



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

October 8, 2024

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of September 10, 2024. The motion passed unanimously (5-0).

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the minutes of September 16, 2024 (Town Hall Meeting). The motion passed (5-0).

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the minutes of September 17, 2024. The motion passed unanimously (4-0-1). Commissioner Harvey abstained.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner attended the employee appreciation luncheon at the Water Treatment Plant. He attended the breakfast for the United Way Day of Caring. Commissioner Wagner attended the Community Rescue Services Station 759 grand opening. He attended the Fahrney-Keedy Senior Living Community groundbreaking ceremony. Commissioner Wagner attended the Emergency Preparedness Expo. He commented on the budget excess revenue.

Commissioner Keefer commented on the I-81 safety issues and funding. He suggested having a town hall meeting with federal legislative officials to discuss I-81. Commissioner Keefer commented on state funding and immigration.

Commissioner Harvey commented on I-81 funding and safety issues. He attended the visit with Governor Moore at the Public Safety Training Center.

Commissioner Cline commented on I-81 funding and discussing the issues at the upcoming Department of Transportation meeting. He attended Governor Moore's visit at the Public Safety Training Center. Commissioner Cline commented on the budget excess revenue and requested a report from staff on essential service's needs. He attended the United Way Day of Caring. He attended the Community Rescue Services Station 759 grand opening. Commissioner Cline attended the Fahrney-Keedy Senior Living Community groundbreaking ceremony. He participated in Walk Maryland Day in the town of Boonsboro. He attended Eagle Scout Ceremonies for Mason Churchey and Katie Vanderhuff. Commissioner Cline welcomed the Hancock EMS staff to County Government at their fitness testing

at the Public Safety Training Center. He attended the Emergency Preparedness Expo and commented on the vision of the Public Safety Training Center.

Commissioner Barr extended his appreciation to Governor Moore for bringing his Cabinet Staff to the Public Safety Training Center. He commented on the changes of the season and to be mindful of the pedestrian and foot traffic. Commissioner Barr shared upcoming events.

STAFF COMMENTS

Chip Rose, Director, Human Resources, presented the request to approve a salary adjustment for Jonathan Horowitz, Director of Business and Economic Development, of \$148,886.00 annually, retroactive to September 16, 2024.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the salary increase. The vote was (4-1). Commissioner Keefer was a Nay vote.

Danielle Weaver, Director Public Relations and Marketing; Megan Nokes, Sr. Office Associate, Emergency Services; Kevin Lewis, Director Training, Quality Assurance and Control, Emergency Services; Alan Matheny, Director, Emergency Management; and Cody Swope, Emergency Management Specialist, Emergency Services, provided an update on the Emergency Preparedness Expo. They shared next year's expo will be held on September 27, 2025. They presented a recap video of the expo.

Dawn Marcus, County Clerk, presented the request to amend the reappointment term dates of Gerald Kendle from July 1, 2024 through June 30, 2027 to September 1, 2024 through August 31, 2027, as a Community Representative on the Local Management Board, Mr. Kendle's current term ended on August 31, 2024.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the amended reappointment term of Gerald Kendle as presented. The motion passed unanimously.

Michelle Gordon, County Administrator attended the Meritus School of Osteopathic Medicine event. She attended the employee appreciation luncheon at Water Quality. Ms. Gordon participated in the United Way Day of Caring. She attended the Hagerstown Housing Authority 75th Anniversary celebration. She attended the Greater Hagerstown Committee meeting. Ms. Gordon attended Governor Moore's Cabinet meeting. She attended the Maryland Theater Board meeting. She attended the Emergency Preparedness Expo. Ms. Gordon extended condolences to the family of Brad Creek and to the Washington County Sheriff's Office. She noted a change to the agenda and shared information on the next meeting.

CITIZEN PARTICIPATION

Shaun Porter
Taj Smith – Hagerstown
Gary Hoffman – Knoxville
Mary Heeringa – Williamsport
Carol Mowen – Hagerstown

CONVENE AS THE WASHINGTON COUNTY BOARD OF HEALTH

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene as the Board of Health at 9:47 a.m. The motion passed unanimously (5-0).

