



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

February 2, 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.

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

President Cline asked the Commissioners and staff to keep Brian Overcash (Human Resources) and Jason Willison (Sheriff's Office) in their prayers.

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. 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 Baker, moved to approve the minutes of January 26, 2021. The motion passed unanimously.

ECONOMIC DEVELOPMENT

Senator Paul Corderman; Delegate Brenda Thiam; Blackie Bowen; Frank Boulton, Founder & CEO, Atlantic League of Professional Baseball; Dan Spedden, President, Hagerstown-Washington County Convention & Visitors Bureau; Eric Menzer, President, York Revolution; and Jim Kercheval, Director, Greater Hagerstown, provided the Board with information from Atlantic League of Professional Baseball and its interest in the possibility of a minor league baseball team in downtown Hagerstown, Maryland.

The Commissioners thanked the members of the team for their work and involvement in the future development of Washington County. Additionally, the Commissioners discussed matters such as relocation of County office at 80 West Baltimore Street, future UIP2 project, legislation, and ownership.

COMMISSIONERS' REPORTS AND COMMENTS

The Commissioners and County Administrator thanked all members of the team who worked very effectively throughout the recent winter storm to include the staff at the Highway Department and members of the Emergency Service/Fire Departments.

Vice-President Baker reminded all of the valued work ethics of Merrbaugh Construction Company for its findings and stop work order regarding the historical structure on Jonathan Street, adding that the press should provide updates to the public as they become available.

Commissioner Keefer thanked John Martirano, County Administrator, for the number of updates provided to the Commissioners on various matters. Commissioner Keefer brought forth a matter of concern regarding the upcoming proposed bill regarding the Business Licenses and Zoning Certification Requirements and the effect it may have on the business community; he requested that

the matter be placed on a "hold" until further clarification may be presented to Delegate Wivell. Commissioner Baker and Commissioner Keefer each revoked support for said proposed bill.

The Commissioners reached a consensus to provide further clarification on the matter to Delegate Wivell as it pertains to those working from home throughout the COVID-19 Pandemic and the potential impact on local businesses.

Commissioner Meinelschmidt encouraged the Commissioners to visit the Leitersburg Youth Indoor Athletic Facility, which was supported by the Board.

The Commissioners reached a consensus to provide a letter of opposition on HB495, staff was instructed to draft letter for signature.

Commissioner Wagner shared that he has received numerous calls from citizens regarding snow removal and asked that patience be given during the process. He thanked staff who worked throughout the night to provide said service.

President Cline reminded all that it is imperative for priority to be given to those age 65+ for the vaccine distribution.

The Commissioners and County Administrator thanked the staff members who worked diligently during the recent snow event, to include the Highway Department, Emergency Services, and Fire Departments.

STAFF COMMENTS

County Administrator

John Martirano, County Administrator, announced that the State of the County presentation will be released today at 2:00 p.m. and will be available on all social media outlets and the County's website. He shared that it is his goal to return to in-person Commissioner meetings quickly, once the COVID-19 positivity rate drops; staff will continue to monitor and will revisit the matter in a few weeks. Mr. Martirano offered his condolences to County employee Brian Overcash.

BUDGET ADJUSTMENT, CAPITAL IMPROVEMENT PLAN

The Capital Improvement Program Committee, which consisted of Jill Baker, Director, Planning & Zoning; Andrew Eshleman, Director, Public Works; Sara Greaves, CFO; Scott Hobbs, Director, Engineering; and John Martirano, County Administrator, recommended approval of a budget adjustment to several Capital Improvement projects, totaling \$10,000,000. Ms. Greaves explained that due to the COVID-19 pandemic, the Fiscal Year (FY) 2021 budget had been approved conservatively and sizeable reductions were made to capital project funding for FY20 and FY21 budgets to safeguard against an over obligation of funds. Ms. Greaves added that underfunding the capital plan is not sustainable, therefore she recommended approval of the budget adjustment.

