



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

July 26, 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 10:00 a.m. at 100 West Washington Street, Hagerstown, Maryland, with the following members present: Commissioner Terry L. Baker; Commissioner Charles A. Burkett; and Commissioner Randall E. Wagner. (Commissioner Wayne K. Keefer was absent).

APPROVAL OF MINUTES

Commissioner Burkett, seconded by Commissioner Wagner, moved to approve the minutes of July 12, 2022. The motion passed unanimously.

COMMISSIONER COMMENTS

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

Vice President Baker shared information on the Maryland Municipal League (MML) meeting where he met the new Superintendent of the Washington County Public Schools, Dr. David Sovine. Additionally, he thanked Mr. Hancock for his service in that committee.

Commissioner Burkett thanked all Washington County voters. Additionally, he discussed the County surplus and recommended the Board consider allocating \$10 million in reserves for the employment retirement program; he also recommended a one-time award to the Meals on Wheels at the Commissions on Aging. Additionally, he attended the Volunteer Firemen's Association meeting; he invited Chaplain Rich Bowers to attend a commissioner meeting to present on a proposed Fortitude Program. Additionally, he recommended the Commissioners consider allocating \$100,000 to that program once established.

Commissioner Wagner thanked the crews and staff members who responded during the recent storm.

President Cline thanked those involved in the Agriculture Expo tour and breakfast at the Agricultural Education Center. Also, he thanked the poll workers, election judges and all who assisted with the recent elections. He further thanked the 911 dispatchers, Electric Companies, and road crews who responded during the storm.

STAFF COMMENTS

County Clerk

Krista Hart shared that Commissioner Randall E. Wagner would be representing the Disabilities Advisory Committee.

County Administrator

John Martirano thanked all staff who responded to the severe weather damage Saturday through Sunday.

Mr. Martirano recommended an increase to the Director of Public Works position, due to the recent added department and staff of the Hagerstown Regional Airport.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve an increase in salary for Andrew Eshleman, Director, Public Works from Grade 19/Step 10 to a Grade 19/Step 20 effective in the next pay period. The motion passed unanimously.

Department of Business Development

Jonathan Horowitz, Business Leader, recommended approval to submit a letter of support for a Wastewater Exception No. 6 for Economic Development Projects for the property along Rt 63, across from R&L Carriers.

The Commissioners reached a consensus to proceed as presented.

Division of Emergency Services

Dave Hays, Director, shared the number of increased calls received by the 911 Emergency Communications Center during the storm event over the weekend.

CITIZEN PARTICIPATION

No citizens appeared for participation.

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 2nd in the City Park, and September 17th will be the Recovery Walk.

Ms. Keller also shared that the Committee is proposing a business luncheon to be held at the Maryland Theater, providing an opportunity to share resources to the business community; she requested the amount of \$7,500 from the County to fund the single event.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the requested amount of \$7,500 allocated from the Commissioner Contingency Account, as presented. The motion passed unanimously.

WASHINGTON COUNTY SOIL CONSERVATION DISTRICT – URBAN PROGRAM FEE INCREASE

Denise Price, District Manager, Washington County Soil Conservation District, recommended approval for an average fee increase of 26% for the Urban Program, to include Plan Review Services and Field Services; last increase was effective July 1, 2019.

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

(Resolution No. RS-2022-26 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

CONSTRUCTION BID REJECTION – STOREFRONT WINDOW REPLACEMENT AT 747 NORTHERN AVENUE

Scott Hobbs, Director, Engineering, recommended the Board reject the sole and low bid from Dynamic General Contracting, LLC, Millersville, Maryland without prejudice for the Storefront Window Replacement project at the 747 Northern Avenue Administrative Annex and to readvertise the project.

Commissioner Burkett, seconded by Commissioner Wagner, moved to approve the rejection of the bid from Dynamic General Contracting without prejudice, and to readvertise as presented. The motion passed unanimously.

