



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

November 28, 2023

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 9:00 a.m. with the following members present: Vice President Jeffrey A. Cline, Commissioner Randall E. Wagner and Commissioner Wayne K. Keefer.

Commissioner Derek Harvey was absent.

APPROVAL OF MINUTES

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the minutes of November 6, 2023. The motion passed unanimously, 4-0.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the minutes of November 7, 2023. Commissioner Keefer commented a correction was needed on the last final pay increase item for him showing a nay vote. The motion passed unanimously, 4-0.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner attended the 150th Anniversary of the Western Enterprise Fire Co. dinner. He toured Tomu at the airport industrial building. Commissioner Wagner thanked everyone who held the Veterans ceremonies, he attended the Vietnam monument ceremony, the courthouse wreath laying ceremony and the ceremony at Marty Snook Park.

Commissioner Keefer attended a Veterans Day luncheon at the Hancock United Methodist Church and recognized Nicole Montgomery and Shannon McHenry for organizing the event. He commented today is Giving Tuesday and recognized today as the funeral for First Lady Rosalyn Carter, he shared her quote "*there are only four kinds of people in the world - those who have been caregivers, those who are caregivers, those who will be caregivers and those who will need caregivers*". Commissioner Keefer commented on 169 seniors are on the wait list for Meals on Wheels. He thanked those who worked over Thanksgiving, emergency services, communications and first responders were very busy working tragedies. Commissioner Keefer commented on Christmas decorations and keeping in mind not reducing accessibility for the disabled.

Commissioner Cline attended many events around Washington County for Veterans Day and every day is a day to thank our Veterans. He acknowledged Jaime Dick and the Rec Department for organizing the Turkey Trot on Thanksgiving morning. Commissioner Cline attended the Washington County Career Expo at Hagerstown Community College (HCC). He attended the grand opening of the Nisei Gallery Art Studio at Fort Ritchie. Commissioner Cline attended the retirement party for Donnie Stotlemeyer, who was instrumental in bringing funding for the aqueduct and other projects at Canal Headquarters. He attended the EBC evening meeting in Boonsboro. He attended the annual tree lighting ceremony in Hancock Saturday evening. He attended the 150th Anniversary of the Western

Enterprise Fire Co. Dinner and commented on the generations of volunteers and the creation of the department.

Commissioner Barr attended many events over the last few weeks. He commented on Commissioner Keefer's quote and referenced it to the excellent care he received at by the staff at Meritus Urgent Care and Meritus Hospital. He thanked the Commission on Aging and the Veteran's Committee for their many events. Commissioner Barr attended the kickoff of the "Ring of the Bell" for the Salvation Army. The Commissioners are ringing the bell on Wednesday, December 13th at the Valley Mall and he challenged the City of Hagerstown to a bell ringing competition.

STAFF COMMENTS

Sheriff Brian Albert presented the request for a budget adjustment transfer for staff for \$84,984.13, accounts for Patrol, Judicial Patrol, Process Servers. This is budget neutral between his departments as he is reallocating from one budget salary to another.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve the budget transfer as presented. The motion passed unanimously, 4-0.

Commissioner comment regarding the need for the request of a budget transfer.

Michelle Gordon, County Administrator presented when a budget adjustment is between departments it requires Commissioner approval, when it is between line items it would not require Commissioner approval.

Sheriff Brian Albert presented the request for a budget adjustment transfer from full time wages to part time wages \$107,952.00.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the budget transfer as presented. The motion passed unanimously, 4-0.

Dawn Marcus County Clerk presented the request for approval of the proposed 2024 BOCC Meeting Schedule. The town evening meetings are pending and will be placed on the schedule after the initial approval.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve the 2024 BOCC Meeting Schedule as presented. The motion passed unanimously, 4-0.

Jonathan Horowitz provided an update on ARPA funding, some of the funding was allocated to our partnership with HCC to put on Career Expos as well as Start Up which is their entrepreneurial start up week, this year the Start Up week will be in May of 2024. The first career expo was last week and was a very successful event. There were 140 career exhibitors and over 600 job seekers and every vendor received more applications than expected.

Commissioner discussion regarding request for the demographics of the Expo and the amount of ARPA funding utilized for the Expo and small business funding.

