



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

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FOR IMMEDIATE RELEASE

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**NEWS
RELEASE**

Review of Actions Taken in the Washington County
Board of County Commissioners Meeting
Tuesday, April 15, 2008

INTRODUCTION OF NEW EMPLOYEES

Human Resources Director Bill Sonnik brought two newly hired employees to the Board for introduction. Danny Taylor is a new Sheriff's Deputy in the Detention Center, and Brian Beall moved from part-time to full-time as a Communications Specialist at 911 Dispatch.

SOUTH COUNTY TOWER UPDATE/DISCUSSION

Public Works Director Joe Kroboth and Communications Maintenance Manager Pete Loewenheim brought this issue before the Board. Since the public meeting on the Sandy Hook communications tower, there have been many letters and emails sent to the Commissioners. Kroboth provided the Board with copies of the minutes of the Public Safety Communications System Committee with National Parks Service (NPS) officials, dating from October of 2006, as well as correspondence between the County and interested parties. Kroboth stated that all protocols under federal regulations have been followed at every level of the project. Kroboth said that as part of the tower application process the Federal Communications Commission requires that the County make information available to the public, and conduct assessments of impact on the environment. Alternate sites proposed by NPS were discussed and the meeting minutes showed why each proposed site would not give adequate coverage for public safety mobile radios, given the terrain and technical specifications. The Parks Service agreed with the County's assessment that the alternate sites were not acceptable. Lowering tower height to 90 feet, as requested by NPS would not allow all using agencies access to the facility, including NPS. The proposed tower cannot be seen from the Town of Harper's Ferry, Kroboth said, because the cliffs of Maryland Heights stand between the site and the Town. Views from Jefferson Rock and the Hilltop Inn in Harper's Ferry would not be impacted, he reported. There are some locations, such as 100-pound Battery, and the Weverton Cliffs that would be able to see the tower. The proposed height of the tower has been lowered to 150 feet, which would not give 95% coverage 95% of the time, but would be usable, Loewenheim said. Commissioner Jim Kercheval addressed common

threads found among the 150-200 letters and emails the County has received on the issue. Topography drives the number and type of towers needed in the County, not project cost, he said. The solutions provided by NPS have not proved sufficient for adequate coverage, and NPS has not provided technical expertise to this date, although the County has asked for that expertise. One additional alternate site has been identified, and is being evaluated, Kroboth said. Commissioner Kristin Aleshire stated that internet blog sites are disseminating false information about the project. Sheriff Doug Mullendore stated that his department answers over 300 calls each year at the intersection of Keep Tryst and Valley Roads, . County Administrator Greg Murray commented that during the summer season, some 100 public safety calls are answered in the immediate area each month due to the number of river rescues. Kroboth told the Board that Public Works' intent is to evaluate all of the comments received at the public meeting, and the corresponding information will be sent to NPS. The County is continuing to communicate with the Parks Service and will schedule an additional meeting for public comment. The minutes of the meetings, along with a PowerPoint presentation on the project will be posted to the Public Works web page at the County website, www.washco-md.net by the end of the week, Kroboth said.

CAPITAL IMPROVEMENT PLAN REVIEW

Budget and Finance Director Debra Murray brought a second review of the Capital Improvement Project (CIP) budget for Fiscal Year 2009 before the Board for review. The Courthouse Security project would be moved from the General Fund budget to the CIP, an adjustment of some \$10 million. Discussion took place on several road projects, including Eastern Boulevard Widening Phases I and II, the Robinwood-North project and Shawley Drive project. Discussion also began on the possibility to move a proposed Eastern High School further out into the 10-year CIP plan, and the item would be discussed in the joint meeting with the Board of Education later in the day. Other items discussed were the need for waste energy projects and a central motor pool that would provide maintenance for all County vehicles.

CITIZENS PARTICIPATION

Each week the Board of County Commissioners sets aside time to hear from citizens of Washington County on matters of importance to the community.

Eric Whittington of Knoxville commented on a need for better search mechanisms on the County website and on the proposed public safety communications tower at Sandy Hook.

Stephanie Whittington of Knoxville commented on the historic nature of the Southern end of Washington County and the public safety communication tower.

OTHER BUSINESS

Reports from County Staff: Human Resources Director Bill Sonnik requested permission to advertise a Motor Equipment Operator position in the Highways Department and a Permit Technician position in the Department of Permits and Inspections. The measures were approved by unanimous vote.

