



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

January 12, 2021

The meeting of the Board of County Commissioners was held virtually via Zoom due to Governor Hogan's State of Maryland Executive Order pertaining to the COVID-19 Pandemic.

CALL TO ORDER

President Jeffrey A. Cline called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 10:03 a.m. via Zoom Meeting with the following members present: Vice-President Terry L. Baker, Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Cort F. Meinelschmidt.

APPROVAL OF MINUTES

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the revised minutes of November 17, 2020. The motion passed 4-0-1, Commissioner Baker abstained.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the minutes of December 15, 2020. The motion passed 4-0-1, Commissioner Baker abstained.

COMMISSIONERS' REPORTS AND COMMENTS

The Commissioners' welcomed John Martirano as the new County Administrator.

Commissioner Keefer recognized National Law Enforcement Day and thanked the members of all law enforcement agencies; he also thanked staff at Meritus for the planning and distributions of the COVID-19 vaccine. Commissioner Keefer provided clarification regarding the vaccine and shared that the County does not provide input as to how it is administered and to whom it is administered. Commissioner Keefer also recommended that the Commissioners continue with the Pledge of Allegiance during virtual meetings and consider including a prayer to open each meeting.

Vice-President Baker recognized Merrbaugh Construction Company for recognizing a historical log cabin during a demolition project on Jonathan Street, Hagerstown and immediately halting demolition and notifying appropriate contacts of such.

Commissioner Meinelschmidt discussed various meetings and efforts of said groups. Additionally, he shared that he is working with Senator Corderman on the Medicaid Reimbursement Bill.

Commissioner Wagner wished Krista Hart, Clerk, a happy birthday. He thanked Kirk Downey for all his efforts as Interim County Administrator. Commissioner Wagner asked staff to clarify the COVID-19 Policy for County employees.

President Cline also wished Ms. Hart a happy birthday. He shared his condolences to the family of Mark Mades, former Deputy Director of Wireless Communications who recently passed. President Cline reminded citizens that although there has been no Citizen Participation during virtual Commissioner meetings, staff can be reached via email and/or phone at all times. He asked staff to verify that the COVID-19 vaccine is not mandatory for County employees.

STAFF COMMENTS

Boards and Commissions

Washington County Community Health Advisory Commission

Commissioner Wagner, seconded by Commissioner Keefer, moved to reappoint Cynthia Powell to serve a first full three-year term as the Civil Engineering Firm Representative from August 1, 2020

through July 31, 2023 on the Washington County Community Health Advisory Commission. This is NOT a paid board. The motion passed unanimously.

Human Resources Department

Deb Condo, Deputy Director, shared that the Families First Coronavirus Response Act (FFCRA) has expired however, due to an increase in the positive COVID-19 numbers, she recommended that the benefit be extended to County employees through March 31, 2021.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the extension of FFCRA benefits as presented. The motion passed unanimously.

County Attorney's Office

Kirk Downey, County Attorney, thanked the Commissioners and staff for the support throughout his tenure as Interim County Administrator; he also welcomed John Martirano to his new position and wished him much success.

County Administrator

John Martirano, County Administrator, thanked everyone for the warm welcome regarding his return to Washington County employment. He shared his condolences to the family, friends, and co-workers of Mr. Mades.

Mr. Martirano also reminded staff and citizens that the positivity rate for COVID-19 remains high and asked all to social distance, wear masks at all times, practice social distancing, and wash / sanitize hands regularly. He added that currently, Washington County is in Phase 1A of the stage for administering COVID-19 vaccine and confirmed that Washington County does not make the decision of when to advance to the next phase, as that information comes via direction of the State of Maryland through the Health Department.

Additionally, Mr. Martirano will ensure that the policy and procedures for COVID-19 is shared with all senior staff. He also confirmed that the vaccine is not mandated for County employees.

2020 SALARY STUDY COMMISSION ORDINANCE

Kirk Downey, County Attorney, presented for adoption, an ordinance establishing the salaries for the offices of the County Commissioners (President \$41,000, Member \$38,000), Board of Education (President \$14,000, Member \$13,500), Board of Liquor License Commissioners (President \$11,800, member \$11,600), Judges of the Orphans' Court (\$7,800 and expense stipend of \$500), Sheriff (\$126,630), and Treasurer (\$6,000), as recommended by the Salary Study Commission.

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to approve the recommendations and to adopt an Ordinance approving same. The motion passed 4-1, Commissioner Keefer voted "NAY".

(Ordinance No. ORD-2020-01 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

CONTRACT AWARD (PUR1481) FACILITY DESIGN SERVICES REQUIREMENTS CONTRACT

Rick Curry, Director, Purchasing Department, recommended award of the primary requirements contract for Facility Design Services contract to L.S. Grim Consulting Engineers, Hagerstown, Maryland as the responsive, responsible bidder with the lowest price proposal of \$69,840 at the specified unit costs and estimated hours (no minimum or maximum guaranteed) and as permitted in the Request for Proposals. The duration of the contract shall be for a two (2) year period with an option by the County to renew for up to three (3) additional one (1) year periods. Mr. Curry stated that a "stand-

by list” of consultants would consist of the following: Kibert, Inc. \$78,080; Burdette, Koehler, Murphy, and Associates \$79,668.40; Alban Engineering \$81,257.04; and Delta Engineers, Architects, Land Surveyors, and Landscape Architects \$84,100.

