



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

September 13, 2022

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

A moment of silence was observed; President Cline remembered the tragic event of 9/11; followed by the Pledge of Allegiance to the Flag by the full assemblage; 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 Charles A. Burkett, and Commissioner Randall E. Wagner.

APPROVAL OF MINUTES

Commissioner Burkett, seconded by Commissioner Keefer, moved to approve the minutes of August 30, 2022. The motion passed unanimously.

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the minutes of September 1, 2022. The motion passed unanimously (Commissioner Keefer abstained due to an absence).

COMMISSIONER COMMENTS

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

Vice President Baker welcomed all those in attendance.

Commissioner Keefer elected to withhold comments due to the many members of the public in attendance for participation, he added that he wanted to ensure all were heard.

Commissioner Burkett congratulated all involved in the grand opening of the Hagerstown Skate Park. Additionally, he mentioned the need for assistance for the Meals on Wheels program. He reminded all of the Day of Caring event and thanked all staff who will be volunteering.

Commissioner Wagner recognized the recent Eagle Scout Award recipients, Scott Crawford, and Jesse Miller.

President Cline further congratulated the Eagle Scout honorees, Scott Crawford, and Jesse Miller. He recognized all responders who participated in the Remembrance Parades in the County.

STAFF COMMENTS

Office of Grant Management

Susan Buchanan, Director, provided the Board with information on a new grant opportunity being offered through the Office of Grant Management. The grant is the Community Recovery Nonprofit Grant, created to assist local nonprofits impacted by the COVID-19 pandemic. The grant is funding by a portion of the County's American Rescue Plan Act funding and will provide \$1.5 million dollars for eligible organizations with an individual award not to exceed \$40,000 for those organizations that can demonstrate an impact from the COVID-19 pandemic. Applications will be available after September 21, 2022 and will be accepted through 3:00 p.m. on October 19, 2022. Ms. Buchanan shared that applications/contact is: communityrecovery@washco-md.net.

County Clerk, Krista Hart – Boards and CommissionsAdult Public Guardianship Review Board

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the appointment of Deborah Phillips (Ferguson) to serve a second three-year term from September 1, 2022 through August 31, 2025 as the Local Non-Profit Representative. The motion passed unanimously.

County Administrator

John Martirano provided an update on various upcoming events in Washington County.

CITIZEN PARTICIPATION

Linda Irving-Craig 17813 Alpine Dr, Maugansville; Doug Wright, 911 Potomac Avenue, Hagerstown, President; and Howard Long, Boonsboro, spoke on behalf of Holly Place, requesting surplus funding of \$50,000.

Russ Hodge, Three Roads Communication, Frederick discussed an upcoming documentary of the historic Jonathan Street Cabin, requested \$50,000 as match of the Convention and Visitors Bureau to provide said documentary.

Colin Berry, Executive Director; and Crystal Mowery, Washington County Humane Society, discussed the surplus and the immediate need of the facility, totaling \$250,000.

Nicole Houser, Community Free Clinic; Mike Barnes, President and Vice President David Taylor, Community Free Clinic, discussed the surplus and the need for assistance, totaling \$350,000.

Linda Ebersole, Knoxville MD, Scott Larzelere MD Dept of Agriculture, requested an increase in funding in support of the Black Fly Program, which would permit monthly treatment, an additional \$37,500.

Dave Williams, 11 W Water Street, Smithsburg discussed the number of warehouses throughout Washington County.

Amy Olack, CEO, Commission on Aging, and Ed Lough, President, Washington County Commission on Aging, presented a video presentation, supporting a funding request in the amount of \$518,553.

Vice President Baker requested an update and/or support for the Meals on Wheels Program and the Community Free Clinic.

Commissioner Keefer, seconded by Commissioner Burkett, moved to approve the funding for the Meals on Wheels program in the amount of \$518,553 and the Community Free Clinic in the amount of \$350,000. Commissioner Cline requested the Humane Society be included in the motion. Commissioner Keefer withdrew his motion; Commissioner Wagner discussed Holly Place. Vice President Baker requested all in attendance today be supported.

Commissioner Baker, seconded by Commissioner Burkett, moved to approve the following Non-Profit funding requests from surplus: Meals on Wheels program \$518,553; Holly Place \$50,000; Community Free Clinic \$350,000; Washington County Humane Society \$250,000; and the Black Fly program \$50,000. The motion passed unanimously.

