



## Board of County Commissioners of Washington County, Maryland

### *Open Session Minutes*

February 3, 2026

#### **STATE OF THE COUNTY PRESENTATION**

The Commissioners attended the State of the County presentation at Fountainhead Country Club, 13316 Fountain Head Road, Hagerstown, Maryland 21742, hosted by the Hagerstown-Washington County Chamber of Commerce. Commissioner Derek Harvey was absent.

The Commissioners departed for 100 West Washington Street, Hagerstown, Maryland, at 9:00 a.m.

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

Invocation presented by Rabbi Marc Perman, 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 9:35 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Randal A. Leatherman and Commissioner Randall E. Wagner. Commissioner Derek Harvey was absent.

#### **APPROVAL OF MINUTES**

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the minutes of December 16, 2025. The motion passed unanimously (4-0).

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

Commissioner Wagner thanked the Chamber of Commerce and County staff for organizing the State of the County presentation. He thanked the County's First Responders and essential employees for their work during the recent snow storm. Commissioner Wagner commented on the long hours worked and the exceptional job clearing the roadways by the Highway's Department.

Commissioner Leatherman commented on the recent snow event, he recognized the high level of response from our Highways Department, Sheriff's Department, Fire and Rescue and Emergency Medical Services Responders and 911 Emergency Communications staff. He recognized Girls Inc. for their service to the Community. Commissioner Leatherman attended the Clear Spring Volunteer Fire Company's Annual Awards banquet. He recognized Clearspring for the new rescue squad that they put into service

Commissioner Cline thanked the Highways Department and the First Responders for their work during the recent snow storm. He congratulated Grayson and Michael Wynkoop on earning their Eagle Scout Badge of Honor. Commissioner Cline attended the Clear Spring Volunteer Fire Company's Annual awards banquet. He attended the Boonsboro Fire Company Annual Awards banquet. Commissioner Cline commented on the Girls Inc. Muddy Mommas event. He thanked staff who participated, produced or were involved with the presentation of the State of the County.

Commissioner Barr shared his condolences on the passing of County Highways Department employee Timothy Mellott. He attended the Clear Spring Volunteer Fire Department Annual Awards banquet. Commissioner Barr recognized the Leadership of Clear Spring Volunteer Fire Department for the

event. He attended the grand opening of the Washington County Housing Authority offices in Williamsport. Commissioner Barr attended the Maryland Symphony Youth Orchestra Woodwind Quartet All County Concert at North High School. He attended the Martin Luther King Lift Every Voice and Sing event at the Hagerstown Community College. Commissioner Barr commented on Washington County Day in Annapolis and recognized the Chamber of Commerce, the Greater Hagerstown Committee and the Public Relations and Marketing Department for their preparations of the event. He commented on the Washington County Ground Hog Day Event held at the Washington County Agricultural Center.

### **STAFF COMMENTS**

Zachary Kieffer, County Attorney, shared a request for a consensus to submit a letter of opposition to House Bill (HB) 99 which would expand a municipalities authority to rezone recently annexed property based on either the County's current zoning or Comprehensive Plan recommendations. Currently a municipality may rezone property absent express approval from the County only based on substantial similarity to County zoning. This was a bill that was submitted last year, and the Commissioners unanimously opposed it as well.

The Commissioners reached a unanimous consensus (4-0) to send the letter of opposition for HB99.

Michelle Gordon, County Administrator, presented the request for a consensus to add \$100,000.00 to the FY2027 Budget for FY2027 Community Organization Funding.

The Commissioners reached a unanimous consensus (4-0) in support of \$100,000.00 in additional funding to the FY2027 Community Organization Funding budget.

Michelle Gordon, County Administrator shared her condolences to the family of Timothy Mellott on his recent passing. Mr. Mellott was a County employee. She thanked the Highways Department, First Responders, Office of Emergency Management, 911 Department and Law Enforcement Officers who responded and worked tirelessly during the snow operations. Ms. Gordon thanked the Business and Economic Development Department for a successful Ground Hog Day event. She thanked the Public Relations Department and County Staff for coordinating and presenting the State of the County with the Chamber of Commerce. She attended Legislative Day in Annapolis and shared discussions with local leaders on multiple legislative funding, construction and support requests.

