



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

July 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 10:02 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioner Randall E. Wagner (Commissioner Wayne K. Keefer and Commissioner Cort F. Meinelschmidt was absent).

APPROVAL OF MINUTES

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the minutes of June 25, 2020. The motion passed unanimously (3-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner thanked all who were connected with the CARES Act funding opportunities for small business owners in Washington County.

Commissioner Cline noted that Commissioner Meinelschmidt is on a planned vacation. Additionally, he congratulated Commissioner Keefer on his recent marriage and wished the new couple well.

REPORTS FROM COUNTY STAFF

Department of Business Development

Susan Small, Director, presented a request for a letter of support to the Rural Maryland Council for a renovation project with the Alexander House. She shared that the grant funding request is in the amount of \$500,000 with no financial obligation required by Washington County.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the submittal of a letter of support as presented. The motion passed unanimously (4-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

Division of Emergency Services

Brian Albert, Assistant Director, and Dave Hays, Director, provided the Board with update regarding inaccuracies written on a Facebook post regarding a recent phone call to 911 Dispatch. Mr. Albert reviewed the timeline for the total phone call, which totaled 8 minutes and 1 second for the dispatched officer; as well as required protocols which must be followed by the 911 dispatchers.

Mr. Hays shared that safety is of the utmost importance and protocols are designed to ensure safety to the responding officers, EMS, and all involved, as mandated by the State of Maryland. Mr. Hays assured the Board that dispatch is transpiring while the call taker remains on the line with the caller. Internal review showed that the call was handled appropriately by the 911 EMS center and the Hagerstown Police Department.

Commissioner Wagner shared that the caller is the Mayor of Hagerstown, Robert Bruchey, and shared his concern for the distorted facts and embellished timeline.

President Cline shared his support for the employees of the 911 Center and shared his appreciation for doing a difficult position in a professional manner.

Vice-President Baker echoed President Cline's comments and thanked staff for following protocol.

The Commissioners requested that the 911 recording be played as public information.

Sheriff Mullendore added that all law enforcement in Washington County has Police Mobile, which immediately appears on the officer's screen, so the officer sees the call immediately. The call taker continuously updates the information while on the 911 call.

SOLE SOURCE PROCUREMENT (PUR1478) PURE STORAGE FLASH ARRAY UPGRADE

The matter was withdrawn from the Agenda due to lack of the required Commissioner presence as outlined in the Code of Public Local Laws for such a request. The matter will be brought forth at a future meeting.

PUBLIC HEARING: PARKING RESOLUTION REVISION

President Jeffrey A. Cline convened a public hearing at 10:37 a.m. to obtain public comment regarding a revision to the Parking Resolution, which would increase parking fines to \$50.00 with handicapped parking to \$100.00 and update reporting and flagging procedures. President Cline reviewed the procedures for the public hearing.

Sheriff Doug Mullendore explained that the County has not raised its rate on parking citations for approximately 28 years. The amount per violation has remained constant at \$24.00 per violation, since the resolution was last revised. Additionally, Sheriff Mullendore discussed ongoing issues with parking violations in the Sandy Hook area.

The public hearing record will remain open for an additional one (1) week period, through close of business on August 3, 2020. Questions and/or concerns should be sent in writing to the County Clerk at khart@washco-md.net or via mail to 100 West Washington Street, Suite 1101, Hagerstown.

The hearing was opened for questions from the Commissioners. The Commissioners discussed the fine amount as well as the number of violations at the referenced location.

Andrew Eshleman, Director, Public Works, shared that "no parking" signs have been installed in the problematic locations. Additionally, he has reached out to the Park Service to aid with the matter surrounding the Sandy Hook location.

The Commissioner took no action at this time regarding the proposed Parking Resolution revisions and agreed to discuss the matter at a future meeting.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0033) THREE NEW ALTEC AT30-G TELESCOPIC AERIAL TRUCKS

Brandi Naugle, Buyer, Purchasing, Zane Rowe, Deputy Director, Highways, and Jack Reynard, Fleet Manager, Highways, recommended authorizing by Resolution, the lease/purchase for three (3) AT30-G Telescopic Aerial Trucks from Altec Industries, Birmingham, Alabama (AL) at an annual lease payment of \$57,086 for six (6) years; and to utilize another jurisdictions contract, Sourcewell contract number 120418-ALT. Funds are budgeted in the Highway Department's operating budget 535055-20-20060.

Commissioner Wagner, seconded by Commissioner Baker, moved to authorize by Resolution, the purchase of three (3) Altec AT30-G Telescopic Aerial Trucks from Altec Industries, Birmingham,

AL for an annual lease payment of \$57,086 for six (6) years, as presented. The motion passed unanimously (3-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

(Resolution No. RS-2020-17 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

CONTRACT RENEWAL (2019-13) #2 HEATING OIL

Ms. Naugle and Andrew Eshleman, Director, Public Works, recommended concurrence with the recommendation of the Washington County Public Schools (WCPS) to renew the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, James River Solutions, Ashland, Virginia (VA), who submitted the bidder factor of \$0.14 per gallon for tank wagon deliveries. Ms. Naugle advised that the County and City of Hagerstown cooperatively bid heating fuel requirements with Washington County Public Schools (WCPS). WCPS awarded its contract for tank wagon loads to James River Solutions with the lowest bid of \$0.14 per gallon over the weekly wholesale average price for #2 (high sulfur) heating oil as published in the Oil Price Information Service bulletin (OPIS, Pad 1, Baltimore gasoline and distillate reseller prices). The contract is effective July 1, 2020 and ends June 30, 2021; the contract may be renewed for two (2) additional one (1) year terms at the discretion of the Board of Education. WCPS may request a fixed price quote at any time to be exercised by mutual consent of the parties.

