



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

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

**August 29, 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 thanked staff for the Comp Plan presentation and noted the next meeting will be this Thursday in Clear Spring.

Commissioner Keefer thanked staff for the Comp Plan presentation and noted that there was a good attendance. He commented on Labor Day and thanked staff and tax players. Commissioner Keefer commented on the first day of school and noted the "Parents Can Help" poem.

Commissioner Harvey commented on advertising the Comp Plan on social media. He discussed concerns from citizens regarding revitalization, growth and public safety involving illegal activities, police response and the police force. Commissioner Harvey suggested a meeting between the County and the City to address the issues.

Commissioner Cline wished Asher Harvey a happy seventh birthday. He attended the Comp plan meeting and thanked staff and those who attended. He attended C&O Canal Days in Williamsport. He attended the event Saturday for Spud Fest Heritage Days at the Ag Center and Everybody's Day at Penn Mar Park thanking the Recreation Department, Faye Powers, and her late husband Jim Powers for the music series.

Commissioner Barr reminded everyone of the students return to school and to be cognizant while driving and thanked the teachers. He presented upcoming events to include this evening's meeting in Keedysville and the Comp Plan meeting in Clear Spring.

#### **STAFF COMMENTS**

Dave Mason presented the Scrap Tire Event on October 14, 2023, sponsored by the State of Maryland and MES, they have allotted \$30,000 for this event, citizens will be allowed 10 tires each. He noted Goodwill be onsite for collection of items as well.

Michelle Gordon, County Administrator attended the comp plan meeting in Hancock. She met with the Directors for the monthly staff meeting. She attended open house night at Salem Elementary School, C&O Canal Days in Williamsport and attended the Town Managers Meeting in Hancock. Ms. Gordon commented on the employee service awards on September 12, 2023, and noted the meeting

will start late and reminded that Remembrance in the Park will be in the evening on September 12, 2023.

### **CITIZEN PARTICIPATION**

Charles Schwalbe Boonsboro, commented on the history of Boonsboro, the Museum of History and remembered Doug Bast the Founder and the non-profit organization he established. He presented a strategic plan to the Commissioners, discussed funding that they have received and will be applying for the non-profit grant.

### **PUBLIC HEARING – REQUESTS BY ORGANIZATIONS TO BE ADDED TO THE LIST OF NONPROFIT ORGANIZATIONS TO WHICH THE BOARD OF COUNTY COMMISSIONERS MAY CONTRIBUTE FUNDS, PURSUANT TO SECTION 1-108 OF THE CODE OF THE PUBLIC LAWS OF WASHINGTON COUNTY (“THE 1-108 LIST”)**

President Barr convened a Public Hearing at 9:29 a.m. to obtain public comment regarding the applications received for non-profit organization funding.

Kirk Downey, County Attorney, presented the following organizations have submitted letters of request to be added to the 1-108 list: HOSPICE of Washington County, Inc., Douglas G. Bast Museum of History and Preservation, Inc., Mason-Dixon Council, Boy Scouts of America, Education Foundation of WCPS, Inc., Friends of Kc, Inc., Jonathan Street Community Outreach Center, CASA of Western Maryland, Inc., and Liberation Inc. The inclusion of a nonprofit organization does not mean that the organization will receive funding from the Board. Funding determinations are made through the Community Organization Funding Committee process and the County’s budgetary process.

The Public Hearing was opened for citizen comment:

Charles Schwalbe commented he made his presentation during citizen comments on behalf of the museum.

Karen Giffin and Maria Reed, Hospice of Washington County presented the services they offer and requested consideration for the list.

Commissioner Barr exited the hearing at 9:34 a.m. and returned at 9:35 a.m.

Robert Greer, Boy Scouts of Washington County, presented the request for consideration of the grant.

The public hearing was closed at 9:36 a.m. and opened for Commissioner comments.

Commissioner discussion regarding eligibility requirements and group definitions.

Commissioner Cline, seconded by Commissioner Keefer, moved to approve the organizations who have applied to be on the 1-108 list as presented. The motion passed unanimously.

### **PROCLAMATION RECOGNIZING SEPTEMBER, OCTOBER AND NOVEMBER AS “FORGET-ME-NOT” MONTHS**

JR Arnold, Disabled Veterans Organization commented on the Disabled Veteran’s Organization. Commissioner Harvey presented a proclamation on behalf of the Board of Commissioners of Washington County Maryland.

