



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

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

**November 7, 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 Randall E. Wagner, Commissioner Derek Harvey and Commissioner Wayne K. Keefer.

#### **APPROVAL OF MINUTES**

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of October 24, 2023. The motion passed unanimously.

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

Commissioner Wagner recognized Eagle Scout, Colton Burleson with a Certificate. Commissioner Wagner presented "Mr. Jimmy" Smith of White Tiger Martial Arts School with a Certificate and recognized him for his achievements.

Commissioner Keefer thanked the Delegation for meeting with the County yesterday to discuss our concerns. Saturday is Veterans Day he will be assisting with a luncheon at the Hancock Methodist Church. Commissioner Keefer commented as this is the last meeting before Thanksgiving, he offered a Happy Thanksgiving to staff, his colleagues and the community.

Commissioner Harvey commented on Thanksgiving and reflecting on our blessings, showing gratitude and contentment. He is thankful and grateful for the service of our Veterans who will be honored on Saturday. Commissioner Harvey commented on his concerns for the revitalization efforts of downtown, public safety, and collaboration with the city, investment in the Drug Task Force and Police and the perception of threat environment and the need to work together.

Commissioner Cline attended the Ag Expo Board of Directors Annual meeting, he thanked Funkstown and Hancock for their Halloween parades. He attended the Mummers Day parade with staff and thanked Doug Levine and Sam Mowery for organizing the event. Commissioner Cline was at the Ag Center for Park at Dark. He attended the Washington County Tour Day with Secretary Jake Day. He attended the groundbreaking ceremony for Blue Mountain Estates. Commissioner Cline recognized October 29, 2016, as the re-opening of Fairplay Fire Department. He thanked the Delegation for the pre-legislative session. Commissioner Cline recognized Veteran's Day, he recognized his father and brother, and thanked all who have served.

Commissioner Barr recognized Veteran's Day this upcoming Saturday, he is looking forward to attending many events. He attended the breakfast at Dargan Fire Hall with Commissioner Cline. Saturday evening, Commissioner Barr attended the local Meritus Crystal Ball Fundraiser. Last Friday morning he shared a panel discussion with Chris Boggs and Washington County Leadership Class 5,

for important issues and common interests in the community and commented on the Boards and Commissions in the Community and the need for volunteers. Commissioner Barr commented on the JFK 50K Ultra Marathon which will go through some of our local roads on Saturday, November 18<sup>th</sup>. He commented on upcoming events to include today's Advanced Cover Cropping Field Day, the 21<sup>st</sup> Annual Economic Summit, grand opening of Boonsboro Upper Cervical Chiropractic, the wreath laying ceremony and multiple Veteran's Day events, the MML Dinner and Lowes on North End will be having a children's clinic on Saturday, November 18<sup>th</sup>.

### **STAFF COMMENTS**

Jonathan Horowitz, Director Business and Economic Development presented a request for a budget adjustment transfer to provide for a three month overlap for training to replace Leslie Hart's position.

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

Jonathan Horowitz, Director Business and Economic Development provide an update on big box building and warehouse building in Washington County and across the state. He commented this is private investment. and is not from the taxpayers' dollars and these would be considered large box e-commerce centers. He encouraged citizens to provide their input of future developments by attending meetings and providing input on the Comp Plan. Regarding the big box warehouse development currently of the eighteen buildings in various stages of construction, eleven of them have been leased and six of them have leasing activities. There is only one big box building with low interest in the property.

Commissioner discussion regarding tenancy, request for a report the amount of land being used, the preservation of land, public sentiment, damage from blasting issues, well water interruptions, changes in neighborhoods, ramifications for the citizens, perception issues from the warehouses along I-81 and I-70, truck stop issues, congestion, the impact of future truck traffic and other traffic, collaboration with the city and a request for maps of the warehouses and zoning of the areas.

Jonathan presented an update he received from Chris Boggs, Land Preservation Planner, the county is almost 300,000 acres, there are 40,000 acres in preservations, there are 37,000 acres of federally protected park lands as well as 35,000 acres in a ten-year agricultural district that cannot be developed. This means that roughly 112,000 acres or 37% of the county's open space is under protection from development.

