

Jeffrey A. Cline, *President*
Terry L. Baker, *Vice President*
Krista L. Hart, *Clerk*



Wayne K. Keefer
Cort F. Meinelschmidt
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BOARD OF COUNTY COMMISSIONERS
February 23, 2021
OPEN SESSION AGENDA

In response to the existing State of Emergency, this meeting of the Board of County Commissioners will be conducted with a virtual component allowing for Commissioner and Staff participation via remote video conference. The meeting will be live streamed on the County's YouTube and Facebook sites.

- 9:00 AM** **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
CALL TO ORDER, *President Jeffrey A. Cline*
APPROVAL OF MINUTES: *February 9, 2021*
- 9:05 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; any other personnel matter that affects one or more specific individuals; To consult with counsel to obtain legal advice on a legal matter)*
- 10:00 AM** **RECONVENE IN OPEN SESSION**
- 10:05 AM** **COMMISSIONERS' REPORTS AND COMMENTS**
- 10:20 AM** **STAFF COMMENTS**
- 10:30 AM** **DISCUSSION OF ETHICS OPINION** – *Board of County Commissioners*
- 10:50 AM** **FY2021 BUDGET ADJUSTMENTS TO THE BOARD OF EDUCATION GENERAL FUND BUDGET** – *Jeffrey Proulx, Chief Operating Officer; David Brandenburg, Executive Director of Finance, Washington County Public Schools*
- 11:10 AM** **BUDGET ADJUSTMENT FOR TRANSIT CAPITAL IMPROVEMENT PROJECTS**
– *Kevin Cerrone, Director, Transit Department*
- 11:15 AM** **MARYLAND HERITAGE AREA AUTHORITY GRANTS PROGRAM** – *Andrew Eshleman, Director, Public Works; Allison Hartshorn, Grant Manager, Office of Grant Management*
- 11:20 AM** **INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG20-0055)**
ELECTRONIC MONITORING EQUIPMENT/SERVICES – *Rick Curry, Director, Purchasing; Major Craig Rowe, Warden, Washington County Detention Center*
- 11:25 AM** **FY2022 BUDGET ADJUSTMENT** – *Sara Greaves, CFO, Budget & Finance*
- 11:35 AM** **FY2022 BUDGET PREVIEW DISCUSSION** – *Sara Greaves, CFO, Budget & Finance*
- 11:55 AM** **ADJOURNMENT**



Agenda Report Form

Open Session Item

SUBJECT: DISCUSSION OF ETHICS OPINION

PRESENTATION DATE: February 23, 2021

PRESENTATION BY: Board of County Commissioners of Washington County, MD

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: The Board of County Commissioners will discuss the opinion of the Ethics Commission.

DISCUSSION:

FISCAL IMPACT:

CONCURRENCES:

ATTACHMENTS: Ethics Opinion

ETHICS OPINION

Cort F. Meinelschmidt, County Commissioner

On January 22, 2021, Commissioner Cort Meinelschmidt sent to the Ethics Commission his request that the Commission "investigate and review [his] conduct" related to his vote(s) on funding for the Restaurant Relief Grant Program for violation(s) of the Ethics Ordinance. On February 1, 2021, the Washington County Democratic Central Committee filed a Complaint with the Ethics Commission regarding the same conduct. Alan Levin, a member of the Ethics Commission and the Democratic Central Committee, recused himself from this matter.

Background

In November of 2020, Commissioner Meinelschmidt applied to Washington County for a \$20,000 Restaurant Relief Grant Program grant for Meinelschmidt Distillery, Inc., a craft distillery originally planned to open in the former Masonic Temple in downtown Hagerstown in late 2020, but plagued by COVID-related delays with construction and suppliers.

On December 1, 2020, the Board of County Commissioners, meeting in regular session, received the report of Susan Small, Director of the Department of Business Development, on the Restaurant Relief Grant Program. Ms. Small reported that the initial \$1.35 million of funding from the State was exhausted, on a first-come, first-served basis, with the first 74 grant applications, leaving 26 applications unfunded. Ms. Small recommended that \$210,000 of Federal CARES Act Funding previously allocated to the Convention and Visitors Bureau be reallocated to the Restaurant Relief Grant Program to be allocated evenly among the 26 unfunded applications. Commissioner Meinelschmidt made a motion, seconded by Commissioner Keefer, to approve the recommendation to reallocate the \$210,000 to the Restaurant Relief Grant Program, resulting in each of the 26 remaining grant applicants receiving approximately \$8,000. The vote passed unanimously.

Later in the same session, the Board considered a staff recommendation regarding reallocation of Federal CARES Act money the County received in reimbursement for pandemic-related expenses. From this funding source, the Board voted to allocate just over \$1 million to reimburse the County and Municipal governments for fire/EMS personnel wages, freeing up non-healthcare-related CARES Act funding. Commissioner Meinelschmidt then initiated a discussion with Tom Brown, Emergency Manager, and Sara Greaves, Chief Financial Officer, to determine whether funds ultimately amounting to \$439,020 could be reallocated from County CARES Act funding to the Restaurant Relief

Grant Program to fully fund the remaining 26 grant applications received. Upon confirmation of the sum required for that purpose, Commissioner Meinelschmidt led a discussion by the Board, then made a motion, seconded by Commissioner Keefer, to rescind the previous vote to reallocate funding from the Convention and Visitors Bureau and to allocate \$439,020 of CARES Act funding to the Restaurant Relief Grant Program in order to fully fund all remaining grant applications. The vote passed unanimously.

At no time did Commissioner Meinelschmidt disclose his interest as an applicant to the Restaurant Relief Grant Program or as a presumptive awardee as a result of the allocated funding. He fully participated in both votes.