Commissioner Wagner, seconded by Commissioner Baker, moved to renew the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, James River Solutions, Ashland, VA, that submitted the bidder factor of \$0.14 per gallon for tank wagon deliveries as presented. The motion passed unanimously (3-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

LOSAP UPDATE/REQUEST FOR POINTS MODIFICATION FOR 2020 SERVICE YEAR

Dave Hays, Director, Emergency Services, and Rachel Brown, Director, Human Resources, recommended to authorize by Resolution, the Plan Modification for calendar year 2020, as presented by the LOSAP Plan Committee. Ms. Brown stated that the COVID-19 Pandemic has impacted all areas of responsibility and operations in the County. The Volunteer Fire and EMS Departments have suffered with the volunteers who must earn 50 points in the LOSAP; it is reasonable to assume that with the loss of opportunities to earn LOSAP points due to cancelled fund raisers, meetings, and other events, the modification would be necessary. The Plan Committee, acting as Plan Administrator, recommends that all Eligible Volunteers who earned service points under the LOSAP Plan Point System in calendar year 2019 receive the same number of points, in the same respective categories, in calendar year 2020 as a one-time "Special 2020 Service Credit" allotment. The Special 2020 Service Credit points will be tracked separately from those service credit points earned for 2020 activities under the LOSAP Plan's normal rules.

Ms. Brown added one change to the proposed Resolution has been requested by the Volunteer Association and will be submitted to reflect the change of the removal of the sentence on Page 1 "Special 2020 Service Credit points awarded under the LOSAP Plan do not modify point tracking for any other programs, including the Maryland state income tax modification plan".

Commissioner Baker, seconded by Commissioner Wagner, moved to authorize by Resolution, the Plan Modification for calendar year 2020, the Points Modification with proposed changes as presented. The motion passed unanimously (3-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

PUBLIC HEARING: BROWNFIELD REVITALIZATION INCENTIVE PROGRAM ORDINANCE FOR WASHINGTON COUNTY

President Jeffrey A. Cline convened a public hearing at 11:03 a.m. to obtain public comment regarding a proposed Brownfield Revitalization Incentive Program Ordinance, which would provide an opportunity to meet economic development goals. President Cline reviewed the procedures for the public hearing and County Clerk Krista Hart administered the oath to those who planned to give testimony in the matter.

Susan Small, Director, Business Development, explained that the proposed incentive would provide the opportunity for the community to meet development goals, environmental protection and sustainability goals, in addition to assisting the County in achieving its comprehensive plan visions and objectives. She shared that there are approximately 21 active brownfield sites located within Washington County. Eligible sites would earn a 50% property tax credit on the increase (difference between the pre-remediation and post-remediation tax assessments) of county and/or municipal real property tax, and those located within an Enterprise Zone may receive the tax credit for up to ten (10) years, while properties outside these zones would receive the credit for five (5) years.

The hearing was opened for questions from the Commissioners.

The public hearing record will remain open for an additional one (1) week period, through close of business on August 3, 2020. Questions and/or concerns should be sent in writing to the County Clerk at khart@washco-md.net or via mail to 100 West Washington Street, Suite 1101, Hagerstown.

The Commissioners took no action regarding the matter at this time and instructed staff to bring the matter forth at a later date.

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to convene in closed session at 11:06 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 (3-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

In closed session, the Commissioners discussed potential appointments to a board over which the Commissioners have appointing authority and gave staff direction in regards thereto. Additionally, the Commissioners discussed the employment, recruitment, or assignment of County personnel with staff.

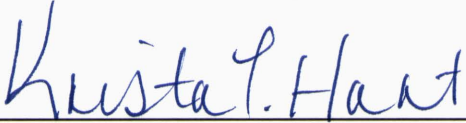
Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, and Randy E. Wagner; Commissioner Wayne K. Keefer and Cort F. Meinelschmidt was absent. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Krista L. Hart, County Clerk, and at various times, Amy Olack, CEO, Commission on Aging; Deborah Ferguson, Adult Services, Department of Social Services; Rachel Brown, Director, Human Resources; and Jennifer Kinzer, Deputy Director, Planning & Zoning.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 11:38 a.m. The motion passed unanimously (3-0, Commissioner Keefer and Commissioner Meinelschmidt was absent).

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn at 11:39 a.m. The motion passed unanimously (Commissioner Keefer and Commissioner Meinelschmidt was absent).

Handwritten signature of Krista L. Hart in blue ink.

Krista L. Hart, *County Clerk*