



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

October 19, 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: Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Charles A. Burkett (Vice-President Terry L. Baker was absent for the duration of the meeting).

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the minutes of September 28, 2021. The motion passed 3-1-0 (Commissioner Burkett abstained due to an absence).

COMMISSIONER COMMENTS

The Commissioners provided a brief overview of events attended throughout Washington County.

Commissioner Keefer congratulated the Clear Spring Town Council and non-profits who participated in the celebration of the 200th Anniversary. He shared information on local businesses, shopping, and outdoor recreation throughout Washington County and encouraged the community to participate in the opportunities offered.

Commissioner Burkett shared information on visits to local businesses, new and old. Commissioner Burkett announced that Krista Hart, County Clerk, celebrated her 25-year anniversary with Washington County last week; he thanked her for her commitment.

Commissioner Wagner thanked Scott Hobbs, Director, Engineering, and staff, for a successful Consolidated Transportation Priorities Tour (CTP) last week with MD Department of Transportation. Additionally, he discussed a presentation before the City of Hagerstown Mayor and Town Councilmembers by Jim Kline who proposed the placement of a helicopter from the Vietnam Era at the Vietnam War Veterans Monument and shared his dissatisfaction with a lack of support from the City of Hagerstown; he encouraged the community to reach out to the City of Hagerstown to show support on the matter.

President Cline also congratulated Ms. Hart. Additionally, he thanked everyone for the participation in the Step 'n' Stride event, which benefits Breast Cancer Survivors. President Cline shared his condolences for the family of Tim Dorsey who recently passed; Mr. Dorsey was a county employee for approximately 30 years.

President Cline also thanked staff for their participation in the CTP Tour and shared his utmost support for the I-81 Widening Project; he has put forth effort to schedule an in-person meeting with Secretary Slater to discuss the urgency of the matter.

STAFF COMMENTS

Division of Engineering

Scott Hobbs, Director, presented a letter of support for the I-81 Manufacturing Corridor Cluster Project Economic Development Administration Build Back Better Regional Challenge; he requested consensus to submit said letter to the US Department of Commerce.

The Commissioners reached a consensus to submit the letter of support as requested.

Todd Moser, Real Property Administrator, presented the Board with an option to decline the acquisition of surplus property, described as a service road off of MD 68, Clear Spring, Maryland. Mr. Moser explained that MDOT has notified the County it intends to sell the property and State policy permits the County to acquire said property at market value prior to proceeding with any sale activity. County staff has reviewed the property information and the property would offer little benefit to the County, in present or future.

The Commissioners reached a consensus to accept the recommendation to deny the acquisition as presented.

Office of Grant Management

Rachel Souders, Senior Grant Manager, Office of Grant Management, requested approval to submit grant application in the amount of \$87,511.95, and to accept funding as awarded from the Governors' Office of Crime Prevention, Youth, and Victim Services for the Washington County Detention Center Day Reporting Center's Pre-Trial Services Program.

Commissioner Burkett, seconded by Commissioner Keefer, moved to approve a grant application in the amount of \$87,511.95, and to accept funding as awarded. The motion passed unanimously.

Planning and Zoning

Jill Baker, Director, recommended authorization by adoption of a resolution for the 2022-2031 Solid Waste Management and Recycling Plan, which is required as an update every ten (10) years.

Commissioner Wagner, seconded by Commissioner Keefer, moved to authorize by resolution the 2022-2031 Solid Waste Management and Recycling Plan, as presented. The motion passed unanimously.

(Resolution No. RS-2021-31 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

County Attorney's Office

Kirk Downey presented a letter from Senator Paul Corderman in which he requested support for consideration of a Capital Budget funding request for the replacement of the Town of Boonsboro's water reservoir.

Commissioner Wagner, seconded by Commissioner Keefer, moved to provide a letter of support on the said matter as presented. The motion passed unanimously.

Additionally, the request included support for the City of Hagerstown's burn building for replacement and/or upgrades in the amount of \$500,000 with funding to be provided for from the Governor's Capital Budget.

The request failed due to lack of motion.

