



## **Board of County Commissioners of Washington County, Maryland**

### ***Open Session Minutes***

**June 7, 2022**

#### **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 9:01 a.m. at 100 West Washington Street, Hagerstown, Maryland, with the following members present: Commissioner Wayne K. Keefer; Commissioner Charles A. Burkett; and Commissioner Randall E. Wagner; Vice President Terry L. Baker was absent.

#### **APPROVAL OF MINUTES**

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the minutes of May 24, 2022. The motion passed unanimously.

#### **CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 9:04 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 conduct collective bargaining negotiations or consider matters that are related to the negotiations; 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), (4), (7), and (9) 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 council over which the Board has appointment authority; the filling of certain personnel vacancies with specific candidates; and certain business development updates; the Board provided staff direction in regards thereto. The Board consulted with counsel to receive legal advice concerning a collective bargaining matter and provided specific direction to staff regarding same.

Present during closed session were Commissioners Jeffrey A. Cline; Wayne K. Keefer; and Randall E. Wagner; Charles A. Burkett was absent; 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 various times: Deb Condo, Interim Director, Human Resources; Dave Hays, Director, Emergency Services; Scott Hobbs, Director, Engineering; and Todd Moser, Real Property Administrator (Commissioner Terry L. Baker was absent).

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

Commissioner Keefer, seconded by Commissioner Wagner, moved to reconvene in open session at 10:09 a.m. The motion passed unanimously.

*The Commissioners recessed at 10:09 a.m. and returned to the meeting at 10:15 a.m.*

## **COMMISSIONER COMMENTS**

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

Commissioner Keefer thanked John Martirano, County Administrator, for attending a tour of Western Washington County; adding that the State of the County was shared. Additionally, he discussed the Sidling Hill Overlook (pull-off), off of National Pike and requested staff consider updating.

Commissioner Keefer presented a request from Vice President Baker during his absence; this request consisted of a letter of support for the Board of Zoning Appeals to deny the request for a special exception which would allow for a truck stop to be situated on the corner of Lappans and Spielman Roads; Commissioner Keefer shared his support.

Commissioner Burkett shared his appreciation for those involved in the budget approval, including a tax reduction. Additionally, he shared his support for the letter discussed by Commissioner Keefer.

Commissioner Wagner shared his opposition to the request for letter of denial previously discussed by Commissioner Keefer; he discussed alternatives at that location, which may consist of warehouses.

President Cline shared that he would support the decision of the Board of Zoning Appeals on the matter discussed by Commissioner Keefer; therefore, not supporting the letter; however, he would support any subsequent court action. He thanked Rich Eichelberger, Director, Permits and Inspections, for a prompt response to an issue over the weekend.

## **STAFF COMMENTS**

### *Division of Human Resources*

Deb Condo presented a request to hire Ashley Acevedo for the position of Public Relations Coordinator within the Division of Public Works and Marketing (Grade 15, Step 1, \$60,840); this position is vacant due to the resignation of Brittany Arizmendi.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the request to hire Ashley Acevedo, as presented. The motion passed unanimously.

### *Boards and Commissions – County Clerk*

#### Washington County Commission for Women

Commissioner Wagner, seconded by Commissioner Keefer, moved to appoint Stephanie Smith and Danielle Garth each to serve a first three-year term from June 1, 2022 through May 31 2025; this is not a paid board. The motion passed unanimously.

#### Washington County Community Health Advisory Commission

Commissioner Wagner, seconded by Commissioner Burkett, moved to appoint Nicholas Wolfe to serve an unfulfilled term from June 1, 2022 through December 31, 2024 as a member of a Civil Engineering Firm; this is not a paid board. The motion passed unanimously.

#### Washington County Board of Zoning Appeals

Commissioner Wagner, seconded by Commissioner Keefer, moved to reappoint Tracie Felker and Robert Meyers each to serve a first three-year term as a Regular Member from July 1, 2022 through June 30, 2025; and to appoint Karen Federman Henry and Timothy Ammons each to serve as Alternate Members from July 1, 2022 through June 30, 2025; this is a paid board. The motion passed unanimously.