CHANGE OF JOB TITLE, JOB DESCRIPTION, AND RECLASSIFICATION OF CIRCUIT COURT LEGAL SECRETARY AND EXECUTIVE ASSISTANT POSITIONS

Kristin Grossnickle, Court Administrator, the Honorable Brett Wilson, Administrative Judge, and the Honorable Andrew Wilkinson, Associate Judge, presented recommendations to change the job title, description, and the reclassification of the Circuit Court Legal Secretary to Judicial Assistant (Grade 9 to Grade 11); and the Administrative Assistant (Grade 11 to Grade 12).

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

WASHINGTON COUNTY SOIL CONSERVATION DISTRICT – FUNDING FOR POSITION CONCURRENCE WITH ESTABLISHED/BUDGETED FUNDING

Denise Price, District Manager, requested approval to hire an Urban Planner/Engineering Technician and to supplement outsourced Pond Reviews due to being unsuccessful in the hiring process for a District Engineer.

Commissioner Wagner, seconded by Commissioner Keefer, with comments, moved to approve the request as submitted. Commissioner Keefer requested information on the financial impact. The motion passed unanimously.

WASHINGTON COUNTY COMMUNITY COALITION: RECAP OF 2022; REQUEST FOR SUPPORT IN 2023

Paul Frey, President, Washington County Chamber of Commerce, and Jim Kercheval, Executive Director of the Greater Hagerstown Committee (GHC), presented a request for a \$10,000 contribution from the County Commissioners toward the Community Lobbying Coalition (Coalition). Coalition partners include the Convention Center and Visitors Bureau, GHC, City of Hagerstown, Washington County Free Library, Washington County Public Schools, Chamber of Commerce and Hagerstown/Washington County Industrial Foundation, Inc. (CHIEF), whose purpose is to advocate for local and State initiatives during the 2023 General Assembly session by hiring a lobbyist for representation in Annapolis.

Commissioner Keefer, seconded by Commissioner Burkett, moved to approve a \$10,000 contribution to the Washington County Community Coalition as presented. The motion passed unanimously.

CONTRACT RENEWAL (2023-01) #2 HEATING OIL

Brandi Naugle, Buyer, Purchasing; and Andrew Eshleman, Director, Public Works, recommended concurrence with the recommendation of the Washington County Public Schools (WCPS) to award the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, AC&T Company, Hagerstown, Maryland (MD), who submitted the bidder factor of \$0.2395 per gallon for tank wagon deliveries.

Ms. Naugle advised that the County and City of Hagerstown cooperatively bid heating fuel requirements with Washington County Public Schools (WCPS). WCPS awarded its contract for tank wagon loads to AC&T, Hagerstown, MD with the lowest bid of \$0.2395 per gallon over the weekly wholesale average price for #2 (high sulfur) heating oil as published in the Oil Price Information Service bulletin (OPIS, Pad 1, Baltimore gasoline and distillate reseller prices).

The contract is effective August 16, 2022 and ends July 31, 2023; the contract may be renewed for three (3) additional one (1) year terms at the discretion of the Board of Education.

Commissioner Wagner, seconded by Commissioner Baker, moved to renew the contract for Washington County Government's #2 Heating Fuel Oil to the responsive, responsible low bidder, AC&T, Hagerstown, MD, for the lowest bid of \$0.2395 per gallon for tank wagon deliveries as presented. The motion passed unanimously.

BID AWARD (PUR1567) – ELECTRONICS RECYCLING

Rick Curry, Director, Purchasing; and Dave Mason, Deputy Director, Department of Solid Waste, recommended award of the bid for the Electronic Recycling to the responsible, responsive bidder PC Recycler / dba Securis, Chantilly, Virginia (VA) at the submitted Bid Price of \$.40 per pound for CRT/Flat (monitors/tv) and \$.20 per pound for non-glass material (e-waste). The contract period shall be for a one (1) year period tentatively commencing on or thereafter August 1, 2022, with an option by the County to renew for up to two (2) additional consecutive one (1) year periods, subject

to written notice given by the County at least sixty (60) calendar days in advance of each period's expiration date. If the Bidder wishes to renew the Contract, he/she shall submit a letter of intent to the County Purchasing Director at least ninety (90) calendar days prior to the expiration of each contract period. The County reserves the right to accept or reject any request for renewal and any increase in unit costs for each specified location to be serviced that the Bidder may request. All other terms and conditions shall remain unchanged.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the bid award of PUR1567 to PC Recycler / dba Securis, Chantilly, VA, as presented. The motion passed unanimously.