Acting Director of the Division of Fire and Emergency Services, Kevin Lewis requested approval to accept the 2008 Maryland Institute of Emergency Medical Services Systems (MIEMSS) Department of Transportation Sub-award in the amount of \$2,597.00. MIEMSS administers the federal DOT transportation grant program. Washington County has received a matching grant to purchase approved highway safety traffic vests, wall mounted brackets for ECG monitors and five point straps for patient restraints for stretchers to be utilized by Emergency Medical Services personnel. The grant award represents 50% of the project cost, and the remaining funding will come from the FY '08 operating budget. The request was approved by unanimous vote. Lewis also told the Board that this week is National Telecommunicators week and that personnel will attend nationwide training sessions in Baltimore next week.

Public Works Director Joe Kroboth told the Board that notice to proceed has been issued for the Sheriff's Department to Elliott Parkway fiber optic project. The Pavement Maintenance Program is underway, Kroboth said, and noted that the price of hot mix asphalt has risen 10% over the past year.

Sheriff Doug Mullendore stated that a Warrant Task Force is under development that will serve all three law enforcement agencies in the County and will save all agencies time and money. Progress is being made on the consolidated dispatch for public safety personnel. Mullendore said there will be two sectors for dispatch in the county through the County Sheriff's Department and that the Maryland State Police will work in cooperation with the Sheriff.

COMMISSIONERS REPORTS AND COMMENTS

Commissioner Terry Baker commented on attending the Celebration of Business awards event last week, and the State of Education Address. The opening of the Girls' Softball League at Kemp's Mill Park was delayed by rain last Saturday, Baker said, and will be held This Saturday, April 19th.

Commissioner Jim Kercheval commented on the Celebration of Business, The State of Education breakfast, the reception for Delegate Serafini, and the Habitat for Humanity fund raising event. The grand opening of the Boonsboro Branch Library, held on Monday, was the culmination of cooperative efforts by the Citizens of Boonsboro, the Town of Boonsboro, the County, and State and Federal sources, Kercheval said. The Commissioner thanked all those who supported this endeavor.

Commissioner Bill Wivell commented on attending the Celebration of Business and the Boonsboro Library events. He applauded the Economic Development Commission and local businesses for a successful event honoring existing businesses. He also congratulated Boonsboro residents and the Library on the opening of the new branch library in Boonsboro.

Commissioner Kristin Aleshire reported on attending the Clear Spring Mayor and Council meeting last week, the Clear Spring Ambulance Company meeting, the Hancock EMS Company meeting, and the State of Education Address. The Boonsboro Citizens Advisory Committee discussed school issues last week. The Commissioner also commented on the reception for Delegate Serafini, the rainy opening game for the Hagerstown Suns, and a meeting of the Hagerstown Community College Alumni Association. A cost proposal for webcasting Commissioners' meetings was disseminated to the Board for discussion at a later date.



PROCLAMATION – VICTIM RIGHTS WEEK

Commissioners' President John Barr presented a proclamation to States' Attorney's Office Victims Rights Coordinator Jill Ritter and staff designating April 13-19 as Victims' Rights Week in Washington County. This annual commemorative week, first marked in 1981, allows Washington County to demonstrate its support for crime victims and those who serve them. It also educates our citizens about violence, victimization and the importance of support for victims' rights and services. The proclamation lends official recognition to the important work of helping crime victims and serving their needs.

PRIORITY RANKING FOR MARYLAND AGRICULTURAL LAND PRESERVATION PROGRAM (MALPP)

Eric Seifarth and Sara Edelman, Land Preservation Planners brought this report on Priority Ranking for Maryland Agricultural Land Preservation Program(MALPP) before the Board. The Commissioners had asked the Agriculture Advisory Board to review the existing priority ranking checklist used by Land Preservation, with special attention given to Economic Viability and to the number of potential lot rights on a prospective easement property. Since the MALPP program encourages the protection of prime soils and since large blocks of preserved land will help to prevent non-compatible residential uses near farmland, staff recommended that the maximum possible point total be maintained for the ranking categories of Soils and Proximity to other easements . The Ag Advisory Board felt that the existing checklist fits well with the provisions of House Bill 2, Priority Protection Areas. The Board did review the point range used within the checklist and felt that the point range for both soils and contiguity to other easements should stay where it currently is at 25 points. The Priority Checklist for Easement Establishment is part of the certification process which allows the county to retain an additional 42% of state Ag transfer tax. While the tax varies, in years of high farmland to residential use conversion the additional 42% has yielded several hundred thousand dollars. Discussion centered on how the start of a contiguous property block is achieved. Commissioner Aleshire asked that if projects are approved based on proximity to other approved easement areas, how would new areas get started? The Agricultural Advisory

Board and the Planning Office will review the ranking process and return information to the Board at a later date.

