



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

February 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 9:02 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey, Commissioner Wayne K. Keefer, and Commissioner Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of January 31, February 7, and February 14, 2023. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer congratulated the Hagerstown, Sunrise, and Williamsport Rotary Clubs for the Bull and Oyster Roast that he attended over the weekend.

Commissioner Harvey thanked Mayor Martinez for a recent lunch meeting to discuss the future of Hagerstown. Commissioner Harvey thanked the County Administrator and the Public Relations Department staff for working with Antietam Cable to begin broadcasting the County Commissioner meetings in the near future. Commissioner Harvey commented on the group of volunteers who were nominated by the Commissioners who are charged with making recommendations for how to divide financial support to community organizations, noting they will be working next month on the charitable 501c3's, and shared areas of concern to be considered as they begin looking at organizations.

Commissioner Wagner attended the Bull and Oyster Roast and thanked the rotaries for the successful event. Commissioner Wagner asked staff if there will be a policy to address the upcoming legalization of cannabis. County Administrator John Martirano advised that Human Resources and Legal staff were looking into the matter. Commissioner Wagner agreed with Commissioner Harvey's concerns regarding the process to approve organizations for funding.

Commissioner Cline attended the Bull and Oyster Roast and recognized that the event was in memorial to the late Dave Henneberger and noted that it will be a memorial to his service to the rotary moving forward. Commissioner Cline attended the Maugansville Rotary breakfast. He thanked the Parks and Recreation staff for the superhero event held Friday night and noted that attendance had returned to pre-COVID levels. Commissioner Cline attended the Longmeadow Fire Company Banquet where awards were presented to three individuals who had fifty years of service. Commissioner Cline attended the Fire Association meeting and thanked all the volunteers.

Commissioner Barr attended the Maugansville Ruritan Club breakfast as well as the Rotary Bull and Oyster Roast. Commissioner Barr noted that every Wednesday, either in person in Annapolis or by Zoom meeting, he participates in Committees and the Legislative Committee Meeting in MACo.

Commissioner Barr attended the Liberation Church in Funkstown Maryland for a special Black History Month service. He thanked the pastors and individuals in the community that worked hard to put the service together. Commissioner Barr shared upcoming events with the Board.

STAFF COMMENTS

Neil Doran, Director, Airport, requested a letter of support for a Congressionally Directed Spending Request for the Airport. He advised that the Airport is seeking \$7.7 million dollars for a replacement air traffic control tower project.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve sending the letter of support as presented.

Dave Mason, Director, and Anthony Drury, Recycling and Operations Coordinator, Solid Waste Department informed the Board of an Agricultural Scrap Tire event being held on May 5, 6, 8, and 9th at the Forty West Landfill. The event is sponsored by the Maryland Environmental Services and they, in conjunction with Maryland Department of the Environment and the Farm Bureaus, will fund the event.

John Martirano, County Administrator, added comment in response to Commissioner Harvey's community funding concerns that staff could begin reviewing and potentially revising the process in the future if the Board approves.

The Board reached a consensus to direct staff to review the process.

Kirk C. Downey, County Attorney, advised that while the letter opposing the proposed Admissions and Amusements Tax Senate Bill 533 had been drafted by his office, it had not yet been sent to the Committees. In light of a recent letter sent by Senator Corderman to the Commissioners, Mr. Downey asked if the Board's position on the matter remained the same. A consensus was made to send the letter opposing SB533.

CITIZEN PARTICIPATION

Stan Brown, of Hagerstown, Maryland, requested that Col Henry K. Douglas Drive be renamed as it is named after a confederate officer.

Dan Tedrick, of Clear Spring, Maryland, thanked the Board for not supporting the proposed legislative bill regarding noise control.

PUBLIC HEARING – ACQUISITION OF THE SIDELING HILL HIGHWAY MAINTENANCE FACILITY AT 2801 NATIONAL PIKE

President Barr convened a public hearing at 9:30 a.m. to obtain public comment regarding the acquisition of the Sideling Hill Highway Maintenance Facility at 2801 National Pike. President Barr reviewed the procedures for the Public Hearing.

Todd Moser, Real Property Administrator, and Andrew Eshleman, Director of Public Works, presented a request to approve the full-take, fee-simple property acquisition of the Sideling Hill Highway Maintenance Facility, located at 2801 National Pike, Hagerstown, Maryland, to approve the ordinance approving said purchase for \$14,029.98, and to authorize the execution of the necessary documentation to finalize the acquisition. The Sideling Hill maintenance facility is critical to County Highway

Operations. The Maryland Department of Transportation (MDOT) Secretary's Office has suggested that it would accept an offer of \$14,029.98, to include acquisition, plus interest and administrative costs. The Public Hearing was opened for citizen comment, to which no citizens responded.

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

(Ordinance No. ORD-2023-03 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.

FY2024 GENERAL FUND BUDGET – PROPOSED

Michelle Gordon, Chief Financial Officer, and Kim Edlund, Director, Budget and Finance, presented the proposed FY2024 General Fund Budget which represents the first round of adjustments to what was requested from departments and outside agencies in an effort to provide a balanced budget.

FY2024 GENERAL FUND BUDGET – PUBLIC SAFETY (LAW ENFORCEMENT AND EMERGENCY SERVICES)

Brian Albert, Sheriff, and Dave Hays, Director of Emergency Services, presented the proposed FY2024 General Fund Budget – Public Safety (Law Enforcement and Emergency Services).

