certificate memorializing the fact that the Bonds are issued without reliance upon the 2018 Act, which certificate shall be retained in the records of the County (but need not be filed in any court records unless otherwise required by applicable law) and, in such event, references in this Resolution to the 2018 Act shall be disregarded.

Section 19. The County hereby approves the Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement") substantially in the form presented to the Board with this Resolution, as evidenced by a copy of such Preliminary Official Statement certified by the County Clerk and filed among the permanent records of the County. With the exception of such changes therein as may be required or deemed appropriate by the President of the Board or the Chief Financial Officer (and with the advice of bond counsel to the County or the financial advisor to the County to the extent applicable), including to reflect the provisions of or to conform to the provisions of this Resolution, certain changes dictated by the terms of the official Notice of Sale, and certain information to be supplied by the successful bidders for the Bonds, the Preliminary Official Statement is deemed final by the County for the purpose of Rule 15c2-12 of the Securities and Exchange Commission. The County authorizes the distribution of said Preliminary Official Statement in connection with its solicitation of bids for the sale of the Bonds. The County hereby approves the Official Statement in the form of the final Preliminary Official Statement with such changes therein as may be required or deemed appropriate by the President of the Board or the Chief Financial Officer, (and with the advice of bond counsel to the County or the financial advisor to the County to the extent applicable), including, without limitation, to reflect

matters determined in accordance with this Resolution. The execution of the Official Statement by the President of the Board shall be conclusive evidence of the approval of the County of any and all such changes or modifications in said Official Statement in connection with the issuance, sale and delivery of the Bonds. The Preliminary Official Statement and the Official Statement shall each be disseminated in electronic and/or printed form as determined by the Chief Financial Officer, on behalf of the County, with the advice of the financial advisor to the County. The Preliminary Official Statement and/or the Official Statement may be amended or supplemented in such form as determined by the President of the Board or the Chief Financial Officer (and with the advice of bond counsel to the County or the financial advisor to the County to the extent applicable), and any such amendment or supplement may be disseminated in electronic and/or printed form as determined by the Chief Financial Officer, on behalf of the County, with the advice of the financial advisor to the County.

Section 20. In order to assist any Participating Underwriter (as hereafter defined) for the Bonds in complying with Securities and Exchange Commission Rule 15c2-12(b)(5), the County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement (as hereafter defined). Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Agreement shall not be considered an event of default; however, subject to the Continuing Disclosure Agreement, any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section.

“Continuing Disclosure Agreement” shall mean that certain Continuing Disclosure Agreement executed by the County and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The Continuing Disclosure Agreement shall be in substantially the form set forth as Appendix D to the Preliminary Official Statement as evidenced by its execution by the President or Vice President of the Board.

“Participating Underwriter” shall have the meaning ascribed thereto in SEC Rule 15c2-12.

Section 21. The President and Vice President of the Board, the Chief Financial Officer, the County Clerk and such other officers, officials and employees of the County as the President or the Vice President shall designate, are authorized hereby to do any and all things, approve and execute all instruments, documents and certificates, and otherwise take all action necessary, proper, or expedient in connection with the issuance, sale and delivery of the Bonds. The President and the Vice President of the Board, the Chief Financial Officer, the County Clerk and all other appropriate officers, officials and employees of the County are authorized and directed hereby to do all acts and things required of them by the provisions hereof and of the Bonds for the full, punctual, and complete performance of all of the terms, covenants, provisions and agreements of this Resolution and the Bonds.

Section 22. The provisions of this Resolution shall be liberally construed in order to effectuate the transactions contemplated by this Resolution.

Section 23. This Resolution shall take effect from the date of its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

ATTEST:

COUNTY COMMISSIONERS OF  
WASHINGTON COUNTY

\_\_\_\_\_  
Krista L. Hart, County Clerk

By: \_\_\_\_\_  
Jeffrey A. Cline, President  
Board of County Commissioners  
of Washington County

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Kirk C. Downey  
County Attorney

#210753;50052.038

**EXHIBIT A**

**Form of Advertisement**

**SUMMARY NOTICE OF BOND SALE**

**\$13,310,000\***  
**WASHINGTON COUNTY, MARYLAND**  
**(County Commissioners of Washington County)**  
**Public Improvement Bonds of 2019**

**NOTICE IS HEREBY GIVEN** that County Commissioners of Washington County (the “County”) will receive electronic bids via Parity® for the purchase of the above-referenced general obligation bonds (the “Bonds”) on

**Tuesday, May 7, 2019**

at the offices of the County, 100 West Washington Street, Hagerstown, Maryland 21740, Room 3100. Bids for the Bonds will be received until 10:45 a.m. Prevailing Eastern Time. The Bonds will be dated the date of their delivery, will bear interest payable semi-annually on the first days of July and January, commencing on January 1, 2020, until maturity or prior redemption in whole, and will be issuable in denominations of \$5,000 each or multiples thereof. Principal of the Bonds will be payable on July 1 in each year determined in connection with the sale of the Bonds.

The original aggregate principal amount of the Bonds, and the original aggregate principal amount of each maturity of the Bonds, is subject to adjustment both pre- and post-sale as set forth in the Preliminary Official Statement and the official Notice of Sale. In addition, the principal and interest payment dates and optional redemption dates are subject to adjustment pre-sale as set forth in the Preliminary Official Statement and the official Notice of Sale. The final original aggregate principal amount of the Bonds will not exceed \$13,310,000.

Any bid for the Bonds must conform to the terms and conditions set forth in the official Notice of Sale. This announcement does not constitute the solicitation of bids to purchase the Bonds. The sale of the Bonds shall be made exclusively pursuant to the terms of the official Notice of Sale. Copies of the official Notice of Sale and the Preliminary Official Statement will be furnished upon request made to the Chief Financial Officer, Washington County, County Administration Building, 100 West Washington Street, Hagerstown, Maryland 21740, (240) 313-2300 or from the financial advisor to the County, Public Advisory Consultants, Inc., 25 Crossroads Drive, Suite 402, Owings Mills, Maryland 21117, (410) 581-4820.