Michelle Gordon, County Administrator presented two changes to today's agenda. She welcomed Chip Rose as the new Human Resources Director. Human Resources is planning a spirit week from December 11, 2023, through December 15, 2023. She attended the Miss Utility training at the public

safety training center. Ms. Gordon attended the Miss Utility Training at the Public Training Center and the 21st Annual Economic Summit. She visited the Beaver Creek Road bridge project with Andrew Eshleman, Director of Public Works and she also attended the Turkey Trot at HCC and thanked Jaime Dick. Ms. Gordon presented a request for a letter of support from the Community Free Clinic.

The Commissioner provided a full consensus for the letter of support for the Community Free Clinic.

Rick Curry, Director of Purchasing congratulated Brandi Naugle, Buyer in Purchasing on completing her Bachelor's Degree in Business Administration and obtaining her Certified Public Procurement Officer certification and commended her for these achievements and commended her for completing the heavy coursework and not wavering from her very busy work schedule.

President Barr presented a Certificate from the Board of County Commissioners to Brandi Naugle for her accomplishments.

CITIZEN PARTICIPATION

Jerry Bowen, Hagerstown, MD commented on truck traffic on Halfway Boulevard and Downsville Pike. He requested the County post two signs, of no through trucks, one sign on Virginia Avenue and another sign at Downsville Pike. Mr. Bowen presented a map hand-out to the Commissioners.

Stephanie Phillips, Hagerstown, MD requested more funding for the college community, more swimming pools, she commented on emergency preparedness day, free CPR and first aid training, and lifeguards and youth at the pools.

Carol Mowen, President of the Washington County Teachers Association thanked the Commissioners for working with Dr. Sovine and the elected Board of Education for finding additional ways to support the school system and looks forward to the discussion on security improvement and the continued spirit of collaboration.

YOUTH MERITORIOUS AWARD PRESENTATION

Nicole Phillips, Grant Manager, Grant Management; Board of County Commissioners of Washington County The following individual, Joon Ko- Global Vision Christian School Broadfording, has been selected for the Youth Meritorious Award. They were selected based on their scholastic achievements, leadership qualities, community service performed or other positive contributions to their school or community. The Commissioner's presented Joon Ko- Global Vision Christian School Broadfording, with a Certificate. President Barr presented a certificate to Joon Ko and commended him on his list of accomplishments.

SECURITY IMPROVEMENTS AT ALL WASHINGTON COUNTY PUBLIC SCHOOLS (WCPS) FACILITIES

Dr. David T. Sovine, Superintendent of Schools, Washington County Public Schools; Jeffrey Proulx, Chief Operating Officer, Washington County Public Schools presented the request to approve funding in an amount up to \$1,500,000.00 for Washington County Public Schools to implement security improvements at all school facilities. Washington County Public Schools is requesting funding from the Board of County Commissioners to provide security improvements at all of the Washington County Public Schools. These improvements will provide additional security for the students, staff, and visitors of the schools.

Michelle Gordon, County Administrator provided the funding will come from the CIP Fund.

Commissioner discussion regarding support of this project.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve funding not to exceed \$1,500,000.00 as presented. The motion passed unanimously, 4-0.

SOLE SOURCE PROCUREMENT (PUR-1650) ROUTEMATCH FIXED-ROUTE SOFTWARE LICENSING RENEWAL 1 FOR COUNTY TRANSIT

Rick Curry, Director, Purchasing; Kevin Cerrone, Director, Transit presented the request to authorize a Sole Source procurement for Licensing for the RouteMatch scheduling system for County Transit in the amount of \$60,927.60 from Trapeze Software Group, Inc. dba RouteMatch Software, LLC of Cedar Rapids, IA based on its proposal.

Commissioner Cline , seconded by Commissioner Wagner, moved to approve the award for Licensing for the RouteMatch scheduling system for County Transit in the amount of \$60,927.60 as presented. The motion passed unanimously, 4-0.

SOLE SOURCE PROCUREMENT (PUR-1651) – NICE MAINTENANCE SUPPORT FOR EMERGENCY COMMUNICATIONS

Rick Curry, Director, Purchasing; Bob McCoy, Director, Emergency 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 FY'23\$71,182 Total FY'24 \$71,182 Total FY'25 \$71,182. On August 30, 2022, the Board approved the procurement of the NICE Recording equipment in the amount of \$439,002 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 discussion regarding the disbursement of the amounts and the service, payment for 2023.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve the award for Maintenance Support for the NICE Inform Recorder for the Emergency Communications Center in the amount of \$213,546.00 as presented. The motion passed unanimously, 4-0.

