



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

February 23, 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 shared that the family of Krista Hart, County Clerk, will be in his thoughts and 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 9:03 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 Wagner, seconded by Commissioner Keefer, moved to approve the minutes of February 9, 2021. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Baker, seconded by Commissioner Wagner, moved to convene in closed session at 9:06 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; and to consult with counsel to obtain legal advice on a legal matter, in accordance with Section 3-305(b) (1) and (7) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed disciplinary matters relating to a Commissioner.

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; and Kirk C. Downey, County Attorney.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 9:49 a.m. The motion passed 4-0 (Commissioner Meinelschmidt was absent).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Keefer thanked the Board of Education, parents, teachers and students for a successful return to school.

Commissioner Wagner thanked the Highway Department road crews for maintaining the roadways throughout the recent snowstorm event.

President Cline also thanked staff for ensuring the safety of all during the recent snowstorm event.

STAFF COMMENTS

Office of Grant Management

Susan Buchanan, Director, presented the Board with a request for a letter of support to the Department of Housing and Community Development for the FY21 Strategic Demolition Funding Grant – C&O Canal National Park Headquarters.

The Commissioners reached a consensus to submit a letter of support as presented.

County Attorney's Office

Kirk C. Downey, County Attorney, presented a request for a letter of support from Delegate Neil Parrott's office concerning Washington County nursing homes and assisted living facilities. The proposed bill would require these facilities to establish programs to authorize patient visitation with essential caregivers.

Mr. Downey also presented a request from Senator Paul Cordesman's office for letters of support for SB868, which helps inmates connect with local reentry services, job placement parole/probation, etc. before being released; and SB869 which identifies as the 2021 priority for the Transit Caucus, adding a Western Maryland MARC Rail Extension Study to the Maryland Department of Transportation Statewide Transit Plan.

The Commissioners reached a consensus to provide letters of support for all bills as presented.

John Martirano, County Administrator, presented a request from Senator Cordesman's office for a letter of support of SB865, which would provide EMS companies with expanded Medicaid reimbursement.

The Commissioners reached a consensus to provide a letter of support for SB865.

County Administrator

Mr. Martirano thanked all County employees for providing essential services throughout the winter events. He advised the Board that the next meeting of the Board of County Commissioners will be held in-person on March 2nd at 100 West Washington Street, Suite 1113 and staff would be permitted one at a time; however, due to the COVID-19 pandemic, all County buildings will remain closed to the public.

BUDGET ADJUSTMENT FOR TRANSIT CAPITAL IMPROVEMENT PROJECTS

Kevin Cerrone, Director, Transit Department, recommended approval of budget adjustment in the amount of \$55,000 due to a reduction in Maryland State funding match. Mr. Cerrone explained that the budget adjustment removes the State Grant funding that the County 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.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the budget adjustment in the total amount of \$55,000 as presented. The motion passed unanimously.

MARYLAND HERITAGE AREA AUTHORITY GRANTS PROGRAM

Andrew Eshleman, Director, Public Works, and Allison Hartshorn, Grant Manager, Office of Grant Management, recommended approval to submit an application for the Maryland Heritage Area Authority Grants Program in the amount of \$74,000 and to accept awarded funding. The proposed funding would support the development of the Antietam Creek Water Trail but 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. The Office of Grant Management has reviewed the grant application and funding guidelines. There is no dollar-for-dollar match requirement associated with this funding request.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the submission of an application in the amount of \$74,000, and to accept the funding as awarded. The motion passed unanimously.

FISCAL YEAR 2021 BUDGET ADJUSTMENTS TO THE WASHINGTON COUNTY BOARD OF EDUCATIONS GENERAL FUND BUDGET

Jeffrey Proulx, Chief Operating Officer, and David Brandenburg, Executive Director of Finance, Washington County Public Schools presented for approval, budget adjustments to the Board of Education's (BOE) Fiscal Year 2021 (FY21) General Fund Budget. Mr. Proulx reviewed the changes to the budget as approved by the BOE on February 16, 2021, as outlined.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the budget adjustments to the BOE FY21 General Fund Budget as presented. The motion passed unanimously.

DISCUSSION OF ETHICS OPINION

The Board of County Commissioners discussed a recent Ethics Commission opinion dated February 12, 2021, regarding Commissioner Cort Meinelschmidt's participation and vote on a matter where the Ethics Commission found him to have an undisclosed, direct financial interest.

Mr. Robert Kline, Cooke and Kline, LLC, counsel representing Mr. Meinelschmidt, requested to speak on behalf of Mr. Meinelschmidt; the Commissioners reached a consensus to hear from counsel. Mr. Kline referenced the County's Ethics Ordinance, dated September 27, 2011, Section 9 and added that the County would need to allow Mr. Meinelschmidt due process and suggested that an informal hearing be scheduled at which a retired judge may preside.

Commissioner Keefer stated that based on the findings and opinions of the Washington County Ethics Commission, and the Office of the Attorney General of Maryland's determination that the Board has appropriate authority, moved to remove Commissioner Cort Meinelschmidt as a member of the Washington County Board of County Commissioners effective immediately; Commissioner Baker seconded the motion. The motion passed 4-0, Commissioner Meinelschmidt abstained.

Cort Meinelschmidt voluntarily left the Zoom meeting at 10:42 a.m.

INTERGOVERNMENTAL PURCHASE (INTG20-0055): RENTAL OF ELECTRONIC MONITORING EQUIPMENT/SERVICES

Rick Curry, Director, Purchasing, and Major Craig Rowe, Washington County Detention Center, recommended authorizing by resolution, the Intergovernmental Cooperative Purchase (INTG20-0055) for the 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, California (RFP#0790A, Contract #201844994). 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).

Commissioner Baker, seconded by Commissioner Wagner, moved to authorize by resolution the Intergovernmental Cooperative Purchase relating to the rental of Electronic Monitoring Equipment/Services, from BI Correctional Services, Inc., as presented. The motion passed unanimously.

(Resolution No. RS-2021-02 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

FISCAL YEAR 2021 BUDGET ADJUSTMENT

Sara Greaves, CFO, recommended approval of a budget adjustment as related to the issuance of bonds. Ms. Greaves provided the Commissioners with an overview of the Capital Projects included in the adjustment, as previously approved in the FY21 Capital Budget.

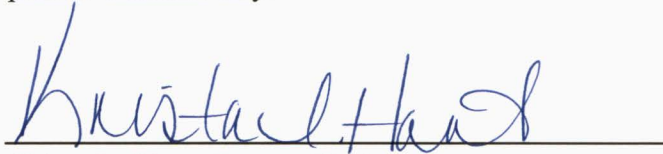
The Commissioners reached a consensus that additional review time would be necessary prior to consideration and instructed staff to return on March 2nd on this matter; no action was taken.

FISCAL YEAR 2022 BUDGET PREVIEW DISCUSSION

Ms. Greaves presented the Board with an overview of what to expect for the FY22 operating budget as compared to the FY21.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Keefer moved to adjourn at 11:12 a.m. The motion passed unanimously.

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

Krista L. Hart, *County Clerk*