



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

December 1, 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 Terry L. Baker was absent).

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of November 17, 2020. The motion passed unanimously (Vice-President Baker was absent).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer thanked staff members who assisted with a request he recently presented. Additionally, he shared information regarding rental, mortgage, utility assistance through the Community Action Council (301-797-4161).

Commissioner Meinelschmidt shared that he and President Cline will be participating in a fundraising event in support of the Fort Ritchie Community Center.

Commissioner Wagner thanked all staff who worked throughout the holidays. He added that an additional COVID-19 Test Site has been added on Lee Street.

President Cline thanked County staff who worked throughout the holidays, from volunteers to career staffing. Also, on Thursday morning, Earl Stoner, Washington County Health Officer will be presenting an updated COVID-19 report. Once that report is released President Cline will discuss with fellow Commissioners.

STAFF COMMENTS

Boards and Commissions

Community Health Advisory Commission

Commissioner Wagner, seconded by Commissioner Keefer, moved to appoint Allen Twigg to serve a first three-year term from December 1, 2020 through November 30, 2023 as the Business Representative; and to reappoint Robin Ferree to serve a first full three-year term from August 1, 2020 through July 31, 2023 as the Developer Community Representative. Mr. Ferree's previous partial term will not apply towards the two-term limit as outlined in the by-laws. This is NOT a paid board. The motion passed unanimously (4-0, Vice-President Baker was absent).

Division of Emergency Services

Dave Hays, Director, recommended approval to utilize another jurisdiction's contract from Fairfax County, Maryland (#4400008468) awarded to Safeware, Inc. of Landham, Maryland and to approve the purchase of three hundred (300) Powered Air Pressure Respirators in the amount of \$211,345.18.

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

Department of Business Development

Susan Small, Director, provided the Board with an update regarding the Restaurant Relief Grant which ended on November 9th and funded 74 business for a total of \$1.35million; there were 26 businesses who submitted requests in the amount of \$419,020 which remain unfunded.

Additionally, Ms. Small discussed the previously approved matter of CARES Act Funding allocated to the Convention and Visitors Bureau (CVB) to be used in three (3) phases, specifically, Phase three (3). She informed the Board that after speaking with Dan Spedden of the CVB, it is recommended that the remaining amount of phase 3 \$210,000 be distributed evenly to the 26 restaurants who were unable to receive assistance.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve the request to reallocate the funding in the amount of \$210,000 to the Restaurant Relief Grant.

Planning and Zoning

Jill Baker, Director, presented Jennifer Kinzer with a certificate of award from the Maryland Department of Planning for her work on the 2020 Census.

Board of Elections

Kaye Robucci thanked the Commissioners for their support throughout the 2020 Elections.

CITIZENS PARTICIPATION

Cindy and Mike Tedrick 11423 Ernstville Road, Big Pool, Maryland, shared concern and opposition for the potential of AC&T obtaining the proposed abandonment of the right-of-way Tedrick Drive.

2020 SALARY STUDY COMMISSION REPORT AND RECOMMENDATIONS

JD Repp, Chair, Salary Study Commission (Commission), presented the Commission's findings and recommendations as required. They 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;

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to decline the recommendation as presented. The motion passed unanimously (4-0, Vice President Baker was absent).

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;

The Commissioners reached a consensus to postpone this matter until December 15th to obtain concurrence from the Board of Education.

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;

Commissioner Wagner, seconded for discussion by Commissioner Keefer, who shared concern for the increase. Commissioner Meinelschmidt proposed a lower amount of increase. Commissioner Wagner withdrew the motion.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve an increase for the current member salary to \$11,600 and the current president salary to \$11,800. The motion passed 3-1, Commissioner Keefer voted "NAY").

4. Judges of the Orphans' Court – a recommended increase from the current Judges' salary of \$7,800 to \$8,000;

The Commissioners discussed the matter and took no action.

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;

Commissioner Wagner seconded by Commissioner Keefer moved to approve the request as presented. The motion passed unanimously (4-0, Vice-President Baker was absent).

6. Treasurer – no recommended change.

The approved recommendations will be written into an ordinance and presented for approval of said ordinance.

BUDGET ADJUSTMENT FOR UNBUDGETED COSTS

Sara Greaves, CFO, and Dave Hays, Director, Emergency Services, recommended approval for a budget adjustment in the amount of \$149,347 which would provide an increase in the required LOSAP contribution.

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

BUDGET ADJUSTMENT FOR BOND ISSUANCE COSTS

Ms. Greaves recommended approval of a budget adjustment in the amount of \$87,388 which account for 2011 and 2012 refunded bonds.

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

EMPLOYEE STEP/COST OF LIVING ADJUSTMENT

Kirk Downey, Interim County Administrator/County Attorney, and Ms. Greaves presented the Board with a recommendation to adjust employee wages to include a 2.5% employee step increase for employees with a minimum of six (6) months tenure for all regular employees and a 1% Cost of Living Adjustment, effective the pay period ending January 8, 2021.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the step increase and the Cost of Living Adjustment as presented. The motion passed unanimously (4-0, Vice President Baker was absent).

CARES ACT WAGE REIMBURSEMENT DISTRIBUTION PLAN

Tom Brown, Emergency Manager, Emergency Management, recommended approval to reimburse County and Municipal governments and Volunteer Fire and EMS departments for 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 from the non-healthcare CARES Act funding.

Commissioner Meinelschmidt, seconded by Commissioner Keefer moved to rescind the previous vote to reallocate funding from the CVB to fund all requests submitted under the Restaurant Relief. The motion passed unanimously (4-0, Vice-President Baker was absent).

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to reallocate \$439,020 from the County's portion of the CARES Act Funding to the Restaurant Relief program, which will fully fund all requests received.

Commissioner Wagner, seconded by Commissioner Keefer, moved to redirect \$1,003,577 from County allocation of CARES Act Funding to reimburse the remaining balance of Fire/EMS Wage Requests. The motion passed unanimously (4-0, Vice-President Baker was absent).

TRANSIT CARES ACT FUNDING – APPROVAL TO ACCEPT AWARDED FUNDING

Allison Hartshorn, and Kevin Cerrone, Transit Director, requested authorization to accept funding in the amount of \$3,534,237 from the Maryland Department of Transportation / Maryland Transit Administration. Ms. Hartshorn explained that the funding would be used for operational and maintenance expense relief due to COVID-19. 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.

Commissioner Wagner, seconded by Commissioner Keefer, moved to accept the awarded funding in the amount of \$3,534,237 as presented. The motion passed unanimously (4-0, Vice-President Baker was absent).

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to convene in closed session at 11:43 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, in accordance with Sections 3-305(b) (1) and (7) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously (Vice-President Baker was absent).

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 Commissioners consulted with legal counsel to obtain legal advice and provided staff with direction based on such advice.

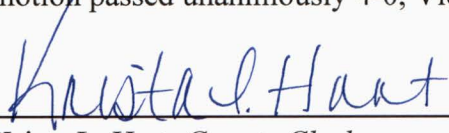
Present during closed session were Commissioners Jeffrey A. Cline, Randy E. Wagner, Cort F. Meinelschmidt, and Wayne K. Keefer. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Krista L. Hart, County Clerk, and at various times, Deb Condo, Deputy Director, Human Resources, and Sara Greaves, CFO.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to reconvene in open session at 12:07 p.m. The motion passed unanimously (Vice-President Baker was absent).

ADJOURNMENT

Commissioner Meinelschmidt, seconded by Commissioner Keefer moved to adjourn at 12:07 p.m. The motion passed unanimously 4-0, Vice-President Baker was absent).



Krista L. Hart, *County Clerk*