



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

March 30, 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 10:01 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 23, 2021. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker reiterated his comments from the previous week regarding the importance of the Board of Education permitting the Hancock High School and the Cascade Elementary School to remain open.

Commissioner Keefer remarked on the passing Ms. Ruby Staley, the oldest resident of Washington County who would have celebrated her 113 birthday this year. He also followed up on the potential closing of the two schools as referenced by Vice-President Baker, adding that he fully supports the communities and the schools in said communities. Commissioner Keefer asked about the reimbursement due from the City of Hagerstown for the 911 Dispatch Center; Ms. Greaves shared that the invoice will be released in May 2021, adding that the former invoice has not been paid, in the amount of \$405,630. Kirk Downey, County Attorney, shared that there is a draft Memorandum of Understanding (MOU) which would memorialize the former agreement between the City of Hagerstown and Washington County, adding that the draft contract has been presented to the City Administrator for further discussion. Commissioner Keefer discussed several options to resolve the issue to include transitioning the call center back to the City of Hagerstown.

Commissioner Wagner echoed Vice-President Baker's and Commissioner Keefer's comments. He encouraged the Board of Education to arrive at a decision quickly. Commissioner Wagner provided an update on various events attended. Additionally, he welcomed the upcoming candidate for Commissioner, Charlie Burkett.

President Cline provided an update on various events he attended over the weekend. Commissioner Cline also urged the Board of Education to arrive at a decision to allow the referenced schools to remain open. Commissioner Cline shared that he agrees that negotiation needs to begin regarding the draft MOU with the City of Hagerstown.

John Martirano, County Administrator, added that the draft MOU has been shared with the Hagerstown City Administrator and that the City of Hagerstown minutes reflect that the matter was considered a perpetuity. Mr. Martirano shared that a letter requesting a contract on the matter be considered as well as a payment request will be sent to the City of Hagerstown; the Commissioners reached a consensus on the matter as discussed. The request for payment will include a due date of

30 days following invoice for the most current payment and a 30-day due date from May 1, 2021 on the previous payment due.

STAFF COMMENTS

Engineering Department

Scott Hobbs, Director, requested consensus to submit the 2021 Transportation Priority letter to the Maryland Department of Transportation. The Commissioners reached a consensus to submit the Transportation Priority letter as presented.

Human Resources Position Recommendations

Traffic Control and Safety Supervisor (#1002), Highway Department

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the promotion of Melvin Fraley to this position (Grade 13, Step 3, \$54,246); this position is vacant due to the promotion of Doug Levine. The motion passed unanimously.

Senior Accountant (#96), Budget and Finance

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the promotion of Misti Rosenberry to this position (Grade 15, Step 1, \$60,237); this position is vacant due to the resignation of Danielle Kauffman. The motion passed unanimously.

Deputy Director, Wireless Communications (#308), Information Systems

Commissioner Wagner, seconded by Commissioner Baker, moved to approve hiring Thomas Webber for this position (Grade 17, Step 1, \$70,221); this position is vacant due to the passing of Mark Mades. The motion passed unanimously.

Operations Manager, Fire, (#1565), Emergency Services

Commissioner Baker, seconded by Commissioner Wagner, moved to approve hiring Robert Jacobs for this position (Grade 14, Step 1, \$55,765); this position is vacant due to the resignation of Samuel Anderson. The motion passed unanimously.

Budget & Finance

Sara Greaves, CFO, shared that Governor Hogan has declared March as Purchasing Month.

County Administrator

John Martirano shared that the County offices will be closed April 2, 2021 in observance of Good Friday. Also, he shared that the next Board of County Commissioners will be April 13, 2021.

DISSOLUTION OF ADEQUATE PUBLIC FACILITIES ORDINANCE AGREEMENT – SHENANDOAH ESTATES, SECTION B

Jill Baker, Director, Planning & Zoning, presented the Board with a recommendation for dissolution and rescission of the Shenandoah Estates Adequate Public Facilities Ordinance Agreement (APFO).

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the dissolution and rescission of the Shenandoah Estates APFO Agreement, as presented. The motion passed 3-0-1, Commissioner Keefer abstained.

Boards and Commissions appointments / reappointments, Krista Hart, County Clerk

Commissioner Wagner, seconded by Commissioner Baker, moved to reappoint Marvin Gower to serve a second three-year term from April 1, 2021 through March 31, 2024. This is a paid board. The motion passed unanimously.

MODIFICATION OF BLAIR MATERIALS, INC. CONDITIONAL LOAN DOCUMENTS – COMPANY NAME CHANGE TO IKO NORTHEAST INC.

