



Board of County Commissioners of Washington County, Maryland
Open Session Minutes
April 20, 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. with the following members present: Vice-President Terry L. Baker, Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Charles A. Burkett.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker congratulated the elected officials in the Town of Hancock and shared his support for improvements and growth in the community.

Commissioner Keefer also congratulated the candidates in the Town of Hancock. Commissioner Keefer referenced the proposed closing of the middle and high schools in Hancock and urged the Board of Education to consider the outcry from the public in support of allowing those schools to remain open.

Commissioner Burkett thanked all who shared opinions on the tax cut.

President Cline congratulated those elected in the Town of Hancock, as well as those who participated in the election.

STAFF COMMENTS

Human Resources

Deb Condo, Interim Director, recommended approval to hire Lawrence Etchison for the position of Director, Human Resources, Grade 19, Step 15 (\$115,731).

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the request to hire for the position of Director, Human Resources as presented. The motion passed unanimously.

County Administrator

John Martirano, Administrator, advised staff that there is no meeting scheduled for next week.

County Clerk

Krista Hart reminded all of the process for citizen participation.

CITIZEN PARTICIPATION

Stan Brown, Hagerstown, shared his opposition to the current name of Colonel Henry K. Douglas Boulevard.

PUBLIC IMPROVEMENT BONDS OF 2021 AUTHORIZING RESOLUTION

Lindsey Rader, Funk & Bolton, P.A., and Sara Greaves, CFO, recommended approval by resolution authorizing the County Commissioners of Washington County (County) to issue and sell, at public sale, upon its full faith and credit, a series of general obligation bonds in the original aggregate principal amount not to exceed \$12,105,000 for the purpose of financing or reimbursing costs of certain public facilities and projects as presented. The contemplated bonds will not exceed \$12,105,000 in original aggregate principal amount.

Proceeds from the series of bonds issued for new money proposed will be used to fund costs of certain infrastructure, public facilities, environmental and educational projects. The max original aggregate principal amount of the authorized new money bond proceeds has been reduced by \$9,905,000 from the amount originally anticipated, certain environmental projects originally budgeted to be funded from bond proceeds have been eliminated from the financing, and the amount of bond funds have been reallocated among certain of the projects since adoption of the fiscal year 2021 Capital Budget. Issuance costs are expected to be funded from pay-go funds or from the net original issue premium received from the successful bidder for each series of the bonds or other available funds of the County.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the resolution authorizing the sale of general obligation bonds in the original aggregate principal amount not to exceed \$12,105,000, as presented. The motion passed unanimously.

(Resolution No. RS-2021-09 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

SUPPLEMENTAL RESOLUTION REALLOCATING A PORTION OF THE PAR AMOUNT OF THE PUBLIC IMPROVEMENT BONDS OF 2019

Ms. Rader and Ms. Greaves recommended approval by resolution authorizing a reallocation of a \$496,631 portion of the par amount of the County Commissioners of Washington County (County) Public Improvement Bonds of 2019 from a project identified as the "Colonel Henry K. Douglas Drive Ext Phase I" project to a project identified as the "Police, Fire and Emergency Services Training Facility" project.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the resolution authorizing the reallocation of a \$496,631 portion of the par amount of the County Public Improvement Bonds of 2019, as presented. The motion passed unanimously.

(Resolution No. RS-2021-10 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-21-0058) PERSONAL PROTECTIVE EQUIPMENT FOR DIVISION OF EMERGENCY SERVICES

Brandi Naugle, Buyer, Purchasing, and Dave Hays, Director of Emergency Services, recommended approval by resolution, the purchase of thirty-five (35) sets of Personal Protective equipment for the Division of Emergency Services from Witmer Public Safety Group, Inc., Williamsport, Maryland at contracted unit prices totaling \$85,296.75 based on the contract awarded by the State of New Jersey contract (Solicitation #17DPP00100; New Jersey Contract T0790). Funds are budgeted in the departments operating account 599999-10-11525.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve by resolution, the purchase of thirty-five sets of Personal Protective equipment from Witmer Public Safety Group through an Intergovernmental Cooperative Purchase Agreement, as presented. The motion passed unanimously.

