



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

August 30, 2022

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Father Steve McCarty, St. Andrews Church Clear Spring opened the meeting with a prayer for the community; 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 9:35 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 Baker was absent.

APPROVAL OF MINUTES

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the minutes of August 16, 2022. The motion passed unanimously.

Commissioner Keefer, seconded by Commissioner Baker, moved to approve the revised minutes of June 28, 2022. The motion passed unanimously.

COMMISSIONER COMMENTS

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

Commissioner Keefer shared his condolences to the families and community of the children who lost their lives recently.

Commissioner Burkett also shared his condolences. Additionally, he thanked the staff of Business Development for welcoming all new businesses to Washington County. Additionally, he shared information pertaining to the classes/program he attended during the Maryland Association of Counties conference. He further shared a request for funding for the Meals on Wheels program from the FY22 Surplus. Commissioner Burkett further mentioned a recent complaint from a citizen regarding tree removal and requested staff consider utilizing funds from the Commissioners Contingency account to assist with removal.

Commissioner Wagner thanked Father McCarty for the words of healing and prayers; he further shared his condolences for the families involved in the Clear Spring tragedy. He congratulated the graduating students from the Pittsburgh Institute of Aeronautics.

President Cline also thanked Father McCarty and shared condolences for the friends and families of those affected by the Clear Spring tragedy. He recognized Faye Powers for her support of the community. He asked John Martirano to provide an update on the Widening of I81.

John Martirano, County Administrator, shared that funding parameters of the I81 Widening will be released soon; he expects good news. President Cline shared that the design phase is underway.

STAFF COMMENTS

County Administrator

John Martirano offered his condolences to the families of those lost in the tragic vehicle accident. Also, he shared condolences to the family of John Crist. He thanked all those involved in making the Summer Maryland Association of Counties event successful. He added that the next Commissioner meeting is September 13th.

Commissioner Terry Baker joined the meeting at 9:49 a.m.

Commissioner Baker shared his condolences for the families of those lost in the tragedy of the Clear Spring students.

County Clerk, Krista Hart – Boards and Commissions

Administrative Charging Committee, Police Accountability Board

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the appointment of Charles Summers to serve a one-year term from September 1, 2022 through August 31, 2023 (partial); Curt Wood to serve a two-year term from September 1, 2022 through August 31, 2024 (partial); and Steve McCarty to serve a three-year term from September 1, 2022 through August 31, 2025 (as Chair of the Police Accountability Board). The motion passed unanimously.

Women’s Commission

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the appointment of Laurie Chzanowski, Cherie McCord, Teresa Peek, and Nitzalis Rivera, each to serve a first full three-year term from September 1, 2022 through August 31, 2025. The motion passed unanimously.

Antietam National Battlefield Advisory Committee

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the appointment of George Franks, Miriam Cunningham, and Gerard Kendle, each to serve a first full three-year term from September 1, 2022 through August 31, 2025. The motion passed unanimously.

Department of Solid Waste

Dave Mason, Director, and Anthony Drury, Recycling / Operations Coordinator, provided information on an upcoming Tire Recycling Event on September 10, 2022 from 8:00 a.m. to 2:00 p.m.; the event is free to residents of Washington County.

CITIZEN PARTICIPATION

Ed Lough, Board President, Commission on Aging, and Amy Olack, CEO, Commission on Aging, provided information on the Meals on Wheels program and funding needed to fully be successful.

PROCLAMATION RECOGNIZING SEPTEMBER, OCTOBER, AND NOVEMBER AS “FORGET ME NOT” MONTHS

The Commissioners presented a proclamation to members of the Disabled Veterans Organization (J.R. Arnold and Miles Jones, Commander) recognizing September, October, and November as “Forget Me Not” Months.

MARYLAND ASSOCIATION OF COUNTIES (MACo) VISIT

Michael Sanderson, Executive Director, MACo; Laura Everngam-Price, President, MACo, presented 2022 Legislative highlights to include a budget updates and other various issues and events. The Commissioners were also provided an opportunity to discuss concerns and/or issues

regarding State policy, conferences, and events. Commissioner Cline asked for an update on the Blueprint for Maryland, Public Education.

