



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

July 28, 2026

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation presented by President John F. Barr, 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, Commissioner Randal A. Leatherman, Commissioner Neil C. Parrott and Commissioner Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the minutes of June 30, 2026. The motion passed unanimously (5-0).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner thanked the Ag Expo Board for taking the Commissioners on a tour and inviting them to breakfast. He congratulated the Board on the Ag Expo Fair as it was very well attended with a successful Market Sale for the 4-H and FFA members.

Commissioner Leatherman commented on registering for classes for the fall semester at Hagerstown Community College. He attended the Eagle Scout Ceremony for Makayla Higdon. Commissioner Leatherman shared that he met a lot of new friends at the Ag Expo Fair and including Avery Mundy who requested that he purchase his rabbits at the Market Sale. He congratulated Avery and the other members on their sales at the Ag Expo.

Commissioner Parrott commented on the Ag Expo Fair and the blessing that it is for the community. He thanked the Ag Expo Board for the work that they do getting ready for the fair. Commissioner Parrott commented on the upcoming Special Session of the Maryland General Assembly to change one item, Article III, Section 4 of the Maryland Constitution. He commented on the section, his objection to the change, the political impact on Maryland, and he urged all Legislators to vote against the change.

Commissioner Cline attended the Eagle Scout ceremony for Makayla Higdon with Troop 23 out of Funkstown. He congratulated her and he recognized Scoutmaster, Rich Gaver for being her mentor. Commissioner Cline thanked the Ag Expo Board for inviting the Commissioners to breakfast and to tour the facility. He commented on the Ag Expo Fair, attending at lunchtime for the National Anthem which was played at noon each day, and he thanked Joe Frey and the members of the Ag Expo Board for a successful event. Commissioner Cline commented on running into Kevin Atticks, Secretary of Agriculture at the fair. He attended the Battle of Funkstown reenactment and recognized County Employee John Phillips and his team for their role in giving back to the community with the event. Commissioner Cline commented on the completion of project Making Connections with four (4) major highway upgrades and improvements.

Commissioner Barr congratulated the Ag community for their annual Ag Expo Fair and the highlight of the event, the Market Sale. He recognized Joe Frey and his staff on the Agricultural Board and thanked everyone who worked hard and tirelessly to have a successful Ag Expo this week.

STAFF COMMENTS

Brandi Kentner, Director, Purchasing, recognized employee Aaron Weisner for obtaining the Certified Professional Buyer certification and his completion of the Certified Professional Public Buyer examination with the Universal Public Procurement Certification Council program through the National Institute of Government Purchasing. The Board of County Commissioners presented a Certificate of Recognition to Mr. Weisner.

Michelle Gordon, County Administrator requested a consensus from the Board of County Commissioners for a letter of support for the National Park Service efforts to acquire three properties, approximately 18.72 acres of land in the vicinity of Sharpsburg, Antietam National Battlefield tracts 05-172, 05-173 and 05-174. They are not requesting any funding from the County.

The Commissioners reached a unanimous consensus (5-0) for the letter of support for the National Park Service as requested.

Michelle Gordon, County Administrator, attended a meeting with the State Director of Rural Economic Strategy, Carl Anderton. She attended a MACo County Administrator's meeting. Ms. Gordon attended the ribbon cutting for Professional Boulevard, the final project in the Making Connections Campaign. She shared information on the project which opens up access to 157 acres of immediately adjacent land for development, emergency accesses and economic growth. She congratulated Scott Hobbs, Director of Engineering, and his staff for the completion of the project. Ms. Gordon attended the Ag Expo Board Commissioners breakfast. She thanked the Ag Expo Board for organizing the Ag Expo Fair and shared that the annual event highlights the Agricultural Community. Ms. Gordon recognized Kelsey Keadle for her work on the Ag Expo.

Michelle Gordon, County Administrator, recapped the County's statement regarding the proposed I.C.E. Processing Facility in the County and corrected false information that has been circulating online.