Jeffrey A. Cline, President  
Board of County Commissioners of Washington County, Maryland

\* Preliminary, subject to adjustment at or prior to time of sale, as applicable.

Dated: \_\_\_\_\_, 2019 [TO BE PUBLISHED AT LEAST 10 DAYS PRIOR  
TO DATE OF SALE]

**Washington County, Maryland  
Description of 2019 Projects**

Project Name	Tax-Supported Approved Amount 2019 Bond	Self-Supported Approved Amount 2019 Bond	Project Type
<b><u>Infrastructure</u></b>			
<b>Bridges:</b>			
Roxbury Road Bridge W5372	\$130,000		
Keefer Road Bridge 15/20	55,000		
Spur Road Culvert 07/16	125,000		
Mousetown Road Culvert 06/02	125,000		
<b>Roads:</b>			
Colonel Henry K. Douglas Drive Ext Phase I	550,000		
Crayton Blvd Extended	150,000		
Eastern Blvd Widening Phase II	665,000		
Pavement Maintenance and Rehabilitation Program	2,295,000		
Professional Blvd Bridge Phase I	2,567,000		
Professional Blvd Extended Phase II	246,000		
<b>Drainage:</b>			
Hoffmaster and Harpers Ferry Road Drainage	442,000		
Stormwater Retrofits	654,000		
	654,000		\$8,004,000
<b><u>Public Safety Projects</u></b>			
County Reserve Fleet	0		0
<b><u>Public Facilities</u></b>			
			0
<b><u>Environmental Projects</u></b>			
Kaetzel Transfer Station Retaining Wall Replacement		255,000	
General Building Improvements		150,000	
Capacity Management Project		520,000	
Pump Station Upgrades - Various Stations		280,000	
Mt Aetna Water System Improvements		105,000	1,310,000
<b><u>Educational Projects</u></b>			
Capital Maintenance - BOE	435,000		
Sharpsburg Elementary School Replacement	3,180,000		
SMART/Alternative Energy House/Training Center	381,000		3,996,000
	\$12,000,000	\$1,310,000	\$13,310,000



Open Session Item

**SUBJECT:** Proposal for PILOT Agreement for Rockdale Solar, LLC

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Andrew F. Wilkinson, Esq.

**RECOMMENDED MOTION:** Move to accept the proposal for PILOT Agreement with Rockdale Solar, LLC.

**REPORT-IN-BRIEF:** On July 12, 2017, Rockdale Solar, LLC (the *Company*) was approved to construct a two (2) megawatt solar farm on 18 acres of farmland located at 14339 Clear Spring Road, Williamsport, MD 21795. The property is immediately adjacent to a Martin Marietta quarry. As such, there are limited future development opportunities.

Due to the intensity of the start-up capital costs of a solar farm, the General Assembly passed Md. Code, Tax-Property § 7-514(c)(1) which allows the County to “enter into an agreement with the owner of a facility for the generation of electricity that is located or locates in the county for a negotiated payment by the owner in lieu of taxes on the facility.” Rockdale Solar request a payment in lieu of taxes as permitted by the Maryland Code.

**DISCUSSION:** Maryland’s Renewable Portfolio Standard Law (*RPS Law*) mandates that by 2020, 25% of Maryland’s electricity is to be generated from renewable sources, with at least 2.5% of the electricity coming from solar power.

The initial capital investment for a solar farm is expensive - solar panels and related equipment cost millions of dollars. Due to the intensity of the start-up capital costs, the effect of the business personal property taxes is comparatively more significant for a solar project than for the average business in the County for which only a portion of the start-up costs are considered “business personal property.” This is especially the case for the early years of the project. To ease the initial burden on solar companies, and to meet the requirements of the RPS Law, the General Assembly passed Md. Code, Tax-Property § 7-514(c)(1) which allows the County to “enter into an agreement with the owner of a facility for the generation of electricity that is located or locates in the county for a negotiated payment by the owner in lieu of taxes on the facility.”

The County taxes equipment used to generate electricity based on 50% of its value. The tax rate on business personal property in the County is 2.37%. To handle the initial capital outlay for new equipment, the Company requests the opportunity to enter a PILOT Agreement as permitted by Md. Code, Tax-Property § 7-514(c)(1) setting an annual payment at \$6,000 per MW of installed capacity. The PILOT would begin the first year the Project breaks ground and continue,

at least, through the initial 30-year term of the Project's ground lease with the landowners. After the initial 30 years, the Company and the County may continue the PILOT payment for the remaining 10 years of the lease or re-negotiate the amount and structure of the payments based on a reasonable assessment of the circumstances at that time.

Taking into account the 50% assessment abatement and depreciation, the total payments received from the project at \$6,000 per MW over the total life of the 40-year lease represents a 30% reduction from what would otherwise be payable.

The County previously entered an agreement dated December 13, 2016 on the same terms with Pinesburg Solar, LLC, a related company to Rockdale Solar. As such, the request is for the same arrangement as has been previously approved by the Board of County Commissioners.

In addition, the PILOT will help reduce overall operating costs of this community solar project, thereby reducing electricity prices low for Washington County residents in the Potomac Edison territory who become subscribers to the community solar project. The Rockdale community solar project is offering electricity to subscribers at a 10% savings to residents who subscribe.

**FISCAL IMPACT:** Real property taxes on the 18 acres of land as an agricultural use provides the County approximately \$85.00 per year, or \$3,400.00 over the next 40 years. Therefore, while the County may forego \$200,000+ of extra tax revenue over 40 years by granting the PILOT, the County gains \$480,000 of tax revenue it would not otherwise receive were the land to remain in agriculture.