FACES OF FARMING PRESENTATION: AGRICULTURE

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

Commissioner Randy Wagner left the meeting at 10:34 a.m. and returned at 10:35 a.m.

PUBLIC HEARING: REQUESTS BY ORGANIZATIONS TO BE ADDED TO THE LIST OF NONPROFIT ORGANIZATIONS TO WHICH THE BOARD OF COUNTY COMMISSIONERS MAY CONTRIBUTE FUNDS, PURSUANT TO § 1-108 OF THE CODE OF PUBLIC LOCAL LAWS OF WASHINGTON COUNTY, MARYLAND

President Cline convened a public hearing at 10:35 a.m. to obtain public comment regarding requests by various Washington County nonprofit organizations to which the Board of County Commissioners may contribute funds, pursuant to the §1-108 List. President Cline reviewed the procedures for the Public Hearing.

Mr. Downey presented the letters of request received from:

- St. John's Family Shelter, Inc.
- Hope for Change Incorporated
- Camp Ritchie Museum, Inc.
- Friends of the Washington County Rural Heritage Museum, Inc.

Mr. Downey explained that approval by the Board for the nonprofit organizations to be added to the §1-108 list does not assure that the organizations will receive funding from the County. That decision is made separately as a part of the Community Organization Funding process and ultimately the County's budgetary process.

The Public Hearing was opened for applicant participation; no applicants appeared.

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

The Public Hearing was opened for Commissioner comment.

The Public Hearing was closed at 10:39 a.m.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve as submitted. The motion passed unanimously.

(Resolution No. RS-2022-29 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

PUBLIC HEARING: APPLICATION FOR WATER AND SEWER AMENDMENT WS-22-001

President Cline convened a public hearing at 10:39 a.m. to obtain public comment on the water and sewer plan amendment application. Commissioner Cline reviewed the procedures for the Public Hearing.

Jennifer Kinzer, Planning and Zoning, shared that Jacob Burtner, owner/trustee, has made application to amend the Washington County Water and Sewerage Plan. The purpose of the amendment is to extend existing sewer service to the Burtner farm to build a single-family dwelling for an immediate family member. The Planning Commission held a public input meeting on August 2, 2022, for the purpose of taking public comment on the request. No comments, either written or verbal, have been received for this application. The Planning Commission recommended approval

of the request provided that 1) the designation placed on the property be S-3 restricted and 2) the number of new taps be limited to the number of development rights granted by MD Department of Natural Resources as part of the approved and recorded Rural Legacy Easement.

The Public Hearing was opened for citizen comment and the following citizens shared support: Cindy Burtner and Nicki Burtner (owners).

The hearing was opened for questions from the Commissioners.

The Public Hearing was concluded at 10:44 a.m.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the water and sewerage amendment WS-22-001, as presented. The motion passed unanimously.

(Resolution No. RS-2022-30 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are in the County Commissioners' Office.)

DECLINE ACQUISITION OF CERTAIN STATE SURPLUS PROPERTY

Mr. Moser presented the recommendation to decline State surplus property located off the west side of Maryland Route 67, west of Weaverton Road, between William Way and Tree Top Drive, Knoxville, consisting of 0.302 acres.

The Commissioners reached a consensus to decline the acquisition as presented.

The Commissioners recessed at 10:49 a.m. and returned to the meeting at 11:00 a.m.

PUBLIC HEARING: HAGERSTOWN REGIONAL AIRPORT PROPERTY ACQUISITION

President Cline convened a public hearing at 11:00 a.m. to obtain public comment on land acquisition for Federal Aviation Administration (FAA) Runway Visibility Zone (RVZ) and Runway Object Free Area (ROFA) compliance by exercise of the power of eminent domain. Commissioner Cline reviewed the procedures for the Public Hearing.

