



Board of County Commissioners of Washington County, Maryland
Open Session Minutes
November 30, 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: Vice-President Terry L. Baker, Commissioner Wayne K. Keefer, Commissioner Randall E. Wagner, and Commissioner Charles A. Burkett.

APPROVAL OF MINUTES

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the minutes of November 19, 2021. The motion passed (3-2, Commissioners Cline and Burkett abstained due to an absence)

COMMISSIONER COMMENTS

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

Commissioner Keefer discussed non-profits and the annual campaign drive for “Giving Tuesday” and encouraged all to support the local non-profits / charities. Additionally, Commissioner Keefer shared a request from the Hancock Fire Company which related to a property upgrade consisting of 133 acres, requesting a contribution from the Commissioners Contingency Fund.

Commissioner Keefer, seconded by Commissioner Burkett, moved to approve the award of funding from the Commissioner’s Contingency Fund (or alternate if needed) in the amount of \$35,823.49 to the Hancock Fire Company. The motion passed unanimously.

Commissioner Burkett thanked everyone for thoughts and prayers during his illness. Additionally, he shared that he has reached out to the Mayor and Town Council members to begin meeting to settle pending matters.

Commissioner Wagner congratulated Paulie Ward on receiving the Peoples Choice Award; he also thanked staff for organizing the Turkey Trot event.

President Cline also thanked Jaime Dick for working the event and organizing said event. Also, he met with Councilmember Bruchey to discuss issues; he congratulated Paulie Ward as well.

STAFF COMMENTS

Office of Grant Management

Susan Buchanan, Director, informed the Board of an award made from the Hotel Rental Tax Grant to the Cumberland Valley Athletic Club in the amount of \$13,000 for Washington County Sheriff’s Office overtime expenses for the 59th annual JFK Ultramarathon Race, which was held Saturday, November 20th.

Additionally, she provided information of an award made to the Maryland Theatre in the amount of \$5,000 for the Krumpe's Donut Drop 2022 for an event scheduled for December 31st.

Ms. Buchanan informed the Board of an award from the General Fund Contingency Grant in the amount of \$2,000 to Star Community, Inc. to assist with the cost of Serious Incident Investigation Training for staff.

County Administrator

John Martirano presented a request for a letter of support from the Town of Boonsboro regarding the installation of new well at Shafer Park. The Commissioners reached a consensus to proceed as presented.

Additionally, he presented a request from Brook's House and requested a waiver of a \$6,900 fee for EDU's, paid from the Commissioner's Contingency Fund.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve a payment in the amount of \$6,900 from the Commissioners Contingency Fund.

CITIZENS PARTICIPATION

Marty Lumm, Director, Board of Elections, and Kaye Robucci, Board of Elections, discussed the American Rescue Plan Funding payments to staff.

The Commissioners recessed at 10:21 a.m. and returned to the meeting at 10:30 a.m.

PUBLIC HEARING: APPLICATION FOR ZONING MAP AMENDMENT RZ-21-005

President Cline convened a public hearing at 10:30 a.m. to obtain public comment regarding the rezoning application to establish a new Mixed-Use Commercial (MXC) floating zone over top of the existing Highway Interchange (HI) base through a rezoning map amendment.

Travis Allen, Comprehensive Planner, and Jill Baker, Director, Planning and Zoning, presented the staff report and analysis for RZ-21-005. The applicant, Sharpsburg Holdings, LLC seeks a map amendment to establish a new Mixed-Use zoning district at 10319 Sharpsburg Pike, approximately 1/3 mile south of Interstate 70 interchange.

The Washington County Planning Commission held a Public Information Meeting on August 30, 2021 and deliberated at the October 4th meeting where the members unanimously recommended for denial of the proposed map amendment. All written and oral public comments prior to the Public Information meeting have thus far been in opposition to the proposed amendment.

Ms. Baker shared that additional information on the matter has been provided following the submittal to the Planning Commission.

Zachary Kieffer, Law Office of Zachary J. Kieffer, LLC, 19405 Emerald Square, Suite 2100, Office 202, Hagerstown, Maryland, presented on behalf of the applicant. Mr. Kieffer submitted a letter dated November 24, 2021, to the Board of County Commissioners, Exhibit #1, as a matter of record.

Trevor Frederick, Engineer, Frederick, Seibert, and Associates, spoke on the number of planned units.

Beverly Bowers, 1041 Bearcreek Drive, expressed opposition to the application.

Mr. Kieffer presented rebuttal on behalf of the applicant.

The Public Hearing was concluded at 11:16 a.m.

The Commissioners discussed the matter and reached a consensus to instruct staff to return to the Planning Commission with the newly submitted information of 55+ age groups.

UTILITY VEHICLE PURCHASE/REPLACEMENT

This matter was removed from the agenda.

ENGINEERING / DESIGN CONTRACTS

Scott Hobbs, Director, Engineering, presented the recommendation approval of the federal aid bridge design contracts for several projects as included in the Capital Improvement Plan, exceeding \$50,000. Mr. Hobbs shared that the projects are described as: Halfway Boulevard Bridge over Norfolk Southern Railroad, Roxbury Road Bridge over Beaver Creek, Crystal Falls Road Bridge over Beaver Creek, Keedysville Road Bridge over Antietam Creek, and Gardenhour Road Bridge over Little Antietam Creek.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the federal aid bridge design contracts, as presented. The motion passed unanimously.

