

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

February 13, 2018

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner John F. Barr offered the Invocation followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President Terry L. Baker called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:08 a.m. at 100 West Washington Street, Room 1113, with the following members present: Commissioners John F. Barr, Wayne K. Keefer and LeRoy E. Myers, Jr. Vice President Commissioner Jeff Cline was absent.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer stated that he assisted the University System of Maryland at Hagerstown with its annual scholarship fundraiser. He discussed the funds raised over the past years and praised USMH's hard work in helping local citizens achieve college degrees with the help of its scholarship programs. Commissioner Keefer also discussed a concern raised by a citizen regarding the stone arch bridge over Beaver Creek, and presented a request to the Commissioners to provide a letter of support to the appropriate agency to consider preserving the bridge as a historical structure. Commissioner Keefer reported being approached by Clear Spring officials regarding the coordination of mowing services with the prison inmate crews. Commissioner Keefer provided information on a meeting to be held at the Elks Lodge in Hagerstown on March 27 at 7:00 p.m. to discuss the ongoing opioid crisis.

Commissioner Barr reminded the Commissioners of the MACo Legislative Committee meeting that is held each Wednesday in Annapolis, and the busyness of the Legislative Committee in reviewing bills before the House and Senate. Commissioner Barr was asked to share information regarding the Endorsement Committee, a new committee within MACo. Commissioner Barr commented on the awards ceremony held this past Sunday at the Washington County Museum of Fine Arts. He discussed with the Commissioners a communication he received from Comptroller Peter Franchot's office requesting support for an initiative he is proposing.

Commissioner Baker reported attending the Smithsburg Fire and Rescue banquet Saturday evening at South Mountain. He thanked them for their continued service to the community. Commissioner Baker discussed the alleged contract currently on the Miller Lumber property in Williamsport, Maryland. County Administrator Rob Slocum shared that the library and the Town of Williamsport have requested a meeting regarding the matter.

REPORTS FROM COUNTY STAFF

Stephen Goodrich, Director, Planning and Zoning, notified the Commissioners that the agenda item regarding Zoning Map Amendment RZ-17-003 would be pulled from today's agenda and rescheduled as the applicant was unable to attend.

APPROVAL OF MINUTES – FEBRUARY 6, 2018

Commissioner Myers, seconded by Commissioner Barr, moved to approve the minutes of February 6, 2018. The motion passed unanimously. (4-0, Commissioner Cline was absent.)

County Administrator

County Administrator Rob Slocum presented the Commissioners with a request by the Doleman Black Heritage Museum to endorse its application for grant funding for the purchase of a property located at either 170 West Washington Street, Hagerstown, Maryland, or 465 Pennsylvania Avenue, Hagerstown, Maryland, to establish a 4,500-piece collection of artifacts and documents dating from pre-Civil War. The City of Hagerstown will be voting on this matter later today as both properties are located in the City. Mr. Slocum advised that he will hold on to the proposed letter of support until after the City has voted.

Mr. Slocum requested to return to staff comments later in the meeting to discuss the matter raised by Commissioner Barr regarding the letter of support requested by the Comptroller's office.

CITIZENS' PARTICIPATION

None

BROOKS L. AND KATHERINE L. LONG CONSERVATIVE RESERVE ENHANCEMENT PROGRAM

Chris Boggs, Land Preservation Planner, Planning and Zoning, requested to approve the Brooks L. and Katherine L. Long Conservative Reserve Easement Program (CREP) Easement, in the amount of \$48,084.00 for 20.00 easement acres, to be paid for 100% by the Maryland Department of Natural Resources (DNR), to adopt an Ordinance approving the easement purchase, and to authorize the execution of the necessary documentation to finalize the easement purchase.

CREP funds are 100% state dollars, mainly from the DNR Open Space funds. In addition to the easement funds to the property owner, the County will receive up to 3% of the easement value for administrative costs, a mandatory 1.5% for compliance/monitoring costs, and funds to cover all of the County's legal/settlement costs.