**CONCURRENCES:** N/A

**ALTERNATIVES:** Do not grant the PILOT request

**ATTACHMENTS:** Excel spreadsheet

**AUDIO/VISUAL NEEDS:** None



**Washington County, MD - Personal Property Tax Analysis - Rockdale Solar - 2 MW**

Year	0	1	2	3	4	5	6	7	8	9	10
Equipment Value - Depreciation Ratio*	3,250,000	0.9667	0.9334	0.9001	0.8668	0.8335	0.8002	0.7669	0.7336	0.7003	0.6670
Depreciated Value		3,141,775	3,033,550	2,925,325	2,817,100	2,708,875	2,600,650	2,492,425	2,384,200	2,275,975	2,167,750
Taxable Value (MD 50% abatement)**		1,570,888	1,516,775	1,462,663	1,408,550	1,354,438	1,300,325	1,246,213	1,192,100	1,137,988	1,083,875
Washington County Personal Property Tax	2.37%	37,230	35,948	34,665	33,383	32,100	30,818	29,535	28,253	26,970	25,688
Solar PILOT (2 MW @ \$6000/MW)		12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Sum of payments (40 years)	Baseline	695,505									
	PILOT	480,000	69%								

Year	11	12	13	14	15	16	17	18	19	20
Equipment Value - Depreciation Ratio*	0.6337	0.6004	0.5671	0.5338	0.5005	0.4672	0.4339	0.4006	0.3673	0.3340
Depreciated Value	2,059,525	1,951,300	1,843,075	1,734,850	1,626,625	1,518,400	1,410,175	1,301,950	1,193,725	1,085,500
Taxable Value (MD 50% abatement)**	1,029,763	975,650	921,538	867,425	813,313	759,200	705,088	650,975	596,863	542,750
Washington County Personal Property Tax	24,405	23,123	21,840	20,558	19,276	17,993	16,711	15,428	14,146	12,863
Solar PILOT (2 MW @ \$6000/MW)	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Sum of payments (40 years)										

\*This value is an estimate based on recent construction data; actual value after construction is complete may vary

<http://www.dsd.state.md.us/comar/comarhtml/18/18.03.01.02.htm>

A. In the assessment of all other personal property under Tax-Property Article, §8-101(c)(7), a 10 percent rate of depreciation per year is applied to the original cost.

Exceptions to the 10 percent depreciation rate can be found in §B of this regulation. Generally, personal property may not be depreciated below 25 percent of the original cost.

B. Depreciation Schedule. The following annual rates of depreciation shall be applied to the different types of personal property indicated:

(1) All personal property not otherwise listed in this depreciation schedule shall be depreciated at 10 percent per year;

(2) Except as provided in §B(10) of this regulation, long-lived electric generation machinery and equipment of nonutility entities that generate electricity for sale shall be depreciated at 33.33% per year.

(10) Personal property of nonutility nuclear power plants shall be depreciated at annual rates as determined by the Department, consistent with licenses and license extensions.

\*\*Maryland Code: 7-237





Agenda Report Form

Open Session Item

**SUBJECT:** Emergency Management Performance Grant– Approval to Submit Application and Accept Awarded Funding

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Allison Hartshorn, Grant Manger, Office of Grant Management, Charles Brown, Assistant Director, Division of Emergency Services and Oley Griffith, Emergency Management Specialist, Division of Emergency Services

**RECOMMENDED MOTION:** Move to approve the submission of the application to the Maryland Emergency Management Agency in the amount of \$103,381.00 and accept funding as awarded.

**REPORT-IN-BRIEF:** The purpose of the Emergency Management Performance Grant (EMPG) Program is to provide federal funds to states to assist state, local, tribal and territorial emergency management agencies to obtain the resources required to support the National Preparedness Goals associated with the areas and core capabilities.

**DISCUSSION:** The performance period for this federal grant is October 1, 2019 through June 30, 2020. There is a 100% match requirement associated with this grant which is covered by the Emergency Services operating budget.

Wages & Benefits Match	\$103,381
Operational Expenses	<u>\$103,381</u>
Total	\$206,762

**FISCAL IMPACT:** Provides \$103,381 for Emergency Services related expenses which may otherwise be added to the Emergency Services budget. Matching funds will be in the form of budgeted salaries which is subject to approval in the County’s operating budget for FY20.

**CONCURRENCES:** Director, Office of Grant Management

**ALTERNATIVES:** Deny approval for submission of this request

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A



## Agenda Report Form

### Open Session Item

**SUBJECT:** Contract Award (PUR-1407) – Centralized Reengagement Services for Disconnected Youth

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Rick F. Curry, CPPO, Director, Purchasing Department and Stephanie Lapole, Senior Grant Manager, Office of Grant Management

**RECOMMENDED MOTION:** Move to award a contract to perform Centralized Reengagement Services for Disconnected Youth in Washington County to the responsible proposer with the responsive proposal.

**REPORT-IN-BRIEF:** The purpose of the service to be provided is to fulfill the requirements of the County's Community Partnership Agreement (CPA) for fiscal year 2019 with the Governor's Office for Children (GOC). For further details of the services, please refer to the attached excerpt of the *Scope of Work* from the Request for Proposal (RFP) document.

The contract entered into pursuant to this Request for Proposals shall commence after contract execution and issuance of a Notice to Proceed and ending June 30, 2019, with an option to renew the awarded Contractor for up to two (2) consecutive one-year periods through fiscal year 2021.

The Coordinating Committee was comprised of the following members: County Director of Purchasing (Chairman Designee), OGM Director, OGM Grant Manager, LMB Board Chairperson, or designee and LMB Community Planning and Review Committee Chairperson or designee. The Request for Proposal (RFP) was advertised in the local newspaper, on the State's "e-Maryland Marketplace" web site, and on the County's web site. The RFP document was accessed from the web site by forty (40) firms/individuals. Three (3) providers were represented at the pre-proposal conference. Two (2) providers' proposals were received by the deadline for receipt of proposals; one (1) firm was considered non-responsive. Only the recommended provider's Q&E/Technical Proposal was determined to be responsive and its Price Proposal was opened and evaluated.

**DISCUSSION:** N/A

**FISCAL IMPACT:** The County has received an award of \$109,740.00 for the completion of the scope of work herein provided. The County intends to expend this entire award for the Centralized Reengagement Services for Disconnected Youth. Accordingly, a successful proposal should expend no less or no more than \$109,740.00 for the purpose. Proposals were evaluated on the approach and work to be performed and the proposer's capacity to provide a quality service rather than price. Proposals with a price exceeding \$109,740.00 were not to be considered for award.