LEAD SERVICES – POTOMAC CASE MANAGEMENT SERVICES, INC./PCS

Earl Stoner, Health Officer, Washington County Health Department; and Victoria Sterling, BHS Director, Washington County Health Department, presented The health department is recommending that the Board of Health approval the contract to Potomac Case Management Services, Inc./Potomac Community Services of Washington County in the amount of \$205,560.00 for funding legislated for the LEAD – Let Everyone Advance with Dignity Grant, awarded September 5, 2024, from the Governor’s Office of Crime Control and Prevention. Contract period of July 1, 2024, through June 30, 2025.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the contract to Potomac Case Management Services, Inc./Potomac Community Services of Washington County as presented. The motion passed unanimously (5-0).

RECONVENE AS BOARD OF COUNTY COMMISSIONERS, WASHINGTON COUNTY

Commissioner Wagner, seconded by Commissioner Keefer, moved to reconvene as the Board of County Commissioners of Washington County, Maryland at 10:00 a.m. The motion passed unanimously (5-0).

WASHINGTON COUNTY COMMUNITY COALITION: RECAP OF 2024; REQUEST FOR SUPPORT IN 2025

Paul Frey, President and CEO, Washington County Chamber of Commerce; and Jim Kercheval, Executive Director, Greater Hagerstown Committee, shared the mission of the coalition, lobbying efforts in Annapolis and an update on the 2024 Legislative Session. They presented a request for \$10,000.00 in funding support.

Commissioner Harvey left the meeting at 10:27 a.m. He returned at 10:32 a.m.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve \$10,000.00 in funding as presented. The motion passed unanimously (5-0).

CHARACTER COUNTS! FUNDING REQUEST AND OCTOBER 2024 PROCLAMATION

Carolyn Brooks, Director, Character Counts!; and Colleen Beaver, School Coordinator, Washington County Public Schools, shared information on the program and presented the request to approve \$3,000.00 in funding for direct expenses associated with the year-end event (Elementary Youth Celebration) from the Commissioners Contingency Fund. The BOCC presented a proclamation on behalf of Character Counts! Month.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve \$3,000.00 in funding as presented. The motion passed unanimously (5-0).

PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH

The Board of County Commissioners presented a proclamation to Kelly Clopper, Attorney for CASA; and Jennifer McNew, Meritus Forensic Nurse Department for domestic violence awareness month.

Commissioner Wagner left the meeting at 10:43 a.m. He returned at 10:45 a.m.

PUBLIC HEARING – RESOLUTION TO ESTABLISH RULES OF DECORUM FOR PARTICIPANTS IN OPEN MEETINGS AND/OR PUBLIC HEARINGS

President Barr convened a Public Hearing at 10:50 a.m. to obtain public comment for the Washington County Code of Civility.

Zachary Kieffer, County Attorney presented the request to adopt the Civility Code as written. In the alternative the Board may also propose amendments in response to public comment or may take the matter under advisement for action at a later date. The proposed Civility Code seeks to establish basic rules of conduct for open meetings and public hearings held by or on behalf of the County, concerning County business.

The Public Hearing was opened for public comment: There was no public comment.

The Public Hearing was opened for Commissioner comments:

The Commissioner's shared their comments.

Aaron Weiss, Assistant County Attorney shared information on public forums and interpretation of the rules.

Commissioner Harvey, seconded by Commissioner Wagner, moved to close the public meeting and keep the record open for two weeks. The motion passed unanimously (5-0).

The Public Hearing was closed at 11:23 a.m.

CHILD SUPPORT ENFORCEMENT COOPERATIVE AGREEMENT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING

Lieutenant James Grimm, Washington County Sheriff's Office; and Richard Lesh, Grant Manager, Grant Management, presented the request to approve the submission of the application for the Child Support Administration Cooperative Reimbursement Agreement to the Maryland Department of Human Services requesting a total of \$600,437.00 for FY25 and accept funding as awarded by the agency. Due to the cancellation of the meeting on September 24, 2024, and the application deadline of October 1, 2024, they are requesting ratification of the submission of the yearly renewal of the agreement.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the submission of the application for the Child Support Administration Cooperative Reimbursement Agreement and accept the funding as presented. The motion passed unanimously (5-0).