The *Herald-Mail* reported the matter on January 25, 2021, quoting Commissioner Meinelschmidt as saying "I don't think I did anything wrong."

In his appearance before the Ethics Commission, Commissioner Meinelschmidt acknowledged that he had applied to the County's Restaurant Relief Grant Program, directly with the County, albeit somewhat late in the process. He noted that at the time of the December 1, 2020, Commissioners' session, he had no knowledge of which grant applications had been funded or which were among the 26 unfunded applications, and he had no knowledge of the status of his own or other applications. He noted also that, looking back, he should have acknowledged his interest in the process as a grant applicant, though he noted that his vote had no effect on the outcome of the matter. Commissioner Meinelschmidt told the Commission that he was familiar with the Ethics Ordinance and that he had previously recused himself from a vote on a project in which he had a financial stake, the Greenbacker Renewable Energy Corporation solar project. He also stated that the Greenbacker project did not move forward as the result of a tie vote among Commissioners after his recusal. He stopped short, however, of admitting a violation of the Ordinance, deferring in that analysis to the Commission.

In her appearance before the Ethics Commission, Ms. Small, Director of the County's Department of Business Development, confirmed that no application for the Restaurant Relief Grant Program received by the County was denied; that is, 100 applications were received and 100 grants were awarded and, ultimately, fully funded. While some of the first 74 grant applicants funded with the initial allocation had by December 1, 2020, been notified of their grant award, and some may have even been by then paid, no applicant had by that date been notified of rejection for lack of funding or otherwise.

Question Presented

Did Commissioner Meinelschmidt's failure to disclose his personal financial interest in Meinelschmidt Distillery, Inc., an applicant to the county's Restaurant Relief Grant Program, and to recuse himself from discussion and voting on the funding of that Grant Program, violate the Washington County Ethics Ordinance?

Discussion

The Washington County Ethics Ordinance was enacted in compliance with the Maryland Public Ethics Law, Md. Code Ann., Gen. Prov. § 5-807. The provisions of the Ethics Ordinance apply to Washington County elected officials, employees, and appointees to County boards and commissions. Ethics Ordinance, § 3.

As we have noted before, "[p]ublic confidence in the performance of government officials is of paramount importance." State Ethics Comm'n v. Antonetti, 365 Md. 428, 447, 780 A.2d 1154, 1166 (2001) (citing Carroll County Ethics Comm'n v. Lennon, 119 Md.App. 49, 61, 703 A.2d 1338, 1344 (1998)). The recognition of this principle by the Maryland legislature is made express: "[t]he General Assembly of Maryland, recognizing that our system of representative government is dependent on maintaining the highest trust by the people in their government officials and employees, finds and declares that the people have a right to be assured that the impartiality and independent judgment of those officials and employees will be maintained. It is evident that the people's confidence and trust are eroded when the conduct of the State's business is subject to improper influence or even the appearance of improper influence." Maryland Public Ethics Law, "Legislative Findings," Md. Code Ann., Gen. Prov. § 5-807. As the Maryland Court of Appeals pointed out in Antonetti, "the need to investigate and sanction alleged ethical violations is 'perhaps even more acute ... at the local government level, where the government and its citizens have greater contact with one another.'"

We conclude, as we have in previous matters, that the legislative intent underlying the Maryland Public Ethics Law and the Washington County Ethics Ordinance are the same.

Conflict of Interest; Participation Prohibitions

Section 4(c) of the Ethics Ordinance provides, in pertinent part:

Participation prohibitions. Except as permitted by Commission regulation or opinion, an official or employee may not participate in:

(1) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter, any matter in which, to the knowledge of the official or employee, the official or employee, or a qualified relative of the official or employee has an interest.

(2) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision with respect to the matter, any matter in which any of the following is a party:

(i) A business entity in which the official or employee has a direct financial interest of which the official or employee may reasonably be expected to know;

[...]

(3) A person who is disqualified from participating under paragraphs (1) or (2) of this subsection shall disclose the nature and circumstances of the conflict and may participate or act if:

(i) The disqualification leaves a body with less than a quorum capable of acting;

(ii) The disqualified official or employee is required by law to act; or

(iii) The disqualified official or employee is the only person authorized to act.

Commissioner Meinelschmidt readily acknowledges his interest in Meinelschmidt Distillery, Inc., and in his application for a \$20,000 Restaurant Relief Grant. To his credit, he admits he should have disclosed his interest as a grant applicant before the Commissioners took up the matter of funding.

This Commission has in the past acknowledged, and does here again, that openness and transparency are of critical importance in building and maintaining accountability and trust in government. Financial disclosure requirements promote accountability among public officials, increase citizen trust in public institutions, and help prevent corruption in the public sector. Issues that may create a potential conflict of interest commonly arise during the normal course of a local elected official's work, particularly in a small community, and so disclosure-and-recusal rule provide a ready and accessible framework for public officials to maintain the highest public trust while efficiently doing the work of the people. Rules like those found in the Ordinance addressing conflict of interest-related recusal requirements are common across the United States, and typically excuse a legislator from any vote where recusal is required by a conflict of interest. The duty to disclose and recuse arises when a reasonable person with knowledge of the relevant facts would be concerned about the official's impartiality in the matter.

That duty unquestionably arose with respect to Commissioner Meinelschmidt in

this matter; indeed, he so much as admits so himself. Because Commissioner Meinelschmidt acknowledges his familiarity with the Ordinance's imposition of a duty to disclose and recuse in matters in which he had a direct financial interest, and had previously so recused himself under not dissimilar circumstances, and because he was well aware of his financial interest in the outcome of voting to fund the program, we are compelled to conclude that his actions in this matter were knowing and willful.