THE BOARD OF COUNTY COMMISSIONERS HELD A JOINT MEETING WITH BOARD OF EDUCATION AT THE NOON HOUR TO HEAR SECOND QUARTER ADJUSTMENTS TO THE FY '08 GENERAL FUND BUDGET AND A REPORT ON DEVELOPER SCHOOL MITIGATION

INDUSTRIAL EQUIPMENT LEASE PURCHASE,

County Buyer Rick Curry and Steve Zies, Deputy Director of the Solid Waste Department brought this request for Industrial Equipment leases, purchases and trade before the Board. The request was to award the bids to the responsive, responsible low bidder for the Solid Waste Department equipment as follows, contingent upon approval of the final Lease Agreement by the County Attorney and to waive the requirement for providing performance bonds. The bids were for one Crawler Bulldozer to Alban Tractor of Baltimore for a lease amount of \$37,847 per year for 5 years, plus a performance bond of \$1,800 top \$4,500, with trade of used equipment, and one Hydraulic Crawler Excavator to Valley Supply and Equipment of Hagerstown for a lease amount of \$50,074.84 per year for 5 years, plus performance bond of \$3,489.00. The measures were approved, with waiver of performance bonds, by unanimous vote.

LEACHEATE HAULING FROM SOLID WASTE DEPARTMENT,

Buyer Rick Curry and Solid Waste Deputy Director Steve Zies brought this request, to award the bid for Leacheate Hauling from Solid Waste Department sites for Disposal to the responsive, responsible low bidder, AmTran Inc., of Baltimore, MD based on the estimated quantities at unit costs in the total base bid sum of \$226,350.00. The bid was based on the combined 2008 estimates for all cells at Resh landfill, Rubble Fill cell #1, the Old City/County transfer station and 40-West landfill. The measure was approved by unanimous vote.

GENERAL FUND BUDGET WORKSHOP AND CIP REVIEW

County Budget Officer Debra Murray brought Draft #2 of the proposed General Fund Expenditures for Fiscal Year 2009 before the Commissioners, for review. Changes included the Humane Society budget, increases to the Gypsy Moth Spray program, and funding CASA at its original budget request figure. Additional information on the request by Memorial Recreation was provided. The private nonprofit agency would not be eligible to receive Program Open Space Funds and further Gaming Commission requests by the agency would be contingent on provision of information showing how previous Gaming contributions were expended. Further discussion on requests by the Washington County Volunteer Fire and Rescue Association and the Commission on Aging are needed, as well as a second review of non-profit agency requests. The Capital Improvement Project (CIP) budget review resumed with discussion on priority ranking for projects. Hagerstown Community College's CIP request included renovations to Kepler Theater in 2010-2011, but later information cited that project as taking place in 2009-2010. Further information was sought from the College on that item. In the Roads category, Eastern Boulevard widening Phases I and II would be moved

further out into the 10-year CIP, with some funding remaining in FY '09 for design. The Robinwood North project, that would widen Robinwood Drive from HCC to Maryland Route 64 was moved into out years, with funding remaining for Right-of Way purchases. Discussion on the Eastern High School being moved further out to a 2013 start took place. The items will be discussed again in the following weeks. The amount the Board intends to borrow during the coming fiscal year also needs to be decided, Murray said. Additional information on all budgets will presented in the next two weeks, prior to the public hearing scheduled for May 20th at Kepler Theater on the Hagerstown Community College campus.

