



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

April 28, 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 10:00 a.m. virtually, via GoToMeeting, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the minutes of March 3, 2020 and March 10, 2020. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker thanked the citizens and staff for abiding by the Governor's directions regarding COVID-19 pandemic.

Commissioner Keefer shared that he looks forward to meeting in person in the near future and thanked staff for their efforts in working remotely. He asked that the community look after each other, particularly the older citizens who may be alone during this pandemic. Commissioner Keefer requested that staff consider the option of extending Washington County Landfill permits for an additional month due to the Executive "Stay at Home" order.

Commissioner Wagner echoed all previous comments; he thanked employees of Meritus Medical Center for the expanded testing, and those involved in the Emergency Operations Center. He reminded the community to visit local business via carry-out and curbside pickup.

Commissioner Meinelschmidt thanked the First Responders and staff members from Business Development for aiding during a recent fire event.

President Cline discussed communications received from Ralph Young of the Historical Advisory Committee regarding a Bowman Development project. He thanked all front-line defenders and citizens during this pandemic.

REPORTS FROM COUNTY STAFF

Budget and Finance

Sara Greaves, CFO, discussed the budget hearing, currently scheduled for May 12th and suggested rescheduling that hearing due to time restraints as a result of the "Stay at Home" order. She suggested May 14, 2020 and requested that it be presented virtually via Antietam Cable, Facebook, and on the County website, allowing citizens to participate. She shared that citizen comments can be submitted via email and/or online.

The Commissioners reached a consensus to reschedule the Budget Hearing from May 12th to May 14, 2020 with Commissioner discussion to be held on May 26, 2020. Kirk Downey, County

Attorney/Interim County Administrator advised the Board that there is no meeting scheduled for May 26th however, he will amend the schedule.

Ms. Greaves also discussed potential deficits to the General Fund as a result of the COVID-19 pandemic currently affecting all world-wide. She added that the County is working diligently on reducing expenditures.

Additionally, she advised the Board that the County cannot move forward with the rate of “not-to-exceed” 2.5% as previously voted upon on April 14th with regard to the Bond Sale, using the 30-year term. Ms. Greaves requested that the Commissioners move forward with the 30-year term regardless of the rate.

The Commissioners reached a consensus to proceed with the 30-year Bond Term for the FY20 Bond Sale, regardless of the rate.

SENIOR CITIZEN OPERATING FUND GRANT

Allison Hartshorn, Grant Manager, Office of Grant Management, recommended approval to submit application for the Senior Citizens Activities Center Operating Fund Grant to the Maryland Department of Aging (COA) in the amount of \$10,940 and to accept awarded funding. The proposed funding will be used to offset the cost of salary for the Assistant Manager of the Senior Activities Center. Additionally, the COA is seeking \$29,970 of competitive funding. The grant is written to support a multi-media approach to disseminate information, education, and classes throughout the year. Recurring expenses will be the sole responsibility of the Washington County Commission on Aging. The total amount of the application is \$40,910.

Commissioner Keefer, seconded by Commissioner Baker, moved to approve the submission of an application in the amount of \$40,910, and to accept the funding as awarded. The motion passed unanimously.

HAGERSTOWN REGIONAL AIRPORT CARE ACT FUNDS

Ms. Hartshorn and Garrison Plessinger, Director, Hagerstown Regional Airport, recommended approval to submit an application for the CARE Act to the Federal Aviation Administration in the amount of \$1,126,907, and to accept awarded funding. The proposed funding would cover operational and maintenance expense relief due to COVID-19.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the submission of an application in the amount of \$1,126,907m and to accept the funding as awarded. The motion passed unanimously.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0032)

At the request of Brandi Naugle, Buyer, Purchasing, this matter was removed from the discussion. Ms. Naugle advised the Commissioners that the matter would be presented at a later date.

REJECTION OF BIDS FOR CONTRACT RENEWAL (PUR1418) MAINTENANCE SERVICES FOR HEATING, VENTILITATING, AIR CONDITIONING AND AUTOMATIC TEMPERATURE CONTROLS

Ms. Naugle and Danny Hixon, Deputy Director, Building, Parks and Facilities, recommended that the bid renewal for PUR1418 Maintenance Services for Heating, Ventilating, Air Conditioning and Automatic Temperature Controls, with Mick’s Plumbing and Heating, Inc., Thurmont, Maryland based on its letter dated March 17, 2020, requesting an increase for FY21, be denied. Ms. Naugle explained that the requested increase is considered excessive and she recommended that the contract be re-advertised to solicit new pricing.

