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BOARD OF COUNTY COMMISSIONERS
December 1, 2020
OPEN SESSION AGENDA

The meeting of the Board of County Commissioners of Washington County will be held at 100 West Washington Street, Suite 1113, Hagerstown. Due to Governor Hogan's Executive Order and gathering restrictions, Board members will be practicing social distancing. County buildings remain closed to public access except by appointment. Therefore, there will be no public attendance in the meeting chambers, unless previously scheduled. The meeting will be live streamed on the County's YouTube and Facebook sites.

- 10:00 AM** **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
CALL TO ORDER, *President Jeffrey A. Cline*
APPROVAL OF MINUTES: *November 17, 2020*
- 10:05 AM** **COMMISSIONERS' REPORTS AND COMMENTS**
- 10:10 AM** **STAFF COMMENTS**
- 10:20 AM** **CITIZEN PARTICIPATION** (*citizens are required to submit a request to khart@washco-md.net or by calling 240.313.2204 at least 24 hours in advance of the meeting*)
- 10:25 AM** **2020 SALARY STUDY COMMISSION REPORT AND RECOMMENDATIONS – JD Repp, Commission Chair**
- 10:35 AM** **BUDGET ADJUSTMENT FOR UNBUDGETED COSTS – Sara Greaves, CFO; Dave Hays, Director, Emergency Services**
- 10:40 AM** **BUDGET ADJUSTMENT, BOND ISSUANCE COST– Sara Greaves, CFO**
- 10:45 AM** **EMPLOYEE STEP/COST OF LIVING ADJUSTMENT– Kirk Downey, Interim County Administrator/County Attorney; Sara Greaves, CFO**
- 10:55 AM** **CARES ACT WAGE REIMBURSEMENT DISTRIBUTION PLAN – Tom Brown, Emergency Manager, Emergency Management**
- 11:05 AM** **TRANSIT CARES ACT FUNDING – ACCEPT AWARDED FUNDING – Allison Hartshorn, Grant Manager; Kevin Cerrone, Director, Transit Department**
- 11:10 AM** **CLOSED SESSION** (*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.*)
- 11:25 AM** **ADJOURNMENT**

Open Session Item

SUBJECT: 2020 Salary Study Commission (“Commission”) Report and Recommendations

PRESENTATION DATE: December 1, 2020

PRESENTATION BY: JD Repp, Commission Chair

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: The Commission Chair appears before the Board to discuss the Commission’s report and recommendations, and to answer any questions that the Board may have prior to the Board’s setting of salaries for each of the offices included in the report and recommendations.

DISCUSSION:As explained in more detail in the attached report, the Commission’s recommendations are as follows:

1. County Commissioners – a recommended increase from the current member’s salary of \$38,000 to \$39,000 and a recommended increase from the current president’s salary of \$41,000 to \$42,000;
2. Board of Education – a recommended increase from the current member’s salary of \$12,000 to \$13,500 and a recommended increase from the current president’s salary of \$12,500 to \$14,000;
3. Board of License Commissioners (Liquor Board) – a recommended increase from the current member’s salary of \$10,600 to \$12,600 and a recommended increase from the current president’s salary of \$10,800 to \$12,850;
4. Judges of the Orphans’ Court – a recommended increase from the current Judges’ salary of \$7,800 to \$8,000;
5. Sheriff – a recommended increase from the current salary of \$110,000 to \$126,630 and a recommendation for the Board to request legislation to set the Sheriff’s formula for compensation as 90% of the Washington County State’s Attorney salary, which is calculated at 90% of a District Court Judge salary; and
6. Treasurer – no recommended change.

FISCAL IMPACT: Subject to the Board’s decisions to accept, reduce, or reject the Commission’s recommendations. Any fiscal impact would commence with the next term of office.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Cover Letter; Commission Report and Recommendations

AUDIO/VISUAL NEEDS: N/A

2020 Washington County Salary Study Commission

November 23, 2020

Board of County Commissioners of Washington County, Maryland
100 West Washington Street
Hagerstown, MD 21740

Re: Report of the 2020 Washington County Salary Study Commission

Dear Commissioners:

Pursuant to Maryland Code Annotated, Local Government Article §§ 28-201 to 28-209, in September, 2020, the Board appointed six members, five representing statutorily designated organizations and one representing the Commissioners' at-large appointment, to the 2020 Washington County Salary Study Commission ("the Commission"). The Commission held its initial meeting on September 25, 2020 and at its second meeting on October 9, the Commission, in accordance with applicable statutory provisions, appointed individuals to fill two vacant seats.

