



## Board of County Commissioners of Washington County, Maryland

### *Open Session Minutes*

April 15, 2025

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation presented by Reverend Dionne Hall, 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 9:00 a.m. with the following members present: Vice-President Jeffrey A. Cline, and Commissioner Randall E. Wagner. Commissioner Derek Harvey joined the meeting at 9:04 a.m.

President John F. Barr recited the rules of Meeting Conduct and Meeting Sequence.

#### **CITIZEN PARTICIPATION**

Curtis Reigh – Hagerstown  
Dave Williams – Smithsburg  
Jeremy Tindal – Hagerstown  
Jill Katz – Hagerstown  
Arthur Larue - Hagerstown

#### **RECESS**

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation presented by Reverend Dionne Hall, 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 10:00 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey and Commissioner Randall E. Wagner.

#### **APPROVAL OF MINUTES**

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the minutes of March 25, 2025. The motion passed unanimously (4-0).

#### **COMMISSIONERS' REPORTS AND COMMENTS**

Commissioner Wagner thanked the 911 Dispatch Telecommunicators and staff at the 911 Center. He attended the luncheon at the 911 Center. Commissioner Wagner attended the Airport Advisory Committee meeting. He commented on the airport and aviation traffic.

Commissioner Harvey commented on County staff, the County Administrator and Directors of County Departments. He recognized all staff as hard-working civil servants.

Commissioner Cline agreed with Commissioner Harvey on his comments regarding staff. He recognized the 911 Dispatchers for Telecommunicators Week. Commissioner Cline attended the luncheon at the 911 Center. He attended a ceremony at the Williamsport Memorial Library regarding the 90th Anniversary of the Rockville Tragedy accident. Commissioner Cline attended the Sharpsburg Volunteer Fire Department Open House for Home-school Day. He attended the Town of Hancock meeting and presented a plaque to Clarence Pryor, WWII Veteran, who celebrated his 100<sup>th</sup> birthday. Commissioner Cline was a guest judge for food preparation of four Scout Troops from South County at the Scout Dutch Oven contest. He shared there will be a public meeting on Wednesday April 16<sup>th</sup>, 2025, for discussion regarding the closing of the bridge in Clear Spring.

Commissioner Barr agreed with the comments regarding County staff. He appreciates the comradery, professionalism, hard work and dedication of County Staff. He attended the Clear Spring High School Drama Club event featuring Neil Simon's play The Odd Couple. Commissioner Barr attended the Once Upon a Mattress show presented by the students at the Barbara Ingram School for the Arts. He attended the Maryland Department of Public Safety and Correctional Services Reentry Symposium. Commissioner Barr commented on his discussions with legislators and concerns over changes to the budgets. He shared upcoming events.

#### **STAFF COMMENTS**

Chip Rose, Director of Human Resources, presented the request to offer a transitional contract to Colonel Pete Lazich. The contract will be effective from July 1, 2025, through December 31, 2026. This will allow for consistency and continuity with Brian Albert's appointment as the Sheriff. Staff are requesting the contract salary be based on his previous salary of FY2025 which is \$83.13 per hour.

Commissioner Harvey, seconded by Commissioner Wagner, moved to offer a transitional contract to Colonel Pete Lazich as presented. The motion passed unanimously (4-0).

Chip Rose, Director of Human Resources, presented the request to reclassify the Caseworker position in the States Attorney's Office. The current position is a Grade 8, Step 16, the new position which is a Digital Evidence Technician is a Grade 10, Step 1. Despite the differences in the grade, the reclassification will save the County \$15,413.00 per year.

Commissioner Harvey, seconded by Commissioner Cline, moved to approve the reclassification of the position as presented. The motion passed unanimously (4-0).

Carsten Ahrens, Office of Grant Management; and Lieutenant Daniel Monn, Washington County Sheriff's Office, presented the request to approve to submit the application for grant funding for the Warrant Apprehension Program in the amount of \$49,980.00.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve to submit the application for the Warrant Apprehension Program Grant as presented. The motion passed unanimously (4-0).