Ms. Naugle explained that County personnel have had discussions with the vendor to reduce the requested increases, but those discussions have been unsuccessful. The vendor also requested that travel time and a minimum of one hour be added to the contract. The current bid document states that travel time will be the responsibility of the Contractor and that the County does not guarantee a minimum or maximum number of hours. Modest inflation was expected for contract pricing, however; the renewal request has exceeded this amount. Rejection of the renewal would result in a rebid of the services and would not guarantee a lower price but would provide the opportunity of securing one.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to reject the renewal of PUR1418, and to re-advertise as presented. The motion passed unanimously.

CONTRACT RENEWAL (PUR1417) ELECTRICIAN SERVICES AT COUNTY FACILITIES

Ms. Naugle and Mr. Hixon recommended renewal of the Electrician Services Contract at County Facilities with Kube Electric Company, Inc. of Williamsport, Maryland, per the rates included in its letter dated March 28, 2020. Ms. Naugle explained that Kube Electric has requested an approximate 3% increase above the current hourly rates for work performed by an Electrician and an Apprentice during regular hours, evening, Saturdays, Sundays, and holidays, as well as the rate for Consulting Design Services as follows:

| | FY20 | FY21 |
|------------------------------------|---------|---------|
| Regular Working Hours (Routine) | | |
| <i>Electrician</i> | \$33.75 | \$34.80 |
| <i>Helper</i> | \$20.00 | \$20.60 |
| Evenings and Saturdays (Emergency) | | |
| <i>Electrician</i> | \$49.25 | \$50.70 |
| <i>Helper</i> | \$30.00 | \$30.90 |
| Sundays and Holidays (Emergency) | | |
| <i>Electrician</i> | \$49.25 | \$50.70 |
| <i>Helper</i> | \$30.00 | \$30.90 |
| Consulting and Design Service | \$54.00 | \$55.00 |

Overhead for repair parts and materials will remain unchanged at 15% over cost.

Ms. Naugle shared that the contract is a one (1) year contract that commenced on July 1, 2019 with an option by the County to renew for up to four (4) additional one (1) year periods. This is the first of four one (1) year optional renewals of the contract.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to renew Contract PUR1417 with Kube Electric Company, Inc. of Williamsport, MD as presented. The motion passed unanimously.

SOLE SOURCE AWARD PROCUREMENT AND INSTALLATION OF A PELOCO VIDEOXPRT VIDEO MANAGEMENT SYSTEM (PUR1461) – WASHINGTON COUNTY DETENTION CENTER

Ms. Naugle and Major Craig Rowe, Washington County Detention Center, recommended award of a sole source procurement and installation of Peloco VideoXpert Video Management System for the Washington County Detention Center in the amount of \$65,050.56 from ADI of Gaithersburg, Maryland based on its proposal dated March 5, 2020. The proposed upgrade to the Detention Center's camera system will consolidate two different camera recording platforms (same

manufacturer-PELCO), coaxial, other Internet Protocol based, to ALL Internet Protocol based Pelco system.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award the sole source procurement to ADI, Gaithersburg, Maryland in the amount of \$65,050.56 as presented. The motion passed unanimously.

BUDGET ADJUSTMENT RDI062

Scott Hobbs, Director, Engineering, requested approval of a budget adjustment in the amount of \$50,000 for the Valley Mall Area Road Improvements project. Mr. Hobbs explained that the first phase of the project completed under budget and no longer needs the full amount of projected 2020 bonds. If approved, this request would reduce the 2020 bond issuance by \$50,000.

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

SOLE SOURCE AWARD PROCUREMENT AND INSTALLATION OF A PANIC BUTTON ALARM SYSTEM AND ALARM REPORTING SYSTEM FOR DIVISION OF EMERGENCY SERVICES

Brian Albert, Assistant Director, Emergency Communications(DES); Rick Curry, Director, Purchasing; and Josh O'Neal, Director, Information Systems, recommended award of a sole source procurement and installation of a panic button system and alarm reporting system for DES in the amount of \$150,500 from Digitize International, Inc. of Lake Hopatcong, New Jersey based on its proposal dated December 19, 2019.

Mr. Curry shared that the panic button system and associated alarm reporting panels located at the 911 Dispatch Centers require replacement due to age and issues regarding expandability as a result of requests for additional panic button stations in both the 100 West Washington Street and the Courthouse. The procurement is considered sole source, as the new system must be compatible with the old to allow a seamless changeover with no interruption in the ability to deliver alarms.

Funds are budgeted in the Capital Improvement Project BLD078.