Michelle Gordon, County Administrator presented the potential need for a second staff comments after closed session and a revised agenda item. She congratulated Kelcee Mace on being appointed as the Chief Financial Officer (CFO). Ms. Gordon went on a tour of the town of Smithsburg with the Mayor and Town Manager. She attended the last Comp Plan meeting in Williamsport. Ms. Gordon attended the Washington County Tour Day with Secretary of Department of Housing and Community Development Jake Day, she thanked staff for their efforts in coordinating the tour event. She attended the Land Use Council meeting. Ms. Gordon attended the annual pre-legislative forum where the County Commissioners were able to present their initiatives to the Delegation for the FY24 Legislative Session of the General Assembly to include increases to the bond allocation, needed changes to

procurement spending caps and changes to the Treasurer's position. The next Board of County Commissioners meeting will be November 28, 2023.

Michelle Gordon, County Administrator recommended that Chip Rose be appointed as the Director of Human Resources at a Grade 19, Step 19 with a salary of \$144,186.00/annually with a start date of November 20, 2023.

Commissioner Cline , seconded by Commissioner Wagner, moved to approve the hire of Chip Rose as presented. The motion passed unanimously.

#### **CITIZEN PARTICIPATION**

Paulie Ward thanked the Commissioners for the installation of the push button door to the meeting room to allow for disability access. He is looking forward to the installation of a disability access door at the Commission on Aging Fitness Room. Mr. Ward thanked Scott Hobbs in engineering for putting together information regarding areas of disability and Andrew Eshleman in his steadfastness for the access door here and at the Community Center.

Stephanie Phillips, Summit Avenue Hagerstown thanked the County and City for increased security, she commented on historic buildings, traffic, mixed use parking meters and mixed-use housing. Ms. Phillips commented on crime in increased population, cybercrimes and on "Mack" and other citizens in the community.

#### **WILLIAMSPORT LIBRARY**

Mayor Bill Green, Town of Williamsport; Chad Rooney, Town Manager, Town of Williamsport presented the request to approve funding in the amount of \$39,065.00 for remediation of the Williamsport Library. Three estimates were obtained, and it is the Town's, in conjunction with Washington County Library employees, intention to utilize the Baxter Environmental Group, Inc., to remediate all current issues. The cost of their service is \$54,065.00. The Town will utilize \$15,000.00 in provided monies to offset some of the cost but is requesting assistance for the remaining balance.

Michelle Gordon, County Administrator spoke to the CFO and recommends the CIP reserves to fund the \$39,065.00.

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

#### **CITIZEN PARTICIPATION CONTINUED**

Mary Heeringa, Washington County Teachers Associations supports the funding for the Williamsport Library. She commented that next week is National Educator's Week and invited the Commissioners to the schools for a visit.

Kevin Alden, Washington County Public Schools is a teacher and comes in today in support of a budget for teachers pay increases, for the students and the schools.

#### **WASHINGTON COUNTY DEPARTMENT OF SOCIAL SERVICES – AGENCY REVIEW**

Tiffany Rexrode, Director, Washington County Department of Social Services; Bridgett Jones Smith, Advisory Board Chair presented the Washington County Department of Social Services is the local human service agency for the Department of Human Services. They administer the programs of the Family Investment Administration, Child Support Administration, and a multitude of Social Services

focused on the safety, protection, and wellbeing of children, families, and adults. They review our FY 23 Annual Report, discuss current initiatives, consider anticipated changes in the upcoming year, and examine our strategies to address and prevent risk to the agency. The Advisory Board Chair will discuss the role of the Board. They reviewed the FY 23 Annual Report. Presentations by: Jennifer Kane, James Gossard, Amanda Bishop and Amy Robinson. Tiffany Rexrode addressed the Audit report findings. There were no repeat violations and they have created a plan to correct the findings and some corrections have already been made. She commented on programs available to the community. Bridget Jones Smith commented on the Social Services Advisory Board, its members, processes, and events.

Commissioner discussion regarding resource homes, critical shortfalls they would like to have addressed over the next year, state funding cut concerns, partnerships with Department of Social Services and Washington County Public Schools.