CONSTRUCTION BID AWARD – ADA SIDEWALK IMPROVEMENTS 2022

Mr. Hobbs presented the recommendation to award the ADA Sidewalk Improvements 2022 project to the lowest responsive, responsible bidder, Dynamic General Contracting, LLC, Millersville, Maryland in the amount of \$94,970.00; funds are budgeted in the Capital Improvement Plan (LDI037). This project is a sixty (60) day calendar day contract with an anticipated notice to proceed in August 2022 and completion date in October 2022; liquidated damages in the amount of \$250 per calendar day for work beyond the completion date.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the construction bid award to Dynamic General Contracting LLC, in the amount of \$94,970, as presented. The motion passed unanimously.

PUBLIC HEARING: REDESIGNATION AND EXPANSION OF THE HAGERSTOWN/WASHINGTON COUNTY ENTERPRISE ZONE

President Cline convened a public hearing at 10:27 a.m. to obtain public comment regarding the re-designation and proposed expansion of the Hagerstown/Washington County Enterprise Zone. President Cline reviewed the procedures for the Public Hearing.

Linda Spence, Business Specialist, Department of Business Development, provided an overview of the proposed expansion areas and boundaries.

The Public Hearing was opened for citizen participation; no citizens offered testimony.

The Public Hearing was opened for Commissioner comment.

The Public Hearing was concluded at 10:32 a.m.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve by Resolution, the expansion of the Hagerstown/Washington County Enterprise Zone, as presented. The motion passed unanimously.

(Resolution No. RS-2022-25 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

PROPERTY ACQUISITION FOR THE DOGSTREET ROAD CULVERT PROJECT

Todd Moser, Real Property Administrator, recommended approval of an Ordinance authorizing the option agreements for partial property acquisition including easements for 19758 Dogstreet Road in the amount of \$3,600 and 19823 Dogstreet Road in the amount of \$500; and to authorize the execution of the necessary documentation to finalize the acquisition for the project.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve an Ordinance authorizing the option agreements for partial property acquisition, and to authorize the execution of the necessary documentation, as presented. The motion passed unanimously.

(Ordinance No.'s ORD-2022-12 and ORD-2022-13 are recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

CHANGE ORDER REQUEST FOR BID AWARD (PUR1545) – FOUR (4) NEW EMERGENCY BOATS WITH CUSTOM TRAILERS

Dave Hays, Director, Emergency Services, presented the recommendation to approve a change order in the amount of \$15,472 to cover to cost for additional equipment required to modify the current design of the newest rescue boats to allow for operation in larger rapids.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the change order in the amount of \$15,472, as presented. The motion passed unanimously.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to convene in closed session at 10:38 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 consult with counsel to obtain legal advice on a legal matter in accordance with Sections 3-305(b) (1) and (7) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously (Commissioner Wayne K. Keefer was absent).

In closed session, the Commissioners discussed the compensation of specific County personnel and employment, recruitment, and assignment of County personnel and the potential filling of certain personnel vacancies. The Commissioners discussed personnel matters concerning individual employees/request for appearance. Additionally, the Commissioners consulted with counsel to obtain legal advice regarding a proposed contractual agreement.

Present during closed session were Commissioners Jeffrey A. Cline; Terry L. Baker; 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; and at various times, David Hays, Director, Emergency Services, Brian Albert, Emergency Services, and Deb Condo, Interim Director, Human Resources (Commissioner Wayne K. Keefer was absent).

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Burkett, moved to reconvene in open session at 11:09 a.m. The motion passed unanimously.

INTERNATION ASSOCIATION OF FIREFIGHTERS LOCAL 1605 (UNION) OVERTIME CHANGE AGREEMENT

Mr. Hays, and Kirk Downey, County Attorney, presented the recommendation to change firefighter overtime calculation from the current 212 hours per twenty-eight (28) day FLSA cycle to the 106 hours per fourteen (14) day cycle, per a tentative agreement reached between the County and the Union.; fiscal impact is expected to be less than \$10,000.

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

County Clerk

Police Accountability Board

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the appointment of Danielle Weaver to the Police Accountability Board for a one-year term, effective August 1, 2022 through July 31, 2023. The motion passed unanimously.

ADJOURNMENT

Commissioner Burkett, seconded by Commissioner Baker, moved to adjourn the meeting 11:13 a.m. The motion passed unanimously.



Krista L. Hart, County Clerk