Mr. O'Neal confirmed that the panic panel at 80 West Baltimore Street, 35 West Washington Street, 100-128 West Washington Street, and the Circuit Courthouse would benefit from this request.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to award the sole source procurement to Digitize International, Inc. as presented. The motion passed unanimously.

VELISEK RURAL LEGACY PROGRAM EASEMENT

Chris Boggs, Land Preservation Planner, Planning and Zoning, recommended approval of the Douglas A. and Pamela S. Velisek Rural Legacy Program (RLP) project, paid for 100% by the Maryland Department of Natural Resources, for \$119,970 for 40.99 easement acres, to adopt an ordinance approving the purchase, and to authorize execution of the necessary documentation to finalize the easement purchase. Mr. Boggs shared that the property is located at 18125 Lappans Road, Fairplay, Maryland, and composed of primarily hay and cropland with some wooded areas and is bisected by Marsh Run. Mr. Boggs shared that seven (7) development rights will be extinguished with the easement.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the Velisek RLP Easement, and to adopt an ordinance approving the purchase of the easement and to authorize the execution of the necessary documentation to finalize the easement purchase. The motion passed unanimously.

(Ordinance No. ORD-2020-17 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

MARTZ-LEMASTER-SALAMONE RURAL LEGACY PROGRAM EASEMENT

Mr. Boggs recommended approval of the Sherry D. Martz, Sonja D. Lemaster, and Scott G. Salamone Rural Legacy Program (RLP) project, paid for 100% by the Maryland Department of Natural Resources, for \$264,810 for 89.27 easement acres, to adopt an ordinance approving the purchase, and to authorize execution of the necessary documentation to finalize the easement purchase. Mr. Boggs shared that the property is located at 3215 Chestnut Grove Road, Keedysville, Maryland, and composed of primarily hay and woodland and is bisected by Sharman's Branch. Mr. Boggs shared that five (5) development rights will be extinguished with the easement.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the Martz-Lemaster-Salamone RLP Easement, and to adopt an ordinance approving the purchase of the easement and to authorize the execution of the necessary documentation to finalize the easement purchase. The motion passed unanimously.

(Ordinance No. ORD-2020-18 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

FISCAL YEAR 2021 BUDGET

Ms. Greaves presented information as it pertains to the FY21 General Fund Budget (draft 2) at \$235,443,580 and Capital Improvement Budget (draft 4) at \$54,874,000. Additionally, Ms. Greaves provided the Board with an outline of reductions to the FY21 budget, adding that the largest increase proposed is for the Board of Education.

Ms. Greaves recommended that approximately \$2.5 million in Capital Expenditures for unfunded projects be delayed. Additionally, she recommended a delay in the proposed wage increase for County staff. Commissioner Cline suggested that the wage increase for County staff could be reevaluated in January 2021.

The proposed water and sewer rate increase of 3.5% was discussed in detail; Ms. Greaves requested consensus from the Commissioners to move forward with a hearing regarding same on May 12th. On this matter, Commissioner Baker asked that the rates and any previous agreements for residents of the Maugansville Community be reviewed by staff.

The Commissioners reached a consensus to proceed with the proposed Water and Sewer Rate Increase Public Hearing on May 12, 2020 and a Budget Hearing rescheduled to May 14, 2020 as requested. Additionally, a meeting will be held on May 26, 2020.

Ms. Greaves discussed highlights of the Capital Improvement Plan Budget, adding that priorities from FY21 and current projects with savings or delayed projects have been carefully reviewed. She shared that certain projects would be reduced to fund FY21 priorities and then monies would be put back for years two and three.

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to convene in closed session at 11:44 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; to consult with staff, consultants, or other individuals about pending or potential litigation; 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; 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 Sections 3-305(b)(1), (7), (8), (10), and (13) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the employment assignment, promotion, compensation, 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. The Commissioners consulted with legal counsel to obtain legal advice on a legal matter involving potential litigation and gave direction to counsel regarding the conduct of such matter. The Commissioners also consulted with staff, consultants and legal counsel regarding the development of emergency services and staff, and the development 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; Krista L. Hart, County Clerk; Kendall Desaulniers, Deputy County Attorney, and at various times Andrew Bright, Assistant County Attorney; Dave Hays, Director, Emergency Services; Dale Fishack, President, Volunteer Fire and Rescue Association; Rachel Brown, Director, Human Resources; Dave Chisholm, Assistant Director, Emergency Services; Joanie Gerber, President, Smithsburg Emergency Services; and Kevin Karpinski, Esquire.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to reconvene in open session at 12:03 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to adjourn at 12:04 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*