Department of Social Services Board comments regarding shortfalls; Bridget Jones commented communication and visibility to include more outreach and communication from the citizens; Tiffany Rexrode commented on the importance of staffing, communication, customer service, and working with community partners; David Poole commented he will be ending his service on the Board in June, he has concerns for continued financial support and they deeply appreciate the support that the Commission has given in the past.

#### **CONVENE AS THE WASHINGTON COUNTY BOARD OF HEALTH**

Commissioner Cline seconded by Commissioner Wagner moved to convene as the Board of Health at 10:37 a.m. The motion passed unanimously.

#### **ADOLESCENT CLUBHOUSE – HORIZON GOODWILL INDUSTRIES**

Earl Stoner, Health Officer, Washington County Health, and Vicky Sterling Director of Behavioral Health, presented on behalf of the Health Department is recommending that the Board of Health approve the contract to Hagerstown Goodwill Industries dba Horizon Goodwill Industries in the amount of \$258,137.00 for funding legislated by the State Opioid Response (SOR) Grant providing an Adolescent Clubhouse to work with the at-risk youth in Washington County. The Adolescent Clubhouse is accessible to all youth in Washington County ages 11- 16 years. Fiscal impact 100% of the funding for this contract is provided through the Maryland Department of Health Behavioral Health Administration. No additional funding is being requested. They can make youth referral for services outside of the City.

Commissioner discussion regarding location of services, serving youth in other areas outside of the city locations, the scope of the problem in outlying communities, how are they bridging services with the schools, requested metrics and evaluation of the impact of the services.

Ms. Sterling commented that their services are currently only within the city limits, they can make youth referral for services outside of the city. Currently the majority of services are in the city, they are also needed in Williamsport. They have two care support specialist providers that work with youth in the community and there is a need for more providers.

Commissioner, Wagner seconded by Commissioner Cline moved to approve the contract to Hagerstown Goodwill Industries dba Horizon Goodwill Industries as presented. The motion passed unanimously.

**RECONVENE AS BOARD OF COUNTY COMMISSIONERS, WASHINGTON COUNTY**

Commissioner Cline, seconded by Commissioner Keefer, moved to reconvene as the Board of County Commissioners of Washington County, Maryland at 10:45 a.m. The motion passed unanimously.

**COLLECTIVE BARGAINING AGREEMENT – AFSCME**

Eric Paltell, Labor Counsel; Kirk C. Downey, County Attorney; Dave Mason, Deputy Director, Solid Waste; Mark Bradshaw, Director, Environmental Management; Andrew Eshleman, Director, Public Works; Darryl Brown, Accounting Supervisor, Budget and Finance presented the recommendation to approve the proposed Memorandum of Understanding between Board of County Commissioners of Washington County Maryland and Maryland Public Employees Council 3, AFSCME, AFL-CIO and its Local 2677, AFL-CIO for Highway, Solid Waste, Transit Department, Water Quality, Collections and Maintenance and Emergency Communications Departments as presented. Fiscal impact estimated at \$656,144.00. Highlights of what were agreed to: pay adjustment a 2.5% step increase, a 1% COLA and an additional 1% increase in pay for employees on the low end of the pay scale which will be retroactive to July 1, 2023, in 2025 and 2026 employees will get the same increase as county employees; premium pay for time worked on County Holiday's at time and a half; increase in the meal allowance for employees who are called in early or are required to work over their shift for severe weather or other declared County emergencies (from \$8.25 to \$15.00); provides for reimbursement for employees who purchase required footwear, up to \$125.00 annually; on call pay for water call collections employees (\$20.00 per day on call and \$40.00 per day on weekends on call); paid lunch period for thirty minutes (up to sixty minutes for transit employees depending on their routes); increased the amount of personal leave from forty-eight hours to sixty hours.

Commissioner discussion regarding the 1% Cola increase, budgeting categories, budgeting concerns, different professions/different obstacles, no tax increase next year, 1 % Cola to affect all employees in Grades 6 to Grade 11, challenges of employees to have a living wage who are making less than the median income, duties of on-call employees, concerns of growing expenses to fast and future budget concerns.