INTERGOVERNMENTAL COOPERATIVE PURCHASE - EMBANKMENT

STABILIZATION (INTG-21-0073)

Mr. Hobbs recommended authorizing by Resolution, for the approval of work from GeoStabilization International at the contracted unit prices as awarded by Delaware County, New York per the Agreement/Proposal No. 31-18 totaling \$326,995. The funds are budgeted in the capital improvement plan project RDI024.

Commissioner Wagner, seconded by Commissioner Baker, moved to authorize by resolution the Intergovernmental Cooperative Purchase relating to the embankment slope stabilization by GeoStabilization International, as presented. The motion passed unanimously.

(Resolution No. RS-2021-34 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

INTERGOVERNMENTAL COOPERATIVE PURCHASE – FOUR (4) NEW FORD 2022 F350 (INTG-21-0070)

Brandi Naugle, Buyer, Purchasing; and Zane Rowe, Deputy Director, Highway Department, recommended authorizing by Resolution, for Highway Department to purchase four (4) new 2022 Ford F-350 vehicles for a total cost of \$207,999.97 and to utilize another jurisdiction's contract that was awarded by Baltimore County (contract number 04504) to Apple Ford of Columbia, Maryland. The funds are budgeted in the Washington County Highway Department's Capital Improvement Plan budget account 600300.30.20010.EQP042.

Commissioner Baker, seconded by Commissioner Wagner, moved to authorize by resolution the Intergovernmental Cooperative Purchase for the purchase of four (4) 2022 Ford F350 at a total cost of \$207,999.97, as presented. The motion passed unanimously.

(Resolution No. RS-2021-35 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

**CONTRACT AWARD (PUR1514) INDUSTRIAL EQUIPMENT LEASE/PURCHASE
AND TRADE-IN FOR VARIOUS COUNTY DEPARTMENTS**

Ms. Naugle, Mr. Rowe, and Danny Hixon, Deputy Director, Parks and Facilities, recommended bid award as indicated below and contingent upon approval of the final lease agreements by the County Attorney's Office.

Equipment Vendor Bid Amount

Item # 1A- Three (3) Diesel Engine, Backhoe/Front End Loaders, With Thumb, w/o radial tires (Highway)	Jesco, Inc. South Plain, NJ.	*Annual Lease Payment for 5 Years \$ 43,863.51 / Yr.
Item # 1B- Two (2) Diesel Engine, Backhoe/Front End Loaders, With Thumb, with radial tires (Highway)	Jesco, Inc. South Plain, NJ.	*Annual Lease Payment for 5 Years \$ 30,206.82 / Yr.
Item # 1C- One (1) Diesel Engine, Backhoe/Front End Loaders, w/o Thumb, w/o radial tires (Highway)	Jesco, Inc. South Plain, NJ.	*Annual Lease Payment for 5 Years \$ 16,930.62 / Yr.
Item #2A - Five (5) Diesel Engine, Rubber Tired Wheel Loaders, w/o Henke Dozer Blade, with third function hydraulics (Highway)	Jesco, Inc. South Plain, NJ.	*Annual Lease Payment for 5 Years \$ 92,711.39 / Yr.
Item #2B - One (1) Diesel Engine, Rubber Tired Wheel Loaders, with Henke Dozer Blade, with third function hydraulics (Highway)	Jesco, Inc. South Plain, NJ.	*Annual Lease Payment for 5 Years \$21,698.96 / Yr.
Item #3 – Two (2) Diesel Engine, Mini Hydraulic Excavators (Highway)	Carter Machinery Baltimore, Md	*Annual Lease Payment for 5 Years \$73,288.00 /Each
Item #4 - One (1) Diesel Engine, Backhoe/Front End Loaders (Parks & Facilities)	Jesco, Inc. South Plain, NJ	*Annual Lease Payment for 5 Years \$14,601.21 / Yr.
Item # 5 – One (1) Multi Terrain Loader (Parks & Facilities)	Carter Machinery Baltimore, MD	*Annual Lease Payment for 5 Years \$ 10,840.00 / Yr.
Item # 6– One (1) Diesel Engine Backhoe/Front End Loader (Water Quality)	Jesco, Inc. South Plain, NJ	*Annual Lease Payment for 5 Years \$ 15,588.35 / Yr.

***Includes trade-in of used equipment**

Commissioner Wagner, seconded by Commissioner Keefer, moved to award the contract PUR1514 to those bidders as presented. The motion passed unanimously.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to convene in closed session at 11:27 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; To consult with counsel to obtain legal advice on a legal matter; To 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 development of fire and police services and staff; and (ii) the development and implementation of emergency plans; & 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 the filling of certain personnel vacancies with specific candidates, and appointments to certain Boards and Commissions; the Board provided staff direction in regards thereto. The Commissioners discussed certain contractual issues and further discussed the provision of emergency services, staffing and response planning.

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; Kirk C. Downey, County Attorney, and Krista L. Hart, County Clerk. Additionally, the following staff members were present at times: Larry Etchison, Director, Human Resources; David Hays, Director, Emergency Services; Kevin Lewis, Deputy Director, Emergency Services; Dale Fishack, President, Washington County Volunteer Fire and Rescue Association; Retired Chief John Tippett, Chief Charles Bailey; Richard Hopkins, Emergency Services Advisory Council; Chief Jerry Keplinger; Oley Griffith, Volunteer Representative; Todd Moser, Real Property Administrator; Andrew Eshleman, Director, Public Works; Scott Hobbs, Director, Engineering; and Danielle Weaver, (IT Tech Room).

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 1:34 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn the meeting 1:34 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