Michelle Gordon, County Administrator, shared the contents of the envelope for the Washington County Board of County Commissioners that was included in the Time Capsule recently opened by the City of Hagerstown.

1. ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO) MITIGATION PROPOSAL – TOWNES AT ROCKSPRING

Jennifer Kinzer, Deputy Director, Planning and Zoning; Tracie L. Clabaugh, Esquire, representing D.R. Horton, Inc., Developers of the Townes at Rockspring Subdivision; Jeff Otenesek with D.R. Horton, Inc., and Joe Young with D.R. Horton, Inc., presented the request for a motion to approve or approve with conditions an APFO school mitigation plan for the Townes at Rockspring subdivision S-23-023 & S-26-026. D.R. Horton, Inc, the contract purchaser and developer of The Townes at Rockspring subdivision, is coming before the Board with an APFO school mitigation plan as required by the new APFO which became effective on July 1, 2026. The developer is proposing to utilize the Alternate Mitigation Contribution (AMC) method to mitigate school impacts as a result of the proposed subdivision. The subdivision contains 123 Townhouse style homes that would have had an AMC contribution of \$2,191.76 per lot or \$269,586.48 under the previous version of the APFO. The developer is proposing a mitigation plan to provide a monetary contribution of \$3,000.00 per lot for a

total of \$369,000.00. The Engineering Department is working with D.R. Horton, Inc., to address additional conditions to meet the traffic flow at the new Hickory Elementary School.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the Adequate Public Facilities Ordinance Mitigation Proposal at Townes at Rockspring to increase the alternate mitigation contribution with the additional conditions as presented. The motion passed unanimously (5-0).

2. CLARIFICATION OF APPROVED TEXT AMENDMENT TO SECTION 19C SPECIAL ECONOMIC DEVELOPMENT DISTRICT – RZ-26-002

Zachary Kieffer, County Attorney, presented the request for an amended motion to approve the text amendment RZ-26-002 may be warranted, at the conclusion of Board discussion. County staff is seeking clarification of motion and vote approving the text amendment to Section 19C – Special Economic Development District of the Zoning Ordinance. Following a public hearing at the July 21, 2026, regular meeting of the Board of County Commissioners, the Board voted to approve the application for text amendment, RZ-26-002. The motion included a revision to the original proposed text amendment. Prior to the amendment becoming effective on July 31, 2026, staff is seeking to clarify the extent of the revision to the text amendment. Pursuant to Section 4-203 of the Land Use Article of the Maryland Code, a zoning regulation may not become effective until ten (10) days after the public hearing by the legislative body. They recommended that the Food and Beverage Processing be allowed as a future use.

Michelle Gordon, County Administrator brought forward the comments from the residents of Cascade which were put into the record at the last meeting.

Commissioner Parrot, seconded by Commissioner Wagner, moved to amend the motion to move the Food and Beverage Processing from 19C3 to 19C2 as a permissibly permitted use without the two times distance requirement. The motion passed unanimously (5-0).

3. SOLE SOURCE PROCUREMENT (PUR-1835) WEBSITE TECHNICAL SUPPORT AND MANAGEMENT

Brandi Kentner, Director, Procurement; and Josh O'Neal, Chief Technical Officer, Information Technology, presented the request for a motion to approve a sole-source award to Hub City Mobile of Hagerstown, MD in the amount of \$50,676.00 for Support and Maintenance services for the Washington County Government Website. This approval is contingent upon the approval and signing of the contract agreement. This is for the continued performance, security, and scalability of the County's WordPress-based web services, which are critical to maintaining public communication, digital service delivery, and internal operational workflow. This award shall be tentatively for the period of July 20, 2026, through July 19, 2027.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve a sole-source award to Hub City Mobile for Support and Maintenance services for the Washington County Government Website as presented. The motion passed unanimously (5-0).

4. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-26-0343) TWO (2) NEW 2027 MACK GRANITE 4X2 PLOW TRUCKS WITH J&J DUMP BEDS AND PLOW PACKAGE FOR WASHINGTON COUNTY HIGHWAY DEPARTMENT

Brandi Kentner, Director, Procurement; and Zane Rowe, Deputy Director, Highway Department, presented the request for a motion to authorize by Resolution, for the Washington County Highway Department to purchase two (2) new 2027 Mack Granite 4x2 Plow Trucks with J&J Dump Beds and

Plow Package from Baltimore Truck Center, Hagerstown Division, of Hagerstown, MD, for the total amount of \$620,424.00 and to utilize a competitively bid cooperative contract No. 032824-MAK that was awarded by Sourcewell.

Commissioner Parrott, seconded by Commissioner Cline, moved to approve to authorize by Resolution the purchase of two (2) new 2027 Mack Granite 4x2 Plow Trucks with J&J Dump Beds and Plow Package from Baltimore Truck Center as presented. The motion passed unanimously (5-0).

5. INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-26-0331) – PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR DIVISION OF EMERGENCY SERVICES

Brandi Kentner, Director, Procurement; and Eric Jacobs, Assistant Director, Emergency Services, presented the request for a motion to authorize by Resolution, for the approval of the purchase of 19 sets of Personal Protective Equipment, coats and pants, for the Division of Emergency Services from Maryland Fire Equipment Corporation of Rockville, MD at the contracted unit prices totaling \$70,004.00, based on the contract awarded by the Arlington County, VA contract (C26314).

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve to authorize by Resolution the purchase of 19 sets of Personal Protective Equipment from Maryland Fire Equipment Corporation as presented. The motion passed unanimously (5-0).

6. FY27 BUDGET AMENDMENT – HIGHWAY FUND

Kelcee Mace, Chief Financial Officer; and Doug Levine, Supervisor of Operations, Highway Department, presented the request for a motion to approve the FY27 budget amendment for the Highway Fund as presented. Staff is requesting approval to draw funds from the Highway Fund balance to complete extra line striping. On August 26, 2025, the BOCC approved an additional \$175,000.00 to be used for line striping, making the FY26 total \$350,000.00. The highway department was unable to utilize the entire \$350,000.00 in FY26 and is requesting to draw the remaining \$108,900.00 out of fund balance in FY27.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the budget adjustment as presented. The motion passed unanimously (5-0).

7. EMPOWERING BOCC PRESIDENT TO SIGN/EXECUTE ADCI TASK ORDER NO. 15 – COMPLETION OF DESIGN WORK FOR A REPLACEMENT AIR TRAFFIC CONTROL TOWER

Andrew Eshleman, Director, Public Works; and Neil Doran, Director, Hagerstown Regional Airport, presented the request for a motion to empower the President of the Board of County Commissioners to sign/execute ADCI Task Order No. 15 in the amount of \$1,117,144.00.

Commissioner Parrott, seconded by Commissioner Wagner, moved to approve to empower the President of the Board of County Commissioners to sign/execute ADCI Task Order No. 15 as presented. The motion passed unanimously (5-0).

8. MARYLAND DEPARTMENT OF AGRICULTURE AND WASHINGTON COUNTY BLACK FLY TREATMENT MEMORANDUM OF UNDERSTANDING

Andrew Eshleman, Director, Public Works, presented the request for a motion to approve execution of the Memorandum of Understanding with the Maryland Department of Agriculture for controlling Black Flies on the Potomac River and adjacent tributaries. The Maryland Black Fly Suppression Pilot Program was established in 2016, with the first stream treatments beginning in 2017. Administered by

the Maryland Department of Agriculture (MDA), the program requires participating in local jurisdictions to provide a 50 percent cost share for suppression activities. The FY27 estimated contribution is \$50,000.00.