**CONCURRENCES:** Coordinating Committee as outlined above

**ALTERNATIVES:** N/A

**ATTACHMENTS:** “Scope of Work” excerpt from the Request for Proposal

**AUDIO/VISUAL NEEDS:** N/A

## II. SCOPE OF WORK

After accessing the needs of the community and review of current data, the Washington County Local Management Board (LMB) has concluded there is a need to strengthen the system of services for disconnected youth at the local level. A 2018 Disconnected Youth Needs Assessment has shown this population is in critical need of guidance while facing multiple challenges when seeking employment or education opportunities. There are approximately 2,375 disconnected youth living in Washington County which equates to 21.1% of youth ages 18-24.

The Board seeks to fund a Reengagement Center that will connect youth ages 18-24 neither working nor in school with opportunities for education, employment or career readiness. This program will have a centralized location in Hagerstown and remote services will be provided at locations such as community centers and libraries in outlying municipalities within Washington County. The Center will serve as an entry point and hub for services for disconnected youth to obtain assistance, case management and navigation services to reconnect them with either educational or employment opportunities. Youth will be linked to the following: GED classes, financial literacy, soft skills workshops, resume building, interviewing, job searching, year-round work experience, secondary education, remedial math/English. In addition, youth will be referred to other services such as housing, food, transportation services such as Uber/bus and taxi vouchers, mental health services, etc. This comprehensive approach will leverage resources from multiple Washington County organizations to create easy to access pathways for youth to reconnect to education, employment resources and necessary social services. Only youth who meet the disconnected youth (see III. POPULATION SERVED) definition will benefit from this program. If services are provided outside of this target population non-GOC funds must be utilized.

- A. Staffing – Case management services may be provided by one or more Navigators either on a full or part-time basis. A qualified applicant preferably has a Bachelors’ Degree or higher in human services with at least two years’ experience working with youth. Applicants with Bachelors’ Degrees in other fields or with an Associate Degree in human services with at least four years’ work experience working with youth will also be considered. *Please note staff or employee leave time including but not limited to vacation, personal and sick leave will not be reimbursable under this project per GOC guidelines.*
- B. Staff Responsibilities - Provide disconnected youth with navigation and case management which include referring youth to services in the community (e.g. mental health services, career and technical training, housing, food, GED preparation and/or enrollment, transportation services, driver’s license attainment, etc.) The navigator will also advocate for youth as they progress through various systems and aid in managing compliance with requirements of the services and programs in which they are enrolled. Staff will ensure intensive continued support for participants through at least their first year of engagement in employment, training or education.

- C. Collaborative efforts – Services must include strong agency community collaboration and involvement. The Center will serve as a single point of entry for Washington County resources and services that can be utilized to address the multiple and varied needs of disconnected youth.
- D. Creation of Advisory Group – The Contractor will convene a Disconnected Youth Advisory Group of multiple Washington County service providers to ease pathways to referral and follow through and creatively leverage financial and nonfinancial resources to provide easy access support for disconnected youth in the County. Members of the committee will include the following agencies: Washington County Public Schools, Horizon Goodwill Industries, Washington County Department of Social Services, Washington County Health Department, Dad’s Connection, Family Center, Washington County Mental Health Authority, REACH Cold Weather Shelter, Washington County Community Action Council, Valor Ministries and Washington County Free Library. In addition to local service providers the Contractor will be required to recruit disconnected youth or previously disconnected youth as members who can provide expertise.
- E. Referrals to Service – The Program will be accessible by all targeted youth (see III. POPULATION SERVED), allowing referrals from all service providers, organizations and citizens as well as walk-ins.
- F. Location of Services – The Center will be in a centralized location and will be in or near the City of Hagerstown where the largest concentration of the target population is. The location should be accessible via public transportation. Partnerships will be developed with service providers in rural locations so remote services can be provided through other satellite locations such as community centers and libraries located in outlying municipalities within Washington County.
- G. Marketing & Outreach – The success of this program will be dependent upon the target population being referred to it, therefore, outreach is an important component. The Contractor will ensure the target population and service providers are aware of the program. The Contractor will conduct an outreach and education campaign to local service providers at the commencement of the program to ensure referrals are given to the appropriate individuals. The Contractor is urged to budget significant funds during the first year to ensure community awareness of the Center. The Contractor will also utilize a social media campaign aimed at both youth and their parents to promote the program. Outreach events should be provided in rural locations at least four (4) times a year from 6:00 p.m. through 8:00 p.m. so the community can learn about the services.
- H. Population Data Collection – In addition to program data, the contractor will be responsible for collecting local data/statistics on the target population of disconnected youth. This data will be used to determine the needs of the local population.
- I. Program Data Collection – The Contractor must collect and report indicator data and program outcome information as required by the Evaluation Contract executed with the

Office of Grant Management. Data collection will be required through the duration of the program. The following data outcome measures are the minimum measures expected of the selected Contractor.

1. Number of disconnected youth served by the program
2. Number of partner agencies actively engaged with the Center
3. Number of disconnected/previously disconnected youth on the Advisory Group
4. Number of partner agencies on the Advisory Group
5. Percent/Number of youth served who were reconnected to education
6. Percent/Number of youth served who were connected to employment
7. Percent/Number of participants who received a referral for additional services
8. Percent/Number of youth served who remained connected in education for six months
9. Percent/Number of youth served who remained employed for six months
10. Percent/Number of participants who attained a GED
11. Percent/Number of participants who obtained a trade skill certification
12. Percent/Number of participants who moved onto secondary education
13. Percent/Number of participants who attained permanent employment after receiving services through the Center
14. Percent/Number of participants which would recommend the program to other
15. These measures may be revised at the discretion of the OGM and GOC.

**B. Parameters of the Award of Funds**

1. The award of funds for Centralized Reengagement Services for Disconnected Youth shall commence upon a fully executed contract and end on June 30, 2019, with an option to renew the awarded Contractor for up to two (2) consecutive one-year periods through fiscal year 2021. The maximum award to be expected for FY19 is \$109,740.00. The maximum award to be expected upon renewal will be \$119,740.