Michelle Gordon, County Administrator commented that the funds were previously budgeted in the pension contributions in the FY 2024 budget preparations. Now that interest revenue is performing better than expected she recommends that we increase the interest revenue and leave the pension contributions to improve our funding ratio.

Commissioner, Wagner seconded by Commissioner Cline moved to approve the contract as presented. The motion passed 4 to 1. Commissioner Keefer was a Nay vote.

County Attorney, Kirk Downey commented that this is the first time the contract has been negotiated in fifteen years and thanked those involved for their cooperation.

Commissioner Harvey exited the meeting at 10:59 a.m.

**CONTRACT AWARD (PUR-1641) – LOCAL CARE TEAM COORDINATOR**

Brandi Naugle, Buyer, Purchasing; Rachel Souders, Director, Grant Management presented the recommendation to award the contract for the Local Care Team Coordinator to the responsible proposer with the responsive proposal. The purpose of the service to be provided is to fulfill the requirements of the County's Community Partnership Agreement (CPA) for fiscal year 2024 with the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). The award of funds for Local Care Team Coordinator shall commence upon receipt of a fully executed contract between the Board

of County Commissioners of Washington County and the awarded vendor. The awarded contract shall expire on June 30, 2024, with an option to renew up to two (2) consecutive one-year periods through 2026. Fiscal impact Funding from the Maryland Governor's Office for Children in the amount of \$54,000.00.

Commissioner Cline, seconded by Commissioner Wagner, moved to award the contract for the Local Care Team Coordinator as presented. The motion passed 4-0. Commissioner Harvey was absent.

**REJECTION OF QUOTE (Q-23-763) – PURCHASE AND INSTALLATION OF ONE (1) NEW COILING STEEL DOOR**

Brandi Naugle, Buyer, Purchasing; Joe Moss, Deputy Director, Water Quality – Engineering Services presented the recommendation to take action, in the best interest of the County and to request the quote for the Purchase and Installation of One (1) New Coiling Steel Door for the Department of Water Quality be rejected due to the quote exceeding the estimated budget. The department is considering having the door installed by county personnel.

Commissioner Cline, seconded by Commissioner Wagner, moved to reject the quote for the Purchase and Installation of One (1) New Coiling Steel Door for the Department of Water Quality as presented. The motion passed 4-0. Commissioner Harvey was absent.

Commissioner Harvey returned to the meeting at 11:03 a.m.

**MARYLAND 9-1-1 BOARD – APPROVAL TO ACCEPT AWARDED FUNDING**

Robert McCoy, Director, Emergency Communications; Nicole Phillips, Senior Grant Manager, Grant Management presented the recommendation to approve the acceptance of grant funds in the amount of \$42,351.50 from the Maryland 911 Board. The awarded funding is for Priority Dispatch annual maintenance, Aqua and ESP card set license renewals, and services and support costs. Priority Dispatch provides Emergency Fire, Medical, and Policy protocols and an Aqua program to perform quality assurance for the agency.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the acceptance of grant funds as presented. The motion passed unanimously.

**EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – APPROVAL TO ACCEPT AWARDED FUNDING**

Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff's Office; Nicole Phillips, Senior Grant Manager, Grant Management presented the request to approve \$30,981 in grant funding awarded under the Edward J. Byrne Memorial Justice Assistance Grant (BJAG) from the Governor's Office of Crime Prevention, Youth, and Victim Services. The funding period is for one year and there is no match requirement associated with the agreement. Fiscal impact Provides the Washington County Sheriff's Office with \$30,981 to purchase Mobile Data Terminals and Surveillance Equipment.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve grant funding awarded under the Edward J. Byrne Memorial Justice Assistance Grant (BJAG) from the Governor's Office of Crime Prevention, Youth, and Victim Services as presented. The motion passed unanimously.