Commissioner Barr, seconded by Commissioner Keefer, moved to approve the Brooks L. and Katherine L. Long CREP Easement project in the amount of \$48,084.00 for 20.00 easement acres, to adopt an Ordinance approving the easement purchase, and to authorize the execution of the necessary documentation required to finalize the easement purchase as

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presented. The motion passed unanimously (4-0, Commissioner Cline was absent). (Ordinance No. ORD-2018-05 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE OF TWO VEHICLES FOR PUBLIC WORKS/PARKS AND FACILITIES

Brandi Naugle, Buyer, Purchasing Department, and John Pennesi, Deputy Director of Public Works/Parks and Facilities, requested approval to authorize by Resolution the Intergovernmental Cooperative Purchase (INGT-18-002) of two (2) 2018 Ford F350 Extended Cab, four-wheel drive pickup trucks from Hertrich Fleet of Milford, Delaware, the cost of each truck being \$39,150.00 for a total amount of \$78,300.00, and to utilize another jurisdiction's contract (contract no. 001B8400168) that was awarded by the State of Maryland Department of General Services Office of Procurement and Logistics statewide contract for Light Duty Trucks. Funds are budgeted in the Parks and Facilities' Capital Improvement Plan (CIP) account (VEH008) in the amount of \$101,658.00.

Ms. Naugle discussed the applicable section of the Code of the Public Local Laws of Washington County, Maryland, which provides that the Board of County Commissioners may procure goods and services through a contract entered into by another governmental entity, in accordance with the terms of the contract, regardless of whether the County was a party to the original contract. If the Commissioners determine that participation by Washington County would result in cost benefits or administrative efficiencies, it could approve the purchase of this service in accordance with the Public Local Laws referenced by resolving that participation would result in cost benefits or in administrative efficiencies.

Commissioner Myers, seconded by Commissioner Keefer, moved to authorize by Resolution the Intergovernmental Cooperative Purchase as presented. The motion passed unanimously (4-0, Commissioner Cline was absent). (Resolution No. RS-2018-02 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE OF TWO POLICE INTERCEPTOR UTILITY VEHICLES FOR EMERGENCY SERVICES

Brandi Naugle, joined by David Hays, Director, and Tom Brown, Emergency Management Specialist, Division of Emergency Services, requested approval to authorize by Resolution the Intergovernmental Cooperative Purchase (INGT-18-003) of two (2) 2018 Ford Police Interceptor Utility Vehicles, from Hertrich Fleet of Milford, Delaware, the cost of each vehicle being \$28,947.00 for a total amount of \$57,894.00, and to utilize another jurisdiction's contract (contract no. 001B8400177) that was awarded by the State of Maryland Department of General Services Office of Procurement and Logistics statewide contract for Vans and SUVs.

Ms. Naugle discussed the previously mentioned provision of the Code of the Public Local Laws of Washington County, Maryland. Funds have been allocated for Division of Emergency Services within grant 17EMPG (GRT007) in the amount of \$81,292.00.

Commissioner Keefer, seconded by Commissioner Barr, moved to authorize by Resolution the Intergovernmental Cooperative Purchase as presented. The motion passed unanimously (4-0, Commissioner Cline was absent). (Resolution No. RS-2018-03 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CONTRACT AWARD – SOLE SOURCE PROCUREMENT TECHNICAL SERVICE SUPPORT AGREEMENT FOR EMERGENCY SERVICES AND HEALTH AND HUMAN SERVICES

Brandi Naugle, David Hays, and Brian Overcash, Safety Administrator, Health and Human Services, requested to authorize the Division of Emergency Services and the Division of Health & Human Services to enter into a service agreement with Physio-Control, Inc., of Redmond, Washington, for the remaining duration of the State of Maryland contract no. 001B8400047, which expires July 1, 2020. Funds have been allocated from the Division of Emergency Services account 515270-10-11520 and the Health and Human Services account 505120-10-10700 to cover the expense.

The request requires approval of four (4) of the five (5) Commissioners in order to proceed with a sole source procurement. The Code of the Public Local Laws of Washington County, Maryland, Sections 1-106.2(a)(1) and (2) are applicable to this procurement. These sections state that a sole source procurement is permissible when (1) only one source exists that meets the County's requirements, and (2) the compatibility of equipment, accessories, or replacement parts is the paramount consideration. If approved, the following steps of the process will occur as outlined by the law: 1) not more than ten (10) days after the execution and approval of a contract under this section, the procurement agency shall publish notice of the award in a newspaper of general circulation in the County, and 2) an appropriate record of the sole source procurement shall be maintained as required.

Commissioner Barr, seconded by Commissioner Myers, moved to approve the authorization as presented. The motion passed unanimously (4-0, Commissioner Cline was absent).