2. Renewal of this agreement is at the discretion of the OGM acting on behalf of the BCC and is contingent upon the following: 1) the continual award of funds from the GOC, 2) the performance of the Contractor and 3) the goals/outcomes desired by the GOC and OGM.



Open Session Item

**SUBJECT:** Retirement Plan and Pension Funding Policy Changes

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Deb Peyton, Director, Division of Health & Human Services and Sara Greaves, Chief Financial Officer

**RECOMMENDED MOTION:** A motion to approve proposed retirement plan and policy funding changes.

**REPORT-IN-BRIEF:** Sara Greaves, Chief Financial Officer and Deb Peyton, Director, Division of Health & Human Services presented proposed changes to the retirement plan on April 16, 2019 to the Board. The Board requested additional information. The proposed changes are recommended by BoltonUSA to improve the overall sustainability of the plan and future growth of assets and was approved by the Retirement Committee.

**DISCUSSION:** The Board, after hearing the presentation, requested additional information and additional time to consider the proposed changes to the retirement plan.

These recommendations were reviewed and have been approved by the Washington County Retirement Committee:

1. Effective July 1, 2019, the plan will no longer offer the In-Service Retirement Plan (ISRP).
2. Effective January 1, 2020, the 6% earned interest rate on employee funds that accumulate in the DROP program will decrease to 4% for all future DROP participants. Current DROP participants, or those entering before January 1, 2020, will remain at 6%.
3. Effective January 1, 2020, the interest rate earned by vested employees leaving their monies in the County plan will decrease from 6% to 4% annual multiplier when they become retirement eligible. This applies to all employees who leave County employment on or after January 1, 2020.
4. Effective July 1, 2019, all new employees will be required to work ten (10) years to become vested. Existing employees will remain at the 5 year vested period.
5. For fiscal year 2020, the County will change the plan funding for the current unfunded accrued liability from the current 15-year level percent of pay amortization to a 20-year level dollar amortization. Any future increases or decreases in the UAL from gains or losses would be amortized over 15 years. Shorter periods would apply to benefit improvements such as retiree COLA's. The assumed return will be reduced from 7.5% to 7.25%.

6. The Retirement Committee considered a standard methodology for future retiree cost of living increases (COLAs). The Committee concluded to defer any standard methodology until the plan reaches an 80% funding level.
7. Effective July 1, 2019, for new employees only, the normal retirement age will be 62 years of age and 30 years of service. This represents a change from the current plan which has benefit made payable at age 60 with 25 years of service. This was a recommendation from the actuary due to changes in workforce demographics. There will be no changes to the uniformed law enforcement normal retirement age or years of service.

The Pension Funding Policy revisions presented are necessary to reflect the above-mentioned changes.

**FISCAL IMPACT:** Changes related to “new” employees will not impact the County in the short term but represent improvements to the plan cost for the long term. Changes in the amortization period and method will reduce the anticipated annual contribution to the pension plan for FY2020.

**CONCURRENCES:** The Retirement Committee

**ALTERNATIVES:** Do not change the retirement plan.

**ATTACHMENTS:** Updated Pension Plan Funding Policy

**AUDIO/VISUAL NEEDS:** None



**Section:** Pension Funding Policy

**Purpose:** The purpose of this policy is to outline the principles that will guide the County Commissioners of Washington County (the County) who sponsors the County Commissioners of Washington County, Maryland Employees Retirement Plan (the Plan), Volunteer Length of Service Award Program, and Other Post-Employment Benefits in making funding decisions about the Plan in order to accumulate the funds needed to fulfill the Plan's obligations to the participants and beneficiaries.

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**Background**

The Plan is a single employer defined benefit plan. It is funded by the County as well as plan participants and the County's contribution rate can fluctuate with the financial position of the Plan.

The plan features are as follows:

- Benefits from the Plan are generally payable at age 62, with 30 years of service for employees hired after July 1, 2019. For employees hired prior to that date, benefits from the plan are generally payable at age 60 with 30 years of service for an employee contribution of 5.5% of pay or 25 years of service for those contributing 6.0% of pay. The full retirement date for uniformed law enforcement participants is age 50 with 25 years of service.
- Plan benefits are calculated as 2.00% of a participant's average annual compensation multiplied by the participant's years of service.
- A participant's average annual compensation is the highest average of the participant's compensation over three consecutive plan years.
- Reduced benefits are payable at 20 years of service for a uniformed law enforcement employee.

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The Plan's investment policy is documented and part of the overall governance of the Plan.

**Principles Underlying Funding Policy**

Given the features of the Plan described in the above Background, the County has developed this policy, building on the following principles:

1. Funding decisions are made in the interest of securing the accrued and projected benefits of plan participants;
2. The contribution pattern should be rational, predictable and protective of the County tax payers;
3. Funding should aim at building and maintaining a reasonable cushion against future adverse deviations;
4. All Plan funding decisions should be made bearing these principles in mind.

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**Objectives**

1. To fund the current Unfunded Accrued Liability by 2038 using a 20-year amortization period.
2. Establish a contribution pattern that is consistent with sound actuarial principles and is consistent with the County’s overall budgetary needs.
3. Bases will be established for annual gains and losses and amortized over 15 years, as a level amount, while benefit changes are amortized over the future working lifetime (if applied to employees) or 3 years if applied to retirees, also as a level amount.

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**Actuarial Cost Method**

The Projected Unit Credit actuarial cost method will be utilized. Underlying assumptions will be set by the County based on consultation with the designated Actuary for the plan.

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**Annual Contribution Determination**

The annual contribution will be the sum of (a) and (b):

- a. The annual normal cost of the plan determined under the Projected Unit Credit actuarial cost method.
- b. Bases will be established for annual gains and losses and amortized over 15 years, as a level amount, while benefit changes are amortized over the future working lifetime (if applied to employees) or 3 years if applied to retirees, also as a level amount.

