



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

March 16, 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. via Zoom Meeting 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 9, 2021. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 10:05 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 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), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

~~In closed session, the Commissioners discussed pending litigation and received legal advice related thereto. The Commissioners also discussed appointments to County Boards and Commissions; the filling of certain personnel vacancies and the hiring of certain individuals; an employee issue; and certain staff issues. The Commissions further discussed a legal matter 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 11:01 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker requested information on the location of minutes for Boards & Commissions.

Commissioner Keefer suggested that the candidate(s) selected by the Washington County Republican Committee for the vacant Commissioner seat, be invited to attend a Board of County Commissioner meeting.

Commissioner Wagner congratulated the selected candidates for the Williamsport election.

President Cline thanked the Town of Hancock for the overwhelming display of support for the school system. Additionally, he congratulated the newly elected officials in the Town of Williamsport. He congratulated Dr. Klauber for holding his position for three years and Delegate Wivell for his accomplishments. He wished his sister-in law Karen Cline, a very Happy Birthday.

STAFF COMMENTS

Budget and Finance

Sara Greaves, CFO, requested a letter of support for HB737 supporting the increase of the disparity grant to 75%. The Commissioners reached a consensus to provide the letter of support as requested.

Division of Human Resources, Deb Condo, Deputy Director – Position recommendations

Ms. Condo presented the recommendation to realign the salary of Monte Triggs, Environmental Management, from a Grade 15, Step 2, \$61,734 to a Grade 15, Step 7, \$69,946. Ms. Condo shared that the request comes from the fact that other “like” positions, promoted in December 2019 are paid at the higher step, thus creating disparity with the department.

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

Ms. Condo presented the recommendation to promote Mark Bradshaw for the position of Director, Environmental Management, Grade 19, Step 20, \$130,957.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the request as presented. The motion passed unanimously. The Commissioners congratulated Mr. Bradshaw on his promotion.

Ms. Condo presented the recommendation to hire Logan Beatty (#179) for the position of Civil Engineer, Engineering Department, Grade 15, Step 1, \$60,237.

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

Department of Business Development

Susan Small, Director, and Linda Spence, Business Specialist, presented the Board with an update on the Work Keys Program.

County Administrator

John Martirano shared that a mass vaccination site will open at the Hagerstown Premium Outlets location. Additionally, he reminded the community of a change to the Board of County Commissioners schedule previously approved. He added that the matter of the Retirement Plan Amendment will be removed from the Open Session Agenda.

AMENDMENTS TO THE RETIREMENT PLAN

This matter was removed from the agenda until further notice.

FISCAL YEAR 2022 (FY22) ANNUAL TRANSIT GRANT APPLICATION

Kevin Cerrone, Director, Transit Department, and Allison Hartshorn, Grant Manager, Office of Grant Management, requested authorization to file an application for a grant in the amount of \$2,778,477, under the Federal Transit Act for Federal and State operational and capital grant funding through the Annual

Transportation Improvement Plan. Grant funds are used to operate the Section 5307 Public Transportation Program - Fixed Route Transit, the American Disability Act Complementary Paratransit Program, the Statewide Special Transportation Assistance Program, also known as the Ride Assist Voucher Program and Capital Assistance Program. The local match requirement associated with the FY22 application is \$681,684 for the 5307 Operating Grant (General Funds), and \$361,541 for the 5307 Capital Grant (General Funds), and \$48,972 for Washington County Department of Social Services.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the resolution authorizing the filing of the application for a grant under the Federal Transit Act and approve the execution of the grant agreement upon receipt, subject to review and the approval by the County Attorney's Office. The motion passed unanimously.

(Resolution No. RS-2021-06 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

AUTHORIZATION TO DECLINE ACQUISITION OF CERTAIN STATE SURPLUS PROPERTY

Todd Moser, Real Property Administrator, recommended approval to grant authorization to the Real Property Administrator to decline certain State surplus properties after a review with the Engineering, Public Works, and Planning & Zoning departments, and to approve an ordinance granting said authorization.