Carsten Ahrens, Office of Grant Management; and Lieutenant Daniel Monn, Washington County Sheriff's Office, presented the request to approve the application for grant funding for the FY2026

Domestic Violence Program to provide overtime funding for training and personnel to enter protective orders which are required to be entered into the requisite system.

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve to submit the application for the Domestic Violence Grant as presented. The motion passed unanimously (4-0).

Carsten Ahrens, Office of Grant Management; and Lieutenant Daniel Monn, Washington County Sheriff's Office, presented the request to approve to submit the application for grant funding for the FY2026 Police Recruitment and Retention Grant Program from the Governor's Office of Crime Prevention Youth and Victim Services in the amount of \$48,980.00.

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve to submit the application for the FY2026 Police Recruitment and Retention Grant as presented. The motion passed unanimously (4-0).

Dawn Marcus, County Clerk, presented the request to approve the reappointment of Dawn Wintermoyer, to serve a second two-year term from March 1, 2025, through February 28, 2027, on the Gaming Commission.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the reappointment of Dawn Wintermoyer as presented. The motion passed unanimously (4-0).

Michelle Gordon, County Administrator, shared information regarding the April 16, 2025, public meeting at the Clear Spring High School to discuss the detour of Route 40 for the State Bridge Replacement Project. She commented on the recently approved Cell Tower on Route 67; which was approved by the Board of Zoning Appeals (BZA) and not by the County Commissioners, the Board of Zoning Appeals is a quasi-judicial board that is autonomous from the Commissioners, the public hearing was held on April 2, 2025 and the public comment period has closed, a decision was made at the April 2, 2025 meeting to approve the cell tower, the Board of County Commissioners were not involved in that decision and by law cannot overturn or interfere with the final decision, citizens have the option of appealing the BZA decision to the Circuit Court for Washington County. Ms. Gordon thanked the 911 Telecommunicators in honor of 911 Telecommunicators Week for their service.

Ms. Gordon requested a consensus for a letter of support for USMH, they are seeking grant funding for engaging families in early learning through the Maryland Elevate Grant Program for the FY2026 project. This will provide inclusive early learning programs for free for rural children. They are not seeking any funding from the County at this time.

The Commissioners reached a unanimous consensus (4-0) for the letter of support to USMH.

Ms. Gordon requested a consensus for a letter of support to USA Softball for the 2027 USA Softball Eastern National Girls Fast Pitch Tournament. The Hagerstown Girl's Softball Tournament here is

seeking support from the Board to host that fast pitch tournament locally in Hagerstown at various parks throughout the County. They are not seeking any funding from the County at this time.

The Commissioners reached a unanimous consensus (4-0) for the letter of support to USA Softball.

**1. ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO) MITIGATION REQUEST – ELMWOOD FARMS SECTION 5D**

William C. Wantz, Attorney; Jim Fitzgerald and John Dallavalle, Owner, presented the request to approve APFO mitigation request for Elmwood Farms Section 5D subdivision plat. The original Elmwood Farm preliminary plat was approved in February 2005. The request is identical to two previously approved by the Board of County Commissioners and is applicable to the remaining lots in Section 5D. He provided a handout.

Commissioner Cline left the meeting at 10:33 a.m. and returned at 10:34 a.m.

Michelle Gordon, County Administrator, shared the Memorandum from the Director of the Department of Planning and Zoning.

Staff will work with the Developer to bring mitigation options back before the Commissioners for further consideration.

**2. SWOPE ROAD PROPERTY ACQUISITION**

Scott Hobbs, Director, Engineering, presented the request to approve the option agreements for partial property acquisition and conveyance of existing right-of-way including fee simple and easements for 21410 Swope Road; and approve an ordinance approving said purchase; and to authorize the execution of the necessary documentation to finalize the acquisition.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the option agreements for partial property acquisition and conveyance of existing right-of-way including fee simple and easements for 21410 Swope Road and to authorize the ordinance and execute as presented. The motion passed unanimously (4-0).