Additionally, Ms. Hart presented the recommendation to approve *revised* Open Session Minutes from April 12, 2022.

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

### **CITIZEN PARTICIPATION**

Bill Williams, 418 McDowell Avenue, Hagerstown, discussed issues surrounding law enforcement officers.

Sara Jones, US Law Shield, echoed Mr. Williams comments and concerns.

Susanne Donaldson, Natural Well Road, Williamsport, thanked Commissioner's Burkett, Keefer, and Baker for supporting the denial of the proposed truck stop location. Additionally, she shared her opposition to said proposed truck stop.

Bob Harsh, 15852 Falling Waters Road, discussed the proposed truck stop on Lappans Road.

Jimmy Black, Washington County resident, shared his opposition to the proposed truck stop.

Barbara Hovermale, Washington County, shared her opposition to the proposed truck stop.

Jonathan Kays, 17002 Fairplay Farms Court, shared his opposition to the proposed truck stop.

### **PUBLIC HEARING: WASHINGTON COUNTY MARYLAND, POLICE ACCOUNTABILITY BOARD**

President Jeffrey A. Cline convened a public hearing at 10:47 a.m. to obtain public comment regarding the proposed Washington County, Maryland, Police Accountability Ordinance. President Cline reviewed the procedures for the Public Hearing.

Kirk Downey, County Attorney, presented the proposed Ordinance for the establishment of the Washington County, Police Accountability Board, as outlined in Chapter 59 of the Acts of the General Assembly-Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures.

The Public Hearing was opened for citizen comment.

Andrew Bright, Attorney, Washington County Sheriff's Office, spoke on the matter to include number of members, municipalities, and other topics.

The Public Hearing was closed at 11:09 a.m.

The Commissioners discussed the number of members on the Board; Commissioner Keefer recommended seven (7) members and the potential to request that the municipalities who currently operate a law enforcement agency present a recommendation for appointment of two (2) members, with final approval by the Board of County Commissioners.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve by Ordinance with revisions to include seven (7) members, with two (2) members jointly recommended by the Municipalities with law enforcement agencies. Motion withdrawn.

Commissioner Keefer, seconded by Commissioner Wagner, moved to adopt an Ordinance as presented with changes to include a composition of seven (7) members appointed by majority vote of the Board of County Commissioners with two (2) individuals recommended by the four (4) municipalities in Washington County operating a municipal Law Enforcement Agency. The motion passed unanimously.

(Ordinance No. ORD-2022-XX is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

### **2021 BUILDING CODE REVIEW COMMITTEE**

Rich Eichelberger, Director, Permits and Inspections / Code Official, and Frank Quillen, Chief Plans Examiner Deputy Code Official, requested consensus to form a Building Code Review Committee to assist in the review of the 2021 Building Codes, in preparation for local adoption. Mr. Eichelberger shared that the fiscal impact would be approximately \$5,500 for Committee/Board member code books, as outlined in the departmental budget.

The Commissioners reached a consensus to proceed as presented.

### **AUTHORIZATION TO DECLINE ACQUISITION OF CERTAIN STATE SURPLUS PROPERTY**

Todd Moser, Real Property Administrator, recommended approval to grant authorization to the Real Property Administrator to decline acquisition of State surplus property located off U.S. 340, south of the intersection with Valley Road, Washington County.

Commissioner Keefer, seconded by Commissioner Wagner, moved to decline the acquisition of state surplus as presented. The motion passed unanimously.

