



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

December 7, 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 10:04 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 Wagner, moved to approve the minutes of November 30, 2021. The motion passed unanimously.

COMMISSIONER COMMENTS

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

Commissioner Keefer thanked the County Highway Department for the road preparation for the potential upcoming weather event. He congratulated the new owners of the former Leitersburg Cinemas and thanked all for investing in Washington County.

Commissioner Wagner echoed Commissioner Keefer's comments.

President Cline recommended staff address the upcoming Christmas holiday and potential early dismissal. Additionally, he thanked all who support the Interfaith Coalition. President Cline briefly discussed a "hum" in Williamsport, sharing that staff will be addressing the issue.

STAFF COMMENTS

Permits and Inspections

Rich Eichelberger, Director, congratulated Frank Quillen, Deputy Code Inspector, on his recent appointment as President of the Maryland Building Officials Association.

Emergency Services

Dave Hays, Director, presented a request for an additional funding for the Washington County Volunteer Fire and Rescue Association premium pay in the amount of \$137,000.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the additional funding as presented. The motion passed unanimously.

Planning and Zoning

Jill Baker, Director, and Heather Wimberly provided the Commissioners with an update as to recent complaints of noise in Williamsport.

911 Emergency Communications

Brian Albert, Assistant Director, requested authorization to submit for grant funding with the State of Maryland 911 Board in the amount of \$25,776.20 for the emergency replacement of forty (40) HX400 batteries at the 911 Center, Elliott Parkway, and the 911 Center, 128 W. Washington Street; these batteries are used in the event of catastrophic power failures.

Mr. Albert also requested authorization to submit for additional grant funding in the amount of \$205,874.64 to the Maryland 911 Board for project management and technical support through the ESInet implementation project.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the two requests as presented. The motion passed unanimously.

County Clerk – Boards and Commissions appointment/reappointment requests

Washington County Community Organization Funding Committee

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the appointment of Shawn Martin to serve a first term as Commissioner Burkett's representative from October 1, 2021, through March 31, 2023. The motion passed unanimously.

Washington County Plumbing and Mechanical Board

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the reappointment of Gary Price to serve a fourth term as a Master HVAC contractor from November 1, 2021, through October 31, 2024; and to permit an exception to the two-term limit as written in the by-laws and County Policy PR22. The motion passed unanimously.

Washington County Electrical Board of Examiners and Supervisors

Commissioner Keefer, seconded by Commissioner Burkett, moved to appoint Daniel Sterling to serve a third term as a Member-At-Large from November 1, 2021, through October 31, 2023; and to permit an exception to the two-term limit as written in the by-laws and County Policy PR22. The motion passed unanimously.

County Administrator

John Martirano thanked Secretary Slater and Mark Widmyer for meeting to discuss the necessity for I81. Additionally, he thanked Judge Boyer for the 150th Commemoration tokens recognizing the second Washington County Court House; staff are welcome to obtain one by visiting the County Administration offices.

CITIZENS PARTICIPATION

Chip Wood shared his support in the Civil War Rail Trail.

PUBLIC HEARING: PROPERTY ACQUISITION OF 747 NORTHERN AVENUE

President Cline convened a public hearing at 10:37 a.m. to obtain public comment regarding the purchase of 747 Northern Avenue, Hagerstown, Maryland, for use as the future Washington County Administrative Annex Building.

Todd Moser, Real Property Administrator, provided the Commissioners with information regarding the potential purchase of the property at 747 Northern Avenue, Hagerstown, Maryland in the amount of \$1,150,000, and recommended approving an ordinance authorizing the purchase of said property, and to authorize the execution of the necessary documentation to finalize the acquisition.

Additionally, Mr. Moser recommended approval of a budget adjustment in the amount of \$2,060,000 to BLD108.

The Public Hearing was opened for citizen comment; however, no citizens appeared for comment.

The Public Hearing was opened for Commissioner comments.

Mr. Moser explained to the Board that the County is required to vacate the current building at 80 West Baltimore Street by the Maryland Stadium Authority.

The Public Hearing was concluded at 10:42 a.m.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve an ordinance authorizing the acquisition, and to approve the budget adjustment as presented. *The motion was withdrawn.*

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the purchase of 747 Northern Avenue for the future Administrative Annex Building and to approve an ordinance approving said purchase and to authorize the execution of the necessary documentation to finalize the acquisition; and move to approve a budget adjustment for the project. The motion passed unanimously.

