



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

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

April 16, 2020

#### **CALL TO ORDER**

President Jeffrey A. Cline called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:02 a.m. via an online GoToMeeting, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

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

President Cline shared his appreciation for staff who assisted in arranging this meeting, and for efforts to participate.

Vice-President Baker thanked all levels of staff for guiding the County through the COVID-19 pandemic. Additionally, he thanked the County Commissioners for staying out of the way of staff and allowing staff to do their jobs.

Commissioner Keefer echoed Commissioner Baker's comments. Additionally, he thanked the Board of Education staff and members in providing information as needed. He thanked the Delegation for clarifying information for the constituents. He thanked non-profits in the Community for assisting during this pandemic.

Commissioner Meinelschmidt thanked the nurses, doctors and healthcare professionals for working overtime to be there for the community. Additionally, he thanked all small businesses for amending their business model to assist in sustaining what they can.

Commissioner Wagner echoed the other Commissioner's comments. Additionally, he thanked the 911 Dispatchers, EMS, Fire, Meritus, and all County employees. He asked that the County not overlook all employees working to provide goods and services during this time to include clerks, truck drivers, etc.

President Cline thanked everyone for their cooperation during this unique situation. He added that all levels of employees, staff, and nonprofits needs to be recognized.

#### **REPORTS FROM COUNTY STAFF**

##### **Hagerstown Regional Airport**

Garrison Plessinger, Director, provided the Commissioners with information regarding *CARE Act* Funding for the Hagerstown Regional Airport. He added that \$1,126,907 has been allocated to the Hagerstown Regional Airport, as predetermined by the Federal Aviation Administration. Additionally, through the *CARE Act*, 2020 ACIP projects will now be 100% federally funded, thus impacting the Passenger Boarding project at a savings of approximately \$60,000 in local funds, as well as Runway 9-27 Rehabilitation project at a savings of approximately \$340,000 in local funds. Mr. Plessinger added that budget adjustments will be forthcoming, as a result of the *CARE Act* funding.

##### **Engineering**

Scott Hobbs, Director, requested consensus to move forward with the 2020 Transportation Priorities as presented.

The Commissioners reached a consensus to proceed with the 2020 Transportation Priorities as presented.

County Attorney's Office

Kirk Downey, County Attorney/Interim County Attorney, thanked staff and the Commissioners for working with dedication and flexibility for working through the COVID-19 pandemic. He also thanked the citizens for their cooperation in working with Government staff in this crisis. He thanked the Health Department staff, and State Leadership for providing resources and information to local government and constituents. Mr. Downey also reminded staff and citizens of the ongoing Census 2020 and asked all to participate.

**BID AWARD (PUR1409) RUNWAY 9-27 REHABILITATION PROJECT**

Rick Curry, Director, Purchasing, Mr. Plessinger, and Mahesh Kukata, Airport Design Consultants, Inc., recommended award of the contract PUR1409 for Runway 9-27 Rehabilitation Project at Hagerstown Regional Airport, Richard A Henson Field, to the responsible, responsive bidder, C. William Hetzer, Inc., Hagerstown, Maryland with the lowest amount of Base Bid \$3,602,425 and Alternate No. 1 (Taxiways B&D relocation) in the amount of \$2,172,805 for the total sum of \$5,775,230; contingent upon the approval of the final contract by the County Attorney's Office.

Mr. Curry shared that the base bid work is to be completed within seventy-five (75) consecutive calendar days from Notice to Proceed. An additional eighty-five (85) consecutive calendar days will be provided for ADD Alternate No. 1. If the work is not completed within the time period specified, the Contractor will be liable for liquidated damages of \$2,500 per consecutive calendar day for exceeding the contract duration, and \$2,500 per fifteen (15) minutes (or part thereof) for delay in the runway opening.

This project is part of the Airport's CIP budget program at a cost of approximately \$6,304,480. Runway 9-27 Rehabilitation project RUN018 is currently budgeted at \$6,307,040. Based on the CARES Act, FAA will be funding the project as a 100% grant. There will be no local and state share required.

In addition to the presented, Sara Greaves, CFO, also recommended approval of a budget adjustment in the amount of \$454,500 regarding same.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the award of Contract PUR1409 to C. William Hetzer, Inc. in the total amount of \$5,775,230, and to approve the budget adjustment as presented. The motion passed unanimously.