Michelle Gordon, County Administrator requested a consensus for the following Letters of Support.

-A letter of support for Senate Bill 193 Washington County Sales and Use Tax Exemption to target redevelopment area for the Mt. Aetna Technology Park. A letter was sent on January 16, 2026, which needs to be ratified in open session.

The Commissioners reached a unanimous consensus (4-0) in support of the Senate Bill 193 letter.

-A letter of support for Legislation clarifying the County's authority to acquire personal property using installment contracts to give the County authority to enter into multi-year contracts and take advantage of lower interest rates.

The Commissioners reached a unanimous consensus (4-0) in support of the letter clarifying Legislation on the County's authority to acquire personal property.

-A letter of support regarding manufactured homes, the Board voted unanimously in the past to support passage of the proposed amendment to the Maryland Land Use Article for the inclusion of the requirement that manufactured homes and modular homes have a gross floor area of no less than 1000 square feet.

The Commissioners reached a unanimous consensus (4-0) in support of the letter to amend the Maryland Land Use Article regarding manufactured and modular homes.

-A letter of support for recovery residence licensing, this is a bill that was requested by the City of Hagerstown. The County voted unanimously in the past to support passage of the amendment to remove recovery residences from the list of organizations exempt from Behavioral Health Administration licensing requirements.

The Commissioners reached a unanimous consensus (4-0) in support of the letter to amend the removal of recovery residences from being exempt for licensing requirements.

-A letter of support for the Washington County Salary Study Commission, this was approved in the past by the Board, this letter asks that they remove the defunct Cumberland Valley Associated Builders and Contractors and replace them with Home Builders Association of Washington County as part of the Salary Study Commission.

The Commissioners reached a unanimous consensus (4-0) in support of the letter replacing the Cumberland Valley Associated Builders and Contractors with the Home Builders Association of Washington County as part of the Salary Study Commission.

-A letter of support regarding passage of proposed legislation that would lessen the burden of strict compliance with Maryland Department of the Environment requirements for septic tank disposal systems in Washington County's in rural and agricultural and rural village zoning districts only. The Board had submitted and unanimously supported this letter in the past.

The Commissioners reached a unanimous consensus (4-0) in support of the letter regarding septic tank disposal systems in rural and agricultural and rural village zoning districts only.

-A letter of support for the amendment to the Code of the Public Local Laws regarding sole source procurements. This amendment would enable the County to advertise for sole source procurements online as well as in newspapers.

The Commissioners reached a unanimous consensus (4-0) in support of the letter to amend the Code of Public Local Laws regarding sole source procurements.

-Letter of Support regarding Washington County's unanimous support for the conversion of Treasurer position from elected to an appointed or County employee position.

The Commissioners reached a unanimous consensus (4-0) in support of the letter for the conversion of the Treasurer position.

-Letter of support for an amendment to section 650-3 of the Washington County Code of the Public Local Laws which establishes that it is a misdemeanor to unreasonably prevent a Public Works employee from repairing public infrastructure.

The Commissioners reached a unanimous consensus (4-0) in support of the letter to amend section 650-3 of the Washington County Code of Public Local Laws.

-A letter of support request from Maryland Association of Counties (MACo) for Senate Bill 288 Transportation Highway User Revenue Capital Grants Calculation respectfully urging the State to support a fair and equitable share of highway user fund.

The Commissioners reached a unanimous consensus (4-0) in support of the letter for Senate Bill 288.

Michelle Gordon, County Administrator read the County's Official Statement that was released on January 28, 2026, regarding the proposed I.C.E. Processing Facility in the County.

**1. ANNUAL PRESENTATION BY HAGERSTOWN COMMUNITY COLLEGE PRESIDENT AND BOARD OF TRUSTEES TO THE WASHINGTON COUNTY COMMISSIONERS AND STAFF**

Dr. James Klauber, President, Hagerstown Community College, presented for informational purposes the State of Hagerstown Community College and their annual budget presentation. He shared a PowerPoint presentation. They requested a 3% increase in support for FY2027.