HALFWAY MANOR APARTMENTS, LETTER OF SUPPORT

Jonathan Gottlieb and Brandon Healy of the Michaels Development Company brought this issue before the Board, requesting a letter of support from the Commissioners in order that the company can apply for an award of multi-family tax-exempt bonds from the Maryland Department of Housing and Community Development (MDHCD). The bonds would be utilized in the acquisition and rehabilitation of Halfway Manor Apartments, located at 11201 Scarlet Oak Drive in Hagerstown. The complex is a 100-unit family community that receives section 8 rental assistance from the Department of Housing and Urban Development. In order to qualify for the award of multi-family bonds a letter of support from the highest elected officials within the jurisdiction must accompany the application. The company stated that it was unable to obtain certain information required for the application for tax-exempt bond financing in mid-2007, and requested issuance of an updated letter of support. A similar letter of support was executed for the Halfway Manor refinancing and tax credit application dated June 11, 2007. The Maryland Department of Housing and Community Development requires that the local letter of support be dated within 90 days of the submission of the full application package. A resolution supporting the project would also be required from the Commissioners prior to the closing of the tax-exempt bond transaction. The company submitted a proposed scope of rehabilitation activity, including the full range of security improvements recommended by the County Sheriff's Department. Information describing the experience and history of Michaels Development Company and Interstate Realty Management Company was also submitted. No funding was sought from Washington County. A minor change to the letter was requested. The measure was approved on a 4-1 vote with Commissioner Aleshire voting "no".



YOUTH MERITORIOUS AWARDS

Commissioners' President John Barr presented the Youth Meritorious Awards for outstanding students for January through April, as selected by the Washington County Community Partnership for Children & Families Community Outreach Committee.

High School winner for January is Stacey Pittman a 12th Grade Student at Hancock Middle/Senior High School. Daughter of Robert and Linda Munday, Stacey is a leader in the classroom as well as an excellent student. She has been involved in the creation of the school newspaper and yearbook during her high school career. She has served as yearbook editor where she has embraced ideas from her fellow classmates and group members. Stacey participates on the school basketball and softball teams. She is also a member of the Honor Club. Stacey has proven to be an excellent worker who exhibits critical thinking skills and a strong work ethic.

The High School winner for February is Caitlin Wolfe, a 12th Grade Student at Boonsboro High School. Caitlin, daughter of Shaun Wolfe, is an Honor Roll/Honors student and President of the school Service Club. Her love of languages and travel has opened her eyes to advocating for the needs of others across the world as well as in her community. She led a school wide campaign to advocate for stopping child executions in Iran as well as other countries. Caitlin also has led the Service Club through months of preparation for a dance marathon to benefit the Washington County Chapter of the American Cancer Society. Her creativity and leadership has helped bring a sense of empowerment to the Club. Caitlin is truly a caring, responsible citizen who will no doubt be serving others all of her life using her integrity, talents and gifts.

For March 2008, the High School winner is Catherine Hess, an 11th Grade Student, Hancock Middle/Senior High School. Caty, daughter of Teresa Hess, is a very active student enrolled in Honors and AP classes. She is a member of the soccer and track teams and belongs to the Fellowship of Christian Athletes where she serves as a student leader. Caty also serves on the Prom Committee. She was member of the Girl Scouts for 11 years where she earned both the Bronze and the Silver Awards for planning community projects. Caty has served as a volunteer at Hancock Elementary for the past six years where she assists in classrooms and tutors fourth grade students. She serves as a positive role model and always strives to do her best in school and in everything she does.

Middle School honoree for April , is Emily Winters, an 8th Grade Student at Clear Spring Middle School. Emily, daughter of Zachary and Colleen Winters, is an outstanding student and citizen who has been on the Distinguished Honor Roll during her entire school career. She is a Student Council member and a Peer Leadership member. She helps with Reading Intervention, is a WEB Leader and is the school volleyball team captain. She has also been a member of the All County Chorus. Emily is a kind person and a role model for other students. Her leadership, work habits and academic accomplishments are truly outstanding.

The High School winner for April is Kirsten Humphrey , a 12th Grade Student, at Boonsboro High School. Daughter of Timothy and Laura Humphrey, Kirsten is an outstanding young woman. She is talented, hard-working, and a dedicated student who goes above and beyond the expectations for all assignments. She is curious and creative and helps make the classroom experience richer for both her teachers and her peers. Kirsten serves as the secretary for the school's Chapter of the National Honor Society. In her role, she is organized, prompt, and takes on the duties of other officers when they are unable to perform. She has been very active in the Chapter's tutoring program, as well as the chairperson of the Chapter's American Red Cross gift-wrapping project.