**PASSENGER BOARDING BRIDGE CHANGE ORDER**

Mr. Plessinger recommended approval of a change order with Callas Contractors in the amount of \$1,042,000 for addition of the Passenger Boarding Bridge project to the current Hagerstown Regional Airport Terminal Building Expansion project. Funds are budgeted in account number 515000-35-45010, BLD-CNST.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the change order in the amount of \$1,042,000 with Callas Contractors, as presented. The motion passed unanimously.

**REJECTION OF BID (PUR1457) FOR ONE (1) NEW OR USED 2020 OR LATEST PRODUCTION MODEL BELT LOADER FOR THE HAGERSTOWN REGIONAL AIRPORT**

Brandi Naugle, Buyer, Purchasing, and Mr. Plessinger, recommended approval to reject the bid for one (1) New or Used 2020 or Latest Production Model Belt Loader for the Hagerstown Regional Airport due to the bid exceeding the estimated budget.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the rejection of bids for PUR1457 as presented. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0030) UNIFORM RENTAL SERVICES FOR VARIOUS COUNTY DEPARTMENTS**

Ms. Naugle recommended authorizing by resolution the Intergovernmental Cooperative Purchase (INGT-20-0030) with Omnia/US Communities, via Prince William County Schools contract (R-BB-190002) awarded to Cintas, Cincinnati, Ohio. Ms. Naugle explained that the Omnia/U.S. Communities' contract is for a five (5) year period. The contract was awarded December 13, 2018 through October 31, 2023, with the option to renew for two (2) additional two (2) year periods, upon mutual written consent of the parties. Proposed prices shall remain firm for the initial term of the contract. Funding is available in the budgets of the various departments: Parks & Facilities, Building Maintenance, Highway Department, Solid Waste Department, Department of Transit, Black Rock Golf Course, Airport and the Department of Water Quality.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to authorize by resolution the Intergovernmental Cooperative Purchase INGT-20-0030 relating to the Uniform Rental Service for Various County Departments from Cintas of Cincinnati, Ohio, as presented. The motion passed unanimously.

(Resolution No. RS-2020-06 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0031) ONE (1) NEW 2020 FORD SUPER DUTY F550 (X5H) XL 4WD SUPER CAB TRUCK**

Ms. Naugle and Mark Bradshaw, Deputy Director, Environmental Management, Water Quality, recommended authorizing by resolution the Intergovernmental Cooperative Purchase (INTG-20-0031) of one (1) 2020 Ford Super Duty F550 DRW (X5H) XL 4WD Super Cab 192" WB 84" CA, with a Reading Class II Enclosed Body & Equipment from 72 Hour LLC, dba National Auto Fleet Group of Watsonville, California, awarded by Sourcewell (formerly known as National Joint Powers Association), Contract 120716-NAF. The cost of the pickup will be \$69,178. Funds are budgeted in the Department of Water Quality's Capital Improvement Plan (VEH010). Mr. Bradshaw assured the Board that one existing similar vehicle will be sold on GovDeals.com.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to authorize by resolution the Intergovernmental Cooperative Purchase INGT-20-0031 relating to the purchase of one Ford Super Duty F-550 4WD Super Cab Truck from 72 Hour LLC, in the amount of \$69,178 as presented. The motion passed unanimously.

(Resolution No. RS-2020-07 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

**NORTHERN PUMP STATION**

Mr. Bradshaw recommended approval of a change order for EA Engineering, Science, and Technology, Inc., PBC in the amount of \$58,979.80 as it relates to the Northern Pump Station project; funds are budgeted in the Department of Water Qualities' Capital Improvement Plan (LIN042). Mr. Bradshaw explained that the change order provides additional engineering design services for the Pump Station upgrades due to easements which needed to be secured for project completion.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the change order for EA Engineering, Science, and Technology, Inc. in the amount of \$58,979.80, as presented. The motion passed unanimously.