**PRESENTATION BY MERITUS HEALTH ON THEIR COMMUNITY HEALTH WORK**

Maulik Joshi, President and CEO, Meritus Health; David Lehr, Chief Strategy Officer, Meritus Health and Chief Operating Officer, proposed Meritus School of Osteopathic Medicine, shared the work they are doing in the community that is increasing access to primary and specialty care and addressing loneliness and social isolation, caller care services, as well as providing transportation services. They are providing services in Fort Ritchie and there are plans for upcoming services in Hancock.

Commissioner comment regarding medical needs in the Cascade area. They thanked Meritus for everything they do in the community.

**CONTRACT AWARD (PUR-1630) FOOD SERVICES AT THE WASHINGTON DETENTION CENTER (WCDC)**

Brandi Naugle, CPPD Buyer, Purchasing; Major Craig Rowe, Washington County Sheriff's Office presented the request for approval to award the food services contract to the responsive, responsible proposer, Aramark Correctional Services, Inc. (incumbent) of Philadelphia, PA for the total proposal amount of \$978,930.00 based on estimated annual quantities of meals and proposer's unit costs per meal type and to approve a Budget Transfer in the amount of \$170,840.00 from the General Operations Account 500130-10-11200 to Detention – Food Supplies Account 505070-10-11320.

Commissioner discussion regarding the use of Meals on Wheels.

Commissioner Cline, seconded by Commissioner Keefer, moved to award the food services contract to the responsive, responsible proposer, Aramark Correctional Services, Inc. (incumbent) of Philadelphia, as presented and to approve a Budget Transfer in the amount of \$170,840.00 from the General Operations Account 500130-10-11200 to Detention – Food Supplies Account 505070-10-11320. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0126) – ONE (1) TIGER BOOM MOWER AND ONE (1) FLAIL MOWER**

Rick Curry, Director, Purchasing; Zane Rowe, Deputy Director, Highway Department presented the request to authorize by Resolution, for the Highway Department to purchase one (1) Tiger Boom Mower and one (1) Flail Mower in the amount of \$95,438.86 and to utilize another jurisdiction's contract that was awarded by Sourcewell, (Contract 070821-TRG) to Tiger Mowers, LLC, of Seguin, TX.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize by Resolution the Intergovernmental Cooperative Purchase (INTG-23-0126) relating to one Tiger Boom mower and one Flail mower as presented. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0125) FIVE (5) NEW 2023 FORD F-350 AWD SUPER CAB PICKUP TRUCKS**

Rick Curry, Director, Purchasing; Zane Rowe, Deputy Director, Highway Department presented the request to authorize by Resolution, for the Highway Department to purchase five (5) New 2023 Ford F350 AWD Super Cab Trucks from Hertrich Fleet Services, Inc. of Milford, DE for the purchase price of \$61,400.00 each; for the total sum of \$307,000.00 and to utilize another jurisdiction's contract that was awarded by the State of MD Department of General Services (Contract #001B3600198) to Hertrich Fleet Services, Inc.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize by Resolution the Intergovernmental Cooperative Purchase (INTG-23-0125) relating to purchase five (5) New 2023 Ford F350 AWD Super Cab Trucks from Hertrich Fleet Services, Inc. of Milford, DE as presented. The motion passed unanimously.

Commissioner Keefer requested a listing of items from purchasing regarding sold vehicles for the last fiscal year.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0127) ONE (1) JOHN DEERE UTILITY TRACTOR FOR THE HIGHWAY DEPARTMENT**

Rick Curry, Director, Purchasing; Zane Rowe, Deputy Director, Highway Department presented the request to authorize by Resolution, the Highway Department to purchase one (1) John Deere 5105M Utility Tractor for the purchase in the amount of \$76,373.32 and to utilize another jurisdiction's contract that was awarded by Sourcewell, (contract #110719-JDC) to John Deere of Cary, NC.