Jonathan Horowitz, Business Leader, Department of Business Development, recommended approval of loan document modifications including Blair Materials, Inc.'s name change to IKO Northeast, Inc., as well as modifications to the dates within the loan documents in accordance with the proposed modifications of the Maryland Department of Commerce.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the modification of loan documents to include the name change to IKO Northeast, Inc. and the modification of dates with said loan documents in accordance with the proposed modifications of the Maryland Department of Commerce, as presented. The motion passed unanimously.

WESEL BOULEVARD ROAD IMPROVEMENTS

Ms. Greaves and Mr. Horowitz provided the Commissioners with an update regarding a public-private partnership for funding with the City of Hagerstown for the Wesel Boulevard roadway infrastructure improvements necessary for the Northpoint development project. Ms. Greaves requested that the Commissioners approve a new project budget for \$2.7 million in the way of a budget transfer, so that invoices may be paid, adding that this is necessary due to the fact that the Northpoint has been moving quickly on the development of the distribution center.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the budget adjustment, as presented. The motion passed unanimously.

The Commissioners recessed at 10:38 a.m. and returned to the meeting at 11:00 a.m.

PUBLIC HEARING: EXPANSION OF THE HAGERSTOWN/WASHINGTON COUNTY ENTERPRISE ZONE

President Cline convened a public hearing at 11:01 a.m. to obtain public comment regarding the Expansion of the Hagerstown/Washington County Enterprise Zone. The proposed expansion is being made by Washington County and the City of Hagerstown, pursuant to Maryland Code, Economic Development Article, Title 5, Subtitle 7, Enterprise Zones; and COMAR 25.05.01.08 and 25.05.01.09. Commissioner Cline reviewed the procedures for the Public Hearing.

Ms. Small shared that the proposed expansion area includes the Census Tract 10.01, industrial parcels of Sweeney Drive, and parcels including the Review and Herald building on Oak Ridge Drive. The expansion would enable the County and the City to better market the area for economic development.

Mr. Downey reminded citizens that they are free to communicate on the Public Hearing matter via the citizens submission form on the County website, email at khart@washco-md.net, or by mail to 100 West Washington Street, Suite 1101, Attention: County Clerk, Hagerstown, Maryland 21740. Comments need to be received within seven days of the Public Hearing (April 5th at 4:00 p.m.)

The Public Hearing was opened for Commissioner comments. Commissioner Wagner requested information on the tracts included. Additionally, Commissioner Keefer asked for additional requirements necessary for this action.

The Public Hearing was closed at 11:08 a.m.

ASSISTANCE TO FIREFIGHTERS GRANT (AFG) – P25 450 MHz PORTABLE RADIOS

Mr. Hays recommended approval to authorize the Division of Emergency Services to reimburse costs associated with the grant writer fees for eighteen (18) volunteer Fire/EMS companies, the Hagerstown Fire Department Services (HFD), who would be applying for an AFG Regional Grant. Mr. Hays shared that the Division of Emergency Services (DES) would be included in the grant application

which would create additional opportunity for cost savings to the County budget, adding that if awarded, the AFG would cover 90% of the costs associated with the replacement of the portable radios on qualified Fire and EMS apparatus. Mr. Hays shared that the request included a cost of \$9,000 for the eighteen (18) Fire/EMS Companies, \$500 for the HFD, and \$500 for the DES.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the reimbursement of costs associated with the grant writer fees, as presented. The motion passed unanimously.

AUDIO / VISUAL EQUIPMENT FUNDING – PUBLIC SAFETY TRAINING CENTER

Dave Hays, Director, Emergency Services, and Mr. Hobbs, provided the Board with information pertaining to a capital fundraising initiative and a request for forward funding up to \$1 million (from reserves) for acquisition of audio/visual systems and furniture for the Public Safety Training Center.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the forward funding request amount of up to \$1 million, as presented. The motion passed unanimously.

EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) GRANT APPLICATION

Susan Buchanan, Director, Office of Grant Management, and George Newman, III, President and CEO of Washington County Community Action Council, requested approval by Resolution, the support authorizing the submission of the County's application for Emergency Rental Assistance Program funding on behalf of Washington County Community Action Council, in the amount of up to \$9,441,971, and to accept funding as awarded. Also, to approve the execution of associated grant agreement with the Department of Housing and Community Development and Subrecipient agreement with the Washington County Community Action Council upon award of funding. There is no funding match requirement associated with this grant.

Commissioner Wagner, seconded by Commission Keefer, moved to approve by Resolution, the submission of the grant application, to accept funding as awarded, and to approve the execution of the associated grant agreement, as presented. The motion passed unanimously.

(Resolution No. RS-2021-07 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

PRUDENT RX SPECIALITY COST MANAGEMENT

Prior to elaboration on the matter, President Cline removed himself from discussion and abstained from any vote due to the potential for a conflict of interest.