Moreover, we find Commissioner Meinelschmidt's explanation that he did not know that his application was one of the 26 as-yet unfunded applications unconvincing of his lack of intent or as a mitigating factor because his application was without question among the 100 applications full funding for which he was assuring with his motion and vote (after previously assuring at least partial funding with the first vote). We also find his assertion that his individual vote did not affect the outcome of either motion, while true, to be cavalier about the issue of using one's elected position for personal financial gain. We find in Commissioner Meinelschmidt's actions a troubling breach of the public trust. Public officials should strive at all times to avoid putting themselves in the position between advancing the public's interest or their own financial interest; certain situations call for voluntary abstention to avoid even the appearance of impropriety and to maintain the public trust and confidence. Clear conflicts of interest, however, stringently require affirmative disclosure of the nature and circumstances of the conflict and clearly mandate disqualification from participation, thus avoiding not only the appearance of impropriety but the potential for actual impropriety. We are not convinced that Commissioner Meinelschmidt appreciates the breach of professional integrity his actions constitute or their potentially deleterious effects on the public's perception of the Board's manner of exercise of their authority for proper public purpose.

Here, Commissioner Meinelschmidt unequivocally engaged in conduct prohibited by Section 4(c) of the Ethics Ordinance - he participated eagerly and fully in a matter in which he had an undisclosed, direct financial interest.

Enforcement of the Ordinance

Section 9 of the Ordinance provides for its enforcement. The Commission may, upon finding of a violation of a provision of the Ordinance:

- (i) Issue an order of compliance directing the respondent to cease and desist from the violation;
- (ii) Issue a reprimand; or
- (iii) Recommend to the appropriate authority other appropriate

discipline of the respondent, including censure or removal if that discipline is authorized by law.

Thus, the Commission has a choice of enforcement mechanisms.

An order to cease and desist the violation, we believe, would be shutting the barn door after the horse has bolted and would serve no retributive, deterrent or restitutive purpose. Under the circumstances of this matter, the Commission believes that a mere reprimand from the Commission would carry insufficient weight and consequence. Because Commissioner Meinelschmidt's violation of the Ordinance is of the very type that most directly erodes the public's trust in the governmental decision-making process, and as the power to discipline and remove members is inherent to every legislative body, we believe that the Board of County Commissioners itself is best suited to determine and impose appropriate discipline of Commissioner Meinelschmidt. This Commission has confidence in the Board of County Commissioners to fashion disciplinary measures appropriate to the circumstances and significant of the breach of public trust committed.

Conclusion

The Commission concludes that Commissioner Meinelschmidt failed to disclose an actual conflict of interest in the matter of the Restaurant Relief Grant Program funding and participated in related decisions contrary to the prohibition of participation in such matters set forth in Section 4 (c) of the Ordinance, in clear violation thereof.

The Ethics Commission believes that a Commission reprimand of Commissioner Meinelschmidt carries insufficient weight and consequence.

The matter is hereby referred to the Board of County Commissioners with recommendation under Section 9(b)(1)(iii) of the Ordinance for appropriate discipline of Commissioner Meinelschmidt.

WASHINGTON COUNTY
ETHICS COMMISSION



By: J. Emmet Burke, Chair

Issued this 12th day of February, 2021.



Agenda Report Form

Open Session Item

SUBJECT: FY21 Budget Adjustments to the Washington County Board of Education's General Fund Budget

PRESENTATION DATE: February 23, 2021

PRESENTATION BY: Mr. Jeffrey Proulx, Chief Operating Officer, WCPS
Mr. David Brandenburg, Executive Director of Finance, WCPS

RECOMMENDED MOTION: Move to approve the requested adjustments to the Board of Education's FY2021 General Fund Budget.

REPORT-IN-BRIEF: The Annotated Code of Maryland requires local school systems to periodically re-forecast their financial needs and make necessary changes to their budgets. To that end, the Washington County Board of Education approved the attached list of changes to its FY2021 General Fund Budget at its February 16, 2021 meeting.

DISCUSSION: The changes that the Board of Education approved on February 16, 2021, cross major categories. Therefore, these requested adjustments must also be approved by the Board of County Commissioners. The Board of Education has asked its Finance staff to review the requested budget changes with the Commissioners and answer any questions that they may have.

FISCAL IMPACT: None. These proposed modifications merely adjust various categories of the budget to reflect updated information on revenue and spending projections.

CONCURRENCES: The Board of Education's Finance Committee reviewed the proposed adjustments at their meeting on January 29, 2021, and recommended them for approval by the full Board. The Board of Education unanimously approved these changes at their February 16, 2021 meeting.

ALTERNATIVES: None

ATTACHMENTS:

- FY2021 general fund budget adjustments

AUDIO/VISUAL NEEDS: None

**Washington County Public Schools
Requested FY2021 Budget Adjustments**

	Value	The primary reason for variance is:
Revenue	186,608	Refund of materials, sale of iPads, and sale of assets partially offset by reduced interest income and rental of school facilities
Administration	85,386	Additional indirect cost recovery from federal grants
Other Instructional Costs	194,600	Redeployments requested by instructional supervisors and directors, savings in contracted services
Special Education	693,155	Vacancies and savings in substitutes
Student Health Services	1,054,860	Savings in contracted nurses from prolonged closure
Pupil Transportation	668,815	Vacancies and savings in substitutes, as well as savings in diesel fuel from closure
Operation of Plant	383,730	Savings in utilities, partially offset by increased coronavirus-related supplies
Total Expense Reductions/Additional Revenue	<u>3,267,154</u>	
Instructional Salaries	229,680	Anytime Learning program, partially offset by savings in substitutes and additional pay
Instructional Textbooks and Supplies	387,810	Redeployment of sale of iPads, redeployments requested by instructional supervisors, and purchases due to coronavirus
Fixed Charges	899,664	Pay during coronavirus-related absences and unemployment costs
Food Services	1,750,000	To cover pay during prolonged closure
Total Expense Increases/Reduced Revenue	<u>3,267,154</u>	
Net Effect on Fund Balance	0	



Agenda Report Form

Open Session Item

SUBJECT: Budget Adjustment for Transit Capital Improvement Projects (CIP)

PRESENTATION DATE: February 23, 2021

PRESENTATION BY: Kevin Cerrone, Director of Transit

RECOMMENDED MOTION: To approve budget adjustments due to a reduction in Maryland State funding match.