One John Deere Utility tractor \$76,332.76 to replace one tractor.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize by Resolution the Intergovernmental Cooperative Purchase (INTG-23-0127) relating to purchase one (1) John Deere 5105M Utility Tractor as presented. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-23-0128) ONE (1) MACK CHASSIS/CAB WITH A DUMP BODY FOR THE HIGHWAY DEPARTMENT**

Rick Curry, Director, Purchasing; Zane Rowe, Deputy Director, Highway Department presented the request to authorize by Resolution, the Highway Department to purchase one (1) Mack chassis/cab with a dump body from Baltimore Potomac Truck Centers. Of Bladensburg, MD. The cost of each truck is \$277,810.00 and to utilize another jurisdiction's contract (#060920-MAK) that was awarded by Sourcewell to Baltimore Potomac Truck Centers. One dump truck to replace one dump truck.

Commissioner Wagner, seconded by Commissioner Cline, moved to authorize by Resolution the Intergovernmental Cooperative Purchase (INTG-23-0128) relating to one (1) Mack chassis/cab with a dump body from Baltimore Potomac Truck Centers. Of Bladensburg, MD as presented. The motion passed unanimously.

**KEEFER ROAD BRIDGE SUPERSTRUCTURE REPLACEMENT**

Scott Hobbs, Director, Engineering presented the request to award the supply of precast prestressed concrete box beams for Keefer Road Bridge to the lowest responsive, responsible bidder, PennStress - a division of MacInnis Group, LLC. of Roaring Spring, Pennsylvania in the amount of \$62,700.00. This is a budgeted Capital Improvement Plan project (BRG085).

Commissioner discussion regarding super structures.

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

**APPROVAL OF ADJUSTMENT FORM FOR AIRPORT'S FY24 BUDGET TO ACCOUNT FOR WAGES/BENEFITS OF ARFF CHIEF AND FACILITIES MANAGER GRADE INCREASE**

Neil Doran, Director, Hagerstown Regional Airport; Andrew Eshleman, Director, Public Works presented the request to authorize the Budget and Finance Director, County Administrator and County

Commissioner President to sign the Airport's FY24 Budget Adjustment Form and to approve the budget adjustment. No additional funds are needed from the County for this budget adjustment item.

Commissioner Cline, seconded by Commissioner Harvey, moved to approve the Budget and Finance Director, County Administrator and County Commissioner President to sign the Airport's FY24 Budget Adjustment Form and to approve the budget adjustment as presented. The motion passed unanimously.

**APPROVAL/SIGNATURE OF UPDATED AND REISSUED BUSINESS PERMIT FOR ALLEGIANT AIRLINES, NCLUDES INCREASES TO SEVERAL RATES AND FEES PAID BY ALLEGIANT AIRLINES EFFECTIVE JULY 1, 2023**

Neil Doran, Director, Hagerstown Regional Airport; Andrew Eshleman, Director, Public Works presented the request to authorize the BOCC President, County Attorney and Airport Director to sign the updated Airport Business Permit document. The Business Permit had not been updated since the original signing in 2012.

Commissioner discussion regarding costs and rate increases discussions during the Allegiant Air conference.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the request to authorize the BOCC President, County Attorney and Airport Director to sign the updated Airport Business Permit document as presented. The motion passed unanimously.

**RECESS**

**MACO ANNUAL VISIT TO WASHINGTON COUNTY**

Michael Sanderson, Executive Director, MACo; Calvin Ball, MACo President and Howard County Executive presented the organization analyzed over 800 bills in the last legislative session. Mr. Sanderson presented their offices, roles and services; they provided a handout for the Commissioners. He discussed the state's fiscal situation, balancing the state budget, tax revenues and caution on fiscal issues. Future legislative issues: energy issues with a continued effort to move toward an electrical blueprint for cars, buildings and the commitment for renewable energy and largescale solar energy which will be handled at a state level as opposed to the local level; firefighter staffing career and issues. He discussed property tax rate levels, tax increase requirements, past law requirements, requirements for notification next year if the rate is staying the same it will not require notification in the newspaper, Fiscal matter for OPEB Trust fund for other post-employment benefits, education funding goals and the roles of County Government. The winter MACo Conference will be December 6, 2023, through December 8, 2023.

Commissioner discussion regarding fuel efficient vehicles and alternatives to gas tax revenues. Concern over brown outs and the loss of farmland for solar energy, costs of land prices. The Commissioners thanked MACo for their presentation.