#### **PROPERTY ACQUISITION FOR CAPACITY MANAGEMENT PROJECT**

Todd Moser, Real Property Administrator, and Mr. Bradshaw requested approval for partial property acquisitions including fee simple and/or easements as related to the Capacity Management Project (Northern Pump Station), authorization of ordinances approving said purchases, and to authorize the execution of the necessary documentation to finalize the acquisitions. Mr. Moser explained that option agreements have been negotiated for eleven (11) properties at a total estimated amount of \$103,394.69. Funds are budgeted in the Capital Improvement Project Capacity Management Project.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the option agreements for easement and fee simple acquisitions as related to the Capacity Management project and to adopt the proposed ordinances approving the purchase and to authorize the execution of the necessary documentation to finalize the acquisitions. The motion passed unanimously.

(Ordinance Nos. ORD-2020-06, ORD-2020-07, ORD-2020-08, ORD-2020-09, ORD-202-10, ORD-2020-11, ORD-2020-12, ORD-2020-13, ORD-2020-14, ORD-2020-15, and ORD-2020-16 are recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are located in the County Commissioners' Office.)

#### **BUDGET ADJUSTMENT – BRIDGES**

Scott Hobbs, Director, Engineering, recommended approval of a budget adjustment for four (4) Capital Improvement bridge projects, BRG083, BRG020, BRG030, and BRG072. The Budget and Finance office is requesting a budget adjustment to account for the 80% federal share of funding up front for the Halfway Boulevard Bridges W0912 (BRG083), Roxbury Road Bridge W5372 (BRG020), Crystal Fall Drive Bridge W3051 (BRG030), and Keedysville Road Bridge W5651 (BRG072) projects. Currently the Maryland Department of Transportation holds the 80% federal share and invoices the County for 20% local share for design and inspection costs. The County requests 80% reimbursement for construction costs, so the total amount is already shown in the CIP.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the budget adjustment for the various bridge projects as presented. The motion passed unanimously.

#### **PROJECT AWARD UNDER ENGINEERING SERVICES – REQUIREMENTS CONTRACT (PUR1421)**

Mr. Hobbs recommended award of the Minor Bridge Inspection project (PUR1421) to the lowest responsive, responsible proposer, Brudis & Associates, Inc. in the amount of \$104,217.50. Mr. Hobbs explained that minor structures are routinely inspected every four (4) years, and that the work involves providing the County with inspection reports for review and use in managing the maintenance, repair, or replacement needs based on the conditions observed. Funds are budgeted in the Capital Improvement Project, BRG002.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to award PUR1421 to Brudis & Associates, Inc. in the amount of \$104,217.50 as presented. The motion passed unanimously.

### **WATER AND SEWER BONDS – TERM OF BONDS, FOLLOW-UP**

Ms. Greaves requested approval to move forward with a 30-year term for FY20 bond issuance for water and sewer projects only. She explained that generally, the County has issued bonds for a 20-year term.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the 30-year term as presented. The motion passed unanimously.

### **FY2021 GENERAL FUND PRESENTATION**

Ms. Greaves provided an update to the proposed FY21 General Fund budget, which has been impacted by the COVID-19 pandemic. She provided the Board with a brief summary of impacted revenue and expenditure accounts. Additionally, she requested approval to move forward with a 5% increase to Health Care, which would be shared between the employee and the County at 2.5% each, and to allocate the costs.

The Commissioners discussed the options, to include reductions to certain expenditures, and the proposed COLA for employees.

The Commissioners reached a consensus to move forward with the 5% increase to Health Care as presented.

### **REQUEST FOR CANCELTION OF TAX SALE – JUNE 2020**

Todd Hershey, Treasurer, and Ms. Greaves requested cancellation of the annual tax sale to be held in June 2020 due to the COVID-19 pandemic. Ms. Greaves shared that the County holds an annual tax sale for delinquent taxes each year in June. Due to COVID-19 and the impact on County residents, the Treasurer would like to request cancellation of the sale for FY20.

The Commissioners discussed options and reasoning behind said request. Commissioner Keefer recommended the sale be delayed for ninety (90) days rather than canceled.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to delay the FY20 tax sale for a period of 90-days. The motion passed unanimously.

### **EMPLOYEE INVESTMENT PROGRAMS**

Rachel Brown, Director, Human Resources, requested approval to dissolve the three (3) Employment Investment Programs (Team Building, Employee Recognition, Personal Development), beginning July 1, 2020 and accompanying policies. Ms. Brown shared that since implementation in FY18, there has been less than considerable amount of engagement and expenditures related to these policies.