Commissioner Parrott, seconded by Commissioner Wagner, moved to approve execution of the Memorandum of Understanding with the Maryland Department of Agriculture for controlling Black Flies on the Potomac River and adjacent tributaries as presented. The motion passed unanimously (5-0).

9. LETTER OF CONCURRENCE FOR FISHER BIOSERVICES TO USE A PORTION OF FTZ#255'S ALLOTTED ACREAGE IN FREDERICK, MD

Linda Spence, Financial Programs Administrator, Business and Economic Development; and Jonathan Horowitz, Director, Business and Economic Development, presented the request for a motion to approve the Letter of Concurrence supporting Fisher BioServices in Frederick, Maryland to operate within Foreign Trade Zone#255C.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the letter of concurrence supporting Fisher Vio Services to operate within Foreign Trade Zone #255C as presented. The motion passed unanimously (5-0).

10. OPPORTUNITY ZONE 2.0 CENSUS TRACT NOMINATION APPROVAL

Jonathan Horowitz, Director, Business and Economic Development; and Linda Spence, Financial Programs Administrator, Business and Economic Development, presented the request for a motion to approve the complete nomination packet for all eligible census tracts within Washington County for submission to the State of Maryland as part of the Federal Opportunity Zone 2.0 designation process. Opportunity Zone 2.0 is the next federal round for designating eligible low-income census tracts to receive tax-advantaged private investment. The updated program strengthens requirements and expands benefits, supporting projects like housing, commercial redevelopment, and workforce development. The Department of Business and Economic Development is seeking the Board of County Commissioners' approval to submit our seven eligible census tracts to the State of Maryland for their approval consideration.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the complete nomination packet for all eligible census tracts within Washington County for submission to State of Maryland as presented. The motion passed unanimously (5-0).

11. QUIT CLAIM A PORTION OF EARLEY DRIVE

Todd Moser, Real Property Administrator, Engineering, presented the request for a motion to approve the quit claim and authorize the execution of the necessary documentation to finalize the quit claim. A portion of Earley Drive was platted and partially built but never completed or accepted into the County road network. Conservit, Inc. owns land on both sides of the platted right of way and would like to control the entire parcel of land for future development. The platted right of way would serve no future connection.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the quit claim and authorize the execution of the necessary documentation to finalize the quit claim as presented. The motion passed unanimously (5-0).

12. UNITED STATES DEPARTMENT OF THE INTERIOR MULTI-PARK USE MOU FOR FIRE AND EMS SERVICES

R. David Hays, Director, Emergency Services; and Oley Griffith, Volunteer Coordinator, Emergency Services, presented the request for a motion to authorize the Division of Emergency Services to enter a Memorandum of Understanding (MOU) with the United States Department of the Interior for the purpose of supporting fire and EMS services delivery to the various National Parks located within, and surrounding Washington County, MD. The MOU will formalize existing and long-standing service relationships between both agencies. Secondly, but not limited to, the Division of Emergency Services intends to support fire and EMS responses with manned and unmanned aircraft (UAV's). The addition of these new capabilities further solidifies the need to formalize our working relationships. There are no funds associated with the execution of this agreement.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve to authorize the Division of Emergency Services to enter into Memorandum of Understanding with the United States Department of the Interior as presented. The motion passed unanimously (5-0).

13. RECOMMENDATION TO HIRE TRANSPORTATION ENGINEER

Michelle Gordon, County Administrator, presented the request for a motion to hire Eric Dykes for Position #157, Transportation Engineer at Grade 15, Step 2, at \$39.08/hour, \$81,286.00/annually.

Commissioner Parrott, seconded by Commissioner Wagner, moved to approve to hire Eric Dykes as presented. The motion passed unanimously (5-0).

14. WASHINGTON COUNTY BOARD OF SOCIAL SERVICES APPOINTMENTS

Dawn L. Marcus, County Clerk, presented the request for a motion to appoint Ashley Whaley, to serve a partial term through June 30, 2027, and to appoint Karen Hays, to serve a first-full, three-year term from August 1, 2026, through July 31, 2029, on the Board of Social Services. This is not a paid Board.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the appointments of Ashley Whaley and Karen Hays as presented. The motion passed unanimously (5-0).

