



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

Special Meeting

March 20, 2020

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 Jeffrey A. Cline called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 7:30 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

Vice-President Baker asked for an update on the status of the meeting scheduled for Tuesday, March 24th. Kirk Downey, Interim County Administrator, shared that the matter will be addressed during the upcoming closed session meeting. Additionally, Commissioner Baker discussed the agenda for closed session and shared that it is his opinion that the items presented do not represent the items outlined in the initial request for a special meeting.

Commissioner Keefer shared that it is his opinion that the special meeting was called to discuss certain actions of the Commissioners pertaining to the COVID-19 situation. He added that there are items that do not need to be discussed during a special meeting, nor should the items be discussed during closed session, specifically, the County Administrator interview process. Mr. Downey stated that is a personnel process and is appropriate for closed session discussion. Commissioner Cline added that since applicant names would be discussed, the matter qualifies for closed session discussion. Commissioner Wagner shared that as a Government leader, the process of decision making needs to continue through the crisis of COVID-19. Commissioner Meinelschmidt shared that the interview process of the County Administrator can be discussed during open session but to discuss specific applicants would apply for closed session. Commissioner Baker shared that there has already been a consensus given on a process for the position of County Administrator and that process has been extremely violated. He shared his concern for the current direction of the process, as it is not what was agreed upon in closed session. Commissioner Meinelschmidt shared that the process can be changed and corrected as needed and Commissioner Wagner suggested having Rachel Brown, Director, Human Resources, come before the Board for detailed discussion. Commissioner Keefer stated that one applicant has been privy to other applicants' information and that this matter needs to be discussed.

The Commissioners reached a consensus that the matter of County Administrator Interview process would be brought forth in open session. Rachel Brown, Director, Human Resources, joined the discussion by providing an overview of the interview process regarding the County Administrator. Ms. Brown stated that the request was presented so that discussion can be held regarding the process of candidate selection, the application review process, and the number of desired interview rounds. She informed the Board that applicant information has not been shared and has been restricted with limited access. When the process changed, in order to address a potential conflict of interest, Ms. Brown sent emails to all five (5) Commissioners to advise them. Ms. Brown shared that she has sent an initial email to each applicant, confirming receipt of application, and that the process is on hold for next steps due to the current state of emergency. Commissioner Keefer thanked Ms. Brown for contacting the applicants personally; he further

requested that Ms. Brown confirm or deny the fact that one applicant has been in possession of other applicants' information. Ms. Brown stated that because there has been a potential conflict of interest with individuals who would have that information, the applications were now being maintained by the HR Director.

Ms. Brown suggested that candidates be reviewed by the Commissioners for the first round of interviews, which, given the current situation surrounding the COVID-19, would consist of a teleconference. The Commissioners reached a consensus that the selection / interview panel would consist of only the five (5) Commissioners. Commissioner Meinelschmidt shared that the first round of interviews would be selected during a future closed session meeting. Direction would then be provided to Ms. Brown to schedule and arrange the interviews by conference call or videoconference.

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to convene in closed session at 8:16 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, in accordance with Section 3-305(b) (1) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the status of certain position recommendations and requests with staff, including the appointment, employment, and promotion of specific individuals, and gave staff further direction regarding said recommendations and requests. The Commissioners also considered a personnel matter affecting one or more specific individuals, received legal advice regarding same, and instructed staff as to next steps. The Commissioners received information regarding a contractual matter and legal input thereon, and discussed matters involving public security and the development and implementation of emergency plans.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Kendall Desaulniers, Deputy County Attorney; and at various times; Rachel Brown, Director, Human Resources; Sara Greaves, CFO; Tom Brown, Emergency Services; and Dave Hays, Director, Emergency Services.

RECONVENE IN OPEN SESSION

Commissioner Baker, seconded by Commissioner Wagner, moved to reconvene in open session at 10:09 a.m. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

HUMAN RESOURCES, POSITION REQUESTS

Deputy Director, Infrastructure and Operations, Information Systems

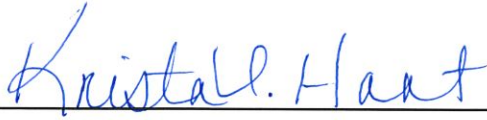
Commissioner Baker, seconded by Commissioner Keefer, moved to approve the recommendation to promote David Elliott to this position, Grade 17, Step 2, \$71,282. This position is vacant due to the promotion of Joshua O'Neal. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

Chemist, Water Quality

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the recommendation to promote Jerry Ward to this position, Grade 13, Step 11, \$65,437. This position is vacant due to the promotion of Davina Yutzy. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Keefer, moved to adjourn at 10:11 a.m. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).



Krista L. Hart, *County Clerk*