APPALACHIAN REGIONAL COMMISSION GRANT FOR COUNTY WEBSITE ENHANCEMENTS

Susan Buchanan, Director, Office of Grant Management and Lauren Pogue, Marketing Specialist, Public Relations, requested the approval of the submission of a grant application for County website enhancements to the Appalachian Regional Commission in the amount of \$37,500.00 and to accept all funding as awarded.

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Ms. Buchanan explained the purpose of the project, including the promotional benefits to the County. The Office of Grant Management has reviewed the grant proposal, grant funding guidelines, and budget. There is a 50/50 matching requirement associated with the grant. The matching funds of \$37,500.00 will be provided from Hotel Rental Tax funds.

Commissioner Barr, seconded by Commissioner Myers, moved to approve the request as presented. The motion passed unanimously (4-0, Commissioner Cline was absent).

CONSTRUCTION BID AWARD – PAVEMENT MAINTENANCE AND REHABILITATION PROGRAM FOR FISCAL YEAR 2018

Scott Hobbs, Director, Engineering, recommended approval to award the bid for the Pavement Maintenance and Rehabilitation Program Fiscal Year 2018 (FY '18) Hot Mix Asphalt Applications contract to the lowest responsive, responsible bidder, Craig Paving, Inc. of Hagerstown, for the amount of \$2,792,743.00 which includes the option to extend the contract for a period of up to two (2), one (1) year extensions.

This is a budgeted Capital Improvement Plan (CIP) Project (RDI024). The current available budget for this program is approximately \$5,550,000.00 for FY'18 hot mix asphalt and chip seal contracts, preparation work, inspection, and testing.

Commissioner Barr, seconded by Commissioner Keefer, moved to award the bid for the Pavement Maintenance and Rehabilitation Program FY '18 Hot Mix Asphalt Applications contract to the lowest responsive, responsible bidder, Craig Paving, Inc. of Hagerstown, for the amount of \$2,792,743.00. The motion passed unanimously (4-0, Commissioner Cline was absent).

STAFF COMMENTS (continued)

Robert Slocum presented the recommended letter of support for the office of the Comptroller regarding House Bill 518, the Reform Act on Tap Act of 2018. Mr. Slocum provided additional information regarding the nature of the Bill with the Commissioners.

The Commissioners discussed the recommended letter of support and it was the consensus of the Commissioners to approve the letter of support as requested.

CONVENE IN CLOSED SESSION

Commissioner Myers, seconded by Commissioner Keefer, moved to convene in closed session at 10:52 a.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the State, in accordance with Section 3-305(b)(1) and (4) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously. (4-0, Commissioner Cline was absent).

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In closed session, the Commissioners discussed certain vacancies and the potential appointment of specific individuals to a local board over which the Commissioners have appointing authority, discussed certain vacancies and the potential appointment of specific individuals to a local advisory committee over which the Commissioners have appointing authority, considered a specific County employee hiring/employment recommendation from staff; and discussed the proposal for a certain business to locate, expand, or remain in the County/State.

During closed session, the Commissioners directed staff to undertake certain steps in regards to the filling of the board vacancies including the further discussion and presentation for approval of said individuals in a future open session meeting, directed staff to undertake certain steps in regards to the filling of the advisory committee vacancies including the further discussion and presentation for approval of said individuals in a future open session meeting, provided direction to staff regarding a hiring/employment recommendation, and provided guidance to staff regarding the County's response to a proposal by a business entity hoping to remain/expand in the County/State.

Present during closed session were Commissioners Terry L. Baker, Jeffrey A. Cline, John F. Barr, Wayne K. Keefer, and LeRoy E. Myers, Jr. Also present were Robert J. Slocum, County Administrator; Kimberly Jacobson, Legal Secretary; John Martirano, County Attorney, and at various times Rebecca Gander, Chief of Permits, Permitting Department; Stephanie Stone, Director, Health and Human Services; Kassie Lewis, Director, Business Development; and Jonathan Hart, Assistant Director of Fire Services, Emergency Services.

ADJOURNMENT

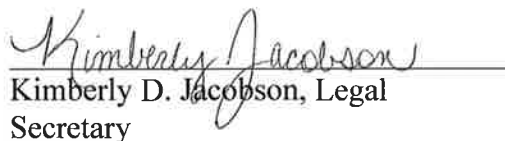
Commissioner Barr, seconded by Keefer, moved to adjourn at 11:23 a.m. The motion passed unanimously.



Robert J. Slocum, County Administrator



John Martirano, County Attorney



Kimberly D. Jacobson, Legal
Secretary