



**Board of County Commissioners of Washington County, Maryland**  
***Open Session Minutes***  
**July 13, 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 9:00 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 Charles A. Burkett (Commissioner Randall E. Wagner was absent).

**APPROVAL OF MINUTES**

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the minutes of June 22, 2021. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**COMMISSIONERS' REPORTS AND COMMENTS**

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

Vice-President Baker thanked Jaime Dick and staff for organizing a successful Greg Shank 5K Memorial event. Additionally, he congratulated Commissioner Wayne Keefer and his wife, Janine for the birth of their daughter. Commissioner Baker mentioned the American Rescue Plan Funding (ARP) and shared his desire to compensate employees who continued to report for duty during COVID-19 Pandemic; he further referenced that the Board of Education provided a 4% increase for all staff and the City of Hagerstown provided \$5,000 per employee.

Commissioner Keefer welcomed his newborn daughter, Lillie Renee Keefer and praised his wife for being a wonderful first-time mother. He further discussed the passing of Betty Shank, former Mayor, Clear Spring, and a former member of the Historical Advisory Committee. Commissioner Keefer shared his support for a stipend to employees for those who have worked during the COVID-19 Pandemic; adding that he would prefer a tiered system.

Commissioner Burkett congratulated Commissioner Keefer on the birth of his daughter. He encouraged all to support the new Smithsburg Farmers Market held on the fourth Monday of each month from 4:00 p.m. – 7:00 p.m. Commissioner Burkett referenced a recent event at San Mar Children's Home and congratulated the team for a successful fundraising event to date; he further advised that foster families are needed.

President Cline also congratulated Commissioner Keefer on the birth of his daughter. He thanked all employees who worked during the holidays and recognized all the staff members who have dedicated their time to maintain a safe holiday, to include Water and Sewer staff members, Emergency Services and Police personnel. Additionally, he discussed an upcoming reenactment in the Town of Funkstown this weekend and shared his support for the local community.

## **STAFF COMMENTS**

### **Washington County Sheriff's Office**

Sheriff Douglas Mullendore recognized two (2) recent promotions to Captain David Sanders and first-time female Lieutenant Valerie Buskirk; he thanked each for their service.

The Commissioners awarded each with a Certificate of Appreciation for their accomplishments.

### **Division of Emergency Services / Budget & Finance**

Sara Greaves, CFO, and Dave Hays, Director, Emergency Services, provided the Commissioners with an update regarding the Audit of various agencies and compliance with said audit. Ms. Greaves shared that all appear to be working with the auditors and staff in moving forward with the process. Mr. Hays congratulated Commissioner Keefer on the birth of Lillie.

### **County Clerk**

#### **Adult Public Guardianship Review Board**

Commissioner Wagner, seconded by Commissioner Baker, moved to accept the recommendation to reappoint Bonnie Winders to serve a first three-year term from September 1, 2021, through August 31, 2024; this is not a paid board. The motion passed unanimously.

Ms. Hart commented on citizen comment and invited all to attend to speak during the Open Session Commissioner meetings.

### **County Administrator**

John Martirano thanked all County employees who assisted with the water break and all those who have worked over the holiday. He congratulated Commissioner Keefer on the birth of his daughter. Mr. Martirano reminded staff and the Commissioners of a joint meeting with the City of Hagerstown next Tuesday at 4:00 p.m.

Additionally, he requested a formal vote for payment to the Doleman Black Heritage Museum in the amount of \$2,000 for support of the Juneteenth event, funded through the Commissioners Contingency Fund in lieu of the annual Masquerade Ball, which was cancelled due to the COVID-19 Pandemic. Mr. Martirano advised the Board that this matter had been previously approved via consensus; however, formal vote was needed.

Commissioner Keefer, seconded by Commissioner Baker, moved to approve the payment as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

## **WASHINGTON GOES PURPLE**

Emily Keller and Vicki Sterling, Co-Chairs, Washington Goes Purple Committee, provided the Commissioners with an update on the success and actions of the Washington Goes Purple Campaign.