**3. CONSTRUCTION BID AWARD PAVEMENT MAINTENANCE & REHABILITATION PROGRAM FY25 CHIP SEAL APPLICATIONS, CONTRACT NO. MS-PMP-314-28**

Scott Hobbs, Director, Engineering, presented the request to award the bid for the Pavement Maintenance & Rehabilitation Program FY'25 Chip Seal Applications contract to the lowest responsive, responsible bidder, Russell Standard Corp., of Fayetteville, PA for the amount of \$1,362,145.30 which includes the option to extend the contract for a period of up to two, one-year extensions.

Commissioner Wagner, seconded by Commissioner Cline, moved to award the bid for the Pavement Maintenance & Rehabilitation Program FY'25 Chip Seal Applications to Russell Standard Corp., as presented. The motion passed unanimously (4-0).

**4. CONSTRUCTION BID AWARD – PROFESSIONAL BOULEVARD PHASE III/IV**

Scott Hobbs, Director, Engineering, presented the request to award the Professional Boulevard Phase III/IV contract to the lowest responsive, responsible bidder, C. William Hetzer of Hagerstown, Maryland in the amount of \$2,184,611.00 for the extension of Professional Boulevard from Yale Drive to Rosewood Village.

Commissioner Wagner, seconded by Commissioner Harvey, moved to award the Professional Boulevard Phase III/IV contract to C. Willian Hetzer as presented. The motion passed unanimously (4-0).

**5. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-25-0187) PAVEMENT CONDITION SURVEY**

Brandi Kentner, Director, Purchasing; and Scott Hobbs, Director Engineering presented the request to authorize by Resolution for the Division of Engineering to purchase pavement scanning services from StreetScan USA, INC. of Wakefield MA at the contracted unit prices totaling \$207,770.00 based on the contract awarded by Pierce County, Washington, SC-110361 Pavement Scanning Services.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize by Resolution for the Division of Engineering to purchase pavement scanning services from StreetScan USA, INC. as presented. The motion passed unanimously (4-0).

**6. BID AWARD (PUR-1728) CELLULAR REMOTE MONITORING FOR PUMPING STATIONS**

Brandi Kentner, Director, Purchasing; and Mark Bradshaw, Director, Environmental Management, presented the request to award the procurement of a cellular remote monitoring and control system, for the Washington County Department of Water Quality to STH, Inc (Shafer, Troxell & Howe, Inc.) of Frederick, MD for a Total Sum Bid Price of \$210,740.00. This award is contingent upon receiving approval from the EPA.

Commissioner Wagner, seconded by Commissioner Harvey, moved to award the procurement of a cellular remote monitoring and control system, for the Washington County Department of Water Quality to STH, Inc., as presented. The motion passed unanimously (4-0).

**7. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-25-0186) FIRE TRAINING TOWER**

Brandi Kentner, Director, Purchasing; and Kevin Lewis, Director – Training and Quality Assurance/Quality Control, Emergency Services, presented the request to authorize by Resolution for the Division of Emergency Services to purchase a fire training tower from WHP Trainingtowers of Grandview, MO based on its proposal dated April 1, 2025, for a total proposal price of \$1,608,582.75 and to utilize another jurisdiction's contract (#011822-JHK) that was awarded by Sourcewell to WHP Trainingtowers.

Commissioner Cline, seconded by Commissioner Wagner, moved to authorize by Resolution for the Division of Emergency Services to purchase a fire training tower from WHP Trainingtowers as presented. The motion passed unanimously (4-0).

**8. BID AWARD (PUR-1732) GRINDER PUMPS FOR THE DEPARTMENT OF WATER QUALITY (DWQ)**

Carin Bakner, Buyer, Purchasing; and Joe Moss, Deputy Director-Engineering, Environmental Management, presented the request to award the procurement of sixty (60) Liberty grinder pumps and fifty-two (52) Liberty control panels to the responsive, responsible bidder, BT Plumbing Supply, Inc. of Finksburg, MD, for a Total Sum Bid Price of \$123,436.00.