MARYLAND 9-1-1 BOARD – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING

Alan Matheny, Director, Emergency Management and Communications; Richard Lesh, Grant Manager, Grant Management presented the request to approve the submission of grant application to the Maryland 9-1-1 Board in the amount of \$56,992.68 and accept funding as awarded for the replacement of 18 Iron Horse 4000 Series chairs.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the submission of grant application to the Maryland 9-1-1 Board and accept funding as presented. The motion passed unanimously (5-0).

EMS STAFFING TRANSITION DISCUSSION, NEXT STEPS

R. David Hays, Director, Emergency Services; David Chisholm, Deputy Director – Field Operations, Emergency Services; Dale Fishack, Vice President, Washington County Volunteer Fire and Rescue Association (WCVFRA); Steve Barnhart, Chief, Hancock Rescue Squad; and Debbie Cohill, Hancock Rescue Squad, presented the request to approve the EMS Employee Transition MOU with the Hancock Rescue Squad and authorize the Division of Emergency Services to hire eight (8) FF/FAO's that would allow dedicated staffing for Rescue Squad 59.

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve the EMS Employee Transition MOU with the Hancock Rescue Squad as presented. The motion passed unanimously (5-0).

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve the hiring of (8) FF/FAO's for the Hancock Rescue Squad as presented. The motion passed unanimously (5-0).

Michelle Gordon, County Administrator shared that the next agenda item is ready to move forward.

LASERFICHE RENEWAL AGREEMENT (PUR-1712) FOR INFORMATION TECHNOLOGY

Rick Curry, Director, Purchasing; and Josh O'Neal, Chief Technical Officer, Information Technology, presented the request to authorize, Information Technology to enter into a one (1) year Laserfiche support and subscription renewal agreement for the total sum of \$69,720.35 from MCCI of Tallahassee, FL.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize a one (1) year Laserfiche support and subscription renewal agreement with MCCI as presented. The motion passed unanimously (5-0).

TRANSIT ROUTING/DISPATCHING HARDWARE/SOFTWARE (HARFORD COUNTY RFP 23-180) PROCUREMENT

Rick Curry, Director, Purchasing; and Andrew Eshleman, Director, Public Works, presented the request to authorize the procurement for the routing, dispatching, scheduling hardware and software for County Transit in the amount of \$74,555.15 from Ecolane of Wayne, PA and in the amount of \$198,424.89 from Passio Technologies of Atlanta, GA based on their proposals.

Commissioner Wagner, seconded by Commissioner Harvey, moved to authorize the procurement for the routing, dispatching, scheduling hardware and software with Ecolane as presented. The motion passed unanimously (5-0).

FY24 BUDGET ADJUSTMENT

Kelcee Mace, Chief Financial Officer presented the request to approve a budget transfer in the amount of \$140,010.00 from General Fund department 11525 – Fire Ops to CIP Project Budget VEH009 – Emergency Services Vehicle and Equipment Replacement. Staff is requesting moving funds budgeted for equipment for the reserve engines to be transferred to the CIP budget to allow equipment to be purchased in FY25. Delivery of the reserve engines is currently expected to be in October or November 2024.

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

FY24 EXCESS REVENUES

Kelcee Mace, Chief Financial Officer presented the request to approve the allocation of excess of revenues funding of approximately \$29.3 million. Staff recommended putting \$10 million into the pension fund and the remaining into the capital reserve fund for future use.

Commissioner Harvey, seconded by Commissioner Cline, moved to table the item.

Ms. Mace commented the funds would remain in the general fund and become a part of the general fund balance if tabled. The funds, if allocated to the Capital Fund can be pulled out for a one-time recurring cost at any time by vote of the Commission.

Commissioner Harvey altered his motion.

Commissioner Harvey, seconded by Commissioner Cline moved to allocate the funding as presented. The motion passed unanimously (5-0).

