



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

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

**January 24, 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 9:01 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey, Commissioner Wayne K. Keefer, and Commissioner Randall E. Wagner.

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

Commissioner Wagner noted that the Commissioners met with the Board of Education last Tuesday. He had the opportunity to visit First Breach on Showalter Road, a facility that manufactures ammunition, and congratulated them for their manufacturing process. Commissioner Wagner visited the North American Rod and Gun Club and commended its donation to the Hagerstown City Police Department K-9 unit.

Commissioner Keefer requested the Board consider holding a State of the County presentation in the evening at Hagerstown Community College as has been done in the past. He raised concerns over an increase in phone calls from citizens who are attempting to reach the District Court Commissioners, but instead are directed to the County Commissioners. He requested an increase in advertising the difference between the two to clear up confusion.

Commissioner Harvey reported meeting with Tom Brown, Emergency Services, to go over cold weather responses with the community. Following the meeting with the Board of Education, Commissioner Harvey visited various other schools throughout the County to see what areas are in need of renovation and modernization. He reported visiting the Hancock Fire Department with Commissioner Cline.

Commissioner Cline reported attending the ribbon cutting ceremony for First Breach, then the Martin Luther King celebration held at Hagerstown Community College. He visited the Hancock Fire Department and noted individuals who received awards for their outstanding service. Commissioner Cline visited the North American Rod and Gun Club as well as the Smithsburg Fire Association meeting, where outgoing Sheriff Doug Mullendore was honored.

Commissioner Barr thanked Dr. Sovine, Superintendent, and Melissa Williams, President of the School Board, for hosting the very productive and informative meeting held the week prior at the Board of Education. He noted that the following day was Day in Annapolis and explained the agenda for the day. Commissioner Barr reported that Clear Spring and Maugansville would be holding their Voluntary Fire Company banquets that upcoming Saturday. He reported that he was approached by former Library Director Mary Baykan regarding the upcoming Bull and Oyster Roast fundraiser at the end of February, and was asked if the Commissioners would sponsor a table. Commissioner Barr thanked the Salvation Army for their efforts to become ADA compliant so that more locations can be opened up during cold weather situations.

### **STAFF COMMENTS**

Jonathan Horowitz, Director, Department of Business Development, presented the request for a consensus to provide a letter of support to the National Park Service, C&O Canal Headquarters, located in Williamsport, Maryland. The facility is looking to rehabilitate three historic properties located in front of the Headquarters, and is seeking all grant opportunities available to fund the project. Several of the potential grants require a show of support from the land owner, which in this instance is the County. Mr. Horowitz presented a draft letter of support.

John Martirano, County Administrator, added that he met with officials regarding the planned work which will mostly be completed by the National Park Service.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the letter of support as presented. The motion passed unanimously.

### **CITIZEN PARTICIPATION**

There were no citizens present who wished to comment.

### **DIVISION OF BUDGET AND FINANCE RESTRUCTURING**

Michelle Gordon, CFO, Division of Budget and Finance, presented the recommendation to approve three changes to the structure of the Division of Budget and Finance.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the restructuring as presented. The motion passed unanimously.

### **LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND (LATCF) – APPROVAL TO SUBMIT REQUEST AND ACCEPT ALLOCATED FUNDS**

Michelle Gordon and Susan Buchanan, Director, Office of Grant Management, presented the recommendation to approve the submittal of a request to the U.S. Treasury for Washington County's allocation of the Local Assistance and Tribal Consistency Fund (LATCF) and to accept the allocated funding. The LATCF provides \$1.5 billion in eligible revenue sharing counties under the American Rescue Plan (ARPA). Washington County is an eligible revenue sharing county and has been allocated \$100,000 to be distributed in two tranches of \$50,000.

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve the submittal of a request to the U.S. Treasury for Washington County's allocation of the Local Assistance and Tribal Consistency Fund (LATCF) and to accept the allocated funding. The motion passed unanimously.

### **APPROVAL TO ENTER INTO SUB-GRANTEE CONTRACT WITH TRI-COUNTY COUNCIL AND ACCEPT FUNDING AS AWARDED**

Rachel Souders, Senior Grant Manager, Office of Grant Management, and Jonathan Horowitz presented the recommendation to approve entering into a sub-grantee contract with the Tri-County Council of Western Maryland to provide data collection services for an amount not to exceed \$30,000. The Department of Business Development will perform the tasks outlined in the sub-grantee contract. No matching funds are required from the County, and there will be no recurring operational expenses.

Commissioner Cline, seconded by Commissioner Harvey, moved to approve entering into a sub-grantee contract with the Tri-County Council for Western Maryland and to accept funding as awarded. The motion was unanimously approved.