(Resolution No. RS-2021-11 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CONTRACT RENEWAL (PUR1417) ELECTRICIAN SERVICES AT COUNTY FACILITIES

Ms. Naugle and Danny Hixon, Deputy Director, Parks and Facilities, recommended renewal of the Electrician Services Contract at County Facilities with Kube Electric Company, Inc. of Williamsport, Maryland, per the rates included in its letter dated March 28, 2021. Ms. Naugle explained that Kube

Electric has requested an approximate 4% increase above the current hourly rates for work performed by an Electrician and an Apprentice during regular hours, evening, Saturdays, Sundays, and holidays, as well as the rate for Consulting Design Services as follows:

	FY21	FY22
Regular Working Hours (Routine)		
<i>Electrician</i>	\$34.80	\$36.25
<i>Helper</i>	\$20.60	\$21.50
Evenings and Saturdays (Emergency)		
<i>Electrician</i>	\$50.70	\$52.75
<i>Helper</i>	\$30.90	\$32.10
Sundays and Holidays (Emergency)		
<i>Electrician</i>	\$50.70	\$52.75
<i>Helper</i>	\$30.90	\$32.10
Consulting and Design Service	\$55.00	\$57.00

Overhead for repair parts and materials will remain unchanged at 15% over cost.

Ms. Naugle shared that the contract is a one (1) year contract that commenced on July 1, 2019 with an option by the County to renew for up to four (4) additional one (1) year periods. This is the second of four one (1) year optional renewals of the contract.

Commissioner Wagner, seconded by Commissioner Keefer, moved to renew Contract PUR1417 with Kube Electric Company, Inc. of Williamsport, MD as presented. The motion passed unanimously.

CONTRACT AWARD (PUR1432) LEACHATE HAULING FROM COUNTY LANDFILL

Ms. Naugle and Dave Mason, Deputy Director, Solid Waste, requested approval to renew the requirements contract for the Hauling of Leachate from the County landfill with A.C. & T. Company, Inc. of Hagerstown, MD per the rates included in its letter dated March 4, 2021. A.C. & T. Co., Inc. is requesting an approximate 5% increase above the current rate; the new rate would be .0157 per gallon vs the current rate of .0149 per gallon.

Ms. Naugle shared that the contract is a one (1) year contract that commenced on July 1, 2019 with an option by the County to renew for up to two (2) additional one (1) year periods. This is the final year of the contract.

Commissioner Baker, seconded by Commissioner Keefer, moved to award contract PUR1432 as presented. The motion passed unanimously.

DEPARTMENT OF COMMERCE RELIEF ACT GRANTS

Susan Small, Director, Business Development, and Susan Buchanan, Director, Grant Management, recommended approval to accept the Relief Act Funds, which would aid the restaurant industry in the amount of \$550,721.98; assistance to the accommodations and lodging industry in the amount of \$250,328.17; assistance for business setting up online sales/telework in the amount of \$12,516.41, and to execute related grant agreements with the Department of Commerce.

The Office of Grant Management has reviewed the grant agreements and there are no local matching funds required or any other unusual requirements or conditions associated with these grants. The funds must be distributed to eligible grantees by June 30, 2021. The Department of Business Development will utilize up to 10% of the grant awards for the administrative cost of the program implementation.

Commissioner Baker, seconded by Commissioner Wagner, moved to accept the funding as awarded and to execute related grant agreements, as presented. The motion passed unanimously.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT NON-PROFIT RECOVERY GRANT APPLICATION SUBMITTAL

Ms. Small and Ms. Buchanan recommended approval to submit the Non-Profit Recovery grant application in the amount of \$499,692 to the Department of Housing and Community Development, accept funding as awarded, and to execute associated grant agreement.

