



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

August 11, 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, Commissioner Wayne K. Keefer, and Commissioner Randall E. Wagner. (Commissioner Cort F. Meinelschmidt was absent).

APPROVAL OF MINUTES

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the minutes of June 30, 2020. The motion passed unanimously.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the minutes of July 14, 2020. The motion passed 4-1, Commissioner Wagner abstained.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the minutes of July 21, 2020. The motion passed 4-1, Commissioner Keefer abstained.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Baker would like to begin conversation to include citizen participation. Additionally, he offered condolences to Oley Griffith for the loss of his brother.

Commissioner Wagner echoed Commissioner Baker's comments. He congratulated Meritus Medical Center for the completion of the Infectious Unit.

President Cline referenced an article in the Herald Mail regarding the 911 Emergency Center and noted that a very high praise was received for the operations of the center.

REPORTS FROM COUNTY STAFF

Division of Construction and Plan Review and Permitting

Rich Eichelberger, Director, Construction, and Ashley Holloway, Director of Plan Review and Permitting, presented the Board with an update on the audit from ISO. Additionally, Mr. Eichelberger shared an update on the Infectious Containment Center at Meritus Medical Center and the outstanding efforts of all staff involved in moving that project forward.

Hagerstown Regional Airport

Garrison Plessinger, Director, presented the Board with improvement updates surrounding the Airport. He further shared that the Wings and Wheels event will not be held this year due to the Covid-19 Pandemic.

County Clerk, Board Appointments / Reappointments

Adult Public Guardianship Review Board

Commissioner Wagner, seconded by Commissioner Baker, moved to reappoint the following members: Marcia South to serve a second, three (3) year term from September 1, 2020 through

August 31, 2023 as the Commission on Aging Representative; Jennifer Sprecher to serve a second, three (3) year term from September 1, 2020 through August 31, 2023; Dr. Allen Ditto to serve an additional term from July 1, 2020 through June 30, 2023; this is NOT a paid board. The motion passed unanimously.

Area Agency on Aging Advisory Council

Commissioner Baker, seconded by Commissioner Wagner, moved to reappoint the following members: Thomas Ruhf, Jessica Scott, Deborah Cohill, and Aggie Llewellyn, each to serve from July 1, 2020 through June 30, 2023; and to appoint Susan Taylor to serve an unfulfilled term through January 31, 2022; this is NOT a paid board. The motion passed unanimously.

Planning Commission

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the appointment of Kevin Coyle to serve a first five-year term from August 1, 2020 through July 31, 2025; this IS a paid board. The motion passed unanimously.

CONVENE AS THE WASHINGTON COUNTY BOARD OF HEALTH

Commissioner Keefer, seconded by Commissioner Wagner, moved to convene as the Board of Health for the individual forthcoming matter. The motion passed unanimously.

AUTHORIZE THE HEALTH OFFICER TO GRANT FUNDS TO REIMBURSE NURSING HOME FACILITIES IN WASHINGTON COUNTY RELATED TO COVID-19 THROUGH CARES ACT (2020) COVID-19 PUBLIC HEALTH RESPONSE FUNDS

Earl Stoner, Health Officer, and Daniel Triplett, Administrator, recommended approval to authorize the Health Officer to execute contracts with Nursing Home facilities in Washington County for supplies, equipment and testing purchased/procured by the Nursing Homes specifically to address the COVID-19 pandemic. This will be for up to \$250,000.00 per Nursing Home for a total not to exceed of \$2 million in CARES Act (2020) Public Health Response funds.

Commissioner Wagner, seconded by Commissioner Baker, moved to authorize the Health Officer to execute contracts with Nursing Home facilities in Washington County as related to the CARES Act funds as presented. The motion passed unanimously.

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

Commissioner Baker, seconded by Commissioner Wagner, moved to reconvene as the Board of County Commissioners. The motion passed unanimously.

CARES ACT REALLOCATION DISCUSSION

Susan Buchanan, Director, Office of Grant Management, provided the board with an update on the Together We Rise project, adding that \$2.87 million remains in the budget. Susan Small, Director, Business Development, provided the Board with an update on the Together We Serve project and shared that \$796,465 remains in that budget.

Ms. Small, Ms. Buchanan, and Tom Brown, Operations Manager, Emergency Services, presented the Board with two (2) Options for as Reallocation Spending Plans.

The Commissioners discussed each reallocation option presented to include the following: \$600,000 from the non-profit stabilization project to be distributed by the Community Action Council for COVID-19 Emergency Housing and Utility Assistance; \$196,465 to remain in the Together We Serve project with an end date of August 25th; \$500,000 from the Miscellaneous Fund for tourism (start of \$80,000 under the direction of the Convention and Visitors Bureau, in phases); \$500,000 for municipalities for COVID-19 related expenses, monitored by Washington County.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve Option Number 1 as presented and with the addition of \$500,000 earmarked for municipalities as discussed. The motion passed unanimously.