The Commission was directed to perform a study of and make recommendations regarding the current salaries of the six elected positions set forth in Local Government Article § 28-207(a): County Commissioners, Board of Education, Board of License Commissioners (better known as the Liquor Board), Judges of the Orphans' Court, Sheriff, and Treasurer. Members of the Commission, with the assistance of county staff, namely Deputy County Attorney Kendall Desaulniers and Legal Secretary Rachael McCarty, received and reviewed statistical information, including past and present salaries and the statutory basis for said salaries, the responsibilities and time demands of the positions, salaries of subordinate employees as directed by statute, relevant legislative changes, and comparable information from other jurisdictions in Maryland. Incumbents in each position were solicited for information. This information, along with testimony at the public hearing, was used for the Commission's deliberations on salary considerations and recommendations in the attached report.

In addition to the public hearing held on November 10, 2020, as required by Local Government Article § 28-206(a), the Commission met seven times. The Commission carefully reviewed and thoroughly discussed each position, and voted to determine salary recommendations as outlined in the attached report. The Commission discussed the public service nature of the positions being reviewed, as well as economic conditions and other relevant information.

The Commission members thank you for the opportunity to have been of service to the citizens of Washington County. As chair, I look forward to addressing you on behalf of the Commission on December 1 to present the Commission's recommendations and answer questions you may have. I also offer any assistance needed to the local delegation who is responsible for introducing legislation to affirm any changes accepted.

Sincerely,



J.D. Repp, Chair
2020 Washington County Salary Study Commission

Attachment: 2020 Salary Study Commission Report and Recommendations

cc: Kirk Downey, County Attorney
Kendall Desaulniers, Deputy County Attorney
Rachael McCarty, Legal Secretary

2020 Salary Study Report

REPORT OF THE 2020 WASHINGTON COUNTY SALARY STUDY COMMISSION November 2020

PREAMBLE

The Salary Study Commission (“the Commission”) approached the statutory task of making recommendations on salaries of six elected positions with fiscal responsibility and fair compensation in mind for each elected office. Being the six positions have varying levels of time commitments, responsibilities, support staff, benefits, etc., the Commission considered and discussed each position individually, reviewing all data and relevant information. Factors in common with all positions were heavily considered and include:

- 1) These positions have not had an increase in pay since 2016.
- 2) These positions will receive an increase no earlier than terms beginning in 2022.
- 3) A salary set to begin in 2022 will be in place until 2026.

The Commission reviewed the Cost of Living Adjustment (COLA) for each year since 2016 and determined a compounded rate of 2.2%. As a starting point for most positions, the Commission recommends a 2.2% COLA. While 2020 has been an exception, the Commission noted Washington County has had a healthy economy since the last time the County Commissioners considered and accepted recommendations in 2016.

SALARY RECOMMENDATIONS

County Commissioners: The Commission did not receive information or testimony for an increase in salary from any of the current County Commissioners, but the Commission requested information regarding the amounts and costs of pensions, health insurance coverage, and any other benefits received by the County Commissioners. The Commission also considered the responsibilities and time commitment for the County Commissioners. The Commission notes that the County Commissioners accepted a recommended increase in salary for the first time in 14 years in 2016, and now recommends a 2.2% compounded COLA, rounding to the nearest hundred dollars, meaning an increase from the current member’s salary of \$38,000 to \$39,000; and an increase from the current President’s salary of \$41,000 to \$42,000.

Board of Education: The Commission received written information from the Board of Education (“Board”) President, Vice President, and two members regarding the responsibilities, school system, relevant state statutes, and salary comparisons with other counties.

The Commission discussed the role of education as a driver for the economic success of Washington County. Educated, well-trained employees help attract better-paying jobs and businesses to our county.

The Board of Education is responsible for innovations as well as maintenance of a high-quality education system to address the diverse needs of our community through its policy-making, Superintendent hiring and oversight, addressing ever-changing state and federal requirements, and active participation and outreach with the community. Board members attend a wide array of school events and meetings, but also attend Chamber of Commerce and other business events to represent education interest and share information. Board members attend relevant hearings and also testify in Annapolis on important education issues that impact our county. Board members can easily commit 25 to 30 hours a week to these diverse and significant duties in order to effectively represent the school system, respond to parents, and to ensure they are well-informed on current issues impacting our schools.