REPORT-IN-BRIEF: The Maryland Department of Transportation / Maryland Transit Administration / Office of Local Transit Support (MDOT/MTA/OLTS) has notified the County they will not be providing matching dollars for Federal Transit Administration (FTA) capital grant awards in FY '21 and potentially beyond. The State share had been 10% of the awarded FTA amount with the County providing the remaining 10% as Local Match. The County must now provide 20% in matching funds for approved FTA capital funding awards.

DISCUSSION: The budget adjustment removes the State Grant funding that we will no longer be receiving and moves some previously approved local money out of the Fixed-route Bus Project to cover the matching requirement. The availability of the local funds is a result of some fixed-route buses currently on order coming in at a lower total cost than originally planned.

FISCAL IMPACT: \$55,000 previously budgeted and approved – no additional funds requested

CONCURRENCES: CFO, Director of Public Works

ALTERNATIVES: Do not transfer the funds and risk the loss of previously approved Federal grant awards.

ATTACHMENTS: Budget 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	<input type="text"/>
Deputy Director - Finance	<input type="text"/>
Preparer, if applicable	<div><div>Kelcee Mace</div><div><small>Digitally signed by Kelcee Mace Date: 2021.01.26 16:50:05 -05'00'</small></div></div>

Department Head Authorization	<div><div>Kevin Cerrone</div><div><small>Digitally signed by Kevin Cerrone Date: 2021.01.29 09:16:22 -05'00'</small></div></div>
Division Director / Elected Official Authorization	<div><div>Andrew Eshleman</div><div><small>Digitally signed by Andrew Eshleman Date: 2021.01.29 10:43:52 -05'00'</small></div></div>
Budget & Finance Director Approval	<input type="text"/>
County Administrator Approval	<input type="text"/>
County Commissioners Approval	<input type="text"/>

Required approval with date	<input type="text"/>
If applicable with date	<input type="text"/>
Required approval with date	<input type="text"/>
Required approval with date	<input type="text"/>
Required > \$ 25,000 with date	<input type="text"/>

Expenditure / Account Number	Fund Number	Department Number	Project Number	Grant Number	Activity Code	Department and Account Description	Increase (Decrease) + / -
498710	34	44010	EQP021		0000	Capital Transfer - General	38,000
498410	34	44040	EQP021		0000	Capital Grant - State	-38,000
498710	34	44010	VEH014		0000	Capital Transfer - General	1,848
498410	34	44010	VEH014		0000	Capital Grant - State	-8,000
599999	34	44010	VEH014		VHCL	Support Vehicles	-6,152
498710	34	44010	VEH005		0000	Capital Transfer - General	8,508
498410	34	44010	VEH005		0000	Capital Grant - State	-9,000
599999	34	44010	VEH005		VHCL	ADA Bus Replacement	-492
498710	34	44010	VEH003		0000	Capital Transfer - General	-48,356

Explain Budget Adjustment	The Maryland Transit Administration (MTA) has notified all Statewide transit systems, previously recipients of State capital grant match dollars that for FY21 (and potentially out-years) will receive zero (0) State match funds. It is up to the local entities to absorb the State's reduction. The adjustment noted above will balance all capital projects related to Transit. Local funds were previously approved.
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Required Action by County Commissioners	<input type="radio"/> No Approval Required	<input checked="" type="radio"/> Approval Required	Approval Date if Known	<input type="text"/>
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Agenda Report Form

Open Session Item

SUBJECT: Maryland Heritage Area Authority Grants Program – Approval to Submit Application and Accept Awarded Funds

PRESENTATION DATE: February 23, 2021

PRESENTATION BY: Andrew Eshleman, Director, Public Works and Allison Hartshorn, Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the submission of the grant application for the Maryland Heritage Area Authority Grants Program, in the amount of \$74,000 and to accept awarded funding.

REPORT-IN-BRIEF: The Maryland Heritage Areas Authority Grant Program is a source of funding designed to assist and encourage the preservation of historical, archeological, natural, and cultural resources and support economic development through heritage tourism within heritage areas certified by the Authority.

DISCUSSION: The grant will support the development of the Antietam Creek Water Trail by creating public access locations and non-motorized boat ramps to the creek. The grant will be used as matching funds for a FY21 Appalachian Regional Commission Grant. Both of these grants in combination will allow for the site development of the official starting point of the Water Trail at Antietam Drive that would include a parking area and boat ramp. Grant funds would be used to install information and historical marker kiosks and signs along the entire Water Trail. Several commercial outfitters operate along the Antietam Creek and the development of the Water Trail will support and enhance the County's outdoor recreation economy and improve access for local citizens to enjoy as well.

The Office of Grant Management has reviewed the grant application and funding guidelines. There is dollar-for-dollar match requirement associated with this funding request.