The County’s annual contribution will be converted to a percent of payroll based on projected County payrolls. This serves as an appropriate approach to allocating the pension cost across all county funds and employees. The County will make the actuarially determined contribution in addition to employee contributions.

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**Guidelines in Setting Contribution Rates of the Plan**

Significant deterioration of financial position

If the financial position of the Plan has deteriorated significantly since completion of the prior actuarial valuation, the County may consider increasing the contribution amount. For this purpose, a significant deterioration of the financial position of the Plan would be characterized

by an anticipated depletion of the trust assets at the current contribution level. Plan assets will deplete if a projection of trust experience results in zero assets prior to the payment of all benefits promised to current participants.

A depletion of plan assets occurs if based on a projection of the current plan's assets, there will be no assets remaining prior to payment of all benefits promised to current participants.

#### Immaterial change of financial position

If the estimated financial position of the Plan has not changed significantly since the most recent actuarial valuation, the County may continue to make the same dollar amount or percent of pay contribution made in the prior year.

#### Significant improvement of financial position

If the financial position of the Plan has improved significantly since the completion of the prior actuarial valuation, the County may consider decreasing the contribution rate if the funding target exceeds 100% or is projected to exceed 100% by end of the fiscal year.

### **Compliance**

The County will comply with all applicable laws and regulatory requirements. An actuarial valuation for funding purposes will be prepared annually.

The contribution to the Plan will be based on the prior year's annual actuarial valuation report prepared by the Plan Actuary which is in conformance with federal, state and accounting regulatory requirements as of the start of the fiscal year. The purpose of this is to provide the contribution amount prior to the beginning of the year to simplify budgeting.

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### **Annual Review**

As indicated above, the Plan Actuary shall complete an actuarial valuation report annually for the purposes of determining suggested contribution requirements. Such valuation report shall be performed in accordance with generally accepted actuarial principles.

### **Policy Amendment**

This policy shall serve the County as a guideline only. It shall not prevent the County from making decisions that differ from this policy when the County considers this appropriate.

This policy shall be periodically reviewed by the County. It may be amended from time to time as deemed appropriate by the County.





## Agenda Report Form

### Open Session Item

**SUBJECT:** Solid Waste Supervisor Consolidation Plan

**PRESENTATION DATE:** April 16, 2019

**PRESENTATION BY:** Daniel Divito, Director, Division of Environmental Management; and David A. Mason, P.E. Deputy Director, Division of Environmental Management

**RECOMMENDED MOTION:** Motion to approve the consolidation plan and to internally advertise the Operations Supervisor position

**REPORT-IN-BRIEF:** This is being brought back by request of the Commissioners. Because of the consolidation of the Assistant Director and the Operations Supervisor/Recycling Coordinator positions and the required additional duties we are recommending the promotion of Mr. Tony Drury to Superintendent of Landfill and Recycling Operations (Grade 15). In addition, we are requesting to internally advertise for an Operations Supervisor (Grade 11); this position will consolidate the current position of Weigh Clerk with additional supervisory responsibilities.

**DISCUSSION:** The Maryland Department of the Environment (MDE) requires a supervisor to be on site at all time during landfill operations. It is anticipated we will be able to accomplish this with current Solid Waste personnel. To satisfy this requirement we are recommending the following:

The position of Superintendent will consolidate responsibilities of both the former Assistant Director and the current Recycling Coordinator and because the additional duties are currently being performed by Tony Drury (Grade 14), Mr. Drury will be promoted to Superintendent Grade 15.

The Operation Supervisor position will combine a current Weigh Clerk responsibility with Supervisory responsibilities. The current weigh clerks will be the best qualified candidates for the position, so the position will be advertised internally. This position, when filled, will help to facilitate supervisory coverage as required by our permit. The overall Consolidation Plan as proposed will reduce the number of office staff by one full time position and produce additional savings totally approximately \$71,426 per year.

**FISCAL IMPACT:** Savings as outlined.

**CONCURRENCES:** County Administrator, CFO, HR Director

**ALTERNATIVES:** Eliminate one (1) Weigh Clerk position by promotion to Operation Supervisor

**ATTACHMENTS:** Job Descriptions

**AUDIO/VISUAL NEEDS:** N/A





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<b>JOB TITLE:</b>	<b>Operations Supervisor</b>	<b>GRADE</b>	<b>11</b>
<b>DEPARTMENT:</b>	<b>Solid Waste</b>	<b>FLSA STATUS:</b>	<b>Non-Exempt</b>
<b>REPORTS TO:</b>	<b>Deputy Director of Solid Waste</b>		

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**GENERAL DEFINITION OF WORK:**

Performs difficult technical and intermediate administrative work supervising employees at a lined municipal solid waste landfill and several transfer stations to local, state and federal regulations which include overseeing permit sales, inspecting and weighing waste and billing all accounts. Coordinates landfill activities and acts as supervisor in the absence of the Superintendent of Landfill Operations. Direction is provided by the Deputy Director. Supervision is exercised over subordinate personnel.