**2. WASHINGTON COUNTY FREE LIBRARY BUDGET PRESENTATION**

Jenny Backos, Executive Director, Washington County Free Library, presented for informational purposes the State of the Washington County Free Library and their annual budget request. She shared a PowerPoint presentation and handouts for staff.

**3. FY27 RURAL LEGACY PROGRAM GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDS**

Chris Boggs, Rural Preservation Administrator, Planning and Zoning, presented the request to approve the submission of the grant application for the Fiscal Year 2027 Rural Legacy Program, in the amount of \$9,500,000.00 and to accept awarded funding. Each year the Department of Planning & Zoning submits a funding request to the Maryland Department of Natural Resources for the purchase of easements in the County's Rural Legacy Area.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the submission of the grant application for the fiscal year 2027 Rural Legacy Program and acceptance of awarded funding as presented. The motion passed unanimously (4-0).

**4. CONTRACT AWARD (PUR-1783) FACILITY DESIGN SERVICES REQUIREMENTS CONTRACT**

Brandi Kentner, Director, Purchasing; and Andrew Eshleman, Director, Public Works, presented the request to award a primary requirements contract for Facility Design Services to the responsive, responsible proposer L.S. Grim Consulting Engineers of Hagerstown, MD with the lowest price proposal amount of \$81,360.00 at the specified unit costs and estimated hours, no minimum or maximum guaranteed, and as permitted in the Request for Proposals, a "stand-by list" consisting of one vendor; Noelker and Hull Architects of Frederick, MD.

Commissioner Wagner, seconded by Commissioner Cline, moved to award a primary requirements contract for Facility Design Services to L.S. Grim Consulting Engineers and the stand by list to Noelker and Hull Architects as presented. The motion passed unanimously (4-0).

**5. CONTRACT AWARD (PUR-1677) ORACLE FUSION CONSULTANT FOR IMPLEMENTATION OF HUMAN CAPITAL MANAGEMENT RECRUITMENT AND ONBOARDING**

Brandi Kentner, Director, Purchasing; Chip Rose, Director, Human Resources; and Angie Poffenberger, Deputy Director, Software Support and Training, Budget and Finance, presented the request to award a contract under the existing Oracle Fusion Consultant Services contract for Implementation of Human Capital Management Recruitment and Onboarding to Cherry Road Technologies, of Parsippany, NJ for the responsive, responsible proposal with the lowest price proposal amount of \$158,100.00. This functionality will add an Applicant Tracking System and new automation for the Department of Human Resources recruiting and onboarding processes. The duration of the contract shall tentatively be for the period to begin on February 4 - 17, 2026, and to be completed on or before September 1, 2026.

Commissioner Leatherman, seconded by Commissioner Cline, moved to award a contract under the existing Oracle Fusion Consultant Services contract for Implementation of Human Capital Management Recruitment and Onboarding to Cherry Road Technologies as presented. The motion passed unanimously (4-0).

**6. SOLE SOURCE PROCUREMENT (PUR-1796) – NICE MAINTENANCE SUPPORT FOR EMERGENCY COMMUNICATIONS**

Brandi Kentner, Director, Purchasing; and Alan Matheny, Director, Emergency Management and Communications, presented the request to authorize a Sole Source procurement for maintenance support for the NICE Inform Recorder for the Emergency Communications Center in the amount of \$213,546.00 over a three (3) year period from NICE Systems, Inc. of Hoboken, NJ based on its proposal. Total for FY2026 - \$71,182.00; total for FY2027 - \$71,182.00 and total for FY2028 - \$71,182.00. On August 30, 2022, the Board approved the procurement of the NICE Recording equipment in the amount of \$439,002.00 for the Division of Emergency Services to upgrade the hardware, software, and for the installation. The maintenance support includes diagnostic, preventative, and repair services for the system.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to authorize a Sole Source procurement for maintenance support for the NICE Inform Recorder for the Emergency Communications Center as presented. The motion passed unanimously (4-0).

**7. POTENTIAL FILTER REPLACEMENT CHANGE ORDER FOR SMITHSBURG WASTEWATER TREATMENT PLANT**

Joseph Moss, Deputy Director, Engineering, Water Quality, presented an update for informational purposes on the Smithsburg Waste Water Treatment Plant upgrade project and potential filter replacement change order. The approximate cost of the change would be \$731,000.00.