Todd Moser, Real Property Administrator, and Mahesh Kukata, Aviation Consultant, Airport Design Consultants, Inc., presented information pertaining to the recommended acquisition. There are (3) areas to be acquired by Washington County to address the RVZ and ROFA improvements: Parcels A and Parcels B associated with the RVZ, and Parcel C associated with the ROFA. Parcel A (0.04 acres) will be acquired by Washington County from First Flight Limited Partnership (Liber 836, Folio 438). Parcel B (2.70 acres) will be acquired by Washington County from New Heights Industrial Park LLC (Liber 6166, Folio 342). Parcel C (0.14 acres) will be acquired by Washington County from First Flight Limited Partnership (Liber 836, Folio 438). The proposed total property acquisition is 2.88 acres. The sellers are anticipated to consent to the acquisition.

Kirk Downey, County Attorney, shared that due to title issues affecting the property, the most effective way to acquire title to the property would be to exercise Washington County's power of condemnation. Mr. Downey cited language as written in the proposed Ordinance which would be a part of the matter as filed in the Circuit Court.

Roger Schlosberg, representing New Heights Industrial Park, LLC, owner of fee interest in parcels A and B, shared that the third parcel is not currently owned by New Heights Industrial Park, LLC, as previously described, but rather First Flight Airpark Condominium, Inc.; all of which would be determined at the condemnation proceeding.

The Public Hearing was opened for citizen comment; no citizens participated.

The hearing was opened for questions from the Commissioners.

The Public Hearing was concluded at 11:17 a.m.

Commissioner Wagner shared that in consideration of safety, the matter needs to be addressed.

Commissioner Keefer requested that the appraisals of each property be presented.

The Commissioners took no action at this time; a consensus was reached to take the matter under advisement.

COMMUNITY ORGANIZATION FUNDING – SERVICE PRIORITY AREAS AND ELIGIBLE EXPENSES FOR FISCAL YEAR 2024

Susan Buchanan, Director, Office of Grant Management, recommended approval of the Community Organizations Service Priority Areas and their respective available funding amounts as presented. Also, to approve the addition of capital expenses as eligible costs for Community Organization Funding grants. Ms. Buchanan presented the Board with the pros and cons for the additional of capital expenses as eligible costs. Ms. Buchanan confirmed that there is a total of \$1,000,000 to be distributed.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the Community Organizations Service Priority Areas as presented. The motion passed unanimously.

GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH AND VICTIM SERVICES FY2023 AWARD – ADDITIONAL FUNDING

Rachel Souders, Senior Grant Manager, Office of Grant Management, requested approval to accept additional funding in the amount of \$205,099 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 Keefer, seconded by Commissioner Baker, moved to approve the acceptance of funding as awarded. The motion passed unanimously.

CHILD SUPPORT ENFORCEMENT COOPERATIVE AGREEMENT – APPROVAL TO SUBMIT APPLICATION

Ms. Souders recommended approval to submit an application for the Child Support Administrative Cooperative Reimbursement Agreement to the Maryland Department of Human Services in the amount of \$307,369 for FY23, and to accept funding as awarded. The award would reimburse the salaries and fringe benefits of two (2) full-time deputies and provide partial reimbursement of two (2) part-time deputies, two (2) Senior Office Associates, and a portion of equipment during the one-year period.

Commissioner Burkett, seconded by Commissioner Keefer, moved to approve the submission of the application in the amount of \$307,369 to the Maryland Department of Human Services, and to accept funding as awarded. The motion passed unanimously.

CONTRACT AWARD (PUR1566) – JUVENILE DIVERSION PROGRAM IN WASHINGTON COUNTY, MARYLAND

Brandi Naugle, Buyer, Purchasing, and Ms. Souders, presented the recommendation to award the contract for the Juvenile Diversion Program in Washington County, Maryland to the responsive, responsible bidder Potomac Case Management Services, Inc., Hagerstown, Maryland in the amount of \$111,819.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the contract award PUR1566 to Potomac Case Management Services, Inc., Hagerstown, MD, as presented. The motion passed unanimously.

