



Board of County Commissioners of Washington County, Maryland
Open Session Minutes
May 11, 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 10:05 a.m. at 100 West Washington Street, Hagerstown, Maryland, with the following members present: Vice-President Terry L. Baker, Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Charles A. Burkett.

APPROVAL OF MINUTES

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the minutes of May 4, 2021.

COMMISSIONERS' REPORTS AND COMMENTS

The Commissioner's attended a Post-Legislative Forum at Hagerstown Community College.

The Commissioners shared information on various events each attended throughout Washington County. Additionally, the Commissioner's welcomed the City of Hagerstown Mayor and Councilmembers.

Commissioner Keefer shared that today is Washington County Gives (washcogives.org) and encouraged all to donate to a non-profit of their choice. He added that he has received a call regarding a potential rabid animal in Smithsburg and shared that the USDA Wildlife Services (877.463.6459) handles those cases for wildlife only.

Commissioner Burkett met with several staff members to discuss the hiring practices of Washington County. Additionally, he visited leadership with the WCVFRA and Commissioner Keefer to discuss volunteer programs. He shared information on additional visits throughout Washington County. He also thanked the Delegation for its service in Washington County.

Commissioner Wagner shared his thoughts and prayers for Tim Ammons who is recovering from a tragic accident. He thanked Oley Griffith for providing his services to the Dive Team. Additionally, Commissioner Wagner requested consensus for a recovery process for the loss of revenue during the Fort Ritchie litigation.

The Commissioners reached a consensus to instruct staff to provide options of resolution for a forthcoming closed session discussion.

Additionally, Commissioner Baker requested an update on the Waste to Energy (landfill) and dollar amount recovered.

President Cline also shared prayers for Mr. Ammons. He encouraged all to contribute to Washington Gives for the cause of their choice.

JOINT MEETING WITH THE MAYOR AND COUNCIL, CITY OF HAGERSTOWN

Mayor Emily Keller, Councilmember Kristin B. Aleshire, Councilmember Robert E. Bruchey, II, Councilmember Shelley McIntire, Councilmember Tekesha Martinez, Councilmember Tiara

Burnett, and Scott Nicewarner, Administrator joined the Commissioners for discussion regarding monies due for the 911 Emergency Communications Center.

Mayor Keller shared that the matter of payment for the 911 Communications Center has been placed on the Council's schedule for May 18, 2021; President Cline shared the urgency for a consensus on the matter of submitting payment. Mayor Keller requested that the Commissioners reach a consensus to instruct the County Administrator and City Administrator to hold discussion regarding a fair and equitable formula for determining the amount of payment required.

Additionally, Mayor Keller discussed the concern of the tax differential with the City of Hagerstown and requested additional conversation. She further requested consideration of the fire services rendered to Washington County by the City of Hagerstown Fire Department and suggested that the City be included in discussions regarding staffing models, etc.

Mayor Keller suggested quarterly joint meetings beginning either July 13th or July 20th, to include resuming the 2 x 2 meetings with County Commissioners and City of Hagerstown Councilmembers; President Cline added that he would prefer for this to alternate between members. The Commissioners and Mayor Keller concurred that staff could schedule any future meetings.

The Commissioners and Town Councilmembers reached a consensus to instruct the City Administrator and County Administrator to discuss the formula for determining the amount of payment for the 911 Dispatch Services.

REPORT ON 2021 LEGISLATIVE SESSION AND WASHINGTON COUNTY

Bruce Bereano, Lobbyist hired this session by the County Commissioners, discussed the recent legislative session and reported on items affecting Washington County. He described testifying before committees and having regular meetings with the County's delegation and other elected representatives to keep local issues in the forefront. Mr. Bereano also provided reports to the Commissioners and staff during the legislative session for statewide issues that may have affected Washington County.

Mr. Bereano shared his apology for mistakenly speaking on behalf of the Board of County Commissioners when offering support for the proposed stadium in Hagerstown during the legislative session and added that he rectified that action immediately. He shared concern for the matter of Maryland Medical Assistance Plan and Emergency Services Reimbursement, adding that the bill needs additional support and action.

