



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

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

**May 9, 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.

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

Commissioner Wagner attended a legislative forum and received updates on the matter. Commissioner Wagner attended a Radio-a-thon at Hospice which raised a successful amount for charity. Commissioner Wagner attended the grand re-opening/re-location of Redhill Tactical on Pennsylvania Avenue. Commissioner Wagner inquired as to the audit process for County owned vehicles no longer in service but that are still being covered under insurance.

Commissioner Keefer recognized "Washington County Gives Day" and provided an update on the number of donations received so far. Commissioner Keefer thanked the Superintendent of Schools, Dr. Sovine, for a recent visit to the Hancock schools, and constructive discussion regarding rural schools.

Commissioner Cline attended the post legislative session, as well as the joint meeting between the City and the County at the water facility in Williamsport, Maryland. Commissioner Cline attended the swearing in ceremony for the newly elected Mayor of Hancock and congratulated him as well as two newly elected Councilmen. Commissioner Cline attended the fishing derby fundraiser held in Boonsboro in honor of Richard Hawkins. Commissioner Cline attended the Strawberry Festival held at Homewood Retirement Facility and recognized the Adult Tap-Dancing Team for their performance. Commissioner Cline visited the Boonsboro Farmers Market, and participated in the Radio-A-Thon to benefit Hospice. Commissioner Cline attended the Redhill Tactical Grand Reopening. Commissioner Cline recognized "Nurses Week".

Commissioner Harvey thanked leadership in bringing the School Board together. As a retired military Officer, Commissioner Harvey recognized this month as "Military Appreciation Month". Commissioner Harvey recognized local farmers markets that have begun opening for the season. Commissioner Harvey requested information from staff regarding property tax pressure on seniors in the community, and advised those in the community that if you are over the age of 65 with an income of less than \$60,000.00 you can apply for substantial tax credit that can relieve the tax burden.

Commissioner Barr participated in the post legislative event held by the Chamber. Commissioner Barr participated in the 68<sup>th</sup> Annual Power of Work Awards held at Horizon Goodwill and noted the high attendance. Commissioner Barr participated in the Workers' Memorial Day event held annually on April 28<sup>th</sup> to honor workers either injured or deceased while working on construction sites.

Commissioner Barr attended the Maryland Theatre/Barbara Ingram “side by side” concert. Commissioner Barr recognized the Pediatric Movement Center located in the South end of Hagerstown and attended the ribbon cutting for the new aquatic center. Commissioner Barr recognized his sister, Dr. Janeen Hearst who recently earned her Doctorate from the University of Maryland.

### **STAFF COMMENTS**

Michelle Priebe, Assistant to the County Administrator/Interim County Clerk, on behalf of the Veterans Advisory Committee, requested a consensus to accept the recommendation to appoint Niki Falzone to serve an unfulfilled term ending on October 31, 2024, as a representative from the United States Military.

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

Ms. Priebe, on behalf of the Veterans Advisory Committee requested a consensus to accept the recommendation to re-appoint Robert Breeding to a second, three-year term from March 1, 2023, through February 28, 2026, as a representative from a Veterans’ Service Organization.

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

Ms. Priebe, on behalf of the Veterans Advisory Committee, requested a consensus to accept the recommendation to re-appoint Teresa Spruill to serve a second, three-year term from March 1, 2023, through February 28, 2026, as a representative from a Veterans’ Service Organization.

Commissioner Keefer, seconded by Commissioner Cline, moved to accept the recommendation as presented. The motion passed unanimously.

Ms. Priebe, on behalf of the Veterans Advisory Committee, requested a consensus to accept the recommendation to re-appoint Starlene Hamilton to serve a second, three-year term from March 1, 2023, through February 28, 2026, as a representative from the United States Military.

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

### **CITIZEN PARTICIPATION**

There were no citizens present who wished to participate.

### **POST LEGISLATIVE REVIEW SESSION**

Bruce C. Bereano, Lobbyist, Washington County, presented the Commissioners with a final summary update on the 2023 Legislative Session.

