



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

March 9, 2021

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 10:04 a.m. at 100 West Washington Street, Hagerstown, Maryland, with the following members present: Vice-President Terry L. Baker, Commissioner Wayne K. Keefer, and Commissioner Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of March 2, 2021. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker discussed the vaccination process for County employees. Additionally, he inquired into the status of other governmental entities who have returned to work. John Martirano shared that the State of Maryland employees remain on "work from home" status; however, the City of Hagerstown has opened with most employees in-office. He continues to work with Division Directors and the Health Department on protocols for this process. Mr. Martirano shared that the County has provided the Health Department with listing of employees who have requested vaccine.

Commissioner Keefer shared an event scheduled for this evening at Hancock Middle/High School, 5:30 p.m. "Save Our School."

Commissioner Wagner shared that the MyChart app with Meritus Medical shows numerous appointments available.

President Cline wished his brother Mike Cline a very Happy Birthday. Additionally, he thanked the Public Relations Department and John Martirano for efforts involved in the Hope Remembrance for those who have lost their lives from the COVID-19 Pandemic held Friday night.

STAFF COMMENTS

Appointment / Reappointment to Boards and Commissions; Krista Hart, County Clerk

Washington County Gaming Commission

Commissioner Baker, seconded by Commissioner Wagner, moved to reappoint Brandi Osborne and David Kline to each serve a second, two-year term from March 1, 2021 through February 28, 2023; this is not a paid board. The motion passed unanimously.

Washington County Veterans Advisory Committee

Commissioner Baker, seconded by Commissioner Keefer, moved to appoint Robert Breeding to serve an unfulfilled term from March 1, 2020 through February 28, 2023 as the representative from a veteran's organization that provides a service to veterans; this is not a paid board. The motion passed unanimously.

Washington County Electrical Board of Examiners and Supervisors

Commissioner Baker, seconded by Commissioner Wagner, moved to reappoint Robert Kochera to serve a fourth, two-year term as a Master Electrician from October 1, 2020 through September 30, 2022;

Charlie Shindle to serve at thirteenth, two-year term as a member designated by the Washington County Fire & Rescue Association from July 1, 2020 through June 30, 2022; Steve Ryan to serve a fifth, two-year term as a member representing an Electric Public Utility company from July 1, 2020 through June 30, 2022; and Terry Molnar to serve a fourth term as a member at large from February 1, 2021 through January 31, 2023, and an exception to the two-term limit; this is a paid board. The motion passed unanimously.

Washington County Plumbing & Mechanical Board

Commissioner Baker, seconded by Commissioner Wagner, moved to reappoint Ben Ebersole as the member representing a Master Plumber to serve a second, three-year term from March 1, 2021 through February 29, 2023; and to reappoint Michael Wathen as the member representing a Master HVAC Contractor to serve a third, three-year term from April 1, 2021 through March 31, 2024; this is a paid board. The motion passed unanimously.

Area Agency on Aging Advisory Council

Commissioner Baker, seconded by Commissioner Keefer, moved to reappoint Brenda Gordon to serve a second, three-year term from February 1, 2021 through January 31, 2024; this is not a paid board. The motion passed unanimously.

County Administrator

John Martirano shared that any citizen age 65 years or older who needs assistance scheduling the COVID-19 Vaccination may call 1-833-231-1852 and the County can assist with that matter. Additionally, Mr. Martirano requested consensus to amend the Board of County Commissioner meeting schedule by cancelling April 6th meeting and rescheduling that for March 30th due to the Easter holiday. Mr. Martirano advised the Board that Governor Hogan will be holding a press conference today at 3:30 p.m. to provide an update regarding the COVID-19 pandemic.