The Office of Grant Management has reviewed the grant documents and there are no local matching funds required nor any other unusual requirements or conditions associated with this grant. The funds must be distributed to eligible grantees by September 1, 2021 and non-profit recipients must expend their awarded funds by December 31, 2021. The Department of Business Development will utilize up to 10% of the funds for administrative costs.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the submission of the grant application in the amount of \$499,692, accept funding as awarded, and execute related grant agreement, as presented. The motion passed unanimously.

CONAGRA FOODS PACKAGED FOODS, LLC – CONDITIONAL LOANS FOR PINNACLE FOODS GROUP, LLC, AS ORIGINAL BORROWER

Ms. Small recommended approval to execute all modification documents acknowledging ConAgra as successor-in-interest to Pinnacle and obligor to the County, with all of the rights, duties, and obligations as set forth in the First County Loan documents, and to approve the execution of all documents awarding the Second County Loan to ConAgra as successor-in-interest to Pinnacle.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the execution of all modified documents, as presented. The motion passed unanimously.

RESOLUTION NO RS-2020-32, RESTATED, WITH AMENDMENTS

Ms. Small recommended adoption of a proposed resolution restating, with amendments, Resolution No. RS-2020-32, Endorsement of MEDAAF Bridge Loan.

Commissioner Baker, seconded by Commissioner Wagner, moved to authorize the resolution restating, with amendments, as presented. The motion passed unanimously.

(Resolution No. RS-2021-12 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

FISCAL YEAR 2022 BUDGET DISCUSSION

Ms. Greaves provided the Commissioners with information on proposed amendments to the FY22 General Fund budget based on a 2.8% income tax rate.

The Commissioners discussed the impact and potential of loss of budget due to the lower income tax rate.

President Cline recommended that the tax rate be changed to 3% rather than 2.8% in attempts to lessen the unintended consequences being discussed; until a time that the economic development of Washington County will rise.

Commissioner Keefer, seconded by Commissioner Burkett, moved to authorize by adoption of Resolution, the reduction of the County's Income Tax rate from 3.2% to 3.0%, beginning January 1, 2022 with the following inclusions: County staff is directed to review budget for employee turnover and vacancy savings, reexamining personnel requests; Disparity Grant should not continue to be allocated towards County on-going operating expenses (with option to utilize if necessary); and,

County staff is to provide budget updates to the Commissioners during an open session meeting. The motion passed unanimously.

(Resolution No. RS-2021-13 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CONVENE IN CLOSED SESSION

Commissioner Baker, seconded by Commissioner Wagner, moved to convene in closed session at 12:08 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; any other personnel matter that affects one or more specific individuals; to consult with counsel to obtain legal advice on a legal matter, or discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans; 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), (10), and (13) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously.

In closed session, the Commissioners discussed a variety of personnel matters, including the filling of vacancies and disciplinary, performance, and resignation matters, and to receive legal advice regarding same. The Board discussed a contractual matter and parties' contractual obligations and received legal advice regarding same.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Randall E. Wagner, and Charles A. Burkett. Also present were John M. Martirano, County Administrator; Krista L. Hart, County Clerk, and Kirk C. Downey, County Attorney and at various times: Susan Buchanan, Director, Grant Management; Deb Condo, Deputy Director, Human Resources, and Mark Bradshaw, Director, Environmental Management.

RECONVENE IN OPEN SESSION

Commissioner Keefer, seconded by Commissioner Baker, moved to reconvene in open session at 1:23 p.m. The motion passed unanimously.

HUMAN RESOURCES – POSITION RECOMMENDATION

Deb Condo presented the recommendation to hire Rachel Souders for the position of Senior Grant Manager with the Office of Grant Management, Grade 13, Step 1, \$51,626.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve hiring for the position of Senior Grant Manager as presented. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn at 1:26 p.m. The motion passed unanimously.



Krista L. Hart, County Clerk