FISCAL IMPACT: If awarded, the Maryland Heritage Area Authority grant will provide \$74,000 for the development of the Antietam Creek Water Trail by creating public access locations and non-motorized boat ramps to the creek. Funding is a capital grant with multiple year expenditure period to use funds. The County has received an Appalachian Regional Commission (Federal) FY21 Area Development Grant for the Antietam Creek Water Trail. Both grants require a 50% funding match and if awarded this request would provide the 50% match portion for the ARC grant.

CONCURRENCES: Susan Buchanan, Director, Office of Grant Management

ALTERNATIVES: Deny approval for the submission of this request

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase INTG-20-0055 (Rental) of Electronic Monitoring Equipment/Services for Washington County Sheriff's Office and Day Reporting Center

PRESENTATION DATE: February 23, 2021

PRESENTATION BY: Rick Curry, CPPO, Director of Purchasing and Major Craig Rowe, Warden, Washington County Detention Center

RECOMMENDED MOTION: Move to authorize by Resolution, the approval of rental of electronic monitoring equipment/services from **BI Correctional Services, Inc. of Boulder, Colorado** at unit prices of: **\$3.50 per unit/day per ExacuTrack One (GPS), \$3.65 per unit/day per LOC8 (GPS); and \$5.45 per unit/day per SL2 and SL3 (Alcohol)**, based on the contract awarded by OMNIA Partners of Stanislaus, CA (RFP #0790A, Contract #201844994).

REPORT-IN-BRIEF: Section 106.3 of the Public Local Laws of Washington County grants authorization for the County to procure goods or services under contracts entered into by other government entities. On items over \$50,000, a determination to allow or participate in an intergovernmental cooperative purchasing arrangement shall be by Resolution and shall indicate that the participation will provide cost benefits to the county or result in administrative efficiencies and savings or provide other justification for the arrangement.

Acquisition of the equipment by utilizing the OMNIA Partners RFP and eliminating our County's bid process would result in administrative efficiencies for both the Sheriff's Department and the Purchasing Department as well as overall better pricing due to economies of scale offered by the subject contract. OMNIA Partners is a widely used national cooperative purchasing contract option that many agencies use. OMNIA Partners processed an RFP for electronic monitoring equipment/services and received one (1) proposal with BI Correctional Services, Inc. being awarded the contract. The contract term commenced February 1, 2019 ending January 31, 2022 with an option to renew for two (2) additional one-year periods through January 31, 2024.

DISCUSSION: N/A

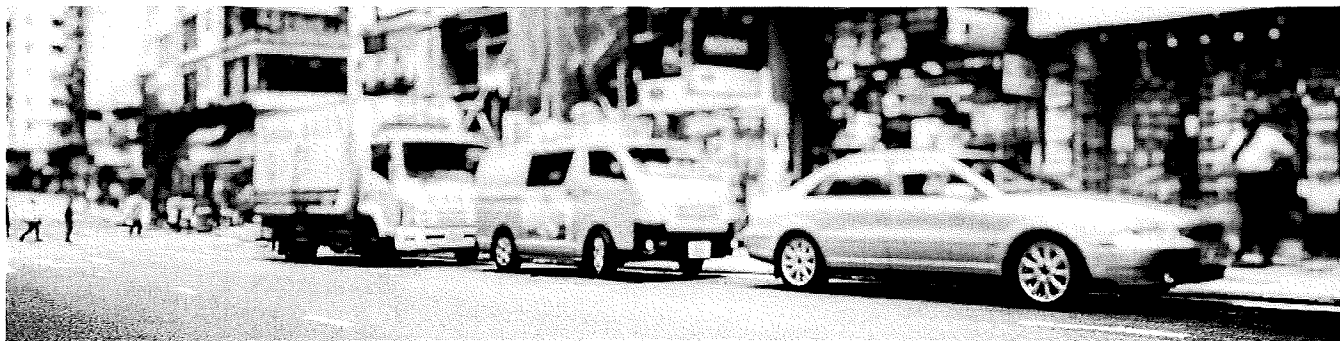
FISCAL IMPACT: Funding is budgeted in FY'21 as follows: \$35,000 in 535055-10-11321 (Day Reporting Center) and \$11,320 in 535055-10-11320 (Detention Center)

CONCURRENCES: Sheriff

ALTERNATIVES: The County processes its own bid/proposal

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Save Time & Reduce the Cost of Procurement

BI Incorporated is proud to have been awarded the Offender Monitoring Services contract (#201844994) available through OMNIA Partners, Public Sector. Through this national cooperative contract competitively solicited and publicly awarded by City and County of Denver (CO), BI offers participants of OMNIA Partners a broad portfolio of electronic monitoring solutions at some of the industry's most competitive prices. Plus, participating agencies save valuable time and effort by skipping the lengthy RFP process.

With more than 40 years serving the public sector, BI Incorporated offers a full continuum of monitoring technologies and related supervision services for parolees, probationers, and pretrial defendants. Our innovative products and services assist more than 1,400 agencies.

ABOUT OMNIA PARTNERS

OMNIA Partners, Public Sector is the nation's largest and most experienced cooperative purchasing organization dedicated to public sector procurement. OMNIA's immense purchasing power and world-class suppliers have produced a comprehensive portfolio of cooperative contracts and partnerships, making OMNIA Partners a valued and trusted resource for purchasing agencies nationwide.

WHAT IS A PURCHASING COOPERATIVE?

A "purchasing cooperative" is a type of cooperative arrangement, often among businesses or government agencies, to agree to aggregate demand to get lower prices from selected suppliers. It is often used by local and state government agencies to reduce the cost and effort of procurement.