PUBLIC HEARING: APPLICATION FOR ZONING MAP AMENDMENT RZ-20-001

President Cline convened a public hearing at 11:00 a.m. to obtain public comment regarding the application from Jone L. Bowman Residuary Trust and Linda Lou Ebersole Family Irrevocable Trust for Map Amendment RZ-20-001 to the Washington County Zoning Ordinance (Ordinance). The application concerns a request to change the zoning classification from current Highway Interchange (HI) to Residential Transition (RT) for four (4) properties totaling 11.64 acres along Hopewell Road. Commissioner Cline reviewed the procedures for the Public Hearing and County Clerk Krista L. Hart administered the oath to those who planned to give testimony in the matter.

Travis Allen, Comprehensive Planner, Planning and Zoning, presented the staff report and analysis on behalf of the Washington County Department of Planning and Zoning. Mr. Allen explained that the applicant is claiming that the county erred in the rezoning of the property first in 2012. Piecemeal rezoning applications are under an obligation to meet the test of the “change or mistake rule”. The Washington County Planning Commission considered the application during a public rezoning input meeting held May 18, 2020 and recommended the approval of the application on June 1, 2020.

Mr. Allen stated that one (1) public comment has been received in favor of the recommendation.

Thomas Britner, Esquire, 10228 Governor Lane Boulevard, Suite 3004, Williamsport, Maryland, presented on behalf of the applicant.

The public hearing will remain open for a period of one (1) week, or close of business by August 17, 2020 and comments may be submitted to the County Clerk via email at khart@washco-md.net and/or via phone at 240.313.2204.

The Commissioners took no action on the rezoning request, took the matter under advisement, and asked that it be placed on a future agenda for further consideration.

BUDGET ADJUSTMENT – CONTINGENCY PROJECT

Sara Greaves, CFO, recommended approval of a budget adjustment from Capital Transfer – General in the amount of \$500,000 for Project ADM002 and to backdate to fiscal year 2020.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the budget adjustment in the amount of \$500,000, as presented. The motion passed unanimously.

BUDGET ADJUSTMENT – VEH008

Ms. Greaves and Dave Hays, Director, Emergency Services, recommended approval of a budget adjustment in the amount of \$55,420 from operating to Capital Improvement (Project VEH008).

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the budget adjustment in the amount of \$55,420, as presented. The motion passed unanimously.

WASHINGTON COUNTY GAMING COMMISSION'S ANNUAL REPORT AND FISCAL YEAR 2020 GAMING FUND ALLOCATION ANNOUNCEMENT

Susan Buchanan, Director, Office of Grant Management, and Brian Getz, Chair, Washington County Gaming Commission, brought forth information pertaining to the Washington County Gaming Commission's Annual report and FY20 funding decisions. Ms. Buchanan shared with the Gaming Commission Awards Over \$1.6 Million in Allocations press release.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0036) PURCHASING CARD PROGRAM SERVICES

Rick Curry, Director, Purchasing, and Darryl Brown, Accounting Supervisor, Budget and Finance, recommended authorizing the renewal of the contract for the Intergovernmental Purchase/Use of Commercial Card Services with JP Morgan Chase Bank, N.A., via a County of Fairfax, Virginia contract (no. 44000007090) that provides for a percentage rebate to the County based on the annual combined charge volume and average fileturn tier contained in the contract.

Commissioner Baker, seconded by Commissioner Wagner, moved to authorize the renewal of INTG-20-0036 for Purchasing Card Program Services to JP Morgan Chase Bank, N.A., as presented. The motion passed unanimously.

CONTRACT RENEWAL (PUR1429) ACCOUNTING AND REVIEW SERVICES

Mr. Curry and Ms. Greaves, recommended approval to renew the contract for the Accounting and Review (Fire and Rescue) Services with Smith Elliott Kearns, LLC (SEK) of Hagerstown, Maryland (MD) based on the rates proposed in its letter dated July 10, 2020 for services. The initial term of the contract is for one (1) year period that tentatively commenced on July 1, 2019 and ended June 30, 2020, with an option by the County to renew for up to four (4) consecutive one (1) year periods thereafter, based on the annual lump sum fees proposed by the successful firm.

Commissioner Baker, seconded by Commissioner Wagner, moved to renew the contract for Accounting and Review Services (PUR1429) with Smith Elliott Kearns, LLC, Hagerstown, MD as presented. The motion passed unanimously.

SOLE SOURCE PROCUREMENT (PUR1478) PURE STORAGE FLASH ARRAY UPGRADE

Mr. Curry and Josh O'Neal, Director, Information Systems, recommended award, the Sole Source Procurement for the Pure Storage Capacity Additions to the GHA Technologies, Inc. of Phoenix, Arizona in the amount of \$195,841.40 based on the company's Quote Number 2278030, dated July 16, 2020.

Commissioner Wagner, seconded by Commissioner Baker, moved to authorize the Sole Source Procurement (PUR1478) in the amount of \$195,841.40 to GHA Technologies, Inc. as presented. The motion passed unanimously.