**8. SERVICE PROPOSAL FOR GEA ENGINEERING**

Joseph Moss, Deputy Director, Engineering, Water Quality, presented the request to approve the proposal from GEA Engineering, in the amounts of \$43,141.00 and \$11,465.00 for a major service and a minor service in 2026. The Conococheague Waste Water Treatment Plant has 2 sludge dewatering centrifuges that are due for service. One is due for a major service while the other is due for a minor

service. These services are sole source to the original equipment manufacturer, GEA, due to the exclusive equipment and specialized training needed to properly perform maintenance on this equipment.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the sole source proposal request from GEA Engineering for the Conococheague Waste Water Treatment Plant as presented. The motion passed unanimously (4-0).

#### **9. ECC TRAINING COORDINATOR**

Alan Matheny, Director, Emergency Management and Communications; and Chip Rose, Director, Human Resources, presented the request to approve to repurpose a vacant 911 Dispatcher role to hire a second training coordinator for the Emergency Communications Center.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve to repurpose a vacant 911 dispatcher role to a training coordinator as presented. The motion passed unanimously (4-0).

#### **10. ECC SIGNING BONUSES**

Alan Matheny, Director, Emergency Management and Communications; and Chip Rose, Director, Human Resources; presented the request to offer \$10,000.00 hiring bonuses for fully trained, certified Dispatchers for the 911 call center.

He shared the retention requirements would be 3 years of retention with \$5,000.00 of the bonus being paid up front and the remaining \$5,000.00 of the bonus to be paid after 3 years of service.

Michelle Gordon, County Administrator recommended to amend the motion to include offering hiring bonuses for \$10,000.00 for fully trained officers with \$5,000.00 being paid upfront and the remaining \$5,000.00 to be paid after 3 years of service.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the amended motion as stated. The motion passed unanimously (4-0).

#### **11. WASHINGTON COUNTY RECREATION AND PARKS ADVISORY BOARD**

Dawn Marcus, County Clerk, presented the request to appoint Tom Hoffman to serve a first, full three-year term from February 1, 2026, through January 31, 2029, on the Washington County Recreation and Parks Board.

Commissioner Cline, seconded by Commissioner Wagner moved to approve the appointments of Tom Hoffman as presented. The motion passed unanimously (4-0).

In addition, move to reappoint Julie Sanders to serve a third, three year term from March 1, 2026, through February 28, 2029, and to waive the two-term limit as outlined in the Boards and Commissions County Policy PR-22.

Commissioner Cline, seconded by Commissioner Leatherman, moved to approve the reappointment of Julie Sanders as presented and to waive the two-term limit as requested. The motion passed unanimously (4-0)

**12. REAPPOINT FRANK QUILLEN TO THE BUILDING CODE BOARD OF APPEALS (BCBOA)**

Dawn Marcus, County Clerk, presented the request to reappoint Frank Quillen to serve a second term on the Building Code Board of Appeals. This term will be a full-three year term, from November 1, 2025, through October 31, 2028.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the reappointment of Frank Quillen as presented. The Motion passed unanimously (4-0).

**13. DEDICATION OF PROPERTY FOR THE EASTERN BOULEVARD WIDENING PROJECT**

Todd Moser, Real Property Administrator, Engineering, presented the request to approve to accept dedication of the property, fee simple and easements, for Parcel 48 Tax ID 22-064921 located on Eastern Boulevard, and to approve an Ordinance approving said dedication; and to authorize the execution of the necessary documentation to finalize the no cost dedication. The property is being dedicated via subdivision.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the dedication of the property, the Ordinance approving the dedication and authorization to execute as presented. The motion passed unanimously (4-0).