SOLE SOURCE PROCUREMENT AWARD (PUR-1654) – MUNIS SOFTWARE (UTILITY BILLING) SUPPORT

Rick Curry, Director Purchasing; Angie Poffenberger, Deputy Director, Software Support and Training presented the request to authorize, a Sole Source Procurement of software licensing and support fees from Tyler Technologies of Dallas, TX for use by the Office of Budget & Finance and others in the amount of \$474,668.00 over a two (2) period based on Tylers Technologies' proposal. Year 1 FY24 \$237,334.00 Year 2 FY25 \$237,334.00. The Purchasing Department received a request from Budget & Finance regarding the procurement for the annual software support. Budget & Finance wishes to apply Sections 1-106.2(a)(1) & (2) of the Code of Local Public Laws of Washington County, Maryland, to the procurement requested. These sections state that a sole source procurement is authorized and permissible when: (1) Only one source exists that meets the County's requirements and (2) The compatibility of equipment, accessories, or replacement parts is the paramount consideration.

Commissioner discussion regarding software support services, the bid process, sole source, proprietary services.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the award of software licensing and support fees from Tyler Technologies of Dallas, TX in the amount of \$474,668.00 as presented. The motion passed unanimously, 4-0.

RUNWAY 09-27 LIGHTING AND SIGNAGE PROJECT: AUTHORIZE AIRPORT DIRECTOR TO APPLY FOR AND LATER ACCEPT ASSOCIATED FAA/MAA GRANTS

Neil Doran, Director, Hagerstown Regional Airport presented the recommendation to authorize: \$50,163.00 in Airport Capitol Improvement Reserve funds use as local matching for this project; and to empower the Airport Director to sign an FAA grant application and related paperwork for this Runway 09-27 Lighting & Signage project; and to empower the Airport Director to accept the grant offer(s) related to this Runway 09-27 project from the Federal Aviation Administration and the Maryland Aviation Administration once awarded in the future. REP Project involves the complete removal and replacement of the existing incandescent edge lighting and signage systems on the airport's primary Runway 09-27. New, higher visibility, energy efficient LED fixtures will be installed along with new wiring circuits and a replacement electrical regulator.

Commissioner discussion regarding advertising logos, Federal Grants and pricing.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize \$50,163.00 in Airport Capitol Improvement Reserve funds as presented. The motion passed unanimously, 4-0.

CONTRACT AWARD (PUR-1635) HAGERSTOWN REGIONAL AIRPORT 9-27 EDGE LIGHTING SIGNAGE REPLACEMENT

Brandi Naugle, Buyer, Purchasing; Neil Doran, Director, Hagerstown Regional Airport presented the request to award the Hagerstown Regional Airport 9-27 Edge Lighting Signage Replacement project at the Hagerstown Regional Airport to the responsive, responsible bidder, Global Electrical Services, Inc. of Frenchtown, NJ who submitted the lowest sum total of A in the amount of \$469,960.00 and the lowest sum total of B in the amount of \$31,000.00; total sum for both A and B, \$500,960.00 and contingent upon the grant funding by MAA and by the Federal Aviation Administration (FAA) and contingent upon the County Attorney's Office approval of the *contract Agreement*. In addition, approval to authorize Neil Dorin to issue and administrative notice to proceed for the vendor to purchase the items for this project. There has already been concurrence for the grant money.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the award for Hagerstown Regional Airport 9-27 Edge Lighting Signage Replacement as presented and to authorize Neil Dorin to issue an administrative notice to proceed as presented. The motion passed unanimously, 4-0.

BID AWARD (PUR-1638) LEASE AND SUPPLYING OF GOLF CARTS FOR WASHINGTON COUNTY'S BLACK ROCK GOLF COURSE AND THE WASHINGTON COUNTY PARKS DEPARTMENT

Brandi Naugle, Buyer, Purchasing; Andrew Eshleman, Director, Public Works presented the request to award the contract for the Leasing and Supplying of Golf Carts for the Black Rock Golf Course and the County Parks department to the lowest responsive, responsible low bidder, Capitol Golf Cars & Utility Vehicles, LLC of Frederick, Md based on Option No. 1 (6-year lease) for seventy-two (72) new rental carts and one (1) heavy duty cart for the Black Rock Golf Course for a total amount of \$89,736.88

per year for a total 6-year cost of \$538,421.28 and Alternate No. 1 (6 year lease) seventy-three (73) fold down windshields at an annual amount of \$2,937.60 per year for a total 6-year cost of \$17,625.60 and for Option No. 2 (6-year lease) for four (4) new rental at the total amount of \$5,726.40 per year for a total 6 year cost of \$34,358.40 and Alternate No. 2 (6 year lease) for four (4) fold down windshields at an annual amount of \$163.20 per year for a total 6 year cost of \$979.20; for a grand total for all carts if \$591,384.48 and this award is contingent upon final approval of the lease documents by the County Attorney's Office.