EXPANSION OF THE HEART OF CIVIL WAR HERITAGE AREA HCWHA) TO PROPERTY

Jill Baker, Director, Planning & Zoning presented on behalf of Liz Shatto, Executive Director, and Rachel Nichols, Heritage Assistant, Heart of Civil War Heritage Area, requested an approval to amend the boundaries of the HCWHA to include a portion of the property located at 18540 Showalter Road, Hagerstown.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the request to amend the boundaries of 18540 Showalter Road, and to submit letter of approval, as presented. The motion passed unanimously.

UPDATE ON EMS STAFFING CHALLENGES/RECOMMENDATIONS

Dave Hays, Director, Emergency Services (EMS); Dale Fishack, President, Washington County Volunteer Fire & Rescue Association (WCVFRA); Kingsley Poole, Co-Chair, Emergency Management Advisory Council (EMAC); and Richard Hopkins, Co-Chair, EMAC; provided the Board with an update on the ALS staffing shortages occurring throughout Washington County at many of the Volunteer EMS Companies.

Mr. Fishack shared that the WCVFRA does not take issue with the placement of the ALS Staffing to the Hancock Station; however, the WCVFRA has requested that the staff be deployable to fill vacancies within the system. The WCVFRA also shared concern regarding the cost recovery structure, which will be the subject of discussion at a later date.

Mr. Poole shared that the EMAC supports the plan as presented.

CONTRACT RENEWAL (PUR1453) UNIFORMS FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE

Brandi Naugle, Buyer, Purchasing; and Cody Miller, Washington County Sheriff's Office, recommended renewal of the contract for uniforms for the Washington County Sheriff's Office with Howard Uniform Company, Baltimore, Maryland (PUR1453) for a one-year period with a rate increase of 3% for based on Howard Uniform Company's letter of request dated February 19, 2021. Funds are budgeted in the various departmental budgets to include 11300, 11305, 11320, 11305, and 11315.

Commissioner Wagner, seconded by Commissioner Keefer, moved to renew contract PUR1453 with Howard Uniform Company as requested in its letter dated February 19, 2021 as presented. The motion passed unanimously.

INTERGOVERNMENTAL PURCHASE (INGT-21-0055): HAGERSTOWN REGIONAL AIRPORT VIRTUAL PERIMETER MONITORING SYTSEMS (VPMS) UPGRADE

Ms. Naugle, and Garrison Plessinger, Director, Hagerstown Regional Airport, recommended authorizing by resolution, the Intergovernmental Cooperative Purchase (INGT-21-0055) with Skyline Technology Solutions of Glen Burnie, Maryland, awarded by Carroll County Government (RFP#49-F-2-18/19) for the purchase and upgrade of wireless technology for the VPMS in the amount of \$127,267.86. The contract term is effective from December 1, 2020 through November 30, 2021 and funds are budgeted in the department's Capital Improvement Plan account 515000-35-45010 COM026; Grant (MAA-GR-21-0135) participation from Maryland Aviation Administration, \$95,450.90 to cover the State's portion of the allowable costs, the County's portion of the allowable costs is \$31,816.96.

Commissioner Wagner, seconded by Commissioner Baker, moved to authorize by resolution the Intergovernmental Cooperative Purchase relating to the purchase and upgrade of wireless technology for the VPMS from Skyline Technology Services in the total amount of \$127,267.86, as presented. The motion passed unanimously.

(Resolution No. RS-2021-04 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

INTERGOVERNMENTAL PURCHASE (INGT-21-0056): 2021 FORD POLICE INTERCEPTOR UTILITY VEHICLES, WASHINGTON COUNTY SHERIFF'S OFFICE

Ms. Naugle, and Sgt. Alan Matheny, Fleet Logistics and Commercial Vehicle Enforcement Supervisor, recommended authorizing by resolution, the Intergovernmental Cooperative Purchase (INGT-21-0056) with Apple Ford, of Columbia, Maryland, awarded by the State of Maryland Department of General Services Office of Procurement and Logistics statewide contract (#001B1600355) for the purchase of fifteen (15) Ford Police Interceptor utility vehicles. The cost of each vehicle is \$33,480 for the total amount of \$502,200. Additionally, funds are budgeted in the Washington County Sheriff's Office Capital Improvement Plan (CIP) account 600300-30-11310-VEH006-VHCL.