### **BID AWARD (PUR1545) FOUR NEW EMERGENCY BOATS WITH CUSTOM TRAILERS**

Brandi Naugle, Buyer, Purchasing, and Dave Hays, Director, Emergency Services, recommended approval to award contract PUR1545 for the purchase of four (4) new Emergency Boats with Custom Trailers for the Division of Emergency Services, to the responsible, responsive bidder, Demaree Inflatable Boats, Inc., Friendsville, Maryland, for the Total Sum Bid in the amount of \$158,476; funds are budgeted in the Division of Emergency Services' Capital Improvement Plan 600300.30.11430.

Commissioner Keefer, seconded by Commissioner Wagner, moved to award contract PUR1545 to Demaree Inflatable Boats, Inc., Friendsville, Maryland, for the Total Sum Bid in the amount of \$158,476, as presented. The motion passed unanimously.

### **LOAN FORGIVENESS FUNDING – FIRST HOSE COMPANY OF BOONSBORO**

Mr. Hays recommended approval of a budget adjustment in the amount of \$300,000 from Capital Improvement Reserves, and to allocate that amount for the loan forgiveness as authorized on August 24, 2018, and to replace the funds utilized from the Volunteer Fire and Rescue Reserve Apparatus Fleet.

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

### **2022 HOUSING BOND ALLOCATION TRANSFER**

Jill Baker, Director, Planning and Zoning, recommended the approval of a transfer of the Washington County's 2022 Housing Bond Allocation in the amount of \$5,917,412 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 2022 Housing Bond Allocation transfer in the amount of \$5,917,412, as presented. The motion passed unanimously.

### **RENEWAL OF WASHINGTON COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN PARTICIPATION AND RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLANS**

Rachel Souders, Senior Grant Manager, Office of Grant Management, requested approval to renew the County's Community Development Block Grant Citizen Participation and Residential Anti-Displacement and Relocation Assistance Plans. Ms. Souders stated that, if approved, the policies would be effective for a five (5) year period, allowing the County to continue eligibility for CDBG funding.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve renewal of the Community Development Block Grant Plans, as presented. The motion passed unanimously.

**AMERICAN RESCUE PLAN ACT GRANT – ACCEPT AWARDED FUNDING**

Ms. Souders, and Kevin Cerrone, Director, Washington County Transit, recommended approval to accept funding from the Federal American Rescue Plan Act in the amount of \$512,092. Ms. Souders shared that the funds will be used to continue and/or improve the operations of public transportation through 2024.

Commissioner Wagner, seconded by Commissioner Burkett, moved to accept the funding in the amount of \$512,092, as presented. The motion passed unanimously.

**SEX OFFENDER COMPLIANCE AND ENFORCEMENT MARYLAND GRANT**

Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff's Office, and Ms. Souders recommended approval to submit the grant application for the FY23 Sex Offender Compliance and Enforcement Maryland Grant to the Governor's Office of Crime Control and Prevention in the amount of \$29,391 and to accept funding as awarded. This would provide funding for salaries of two (2) part-time civilian employees, assisting the Sex Offender Registrar.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the submission of the grant application for the FY23 Sex Offender Compliance and Enforcement Maryland Grant in the amount of \$29,391 and to accept funding as awarded. The motion passed unanimously.

**THOMAS EASEMENT CONTRIBUTION – MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION**

Chris Boggs, Rural Preservation Administrator, Planning and Zoning, recommended approval of a commitment to the Tracy E. Thomas and Brenda L. Thomas easement project forms the State Agricultural Transfer Tax fund in the amount of \$140,229.30.

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

**AGRICULTURE - FACES OF FARMING**

Leslie Hart, Business Specialist, Business Development, shared a video showcasing DeBaugh Farms from Boonsboro, Maryland.

**PROCLAMATION: DAIRY MONTH (JUNE)**

The Board of County Commissioners presented to Leslie Hart, on behalf of Dairy Farmers in Washington County with a proclamation designating June, 2022 as Dairy Month.

**ADJOURNMENT**

Commissioner Keefer, seconded by Commissioner Wagner, moved to adjourn the meeting 12:01p.m. The motion passed unanimously.

*Krista L. Hart*

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Krista L. Hart, County Clerk