Ms. Keller shared information on upcoming events to include the kick-off of Washington Goes Purple month on September 3<sup>rd</sup> in the City Park, and September 25<sup>th</sup> will be the Recovery Walk.

The Commissioners thanked Ms. Keller and Ms. Sterling for their involvement and support of the program.

## **PROPERTY ACQUISITION FOR MT. HEBRON ROAD INFRASTRUCTURE PROJECT**

Todd Moser, Real Property Administrator, recommended approval of an option agreement for partial property acquisition including fee simple and/or easement for a property on Mt. Hebron Road, Tax ID 19-009254 / Map 721, Parcel 308, 3,422 square feet of perpetual drainage easement

in the amount of \$7,100.00 and to authorize the execution of the necessary documentation to finalize said acquisition. Mr. Moser shared that the acquisition would assist with updates to Mt. Hebron Road.

Commissioner Keefer, seconded by Commissioner Burkett, moved to approve the option agreement in the amount of \$7,100 to Deborah Christ, approve said ordinance, and to execute the necessary documentation to finalize the acquisition as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

(Ordinance No. ORD2021-11 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

#### **CUMBERLAND STREET PROPERTY ACQUISITION FOR PROGRAM OPEN SPACE**

Mr. Moser and Andrew Eshleman, Director, Public Works, recommended approval of an option agreement for fee simple property acquisition in the amount of \$85,000, located on Cumberland Street, Clear Spring, Maryland, Tax ID 04017722, to approve an ordinance for said purchase, and to authorize the execution of the necessary documentation to finalize the acquisition. Mr. Eshleman explained that the current facility would be a Program Open Space Project and 100% of the acquisition cost up to \$90,000 would be eligible for reimbursement.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the option agreement for the purchase in the amount of \$85,000, approve said ordinance, and to execute the necessary documentation to finalize the acquisition as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

(Ordinance No. ORD2021-12 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

#### **WATER TRANSFER BUDGET**

Mark Bradshaw, Director, Environmental Management, requested approval to transfer funds from Sharpsburg Water Treatment Plant, Project TRP023, to General Water Treatment Plant Improvements, Project TRP025, in the amount of \$40,000.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the transfer from TRP023 to TRP025, in the amount of \$40,000.00, as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

#### **BUDGET ADJUSTMENT – VEH008**

Sara Greaves, CFO, AND John Martin, NTF Director, requested approval of a budget adjustment to transfer funds to VEH008. Ms. Greaves explained that due to COVID, vehicle deliveries have been delayed, which would show delivery after June 30, 2021; this adjustment would allow the funds to remain available in FY22.

Commissioner Burkett, seconded by Commissioner Keefer, moved to authorize the budget adjustment as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**PUBLIC SAFETY TRAINING CENTER AUDIO/VISUAL EQUIPMENT – CAPITAL CAMPAIGN FUNDING**

Dave Hays, Director, Emergency Services; Doug Mullendore, Sheriff; and Danielle Weaver, Director, Public Relations and Marketing, recommended authorization to proceed with a proposed capital fundraising campaign to offset cost associated with audio/visual systems and furniture for the new Public Safety Training Center with a targeted goal of \$1,000,000.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the capital fundraising campaign for the Public Safety Training Center, as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**SOLE SOURCE PROCUREMENT (PUR1512) CYBER SECURITY SOFTWARE/SERVICE FOR THE DIVISION OF EMERGENCY SERVICES**

Rick Curry, Director, Purchasing, and Mr. Hays recommended award of a sole source procurement to SecuLore Solutions, Odenton, Maryland, for the upgrade of cyber security software with the Division of Emergency Services in the amount of \$270,000, as per Section 1-106.2(a)(1) and (2) of the Code of Public Local Laws of Washington County, Maryland. Funds are budgeted in FY22 GRT150 in the amount of \$270,000.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the award of PUR1512 to SecuLore Solutions, Odenton, MD, in the total amount of \$270,000, as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**BID AWARD (PUR1506) PURE STORAGE FLASH ARRAY UPGRADE**