(Ordinance No. ORD-2021-20 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

FACES OF FARMING PRESENTATION: AGRICULTURE

Susan Grimes, Director, Business Development, presented a presentation focusing on agriculture as part of the Faces of Farming campaign.

PROPERTY EXCHANGE WITH WASHINGTON COUNTY PUBLIC SCHOOLS / BOARD OF EDUCATION

Mr. Moser, and Andrew Eshleman, Director, Public Works, recommended approval to convey and accept property located at 50 West Oak Ridge Drive and 1307 South Potomac Street, Hagerstown, Maryland with the Washington County Public Schools / Board of Education via ordinance approving said conveyance and acceptance, and to authorize the execution of necessary documentation to finalize the conveyance and acceptance.

Commissioner Wagner, seconded by Commissioner Keefer, with comment, moved to approve an ordinance authorizing the conveyance and acceptance of property, and the execution of necessary documentation as presented. The motion passed unanimously.

(Ordinance No's. ORD-2021-21 and ORD-2021-22 are recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

DELIBERATION / CONSENSUS DECISION ON APPLICATION FOR ZONING MAP AMENDMENT RZ-21-003, BLACK ROCK PUD

Jill Baker, Director, Planning and Zoning, brought forth Zoning Map Amendment RZ-21-003 for consideration and discussion by the Commissioners. The matter involves a request for a major change to the approved Black Rock Planned Unit Development (PUD). The approved Black Rock PUD allows for 595 residential dwelling units; the applicant is requesting a major change to allow for 1,148 dwelling units. The matter had been the subject of a Public Hearing on November 2, 2021.

Commissioner Wagner shared his opposition to the matter, commenting that he was concerned with the proposed increase in density and housing units and with apparent incompatibility with the surrounding neighborhood. He added that the density and population of this location needs to be considered. Commissioner Baker supported the comments.

Commissioner Burkett shared his opposition to the request as well, noting strong public opposition to the proposed major change.

Commissioner Keefer also shared his opposition to the request. He spoke of his concerns that the proposed increase in units would bring, including the adequacy of the water system infrastructure to serve existing and future homes. He noted that increased density and the resulting units would further exacerbate water supply issues already experienced by residents in the area. He also expressed concern that increased density and more units would result in additional traffic, burdening already heavily travelled roads and potentially overwhelming the surrounding road network, particularly Mt. Aetna Road.

Commissioner Cline expressed similar concerns with the proposal.

The Commissioners reached a consensus to deny the requested Zoning Map Amendment; a decision with findings of fact will be prepared for consideration and adoption by the Commissioners.

PROPOSED SALARY SCALES FOR THE SHERIFF'S OFFICE

Sheriff Doug Mullendore presented the recommendation to approve the revised salary scales for deputies, as instructed by the Commissioners, and to approve a budget adjustment in the amount of \$2,769,93.

Commissioner Wagner, seconded by Commissioner Keefer, with comment, moved to approve the revised salary scales, retroactive to the first pay period in July 2021, as presented; and to approve a budget adjustment for said increases. The motion passed unanimously.

AMERICAN RESCUE PLAN ACT OF 2021 OLDER AMERICAN ACT FUNDS

Amy Olack, CEO, Bill Beard, President, Board of Directors, and Ed Lough, Vice-President, Board of Directors, Commission on Aging, presented the recommendation to approve a local match requirement in the amount of \$122,027 for the Washington County Commission on Aging to obtain American Rescue Plan Act of 2021 Funds in the total amount of \$575,719 for the Federal Older American's Act programs.

Commissioner Keefer, seconded by Commissioner Burkett, moved the request to provide \$122,027 as a local match requirement, with funding from the pension savings, as presented. The motion passed unanimously.

Commissioner Keefer thanked Mr. Beard for his service on the Commission on Aging Board.

CLOSED SESSION

Commissioner Baker, seconded by Commissioner Keefer, moved to convene in closed session at 11:23 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 consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; 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.

In closed session, the Commissioners discussed potential staffing reorganization; appointments to certain Boards and Commissions; and potential ad hoc commission establishment and recommendations concerning officials over whom this body has jurisdiction; the Board provided staff direction in regards thereto. The Commissioners discussed business development status and pending lawsuit.

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; and Joshua O'Neal, Director, Information Systems.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 12:45 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn the meeting 12:46 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

