



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

November 3, 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. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Cort F. Meinelschmidt (Vice-President Baker was absent).

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of October 27, 2020. The motion passed unanimously (4-1, Vice-President Baker was absent).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer thanked the staff and volunteers involved in the 2020 Elections. He shared a "thank you" to the Commissioners from Marty Lumm with regard to the Early Voting location.

Commissioner Meinelschmidt urged citizens to check the online up-to-date voting wait time posted on the County website and Facebook page.

Commissioner Wagner echoed Commissioner Keefer's comments.

President Cline shared his experience with the Early Voting Center staff and volunteers.

STAFF COMMENTS

Boards and Commissions

Environmental Management Advisory Committee

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to appoint Mark Mishler to serve a first three-year term from September 1, 2020 through August 31, 2023; and to reappoint Brock Shriver, Eric Sarmiento, Randall Morin, and Lisa Horn, each to serve a first full three-year term from September 1, 2020 through August 31, 2023. This is NOT a paid board.

Veterans Advisory Committee

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to appoint Laura Jean-Unsworth to serve a first three-year term from November 1, 2020 through October 31, 2023 as a representative from a veteran organization that provides a service to Veterans; Stephanie Pulver to serve a first three-year term from November 1, 2020 through October 31, 2023 as a Veteran Representative; William Ruland to serve a first two-year term from November 1, 2020 through October 31, 2022 as a Veteran Representative; and Jacob Demers to serve a first one-year term from November 1, 2020 through September 30, 2021. The motion passed unanimously. This is NOT a paid board.

County Attorney / Interim County Administrator

Kirk Downey thanked Sheriff Mullendore and staff for providing support throughout the early voting process.

PROPERTY ACQUISITION FOR EASTERN BOULEVARD WIDENING

Todd Moser, Real Property Administrator, recommended approval of an option agreement for partial property acquisition including fee simple and/or easements for 536 Antietam Drive, Hagerstown in the amount of \$6,506.21; and to approve an ordinance approving said purchase and to authorize the execution of the necessary documentation to finalize the acquisition.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the property acquisition as presented. The motion passed unanimously (4-0, Commissioner Baker was absent).

(Ordinance No. ORD-2020-32 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

HAGERSTOWN REGIONAL AIRPORT BUDGET ADJUSTMENT

Garrison Plessinger, Director, Hagerstown Regional Airport, requested approval of a budget amendment in the amount of \$1,126,907 to be applied towards various Airport revenue accounts. Mr. Plessinger shared that the first CARES Act reimbursement was \$442,621, which would provide for certain wage and benefit costs through June 30, 2020; the second reimbursement is anticipated at \$684,286 and would be used for wage and benefit cost incurred during FY2021.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the budget amendment as presented. The motion passed unanimously (4-0, Commissioner Baker was absent)

Vice-President Baker joined the meeting at 10:14 a.m.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0050) – PLAYGROUND EQUIPMENT FOR PARKS AND FACILITIES

Brandi Naugle, Buyer, Purchasing, and Andrew Eshleman, Director, Public Works, recommended authorization by Resolution, the purchase of playground equipment from Playground Specialist, Inc., Thurmont, Maryland, and to utilize the Houston-Galveston Area Council Contract Number PR11-20 for the total sum amount of \$148,680.58. Ms. Naugle shared that this purchase would replace equipment at the Marty Snook Park. She added that funds are budgeted in the department's Capital Improvement Plan Account REC037 with funding source as 90% Project Open Space monies and 10% local match.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to authorize by Resolution for the Intergovernmental Cooperative Purchase INTG-20-0050, as presented. The motion passed 4-1, Commissioner Baker abstained due to late arrival.

CONTRACT AWARD (PUR1479) TREATMENT FOR SUBSTANCE USE DISORDERS AT THE DAY REPORTING CENTER

Rick Curry, Director, Purchasing, recommended approval to award contract PUR1479 for the Treatment Substance Use Disorders at the Washington County Sheriff's Office, Day Reporting Center in Washington County, Maryland, to the responsible proposer, Serenity Treatment Center, Inc. of Hagerstown, Maryland, in the amount of \$53,958. Mr. Curry explained that renewal of this agreement is at the discretion of the Washington County Sheriff's Office and is also contingent upon the following: 1) the continual award of funds from the Governor's Office of Crime Control and Prevention (GOCCP) 2) the performance of the Contractor and 3) the goals/outcomes desired by the GOCCP and the Washington County Sheriff's Office.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the contract award of PUR-1479 to Serenity Treatment Center, Inc. in the amount of \$53,958 as presented. The motion passed unanimously.