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0111) – SUBSCRIBER RADIO EQUIPMENT FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE

Rick F. Curry, CPPO, Director, Purchasing Department; Tom Weber, Deputy Director, Wireless Communications; and Sergeant Alan Matheny, Patrol Division, presented a request to authorize by resolution the purchase of Subscriber Radio Equipment (and accessories) from Motorola Solutions, Inc., of Linthicum Heights, Maryland, at contracted unit prices totaling \$65,161.20 based on contract MWC0G 21-069 awarded by the Metropolitan Washington Council of Governments.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the purchase of Subscriber Radio Equipment (and accessories) as presented. The motion passed unanimously.

(Resolution No. RS-2023-08 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioner's Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0112) – ONE NEW VACUUM TRUCK FOR THE DEPARTMENT OF WATER QUALITY

Rick F. Curry, CPPO, Director, Purchasing Department, and Mark Bradshaw, P.E., Director, Environmental Management, presented a request to authorize by resolution the approval of the purchase for one (1) new Pikrite (model PR2100V) vacuum body mounted on a Mack chassis/cab from Atlantic Machinery, Inc. of Silver Spring, Maryland, at contracted unit prices totaling \$199,584 based on the contract awarded by the Virginia Sheriff's Association (contract# 23-01-0713) and to approve a Budget Transfer Request of \$15,000 from account 37-40010ADM003 and \$15,000 from account 32-42010ADM008 to account 32-42010VEH010.

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

(Resolution No. RS-2023-09 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioner's Office.)

SOLE SOURCE PROCUREMENT (PUR-1603) – MAINTENANCE AGREEMENT FOR LIFEPAK MONITORS/DEFIBRILLATOR DEVICES, AUTOMATED EXTERNAL DEFIBRILLATORS (AED) AND LUCAS CPR DEVICES

Brandi Naugle, CPPB, Buyer, Purchasing Department, and R. David Hays, Director, Division of Emergency Services (DES), presented a request to authorize a Sole Source procurement for the preventative maintenance, inspection, repair, parts, labor, and travel with battery coverage for the Division of Emergency Service's LifePak Monitors/Defibrillator Devices, AED's, and Lucas CPR devices in the amount of \$79,179.54 from Stryker Medical (formally Physio Control, Inc.) of Chicago, Illinois.

Commissioner Wagner, seconded by Commissioner Keefer, moved to authorize the Sole Source procurement as presented. The motion passed unanimously.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0113) – INMATE PHONE SERVICES, INMATE TABLET, INMATE VISITATION AND INMATE MAIL PROCESSING SERVICES

Brandi Naugle and Major Craig Rowe, CJM, Warden, Sheriff's Office, presented a request to authorize by resolution for the Washington County Detention Center to utilize the Prince William County, Virginia contract for Inmate phone, tablet, visitation and mail processing services with Global Tel*Link Corporation dba Viapath of Falls Church; based on the pricing structure awarded by the Prince William County contract (5026188).

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve utilizing the Prince William County, Virginia contract as presented.

(Resolution No. RS-2023-10 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioner's Office.)

AGRICULTURE – FACES OF FARMING

This agenda item was moved to the next BOCC meeting.

***The Board recessed at 11:30 a.m. to depart for the Washington County Free Library, Alice Virginia and David W. Fletcher Branch, Community Room, 100 South Potomac Street, Hagerstown, Maryland.*

WASHINGTON COUNTY FREE LIBRARY BUDGET PRESENTATION

Jenny L. Bakos, Library Executive Director, Washington County Free Library, presented the annual state of the Library and Budget Request.

***The Board returned to 100 West Washington Street, Suite 1113, Hagerstown, Maryland, at 1:30 p.m.*

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Harvey, moved to convene in closed at 1:35 p.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 the acquisition of real property for a public purpose and matters directly related thereto; 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; to discuss public security, if the public body determines that public discussion would constitute a risk to the public, or

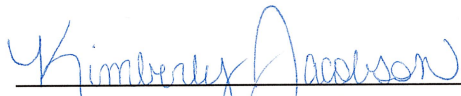
to public security, including: (i) the development of fire and police services and staff; and (ii) the development and implementation of emergency plans; to conduct or discuss an investigative proceeding on actual or possible criminal conduct; and to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter, in accordance with Section 3-305(b) (1), (3), (4), (7), (10), and (13) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed a business proposal/contractual matters, Board and Commission appointments, personnel matters/position vacancy/hiring process, position reclassification, workplace practice and employee assignments, and the acceptance of a portion of a road.

Present during closed session were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne K. Keefer, and Randall E Wagner. Also present at various times, were: John M. Martirano, County Administrator; Kirk C. Downey, County Attorney; Michelle Priebe, Executive Administrative Assistant; Kendall Desaulniers, Deputy County Attorney/Interim Human Resources Director; John Krumpotich, Owner/Conservator Cascade Properties, LLC; Attorney Kendall Camuti; Mark Bradshaw, Director, Water Quality; Laura Stover, Human Resources Director, Smith, Elliott & Kearns; Susan Buchanan, Director, Grant Management; Charles Brown, Director of Emergency Management; Todd Moser, Real Property Administrator; Scott Hobbs, Director, Engineering; and Andrew Eshleman, Director, Public Works.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Cline, moved to adjourn at 3:42 p.m. The motion passed unanimously.



Kimberly Jacobson, *Legal Assistant*