UNION BARGAINING AGREEMENT

Human Resources Director Bill Sonnik and members of the union negotiating team brought the Union bargaining agreement for the coming five years before the Board, with a request to accept the final version of the Memorandum of Understanding dated July 1, 2008 to June 30, 2013 between the County and Local 2677 of the American Federation of State, County and Municipal Employees. Bargaining began between the union and the County in February and concluded on March 28, 2008. Agreement was reached on a new 5-year contract between the parties. All issues between the parties have been resolved and all that is left is for the Commissioners to agree and for union member ratification. Fiscal Impact would be less than \$10,000 over the life of the agreement. Employees on the Highways, Transit, Solid Waste and Emergency Communications Departments are members of that union local. Local official Doug Levine accepted the agreement on behalf of the union and the documents were signed by all parties. The Local ratified the agreement at its Monday meeting.

SCHOOL MITIGATION, SHENANDOAH ESTATES

Planning Director Mike Thompson and Attorney Jason Divelbiss brought this request for approval of a school mitigation proposal before the Board for an eight unit single-family development located on Bakersville Road, known as Shenandoah Estates, under Section 9.1 of the Adequate Public Facilities Ordinance. The applicant, John R. Oliver Company, holds the position that the elementary and middle schools will be adequate with the implementation of the approved district realignment. The proposal to mitigate the high school situation is for the payment of a mitigation fee in the amount of \$29,808.00 as a condition of recording the final plat and to pay the current excise tax of \$13,000.00 for each single-family dwelling, notwithstanding any change higher or lower in the applicable tax rate. The Board of Education was invited to comment on the proposed development plan and has stated in both March 1, 2007 and August 27, 2007 letters to staff that they cannot support further enrollment growth in the feeder pattern

from new residential growth. Fountain Rock Elementary, Springfield Middle, and Williamsport High School serve the development. The recent realignment by the Board of Education leaves the development in the Fountain Rock Elementary school district, but will result in approximately 133 students being shifted out of Fountain Rock into the new Rockland Woods Elementary school, which would free up some capacity at Fountain Rock. The State Rated Capacity for Fountain Rock is 298 and 90% of State Rated Capacity is the number used in the Adequate Public Facilities Ordinance to determine whether or not an elementary school is over capacity and this number is 269. Based on the December 2007 Board of Education numbers, if 130 students are shifted, enrollment would be below the 90% figure. Springfield Middle School is currently at 93% of capacity and is therefore, at an acceptable capacity under the APFO. However, Williamsport High School is currently at 101% of capacity and fails the APFO test. In addition, based on the APFO formula incorporating background information the capacity of the high school would be 104% of capacity. The measure, to approve the mitigation, with excise tax to be paid at \$13,000 per unit or the higher amount of the excise tax based on square footage, was approved on a 4-1 vote with Commissioner Aleshire voting "no".

APFO SCHOOL MITIGATION PROPOSAL, RAY & GENEVA CLARK

Planning Director Mike Thompson and Attorney Jason Divelbiss brought this request for approval of a School Mitigation Proposal for one proposed single-family lot under Section 9.1 of the Adequate Public Facilities Ordinance before the Board. The proposal would permit the development of one additional single-family lot. Amendments to Adequate Public Facilities Ordinance in regard to school testing were made in 2005 and one of the changes made was to exempt minor subdivisions of five lots or less from the testing. The other goal was to ensure piecemeal development was not done to get around the provisions of the ordinance. Staff established January 1, 2004 as the date after which the cumulative number of lots would be counted to determine a major or minor subdivision existed and that APFO testing was required prior to approval. In this instance, one lot was approved in 2005 and the other four lots were approved in 2007. This being the sixth lot, it is subject to APFO testing and fails the APFO school test, resulting in the request for approval of a mitigation proposal. The lot is located in the Clear Spring Elementary, Middle and High School Districts. The schools are now shown to be at at 107%, 73% and 95% of state-rated capacity. Based on this information, Clear Spring Elementary School is the only school currently over capacity based on the APFO. The developer's representative in his letter states that based on the Pupil Generation Rates adopted by the Board in January 2008, the proposed lot will generate 0.38 elementary school students, which is less than one half student and the Board should consider rounding down. The letter further states that the lot is intended for the granddaughter of the owner and the remaining 100 plus acres in the parcel are proposed for placement in the permanent agricultural preservation program. Staff has received an application for consideration. Approval of the mitigation plan would provide for the payment of \$1,000.00 over and above the required current excise tax of the \$13,000.00. Commissioner Aleshire made a motion to approve the measure without an additional \$1,000, and only the applicable Excise Tax paid. The measure was approved on a 3-2 vote with Commissioners Wivell and Kercheval voting "no".

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