The Commissioners requested that Mr. Moser present the decision of the team under staff comments for discussion. No formal vote was taken on the matter.

REQUEST FOR QUOTATION AWARD (Q-21-0693) BOARD OF ZONING APPEALS – PROFESSIONAL LEGAL SERVICES

Brandi Naugle, Buyer, Purchasing Department, recommended award of the contract for the Board of Zoning Appeals – Professional Legal Services to the responsive, responsible bidder Kurtyka & Associates, LLC, of Hagerstown, Maryland, in the total amount of \$52,500 based on the annual costs contained in its proposal dated February 11, 2021. The proposed contract term is for a one (1) year period with an option by the County to renew for up to two (2) additional consecutive one (1) year periods, subject to written notice by the County at least sixty (60) calendar days in advance of its expiration date. If the Quoter wishes to renew the contract, he/she must submit a letter of intent to the Washington County Zoning Administrator at least ninety (90) calendar days prior to the expiration of each contract period; the County reserves the right to accept or reject any annual request for renewal.

Commissioner Keefer asked if the County Attorney's office could handle this matter, as a cost-savings item. Mr. Martirano shared that it could be a conflict of interest for the County Attorney's office since it reviews appeals from the Board of Zoning appeals.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve award of the contract for the Board of Zoning Appeals – Professional Legal Services (Q-21-0693) to Kurtyka & Associates, LLC in the total amount of \$52,500, as presented.

FY2022 PERSONNEL REQUESTS

Deborah Condo, Deputy Director, Human Resources, and Sara Greaves, CFO, provided the Board with information on personnel requests as submitted through the budget process by various departments for FY22. Ms. Greaves shared that the total amount of personnel requests for FY22 is \$1,093,650 with approved recommendations from the review committee total \$589,830.

TEMPORARY/SEASONAL PART TIME WAGES

Ms. Condo, Ms. Greaves, and Andrew Eshleman, Director, Public Works, presented the recommendation to approve providing the County Administrator with full authority to set wages for Part-Time Seasonal and Temporary employees only, for a period of up to twelve (12) months.

Commissioner Keefer, seconded by Commissioner Wagner, moved authorize the County Administrator to set wages for Part-Time Seasonal and Temporary employees for a twelve (12) month period, as presented. The motion passed 3-1, Commissioner Wagner recused himself from the vote.

FISCAL YEAR 2022 GENERAL FUND BUDGET – HIGHWAY DEPARTMENT

Mr. Eshleman, and Zane Rowe, Deputy Director, Highway Department, presented the Board with an overview of the Highway Departments FY22 budget request, submitted at \$11,876,800, an increase of \$140,450 or 1.20% from FY21.

Vice-President Baker left the meeting at 12:20 p.m. and returned at 12:25 p.m.

FISCAL YEAR 2022 GENERAL FUND BUDGET – HAGERSTOWN COMMUNITY COLLEGE

James Klauber, XX, and John Williamson, XX (via Zoom) provided the Board with an overview pertaining to the FY22 budget request, submitted at \$10,035,290, which represents a 0% increase over FY21.

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

Ms. Greaves, and Kim Edlund, Director, Budget & Finance, provided the Board with an overview of the Proposed FY22 General Fund Budget, Draft 2, which totals \$253,455,300.

The Commissioners discussed the funding restrictions and allocation as presented by the Community Organization Funding (COF) Committee to include the amount of funding available.

Commissioner Wagner, seconded by Commissioner Keefer, moved to provide additional funding up to \$100,000 to be distributed as determined by the COF to organizations who have not yet received funding. The motion passed unanimously.

Commissioner Wagner left the meeting at 1:11 p.m. and returned at 1:13 p.m.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Keefer moved to adjourn at 1:15 p.m. The motion passed unanimously.



Krista L. Hart, County Clerk