Ms. Condo, Ms. Greaves, and Steve Dillman, CBIZ, recommended approval to utilize the Prudent Rx specialty drug cost management, which would provide a cost savings on specialty prescriptions to both the employee and the employer. Ms. Greaves shared the County would realize a potential cost savings of up to \$185,894. Mr. Dillman shared that if an employee elected to not participate in this program, the employee would be required to pay 30% of the cost of the specialty drug, rather than the \$50 co-pay currently required.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the utilization of the Prudent Rx Specialty Cost Management Program, as presented. The motion passed 3-0-1, Commissioner Cline abstained.

HIGH INTENSITY DRUG TRAFFICKING AREA GRANT ACCEPTANCE OF FUNDS

John Martin, Sergeant, Narcotics Task Force, and Allison Hartshorn, Grant Manager, Office of Grant Management, recommended approval to accept funding in the amount of \$26,805 for the High Intensity Drug Trafficking Area Grant award. Ms. Hartshorn shared that the funding pays overtime expenses for up to three (3) deputies assigned to the Washington County Narcotics Task

Force/HIDTA group. The Office of Grant Management has reviewed the grant funding guidelines; there are no unusual conditions or requirements attached to the acceptance of the grant.

Commissioner Baker, seconded by Commissioner Wagner, moved to accept the grant funding in the amount of \$26,805, as presented. The motion passed unanimously.

STATE HOMELAND SECURITY GRANT PROGRAM

Eric Hodge, Emergency Management Specialist, and Ms. Hartshorn requested approval to submit the FY22 State Homeland Security Grant to the Maryland Emergency Management Agency in the amount of \$175,792 and to accept funding as awarded. This grant would pay partial salary for the Emergency Management Specialist, the cost of the Washington County Citizen Notification Program, Provider Safety Equipment, Fire Commander Training, a part-time position within the Washington County Sheriff's Office for IMT coordination and projects, and other needed equipment and services.

The Office of Grant Management has reviewed the grant guidelines. The performance period for this federal grant is September 1, 2021 through August 31, 2023. There is no matching fund requirement associated with this grant; however at least 25% of the grant funds must be spent on law enforcement related tasks or equipment.

Commissioner Wagner, seconded by Commissioner Baker, moved to accept funding awarded by MEMA in the amount of \$175,792, as presented. The motion passed unanimously.

EMERGENCY MANAGEMENT PERFORMANCE GRANT

Mr. Hodge and Ms. Hartshorn requested approval to submit the application to the Maryland Emergency Management Agency (MEMA) in the amount of \$102,817.11 and to accept funding as awarded. The performance period for this federal grant is October 1, 2021 through August 1, 2023. There is 100% match requirement associated with this grant which is covered by the Emergency Management operating budget.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the submission of the grant application to MEMA in the amount of \$102,817.11, and to accept awarded funding, as presented. The motion passed unanimously.

FISCAL YEAR 2022 GENERAL FUND BUDGET – BLACK ROCK GOLF COURSE

Ryan Crabtree, Manager, and Andrew Eshleman, Director, Public Works, provided the Board with an overview pertaining to the FY22 budget request, submitted at \$1,172,470, which represents a \$22,790 (1.98%) increase over FY21.

FISCAL YEAR 2022 GENERAL FUND BUDGET –TRANSIT DEPARTMENT

Kevin Cerrone, Director, Transit and Mr. Eshleman, provided the Board with an overview pertaining to the FY22 budget request, submitted at \$2,778,170 which represents a \$121,120 (4.21%) increase over FY21.

Commissioner Keefer left the meeting at 12:12 p.m. and returned to the meeting at 12:14 p.m.

FISCAL YEAR 2022 GENERAL FUND BUDGET –SOLID WASTE DEPARTMENT

Dave Mason, Deputy Director, provided the Board with an overview pertaining to the FY22 budget request, submitted at \$8,372,270 which represents a \$221,160 (2.71%) increase over FY21.

FISCAL YEAR 2022 GENERAL FUND BUDGET – PROPOSED (DRAFT 3)

Ms. Greaves and Kim Edlund, Director, Budget & Finance, provided the Board with an update on Draft 3, Fiscal Year 2022 (FY22), General Fund Budget in the amount of \$252,362,930.

PRESENTATION OF THE 2022-2031 CAPITAL BUDGET (DRAFT 3)

Ms. Greaves provided the Board with an update on Draft 3, 2022-2031 Capital Budget of \$56,997,000.

CONVENE IN CLOSED SESSION

Commissioner Keefer, seconded by Commissioner Wagner, moved to convene in closed session at 12:43 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, in accordance with Section 3-305(b) (1) 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, and the hiring of certain individuals.

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 times: Deb Condo, Deputy Director, Human Resources.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 1:05 pm. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn at 1:06 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*