2020 Salary Study Report

The Commission recognizes that oftentimes the majority of candidates for election to the Board of Education are retired educators. The Commission sees under-compensation as a possible hindrance to having a diverse cohort of individuals consider serving.

Based on those considerations, the Commission recommends a 2.2% compounded COLA, rounding to the nearest hundred dollars, plus \$1,000 for each position, which is an increase for Board members from the current salary of \$12,000 to \$13,500; and for President from the current salary of \$12,500 to \$14,000.

Board of License Commissioners: The Commission received information from the Board of License Commissioners, better known as the Liquor Board, via email, phone call, and personal testimony at the public hearing. The Liquor Board is 100% self-funded through license fees, transfer fees, applications, etc. and receives no county or state funding. The Liquor Board oversees roughly 200 licensees over the county consisting of a growing number of breweries, distilleries, wineries, clubs, etc. In addition to the work hours of several staff members, each Liquor Board Commissioner dedicates roughly 10 hours per week for hearings, enforcement, site visits, etc.

In 2016, the Liquor Board did not ask for, and did not receive a salary increase. Considering all of this, the Commission recommends a 2.2% compounded COLA, with an eight-year variable rather than four years, rounded to the nearest hundred dollars. This would be an increase for members' salaries of \$10,600 to \$12,600; and Chair's salary of \$10,800 to \$12,850.

Judges of the Orphans' Court: The Commission requested information from the Judges of Orphans' Courts regarding responsibilities, any compensation outside of salaries, and comparable county's Judges of the Orphans' Court. The Judges of the Orphans' Court did not receive a salary increase in 2016. The Commission recommends a 2.2% compounded COLA, rounded to the nearest hundred dollars, increasing the salary of \$7,800 to \$8,000.

Sheriff: Sheriff Doug Mullendore attended the public hearing and noted that he does not plan to run for re-election and he supports increasing the Sheriff's salary, emphasizing responsibilities involved. Washington County is one of only 10 Sheriff's Offices in the state that has a jail, civil process, judicial division, and patrol services. The Sheriff manages 275 employees, and over 300 inmates on any given day. The Sheriff's Office responds to over 70,000 calls for service each year, handles over 1,500 accidents, and is the primary law enforcement agency for the county. The Sheriff is the primary person involved in Homeland Security for the county, and is the liaison to the Western Maryland Information Center and the Maryland Coordination and Analysis Center.

The Washington County Sheriff's Office is the only law enforcement agency in the state certified through the National Center for Missing and Exploited Children's Kids Readiness Project and is among only 25% of law enforcement agencies in the country accredited through the Commission on Accreditation for Law Enforcement Agencies. The Washington County Sheriff's Office is considered one of the premier law enforcement and correctional agencies in the state.

Unlike the elected positions listed previously, the Sheriff's elected position is intended to be a full-time, "career" position. Even as a career position, this position is afforded no standard employee benefits such as health insurance, sick or annual leave, retirement benefits, etc. The Commission spent a great deal of time considering how comparable counties in the state determine salary compensation for their sheriff. The Commission found that a common formula was tying a full-service sheriff's salary to the salary of the State's Attorney. Statute sets the salary of the State's Attorney at 90% of the salary of a District Court Judge. The Commission recommends setting the salary of the Sheriff at 90% of the salary of the State's Attorney.

2020 Salary Study Report

The Commission also strongly encourages the Board of County Commissioners to request legislation to remove the Sheriff's salary from the purview of this Commission and set the salary formula to 90% of the State's Attorney's salary.

Treasurer: The Treasurer's salary is currently part of the County's employee grade/step compensation scale and therefore subject to periodic increases on the same basis as other County employees. Therefore, no change is recommended to the current process or amount of the Treasurer's salary. The Commission recommends that the Treasurer's salary be set at \$6,000 to remain consistent therewith.



Agenda Report Form

Open Session Item

SUBJECT: Budget adjustment for unbudgeted costs

PRESENTATION DATE: December 1, 2020

PRESENTATION BY: Sara Greaves, Chief Financial Officer; Dave Hays, Director of Emergency Services

RECOMMENDATION: To approve the budget adjustment as presented.

REPORT-IN-BRIEF: The County refunded 2011 and 2012 bonds on September 30, 2020 initiating a savings in debt service. Staff would like to redirect savings to other known costs.

DISCUSSION: Debt service savings of \$149,347 are being requested for reallocation to provide an increase in the required LOSAP contribution. We receive estimates from the actuary early in the budget season, but unfortunately the estimate we received in FY20 for FY21 was short by \$49,347. Additionally, an oversight occurred during budgets and the \$100,000 to provide for the accounting review provided by SEK was removed. This is a contracted cost that must be funded.