The Commissioners thanked for Mr. Bereano for the update.

STAFF COMMENTS

County Administrator

John Martirano shared an update with regard to the matter of the Fraternal Order of Police payroll deductions, adding that there is a meeting scheduled to discuss details of the process. Additionally, he shared that the County Clerk has shared a draft copy of the Board of County Commissioners schedule for July through December 2021; and will begin to schedule evening meetings with municipalities as well.

County Clerk

Krista Hart reminded all on how to participate in citizen comments during the Board of County Commissioner meetings.

Division of Emergency Services

Sara Greaves, CFO, and Dave Hays, Director, Emergency Services, provided the Commissioners with an update on the Audit Services of the Fire and Rescue Departments in Washington County. Ms. Greaves added that an extension has been granted for submittals through April 9th, adding that there is potential to extend that even further through the end of May.

Mr. Hays and Dale Fishack, President, Washington County Volunteer Fire and Rescue Association (WCVFRA) shared amendments to the Regional Staffing Plan and shared that Potomac Valley Station would receive one full-time Firefighter to Potomac Valley 24/7 and return the paramedic chase unit to Clear Spring Fire Department.

LOSAP UPDATE/REQUEST FOR POINTS MODIFICATION FOR 2021 SERVICE YEAR

Mr. Fishack and Mr. Hays recommended approval of a point modification, which has been deemed necessary due to the COVID-19 Pandemic and Governor Hogan's "stay at home" order. Mr. Fishack explained that due to this order, annual fund-raising efforts of the Volunteer Fire and EMS departments have been canceled or suspended since early March 2020.

Commissioner Burkett, seconded by Commissioner Baker, moved to approve the point modification for 2021 Service Year as presented. The motion passed unanimously.

VOLUNTEER INCENTIVE PROGRAMS

Mr. Hays and Mr. Fishack; recommended approval for the Washington County Division of Emergency Services (DES) and the WCVFRA to move forward with final implementation of the new volunteer incentive programs, and to backdate implementation to an effective date of January 1, 2021.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the Volunteer Incentive program and to backdate to January 1, 2021 as presented. The motion passed unanimously.

Commissioner Keefer requested a consensus for the creation of a study group to analyze the enhancement of LOSAP benefits, of which consensus was given.

Vice-President Baker left the meeting at 11:43 a.m. and returned to the meeting at 11:46 a.m.

INTERGOVERNMENTAL PURCHASE (INGT-21-0057): 911 ESINET NEXT GENERATION SOFTWARE UPGRADE

Rick Curry, Director, Purchasing, and Brian Albert, Assistant Director, Emergency Communications, recommended authorizing by Resolution, the Intergovernmental Cooperative Purchase (INGT-21-0057) to enter into a contract for the purchase and installation of the 911 ESInet Next Generation software upgrade at a cost of \$1,395,818.52 with Motorola Solutions, Inc. of Chicago, Illinois, awarded by Purchasing Solutions Alliance (a national purchasing cooperative of Brazos Valley Council of Government) contract RFP NO. 17-210 and contingent upon approval of the final Agreement by the County Attorney's Office. This project is funding 100% by the Numbers Board.

Commissioner Baker, seconded by Commissioner Wagner, moved to authorize by Resolution purchase and installation of the 911 NG911 with Motorola Solutions, Inc. at a cost of \$1,395,818.52, as presented. The motion passed unanimously.

(Resolution No. RS-2021-14 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

BID AWARD (PUR1497) ONE (1) 2021 OR LATEST PRODUCTION MODEL (CLASS 5) REGULAR CAB/CHASSIS TRUCK WITH 11-FOOT DUMP BODY

Mr. Curry and Danny Hixon, Deputy Director, Building, Grounds, and Facilities, recommended authorization for the Washington County Building, Grounds, and Facilities to purchase one (1) New 2021 or Latest Production Model (Class 5) Regular Cab/Chassis Truck with an 11-Foot Dump Body to the responsive, responsible bidder, Hagerstown Ford, Hagerstown, Maryland in the total sum bid of \$71,500. Funds are budgeted in the departments Capital Improvement Project account VEH008. Mr. Curry requested that Black Rock Golf Course receive the vehicle replaced, at their request.