*(Commissioner Barr left the meeting at 9:46 a.m.)*

### **PROPOSED RETIREMENT PLAN (PLAN) AMENDMENTS**

Barry Downey and Tyler Downey, Smith & Downey, P.A., presented the request to approve the Retirement Plan Amendments as presented, and to amend the Plan accordingly.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the Retirement Plan Amendments as presented and to amend the Plan accordingly. The motion passed, 3-1 (Commissioner Keefer voted “NAY”, Commissioner Barr was absent.)

**COURIE DOON FARM LLC RURAL LEGACY PROGRAM (RLP) EASEMENT**

Chris Boggs, Rural Preservation Administrator, Department of Planning and Zoning, moved to approve the Courie Doon Farm LLC RLP Easement project in the amount of \$0.00 for 4.03 easement acres, donated by the landowner, to adopt an ordinance approving the easement, and to authorize the execution of the necessary documentation to finalize the easement purchase.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the Courie Doon Farm LLC RLP Easement project as presented, to adopt an ordinance approving the easement, and to authorize the execution of the necessary documentation to finalize the easement purchase. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**CONVERSION OF AMERICAN RESCUE PLAN ACT (ARPA) COMMUNITY INVESTMENT GRANT PROGRAM**

Linda Spence, Business Specialist, and Jonathan Horowitz, Director, Department of Business and Economic Development; and Allison Hartshorn, ARPA Grant Manager, Office of Grant Management, presented the request to approve the Small Business Impact Grant Program, supporting local small businesses that provide critical services, products, and employment opportunities for residents.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the Small Business Impact Program as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**BID AWARD (PUR-1602) GRINDER PUMPS FOR DEPARTMENT OF WATER QUALITY (DWQ)**

Rick Curry, CPPO, Director of Purchasing, and Mark Bradshaw, P.E., Division Director, Environmental Management, presented the request to award the procurement of ninety (90) Liberty Grinder Pumps from BT Plumbing Supply, Inc., of Finksburg, Maryland, for a total cost of \$90,067.85.

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve the procurement award as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**SOLE SOURCE PROCUREMENT (PUR-1617) – LIFEPAK 15 MONITOR/DEFIBRILLATOR DEVICES**

Rick Curry and David Chisholm, Deputy Director, Division of Emergency Services (DES), presented the request to authorize a Sole Source procurement of two (2) LifePak 15 Monitor/Defibrillator devices in the amount of \$35,796.25 each, for the total sum of \$71,592.50, from Stryker Sales Corporation (formerly Physio Control, Inc.) of Chicago, Illinois, and to utilize another jurisdiction’s contract, State of Maryland contract #001B2600009.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the Sole Source procurement as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**CONTRACT RENEWAL (PUR-1544) – TRASH REMOVAL SERVICES AT COUNTY FACILITIES**

Brandi Naugle, CPPB, Buyer, Purchasing Department, and Danny Hixon, Deputy Director, Parks and Facilities, presented the request to renew the contract for Trash Removal Services at County Facilities

with Republic Services of Hagerstown, Maryland, per the rates included in its letter dated April 13, 2023. Republic Services is requesting a 5.4% increase above the current rates for work performed for the subject services. This increase is based on CPI-Water/Sewer Trash.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve renewal of the contract as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**REQUIREMENTS CONTRACT AWARD (PUR-1604) – REAL PROPERTY SERVICES**

Brandi Naugle and Todd Moser, Real Property Administrator, Engineering, presented the request to award a *primary* requirements contract to Diversified Property Services, Inc. (DPSI) of Timonium, Maryland (*incumbent*), based on its responsive, responsible proposal dated April 3, 2023, with the lowest Sum Total Amount of \$138,205.60; and, as permitted in the Request for Proposals, to award a *secondary* requirements contract to Johnson, Mirmiran & Thompson (JMT) of Hunt Valley, Maryland, (*incumbent*) for its responsive, responsible proposal dated April 4, 2023, with the next lowest Sum Total Amount of \$166,000.00, at the specified unit costs and estimated hours (no minimum or maximum guaranteed) in each firm's price proposal.