Additionally, Mr. Downey presented a request for Commissioner appointment to the Maryland Association of Counties Legislative Committee.

The Commissioners reached a consensus for Commissioner Burkett to be assigned, with Commissioner Cline as alternate.

County Administrator

John Martirano reminded all that there will be a joint meeting on October 26th with the City of Hagerstown Mayor and Town Councilmembers. Additionally, he thanked staff for their participation in the CTP Tour. He also shared his condolences to the family of Tim Dorsey; and shared prayers for Larry Etchison and family.

CITIZENS PARTICIPATION

Jerry DeWolf, Keedysville, and Chairman, Washington County Republican Committee, shared his opposition for a second early voting center as proposed at the Washington County Library.

Marilee Kerns, 5 Stouffer Avenue, Boonsboro, Maryland, also shared her opposition for the matter of a second early voting center at the Washington County Library.

Carlos Mellott, UniServ Director, Maryland State Education Association, invited the Commissioner's to participate in American Education Week as an "Educator for a Day", November 18, 2021.

ECONOMIC DEVELOPMENT WEEK (OCTOBER 25-29) PROCLAMATION

The Commissioners presented staff of the Department of Business Development with a proclamation recognizing October 25, 2021, through October 29, 2021, as "Economic Development Week".

2021 - 2022 FARM OF THE YEAR PRESENTATION

Leslie Hart, Agricultural Business Specialist; and Susan Grimes, Director, Business Development, presented Ivy Hill Farm with the award of 2021-2022 Farm of the Year.

A plaque was awarded, and the Commissioners congratulated the Martin family for the achievement.

WASHINGTON COUNTY COMMUNITY COALITION REQUEST FOR SUPPORT

Paul Frey, President of the Washington County Chamber of Commerce, and Jim Kercheval, Executive Director of the Greater Hagerstown Committee (GHC), presented a request for a \$10,000 contribution from the County Commissioners toward the Community Lobbying Coalition (Coalition). Coalition partners include the Convention Center and Visitors Bureau, GHC, City of Hagerstown, Washington County Free Library, Washington County Public Schools, Chamber of Commerce and Hagerstown/Washington County Industrial Foundation, Inc. (CHIEF), whose purpose is to advocate for local and State initiatives during the 2022 General Assembly session by hiring a lobbyist for representation in Annapolis.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve a \$10,000 contribution to the Washington County Community Coalition as presented. The motion passed unanimously.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDING DISCUSSION

Sara Greaves, CFO, and John Martirano, County Administrator, provided the Commissioners with the outcome of a recent poll for the community's top priorities in the use of the ARPA funds totaling \$14,625,274. Ms. Greaves requested guidance from the Commissioners as how to proceed.

The Commissioners discussed various priorities for potential funding allocations. The Commissioners shared that the top four matters be evaluated (excluding Premium Pay, which was previously addressed) and provided direction to staff accordingly.

EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) – ADDITIONAL FUNDING REQUEST

Rachel Souders, Senior Grant Manager, Office of Grant Management, and George Newman III, President and CEO, Washington County Community Action Council, recommended approval of the submission of a letter of interest for additional ERAP funding to the Department of Housing and Community Development, and to accept funding as awarded.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the submission of a Letter of Interest as presented, and to accept funding as awarded. The motion passed unanimously.

EB-4 SHORT TERM DISABILITY PLAN REVISION

Larry Etchison, Director, Human Resources, recommended approval of a revision to County Policy EB-4 Short Term Disability Policy, which authorizes the Director of Human Resources, with County Administrator's review and concurrence, to administer end-of-employment actions to county employees who are unable to perform their positions essential job functions and who have exhausted all FMLA, Paid Sick Leave, and Short-Term Disability Plan Benefits.

Commissioner Burkett, seconded by Commissioner Wagner, moved to approve the request as presented. The motion passed unanimously.