FISCAL IMPACT: \$149,347

CONCURRENCES: N/A

ALTERNATIVES: Do not approve the budget adjustment as presented

ATTACHMENTS: 93130 Budget Adjustment forms

AUDIO/VISUAL NEEDS: None



Washington County, Maryland Budget Adjustment Form

Print Form

- Budget Amendment - Increases or decrease the total spending authority of an accounting fund or department
- Budget Transfer - Moves revenues or expenditures from one account to another or between budgets or funds.

Transaction/Post -Finance

Deputy Director - Finance

Preparer, if applicable

Department Head Authorization

Division Director / Elected Official Authorization

Budget & Finance Director Approval

County Administrator Approval

County Commissioners Approval

Required approval with date

If applicable with date

Required approval with date

Required approval with date

Required > \$ 25,000 with date

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) + / -
501050	10	12700				Bond Interest	-149,347
500130	10	93130				Pension	49,347
515000	10	93130				Contracted Purchased Services	100,000

Explain Budget Adjustment

Required Action by County Commissioners No Approval Required Approval Required Approval Date if Known



Open Session Item

SUBJECT: Budget adjustment – Bond Issuance Cost

PRESENTATION DATE: December 1, 2020

PRESENTATION BY: Sara Greaves, Chief Financial Officer

RECOMMENDATION: To approve the budget adjustment as presented.

REPORT-IN-BRIEF: The County refunded 2011 and 2012 bonds on September 30, 2020.

DISCUSSION: The issuance costs for this transaction were included in the refunding and provided to the County as bond proceeds. We must initiate a budget adjustment to allocate the proceeds accordingly.

FISCAL IMPACT: \$87,388

CONCURRENCES: N/A

ALTERNATIVES: Do not approve the budget adjustment as presented

ATTACHMENTS: ADM001 Adjustment form

AUDIO/VISUAL NEEDS: None



Washington County, Maryland Budget Adjustment Form

Print Form

- Budget Amendment - Increases or decrease the total spending authority of an accounting fund or department
- Budget Transfer - Moves revenues or expenditures from one account to another or between budgets or funds.

Transaction/Post -Finance

Deputy Director - Finance Digitally signed by Kelcee Mace
Date: 2020.10.06 10:45:31 -04'00'

Preparer, if applicable

Department Head Authorization

Division Director / Elected Official Authorization Digitally signed by Sara Greaves
Date: 2020.10.12 10:54:25 -04'00'

Budget & Finance Director Approval

County Administrator Approval

County Commissioners Approval

Required approval with date

If applicable with date

Required approval with date

Required approval with date

Required > \$ 25,000 with date

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) + / -
498016	30	10500	ADM001		0000	Bond Fund - 2020	87,388
599999	30	15000	ADM001		BOND	Cost of Bond Issuance	87,388

Explain Budget Adjustment

Required Action by County Commissioners No Approval Required Approval Required Approval Date if Known



Agenda Report Form

Open Session Item

SUBJECT: Employee Step/Cost of Living Adjustment

PRESENTATION DATE: December 1, 2020

PRESENTATION BY: Kirk C. Downey; Interim County Administrator; Sara Greaves, Chief Financial Officer

RECOMMENDED MOTION: I move to implement a mid-year adjustment to employee wages to include a 2.5% employee step increase (to employees with at least 6 months' tenure)) for all regular employees and a 1% Cost of Living Adjustment (COLA, effective the pay period ending January 8, 2021, with a pay date of January 15, 2021.

REPORT-IN-BRIEF: A proposed 3.5% wage adjustment was removed from the FY21 budget during the spring planning process when the COVID-19 pandemic became apparent. The Board stated that they would review later in the year for a potential mid-year adjustment.

DISCUSSION: Throughout the COVID-19 pandemic, the county has taken a very conservative approach to all things budgetarily-related, including budgeted wages for employees.

Steps and COLA's are important to maintain a competitive workforce, recognize effort and performance, and recruit and retain qualified personnel. Moreover, they are required to minimize disparity with other similarly-situated public sector employers.

The County recently reduced the wage scale from 3.5% to 2.5% between steps. This was due to the 3.5% step being cost prohibitive where COLAs were concerned, leading to a decision each year to choose between the two--providing one or the other but not both. The Board agreed that an effort to provide more consistent steps and COLAs (annually) would be the best approach moving forward. This is even more critical due to the adopted Maryland minimum wage scale and the impact to our County.