Commissioner discussion regarding the fate of the current golf carts, allocation of budget.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve award the contract for the Leasing and Supplying of Golf Carts to Capitol Golf Cars & Utility Vehicles, LLC as presented. The motion passed, 3-1. Commissioner Keefer was a nay vote.

CONTRACT AWARD (PUR-1642) FOR GASOLINE AND DIESEL FUEL DELIVERIES

Brandi Naugle, Buyer, Purchasing; Zane Rowe, Deputy Director, Highways Department presented the request to award the bids for gasoline and diesel fuel transport deliveries under four (4) separate contracts to the responsive, responsible bidders who submitted the lowest bids.

1. Contract for gasoline tank-wagon deliveries to A. C. & T. Company, Inc of Hagerstown, MD at the unit bidder factor prices as stated in its bid dated October 31, 2023.
2. Contract for gasoline transport deliveries to Petroleum Traders Corporation of Fort Wayne, IN. at the unit bidder factor prices as stated in its bid dated October 30, 2023.
3. Contract for diesel tank-wagon deliveries to A. C. & T. Company, Inc of Hagerstown, MD at the unit bidder factor prices stated in its bid dated October 31, 2023.
4. Contract for diesel transport deliveries to Petroleum Traders Corporation of Fort Wayne, IN. at the unit bidder factor prices stated in its bid dated October 30, 2023.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve the contracts as presented. The motion passed unanimously, 4-0.

BID AWARD (PUR-1643) SWIMMING POOL AND WATER/WASTEWATER TREATMENT CHEMICALS

Brandi Naugle, Buyer, Purchasing; Davina Yutzy, Deputy Director, Environmental Management; Mark Bradshaw, Director, Environmental Management presented the request to award the bids for Swimming Pool and Water/Wastewater Treatment Chemicals to the responsive, responsible bidders with the lowest bids for each item. The award of Item No. 34 is contingent upon the receipt and acceptance of the additional information requested from the vendor.

<u>Product/(Estimated Annual Usage)</u>	<u>Vendor Unit</u>	<u>Unit Price</u>	<u>Unit of Measure</u>
Item #9B – Sulfuric Acid 93%-95% (330 Gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$6.97/gal.	55-Gallon Drum
Item #10 - Sodium Hypochlorite (5,500 Gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$5.08/gal.	55-Gallon Drum
Item #11– Potassium Permanganate (52,000 Pounds)	Univar Solutions USA, Inc. Morrisville, PA	\$4.83/lb.	55-Pound Pail
Item #12 – Caustic Soda (Sodium Hydroxide) (6,050 Gallons)	Brenntag Northeast LLC Reading, PA	\$2.8675/gal.	55-Gallon Drum
Item #13A – Hydrofluosilic Acid (H2SiF6) (75 Gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$12.00/gal.	15-Gallon Pail

