



**Board of County Commissioners of Washington County, Maryland**  
**Open Session Minutes**  
**May 18, 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 10:02 a.m. at 100 West Washington Street, Hagerstown, Maryland, with the following members present: Commissioner Randall E. Wagner, and Commissioner Charles A. Burkett; Vice-President Terry L. Baker, and Commissioner Wayne K. Keefer were absent.

**APPROVAL OF MINUTES**

Commissioner Burkett, seconded by Commissioner Wagner, moved to approve the minutes of May 11, 2021. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

**COMMISSIONERS' REPORTS AND COMMENTS**

*The Commissioners shared information on various events each attended throughout Washington County.*

Commissioner Burkett shared that the Commission on Aging is seeking volunteers within its organization. Additionally, he congratulated the graduates of the Firefighters Academy. Commissioner Burkett reminded citizens who hold interest in the proposed closing of Cascade Elementary School and/or Hancock School attend the scheduled Public Hearings regarding same (Tuesday, May 25, 2021 at Smithsburg High School, 5:00 p.m. – 7:30 p.m. and Wednesday, May 26, 2021 at Hancock Middle Senior High School, 5:00 p.m. – 7:30 p.m.

Commissioner Wagner shared information regarding a reservoir leak and the dive team from New Market Fire Company, Station 19 who assisted with locating the potential leaks, adding the recommendation for the Commissioners to provide a donation for the services from the Commissioners Contingency Fund; the Commissioners provided staff with that directive.

Additionally, Commissioner Wagner recommended that the County Attorney's office begin efforts in recovering funds lost as a result of a former litigation matter regarding the sale of Fort Ritchie. Kirk Downey, County Attorney, shared a brief history regarding the lawsuit filed by Craig Mahrle and the timeline of said matter, adding that the carrying cost has been over \$1 million.

President Cline shared his concurrence to begin efforts in attempt to recover said funds. He shared his sympathy for Tim Ammons who remains in recovery from a recent accident. Additionally, he congratulated Reverend Allan Weatherholt, Jr. in his retirement from Saint Thomas' Episcopal Parish in Hancock, Maryland after 41 years of service to the community. Commissioner Cline congratulated the graduates from the Firefighters Academy and the Emergency Communication graduates; he further thanked Dave Hays, Director, Emergency Services, Public Relations and Marketing staff, and all involved in the academy program and graduation event.

President Cline recommended that staff consider reinstating the Employee Recognition Award Breakfast's, which had been placed on hold due to the Covid-19 Pandemic.



## **STAFF COMMENTS**

### **Office of Grant Management**

Susan Buchanan, Director, provided the Board with information on three (3) recent awards from the Hotel Rental Tax Fund; they are as follows:

Alsatia Club awarded \$5,000 for the Mummers Parade to be held October 30, 2021;

James Shaull Wagon Train Foundation \$1,500 for the Wagon Train and National Pike Festival held May 14, 2021; and,

Antietam Velo Club \$3,000 for costs associated with Washington County Sheriff's Office overtime for the Visit Hagerstown and Washington County Twilight Criterium Bicycle Race to be held June 18, 2021

Additionally, Ms. Buchanan shared information on a General Fund Contingency Fund grant approved for the Sharpsburg Volunteer Fire Company in the amount of \$2000 to assist with replacement cost for firefighter protective equipment.

### **Human Resources**

Larry Etchison, Director, presented the recommendation to hire Rick Johnson for the position of Director, Hagerstown Regional Airport (Grade 18, Step 5, \$83,699); the position is vacant due to the resignation of Garrison Plessinger.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the recommendation as presented. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

### **County Clerk**

Krista Hart reminded all on how to participate in citizen comments during the Board of County Commissioner meetings. Additionally, Ms. Hart provided information regarding the upcoming Fiscal Year 2022 Budget Hearing scheduled for this evening at 6:00 p.m.