15. ADULT PUBLIC GUARDIANSHIP REVIEW BOARD REAPPOINTMENTS

Dawn L. Marcus, County Clerk, presented the request for a motion for multiple reappointments and upon acceptance of the recommendations the Board also requested a waiver of the two-term limit as outlined in the Boards and Commissions County Policy PR-22. This is not a paid board, it is a state mandated board with specific positions required.

She requested a motion to reappoint Dr. Allen Ditto to serve a thirteenth, three-year term from July 1, 2026, through June 30, 2029, to serve as the General Physician.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the reappointment of Dr. Allen Ditto as presented. The motion passed unanimously (5-0).

She requested a motion to reappoint Jill Zamostny to serve a sixth, three-year term as a Person with Disabilities representative from July 1, 2026, through June 30, 2029.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the reappointment of Jill Zamostny as presented. The motion passed unanimously (5-0).

She requested a motion to reappoint Marcia South to serve a fourth, three-year term as Department of Aging Representative from September 1, 2026, through August 31, 2029.

Commissioner Leatherman, seconded by Commissioner Wagner, moved to approve the reappointment of Marcia South as presented. The motion passed unanimously (5-0).

She requested a motion to reappoint Jennifer Sprecher to serve a fourth, three-year term as Disabilities Professional Representative from September 1, 2026, through August 31, 2029.

Commissioner Leatherman, seconded by Commissioner Wagner, moved to approve the reappointment of Jennifer Sprecher as presented. The motion passed unanimously (5-0).

16. HISTORIC DISTRICT COMMISSION APPOINTMENTS

Dawn L. Marcus, County Clerk, presented the request for a motion to appoint Heather Holman, to serve a first, full, three-year term from August 1, 2026, through July 31, 2029. In addition, to appoint Alexa Vetter, Sarah Butler-Michael and Jean Banzhoff to fill three (3) non-voting vacancies from August 1, 2026, through July 31, 2029. This is not a paid board.

Commissioner Wagner, seconded by Commissioner Leatherman, moved to approve the appointments of Heather Holman, Alexa Vetter, Sarah Butler-Michael and Jean Banzhoff as presented. The motion passed unanimously (5-0).

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Leatherman, moved to convene in closed session at 10:16 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. (1) Personnel matters are confidential.

- Discuss assignment of County employee
- Discuss discipline of County employee

To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. (4) Open session discussion would disclose proprietary commercial information or business development strategy and damage County competitive advantage in bringing business to County

- Discussion of incentive program to attract business to locate in the County.

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

- Legal advice pertaining to a legal matter involving the County.
- Legal advice pertaining to contracts of which County is a party.
- Legal advice pertaining to legal matter.

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

- Received legal advice pertaining to contracts of which County is a party;
- Received legal advice pertaining to a legal matter of involving the County;
- Discussion regarding Economic Developments RISE incentive program;
- Assignment of County position#1573 IT Training Specialist;
- Discussion regarding discipline of County employee; and

- Received legal advice and updates on pending legal matters for which the County is involved.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Randal A. Leatherman, Neil C. Parrott and Randall E. Wagner; Dawn Marcus, County Clerk and Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Deputy County Attorney; Victor Scarpelli, Assistant County Attorney; Todd Moser, Real Property Administrator, Engineering; Andrew Eshleman, Director, Public Works; Jonathan Horowitz, Director, Business and Economic Development; David Hays, Director, Emergency Services; and Chip Rose, Director Human Resources.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Leatherman, moved to reconvene in open session at 11:40 a.m. The motion passed unanimously (5-0).

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Leatherman, moved to adjourn at 11:40 a.m. The motion passed unanimously (5-0).



Dawn L. Marcus, *County Clerk*