CONTRACT SERVICES

BI offers correctional agencies more than a dozen compliance technologies including:

- Global Positioning Satellite (GPS) technology to enhance compliance.
- Court admissible, transdermal and breath alcohol monitoring devices to accurately test sobriety.
- Accurate radio frequency solutions, ideal for monitoring compliance to curfews and other defined locations.
- Mobile app and web-based software solutions designed to effectively enhance community supervision.
- Equipment-free, automated voice verification system to effectively monitor individuals using biometric voiceprints.
- An array of monitoring services, including monitoring operations, administrative support, and data management to meet each agency's unique needs and budgets.

BENEFITS OF COOPERATIVE CONTRACTS

- Cooperatives utilize Public Sector compliant bidding processes that meet the procurement standard, thus saving you time and resources by skipping the RFP process
- Reduces the costs of goods and services by leveraging the power of public agencies
- Strategic value and significant time efficiencies related to contract development
- Access to the combined knowledge of all its members

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BI SL3®

BI HomeGuard® 20|20

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OMNIA
PARTNERS

December 2, 2020

Major Craig Rowe / Warden
Washington County Sheriff's Office
Detention Division
500 Western Maryland Parkway
Hagerstown, MD. 21740

Re: Omnia Partners Cooperative Contract Pricing

Dear Major Rowe:

Thank you for your continued interest in our services. Below is a price quote and contract price comparison to use our services via the cooperative purchasing contract with Omnia Partners.

Omnia Partners is a widely used national cooperative purchasing contract option that many agencies use for our services. It was publically procured originally and it includes all of our products and services.

GPS Products

ExacuTrack One (GPS)

- ❖ GPS Service Plan – 1.30.A30.ZX – \$3.50 per unit/day

LOC8 and LOC8 XT (GPS)

- ❖ GPS Service Plan – 1.30.W5.C30.ZX – \$3.65 per unit/day

Includes:

- ❖ 30% Spare Shelf Allowance
- ❖ 0% Lost & Damaged Allowance
- ❖ 24/7 Monitoring Services / Remote and On-Site Training
- ❖ Bracelet, Beacon, Charger, Batteries & Supplies

GPS Additional Lost & Damaged Allowance Options

- ❖ 5% Lost Allowance Premium = \$.20 per unit/day
- ❖ 10% Lost Allowance Premium = \$.40 per unit/day
- ❖ 100% Lost Allowance Premium = \$.60 per unit/day



Alcohol Detection Products

SL2 (Mobile Breath)

- ❖ \$5.45 per unit/day

SL3 (Mobile Breath)

- ❖ \$5.45 per unit/day

Includes:

- ❖ 30% Spare Shelf Allowance
- ❖ 0% Lost & Damaged Allowance
- ❖ 24/7 Monitoring Services / Training On-Site and Remote
- ❖ Device, Breath Tubes, Case & Charging Cord
- ❖ Calibration @ 1,500 Tests

Alcohol Additional Lost & Damaged Allowance Options

- ❖ 5% Lost Allowance Premium = \$.15 per unit/day
- ❖ 10% Lost Allowance Premium = \$.25 per unit/day
- ❖ 100% Lost Allowance Premium = \$.95 per unit/day

Mobile Application

BI SmartLINK

- ❖ Connect ~ No Charge
- ❖ Report ~ \$.25 per active unit/day
- ❖ Verify ~ \$.50 per active unit/day

Below is a contract rate comparison between your existing Stanislaus County CA contract and that of the proposed Omnia Partners contract.

Product	Stanislaus CA Contract	Omnia Partners Contract
ExacuTrack One GPS	\$3.25	\$3.50
LOC8 / LOC8 XT GPS	\$4.45	\$3.65
SL2 Mobile Breath Alcohol	\$5.95	\$5.45
SL3 Mobile Breath Alcohol	n/a	\$5.45
Lost / Damaged Allowance	5%	0%
Spare Shelf Allowance	20%	30%



Note that the LOC8 XT and SL3 are newer versions of their original products. These versions have been approved via the lead agency and Omnia Partners as approved upgrades and are offered at the same rates.

Let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Todd Porter".

Todd Porter

Partnership Development Director

Mobile: (410) 303-3830 / Email: Todd.Porter@bi.com





Agenda Report Form

Open Session Item

SUBJECT: FY2022 Budget Adjustment

PRESENTATION DATE: February 23, 2020

PRESENTATION BY: Sara Greaves, Chief Financial Officer

RECOMMENDED MOTION: To approve the budget adjustment as provided.

REPORT-IN-BRIEF: Prior to each bond issuance, county projects are reviewed to ensure that the funding is needed and bonded at the appropriate time.

DISCUSSION: Several adjustments have been made to the bonds that were approved in the FY21 Capital Budget.

Tax Supported Bonds

Reductions - The Eastern Boulevard II construction has been delayed due to timing of the first phase. Wright Road is planned for FY21-24 and is able to use bonds in later years. Eastern Boulevard Phase II and Wright Road will receive redirected funding in Draft 2 of the Capital plan for completion of those projects.

Increases – Bonds will be redirected from the above projects for the completion of Professional Boulevard Phases 2-4.

Self-supported Bonds

Reductions – Close out Cap Rubble can be funded with solid waste cash reserves instead of debt. Pump station upgrades- various locations currently has sufficient funding and bonds are not needed. Bonds for the capacity management project and Smithsburg WwTP upgrade should be issued next year, as construction begins, rather than now. This will also provide time for the state to make a decision on possible loan funding which could provide a savings in debt service cost to the fund.