### **Appointment/Reappointment to Boards and Commissions: Krista Hart, County Clerk**

#### **Housing Authority of Washington County**

Commissioner Wagner, seconded by Commissioner Burkett, moved to accept the recommendation to appoint Amanda Gregg to serve an unfulfilled term through July 31, 2024; this is not a paid board. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

#### **Washington County Agricultural Land Preservation Advisory Board**

Commissioner Burkett, seconded by Commissioner Wagner, moved to accept the recommendation to appoint David Roth to serve a third, five-year term from May 1, 2021 through April 30, 2026; this is not a paid board. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

### **County Administrator**

John Martirano shared that staff has recommended a donation in the amount of \$1,000 to the New Market Fire Company, Station 19 from the Commissioner's Contingency Fund for its dive services per Commissioner Wagner's recommendation.

Commissioner Wagner, seconded by Commissioner Burkett, moved to provide a one-time donation in the amount of \$1,000 to the New Market Fire Company, Station 19 from the Commissioners Contingency Fund. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).



Mr. Martirano also informed the Commissioners that the matter of processing payroll deduction for the FOP is moving forward. He congratulated the graduates of the Firefighters Recruitment Class #1. He further shared an update on the CDC Guidelines and Governor Hogan's executive order regarding the mask mandate.

**MARYLAND 911 BOARD – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING**

Allison Hartshorn, Grant Manager, Office of Grant Management, requested approval to submit a grant application for the Maryland 911 Board in the amount of \$270,000 and to accept awarded funding for cybersecurity solutions and monitoring for Customer Premise Equipment, within the Division of Emergency Services.

Commissioner Wagner, seconded by Commissioner Burkett, moved approve the submission of the grant application for the Maryland 911 Board in the amount of \$270,000 and to accept funding as awarded. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

**PROPERTY ACQUISITION AT WRIGHT ROAD**

Todd Moser, Real Property Administrator, requested approval for partial property acquisition including fee simple for the property of Wright Road, owned by Dot Maryland 2019 LLC, and authorization of an ordinance approving said purchase, convey thirty-seven (37) square feet of existing right-of-way to Dot Maryland 2019 LLC, and to authorize the execution of the necessary documentation to finalize the acquisition. Mr. Moser explained that option agreements have been negotiated for one (1) property at a total amount of \$5,000. The partial property acquisition accommodates planned road and railroad crossing improvements.

Commissioner Burkett, seconded by Commissioner Wagner, moved to approve the option agreement for fee simple acquisition, approve the conveyance of thirty-seven (37) square feet of existing right-of-way to Dot Maryland 2019 LLC, and to adopt the proposed ordinance approving the purchase and to authorize the execution of the necessary documentation to finalize the acquisitions. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

(Ordinance No. ORD2021-10 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are located in the County Commissioners' Office.)

**REJECTION OF BID (PUR1501) PURE STORAGE CAPACITY EXPANSION**

Rick Curry, Director, Purchasing, and Josh O'Neal, Director, Information Systems, recommended approval to reject the bid for the Pure Storage Capacity Expansion due to the bid not being submitted in accordance with the County's Procurement Policy. Mr. Curry recommended approval to rebid the project with a modified scope of work.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve rejection of the bid for PUR1501, and to rebid the project, as presented. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

**CONVENE IN CLOSED SESSION**

Commissioner Burkett, seconded by Commissioner Wagner, moved to convene in closed session at 10:36 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, 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; and to consult with staff, consultants, or other individuals about pending or potential litigation, in accordance with Sections 3-305(b) (1), (4), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

In closed session, the Commissioners discussed the filling of certain personnel vacancies and the hiring of certain individuals and discussed the potential appointment of specific individuals to a Board or Commission 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 received updates regarding business development.

Present during closed session were Commissioners Jeffrey A. Cline, Randall E. Wagner, and Charles A. Burkett; Terry L. Baker, Wayne K. Keefer were absent. 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; Susan Small, Director, Business Development; Todd Moser, Real Property Administrator; and Andrew Bright, Assistant County Attorney.

#### **RECONVENE IN OPEN SESSION**

Commissioner Burkett, seconded by Commissioner Wagner, moved to reconvene in open session at 11:34 a.m. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

#### **ADJOURNMENT**

Commissioner Wagner, seconded by Commissioner Burkett, moved to adjourn at 11:34 a.m. The motion passed unanimously (3-0, Commissioners Baker and Keefer were absent).

  
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Krista L. Hart, County Clerk