### **MARYLAND GENERAL ASSEMBLY 2023 REGULAR SESSION PREVIEW**

Bruce C. Bereano, Lobbyist, Washington County, presented an overview of what he expects to be issues of legislative interest during the 2023 Regular Session of the General Assembly. He also highlighted any anticipated issues that may have particular impacts on local governments or Washington County.

### **PROPOSED MERITUS SCHOOL OF OSTEOPATHIC MEDICINE**

Maulik Joshi, DrPH, President and CEO, Meritus Health, presented the recommendation to approve funding in the amount of \$1 million per year for twenty years towards operational support and \$1 million per year for local student scholarships for the proposed Meritus School of Osteopathic Medicine. Meritus is investing \$146 million from its reserves to launch Meritus Medical School in the Fall of 2025. Meritus is requesting funding from the County to support scholarships for local students and for operational support to offset the significant losses.

The Commissioners took the matter under advisement.

### **FY24 RURAL LEGACY PROGRAM GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDS**

Chris Boggs, Rural Preservation Administrator, Department of Planning and Zoning, presented the recommendation to approve the submission of the grant application for the fiscal year 2024 Rural Legacy Program in the amount of \$5,095,000, and to accept awarded funding. Mr. Boggs provided an overview of the Rural Legacy Easement process. He explained that there are recurring department operational expenses for the inspections of the easement properties by staff. Time required for inspections are eight hours per year, or \$240.00 per year, and the cost is covered by the Department of Planning and Zoning.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the submission of the grant application as presented and to accept funding as awarded. The motion passed unanimously.

### **KLINE CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP) EASEMENT PROPOSAL**

Chris Boggs presented the recommendation to approve the Lynne A. Kline CREP easement project, paid for 100% by the State, in the amount of \$34,660.80 for 10.66 easement acres, to adopt an Ordinance approving the purchase of the easement, and to authorize the execution of the necessary documentation to finalize the easement purchase. Mr. Boggs described the property located at 16034 Dellinger Road, Williamsport, and the easement will protect 3.75 acres of woodland and 5.5 acres of stream buffer. This easement will serve to buffer roughly 1,800 linear feet of Downey Branch.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the Lynne A. Kline CREP easement project as presented. The motion passed unanimously.

### **PARKS AND RECREATION CAPITAL IMPROVEMENT BUDGET ADJUSTMENTS AND PROGRAM OPEN SPACE FY23 PLAN REVISIONS**

Andrew Eshleman, P.E., Director of Public Works, presented the recommendation to approve a budget adjustment in the amount of \$876,600 for the state Local Parks and Playground Infrastructure funds received in FY23, and to approve revisions to the FY23 Program Open Space Annual Program.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the budget adjustment as presented and to approve revisions to the FY23 Program Open Space Annual Program. The motion passed unanimously.

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

Rick Curry, CPPO, Director, Purchasing Department, and Andrew Eshleman presented a recommendation to award the contract for the Roof Replacement and Metal Siding Installation at parks to the responsive, responsible, bidder, Reese's Home Improvement, Inc., of Boonsboro, Maryland, who submitted the lowest Base Bid (Option A through Option E) and Add Alternates (Option F through Option H) for the total lump sum amount of \$180,814.52, contingent on final approval of the Agreement by the County Attorney's Office. Funds in the amount of \$183,000 are budgeted in the Capital Improvement Plan.

Commissioner Wagner, seconded by Commissioner Cline, moved to award the contract for the Roof Replacement and Metal Siding Installation at parks (PUR-1586) to Reese's Home Improvement, Inc., of Boonsboro, Maryland, as presented. The motion passed unanimously.

**CONTRACT AWARD (PUR-1575) – BLACK ROCK CLUB HOUSE HVAC AND INTERIOR RENOVATIONS**

Rick Curry and Andrew Eshleman presented the recommendation to award the contract for the Black Rock Club House and Interior Renovations project to the responsible, responsive bidder, Warner Construction, (A Division of R.W. Warner, Inc.) of Frederick, Maryland, who submitted the lowest total sum bid in the amount of \$398,150, contingent upon the County Attorney's Office approval of the contract Agreement, and to approve a Budget Transfer Request of \$175,000 from account 30-10910-BLD078 to account 36-46010-BLD106. Funds are budgeted in the Division's Capital Improvement Project (CIP) account.

Commissioner Wagner, seconded by Commissioner Cline, moved to award the contract for the Black Rock Club House and Interior Renovations project to the responsible, responsive bidder, Warner Construction, (A Division of R.W. Warner, Inc.) of Frederick, Maryland, as presented, and to approve a Budget Transfer Request of \$175,000 from account 30-10910-BLD078 to account 36-46010-BLD106.

