



## **Board of County Commissioners of Washington County, Maryland**

### ***Open Session Minutes***

**January 10, 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 9:14 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Derek Harvey.

#### **APPROVAL OF MINUTES**

Commissioner Keefer, seconded by Commissioner Jeffrey A. Cline, moved to approve the minutes of December 13, 2022. The motion passed unanimously.

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

Commissioner Wagner reported attending an Eagle Scout ceremony and congratulated the individuals that were honored.

Commissioner Cline reported attending the Eagle Scout ceremony and extended his appreciation to all involved. He was a spectator at the Polar Bear Plunge sponsored by the Humane Society of Washington County and commented on the large turnout. Commissioner Cline attended Hagerstown's 10<sup>th</sup> Anniversary Donut Drop.

Commissioner Harvey reported attending and also presenting awards at a local wrestling. He toured Pangborn Elementary School and was able to observe the programs offered, as well as the overall infrastructure of the school. Commissioner Harvey advised that he would be having a similar tour with North Hagerstown High School later in the week. Commissioner Harvey shared comments/concerns regarding the recent cold weather spell and the County's response to the situation; he visited various local warming centers, shelters, and fire stations and reported that the process in place seemed to work efficiently, and that the situation was handled effectively.

Commissioner Keefer commented on the recent passing of Dr. Peter Callas, and expressed the honor it was to know him. Commissioner Keefer recalled that there was to be a ninety-day review process following the implementation of the County's Telework Policy, and requested an update from staff. Commissioner Keefer inquired as to the process that would be involved with issuing a tax refund to the citizens, as the County is projected to have a surplus in revenue. An update into the status of the cyber security attack was also requested.

Commissioner Harvey added a note that it was recently Law Enforcement Appreciation Day and expressed his gratitude to all law enforcement.

Commissioner Barr reported attending Winter MACo and noted the record turnout. Commissioner Barr announced that the Day in Annapolis luncheon would be held January 25, 2023, and reminded the Board that anyone wishing to attend needed to make reservations as soon as possible.

### **STAFF COMMENTS**

Charles (Tom) Brown, Director of Emergency Management, Division of Emergency Services, provided an update on the 2021 Homeland Security Grant that funded the project to purchase Automatic External Defibrillators (AED's) to ensure that law enforcement vehicles in the County, as well as the officers operating those vehicles, have access to this crucial piece of medical equipment. The Division of Emergency Management has received those devices and will begin distribution by providing five to the Hancock Police Department, five to the Boonsboro Police Department, and four to the Smithsburg Police Department. These municipalities were chosen as their vehicles did not contain these devices. Mr. Brown provided a breakdown of how the remaining funds were utilized.

Jonathan Horowitz, Director, Department of Business Development, requested approval to send a letter to the City of Hagerstown's Mayor and City Council in support of a request for an exception to their Wastewater and Water Policy under Economic Development exception six. The request originated with Trammell Crowe Company for property approximately 224 acres in size. The issue presented at this time is that half of the property is within the Median Range Growth Area (MRGA) and the remaining half is outside of the MRGA. The County will require an exception from the City of Hagerstown to provide municipal water service to the property. After further discussion, the Board requested that the matter be presented at a future open session meeting to address identified concerns.

### **OTHER BUSINESS**

Krista Hart, County Clerk, read the names of individuals recommended for appointment or reappointment to County Boards and Commissions, as follows:

#### **Washington County Parks and Recreation Advisory Board**

Reappoint Bradley Tritsch to serve a third, three-year term retroactive October 1, 2022, through September 30, 2025.

Reappoint Robin Papa to serve a second three-year term for October 1, 2022, through September 30, 2025.

Commissioner Keefer, seconded by Commissioner Wagner, moved to reappoint Bradley Tritsch and Robin Papa as presented. The motion passed unanimously.

John Martirano, County Administrator, extended his appreciation to the staff that worked through the holiday break. He also thanked the staff that assisted the community during the recent cold weather and related pipe freezing. On behalf of the County, Mr. Martirano thanked the Hogan administration as it was recently announced that \$100 million in funds will be directed to phase two of the I-81 project, as well as \$15 million tax credit towards projects at Fort Ritchie. Mr. Martirano shared that the 2023 Board of County Commissioner meeting schedule is now available to view.

### **CITIZEN PARTICIPATION**

Howard Long, Mayor, Town of Boonsboro, presented the Commissioners with an award of appreciation on behalf of the Town.

### **SUPPORTED LEGISLATION FOR UPCOMING LEGISLATIVE SESSION**

Sheriff Brian Albert, Washington County Sheriff's Department, presented the request for consensus to support two bills to be considered during the upcoming Legislative session. The first bill is in regard to representation of the employees of the Sheriff's Department, as well as the Detention Center.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve a letter of support for representation of the employees of the Sheriff's Department and Detention Center. The motion passed unanimously.