Commissioner Keefer, seconded by Commissioner Wagner, moved to authorize by resolution the Intergovernmental Cooperative Purchase relating to the purchase of fifteen (15) Ford Police Interceptor utility vehicles, from Apple Ford in the total amount of \$502,200, as presented. The motion passed unanimously.

(Resolution No. RS-2021-05 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CONSTRUCTION BID AWARD – PAVEMENT MAINTENANCE AND REHABILITATION PROGRAM FOR FISCAL YEAR 2021 – Chip Seal Application (MS-PMP-285-28)

Scott Hobbs, Director, Engineering, recommended approval to award the bid for the Pavement Maintenance and Rehabilitation Program Fiscal Year 2021 (FY21) Chip Seal Applications contract to

the lowest responsive, responsible bidder, Russell Standard Corporation, Fayetteville, Pennsylvania, for the amount of \$1,197,220.53 which includes the option to extend the contract for a period of up to two (2), one (1) year extensions.

This is a budgeted Capital Improvement Plan (CIP) project (RDI024). Total expenses for the contract are estimated at \$1,432,220.53; including \$1,197,220.53 for proposed bid award, \$100,000 for inspection and testing, \$60,000 for 5% construction contingency, and \$75,000 for asphalt adjustment costs. Additionally, the notice to proceed is anticipated on or about May 17, 2021 with a final completion date of August 4, 2021; liquidated damages in the amount of \$500 per calendar day for work completed beyond the completion date will be assessed.

Commissioner Baker, seconded by Commissioner Keefer, moved to award the bid for the Pavement Maintenance and Rehabilitation Program FY21 Chip Seal Applications contract to Russell Standard Corporation, for the amount of \$1,197,220.53. The motion passed unanimously.

CONSTRUCTION BID AWARD – PAVEMENT MAINTENANCE AND REHABILITATION PROGRAM FOR FISCAL YEAR 2021 – Hot Mix Asphalt Application (MS-PMP-285-28)

Mr. Hobbs recommended approval to award the bid for the Pavement Maintenance and Rehabilitation Program Fiscal Year 2021 (FY21) Hot Mix Applications contract to the lowest responsive, responsible bidder, L.W. Wolfe Enterprises, Inc., Myersville, Maryland, for the amount of \$2,958,598.50 which includes the option to extend the contract for a period of up to two (2), one (1) year extensions.

This is a budgeted Capital Improvement Plan (CIP) project (RDI024). Total expenses for the hot mix asphalt applications contract are estimated at \$3,481,598.50, including \$2,958,598.50 for proposed bid award, \$225,000 for inspection/testing, \$148,000 for 5% construction contingency, and \$150,000 for asphalt adjustment costs. Additionally, the notice to proceed is anticipated on or about April 12, 2021 with a final completion date of October 13, 2021; liquidated damages in the amount of \$500 per calendar day for work completed beyond the completion date will be assessed.

Commissioner Baker, seconded by Commissioner Keefer, moved to award the bid for the Pavement Maintenance and Rehabilitation Program FY21 Hot Mix Asphalt Applications contract to L.W. Wolfe Enterprises, Inc., for the amount of \$2,958,598.50. The motion passed unanimously.

MARYLAND 9-1-1 BOARD – APPROVAL TO SUBMIT APPLICATION & ACCEPT AWARDED FUNDING

Brian Albert, Assistant Director, Emergency Communications; and Allison Hartshorn, Grant Manager, Office of Grant Management, recommended approval to submit a grant application for the Maryland 9-1-1 Board in the amount of \$1,395,818.52 and to accept funding as awarded for Next Generation Core Services.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the submission of a grant application in the amount of \$1,395,818.52 and to accept funding as awarded, as presented. The motion passed unanimously.

