



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

December 10, 2024

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

A moment of silence was observed, followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President John F. Barr called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 9:01 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey, Commissioner Randall E. Wagner and Commissioner Wayne K. Keefer.

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the minutes of November 19, 2024. The motion passed unanimously (5-0).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner attended the Salvation Army Bell Ringing at the Valley Mall. He attended the Pittsburgh Institute of Aeronautics groundbreaking ceremony. Commissioner Wagner attended the Parks and Recreation opening day of the girls volleyball season at Hagerstown Community College. He attended Toys for Tots at Antietam Brewery. Commissioner Wagner attended the Land Use Council monthly meeting.

Commissioner Keefer did not have any comments.

Commissioner Harvey recognized the passing of Smithsburg Town Council member Michael Schwartz.

Commissioner Cline congratulated Georgene Charles for a successful 34th Illumination celebration at Antietam Battlefield. He attended the Parks and Recreation opening day of girls volleyball. Commissioner Cline attended the Boonsboro Santa Claus Parade and lighting of the park. He attended the Tonoloway Hunt Club Deer Camp meeting. Commissioner Cline attended Martha's House recognition of volunteers. He attended the Community Foundation Volunteer of the Year Awards ceremony and recognized award recipient Carla Charles for her work with Reach and St. John's Family Shelter. Commissioner Cline attended the Pittsburgh Institute of Aeronautics groundbreaking ceremony. He attended the grand opening of Sweet Treats and Ruths Market in Williamsport. Commissioner Cline attended the Park and Recreations Turkey Trot on Thanksgiving Day.

Commissioner Barr attended the 38th class of Leadership Washington County. He attended the Feast and Frolic fundraiser for the University of Maryland Hagerstown Campus. Commissioner Barr commented that he will be attending the MACo Winter Conference and will be joining the MACo Board as a member again. He will also be attending the quarterly meeting for the Governor's Board Service and Volunteerism. Commissioner Barr shared upcoming events.

STAFF COMMENTS

Dawn Marcus, County Clerk, presented the request to approve the appointment of Dwayne Freeman to serve a first, full three-year term, from December 1, 2024, through November 30, 2027, on the Washington County Recreation and Parks Advisory Board, as the non-voting/ex-officio member from the Washington County Public Schools. This is not a paid board.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the appointment of Dwayne Freeman as presented. The motion passed unanimously (5-0).

Michelle Gordon, County Administrator congratulated President Barr on his appointment to the MACo Board. She attended the Salvation Army Bell Ringing along with other County staff. Mrs. Gordon attended the Parks and Recreation opening day of the girls volleyball season. She thanked staff for coordinating the youth sports program and HCC for their partnership and use of their facilities. Mrs. Gordon shared information on the next meeting.

CITIZEN PARTICIPATION

Stephanie Phillips - Hagerstown

RECESS**PUBLIC HEARING – PROPOSED FEE SCHEDULE FOR CIVIL VIOLATIONS OF THE WASHINGTON COUNTY ZONING ORDINANCE**

President Barr convened a Public Hearing at 9:32 a.m. to obtain public comment for the proposed fee schedule for civil violations of the Washington County Zoning Ordinance.

Jill Baker, Director, Planning and Zoning, presented the purpose of this public hearing is to receive public comments on the proposed fee schedule. Pursuant to Maryland Annotated Code, §11-201 et. seq. of the Land Use Article, a legislative body of a county may provide a civil penalty for a zoning violation in the form of a fine. In addition, a legislative body may impose a fine not to exceed \$500.00 for each violation that occurs. Zoning violations typically fall under one of three categories, junk and/or junk vehicles, animal husbandry violations, and uses that are operating without proper zoning permits. Currently, each of these violations carries a fine of \$500.00 per citation; the maximum fine permitted by law. These amendments seek to temper those fines for first-time/one-time offenders and provide an increasing scale of fines for repeat offenders.

The Public Hearing was opened for public comment:

Paulie Ward, Hagerstown

The Public Hearing was opened for Commissioner comments:

There was Commissioner request for clarification of the policies on junk vehicles, project vehicles, vehicles used for parts and application of the policies; animal husbandry fine amounts, domestic animals, domesticated farms animals.

Ms. Baker shared they are reviewing amending the ordinance for junk vehicles to allow 1 – 2 vehicles with restrictions.

The Public Hearing was closed at 10:01 a.m.

The Commissioners reached a consensus (5-0) to have the issue brought back at a future meeting once the ordinances have been revised.

PRESENTATION OF THE JUNE 30, 2024 AUDITED FINANCIAL STATEMENTS

Chris Lehman, Partner in SB & Company; and Kelcee Mace, Chief Financial Officer, reviewed the external independent auditors scope of services, the audit process, and required communications. They also reviewed the results of the audit report. They shared a slide presentation. Ms. Mace provided a review of the General Fund for FY24.