The Commissioners discussed line item details and funding for FY21; Ms. Greaves shared that the items listed as Cascade is for one-time operating expense rather than Capital Improvement.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the budget adjustment in the amount of \$10,000,000 for the Capital Improvement Plan, as presented. The motion passed 3-2, Commissioner's Keefer and Baker voted "NAY".

PROPERTY ACQUISITION ALONG HALFWAY BOULEVARD

Todd Moser, Real Property Administrator, recommended approval of an option agreement for partial property acquisition including fee simple for property located on Halfway Boulevard, with Tax Id 26-032024, authorization of an ordinance approving said purchase, and to authorize the execution of the necessary documentation to finalize the acquisition. Mr. Moser explained that option agreement has

been negotiated for the property described as 17755 Halfway Boulevard in the amount of \$8,000 for a total amount of \$57,000.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the option agreement for fee simple partial property acquisition and to adopt the proposed ordinance approving the purchase and to authorize the execution of the necessary documentation to finalize the acquisition. The motion passed unanimously.

(Ordinance No. ORD2021-03 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are located in the County Commissioners' Office.)

BID AWARD (PUR1487) CRIMINAL, LICENSING AND STOREFRONT BALLISTIC GLASS

Brandi Naugle, Buyer, Purchasing, recommended approval to award the contract PUR1487 for Criminal, Licensing and Storefront Ballistic Glass, Option Number 1 to the responsible, responsive bidder, Clear Security Systems, West Caldwell, New Jersey, for the total sum bid in the amount of \$86,830. Ms. Naugle shared that funding in the amount of \$32,880 is available in GRT510, and \$53,440 from GRT514, and \$510 in 515270.10.10930 for the purchase.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the award of contract PUR1487 to Clear Security Systems in the total sum bid of \$86,830, as presented. The motion passed unanimously.

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-21-0054) TWO JOHN DEERE UTILITY TRACTORS FOR HAGERSTOWN REGIONAL AIRPORT

Ms. Naugle, and Garrison Plessinger, Director, Hagerstown Regional Airport, recommended authorization by Resolution for the Hagerstown Regional Airport to purchase two (2) John Deere 1025R Utility Tractors for a total cost of \$41,734.27 and to utilize another jurisdiction's contract awarded by Baltimore County Public Schools (Contract LKO-402-20-001) to John Deere of Cary, North Carolina. Ms. Naugle added that the funds are budgeted in the Capital Improvement budget account 600400-35-45010 (EQP031). The equipment to be replaced of two (2) Air Tugs will be sold on govdeals.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to authorize by Resolution the purchase of two (2) John Deere Utility Tractors from John Deere, Cary, NC in the amount of \$41,734.27, as presented. The motion passed unanimously.

(Resolution No. RS-2021-01 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

CONVENE IN CLOSED SESSION

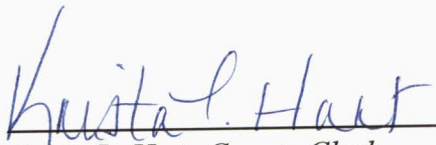
Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to convene in closed session at 11:50 a.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; to consider the acquisition of real property for a public purpose and matters directly related thereto; to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State 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; and, to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter, in accordance with Sections 3-305(b) (1), (3), (4), (7), (8), and (13) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed the compensation and filling of certain personnel vacancies with specific candidates. The Commissioners also discussed a proposal for a business entity or entities to locate in the State and County. The Board consulted with counsel to receive legal advice regarding a certain dispute concerning an overdue, outstanding obligation and provided specific direction to staff concerning said matter. The Commissioners also discussed a potential property acquisition and provided direction to staff on said matter.

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. Downy, County Attorney, and at various times Deb Condo, Deputy Director, Human Resources; Todd Moser, Real Property Administrator; Andrew Eshleman, Director, Public Works; Scott Hobbs, Director, Engineering; and Susan Small, Director, Business Development.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn at 1:17 p.m. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

A handwritten signature in blue ink, appearing to read "Krista L. Hart", is written over a horizontal line.

Krista L. Hart, County Clerk