FISCAL IMPACT: N/A

CONCURRENCES: Not applicable

ALTERNATIVES: Not Applicable

ATTACHMENTS: Budget Adjustment

AUDIO/VISUAL NEEDS: Not applicable



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	Kelcee Mace <small>Digitally signed by Kelcee Mace Date: 2021.02.08 17:15:58 -05'00'</small>
Preparer, if applicable	

Department Head Authorization	
Division Director / Elected Official Authorization	Sara Greaves <small>Digitally signed by Sara Greaves Date: 2021.02.11 11:00:38 -05'00'</small>
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) + / -
498017	30	11620	RDI044		0000	Bond Fund - 2021	-2,081,000
599999	30	11620	RDI044		CNST	Eastern Boulevard Widening Ph II	-2,081,000
498017	30	11620	RDI056		0000	Bond Fund - 2021	500,000
599999	30	11620	RDI056		CNST	Professional Boulevard Extended Ph II	500,000
498017	30	11620	RDI064		0000	Bond Fund - 2021	1,135,000
599999	30	11620	RDI064		CNST	Professional Boulevard Extended Ph III	1,135,000
498017	30	11620	RDI071		0000	Bond Fund - 2021	800,000
599999	30	11620	RDI071		CNST	Professional Boulevard Extended Ph IV	800,000
498017	30	11620	RDI070		0000	Bond Fund - 2021	-354,000

Explain Budget Adjustment	Prior to each bond issuance, county projects are reviewed to ensure that the funding is needed and bonded at the appropriate time. Several changes are being requested.
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Required Action by County Commissioners	<input type="radio"/> No Approval Required	<input checked="" type="radio"/> Approval Required	Approval Date if Known	
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[illegible]



Agenda Report Form

Open Session Item

SUBJECT: FY2022 Budget Preview Discussion

PRESENTATION DATE: February 23, 2021

PRESENTATION BY: Sara Greaves, Chief Financial Officer

RECOMMENDED MOTION: None, for informational purposes only

REPORT-IN-BRIEF: The FY22 operating budget requests are currently under review. This discussion serves as an overview of what to expect for budget FY2022 as compared to FY2021.

DISCUSSION: The operating budget for FY2022 will take into account many items that were removed from the FY2021 budget. The FY2021 budget was conservative and approved to safeguard the County against over obligating taxpayer funds. The County was prepared to continue to provide needed services to citizens, but did not approve many of the other budget requests. Many requests were either put on hold to be evaluated at a later date or removed from the budget without a re-evaluation.

In addition, the County's income tax increase that was effective 1/1/2020 was not fully budgeted in FY21. This increase was for costs related to public safety, education, and capital needs. Because of these unique circumstances, the increase in budget over FY21 will be more substantial than in prior years.

The County looks forward to the FY2022 budget with the following in mind:

- Restore Capital funding for needed infrastructure
- Reserve operating funds within budget for future commitments
- Consider the Relief Bill and impact to County revenues
- Consider state cost shifts
- Consider legislation that impacts the County

FISCAL IMPACT: N/A

CONCURRENCES: Not applicable

ALTERNATIVES: Not Applicable

ATTACHMENTS: Powerpoint; FY2022 Budget Schedule

AUDIO/VISUAL NEEDS: Not applicable

Budget & Finance

Budget Preview FY2022



Washington County

M A R Y L A N D

Budget Schedule

CAPITAL IMPROVEMENT BUDGET (CIP)		OPERATING BUDGETS	
Budget Released	November 2, 2020	Budget Released	December 11, 2020
Budget Due to Budget & Finance	December 28, 2020	Budget Due to Budget & Finance	January 8, 2021

BUDGET PRESENTATIONS

February 9, 2021 – April 20, 2021

Public Hearing - May 11, 2021 (Tentative)

For detailed information regarding the Budget Schedule, please see the attached schedule documentation within the Agenda Report Form (ARF).

General Fund Budget Allocations

Function of Budget	Percent
Education	48%
Outside Entities	6%
Other County Funds	5%
Operating	6%
Debt Service and Capital	9%
Wages & Benefits	26%

The County provides **more** than 50% of the budget to outside entities.

The County General Fund departments operate on approximately 6% of the budget or \$15M annually

General Fund Budget Snapshot

FY21

- Approved budget during early phases COVID-19 Pandemic
- Conservative Budget, safeguard against over obligating county funds
- \$0 General Fund appropriation for Capital Projects

FY22

- Budget for FY21 and FY22 Step and COLA (3.5% each year - \$4M)
- Restore Capital Funding (\$5M)
- Cost of Firefighters, offset by SAFER grant (\$2.8M)

*The values presented for FY22 are estimates

Additional Revenue

PUBLIC SAFETY



EDUCATION



INFRASTRUCTURE



Then and Now

No revenue Increase	Revenue Increase
<ul style="list-style-type: none">• Eliminate employee steps/COLAs• 10% reduction to outside agencies• Reduce funding to EMS• Deny SAFER grant and do not hire firefighters• Reduce workforce though hiring freeze or additional steps	<ul style="list-style-type: none">• Accepted SAFER grant and responsibility to fund 33 firefighters• Provided additional public safety staffing• Provided funding for health insurance reimbursement to EMS companies• Maintained workforce – no layoffs• Provided step/COLA to employees• Prepared for future education increases related to Kirwan• Prepared for future costs related to Police, Fire and Emergency Services Training Facility• Provided funding for Infrastructure