Commissioner Wagner, seconded by Commissioner Baker, moved to award bid PUR1497 to Hagerstown Ford, Hagerstown, MD in the amount of \$71,500, as presented. The motion passed unanimously.

2021 AGRICULTURAL LAND PRESERVATION DISTRICT APPLICATIONS

Chris Boggs, Land Preservation Planner, Planning & Zoning, requested approval of the ten (10) year Agricultural Land Preservation District; he presented the applications from four (4) property owners. If approved, the listed applicants will be restricted to agricultural use only on their farms for a period of ten years. The cost of tax credits relating to these properties for the ten-year period equals approximately \$12 per acre per year for a total of approximately \$5,045 for the full ten-year period and includes 420.42 acres. The Agricultural Land Preservation Advisory Board and Washington County Planning Commission approved all proposed districts as the applications met the program criteria for size, soils, assessment, and Comprehensive Plan requirements.

The four (4) Washington County Agricultural Preservation District applicants are as follows: Running Bear, LLC (AD-19-014), tax map 51, parcel 51, 69.67 acres, 21542 Chewsville Road, Smithsburg; Buhrman, Samuel J. & Brittany E. (AD-21-001), tax map 63, parcel 61, 115.98 acres, 19929 Lemuel Lane, Boonsboro; James Showe (AD-21-002), tax map 22, parcel 20, 109 acres, 14007 Spickler Road, Clear Spring; and Tracy and Brenda Thomas (AD-21-003), tax map 68, parcel 379, 120.77 acres, 7206 Monroe Road, Boonsboro.

The matter was closed at 11:53 a.m. with no citizen comments received.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the 10-year Agricultural Land Preservation Districts for the four (4) property owners as presented. The motion passed unanimously.

BOWMAN FARMS, LLC RURAL LEGACY PROGRAM EASEMENT

Mr. Boggs recommended approval of the Bowman Farms, LLC Rural Legacy Program (RLP) project, paid for 100% by the Maryland Department of Natural Resources, for \$1,360,740 for 403.22 easement acres, to adopt an ordinance approving the purchase, and to authorize execution of the necessary documentation to finalize the easement purchase. Mr. Boggs shared that the property is located at 15910 Cheneys Neck Land, Sharpsburg, Maryland, and composed of primarily hay, cropland, and woods. Mr. Boggs shared that twenty (20) development rights will be extinguished with the easement.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the Bowman Farms RLP Easement, and to adopt an ordinance approving the purchase of the easement and to authorize

the execution of the necessary documentation to finalize the easement purchase. The motion passed unanimously.

(Ordinance No. ORD-2021-09 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to convene in closed session at 11:56 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; 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 Sections 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 the potential appointment of specific individuals to a council over which the Board has appointment authority and discussed the filling of certain personnel vacancies with specific candidates, the Board provided staff direction in regards thereto. Additionally, the Commissioners consulted with counsel to obtain legal advice on legal proceeding and provided specific direction to staff concerning said matter. The Commissioners also discussed an employee grievance.

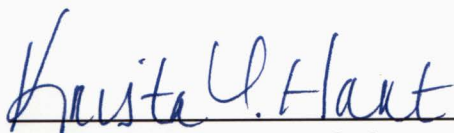
Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Randall E. Wagner, and Charles A. Burkett. Also present were John M. Martirano, County Administrator; Krista Hart, County Clerk, and Kirk C. Downey, County Attorney and at various times: Larry Etchison, Director, Human Resources; Deb Condo, Deputy Director, Human Resources; Kim Edlund, Director, Budget & Finance; and a certain employee.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 12:58 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Baker, seconded by Commissioner Wagner, moved to adjourn at 12:58 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