<u>Product/(Estimated Annual Usage)</u>	<u>Vendor Unit</u>	<u>Unit Price</u>	<u>Unit of Measure</u>
Item #13B – Hydrofluosilic Acid (H ₂ SiF ₆) (165 Gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$5.50/gal.	55-Gallon Drum
Item #14– DelPac 2000 (Polyaluminum Chloride Hydroxide Sulfate Solution) (144,000 Pounds)	Kemira Water Solutions, Inc Lawrence, KS	\$0.25/lb.	Bulk Pounds
Item #16 – Sodium Hypochlorite (2,585gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$5.08/gal.	55-Gallon Drum
Item #17 – Cyanuric Acid (100-200 pounds)	NO BID	\$/lb.	Pound
Item #18 – Calcium Chloride (500 – 600 pounds)	NO BID	\$/lb.	50-Pound Cont.
Item #19 – Muriatic Acid (20-40 Pounds)	NO BID	\$/lb.	Pound
Item #21 – DelPAC 2020 (Polyaluminum Hydroxychloro-Sulfate Solution) (3,080 Gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$4.75/gal	55-Gallon Drums
Item #26 – Bacterial Enzymatic Powder (1,500 pounds)	Maryland Chemical Co. Inc. Baltimore, MD	\$9.00/lb.	50-Pound Cont.
Item #29–DelPAC 2000(Aluminum Chloride Hydroxide Sulfate 220 gal)	Univar Solutions USA, Inc. Morrisville, PA	\$5.62/gal.	55-Gallon Drum
Item #30–Liquid Aluminum Sulfate (10,000 gallons)	Univar Solutions USA, Inc. Morrisville, PA	\$2.10/gal.	Gallon Bulk
Item #31 - MicroC 2000 (11,520 gallons)	George S. Coyne Chemic Co, Inc. Croydon, PA	\$4.20/gal.	240-Gallon Totes
*Item #34 – Magnetite (210,000 pounds) CONTINGENT	Chemrite, Inc. Buford, GA	\$.69/lb.	Pound Bulk

Commissioner discussion regarding no bid chemicals.

Commissioner Cline , seconded by Commissioner Keefer, moved to award the bids for Swimming Pool and Water/Wastewater Treatment Chemicals as presented. The motion passed unanimously, 4-0.

PRESENTATION OF THE JUNE 30, 2023, AUDITED FINANCIAL STATEMENTS

Chris Lehman, Partner, SB & Company; Kelcee Mace, Chief Financial Officer provided a summary update of the audit performed on June 30, 2023, to include: the scope of services, the audit process, and required communications. They will also report the results of the audit. Mr. Lehman presented a clean unmodified opinion was provided. There was no fraud discovered, there was a full cooperation of management. The audit approach and assessment of the audit and control environment, evaluation of key processes, required communications, responsibility for mitigating fraud and the engagement team. The Commissioners were proved with a binder of Financial Statements and Supplemental Schedules Together with Report of Independent Public Accountants for the Year Ended June 30, 2023. A slide show was presented with highlights from the report. Kelcee Mace provided a brief overview of the general fund budget, general fund revenues and expenditures, net reserves, and the cash reserve and revenue highlights, expenditure highlights and upcoming expenditures.

Commissioner Keefer thanked SB & company and staff. He requested a comparison of the FY 23 slide of revenue budgets, final budgets as compared to the original budget.

UTILITIES – EASTERN BLVD

Scott Hobbs, Director, Engineering presented the request to approve utility work for the Eastern Boulevard widening and intersection improvement phase one project from a sole provider of utility service, Potomac Edison in the amount of \$99,308.22. Construction along Eastern Boulevard corridor will occur in several phases of work as indicated in the Capital Plan and involves widening from two lanes to four lanes from Jefferson Boulevard to Antietam Drive, traffic signal improvements, and extending Eastern Boulevard from Antietam Drive to Marsh Pike. Construction is scheduled to begin in the spring.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve utility work for the Eastern Boulevard as presented. The motion passed unanimously, 4-0.

Commissioner Keefer requested an update on the issues with the cable company and hiring another inspector.

Scott Hobbs, Director, Engineering presented that he has been working with Gregg Cartrette, Director Permits and Inspections actively over the last few weeks and will be presenting at a future meeting recommended changes to our utility policy.

CONTRACT AWARD – FACILITIES DESIGN SERVICES (PUR-1481) – STORMWATER AND WATERSHED SERVICES ADMINISTRATION BUILDING

Scott Hobbs, Director, Engineering presented the request to award the contract for Facility Design services for the Stormwater and Watershed Services Administration Building to the responsive, responsible proposer, L.S. Grim, Inc. of Hagerstown, Maryland with the lowest total fee of \$189,024.42. This is a Capital Improvement Project.

Commissioner Cline, seconded by Commissioner Wagner, moved to award the contract for Facility Design services for the Stormwater and Watershed Services Administration Building to L.S. Grim, Inc. as presented. The motion passed unanimously, 4-0.

APPROVAL OF ZONING MAP AMENDMENT RZ-23-004 AND COMPREHENSIVE PLAN AMENDMENT CP-23-001

Zachary Kieffer, Deputy County Attorney presented the request for approval of the request to rezone the applicant's property, and to approve the subsequent amendment to the Comprehensive Plan. The applicant has requested to amend the current zoning of property located at 23226 Fruit Tree Drive, Smithsburg, from Residential Transition (RT) to Agricultural Rural (AR) through a rezoning map amendment.