FY22 General Revenues

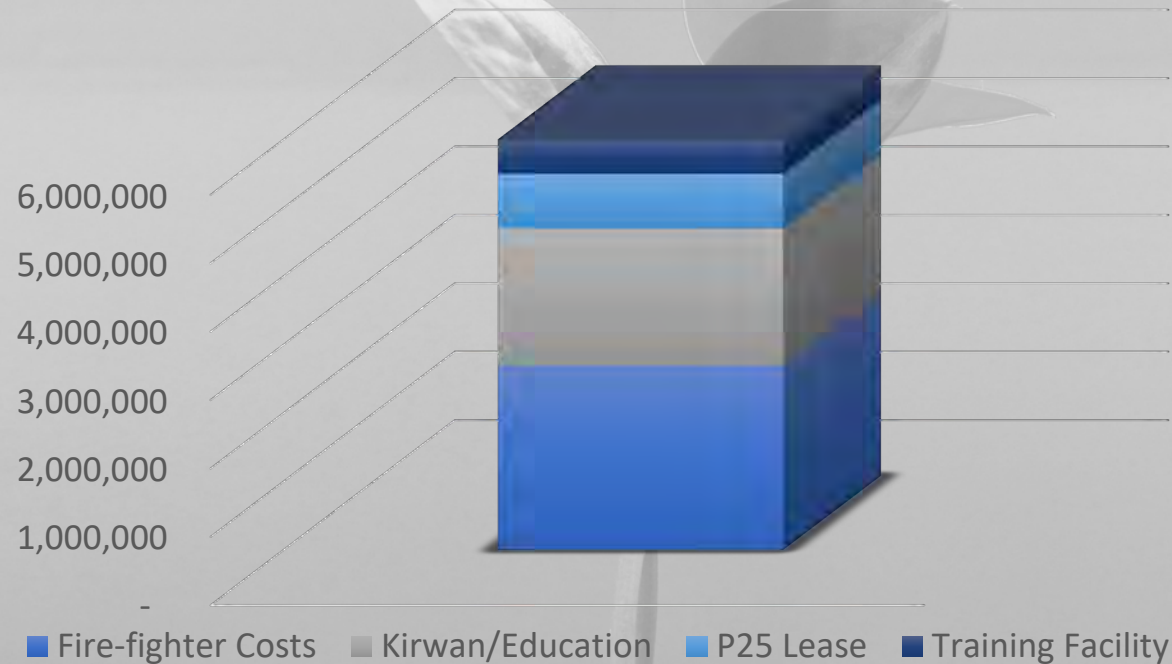
Projection Comparison using 5-year plan

Major Revenue	2019 Projection for FY2022	2021 Projection for FY2022 – Preliminary Draft 1
Real Estate/Property Tax	133,897,014	132,213,070
Income Tax	94,906,253	94,268,512
Disparity Grant	6,000,000	6,688,676

*Revenue projections are expected to change over the course of the budget season as new information is provided.

Future Commitments

Recurring Future Commitments



Fire Fighter costs – grant expires 2023 – \$2.7M

Kirwan/WCPS funding – Unknown - \$2M

P25 10-year Radio Lease - \$800K

Police, Fire, EMS Training Facility - \$415K

General Fund Appropriation to Capital Plan



FY2018	FY2019	*FY2020	*FY2021
5,000,000	\$5,041,00	\$0	\$0

* Removed funding related to Police, Fire, and Emergency Services Training Facility (Restricted funding)



Approach for FY2022



Maintain Flexibility in Budget

- Governor Relief Bill – 0% income tax on unemployment benefits
- Potential State cuts to local governments
- Legislative changes could increase local costs
- State anticipates commercial assessment appeals and reductions in property tax
- Increase in healthcare costs as a result of FY2020 delays is expected
- The pandemic is ongoing - other potential unknown impacts

Requests/Feedback



- **Commissioner Requests**
- **Feedback**



Washington County

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Thank you

Sara Greaves, C.P.A.
Chief Financial Officer
Washington County, MD
(240) 313-2303

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Fiscal Year 2022 Tentative Budget Schedule

<u>Capital Improvement Budget (CIP)</u>		<u>Operating Budgets</u>	
Budget released	November 2, 2020	Budget released	December 11, 2020
Budget due to Budget & Finance	December 28, 2020	Budget due to Budget & Finance	January 8, 2021

Public Hearing Notice:

- Required notice of proposed property tax rate (constant yield).
- Tax change, if applicable, is not to exceed 21 days but no less than seven days. This includes the day of the public hearing but not the day of the notice.

<u>Tentative Date</u>	<u>Budget Item</u>	<u>Presentation By</u>
February 9, 2021	Capital Improvement	Capital Improvement Committee
February 16, 2021	No BOCC Meeting	
February 23, 2021	Budget Preview	Sara Greaves
March 2, 2021	General Fund Law Enforcement Emergency Services Humane Society Board of Education Capital Improvement	Sara Greaves Sheriff Mullendore David Hays Colin Berry Elected Board Capital Improvement Committee
March 9, 2021	General Fund Community Funding Museum of Fine Arts Commission on Aging	Sara Greaves Susan Buchanan Sarah Hall Amy Olack
March 16, 2021	General Fund Personnel Requests Highway Hagerstown Community College	Sara Greaves TBD Andrew Eshleman & Zane Rowe Board of Trustees
March 23, 2021	General Fund Airport Fund Water Quality Funds Washington County Free Library	Sara Greaves Garrison Plessinger TBD Sara McCall
March 30, 2021	No BOCC Meeting	

<u>Tentative Date</u>	<u>Budget Item</u>	<u>Presentation By</u>
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April 6, 2021	General Fund Capital Improvement Solid Waste Fund Golf Course Fund Transit Fund	Sara Greaves Sara Greaves Dave Mason Ryan Crabtree Kevin Cerrone
April 13, 2021	General Fund Capital Improvement Public Hearing – Rate Changes	Sara Greaves Sara Greaves County Legal Department
April 20, 2021	General Fund Capital Improvement	Sara Greaves Sara Greaves
May 11, 2021	Public Hearing, TBD	
May 18, 2021	Adoption of Budget	Sara Greaves and BOCC