\$10.10 Current

\$11 on Jan. 1, 2020, 9% increase

\$11.75 on Jan. 1, 2021, 7% increase

\$12.50 on Jan. 1, 2022, 6% increase

\$13.25 on Jan. 1, 2023, 6% increase \$14 on Jan. 1, 2024, 6% increase

\$15 on Jan. 1, 2025, 7% increase

Throughout the pandemic, Washington County employees have continued to provide necessary governmental services to our community, even while facing increased risk and an uncertain work environment. Meanwhile, the County has not provided any hazard pay to employees through the CARES funding. It has been the County's focus to utilize those funds to serve our citizens and businesses first.

The County has moved forward with a conservative budget with prudent planning efforts. County revenues have been greater than anticipated. The County finds itself in a place where it can fulfill its original goal to provide County employees with the step increase and COLA it originally envisioned.

FISCAL IMPACT: Mid-year implementation: 1% COLA \$270,000; 2.5% Step \$670,000; Total - \$940,000

CONCURRENCES: Chief Financial Officer

ALTERNATIVES: N/A

ATTACHMENTS: N/A



Open Session Item

SUBJECT: CARES ACT Wage Reimbursement Distribution Plan

PRESENTATION DATE: December 1, 2020

PRESENTATION BY: Tom Brown, Emergency Manager

RECOMMENDED MOTION: Approval to reimburse County and Municipal governments and Volunteer Fire and EMS departments a portion of full and part time wages based on an equitable calculation of the percentage of each request as compared to the total amount of available funds.

REPORT-IN-BRIEF: CARES ACT funding was awarded by the State and Federal government to Washington County in an effort to offset expenses related to COVID-19. At this time all funding received is to be utilized by December 30, 2020.

DISCUSSION: Approval to reallocate remaining non-healthcare CARES ACT funding to reimburse County and Municipal governments and Volunteer Fire and EMS departments for a portion of full and part time wages was approved during the October 27, 2020 BOCC meeting. All municipalities with public safety personnel, all volunteer fire and EMS companies, and the County's wages for public safety personnel were requested on multiple occasions for a six-month period during the allowable CARES ACT funding period. These requests totaled \$13,225,836. Each request was calculated as a percentage of the total requests and it is recommended that applicants would receive that percentage of available remaining funds. Additional funding from the health care CARES ACT funding has been made available and will be utilized to meet requests.

FISCAL IMPACT: None

CONCURRENCES: Interim County Administrator, Chief Financial Officer

ALTERNATIVES: Deny recommendation and determine an alternate distribution plan.

ATTACHMENTS: TBD

AUDIO/VISUAL NEEDS: N/A



Open Session Item

SUBJECT: Transit CARES Act Funding-Accept Awarded Funding

PRESENTATION DATE: December 1, 2020

PRESENTATION BY: Kevin Cerrone, Director, Washington County Transit, and Allison Hartshorn, Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the acceptance of \$3,534,237 from the Maryland Department of Transportation/ Maryland Transit Administration.

REPORT-IN-BRIEF: The proposed funding is for operational and maintenance expense relief due to COVID-19

DISCUSSION: Washington County Transit (WCT) is the sub-recipient of federal CARES Act funds in the amount of \$3,534,237. Administered by the Maryland Department of Transportation/ Maryland Transit Administration (MDOT/ MTA), the multi-year project is documented as an amendment to the previously executed FY '20 Annual Transportation Plan (ATP).

This Plan was originally presented to the Washington County Board of County Commissioners (BOCC) on September 25, 2019 for the purpose of application and receipt of federal, state and local transit funding. The CARES Act funds now associated with the Plan will be eligible for COVID-19 related expenses and lost revenue. The Project Time Period will be extended as necessary by MDOT/ MTA until all funds have been completely drawn down. The funds are 100% federal dollars with no state or local match requirement. The funds may not be used as a substitute for required annual FTA Formula 5307 Small Urban Program operating fund matches.

As a sub-recipient, WCT will use these funds to offset overmatch expenses and anticipated revenue losses over the next several years. All requests for reimbursement must be transit related. It is anticipated draws will pay for various cleaning supplies, equipment, vehicle and facility upkeep, along with payroll expenses associated with the COVID-19 pandemic beginning January 20, 2020.

FISCAL IMPACT: N/A

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny acceptance of funds

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A