**ESSENTIAL FUNCTIONS/TYPICAL TASKS AS OPERATIONS SUPERVISOR:**

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Answers questions arising about business waste, scale operations concerns' and employee issues. Oversees scheduling of landfill employees. Schedules employee vacation to keep operation running smoothly.
2. Ensures accuracy of all scale house records and cash receipts accounting. Assists with scale house operations as required.
3. Oversees the disposal of municipal, commercial and industrial wastes, performing appropriate tests and working with management to resolve any potential problems.
4. Works with local business on special waste for all kinds of different material. Reviews test results before delivery. Performs free liquids test before disposal. Inspects material.
5. Completes interview for hire of new employees with the Superintendent and Deputy Director. Recommends appropriate candidate for hire. Performs employee's evaluations on subordinates. Trains new employees.
6. Performs first step grievance procedures with union employees. Works with union President on daily basis to resolve issues as arise before first step is needed.
7. Meet with Department of Environment Inspector to discuss landfill activities. Ensures operating permit is maintained and that the landfill is built as designed.
8. Answers telephone, listens to and resolves complaints. Explains landfill regulations to residents and businesses.
9. Assures all activity falls within the Maryland Department of Environment (MDE) guidelines to include contractors working outside permit hours, assuring patrons are off site at closing, conducting compliance inspections with MDE, etc.
10. Investigates accidents, incidents and completes all necessary reports for Human Resources.
11. Assists with schedules and supervises Weigh Clerks, attendants and temporary employees, at scale house locations and drop off sites; tracks and reports hours worked/leave usage and conducts performance evaluations.
12. Weighs and records solid waste. Enters data concerning vehicles entering and leaving, including account number, material code, charges, gross and tare weight, etc. Generates ticket for customers from computer print-out, or manually. Collects fees and makes change for cash customers.
13. Issues refuse permits.
14. Opens and closes scale house.
15. Runs daily accumulative reports, enters new accounts and information into the computer for records.
16. Maintains inventory of supplies for scale operation.
17. Answers questions concerning weights and tickets with the ability to deal courteously and tactfully with the public.
18. Initiates tonnage reports, records and other correspondence as directed.
19. Verifies all cash receipts and transmittals daily/weekly.

20. Directs traffic to proper unloading area. Ensures unloading areas are kept neat and orderly.
21. Visually inspects loads of waste and observes for unacceptable waste. Estimates weight of vehicles based on experience in the event the scales would be out of operation.
22. Maintains recycling drop off sites, picks up material around sites, moves material to ensure a clean and safe environment.
23. Performs related work as required.

**KNOWLEDGE, SKILLS AND ABILITIES:**

General knowledge of the operation of a weigh station; general knowledge of transfer station policies; some knowledge of recycling operations; general knowledge of basic clerical and office procedures; ability to use calculator in making simple arithmetic calculations; ability to write legibly and make written reports; ability to use computer system; ability to maintain detailed records; ability to establish and maintain effective working relationships with associates and the general public.

**EDUCATION AND EXPERIENCE:**

Any combination of education and experience equivalent to graduation from high school and some general office assistance experience. Prior weighing experience desirable.

**PHYSICAL REQUIREMENTS:**

This is work requiring the exertion of 50 to 80 pounds of force occasionally, up to 10 pounds of force frequently, and a negligible amount of force constantly to move objects; work requires stooping, kneeling, reaching, standing, walking, pulling, lifting, fingering, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for depth perception, color perception, peripheral vision, preparing and analyzing written or computer data, use of measuring devices, operation of machines, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is subject to inside and outside environmental conditions, extreme cold, noise, atmospheric conditions, and oils. The worker may be exposed to blood borne pathogens and may be required to wear specialized personal protective equipment.

**SPECIAL REQUIREMENTS:**

Possession of an appropriate valid driver's license, CDL License preferred. Ability to work six (6) days a week (minimum 48 hour/week operation).

3/2019

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.



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<b>JOB TITLE:</b>	<b>Superintendent of Landfill and Recycling Operations</b>	<b>GRADE</b>	<b>15</b>
<b>DEPARTMENT:</b>	<b>Solid Waste</b>	<b>FLSA STATUS:</b>	<b>Non-Exempt</b>
<b>REPORTS TO:</b>	<b>Deputy Director of Solid Waste</b>		

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**GENERAL DEFINITION OF WORK:**

Performs responsible professional and administrative functions developing, implementing and coordinating a County wide recycling program; managing the County sponsored recycling programs related to compliance with numerous environmental codes; and meeting the recycling goals as defined by the Maryland Recycling Act. Coordinates landfill activities with Operation Supervisor. Direction is provided by the Deputy Director. Supervision is exercised over subordinate personnel.

**ESSENTIAL FUNCTIONS/TYPICAL TASKS:**

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Design, implement and manage a variety of County-wide recycling and waste reuse/reduction programs for residential and business customers.
2. Develop and administer a County-wide public education programs on recycling and related solid waste and environmental programs, including educational materials that match curriculum guidelines for teachers,
3. Advises residents/businesses/industries on waste reduction, recycling and solid waste disposal options.
4. Analyzes solid waste and recycling data from business, industry, and government.
5. Supervises monitoring/care of remote and on-site recycling drop off sites, including areas for used motor oil/antifreeze, auto batteries, tires, metals, and cardboard, and composting and mulching operations.
6. Prepares reports required by the Maryland Department of the Environment and for departmental purposes.
7. Provides input and direction in the preparation of the County's Solid Waste and Recycling Plan.
8. Monitors County recycling services contracts. Participates in drafting/reviewing policy for the County's Solid Waste Department.
9. Organizes and manages special recycling and solid waste events. Leads tours of solid waste and recycling facilities. Represents the County as a guest speaker on solid waste/recycling issues.
10. Serves as a liaison for County as directed on related committees.
11. Develops and purchases advertisements and prepares news releases for media. Markets products from composting/mulching operation.
12. Prepares and maintains database of disposal/recycling/waste reduction options for staff and community use.
13. Prepares budgets and requests for proposals.
14. Collaborates with regional Maryland Department of the Environment staff concerning regulatory compliance.
15. Compiles annual reports and submit to State Department of the Environment.
16. Ability to work evenings and weekends as required to perform outreach to the recycling community.
17. Search, apply and institute grants for various Solid Waste and Recycling programs. Prepares reports for Grant Agencies per grant requirements.
18. Interacts with the local business community and residential customers regarding landfill regulations and policies; enforces these regulations and attempts to resolve any complaints/problems.
19. Assures all activity falls within the Maryland Department of Environment (MDE) guidelines to include contractors working outside permit hours, assuring patrons are off site at closing, conducting compliance

- inspections with MDE, etc.
20. Responsible for keeping MSDS book on site up to date and check equipment and facilities for safety.
  21. Investigates accidents, incidents and completes all necessary reports for Human Resources.
  22. Answers questions arising about business waste, scale operations concerns and employee issues.
  23. Assists with interviews and recommendations for hire of new employees. Assists with training of new employees.
  24. Performs related tasks as required.