Commissioner Harvey, seconded by Commissioner Wagner, moved to award the contracts as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**REQUIREMENTS CONTRACT AWARD (PUR-1605) – REAL PROPERTY APPRAISAL SERVICES**

Brandi Naugle and Todd Moser presented the request to award a *primary* requirements contract to Everett Benfield Advisors of Belcamp, Maryland, based on its responsive, responsible price proposal dated April 5, 2023, with the lowest Sum Total Amount of \$181,000.00; and, as permitted in the Request for Proposals, to award a *secondary* requirements contract to Diversified Property Services, Inc. (DPSI) of Timonium, Maryland (*incumbent*), based on its responsive responsible price proposal dated April 3, 2023, with the net lowest Sum Total Amount of \$210,700.00, at the specified unit costs and estimated hours (no minimum or maximum guaranteed) in each firm's price proposal.

Commissioner Wagner, seconded by Commissioner Harvey, moved to award the contracts as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**AIRPORT STAFFING REVISIONS**

Neil Doran, Director, Airport, and Andrew Eshleman, Director, Public Works, presented the request to approve two recommended Airport staffing changes that include the creation of an Aircraft Rescue & Firefighter (ARFF) Manager and the revisions to the Facilities Manager/Firefighter position to include expanded duties and specialized requirements.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the Airport staffing changes as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

**POLICE RECRUITMENT AND RETENTION GRANT – APPROVAL TO ACCEPT AWARDED FUNDING**

Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff's Office, and Rachel Souders, Senior Grant Manager, Office of Grant Management, presented the request to approve the acceptance of funding awarded under the FY23 Police Recruitment and Retention Grant Program from the Governor's Office of Crime Prevention, Youth, and Victim Services in the amount of \$37,800.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the acceptance of funding awarded as presented. The motion passed unanimously (4-0, Commissioner Barr was absent.)

### **CLOSED SESSION**

Commissioner Harvey, seconded by Commissioner Wagner, moved to convene in closed session at 10:34 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 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), (7) and (13) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed personnel matters, assignments, and vacancies, a contractual matter, and a legal issue.

Present during closed session were Commissioners 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; Todd Moser, Real Property Administrator, Engineering; Scott Hobbs, Director, Engineering; and David Elliott, Deputy Director, Information Systems.

### **RECONVENE IN OPEN SESSION**

Commissioner Wagner, seconded by Commissioner Harvey, moved to reconvene in open session at 11:17 a.m. The motion passed unanimously (4-0, Commissioner Barr was absent.)

### **RECESS**

*FY24 Public Budget and Tax Rate Hearing  
Kepler Performing Arts and Visual Arts Center  
Hagerstown Community College  
11512 Kepler Drive, Hagerstown, Maryland 21740*

### **CONVENE IN OPEN SESSION**

The Board of County Commissioners convened at Hagerstown Community College, 11400 Robinwood Drive, Kepler Theater, Hagerstown, Maryland at 6:00 p.m.

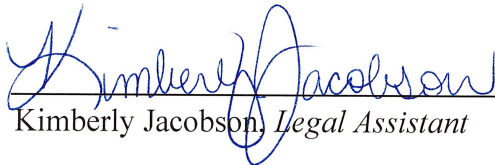
John Martirano, County Administrator, and Michelle Gordon, Chief Financial Officer, presented an overview of the Fiscal Year 2024 (FY24) Budget.

A public hearing of the Board of County Commissioners of Washington County was held in the Kepler Theatre at Hagerstown Community College to consider the proposed Property Tax Rate for FY24 pursuant to the laws of the State of Maryland as well as the proposed FY20 budget for Washington County. In attendance were President John F. Barr, Vice-President Jeffrey A. Cline, and Commissioners Derek Harvey, Wayne K. Keefer, and Randall E. Wagner. The public hearing was being held pursuant to and to satisfy the specific requirements of the laws of the State of Maryland, the requirements of the Constant Yield Tax Rate law, as contained in the notice published in The



Herald-Mail on Thursday, April 27, 2023, and to consider and obtain public comment on the proposed FY24 budget for Washington County as advertised. John Martirano, County Administrator, referred to the Citizen's Guide to the Budget for FY24 which was available at the public hearing, posted on the County's website, and shall be added into the recorded minutes.

President John F. Barr opened the hearing for public testimony at 6:25 p.m. Thirty-four (34) individuals spoke on issues concerning the budget such as education and senior citizen services. Commissioner Barr adjourned the hearing at 8:06 p.m.



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Kimberly Jacobson, *Legal Assistant*