Sheriff Brian Albert presented the second bill to be considered regarding alterations to the process by which the Sheriff's salary is set.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve a letter of support for the procedure to alter the Sheriff's salary. The motion passed unanimously.

*\*\*Commissioner Wagner, seconded by Commissioner Keefer, moved to convene as the Board of Health.*

#### **EXPANSION OF MENTAL HEALTH CRISIS SERVICES IN WASHINGTON COUNTY**

Earl Stoner, Health Officer, and Dan Triplett, Administrator, Washington County Health Department, presented the recommendation to award a contract to Way Station in the amount of \$104,292.00 for the expansion of mental health crisis response services throughout Washington County. Way Station is the single identified crisis service provider chosen by the Mental Health Authority for Washington County. The total cost of the contract is being funded by a grant through the Behavioral Health Administration of the Maryland Department of Health. The funds would be granted for the period from October 1, 2022, through June 30, 2023.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award a contract to Way Station in the amount of \$104,292.00 as presented. The motion passed unanimously.

#### **COMMUNITY MOBILE HEALTH CONTRACT**

Earl Stoner and Dan Triplett presented the recommendation to award a contract to Meritus Medical Center in the amount of \$76,134.00 for the establishment of a mobile health program that will provide direct outreach to neighborhoods determined to have the greatest health disparities and inequities in Hagerstown. The Health Department has been awarded grant funds to address health disparities and inequities in areas where citizens may not be able to easily access care. The Health Department would like to partner with Meritus Medical Center to establish a mobile health program that will provide various healthcare services, including testing and vaccination for COVID-19, to citizens in their own neighborhoods which will greatly increase their access to such care. The contract is fully funded through grants awarded by the Maryland Department of Health.

Commissioner Harvey, seconded by Commissioner Cline, moved to award a contract to Meritus Medical Center in the amount of \$76,134.00 as presented. The motion passed unanimously.

#### **ADOLESCENT CLUBHOUSE CONTRACT**

Earl Stoner and Dan Triplett presented the recommendation to award a contract to Horizon Goodwill Industries in the amount of \$276,494.99 for the continued operation of an Adolescent Clubhouse program within Hagerstown for the period from October 1, 2022, through September 29, 2023. The Adolescent Clubhouse program provides safe places for adolescents to meet, provides activities and events to entertain, and acts as an alternative for adolescents who may otherwise engage in drug use or other harmful activities. An RFP was issued by the Health Department (RFP-2022-06) on eMaryland Marketplace and published on the County's website. Only one bid was received for these services from Horizon Goodwill Industries. The Adolescent Clubhouse program is fully funded by a

grant awarded to the Health Department by the Behavioral Health Administration of the Maryland Department of Health.

Commissioner Keefer, seconded by Commissioner Wagner, moved to award a contract to Horizon Goodwill Industries in the amount of \$276,494.99 as presented. The motion passed unanimously.

**CRISIS BEDS CONTRACT**

Earl Stoner and Dan Triplett presented the recommendation to award a contract to Meritus Medical Center in the amount of \$112,491.00 for the expansion of Crisis Beds and stabilization services for the period of October 1, 2022, through June 30, 2023. The contract will be fully funded by a grant awarded to the Health Department by the Behavioral Health Administration of the Maryland Department of Health.

Commissioner Harvey, seconded by Commissioner Keefer, moved to award a contract to Meritus Medical Center in the amount of \$112,491.00 as presented. The motion passed unanimously.

*\*\*Commissioner Wagner, seconded by Commissioner Harvey, moved to reconvene as the Board of County Commissioners of Washington County.*

**FUNDING REQUEST FOR INFRASTRUCTURE PROJECT**

Mayor Howard Long, Town of Boonsboro, presented a request for the Board to award \$520,000 in grant funds to the Town of Boonsboro to fund the realignment of Campus Avenue, and to create a controlled intersection with Chase Six Boulevard and Maple Avenue. No crosswalk currently exists at the intersection of Maple Avenue and Campus Avenue. A controlled intersection with crosswalks will reduce chronic speeding and provide safe crossing. Michelle Gordon, CFO, joined later in the presentation to answer questions regarding available funding.

Commissioner Wagner, seconded by Commissioner Harvey, moved to award funding in the amount of \$520,000 to the Town of Boonsboro to fund the realignment of Campus Avenue and to create a controlled intersection with Chase Six Boulevard and Maple Avenue. The motion passed unanimously.