**POTENTIAL DISSOLUTION OF THE EMERGENCY SERVICES ADVISORY COUNCIL (ESAC)**

Michelle Gordon, County Administrator presented that the ESAC was formed to provide recommendations regarding provisions of emergency services in Washington County. The Committee serves in an advisory capacity and has no decision-making authority. The most recent revision to the bylaws occurred on October 11, 2016. Article I titled Authority of the ESA bylaws identifies that the authority to establish this Board is given by the Board of County Commissioners therefore that authorization may be rescinded by the Board of County Commissioners. The Board met on July 11, 2023, in open session to begin this discussion, on September 14, 2023, the ESAC Committee presented their recommended revisions to the bylaws for the consideration to the Washington County Volunteer Fire and Rescue Association and the Board. On October 19, 2023, the Volunteer Fire and Rescue Association voted on those revisions as presented by ESAC and the Washington County Volunteer Fire and Rescue Association's formal position is that it does not support the revised documents. Giving the evolving nature of fire and rescue services delivery the need for this advisory committee has diminished and its continuing need has become obsolescent and unnecessary.

Commissioner discussion: Commissioner Wagner has been on the Committee for five years as ex-officio, he respects the experts on the Committee, he attended the meetings until they involved changes to the bylaws, he discussed the meetings that were cancelled due to lack of attendance or no quorum. The Volunteer Fire Fighter Association does not support the bylaw change. He recommended the committee not continue as they are redundant with the association, and we can bring the Committee back on an as needed basis in the event of a major event. Additional Commissioner discussion regarding. Commissioner Cline commented that ESAC was reconstituted for oversight of Fairplay and supports of the dissolution of the Committee.

Commissioner Keefer requested participation from the gallery.

Commissioner Cline commented the gallery is not able to participate and protested Commissioner Keefer's request.

Commissioner Cline, seconded by Commissioner Wagner, moved to dissolve the Committee as presented. The motion passed 4-0. Commissioner Keefer was a nay vote.

**CLOSED SESSION**

Commissioner Cline, seconded by Commissioner Wagner, moved to convene in closed at 11:12 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; and 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.

In closed session, the Commissioners discussed public security, the development of fire and police services and staff and personnel matters.

Present during closed session were Commissioners John F. Barr, Jeffrey A. Cline, Randall E. Wagner, Wayne K. Keefer and Derek Harvey. Also present was Dawn Marcus, County Clerk; Kirk C. Downey, County Attorney; Michelle Gordon, County Administrator; Zachary Kieffer, Deputy County Attorney; Kelcee Mace, Chief Financial Officer; Also present at various times were, Dr. David T. Sovine,

Superintendent of Schools; Jeffrey Proulx, Chief Operating Officer, Washington County Public Schools; Regina M. Cirincion, State's Attorney; Sherriff Brian Albert, Washinton County Sheriff's Office, R. David Hays, Director, Emergency Services.

**RECONVENE IN OPEN SESSION**

Commissioner Cline, seconded by Commissioner Wagner, moved to reconvene in open session at 12:15 p.m. The motion passed unanimously.

**SECOND STAFF COMMENTS**

Michelle Gordon, County Administrator corrected the grades presented earlier during the AFSCME conversation. The corrected Grades are 7 – 11 (not 6 – 10).

Michelle Gordon, County Administrator, presented the recommendation to approve the hire of Casey McKnight as the Captain of Field Operations, at a Grade DES 7, Step 1 at an hourly rate of \$25.39 with an effective date of November 11, 2023.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the hire of Casey McKnight as presented. The motion passed unanimously.

Michelle Gordon, County Administrator, presented the recommendation to approve the salary upgrade adjustment for Bob McCoy to a Grade 16, Step 13 \$98,675.00/annually with an effective date of October 30, 2023.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the salary upgrade for Robert McCoy as presented. The motion passed unanimously.

Michelle Gordon, County Administrator presented the recommendation to approve the salary upgrade adjustment for Michelle Priebe to a Grade 11, Step 20 \$80,808.00/annually with an effective date of November 11, 2023.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the salary upgrade for Michelle Priebe as presented. The motion passed 4-1. Commissioner Keefer was a nay vote.

President Barr wished everyone a Happy Thanksgiving.

**ADJOURNMENT**

Commissioner Cline, seconded by Commissioner Wagner, moved to adjourn at 12:23 p.m. The motion passed unanimously.

  
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Dawn L. Marcus, County Clerk