**THE HOUSING AUTHORITY OF WASHINGTON COUNTY (HAWC) REQUEST TO REVIEW THE EXPANSION OF TWELVE NEW COTTAGE APARTMENTS AT THE BLUE MOUNTAIN ESTATES SENIOR HOUSING FOR AGING IN PLACE LOW INCOME 55 AND OLDER ADULT LIFELONG RESIDENTS OF WASHINGTON COUNTY. THIS PROPERTY CURRENTLY HAS 28 APARTMENTS AND A COMMUNITY CENTER**

Corinne Guglielmini, Executive Director, The Housing Authority of Washington County (HAWC) presented the Blue Mountain Estates Senior Housing expansion project. HAWC has designed the

expansion of the twelve new units to match the current apartments in style and size. The apartments are one story, 700 square foot cottage style apartments located off Bishop Lane in Smithsburg, Maryland. With this expansion the property zoning density will be maximized, and no further new development can occur on the site. There are currently 238 applicants on the waitlist at this location and the average age of the seniors on the waitlist is 73. This would be the final phase of the project.

Kirk Downey, County Attorney provided background information on the project and the request for the Commissioner to adopt an Ordinance that authorizes the execution for a Confirmatory Deed to the Housing Authority because there are certain reversionary revisions in the deed from 1981 that need to be confirmed that none of those reversionary occurrences have occurred that would in any way affect title to the deed and finally as the property has been committed to provide housing assistance to Washington County residents ask that the reversionary interests be released and extinguished.

Commissioner request regarding the property location in the corporate limits of Smithsburg and concurrence from the Mayor and Council in Smithsburg. Excise tax and school fee exemptions and water equivalent dwelling unit (EDU) issues.

Commissioner Harvey, seconded by Commissioner Cline, moved to approve the project expansion as submitted and to approve the Ordinance as submitted. The motion passed unanimously.

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

Leslie Hart, Business Development Specialist, Business and Economic Development she commented on the solar fields and presented video of Price and Price farm of Keedysville and Frog Eye Blueberry farm of Knoxville.

#### **CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Cline, moved to convene in closed at 11:18 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 conduct collective bargaining negotiations or consider matters that relate to the negotiations. The motion passed unanimously.

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

Present during closed session were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne K. Keefer, and Randall E Wagner. Also present was Dawn Marcus, County Clerk and Kirk C. Downey, County Attorney; Michelle Gordon, County Administrator;; Zachary Kieffer, Assistant County Attorney; Also present at various times, was: Brett Turner, Gregory Cartrette (via Teams), Brennan Garrett, Andrew Eshleman, Director, Public Works; David Hays, Director Emergency Services; David Chisholm, Assistant Director Emergency Services; Dave Mason, Deputy Director, Solid Waste; Mark Bradshaw, Director, Environmental Management; Darryl Brown, Accounting Supervisor, Budget and Finance; and Eric Paltell, Labor Counsel (via Teams).

#### **RECONVENE IN OPEN SESSION**

Commissioner Wagner, seconded by Commissioner Cline, moved to reconvene in open session at 2:45 p.m. The motion passed unanimously.



## **RECESS**

*Evening Meeting at the Town of Keedysville  
Location: Town Hall, 19 South Main Street  
Keedysville, Maryland 21756*

## **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 evening meeting of the Board of County Commissioners of Washington County, Maryland, to order at 6:02 p.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey, Commissioner Wayne K. Keefer, and Commissioner Randall E. Wagner.

## **TOWN OF KEEDYSVILLE LEADERS' REPORTS AND COMMENTS**

Mayor Ken Lord thanked everyone for attending he appreciates the good working relationship with the Commissioners. He thanked the sheriff's office for their support with the community deputy program. Mayor Lord has concerns regarding water issues with MDE's recalculation of the recharge area and the Boonsboro reservoir issues.

Council Member Matthew Hull commented on the County staff and how helpful they the sewage and roads departments.

Town Administrator Lisa Riner commented on County staff and how helpful they always are.

Council Member Sarah Baker commented on encouragement of employers to come to the area, citizens commuting to Washington DC, and property prices in the area and future housing market issues. Ms. Baker commented on the community deputy program and the immediate assistance regarding criminal activity.