CHILD SUPPORT ENFORCEMENT AGENCY COOPERATIVE AGREEMENT

Sergeant Valerie Buskirk, and Allison Hartshorn, Grant Manager, Office of Grant Management, presented the recommendation to approve the submission of the grant application for the Child Support Enforcement Agency Cooperative Agreement to the Maryland Department of Human Resources requesting a total of \$366,222 for FY21 and to accept funding as awarded. The grant funds will reimburse the wage and benefit expenses of two full-time deputies, and provide a partial reimbursement of two part-time deputies, two Senior Office Associates, and a portion of two vehicles and equipment during the one-year period. Ms. Buskirk advised that there will be a total of (2) cruisers ordered.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the submission of the grant application for the Child Support Enforcement Agency Cooperative Agreement and to accept funding as awarded as presented. The motion passed unanimously.

ACCEPTANCE OF DEDICATED RIGHT OF WAY

Todd Moser, Real Property Administrator, recommended approval to accept the dedicated right of way between Beaver Creek Road and National Pike consisting of 0.4331 +/- acres for the possible extension of White Hall Road. Upon approval, this would be zero cost to the County.

Commissioner Wagner, seconded by Commissioner Baker, moved to accept the dedicated right of way at zero cost as presented. The motion passed unanimously.

BUDGET ADJUSTMENT – EMERGENCY SERVICES TRAFFIC SIGNAL REPAIRS

Scott Hobbs, Director, Engineering, and Zane Rowe, Deputy Director, Highway Department, recommended approval of a budget adjustment in the amount of \$30,870 to account for insurance reimbursement for emergency traffic signal repairs at Mount Aetna Road and Robinwood Drive (EQP052).

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the budget adjustment in the amount of \$30,870 as presented. The motion passed unanimously.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0041) ONE FULLY ENCLOSED TORO 5800 SPRAYER

Brandi Naugle, Buyer, Purchasing, and George Sweitzer, Assistant Superintendent, Black Rock Golf Course, recommended authorization by Resolution, for the Black Rock Golf Course to purchase one (1) Fully Enclosed Cab, Toro MultiPro 5800 Sprayer from Turf Equipment and Supply Company, Jessup, Maryland (MD) in the amount of \$64,000 and to utilize another jurisdiction's contract (#001B0600308), awarded by the State of Maryland.

Commissioner Wagner, seconded by Commissioner Baker, moved to award by Resolution, the Intergovernmental Cooperative Purchase (INTG-20-0041) to Turf Equipment and Supply Company in the amount of \$64,000 as presented. The motion passed unanimously.

(Resolution No. RS-2020-20 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0040) ONE HEAVY DUTY MACK TRUCK CHASSIS CAB WITH DUMP BODY

Ms. Naugle, and John Swauger, Stormwater Management Coordinator, recommended authorization by Resolution, for the Washington County Department of Water Quality to purchase one (1) Heavy Duty Mack Truck Chassis Cab with Dump Body from Potomac Truck Center, Inc., Bladensburg, Maryland in the amount of \$138,144 and to utilize another jurisdiction's contract (#4400003267), awarded by the Howard County Office of Purchasing.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award by Resolution, the Intergovernmental Cooperative Purchase (INTG-20-0041) to Turf Equipment and Supply Company in the amount of \$64,000 as presented. The motion passed unanimously.

(Resolution No. RS-2020-21 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0043) LINE STRIPING CONTRACT

Ms. Naugle, and Doug Levine, Traffic Supervisor, Highway, recommended authorization by Resolution, for the Washington County Highway Department to utilize the Maryland State Highway Administration (SHA) contract with Alpha Space Control Company, Inc., Chambersburg, Pennsylvania for line striping of 1,300,000 linear feet at \$.0789 a linear foot on various road with in

the County in the amount of \$102,570. Funds are budgeted in the departments account 515000-20-20050 for the services.

Commissioner Wagner, seconded by Commissioner Baker, moved to award by Resolution, the Intergovernmental Cooperative Purchase (INTG-20-0043) to Alpha Space Control Company in the amount of \$102,570 as presented. The motion passed unanimously.

(Resolution No. RS-2020-22 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

BROWNFIELD REVITALIZATION INCENTIVE PROGRAM ORDINANCE FOR WASHINGTON COUNTY

Ms. Small recommended adoption of an ordinance for the Brownfield Revitalization Incentive Program as presented on July 28, 2020.

Commissioner Keefer, seconded by Commissioner Wagner, moved to authorize the Ordinance for the Brownfield Revitalization Incentive Program as presented. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Baker, seconded by Commissioner Wagner, moved to convene in closed session at 12:00 p.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 (4-0, Commissioner Meinel Schmidt 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, Randy E. Wagner, and Wayne K. Keefer (Cort F. Meinel Schmidt was absent). Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Krista L. Hart, County Clerk, and at various times, Rachel Brown, Director, Human Resources; Dave Hays, Director, Emergency Services and Sara Greaves, CFO.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 12:54 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Baker, seconded by Commissioner Keefer, moved to adjourn at 12:55 p.m. The motion passed unanimously.



Krista L. Hart, County Clerk