**CONTRACT AWARD (PUR-1583) – RUBBLE LANDFILL CLOSURE FOR THE SOLID WASTE DEPARTMENT**

Brandi Naugle, CPPB, Buyer, Purchasing Department, and David Mason, P.E., Deputy Director, Solid Waste Department, presented the recommendation to award the contract for the Rubble Landfill Closure project to the responsible, responsive bidder, Greenridge Contractors, Inc., of Hagerstown, Maryland, who submitted the lowest total sum bid in the amount of \$1,496,485 (for Item Nos. 1 through 10 and Contingent Items C-1 through C-3). The project is a 5-acre synthetic cap of Cell No. 1. The project includes site clearing, the synthetic cap, stormwater management, and gas vents. Funds are budgeted in the Solid Waste Department's Capital Improvement Plan (CIP) 515000-31-21010 CAP003 for these services.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award the contract for the Rubble Landfill Closure project (PUR-1583) to Greenridge Contractors, Inc., as presented. The motion passed unanimously.

**CONTRACT RENEWAL (PUR-1403) - LANDFILL INSPECTION SERVICES – REQUIREMENTS CONTRACT**

Brandi Naugle and Dave Mason presented the recommendation to renew the contract with *BAI Group, LLC*, for a one-year period commencing March 13, 2023; this is the fourth and final one year renewal. The contract terms and conditions will remain as is with the exception of a rate increase of 5.6% for construction inspection and engineering services based on its letter of request dated November 21, 2022. Funds are budgeted in individual project accounts for these services.

Commissioner Harvey, seconded by Commissioner Wagner, moved to renew the contract with *BAI Group, LLC* (PUR-1403) for a one-year period commencing March 13, 2023. The motion passed unanimously.

**BID AWARD (PUR-1586) – ROOF REPLACEMENT AND METAL SIDING INSTALLATION**

This agenda item was pulled from the agenda and will be submitted at a future meeting.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-22-0103) – PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR DIVISION OF EMERGENCY SERVICES**

Rick Curry and Eric Jacobs, Operations Manager, Division of Emergency Services, recommended to authorize by Resolution the Intergovernmental Cooperative Purchase (INTG-22-0103) for the approval of the purchase of Personal Protective Equipment (PPE) (coats) for the Division of Emergency Services from Municipal Emergency Services of Rockville, Maryland, at the contracted unit prices totaling \$177,286.89 based on the contract awarded by the Fairfax County, Virginia, contract (Solicitation #20000003296); HFPR Tail Coats at \$2,123.11 x 47 = \$99,786.17; HFPR Tail Coats at \$1,421 x 50 = \$71,050; and Honeywell Ranger Coats at \$2,150.24 x 3 = \$6,450.72. This structural firefighting, turn-out gear will be purchased to assist in outfitting our first responders throughout the County. This is an annual program that has been supported through general budget funding. Funding is provided in the Department's FY'23 Capital Outlay budget 11525.

Commissioner Keefer, seconded by Commissioner Harvey, moved to authorize by Resolution the Intergovernmental Cooperative Purchase relating to Personal Protective Equipment (PPE) (INTG-22-0103) as presented. The motion passed unanimously.

(Resolution No. RS-2023-01 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-22-0104) – ONE (1) NEW 2024 FORD F-650 TRUCK**

Rick Curry and Mark Bradshaw, Division Director of Environmental Management, recommended to authorize by Resolution the Intergovernmental Cooperative Purchase (INTG-22-0104) for the Department of Water Quality to purchase one New/Unused 2024 Ford F-650, (F6D) Regular Cab Base, CA 158" WB with Rugby 11' Eliminator Dump Body via Dejana for a total cost of \$95,773, and to utilize another jurisdiction's contract that was awarded by Sourcewell (Contract 060920-NAF) to 72 Hour LLC dba National Auto Fleet Group of Watsonville, California. Funds are budgeted in the Washington County Water Quality Department's Capital Improvement Plan (CIP) budget account 600300-37-40010-VEH007.

Commissioner Harvey, seconded by Commissioner Keefer, moved to authorize by Resolution the Intergovernmental Cooperative Purchase relating to the purchase of one New/Unused Ford F-650 (INTG-22-0104) as presented. The motion passed unanimously.