AMERICAN RESCUE PLAN ACT (ARPA) ALLOCATIONS

On Behalf of the ARPA Committee; Kelcee Mace, Chief Financial Officer, Andrew Eshleman, Director of Public Works, and Dave Hays, Director of Emergency Services, presented a request to approve the ARPA Committee's recommendations for reallocating funds. The ARPA Committee is requesting to reallocate \$152,948.00 remaining from projects that are complete and \$3,281,602.00 remaining from the Ag Center Multi-Use Building, for a total of \$3,434,550.00. The recommendations of the ARPA Committee are as follows:

- \$3,000,000.00 to be reallocated to the Public Safety Training Center (PSTC) Tactical Village project for the high bay storage building.
- \$434,550.00 to be reallocated to a new project that would design and build an all-inclusive playground at Marty Snook Park. The new playground will include play areas for ages 2-5 and 5-12, rubber surfacing and accessible routes to playground facilities and restrooms, sensory areas, shaded gathering areas and seating, fenced in play area, and equipment for inclusive play and socialization for all children.

Commissioner Wagner, seconded by Commissioner Cline moved to separate the approvals of the ARPA allocations as presented. The motion passed unanimously (5-0).

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the ARPA allocation in the amount of \$3,000,000.00 to be reallocated to the PSTC Tactical Village project as presented. The motion passed unanimously (5-0).

There was additional Commissioner discussion regarding the reallocation of the remainder of the funds and the request to be briefed on the funding recommendations prior to the meeting request and consideration for additional public safety needs.

County Administrator, Michelle Gordon recommended revising the remaining amount to different sources. She recommended \$100,000.00 be reallocated to general parks and recreation improvements and the remaining \$334,550.00 be reallocated back to PSTC Tactical Village project. The request for additional public safety needs can be reviewed with potential future allocations from the Capital Fund.

Commissioner Cline, seconded by Commissioner Harvey, moved to approve the ARPA allocation in the amount of \$100,000.00 to be reallocated to general parks and recreation and to reallocate the remainder of \$334,550.00 as additional funding to the Public Safety Training Center Tactical Village Project. The motion passed unanimously (5-0).

DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT - STRATEGIC PLANNING UPDATE FROM RKG ASSOCIATES, INC. (CONSULTANTS)

Jonathan Horowitz, Director, Business and Economic Development; Kyle Talente, President, RKG Associates, Inc.; and Luke Pullo, Associate, RKG Associates, Inc., presented an update from the planning consultant group on the progress and direction of the planning process of a new economic development strategic plan. They presented a handout "Strategic Economic Development Plan" to the Board of County Commissioners.

CONTINGENT APPROVAL OF DESIGN/BIDDING SERVICES AGREEMENT RELATED TO AIRPORT TERMINAL EXPANSION PROJECT

Neil Doran, Director, Hagerstown Regional Airport; and Andrew Eshleman, Director, Public Works, presented the request for a motion to empower the Airport Director to execute design and bidding services agreement with ADCI for \$693,877.00 contingent upon receipt of an Independent Fee Estimate (IFE) and obtaining FAA concurrence of award.

Commissioner Wagner, seconded by Commissioner Cline, moved to empower the Airport Director to execute the design and bidding services agreement with ADCI as presented. The motion passed unanimously (5-0).

MARYLAND AGRICULTURAL LAND PRESERVATION PROGRAM (MALPP) 60/40 MATCH FOR FY2026

Chris Boggs, Rural Preservation Administrator, Planning and Zoning, presented the request to approve a \$1,300,000.00 commitment from the County Real Estate Transfer Tax Reserve to the 60/40 match component of the MALPP easement program for the FY2026 Cycle.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the commitment of \$1,300,000.00 to MALPP as presented. The motion passed unanimously (5-0).

ESTABLISHMENT OF ADNA FULTON FOREST MITIGATION BANK

Travis Allen, Senior Planner, Planning and Zoning, presented the request to approve Adna Fulton forest mitigation bank and recordation of the Deed of Conservation Easement. Application has been made to establish a new forest mitigation bank on Alt-40 near Roxbury Rd. Forest mitigation banks are established to provide off-site mitigation for development projects that must offset regulated forest clearing under the County's Forest Conservation Ordinance (FCO). The site would retain a significant block of existing forest alongside Antietam Creek. A Forest Mitigation Bank Easement, an access easement and a Declaration of Maintenance and Inspection Covenants will be recorded.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the establishment of the Adna Fulton forest mitigation bank and recordation of the Deed of Conservation Easement as presented. The motion passed unanimously (5-0).

BID AWARD (PUR-1715) – CISCO MERAKI HARDWARE LICENSING

Brandi Kentner, Director, Purchasing; and Josh O'Neal, Chief Information Officer, Information Systems, presented the request to award the bid for Cisco Meraki Hardware and Licensing Resolution to the responsive, responsible bidder GHA Technologies Inc., of Scottsdale, AZ, with the lowest bid price of \$832,395.97.

Commissioner Harvey, seconded by Commissioner Cline, moved to award the bid for Cisco Meraki Hardware and Licensing Resolution to GHA Technologies Inc., as presented. The motion passed unanimously (5-0).

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Cline, moved to convene in closed session at 11:36 a.m. The motion passed unanimously (5-0).