WATER AND SEWER POLICY UPDATE

Mark Bradshaw, Director, Environmental Management discussed proposed changes to the Water and Sewer Policies. He shared information regarding other jurisdictions policies regarding grinder pumps. He recommends any new grinder pumps would need to be maintained privately. All existing grinder pumps would continue to be maintained by the County. The effective date would be July 1, 2025. Language will be added to allow privately maintained grinder pumps the option to have the County repair and be billed for the repair. The necessary changes will be made to the policy and brought back for final approval.

PRESENTATION OF 2024-2025 FARM OF THE YEAR AWARD

Kelsey Keadle, Business Specialist – Agriculture, Business and Economic Development; and Carmen Harbaugh, Business Support Specialist, Business and Economic Development, presented the Farm of the Year Award to Linden Hall Farm, owned by Brian and Nicole Forsythe.

CLOSED SESSION

Commissioner Harvey, seconded by Commissioner Wagner, moved to convene in closed session at 12:13 p.m. The motion passed unanimously (5-0).

To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individual.

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

- Discussion of advertisement of open position in Budget and Finance.
- Discussion of transitional hiring in Budget and Finance.
- Discuss appointments to two County volunteer boards (Property Tax Assessment Appeals Board and Planning Commission).
- Discussion of County hiring matter.
- Personnel discussion elated to County vendor.

To consider a matter that concerns the proposal for a business to locate, expand, or remain in the State (4).

- Discussion pertains to proprietary plans and development of the business to expand

operations in Washington County. Open session discussion would dissuade company from sharing proprietary information or otherwise looking elsewhere to locate.

To consult with counsel to obtain legal advice on a legal matter. Discussion protected by attorney-client privilege (7).

- County attorney to update Board on a legal matter. Discussion may also necessitate advice on strategy and negotiations of pending legal matter, which would prejudice the Board in litigation if the discussion were to occur in open session.
- Discussion and consultation with County Attorney about County-involved litigation and litigation strategies.
- Discussion of contract negotiations between County and two non-County entities, discussion protected by attorney-client privilege.

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

- Advertise for the Accountant position;
- Advertise and fill the Director of Purchasing position;
- Appointments to the Property Tax Assessment Appeals Board and the Planning Commission;
- EMS staffing transition;
- PR-24, Hiring Policy;
- Water supply agreement;
- Discussion of contract negotiations between County and two non-County entities, discussion protected by attorney-client privilege;
- Received legal advice and updates on a legal matter; and
- Received legal advice and update on County involved litigation matters.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne K. Keefer and Randall E. Wagner; Dawn Marcus, County Clerk and Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Aaron Weiss, Assistant County Attorney; Jill Baker, Director, Planning and Zoning; Greg Cartrette, Director/Code Official, Permits and Inspections; Chip Rose, Director, Human Resources; Kelcee Mace, Chief Financial Officer, Budget and Finance; R. David Hays, Director, Emergency Services; David Chisholm, Deputy Director, Field Operations, Emergency Services; Dale Fishack, Vice President, WCVFRA; Mark Bradshaw, Director, Environmental Management; and Dominick Turano, Deputy Director, Human Resources.

RECONVENE IN OPEN SESSION

Commissioner Cline, seconded by Commissioner Wagner, moved to reconvene in open session at 2:07 p.m. The motion passed unanimously.

SECOND STAFF COMMENTS

Chip Rose, Director, Human Resources, presented the request to advertise the accountant position at a Grade 14, Step 1, with an annual salary of \$66,518.00.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve to advertise the accountant position as presented. The motion passed unanimously (5-0).

Chip Rose, Director, Human Resources, presented the request to advertise for and fill the Director of Purchasing position approximately 6 weeks (October 2024) prior to the retirement of Rick Curry to provide the new Director of Purchasing with training during the transition at a Grade 16, Step 1.

Commissioner Cline, seconded by Commissioner Keefer, moved to approve to advertise and fill the Director of Purchasing position as presented. The motion passed unanimously (5-0).

ADJOURNMENT

Commissioner Cline, seconded by Commissioner Wagner, moved to adjourn at 2:11 p.m. The motion passed unanimously.



Dawn L. Marcus, *County Clerk*