Commissioner Wagner , seconded by Commissioner Keefer, moved to approve the request to rezone the property located at 23226 Fruit Tree Drive, Smithsburg as presented. The motion passed 3-1. Commissioner Cline abstained from the vote.

DEPARTMENT OF SOLID WASTE BUDGET TRANSFER

Dave Mason, Deputy Director, Solid Waste presented the request to approve budget transfer in the amount of \$35,270 for the funds from the Loss Settlement of the 2004 New Holland tractor.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve the budget transfer as presented. The motion passed unanimously, 4-0.

HAGERSTOWN FLYING BOXCARS STADIUM ADVERTISING OPPORTUNITY – HOTEL RENTAL TAX (HRT) FUNDS

Danielle Weaver, Director, Public Relations and Marketing presented the request to approve use \$100,000.00 from Hotel Rental Tax (HRT) funds to purchase ad space at the Hagerstown Flying Boxcars Stadium. The advertising opportunity is under the pitch clock, the cost is \$20,000.00 per year for five years.

Commissioner discussion regarding type of advertising, changes, length of time and approval of the final ad.

Commissioner Cline , seconded by Commissioner Wagner, moved to approve the funds to purchase advertising space as presented. The motion passed unanimously, 4-0.

AGRICULTURE - FACES OF FARMING PRESENTATION

Jonathan Horowitz, Director, Business and Economic Development presented “Faces of Farming” is an agricultural-focused video marketing campaign that will showcase two local Washington County farms every month, for one year. The “Faces of Farming” marketing videos will be showcased on the County’s website, as well as Facebook and other social media platforms, and will target a new industry and highlight a local farmer from that specific agricultural industry. Additionally, the Faces of Farming marketing campaign will be utilized in Washington County Public Schools as an agricultural education element focused on kindergarten to Fifth grade students to connect Washington County youth directly with local farms. Today’s featured farms are Willow Run Farm of Keedysville and Mountain Valley Orchard of Smithsburg.

BUDGET ADJUSTMENT FOR UNBUDGETED COSTS

Michelle Gordon, County Administrator presented the request to amend the budget for the County Administrator’s office and the County Clerk’s office due to personnel changes. To amend the budget for the County Administrator’s office (\$175,402.00) and the County Clerk’s office (\$21,265.00) due to personnel changes. Additional funding is needed in both departments. Funding is available from unexpected increases to Interest Revenue in FY24.

Commissioner Wagner , seconded by Commissioner Cline, moved to approve the budget amendment as presented. The motion passed unanimously, 4-0.

REVISION TO POLICY PR-34 LEAVE

Michelle Gordon, County Administrator presented the request to approve the revisions to Policy PR-34 Leave as presented. Revisions to Policy PR-34 Leave are recommended to ensure that all employees are treated fairly and equitably. Major changes include the following: Vacation Leave Accruals Stop After 90 Days While on Workers’ Compensation: In Section III. Vacation Leave, a new Letter F. was added and states “Vacation is earned by actively being at work. Any employee that is absent for more than ninety (90) consecutive calendar days because of workers compensation leave will have his/her vacations accruals stopped and will not begin accruing vacation benefits until they return to work”; and Leave Earned & Used: The increment for leave earned and used throughout the document was changed from days to hours. For example, 3 days was changed to 24 hours; and Personal Leave: Effective January 1, 2024, regular full-time employees are entitled to personal leave consisting of sixty (60) hours per calendar year and that leave may be used in hourly increments. This is an increase from the previous language that provided six (6) days of personal leave per calendar year which equated to forty-eight (48) hours for most employees. The increase in leave of twelve (12) hours will be partially offset by

changes to the holiday schedule and will ensure that all employees are treated fairly and equitably; and Sick Leave: Sick Leave Section V.B. Language adjusted to better match the County's Retirement Plan, Section 3.2.

Commissioner discussion regarding the benefits available to employees while on workers compensation.

Commissioner Cline, seconded by Commissioner Wagner moved to approve the revisions to Policy PR-34 Leave as presented. The motion passed unanimously, 4-0.