Council Member Judy Kerns, retired teacher and serves on the Washington County Facilities Enrollment Advisory Committee, commented on the Hancock/Cascade school situation, the number of children enrolled in Hancock schools, area growth and inquired as to the growth of housing developments in the area.

Assistant Mayor Brandon Sweeney commented on a grinder pump program, going door to door to advise people of issues and inspections to isolate issues.

## **COMMISSIONERS' REPORTS AND COMMENTS**

Commissioner Wagner appreciates the warm welcome from the town. He commented on real estate sales to people from Montgomery and Frederick County and the commuters spend a lot of money here and are willing to commute back and forth. He commented on housing market inventory. Commissioner Wagner also commented the County is very pro preservation. Of three hundred thousand acres, we have one hundred thousand acres reserved and 86% of the land is undeveloped in Washington County, and the farmers rights to sell their land. He commented on the Comp Plan and upcoming meetings where citizens can provide their input.

Commissioner Keefer commented on the history of the town and thanked the residents. He commented on warehouses and related it to the last Comp Plan. Commissioner Keefer commented on well water disruption from the warehouses and warehouse jobs. He discussed the Hancock community, the effects of possible school closers, the Lanco-Pennland Cheese plant, a co-op of small dairy farmers and is the town's largest employer, sewer issues which impede bringing large companies and the areas geographical constraints.

Commissioner Harve commented on meeting town citizens while campaigning. He reviewed the walking tour information and would like to learn more about the community. Commissioner Harvey commented on commuters, many who drive to Baltimore, his commute for five years and large companies are starting to look at our area. He commented on our infrastructures, the Comp Plan and online accessibility for review. Commissioner Harvey commented on Hancock, the loss of schools would negatively impact the housing market and tax base.

Commissioner Barr appreciates the opportunity to get out to the communities and to work with the Mayor and Town Council. He commented on being an electrician's apprentice in Keedysville with Mr. Lumm. Commissioner Barr commented on the resident deputy and speeding on Route 34.

### **STAFF REPORTS AND COMMENTS**

Jonathan Horowitz, Director of Business and Economic Development commented on strategies to bring a base for new jobs, actively marketing the DC area, warehouse marketing, and international business. He commented on the BOCC support of Lanco-Pennland Cheese plant in Hancock.

Andrew Eshleman, Director of Public Works commented on the County's Transportation Advisory Committee and the opportunity to bring up the Route 34 issues with State Highways.

Mark Bradshaw, Director of Environmental Management commented on sewer issues, issue with cat litter causing blockages in the sewer lines. He commented on preventative maintenance and pumping out the driver tank pumps.

Brian Albert, Sheriff commented on the new deputy assignment of Dakota Watkins, who rotates in Keedysville, Sharpsburg, Funkstown, Williamsport and Clear Spring with the community deputy program. He commented on State Highway's response to traffic safety requests.

Michelle Gordon, County Administrator commented on her children attending day care in Keedysville.

Scott Hobbs, Director of Engineering shared information on the Dogstreet culvert project outside town and bridge work in the town.

Danielle Weaver, Director of Public Relations and Marketing, shared information on the QR code to download the Comp Plan,

### **CITIZEN PARTICIPATION**

Tom Simmons, Keedysville commented sewer system issues at the north end of town.

Gary Gordon, Keedysville commented on preventative maintenance and issues with the sewer system.

Justin Holder, Sharpsburg, thanked the everyone for coming.



Mary Heeringa, Hagerstown, Uniserve Director with the Maryland State Teacher's Association works directly with the Washington County Teacher's Association commented on the start of school, visiting schools in the area, working to provide high quality education, and the need for a mid-year budget adjustment.

Heath Barnes, Mayor of Woodsboro introduced himself, Congressional District 6 candidate, understands what the small municipalities are going through.


Tom Clemens, Keedysville commented on the proposed Comp Plan specifically the Historic Preservation and urged the immediate implementation of that section of the plan.

Kristin Ganoe, Hagerstown school counselor at Boonsboro Middle School commented on growth, teachers, staff and fully funding of the school systems budget.

Sue Gemeny, Keedysville commented on the new stadium in downtown Hagerstown.

**ADJOURNMENT**

Commissioner, Wagner, seconded by Commissioner Keefer, moved to adjourn at 6:58 p.m. The motion passed unanimously.



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Dawn L. Marcus, *County Clerk*

