



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

April 25, 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.

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the minutes of April 4, 2023. The motion passed 4-0-1, Commissioner Keefer abstained from the vote as he was absent for the April 4th meeting.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of April 18, 2023. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Harvey met with the Commission on Aging and learned more about their operations. Commissioner Harvey attended the Interfaith Coalitions ribbon cutting for solar panels and renovations to their rescue house located in Hancock, Maryland. Commissioner Harvey attended the grand re-opening of The Overwatch, a thrift store that has relocated to the Premier Outlets. Commissioner Harvey gave recognition to the Chamber of Commerce and the County's own Business Development Department for their hard work in the development of the community. Commissioner Harvey recognized the County's quality work force for working together as a team to assist the County Commissioners.

Commissioner Keefer commented on communications received from staff and the community during the budget cycle, and thanked those that have been involved in the process for their hard work.

Commissioner Wagner thanked County staff for their quick communications and feedback during the current budget cycle. Commissioner Wagner noted the volume of proclamations in the recent weeks and commended small businesses in the community. Commissioner Wagner attended the re-opening of Scott's First Aid, a small business located on Conococheague Street in Williamsport, Maryland, that offers a variety of medical supplies and trainings.

Commissioner Cline echoed the comments made regarding the hard work County staff has put in during the budget cycle. Commissioner Cline attended the re-opening of Scott's First Aid in its new, larger location. Commissioner Cline attended an Arbor Day Celebration in Shafer Park, Boonsboro, Maryland. Commissioner Cline attended the solar energy event held at the rescue house in Hancock, Maryland. Commissioner Cline attended a meeting of the Airport Board.

Commissioner Barr shared his appreciation and gratitude for County staff, especially in recent weeks. Commissioner Barr attended an unveiling at the Hagerstown Regional Airport with the TSA demonstrating the new, state of the art x-ray and security equipment installed solely at Hagerstown Regional Airport. Commissioner Barr noted that the Lieutenant Governor of Maryland visited Brooke's House in Hagerstown, Maryland, and took questions from members of the community. Commissioner Barr met with Congressman David Trone at SanMar Children's Home in Boonsboro, Maryland. Commissioner Barr attended Warehouse Cinemas and noted the recent renovations. Commissioner Barr attended the Barbara Ingram School for the Arts annual musical held at the Maryland Theatre.

STAFF COMMENTS

Kendall A. Desaulniers, Deputy County Attorney/Interim Human Resources Director, requested a motion to approve the promotion of Tyler Price to Section Supervisor at the Central location of the Highways Department, at a Grade 13, step 4, with a salary of \$62,190 annually.

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

John M. Martirano, County Administrator, thanked staff from Environmental Management for the event held in recognition of Earth Day.

CITIZEN PARTICIPATION

Stephanie Phillips shared a letter containing personal thoughts with the Commissioners.

PUBLIC HEARING – MODIFICATION OF WATER AND SEWER RATES FY2024

President Barr convened a public hearing at 9:28 a.m. to obtain public comment regarding the Modification of Water and Sewer Rates for FY2024. President Barr reviewed the procedures for the Public Hearing.

Mark Bradshaw, Director, Environmental Management, and Michelle Gordon, Chief Financial Officer, presented the proposed modification of Water and Sewer Rates for FY2024.

PUBLIC HEARING – MODIFICATION OF CHARGES, RENTALS, AND FEES AT THE HAGERSTOWN REGIONAL AIRPORT FOR FY2024

President Barr convened a public hearing at 9:32 a.m. to obtain public comment regarding the Modification of Charges, Rentals, and Fees at the Hagerstown Regional Airport for FY2024. President Barr reviewed the procedures for the Public Hearing.

Neil Doran, Airport Director, and Michelle Gordon presented the proposed modification of Charges, Rentals, and Fees at the Hagerstown Regional Airport for FY2024.

COUNTY COMMISSIONERS OF WASHINGTON COUNTY PUBLIC IMPROVEMENT BONDS OF 2023 AUTHORIZING RESOLUTION

Lindsey A. Rader, Bond Counsel for Washington County, and Michelle Gordon presented the request to approve the resolution authorizing the Commissioners to issue and sell, at public sale, upon its full faith and credit, a series of general obligation bonds in the original aggregate principal amount not to exceed \$15,100,000 for the purpose of financing or reimbursing costs of certain public facilities and projects, as presented.

Commissioner Cline, seconded by Commissioner Keefer, moved to approve the authorizing resolution as presented. The motion passed 4-1 (Commissioner Harvey voted “NAY”).

(Resolution No. RS-2023-14 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioner’s Office.)