RESTAURANT RELIEF GRANT PROGRAM

Susan Small, Director, Business Development (via phone), and Jonathan Horowitz, Business Leader, Business Development, presented the recommendation to accept grant funding in the amount of \$1,352,231 from the Maryland Department of Business Management through the Department of Commerce for the provision of a restaurant relief grant program in Washington County, as it pertains to the COVID-19 Pandemic.

These funds will be allocated to local jurisdictions in the form of a grant from the state and must be disbursed to businesses by no later than December 31, 2020. The state will provide clear guidelines that jurisdictions must follow to disburse the funds. Additionally, the \$50 million in funds will be distributed proportionally based on the number of restaurant establishments located in each jurisdiction. Based on our current data, we expect Washington County's share of the \$50 million to be \$1,352,231.

Additionally, the Department of Business Development has approximately \$800,000 left in CARES Act Rise Up Business Stabilization fund. Mr. Horowitz requested that the Board consider a reallocation of those funds to disburse an amount evenly to previously awarded businesses; which is approximately \$1,057 per business.

Mr. Horowitz shared that the deadline for submittal of application would be December 18, 2020 for the Restaurant program. The Commissioner requested an update on applicants and funding upon closure of the program.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to accept grant funding in the amount of \$1,352,231 as presented. The motion passed unanimously.

Sara Greaves, CFO, reminded the Board of a previous discussion and motion regarding the reallocation of remaining CARES Act Rise Up funds brought forth by Tom Brown, Emergency Management; adding that approval of this request would impact that amount as presented and approved in the previous open session.

The request for reallocation of the remaining funds of approximately \$800,000 has been declined.

POTENTIAL LEGISLATIVE ITEMS

Mr. Downey discussed potential issues the County may like to see addressed during the next session of the General Assembly. He shared that items identified from County staff are as follows:

1. Medical Assistance Program - Emergency Service Transporters - Reimbursement for Transportation and Medical Services;
2. Requirement for a zoning certification prior to issuance of a business license; and
3. Any other matter identified as requiring legislative action.

The Commissioners discussed the Styrofoam Container Ban and the potential to have the matter reconsidered as part of the State of Emergency due to the fact that most restaurants cater more to carry-out during the pandemic.

The Commissioners requested that the following matters be added to the list of legislative items:

- Prisoner Release Program
- Washington County Board of Education Level Funding Initiative
- Capital Funding
- Cost-Shifting
- Kirwan Initiatives

COMMISSIONER COMMENTS (continued)

Vice President Baker thanked all staff involved in the Voting Centers.

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to convene in closed session at 10:39 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, in accordance with Sections 3-305(b) (1) (7) (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the potential appointment of a specific individual or individuals to boards and commissions over which the Board has jurisdiction; as well as the employment, recruitment, possible termination and/or assignment of County personnel and the potential filling of certain personnel vacancies; the Board provided staff direction in regards thereto. Additionally, the Board consulted with legal counsel to obtain legal advice on a legal matter involving potential litigation and related settlement negotiation and provided direction to counsel regarding conduct of such matter.

Present during closed session were Commissioners Jeffrey A. Cline, Randy E. Wagner, and Wayne K. Keefer. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Krista L. Hart, County Clerk, and at various times, Deb Condo, Deputy Director, Human Resources; Environmental Management; Andrew Eshleman, Director, Public Works; Sara Greaves, CFO; Jill Baker, Director, Planning & Zoning; Dave Hays Director, Emergency Services; and a former employee.

RECONVENE IN OPEN SESSION

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to reconvene in open session at 12:18 p.m. The motion passed unanimously.

Human Resource Position Requests

Deb Condo, Deputy Director presented the recommendation to transfer Sonja Hoover to the position of Programs Administrator, Emergency Services, Grade 13, Step 10 \$63,835; this position is vacant due to the resignation of Jennifer Swisher.

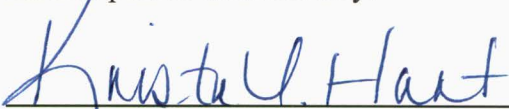
Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the transfer as presented. The motion passed unanimously.

Ms. Condo presented the recommendation to transfer Meghan Jenkins to the position of GIS Coordinator, Planning & Zoning, Grade 13, Step 1 \$51,106.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the transfer as presented. The motion passed unanimously.

ADJOURNMENT

Commissioner Meinelschmidt, seconded by Commissioner Baker moved to adjourn at 12:21 p.m. The motion passed unanimously.



Krista L. Hart, County Clerk