RESCIND BID AWARD INTG-21-0062: ONE BOBCAT T76 T4 COMPACT TRACK LOADER

Brandi Naugle, Buyer, Purchasing, and Dave Mason, Deputy Director, Solid Waste, recommended authorization by resolution the relief of Bobcat of Hagerstown, Maryland (MD) from the contract without prejudice for a purchase approved by the Board of County Commissioners of Washington County, August 10, 2021, for the lease/purchase of one Bobcat T76 T4 Compact Track Loader for a total cost of \$74,053.20. Ms. Naugle explained that after the award and final lease documents were prepared it was discovered that the submitted documentation did not include the interest or any fees associated to the leasing of the equipment from the leasing company; therefore, the cost of the five-year lease will be \$81,909.60.

Commissioner Wagner, seconded by Commissioner Keefer, moved authorize by resolution the relief of Bobcat of Hagerstown, MD from the contract (INTG-21-0062) in the amount of \$74,053.20, as presented. The motion passed unanimously.

(Resolution No. RS-2021-28 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE – ONE (1) BOBCAT T76 T4 COMPACT TRACK LOADER (INTG-21-0062)

Ms. Naugle and Mr. Mason recommended authorizing by resolution the Intergovernmental Cooperative Purchase (INTG-21-0062) with Bobcat, Hagerstown, Maryland (MD) utilizing another jurisdiction's contract awarded by Sourcewell (Contract #040319-CEC) for the lease/purchase of one (1) Bobcat T76 T4 Compact Track Loader for a total cost of \$81,909.60. Funds are budgeted in the department's account 535055-21-21020.

Commissioner Wagner, seconded by Commissioner Keefer, moved to authorize by resolution the Intergovernmental Cooperative Purchase INTG-21-0062 with Bobcat, Hagerstown, MD utilizing Sourcewell's Contract 040319-CEC, as presented. The motion passed unanimously.

(Resolution No. RS-2021-29 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

CONTRACT RENEWAL (2022-13) #2 HEATING OIL

Ms. Naugle and Andrew Eshleman, Director, Public Works, recommended concurrence with the recommendation of the Washington County Public Schools (WCPS) to renew the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, AC&T Company, Hagerstown, Maryland (MD), who submitted the bidder factor of \$0.1795 per gallon for tank wagon deliveries.

Ms. Naugle advised that the County and City of Hagerstown cooperatively bid heating fuel requirements with Washington County Public Schools (WCPS). WCPS awarded its contract for tank wagon loads to AC&T, Hagerstown, MD with the lowest bid of \$0.1795 per gallon over the weekly wholesale average price for #2 (high sulfur) heating oil as published in the Oil Price Information Service bulletin (OPIS, Pad 1, Baltimore gasoline and distillate reseller prices).

The contract is effective September 1, 2021 and ends July 31, 2022; the contract may be renewed for three (3) additional one (1) year terms at the discretion of the Board of Education.

Commissioner Keefer, seconded by Commissioner Burkett, moved to renew the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, AC&T, Hagerstown, MD, for the lowest bid of \$0.1795 per gallon for tank wagon deliveries as presented. The motion passed unanimously.

BID AWARD (PUR1518) BULK DELIVERY OF ROAD SALT

Ms. Naugle, and Zane Rowe, Deputy Director, Highway Department, recommended award of the contract for the purchase/delivery of Bulk Road Salt to the responsible, responsive bidder, Cargill, Incorporated, North Olmsted, Ohio who submitted the price of \$76.38 per ton. The contract period is tentatively October 1, 2021, through April 30, 2022.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the award of PUR1518 as presented. The motion passed unanimously.

BID AWARD (PUR1516) ONE TARP MACHINE

Rick Curry, Director, Purchasing; and Mr. Mason, recommended authorization to award the purchase of one (1) Tarp Machine, contract PUR1516 to the responsive, responsible bidder with the lowest bid, Con-Wal (dba Southwestern Sales), Rodgers, Arizona (AZ), and contingent upon approval of the final Lease Agreement by the County Attorney's Office and the procurement is contingent upon the company being registered and providing proof of being in "Good Standing" with the Department of

Assessment and Taxation. Funds are budgeted in the department's operating account 535055-21-21020.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the award of PUR1516, as presented. The motion passed unanimously.