**14. CSXT CONSTRUCTION AND ENCROACHMENT AGREEMENTS – EASTERN BOULEVARD PHASE I**

Todd Moser, Real Property Administrator, Engineering; and Pam Mohn, Chief of Design, Engineering, presented the request to authorize staff to execute the Construction Agreement (CA) between SCX Transportation, Inc. (CSXT) and the County to install drainage improvements adjacent to CSXT as a part of the Eastern Boulevard Phase I widening and to make payment to the force account from the project budget in the amount of \$74,484.00; and approve to execute the Facility Encroachment Agreement (FEA) between CSXT and the County with fees totaling \$10,600.00 to move forward with the jack and bore of a stormwater pond outfall pipe under the railway between Eastern Boulevard and Antietam Drive.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve to execute the Construction Agreement between SCX Transportation Inc and the County and to execute the Facility Encroachment Agreement as presented. The motion passed unanimously (4-0).

**15. WASHINGTON COUNTY TRANSIT – ALLEY TEMPORARY EASEMENT AGREEMENT**

Andrew Eshleman, Director, Public Works, presented the request to approve the execution of a temporary easement agreement with the Orchard Hills Congregation of Jehovah's Witness, Hagerstown, Maryland. On May 6, 2025, the County approved execution of a Quit Claim deed for a 12-foot-wide alley from the City of Hagerstown that bisects the Transit Administration and Maintenance Facility property. A consolidation plat was also recorded to combine the County parcels into a single contiguous parcel to accommodate future transit facility expansion. The Orchard Hills Congregation of Jehovah's Witnesses' parking lot and parcel are currently served by the alley. While the quit claim ordinance authorizing closure of the alley has been approved, the proposed easement agreement ensures the Congregation will retain permissive use of the alley until all required access improvements are completed and the alley is officially closed.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the temporary easement agreement with Orchard Hills Congregation of Jehovah's Witness as presented. The motion passed unanimously (4-0).

### **CLOSED SESSION**

Commissioner Cline, seconded by Commissioner Leatherman, moved to convene in closed session at 10:57 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. Personnel matters are confidential.

- Discussion of discipline of County employee.

To consider the acquisition of real property for public purpose and matters directly related thereto. Open session discussion would disadvantage and weaken County bargaining position and disclose confidential negotiation strategy.

- Discussion of acquisition of property for expansion of County facilities and operations.
- Discussion of acquisition of property for purposes road relocation and improvement.

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

- Discussion of funding request for business to host event in Washington County
- Discussion of grant funding for business to expand in Washington County

To consult with counsel to obtain legal advice on a legal matter (7). Open session discussion would breach attorney/client privilege.

- Status update and legal advice from County Attorney on County-Involved legal matter.
- Lead advice from County attorney re: contract negotiations
- Legal advice from County attorney on policy implementation.

In closed session, the Commissioners discussed; and/or reached a consensus regarding:

- Discipline of County Employee;
- Acquisition of property for expansion of County facilities and operations;
- Acquisition of property for purposes road relocation and improvement;
- Funding request for business to host event in Washington County;
- Grant funding for business to expand in Washington County
- Received legal advice and updates on pending litigation matters, contract negotiations and policy implementation for which the County is a party.

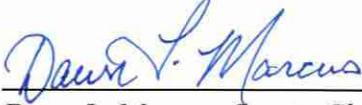
Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Randal A. Leatherman and Randall E. Wagner; Dawn L. Marcus, County Clerk and Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Deputy County Attorney; Aaron Weiss, Assistant County Attorney; Victor Scarpelli, Assistant County Attorney; Andrew Eshleman, Director, Public Works; Scott Hobbs, Director, Engineering; Todd Moser, Real Property Administrator; Pam Mohn, Chief of Designs, Engineering; Rebecca Calmer, Chief Plan Review, Engineering; Chip Rose, Director Human Resources; Mark Bradshaw, Director, Environmental Management; Maria Kramer, Director, Grant Management; Josh O'Neal, Chief Technical Officer; Information Technology; and David Elliott, Director, Information Technology.

**RECONVENE IN OPEN SESSION**

Commissioner Cline, seconded by Commissioner Leatherman, moved to reconvene in open session at 1:19 p.m. The motion passed unanimously (4-0).

**ADJOURNMENT**

Commissioner Cline, seconded by Commissioner Leatherman, moved to adjourn at 1:19 p.m. The motion passed unanimously (4-0).



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Dawn L. Marcus, *County Clerk*