Mr. Curry, and Josh O'Neal, Director, Information Systems, recommended award of contract PUR1506 for Pure Storage Flash Array to the responsible, responsive bidder, GHA, Odenton, Maryland, for a total lump sum of \$64,206.54. Mr. Curry shared that the Division is making a request to approve the use of the ARPA funds (American Rescue Funds) because the storage is required due to increase teleworking capacity, it is directly correlated to the coronavirus pandemic.

Commissioner Keefer, seconded by Commissioner Baker, moved to approve award of PUR1506 to GHA, Odenton, MD in the amount of \$64,206.54, and to utilize ARPA funds as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**CHILD SUPPORT ENFORCEMENT COOPERATIVE AGREEMENT – APPROVAL TO SUBMIT APPLICATION**

Lieutenant Valerie Buskirk, Washington County Sheriff's Office, and Rachel Souders, Senior Grant Manager, Office of Grant Management, recommended approval to submit an application for the Child Support Administrative Cooperative Reimbursement Agreement to the Maryland Department of Human Services in the amount of \$279,532 for FY22, and to accept funding as awarded. The award would reimburse the salaries and fringe benefits of two (2) full-time deputies and provide partial reimbursement of two (2) part-time deputies, two (2) Senior Office Associates, and a portion of equipment during the one-year period.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the submission of the application in the amount of \$279,532 to the Maryland Department of Human Services, and to accept funding as awarded. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**NEXT GENERATION 911 ADDRESSING AUTHORITY**

Bud Gudmundson, GIS Manager, Information Technology, and Jennifer Kinzer, Deputy Director, Planning & Zoning, recommended approval of two (2) *revised* Memorandums of Understanding (MOU) with the Town of Williamsport and the Town of Funkstown to assign addresses, as it pertains to the Next Generation 911 Addressing Authority.

The Commissioners discussed the revisions as requested by the Towns of Williamsport and Funkstown. Mr. Downey shared that the MOU's have been approved previously by the Commissioners; however, several revisions have been brought forth by the two (2) municipalities at the request of each locations counsel.

The Commissioners took no action on the matter and instructed staff to present the draft MOU's to the Town council for preliminary review and bring forth at a future meeting.

**CHANGE ORDER REQUEST FOR HIGHWAY DEPARTMENT LINE STRIPING, INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG20-0043)**

Doug Levine, Supervisor, Highway Department, recommended approval of Change Order Number 1 with Alpha Space Control, Company, in the amount of \$17,605.67 to compensate for the additional line striping required for various county roads in Washington County.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the change order to Alpha Space Control Company in the amount of \$17,605.67 as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**FISCAL YEAR 2023 FAMILY LAW FUND – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING**

Allison Hartshorn, Grant Manager, Office of Grant Management, and Kristin Grossnickle, Court Administrator, Circuit Court for Washington County, requested permission to submit the FY23 Family Law Fund application in the amount of \$365,769 and to accept awarded funding.

Commissioner Burkett, seconded by Commissioner Baker, moved to approve the submission of the \$365,769 grant application, and accept all awarded funding as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**EMERGENCY MANAGEMENT PERFORMANCE GRANT SUPPLEMENTAL**

Tom Brown, Emergency Manager, and Ms. Hartshorn recommended approval to accept funding awarded by the Maryland Emergency Management Agency through the Emergency Management Performance Grant Supplemental Program in the amount of \$29,326.20. Mr. Brown shared that there is a 100% match requirement associated with this grant which would be covered through in-kind salary of the Emergency Manager.