**CONTRACT AWARD (PUR-1576) – BLACK ROCK CLUBHOUSE ROOF REPLACEMENT**

Brandi Naugle, CPPB, Buyer, Purchasing Department, and Andrew Eshleman presented the recommendation to award the bid for the Black Rock Clubhouse Roof Replacement at 20025 Mt. Aetna Road, to the responsive, responsible bidder, Reese's Home Improvement, Inc., of Boonsboro, Maryland, who submitted the lowest Total Lump Sum amount of \$114,600. Funds are budgeted in Capital Improvement Plan (CIP) account 30-11910-BLD100.

Commissioner Wagner, seconded by Commissioner Cline, moved to award the contract for the Black Rock Clubhouse Roof Replacement at 20025 Mt. Aetna Road, to the responsive, responsible bidder, Reese's Home Improvement, Inc., of Boonsboro, Maryland, who submitted the lowest Total Lump Sum amount of \$114,600. The motion passed unanimously.

**CONTRACT AWARD (PUR-1587) – 9-1-1 CALL CENTER HVAC REPLACEMENT**

Brandi Naugle and Andrew Eshleman presented the recommendation to award the contract for the 9-1-1 Call Center HVAC Replacement project to the responsible, responsive bidder, MS Johnston Company, Inc. of Hagerstown, Maryland, who submitted the lowest total sum bid in the amount of \$99,750, contingent upon the County Attorney's approval of the contract Agreement.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award the contract for the 9-1-1 Call Center HVAC Replacement project as presented. The motion passed unanimously.

#### **AIRPORT DIRECTOR INTRODUCTION AND UPDATES**

Andrew Eshleman introduced the County's new Airport Director, Neil Doran. Mr. Eshleman highlighted Mr. Doran's recent accomplishments and discussed upcoming strategic planning efforts and focus areas.

#### **FY22 AIRPORT IMPROVEMENT PROGRAM SUPPLEMENTAL DISCRETIONARY GRANT – APPROVAL TO SUBMIT GRANT APPLICATION AND ACCEPT AWARDED FUNDING**

Neil Doran and Nicole Phillips, Grant Manager, Office of Grant Management, presented the recommendation to approve submission of the FY22 Airport Improvement Program Supplemental Discretionary Grant application to the Federal Aviation Administration in the amount of \$2,758,000, and to accept funding as awarded. The Hagerstown Regional Airport is requesting funding for new LED lighting and signage replacement for both the primary runway 09-27 and secondary runway 02-20, the acquisition of two electrical aircraft tractors, and assistance with developing a comprehensive environmental sustainability program through the use of qualified consultants. There is a 10% match associated in the amount of \$275,800 which is available in the Airport's CIP accounts EQP031, STY022, and other various accounts where the work is to be done incrementally.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve submission of the FY22 Airport Improvement Program Supplemental Discretionary Grant application to the Federal Aviation Administration in the amount of \$2,758,000, and to accept funding as awarded. The motion passed unanimously.

#### **DISCUSSION OF CITY OF HAGERSTOWN WATER DISTRIBUTION POLICIES RELATED TO THE MEDIUM GROWTH AREA BOUNDARY**

Jill Baker, Director, Department of Planning and Zoning, made a presentation to the Board to address any questions or concerns related to the Board having been recently approached by a prospective developer to support their efforts to gain access to public water from the City of Hagerstown.

#### **AGRICULTURE – FACES OF FARMING PRESENTATION**

Leslie Hart, Business Development Specialist, Department of Business Development, presented the "Faces of Farming" 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.

#### **CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Harvey, moved to convene in closed at 11:43 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 consult with counsel to obtain legal advice on a legal matter; to conduct or discuss an investigative proceeding on actual or possible criminal conduct; and to discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information; or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices, in accordance with



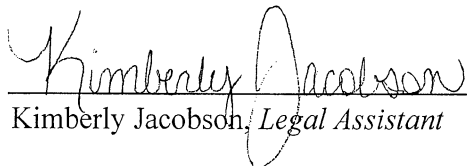
Section 3-305(b) (1), (7), (12), and (15) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed personnel matters and cybersecurity.

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; Kirk C. Downey, County Attorney; Kendall A. Desaulniers, Deputy County Attorney/Interim Director of Human Resources; Michelle Priebe, Executive Administrative Assistant; Joshua O'Neal, Director, Information Systems; David Elliott, Deputy Director, Information Systems; Tom Brown, Director, Emergency Management; and Machel Dwyer, Recruiter, Human Resources.

**ADJOURNMENT**

Commissioner Wagner, seconded by Commissioner Cline, moved to adjourn at 12:54 p.m. The motion passed unanimously.

  
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Kimberly Jacobson, *Legal Assistant*