PRESENTATION OF THE BOARD OF EDUCATION’S FY2023 SB291 PASS-THROUGH GRANT APPLICATION FOR SCHOOL CONSTRUCTION PROJECTS

Jeffrey Proulx, Washington County Public Schools Chief Operating Officer, presented the Board of Education’s request for FY2023 SB291 Pass-Through Grant Application for funding from the Interagency Commission on School Construction. The funds requested will be used to make security improvements at several Washington County Public Schools and will be paired with other grant funds received from the Maryland Center for School Safety.

Commissioner Wagner, seconded by Commissioner Cline, moved to concur on the Board of Education’s request for FY2023 SB291 Pass-Through funding as presented. The motion passed unanimously.

FY2024 APPALACHIAN REGIONAL COMMISSION (ARC) PRELIMINARY PROJECT DESCRIPTION REVIEW AND RANKING

Susan Buchanan, Director, Office of Grant Management, presented the request to accept the Preliminary Project Descriptions as prioritized by the County Commissioners and to forward the ranking to Tri-County Council of Western Maryland for funding consideration. Funding requests for Washington County’s Area Development Projects include fourteen (14) proposed projects requesting \$6,117,000.

Commissioner Cline, seconded by Commissioner Wagner, moved to accept the Descriptions as prioritized and to forward the ranking as presented. The motion passed unanimously.

PROPERTY INSURANCE

Tracy McCammon, Risk Management Coordinator, and Patrick Buck, CBIZ Insurance Services, presented the request to change property insurance carrier from Local Government Insurance Trust (LGIT) to Travelers Insurance Company effective July 1, 2023, and to send a notice of non-participation to LGIT.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the change in property insurance carriers as presented. The motion passed unanimously.

CONTRACT AWARDS (PUR-1608) EMPLOYEE BENEFITS PROGRAMS CONSULTING SERVICES

Rick Curry, CPPO, Director, Purchasing, and Jason Miller, Benefits Coordinator, Human Resources, presented the request to award the contract for the Employee Benefits Programs Consulting Services to the responsible, responsive proposer, with the lowest proposal cost of \$425,000 to CBIZ Insurance Services, Inc., of Cumberland, Maryland, for Fiscal Years 2023 through 2028.

Commissioner Cline, seconded by Commissioner Harvey, moved to award the contract as presented. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0118) ONE (1)
OUTDOOR ROAD SWEEPER FOR SOLID WASTE**

Rick Curry and Dave Mason, P.E., Deputy Director, Solid Waste, presented the request to authorize the purchase of one (1) Outdoor Road Sweeper (model DT74J) in the amount of \$29,072 from SB Manufacturing, Inc., of Wichita, Kansas, and to utilize another jurisdiction's contract (111522-SBM) that was awarded by Sourcewell to SB Manufacturing, Inc., and to approve the Budget Transfer Request of \$61,877 from account 21-21010 to account 31-21010.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the purchase of one (1) Outdoor Road Sweeper, to utilize another jurisdiction's contract, and to approve the Budget Transfer Request, as presented. The motion passed unanimously.

(Resolution No. RS-2023-15 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioner's Office.)

**RESCIND AWARD ITEMS, INTERGOVERNMENTAL COOPERATIVE PURCHASE
(INTG-21-0070)**

Rick Curry and Zane Rowe, Deputy Director, Highway Department, presented the request to rescind the award of the upfit items (light bar and snowplow), without prejudice, from Apple Ford Lincoln Mercury of Columbia, Maryland, for the total sum amount of \$31,051.

Commissioner Wagner, seconded by Commissioner Keefer, moved to rescind the award of the upfit items as presented. The motion passed unanimously.

UTILITIES – EASTERN BOULEVARD

Scott Hobbs, Director, Division of Engineering, presented the request to approve utility work for the Eastern Boulevard widening and intersection improvement phase one project from the sole providers of the utility services, Verizon and Potomac Edison, in the amounts of \$419,893 and \$320,000, respectively.

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

STATE SURPLUS PROPERTY – RINGGOLD PIKE

Todd Moser, Real Property Administrator, Division of Engineering, presented the request to reach a consensus to decline acquisition of state surplus property located along the south side of MD Route 418 (Ringgold Pike), west of Rinehart Road in Smithsburg, Maryland, consisting of 1.368 acres. County staff has reviewed the property and determined the property would serve no immediate or future use to the County.

Commissioner Wagner, seconded by Commissioner Cline, moved to decline acquisition of the property as presented. The motion passed unanimously.

STATE SURPLUS PROPERTY – CLAGGETT'S MILL

Todd Moser presented the request to reach a consensus to decline acquisition of state surplus property located along the northwest side of Poffenberger Road, between US 40 (Old National Pike) and Garis Shop Road in Hagerstown consisting of +/- 0.358 acres. County staff has reviewed the property and determined the property would serve no immediate or future use to the County.

Commissioner Wagner, seconded by Commissioner Cline, moved to decline acquisition of the property as presented. The motion passed unanimously.