(Resolution No. RS-2023-02 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

**WALNUT HILL FARM, LLC RURAL LEGACY PROGRAM (RLP) EASEMENT**

Chris Boggs, Rural Preservation Administrator, Department of Planning and Zoning, recommended approval of the Walnut Hill Farm, LLC, Rural Legacy Program (RLP) Easement Project in the amount of \$420,000.00 for 114.75 easement acres, paid for 100% by the Maryland Department of Natural Resources, to adopt an Ordinance approving the easement purchase, and to authorize the execution of the necessary documentation to finalize the easement purchase. Mr. Boggs described the property located at 8423 Routzahn Road, Boonsboro, and the easement will serve to permanently preserve a valuable agricultural, scenic, environmental, and historic property in the County. The property lies in a part of Washington County that was heavily trafficked during the Civil War and the Battle of Antietam. The property is listed on the Maryland Inventory of Historic Places and is significant for its architecture. The parcel adds on to a block of thousands of acres of contiguous preserved farmland around Antietam Battlefield. Seven (7) development rights will be extinguished with this easement.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the Walnut Hill Farm, LLC, RLP easement project in the amount of \$420,000.00 as presented, adopt an Ordinance approving the purchase of the easement, and to authorize the execution of the necessary documentation to finalize the easement purchase. The motion passed unanimously.

(Ordinance No. ORD-2023-01 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

**JOINT SEWER SERVICE AREA AGREEMENT (JSSA)**

Mark Bradshaw presented the Board with a proposed request to the City of Hagerstown to amend paragraph 7 of the JSSA to permit deduct meters. Paragraph 7 of the JSSA states that the City will bill the customers in the JSSA for sewage based on water consumption. With the installation of a deduct meter, the customer will now only pay for the sewage that is being discharged. Mr. Bradshaw also presented a request from JD Law Co., Inc., that the property located at 17601 Broadfording Road be included in the JSSA agreement as "Area B" as shown on Exhibit A of the agreement. The County will collect additional user fees for the sewage being treated for this property until the flow is transferred to the City.

Commissioner Wagner, seconded by Commissioner Keefer, moved to request the City of Hagerstown amend paragraph 7 of the JSSA to permit deduct meters, and to include property located at 17601 Broadfording Road as "Area B" as shown on Exhibit A of the agreement. The motion passed unanimously.

**FY23 MIEMSS CARDIAC DEVICE GRANT - APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING**

David Chisholm, Deputy Director of Operations, Division of Emergency Services, and Nicole Phillips, Grant Manager, Office of Grant Management, presented the recommendation to submit application for and accept awarded funding from the FY23 Cardiac Device Grant through the Maryland Institute for Emergency Medical Services Systems (MIEMSS) in the amount of \$35,827.00. The Division of Emergency Services will use this grant funding to purchase two cardiac



monitors. The match associated with this grant (\$35,827.00) will be covered by the Emergency Services operating FY23 budget.

Commissioner Wagner, seconded by Commissioner Cline, moved to submit application for and to accept awarded funding from the FY23 Cardiac Device Grant through the Maryland Institute for Emergency Medical Services Systems (MIEMSS) in the amount of \$35,827.00 as presented. The motion passed unanimously.

**DISCUSSION OF COMMISSIONER REPRESENTATION/ASSIGNMENTS ON  
WASHINGTON COUNTY BOARDS AND COMMISSIONS**

Krista Hart, County Clerk, presented several Boards and Commissions that require Commissioner (or designee) representation, to serve in various capacities.

Commissioner Barr stepped forward to take the liaison position for the Housing Authority Board and the Tri-County Revolving Loan Fund Board alternate position.

Commissioner Harvey stepped forward to take the liaison position for the Aging Council.

Commissioner Wagner stepped forward to take the Women's Commission and the Eastern Panhandle Metropolitan Planning Organization, as an alternate.

The Commissioners agreed to continue deliberations on the remaining three Boards/Commissions.

**CONVENE IN CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Harvey, moved to convene in closed session at 11:16 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; to consult with counsel to obtain legal advice on a legal matter; and to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with Section 3-305(b) (1), (4), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed personnel vacancies, hiring practices, received an update from Business Development, and discussed a personnel matter.

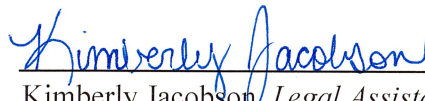
Present during closed session were Commissioners John F. Barr, Jeffrey A. Cline, Wayne K. Keefer, Randall E. Wagner, and Derek Harvey. Also present at various times, were: John M. Martirano, County Administrator; Krista L. Hart, County Clerk; Kirk C. Downey, County Attorney; Michelle Gordon, CFO, Budget and Finance; Jonathan Horowitz, Director, Business Development; Jill Baker, Director, Planning and Zoning; and Mark Bradshaw, Director, Environmental Management.

**RECONVENE IN OPEN SESSION**

Commissioner Cline, seconded by Commissioner Wagner, moved to reconvene in open session at 1:50 p.m. The motion passed unanimously.

**ADJOURNMENT**

Commissioner Cline, seconded by Commissioner Wagner, moved to adjourn at 1:55 p.m. The motion passed unanimously.

  
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Kimberly Jacobson, *Legal Assistant*