RETENTION OF GOVERNMENT RELATIONS CONSULTANT AND LOBBYIST

Kirk C. Downey, County Attorney presented the request to retain Bruce C. Bereano as the County's government relations consultant and lobbyist for the 2024 Session of the Maryland General Assembly upon the terms set forth in the proposed Engagement Letter dated November 6, 2023. Bruce C. Bereano has served the Board of County Commissioners as its government relations consultant and lobbyist for seven (7) years. Mr. Bereano has offered to again serve in this role for the 2024 General Assembly session for a fixed engagement fee of \$10,000.00 plus \$100.00 for the lobbying registration fee. The term of his representation would be the calendar year of 2024.

Michelle Gordon, County Administrator presented in prior years the cost was funded by the Commissioners Contingency Fund.

Commissioner concerns regarding competing interests of Mr. Bereano and making I-81 a priority with regular feedback. Mr. Bereano did arrange a meeting in January with Greg Slater which eventually led to the \$100,000.00 for Phase II which helped with I-81.

Commissioner Cline, seconded by Commissioner Keefer, moved to approve retaining Mr. Bereano as presented. The motion passed unanimously, 4-0.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Cline, moved to convene in closed at 10:53 a.m. 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; To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and To consult with counsel to obtain legal advice on a legal matter.

In closed session, the Commissioners discussed position recommendations, board appointments, business updates and a legal matter.

Present during closed session were Commissioners John F. Barr, Jeffrey A. Cline, Randall E. Wagner, and Wayne K. Keefer. Also present was Dawn Marcus, County Clerk; Kirk C. Downey, County Attorney; Michelle Gordon, County Administrator; Zachary Kieffer, Deputy County Attorney; Kelcee Mace, Chief Financial Officer; Also present at various times were, Jaime Dick, Director Rec and Parks; Andrew Eshleman, Director, Public Works; Kathryn Rathvon, Zoning Coordinator, Planning and Zoning; Becky Gander, Chief of Permitting, Permits and Inspections, Jonathan Horowitz, Director, Business and Economic Development; Tracy McCammon, Risk Management Coordinator, Human Resources; R. David Hays, Director, Emergency Services; Dale Fishack, President, WCVFRA; Rick Hemphill, WCVFRA; Neil Dorin, Director, Hagerstown Regional Airport.

RECONVENE IN OPEN SESSION

Commissioner Cline, seconded by Commissioner Wagner moved to reconvene in open session at 12:45 p.m. The motion passed unanimously, 4-0. Commissioner Harvey was absent.

SECOND STAFF COMMENTS

Dawn Marcus, County Clerk presented the recommendation to approve the appointment of Brent Feight to serve an unfulfilled term through June 30, 2025, as an alternate on the Board of Zoning and Appeals.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the appointment of Brent Feight as presented. The motion passed unanimously, 4-0.

Dawn Marcus, County Clerk presented the recommendation to approve the re-appointment of Travis Poole to serve a fourth term through November 30, 2025, as the legal Representative on the Animal Control Board.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the re-appointment of Travis Poole as presented. The motion passed unanimously, 4-0.

Dawn Marcus, County Clerk presented the recommendation to approve the re-appointment Edward Wurmb to serve a second term through November 30, 2025, as the veterinarian representative on the Animal Control Board.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the re-appointment of Edward Wurmb as presented. The motion passed unanimously, 4-0.

Dawn Marcus, County Clerk presented the recommendation to approve the appointment of Christy Hemshrodt to serve a first full, three-year term, from December 1, 2023, through November 30, 2026, as a citizen-at-large representative on the Animal Control Board.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the appointment of Christy Hemshrodt as presented. The motion passed unanimously, 4-0.

Dawn Marcus, County Clerk presented the recommendation to approve the appointment of Veronica Furukawa to serve a first full, three-year term, from December 1, 2023, through November 30, 2026, term as an alternate representative on the Animal Control Board.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the appointment of Veronica Furukawa as presented. The motion passed unanimously, 4-0.

Kirk Downey, County Attorney presented the request to approve a budget transfer in the amount of \$4,200.00 from the County Attorney's Office to Department of Permits and Inspections Animal Control Authority for FY24.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the budget transfer in the amount of \$4,200.00 as presented. The motion passed unanimously, 4-0.

ADJOURNMENT

Commissioner Cline, seconded by Commissioner Keefer, moved to adjourn at 12:50 p.m. The motion passed unanimously, 4-0.



Dawn L. Marcus, *County Clerk*