COMMUNITY ORGANIZATION FUNDING RECOMMENDATIONS

Susan Buchanan, Director, Office of Grant Management, provided the Board with an outline of recommendations made by the members of the Community Organization Funding Committee, which is charged with reviewing and evaluating annual grant application requests submitted by community based local non-profit organizations. Ms. Buchanan shared that 38 funding applications had been received totaling \$1,263,153.61 and the total amount of funds available is \$774,000.

The Commissioners discussed the scoring system and funding provided in prior years. Commissioner Keefer requested that additional funding be provided to the Commission on Aging. President Cline

suggested that additional funding be provided to the budget for future years. Ms. Buchanan shared that she will be returning in August to share the Service Priority Areas and will revisit at that time.

Commissioner Keefer, seconded by Commissioner Baker, moved to approve the plan as presented with the exception that the Commission on Aging (COA) be provided with an additional \$46,390 contingent upon the COA opening the Senior Center. The motion failed 2-2 (Commissioner Cline and Commissioner Wagner voted "NAY").

FISCAL YEAR 2022 GENERAL FUND BUDGET – MUSEUM OF FINE ARTS

Sara Hall, Director; Roger Fairbourn, President; James Holzapfel, Treasurer; and Wallace Lee, Development Director, Board of Directors, Washington County Museum of Fine Arts, presented the Board with an overview pertaining to the FY22 budget request, submitted at \$120,000, an increase of \$0 from FY21.

FISCAL YEAR 2022 GENERAL FUND BUDGET – COMMISSION ON AGING

Amy Olack, Director, Commission on Aging; and Tim Delbrugge, Treasurer, Board of Directors, provided the Board with an overview pertaining to the FY22 budget request, submitted at \$944,150, which represents a \$123,150 (15%) increase over FY21.

Commissioner Wagner shared that he would support additional funding to the Commission on Aging, regarding the Community Organization Funding presentation earlier if funding can be found for the other agencies who are qualified to receive. Ms. Greaves will return with the matter next week.

FISCAL YEAR 2022 GENERAL FUND BUDGET – PROPOSED (Draft 2)

Sara Greaves, CFO; and Kim Edlund, Director, Budget & Finance, provided the Board with an overview of the Proposed FY22 General Fund Budget, Draft 2, which totals \$254,091,800.

INITIAL DISCUSSION ON ADVERTISING FOR VACANT POSITIONS AND HIRING PROCESS

The Commissioners discussed options for expediting the process of advertising for vacant, budgeted positions, to include the hiring process of said positions. The Commissioners discussed those positions which come before it for request to advertise of budgeted positions. Mr. Martirano recommended that the request to advertise be approved by the Administrator and requests to hire be approved by the Board.

The Commissioners reached a consensus to permit the Administrator to approve budgeted positions and all requests to hire be approved by the Board.

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 12:36 p.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 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), (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 filling of certain personnel vacancies, the hiring of certain individuals, and business proposals with staff. Additionally, they discussed potential litigation and received legal advice related thereto.

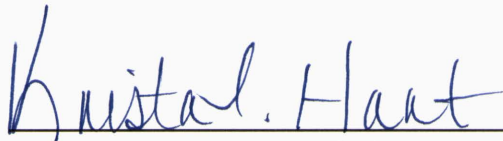
Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, and Randall E. Wagner. Also present were John M. Martirano, County Administrator; Krista L. Hart, County Clerk; and Kirk C. Downey, County Attorney and at various time: Debra Condo, Deputy Director, Human Resources; Denny Embly, President, Local 2677 AFSCME; Sheriff Douglas Mullendore; Sara Greaves, CFO; Susan Small, Director, Business Development; and Andrew Bright, Assistant County Attorney.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 2:23 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker moved to adjourn at 2:24 p.m. The motion passed unanimously.

A handwritten signature in blue ink that reads "Krista L. Hart". The signature is written in a cursive style and is positioned above a horizontal line.

Krista L. Hart, *County Clerk*