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 individual.

(1) These topics include the discussion of confidential personnel matters:

- Open Position in Marketing/PR Department;
- Discussion of interpretation of personnel policy; and

To consider a matter that concerns the proposal for a business to remain in the State.

- Funding discussion of retention project to keep a business from moving out of the County; and

To consult with counsel to obtain legal advice on a legal matter.

- Update from County Attorney on County involved legal matters.

In closed session, the Commissioners discussed; and reached a consensus to:

- Hiring recommendations for the Department of Public Relations and Marketing;
- Discussion of personnel policy PR-5 ;
- Discussion of retention project to keep a business from moving out of the County; and
- Received and update on County involved legal matters.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne K. Keefer and Randall E. Wagner; Dawn L. Marcus, County Clerk and Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Deputy County Attorney; Aaron Weiss, Assistant County Attorney; Chip Rose, Director, Human Resources; and Dominick Turano, Deputy Director, Human Resources; Andrew Eshleman, Director, Public Works; Andrew Serafini; and Jonathan Horowitz, Director, Business and Economic Development.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Cline, moved to reconvene in open session at 1:05 p.m. The motion passed unanimously (5-0).

RECESS

BOARD OF COUNTY COMMISSIONERS ATTENDED A LUNCHEON WITH THE DEPARTMENT OF SOCIAL SERVICE, AT SAFE PLACE CHILD ADVOCACY CENTER, 24 NORTH WALNUT STREET, SUITE 201, HAGERSTOWN, MARYLAND 21740 AT 1:00 P.M.

EVENING MEETING AT THE TOWN OF SHARPSBURG
Location: 106 EAST MAIN STREET
SHARPSBURG, MARYLAND

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Reverend Delancy Catlett, followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President John F. Barr called the evening meeting of the Board of County Commissioners of Washington County, Maryland, to order at 6:00 p.m. with the following members present: Commissioner Derek Harvey, Commissioner Randall E. Wagner and Commissioner Wayne K. Keefer. Vice-President Jeffrey A. Cline was absent.

TOWN OF SHARPSBURG LEADERS' REPORTS AND COMMENTS

Mayor Russ Weaver commented on water and sewer rates, costs for a treatment facility, ground water under the influence issues, and the well drilling project. He commented on lead connecting pipes to the homeowners meters. Mayor Weaver commented on preservation of farmland and the Rural Business District zoning and solar farms. He shared his appreciation of the resident Sheriff Deputy Dakota Watkins and Sheriff Brian Albert. Mayor Weaver presented a t-shirt to the County Commissioners and commented on running a social experiment with governmental social interactions. He shared his appreciation of County staff.

Debra Smith, Town Administrator commented on Maryland Department of the Environment rankings and grants.

Tim Lung, Zoning Administrator thanked County Director's Jill Baker and Greg Cartrette for their quick responses to the Town. He commented on complaints with the Green Hill Farm Events Center. He requested information regarding the Comprehensive Plan.

COMMISSIONERS' AND COUNTY ADMINISTRATOR'S REPORTS AND COMMENTS

Commissioner Wagner commented on the well drilling costs and possible allocation of ARPA funding. He commented on Green Hill Farm issues. Commissioner Wagner thanked the Town for their input and the Town's hospitality.

Commissioner Harvey commented on the well drilling costs and possible allocation of ARPA funding, Maryland Department of Environment grants. He commented on Rural Business District zoning language. Commissioner Harvey thanked the town for hosting the meeting.

Commissioner Keefer commented on building of a new well and savings of costs. He commented on the Comprehensive Plan and requested a summary report of citizen concerns. He thanked the town for hosting the meeting and commented on the Town's Christmas lights.

Commissioner Barr commented on the Sharpsburg religious services and the sunrise service on the hill. He shared his concerns about the Green Hill Farm events. Commissioner Barr thanked the Mayor for their relationship between the Town and the County. He thanked County staff for attending the meeting.

Michelle Gordon, County Administrator, shared information regarding ARPA funds. She shared information received from staff regarding state funding for lead pipe replacement. Mrs. Gordon commented that she has lived in the area all of her life and thanked the Town for hosting the meeting.

CITIZENS' PARTICIPATION

There was no citizen participation.

STAFF COMMENTS

Joe Moss, Director, Deputy Director of Engineering, Sewer and Water Quality, commented on the lead connecting pipes project.


Jill Baker, Director of Planning and Zoning commented on the Green Hill Farms Event Center complaints. She commented on Rural Business District zoning and legislation being introduced regarding solar farms. Ms. Baker commented on Rural Legacy easements.

Zachary Kieffer, County Attorney, commented on the Rural Business Overlay and opportunities for the town to participate during the public meeting and the public hearing.

Jonathan Horowitz, Director, Business and Economic Development, recognized Nutters Ice Cream shop for winning the Ice Cream Trail two years in a row.

ADJOURNMENT

Commissioner Harvey, seconded by Commissioner Wagner, moved to adjourn at 6:55 p.m. The motion passed unanimously (4-0).



Dawn L. Marcus, *County Clerk*