**KNOWLEDGE, SKILLS AND ABILITIES:**

Thorough knowledge of the practices and techniques of recycling and clean community programs; thorough knowledge of program objectives, procedures and organization; general knowledge of modern office practices, procedures and equipment; ability to devise detailed procedures and methodologies; ability to plan and organize the work of volunteers; ability to communicate ideas effectively, both orally and in writing; ability to prepare reports and records; ability to establish and maintain effective working relationships with associates and the general public.

**EDUCATION AND EXPERIENCE:**

Possession of an Associate's Degree in Environmental Science, Environmental Management, or a related field, bachelor's degree is preferred; considerable experience in developing and/or managing recycling or waste reduction programs in the public or private sector; experience working with community groups.

**PHYSICAL REQUIREMENTS:**

This is light work requiring the exertion of up to 20 pounds of force occasionally, up to 10 pounds of force frequently, and a negligible amount of force constantly to move objects; work requires standing, pushing, pulling, fingering, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for depth perception, color perception, preparing and analyzing written or computer data, use of measuring devices, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is not subject to adverse environmental conditions.

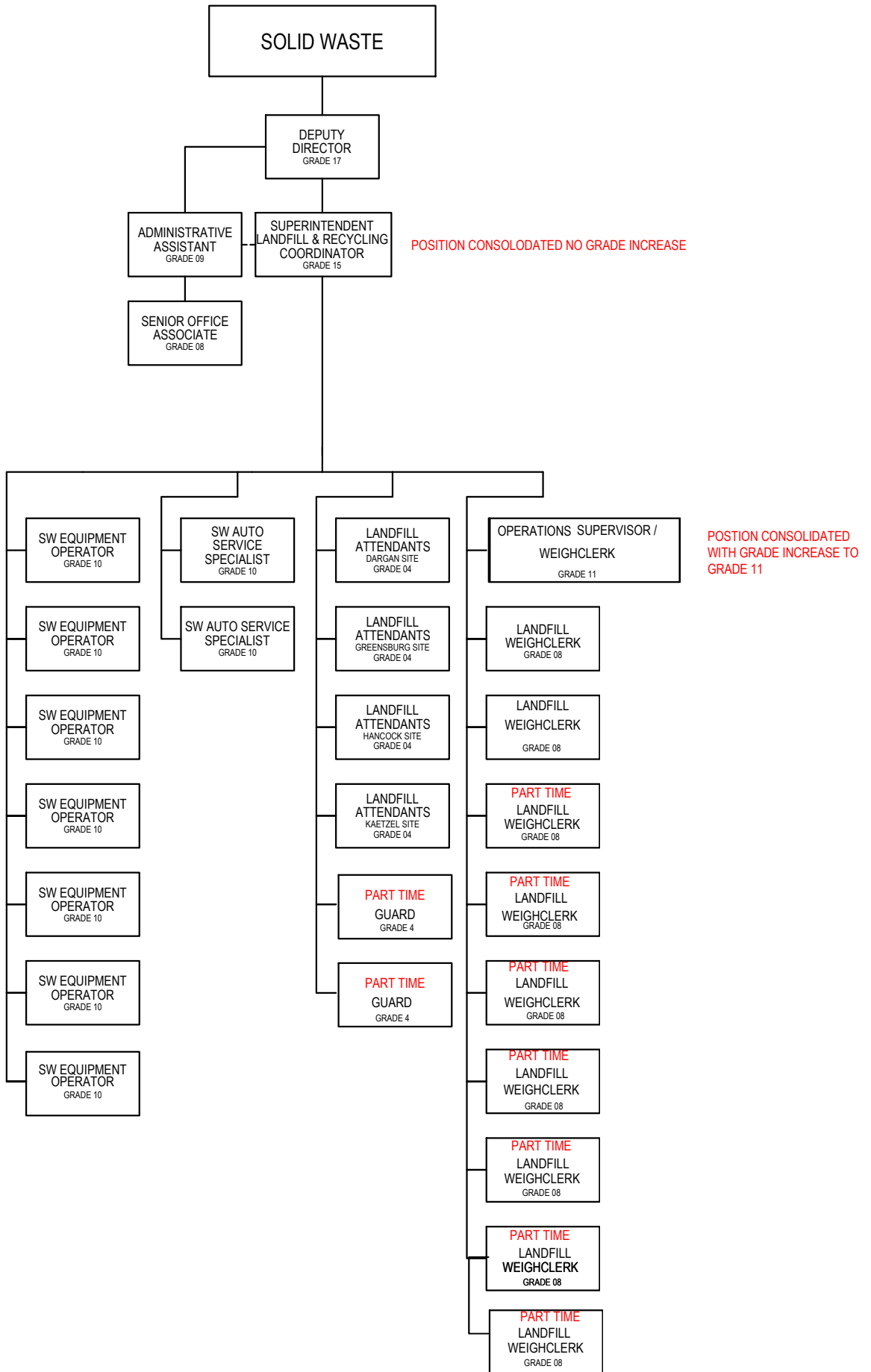
**SPECIAL REQUIREMENTS:**

Possession of an appropriate valid driver's license. Possession of a certification in Managing Municipal solid Waste Recycling Systems, Managing Composting Programs, or similar, or ability to obtain within 2 years of employment.

Revised: 9/2016, 1/2019

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.

# Proposed





Open Session Item

**SUBJECT:** Review of the 2019 Legislative Session – Impacts on Washington County

**PRESENTATION DATE:** April 23, 2019

**PRESENTATION BY:** Senator Andrew Serafini and Delegate William Wivell

**RECOMMENDED MOTION:** N/A

**REPORT-IN-BRIEF:** Senator Serafini and Delegate Wivell will review budget allocations to county government and local/private institutions as made in the FY2020 State budget, as well as the final status of legislation with a significant impact on the functions of county government.

**DISCUSSION:** Senator Serafini and Delegate Wivell aim to have a half hour of time from 4:00 to 4:30. 20 minutes of this time would be a review of legislative actions, and the last 10 minutes reserved for questions from the Commissioners and staff persons.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** N/A

**AUDIO/VISUAL NEEDS:** N/A