DEPARTMENT OF BUSINESS DEVELOPMENT (DBD) NAME CHANGE TO DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT (DBED)

Jonathan Horowitz, Director, Department of Business Development, presented the request to approve the changing of the County department name “Department of Business Development” to the “Department of Business and Economic Development”.

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

PROCLAMATION FOR PRESERVATION MONTH (MAY 2023)

The Board of County Commissioners presented a Proclamation declaring the month of May 2023, as “Preservation Month” in Washington County.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed at 10:48 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; and to consult with staff, consultants, or other individuals about pending or potential litigation, in accordance with Section 3-305(b) (1), (7) and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed Boards and Commissions appointments, personnel matters, assignments, and vacancies, a contractual matter, and a potential litigation matter.

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/Interim County Clerk; Kendall Desaulniers, Deputy County Attorney/Interim Human Resources Director; Michelle Gordon, Chief Financial Officer; D. Bruce Poole, Esquire, and Kathy Poole, The Poole Law Group; Adam Grievell, Colin Berry, Gregg Pungert, Cary McDougal, Crystal Mowery, and Kelly Lichtenberg.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Cline, moved to reconvene in open session at 1:36 p.m. The motion passed unanimously.

RECESS

*Evening Meeting at the Town of Smithsburg
21 West Water Street
Smithsburg, Maryland 21783*

INVOCATION 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 evening meeting of the Board of County Commissioners of Washington County, Maryland, to order at 6:00 p.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 Barr was invited to participate in the Teacher of the Year event and recognized Raymond Weber, winner of the Teacher of the Year award.

Commissioner Cline introduced Boy Scout Master Joe Eisenmann who shared with the Commissioners that Troop 2 is in attendance of the evening meeting as part of their Citizenship in Community merit badge. Commissioner Cline later added that Hospice of Washington County will be hosting a Radio-a-thon with all donations going to Doey's House.

Commissioner Wagner thanked the Mayor and Council, and welcomed the Scouts.

Commissioner Keefer thanked everyone in attendance for welcoming the Commissioners, and noted that he was once a member of Boy Scout Troop 15 in Hancock, Maryland.

Commissioner Harvey noted that Smithsburg is his home area and thanked the community for welcoming the Commissioners. Commissioner Harvey noted the spirit and work ethic of those who work and volunteer in Emergency Services for the Smithsburg area and reflected on tragic incidents that occurred in the community in the past.

STAFF COMMENTS

John Martirano thanked the community for hosting the evening meeting and noted that he is a resident of Whispering Hills, a community in Smithsburg. He welcomed Scout Troop 2.

TOWN OF SMITHSBURG LEADERS' REPORT AND COMMENTS

Smithsburg Mayor Donald Souders welcomed the County Commissioners, County staff, and Scout Troop 2 for attending the meeting. The Mayor introduced the Council members in attendance: Vice-President Tracey Knight-Simane, Councilman Roberto Gonzales, and Councilman David Dan. The Mayor also introduced Jeannette Dan, Chair, Smithsburg Parks Commission.

Town staff shared updates in regard to the parks, as well as upcoming wastewater projects.

Councilman David Dan welcomed the Commissioners and shared updates regarding sewer projects in the Town.

Vice-President Tracey Knight-Simane thanked the Commissioners for attending and shared that her daughter, a Washington County school teacher, requested they please keep the teachers in mind when reviewing and approving the budget as it relates to the school systems.

Councilman Roberto Gonzales shared his gratitude for grant funding that was able to be used to improve the parks in the community, and thanked all County staff for their assistance in the process.

The Mayor provided information in regard to questions received from the Commissioners regarding the Cloverly Development, the largest area of growth in Smithsburg.

John Martirano requested County staff in attendance introduce themselves. In attendance were Michelle Gordon, Chief Financial Officer; Mark Bradshaw, Director, Department of Environmental Management; Rich Eichelberger, Director, Construction; Scott Hobbs, Director, Engineering; Andrew Eshleman, Director, Public Works; Jill Baker, Director, Planning and Zoning; Kirk C. Downey, County Attorney; and Danielle Weaver, Director, Public Relations.

Mark Bradshaw discussed the Town's water treatment plant and provided an update that final approval had been received from Maryland Department of the Environment which means all funding is now in place to upgrade the treatment plant. The upgrade will increase capacity from 333,000 gallons per day to 450,000 gallons per day, or 585 additional EDU's. Mr. Bradshaw answered questions from town staff regarding the project.

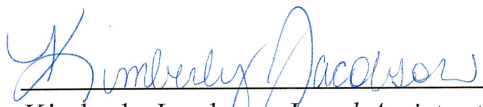
County and Town staff discussed the recent approval to transition the Town's Emergency Services volunteers to County staff.

CITIZENS PARTICIPATION

There were no citizens who wished to participate.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Harvey, moved to adjourn at 6:47 p.m. The motion passed unanimously.



Kimberly Jacobson, *Legal Assistant*