BUDGET ADJUSTMENT – PARKS AND RECREATION CAPITAL IMPROVEMENT

Mr. Eshleman presented the recommendation to approve a budget adjustment in the amount of +\$1,365,000 for state Local Parks and Playground Infrastructure funds received in fiscal year 2022 and a second adjustment for -\$265,000 for competitive grants budgeted in the Capital Improvement Plan that will not be received.

Commissioner Burkett, seconded by Commissioner Keefer, move to approve the budget amendments as presented. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-21-0069) –
PLAYGROUND EQUIPMENT FOR PARKS AND FACILITIES**

Rick Curry, Director, Purchasing, and Mr. Eshleman recommended authorization by Resolution, the purchase of playground equipment from Playground Specialist, Inc., Thurmont, Maryland (MD), and to utilize the Houston-Galveston Area Council Contract Number PR11-20 for the total sum amount of \$374,050.76 (Clear Spring Park, Marty Snook Park, Pen Mar Park); and to purchase various playground equipment from Kompan, Inc., Austin, Texas (TX) and to utilize the Omnia contract (#2017001135) for a total sum of \$399,888.76 (Camp Harding Park, Chestnut Grove Park, Rectangle Hip Shade at Marty Snook Park). Funds are budgeted in the department's Capital Improvement Plan Account REC037, 515000.30.11900.

Commissioner Burkett, seconded by Commissioner Wagner, moved to authorize by Resolution for the Intergovernmental Cooperative Purchase INTG-21-0069, as presented. The motion passed unanimously.

(Resolution No. RS-2021-30 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

**FY22 MIEMSS CARDIAC DEVICE GRANT – APPROVAL TO SUBMIT APPLICATION
AND ACCEPT AWARDED FUNDING**

Dave Chisholm, Deputy Director, Operations, Emergency Services, and Allison Hartshorn, Grant Manager, Office of Grant Management, recommended approval to submit a funding application through the Maryland Institute for Emergency Medical Services Systems (MIEMSS) in the amount of \$27,617.61, and to accept awarded funding.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the submittal of the grant application to the MIEMSS in the amount of \$27,617.61, and to accept funding as awarded, as presented. The motion passed unanimously.

**MARYLAND GENERAL ASSEMBLY LEGISLATION REQUIRING MULTIPLE EARLY
VOTING CENTERS**

Barry Jackson, Deputy Director, Board of Elections, recommended approval of the Smithsburg Library as the third Early Voting Center in Washington County Maryland, relating to House Bill 745. The Commissioners discussed the selection of Washington County Library as the second location for the Early Voting Center and the lack of consideration of the opinion of the Board.

Commissioner Burkett, seconded by Commissioner Keefer moved deny the request for funding of a third site.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 11:58 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; or any other personnel matter that affects one or more specific individuals; and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, in accordance with Sections 3-305(b) (1) and (4) 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 board over which the Board has appointment authority and discussed a variety of personnel matters to include the compensation and filling of certain personnel vacancies with specific candidates, the Board provided staff direction in regards thereto. The Commissioners also discussed business development updates.

Present during closed session were Commissioners Jeffrey A. Cline, Wayne K. Keefer, Randall E. Wagner, and Charles A. Burkett; also, present were John M. Martirano, County Administrator; Kirk C. Downey, County Attorney, and Krista L. Hart, County Clerk. Additionally, the following staff member was present at times: Larry Etchison, Director, Human Resources; Andrew Eshleman, Director, Public Works; Susan Buchanan, Director, Office of Grant Management; and Susan Grimes, Director, Business Development (Commissioner Terry L. Baker was absent).

RECONVENE IN OPEN SESSION

Commissioner Keefer, seconded by Commissioner Wagner, moved to reconvene in open session at 12:52 p.m. The motion passed unanimously.

STAFF COMMENTS

Human Resources – Larry Etchison, Director

Mr. Etchison presented the recommendation to hire Zane Garrett for the position of Accountant (#1373), Grade 13, Step 1, \$52,146; the position is vacant due to the resignation of Megan Smith.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the recommendation to hire Zane Garrett for the position of Accountant as presented. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Keefer, moved to adjourn the meeting at 12:53 p.m. The motion passed unanimously.



Krista L. Hart, County Clerk