Commissioner Baker, seconded by Commissioner Keefer, moved to accept funding in the amount of \$29,326.20 as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**HAZARD MITIGATION PLAN GRANT**

Mr. Brown and Ms. Hartshorn recommended approve to submit an application to the Maryland Emergency Management Agency and to accept funding as awarded; this funding would be utilized to update the County's Hazard Mitigation Plan. Mr. Brown shared that there is a 75% match

requirement associated with this grant which would be covered through in-kind salaries of the County staff directly involved with this project.

Commissioner Baker, seconded by Commissioner Burkett, moved to authorize the submission of an application in the amount of \$40,000 and to accept funding as awarded, as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

### **2021 HOUSING BOND ALLOCATION TRANSFER**

Jill Baker, Director, Planning and Zoning, recommended the approval of a transfer of the Washington County's 2020 Housing Bond Allocation in the amount of \$5,810,651 to the Community Development Administration for use in issuing housing bonds on behalf of Washington County.

Commissioner Keefer, seconded by Commissioner Burkett, moved to approve the 2021 Housing Bond Allocation transfer in the amount of \$5,810,651, as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

### **FORMAL APPROVAL TO ADOPT THE TEXT AMENDMENT TO THE ZONING ORDINANCE FOR WASHINGTON COUNTY, MARYLAND (RZ-20-002)**

Kirk Downey, County Attorney, recommended authorization by Resolution to adopt the Text Amendment to the Zoning Ordinance for Washington County, Maryland (RZ-20-002). Ms. Baker added that there have been no citizen objections submitted on the matter.

Commissioner Keefer, seconded by Commissioner Burkett, moved to adopt the Resolution to adopt the Text Amendment to Zoning Ordinance for Washington County, Maryland as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

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

### **REVISION OF WASHINGTON COUNTY, EMPLOYEE HANDBOOK AND PR-34 "LEAVE", POLICY REGARDING PAID HOLIDAY SCHEDULE**

Larry Etchison, Director, Human Resources, recommended a revision to the current "Washington County Employee Handbook" and Policy PR-34 "Leave" Paid Holiday Schedule, to incorporate the new Juneteenth Paid Holiday and to discontinue the New Year's Eve Paid Holiday.

Vice-President shared that he would not support the removal of the NY Eve Holiday and would only support the addition of a holiday; all Commissioners concur.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the addition of the Juneteenth holiday yearly, for a total of 14 holidays. The motion passed unanimously (4-0, Commissioner Wagner was absent).

### **DISCUSSION ON THE REVIEW/APPROVAL PROCESS FOR LOCAL NON-PROFIT CONTINGENCY FUND REQUESTS**

The Board of County Commissioners discussed the various requests received from local non-profit agencies for reimbursement on fundraising events at County properties.

Commissioner Burkett shared that he would be agreeable with an amount not to exceed \$1,000 per event held at our county facility; this would be applicable towards any fee to include trash removal, rental, etc. by a local non-profit agency.

Commissioner Keefer added that he would support that recommendation and added that this would include only Washington County based non-profit agencies with a mission supporting local Washington County benefits.

Commissioner Cline recommended that the Board discuss the impact with the Agricultural Board prior to concluding the matter. Additionally, he requested that staff produce a draft agreement to present for review prior to approval.

Mr. Martirano shared event reimbursement requests from the Hagerstown Pony League, Kevin's Fund and the Wimp Hamburg Memorial Fund, which have already occurred, and he would recommend the use of the FY21 Contingency Fund should the Commissioners wish to approve.

Commissioner Burkett, seconded by Commissioner Keefer, moved to support a reimbursement in the amount of not to exceed \$3,500 for the three (3) non-profit agencies from the FY21 Commissioners Contingency fund; however, as of this date, there will be a standard set with an "up to" amount to be determined. The motion passed 3-1-0, Commissioner Cline voted "Nay"; Commissioner Wagner was absent.