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to award contract PUR1481 as presented. The motion passed unanimously.

CONTRACT AWARD (PUR-1484) FIRE COMPANY SPECIAL PROCEDURES AND AUDITING SERVICES

Mr. Curry, and Sara Greaves, CFO, recommended award of the contract for the Fire Company Special Procedures and Auditing Services to the responsive, responsible firm of UHY, LLP, Columbia, Maryland, with the lowest total proposal value of \$56,000 and the professional fees for each supplemental service, if required are as follows:

Partners	\$275/hourly
Managers	\$225/hourly
Supervisory Staff	\$175/hourly
Staff	\$125/hourly
Other (Intern)	\$75/hourly

The initial term of this contract is anticipated that the engagement of the services be completed within one hundred, eighty (180) consecutive calendar days of issuance of Notice to Proceed; the contract is for one hundred, eighty (180) days with no option to renew.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award contract PUR1484 as presented. The motion passed unanimously.

APPROVAL OF THE ELECTRONICS RECYCLING PRICING FROM KUUSAKOSKI GLASS, LLC

Dave Mason, Deputy Director, Department of Solid Waste, recommended approval of an agreement with Kuusakoski Glass, LLC for the Electronics Recycling Program at a cost of \$0.18 per pound and all non-CRT at no charge.

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to approve an agreement with Kuusakoski Glass, LLC for the Electronics Recycling Program as presented. The motion passed unanimously.

EXPRESS APPROVAL: TOWN OF HANCOCK ANNEXATION OF THREE (3) PARCELS ALONG WARFORDSBURG ROAD

Jill Baker, Director, Planning and Zoning, requested that express approval be granted to the Town of Hancock to allow an enlargement of corporate boundaries of the Town of Hancock by annexing land contiguous to and adjoining upon the corporate boundaries of the Town along Warfordsburg Road from the vicinity of 14717 Warfordsburg Road Northward to the Pennsylvania State Line, consisting of approximately 130.83 acres described as Lands of Orchard Business Park Limited Partnership. Mrs. Baker provided the Board with information regarding the request, including current zoning.

Commissioner Keefer, seconded by Commissioner Wagner, moved to grant the express approval to the Town of Hancock as presented. The motion passed unanimously.

RESTAURANT RELIEF GRANT, PHASE II AND HOTELS AND LODGING PROVIDER GRANT

Susan Small, Director, Business Development, recommended acceptance of grant funds from the Maryland Department of Business Management, in the amount of \$811,338 for the provision of

additional restaurant relief, and \$581,461 for the provision of a hotel and lodging business grant program. Ms. Small indicated that the funding would be allocated to local jurisdictions in the form of a grant from the state and must be disbursed to businesses no later than March 31, 2021.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to accept awarded grant funding as presented. The motion passed unanimously.

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to approve the additional restaurant and hotel and lodging business grant program, funds are not to be disbursed until grant funds have been received by Washington County. This matter will be revisited in two (2) weeks should funding be delayed by the State of Maryland. The motion passed unanimously.

EXTENSION OF FORT RITCHIE CONTRACT

Kirk Downey, County Attorney, recommended approval of a Sixth Amendment to the Contract of Sale and to authorize execution of same. Mr. Downey explained that due to the lawsuit appeal of Mr. Mahrle, which surrounds the property sale, it is recommended to extend the closing date to permit the litigation to conclude. Mr. Downey proposed that the closing date be extended by 45 days following conclusion of the appeal or no later than July 31, 2021.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve Sixth Amendment to the Contract of Sale as presented. The motion passed 3-2 (Commissioner Baker and Commissioner Keefer voted "NAY").

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to convene in closed session at 11:18 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 Sections 3-305(b) (1) and (4) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed 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.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were John M. Martirano, County Administrator; Krista L. Hart, County Clerk; Kirk C. Downey, County Attorney, and at various times Sara Greaves, Chief Financial Officer; Scott Hobbs, Director, Engineering; Rich Eichelberger, Director, Construction; Brian Albert, Assistant Director, Emergency Services; and Deb Condo, Deputy Director, Human Resources.

RECONVENE IN OPEN SESSION

The Commissioners reached a consensus to reconvene in open session at 12:20 p.m.

STAFF COMMENTS

Ms. Condo presented the recommendation to promote Mike Hastings to the position of Assistant Superintendent of Collections with the Division of Environmental Management (Grade 13, Step 9 \$62,920). This position is vacant due to a retirement.

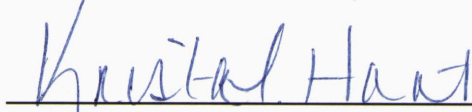
Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the request to as presented. The motion passed unanimously.

Ms. Condo presented the recommendation to hire Tamara Pitts for the position of Transportation Engineer with the Division of Engineering (Grade 15, Step 2 \$61,734). This position is vacant due to the retirement of Merle Saville.

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

ADJOURNMENT

Commissioner Meinelschmidt, seconded by Commissioner Keefer moved to adjourn at 12:28 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