SOLE SOURCE PROCUREMENT (PUR1573) – INFORM SOLUTION SERVICE/NICE RECORDING EQUIPMENT FOR THE DEPARTMENT OF EMERGENCY SERVICES

Ms. Naugle; and Josh O’Neal, Director, Information Systems, presented the recommendation to award the sole source procurement for an Inform Solution Server / NICE recording equipment for the Department of Emergency Services, Communications from NICE, Hoboken, New Jersey, in the amount of \$439,002; funds are available in grant account GRT150.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the sole source procurement from NICE, Hoboken, NJ in the amount of \$439,002, as presented. The motion passed unanimously.

ADDITIONAL FUNDING REQUEST FOR THE HIGHWAY DEPARTMENT

Rick Curry, Director, Purchasing, and Zane Rowe, Deputy Director, Highway Department, recommended approval of additional funding in the amount of \$47,776 for the purchase of four (4) new Mack Cab/Chassis Trucks with Dump Body from Baltimore Potomac Truck Center. On August 10, 2021 this Board approved the purchase for the initial order of four (4) dump trucks from Baltimore Potomac Truck Center of Hagerstown, MD for the total sum of \$877,976. The Highway Department received notification from Baltimore Potomac Truck Center on July 11, 2022 indicating that the upfitter J&J Body had received a price increase and that the costs would need to be added to the original purchase price.

Commissioner Burkett, seconded by Commissioner Baker, moved to approve the additional funding request in the amount of \$47,776, as presented. The motion passed unanimously.

DISCUSSION OF FY22 SURPLUS

Kelcee Mace, Interim Chief Financial Officer presented information pertaining to the FY22 surplus funding and potential allocations. Ms. Mace shared that direction would need to be provided regarding matters outlined in Category A, adding that Category B could be addressed during a future meeting.

The Commissioners discussed several imperative projects and the need for equipment/vehicles in various departments. Additionally, the Commissioners discussed various non-profit agencies.

Commissioner Keefer shared his support to allocate \$518,553 for the Meals on Wheels program with the Commission on Aging; Commissioner Burkett concurred.

Andrew Eshleman, Director, Public Works, discussed upcoming projects; Alan Matheny, Sheriff’s Office, discussed the need for additional vehicles.

Commissioner Keefer shared his concern regarding the allocation of \$1.8 million to the Board of Education for Cascade Elementary and Hancock Elementary Schools, adding that those funds have not yet been utilized to update those schools; his request is to have that money spent prior to the allocation of additional funds.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve funding of those items in Category A: Northern Avenue Bridge (\$150k), Wesel Boulevard (\$2 million), and Pension (\$5 million), as presented. The motion passed unanimously.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve an amount of up to \$3,000,000 allocated for use by non-profit organizations in Washington County. The motion passed unanimously.

Commissioner Wagner, seconded by Commissioner Burkett, moved to approve the P25 Communications upgrade (\$2 million), and the Police Vehicles (\$1 million), as presented. Commissioner Wagner amended the motion to include the allocation of \$5 million in Operating Reserve and remainder in Capital Reserve. The motion passed unanimously.

The Commissioners asked for specific information on urgent projects which could benefit from surplus funding; staff was asked to bring the matter forth at a later date.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Burkett, moved to convene in closed session at 12:13 p.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 board and commission appointments and personnel vacancies/hiring decisions and employee assignments; and additionally, the Commissioners discussed business proposals with staff.

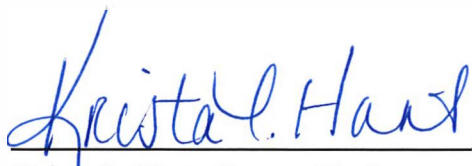
Present during closed session were Commissioners Jeffrey A. Cline; Terry L. Baker; Wayne K. Keefer; and Randall E. Wagner; also, present were John M. Martirano, County Administrator; Kirk C. Downey, County Attorney, and Krista L. Hart, County Clerk; and at various times, Deb Condo, Interim Director, Human Resources; Machel Dwyer, Recruiter, Human Resources; Kristin Grossnickle, Court Administrator, Honorable Andrew F. Wilkinson; and Honorable Brett R. Wilson.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Baker, moved to reconvene in open session at 1:25 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Baker, seconded by Commissioner Burkett, moved to adjourn the meeting 1:25 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