*The Commissioners recessed at 10:44 a.m. and returned to the meeting at 11:01 a.m.*

**PUBLIC HEARING: NOT TO EXCEED \$60,000,000 OF ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS FOR THE BENEFIT OF HOMEWOOD AT WILLIAMSPORT, MARYLAND, INC. AND HOMEWOOD AT FREDERICK, MARYLAND, INC. AND PROPOSED RESOLUTION**

President Jeffrey A. Cline opened the Public Hearing at 11:01 a.m. Lindsay Rader, Bond Counsel for Washington County, and Sara Greaves, CFO, requested approval of a resolution expressing the intention of County Commissioners of Washington County to issue and sell one or more series of Economic Development Revenue Bonds in an original aggregate principal not exceeding \$60,000,000 and to loan the proceeds of the Bonds to Homewood at Williamsport MD, Inc. and Homewood at Frederick MD, Inc. (collectively, the "Maryland Obligated Group"), pursuant to the authority of the Maryland Economic Development Review Bond Act for the purpose of refinancing and financing costs of the Facilities identified below and financing other costs and expenses permitted by the Act. Ms. Rader stated that The Maryland Obligated Group has requested that the County adopt the Resolution in order to express the County's intention to issue the bonds and to preserve the company's ability to use proceeds of the bonds for reimbursement purposes in accordance with provisions of the U.S. Treasury Regulations, under the Internal Revenue Code of 1986.

Ms. Greaves added that there will be a \$25,000 issuers fee submitted by Homewood at Williamsport, Maryland, Inc. and Homewood at Frederick, Maryland, Inc.

The proposed Resolution also authorizes appropriate County officials to take necessary actions in connection with the contemplated transaction, including applying for certain volume cap allocations required by the Code. Before any bonds are issued, the Board of County Commissioners will need to adopt a separate authorizing resolution in accordance with the provisions of the Act.

The Public Hearing was opened for public comments, to which no citizen responded.

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

Commissioner Keefer, seconded by Commissioner Burkett, moved to approve the Resolution expressing the intention of the County to issue and sell one or more series of Economic Development Revenue bonds in an original aggregate principal not exceeding \$60,000,000 and loan the proceeds of the bonds to the Maryland Obligated Group as presented. The motion passed unanimously (4-0, Commissioner Wagner was absent).

(Resolution No. RS-2021-16 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioner's Office.)

**CONVENE IN CLOSED SESSION**

Commissioner Keefer, seconded by Commissioner Burkett, moved to convene in closed session at 11:08 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 the acquisition of real property for a public purpose and matters directly related thereto, in accordance with Sections 3-305(b) (1) and (3) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously (4-0, Commissioner Wagner was absent).

In closed session, the Commissioners discussed potential appointments to boards over which the Commissioners have authority, the filling of certain personnel vacancies with specific candidates, and the assignment of a certain employee; the Board provided staff direction in regards thereto. Additionally, the Commissioners discussed the potential real property acquisition.

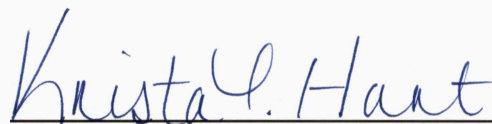
Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, and Charles A. Burkett; also, present were John M. Martirano, County Administrator; Krista L. Hart, County Clerk, and Kirk C. Downey, County Attorney. Additionally, the following staff members were present at times: Andrew Eshleman, Director, Public Works; Larry Etchison, Director, Human Resources; Todd Moser, Real Property Administrator, Engineering, Scott Hobbs, Director, Engineering; and Jill Baker, Director, Planning and Zoning. (Commissioner Randall E. Wagner was absent).

**RECONVENE IN OPEN SESSION**

Commissioner Keefer, seconded by Commissioner Burkett, moved to reconvene in open session at 12:26 p.m. The motion passed unanimously (4-0, Commissioner Wagner was absent).

**ADJOURNMENT**

Commissioner Baker, seconded by Commissioner Keefer, moved to adjourn at 12:27 p.m. The motion passed unanimously (4-0, Commissioner Wagner was absent).



Krista L. Hart, *County Clerk*