Commissioner Harvey, seconded by Commissioner Wagner, moved to award the procurement of sixty (60) Liberty grinder pumps and fifty-two (52) Liberty control panels to BT Plumbing Supply, Inc., as presented. The motion passed unanimously (4-0).

**9. UPDATE GENERAL AGREEMENT WITH NATIONAL PARK SERVICE**

Jaime Dick, Deputy Director- Parks & Recreation, Public Works, presented the request to approve the execution of the updated General Agreement with National Park Service. The National Park Service is updating the General Agreement with Washington County with regards to the Appalachian National Scenic Trail which transverses through Pen Mar Park.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the execution of the updated General Agreement with National Park Service as presented. The motion passed unanimously (4-0).

**10. JAIL BASED MEDICATION ASSISTED TREATMENT (MAT) PROGRAM – APPROVAL TO SUBMIT APPLICATION AND ACCEPT FUNDING AS AWARDED**

Carsten Ahrens, Senior Grant Manager, Grant Management; and Meaghan Willis, Program Director, Day Reporting Center, presented that there is a correction to the ARF. The correction is that this request is for the Washington County Day Reporting Center not the Jail Based Medication Assisted Treatment Program. The Washington County Day Reporting Center (WCDRC) is requesting approval to submit an application to the Governor's Office for Crime Prevention, for \$270,000.00 and accept any awarded funding.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve submission of the application and accept funding as awarded for the Day Reporting Center as presented. The motion passed unanimously (4-0).

**11. PUBLIC SAFETY TELECOMMUNICATORS WEEK PROCLAMATION**

The Board of County Commissioners presented a proclamation to Alan Matheny, Director, Emergency Management and 911 Telecommunicators staff for Public Safety Telecommunicators Week.

**CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Harvey, moved to convene in closed session at 11:26 a.m. The motion passed unanimously (4-0).

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 individuals.

- (1). Confidential personnel matters to be discussed.
  - Appointment to Agricultural Education Center Advisory Board.
  - Presentation of Hiring Recommendation for Division of Solid Waste.
  - Discussion of discipline of County employee.

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

- (7). Providing legal advice to the Board is covered by attorney/client privilege.
  - Discussion related to negotiation of amendment to contract and legal advice pertaining to amendment. Open session discussion of this item would weaken County bargaining position.
  - Discussion of potential litigation and settlement discussion with counsel.

Consult with staff, consultants or other individuals about pending litigation.

- Discussion of settlement of County-involved litigation.

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

- Hiring of Superintendent of Landfill Operations, Solid Waste;
- Discipline of County employee;
- For boards and commissions appointments and reappointments to the Washington County Agricultural Education Center;
- Legal advice regarding negotiation of contract amendment;
- Legal advice regarding potential litigation and settlement;
- Legal advice and updates on pending litigation matters for which the County is a party.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey 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; Victor Scarpelli, Assistant County Attorney; Thomas Gozora, Facilities Manager, Agricultural Education Center; Jaime Dick, Deputy Director, Parks and Recreation; David Mason, Deputy Director, Solid Waste; Brandi Kentner, Director, Purchasing; Chip Rose, Director Human Resources; Laura McKenzie, Counsel; Kelcee Mace, Chief Financial Officer and Maria Kramer, Director, Grant Management.

#### **RECONVENE IN OPEN SESSION**

Commissioner Harvey, seconded by Commissioner Cline, moved to reconvene in open session at 12:38 p.m. The motion passed unanimously (4-0).

#### **ADJOURNMENT**

Commissioner Harvey, seconded by Commissioner Wagner, moved to adjourn at 12:38 p.m. The motion passed unanimously (4-0).



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Dawn L. Marcus, *County Clerk*