The Commissioners discussed the request and reached a consensus that additional information as it relates to the use of said accounts would be necessary prior to dissolution.

### **FISCAL YEAR 2021 ANNUAL TRANSIT GRANT APPLICATION – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING**

Kevin Cerrone, Director, Washington County Transit, requested authorization to file an application for a grant under the Federal Transit Act for Federal and State operational and capital grant funding through the Annual Transportation Improvement Plan. Grant funds are used to operate the Section 5307 Public Transportation Program - Fixed Route Transit, the American Disability Act Complementary Paratransit Program, the Job Opportunity Bus Shuttle program, the Statewide Special Transportation Assistance Program, also known as the Ride Assist Voucher Program and Capital Assistance Program. The local match requirement associated with the FY21 application is \$649,470 for the 5307 Operating Grant (General Funds), and \$212,962 for the 5307 Capital Grant (General Funds), and \$109,000 for Washington County Department of Social Services.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the resolution authorizing the filing of the application for a grant under the Federal Transit Act and approve the execution of the grant agreement upon receipt, subject to review and the approval by the County Attorney's Office. The motion passed unanimously.

(Resolution No. RS-2020-08 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

#### **ADMINISTRATIVE OFFICE OF THE COURTS SECURITY FUNDING**

Kristin Grossnickle, Court Administrator, Circuit Court, requested acceptance of grant funds in the amount of \$32,880 for Circuit Court security funding. Ms. Grossnickle shared that the requested funding would provide for the installation of a bullet resistance barrier in the Criminal Department of the Courthouse.

Commissioner Wagner, seconded by Commissioner Keefer, moved to accept funding in the amount of \$32,880 as presented. The motion passed unanimously.

#### **OFFICE OF PROBLEM-SOLVING COURTS DISCRETIONARY GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING**

Ms. Grossnickle requested approval for the submission of a \$268,954.25 application for the Fiscal Year 2021 Office of Problem-Solving Courts Discretionary Grant, and to accept funding as awarded. The Grant would assist with the operation of the Adult Drug Court Program, which will provide supervision and access to services for court involved, substance dependent participants.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the submission of the Fiscal Year 2021 Office of Problem-Solving Courts Discretionary Grant application of \$268,954.25 and to accept the funding as awarded. The motion passed unanimously.

#### **SENATOR AMOSS FUNDING ALLOCATION**

Dave Hays, Director, Emergency Services, presented the recommendation for distribution of the Senator William H. Amoss Fire, Rescue and Ambulance Fund subsidy allotted to counties by the State of Maryland for disbursement to fire and rescue companies. The funds may be used toward capital expenses such as firefighting apparatus and a spending report is submitted to the County each year from companies receiving such funds. Mr. Hays indicated that the Fiscal Year 2020 allocation of \$337,415 is proposed to be distributed as follows: \$12,977.50 each to the twenty fire companies (including \$77,865 divided between the six Hagerstown Fire Departments), and \$12,977.50 each divided between the six ambulance companies operating in the County.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the recommended distribution of the Fiscal Year 2020 Senator William H. Amoss Fire, Rescue & Ambulance Fund subsidy of \$337,415 as discussed and outlined in the attachment to the Agenda Report Form. The motion passed unanimously.

#### **REQUEST FOR BUILDING EXCISE TAX WAIVER – MERITUS MEDICAL CENTER**

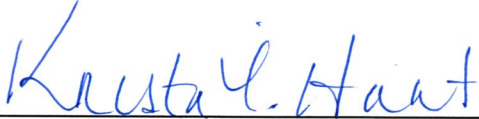
Kirk Downey, County Attorney / Interim County Administrator, presented a request for a waiver of the Building Excise Tax as received from the Board of Directors, Meritus Medical Center. Mr. Downey shared that the construction would consist of a Regional Infectious Containment Unit, and per the Washington County Building Excise Tax Ordinance, all new non-residential construction is required to pay \$1 per square foot, and in this case, \$12,500 of excise tax.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the waiver as requested, with funding to be provided from the Commissioners Contingency Fund in the amount of \$12,500. The motion passed unanimously.



**ADJOURNMENT**

Commissioner Wagner, seconded by Commissioner Keefer, moved to adjourn at 12:29 p.m. The motion passed unanimously.



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Krista L. Hart, *County Clerk*