CONTRACT AWARD (PUR1565) SCHOOL BASED MENTAL HEALTH SERVICES

Mr. Curry and Rachel Souders, Senior Grant Manager, Office of Grant Management, recommended approval to award a contract for the provision of School Based Mental Health Services to the responsible, responsive proposer, Brook Lane Health Services, Inc., Hagerstown, Maryland (MD), in the amount of \$276,560 for Option A and \$120,000 for Option B, contingent upon funding being provided by the Governor's Office for Option A and upon approval of each Option by the Local Management Board. The contract tentatively began on September 1, 2022 and would end June 30, 2023 with an option by the Office of Grant Management to renew the awarded Contractor for up to two (2) consecutive one (1) year periods through Fiscal Year 2025 if funding is provided.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the award of contract PUR1565 to Brook Lane Health Services, Inc., in the amount of \$276,560 (Option A), and \$120,000 (Option B), as presented. The motion passed unanimously.

STATE SURPLUS PROPERTY

Todd Moser, Real Property Administrator, recommended consensus to decline acquisition of state surplus property located on the west side of Maryland Route 67, consisting of 1.178 acres.

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

APPALACHIAN REGIONAL COMMISSION 2022 ANNUAL CONFERENCE

Susan Grimes, Director, Business Development, recommended approval of sponsorship funding to the Appalachian Regional Commission's (ARC) Annual Conference in the amount of \$7,000, with funding from the Hotel Rental Tax fund; the event will be held October 17-19, 2022 at the Rocky Gap Resort, Flintstone, Maryland.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the sponsorship funding in the amount of \$7,000, as presented. The motion passed unanimously.

HAGERSTOWN REGIONAL AIRPORT PROPERTY ACQUISITION

Kirk Downey, County Attorney, recommended approval of a land acquisition for FAA Runway Visibility Zone (RVZ) and Runway Object Free Area (ROFA) compliance by exercise of the power of eminent domain. Mr. Downey explained that fees associated with the purchase would approximate \$1,600,000 for acquisition, or such amount as the Circuit Court may order; Professional Services: \$150,000; Miscellaneous Costs: \$25,000; Removal and reinstallation of the fence & gates for aircraft access from New Heights property to the airfield and demolition of the Old Fire Station: \$1,200,000. This project is currently on the FAA ACIP and the County CIP. Project will be funded with 90% FAA funds and 5% MAA funds (subject to some limitations).

Commissioner Wagner, seconded by Commissioner Baker, moved to approve the property land acquisition by exercise of the power of eminent domain and Ordinance approving said matter, as presented. The motion passed unanimously.

(Ordinance No. ORD-2022-17 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

POTENTIAL LEGISLATIVE ITEMS

Mr. Downey presented the Board with potential issues that the County may like to see addressed during the upcoming session of the General Assembly. The matters presented include the support for the Doleman Black Heritage Museum; Pittsburgh Aviation Expansion Project; Hancock Wastewater Upgrades and the request for funding for burn buildings: City of Hagerstown and Washington County Public Safety Training Center. Commissioner Keefer requested that the two (2) rural schools in Hancock, MD and Cascade, MD, be protected from closures.

John Martirano, County Administrator, requested approval to pay the increase of the Black Fly Program, approved in a prior motion, from a transfer to the individual line item (one-year) rather than from the Non-Profit surplus funding. The Commissioners reached a consensus to amend as requested.

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 11:26 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 consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; to consult with counsel to obtain legal advice on a legal matter; 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 board and commission appointments and personnel vacancies/hiring decisions and employee assignments; and additionally, the Commissioners discussed business proposals with staff. The Commissioners further discussed a legal issue that could potentially ripen into litigation.

Present during closed session were Commissioners Jeffrey A. Cline; Terry L. Baker; Wayne K. Keefer; Charles A. Burkett; 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; Andrew Eshleman, Director, Public Works; John Swauger, Stormwater Management; and Susan Grimes, Director, Business Development.

Commissioner Keefer left the closed session meeting at 11:42 a.m.

RECONVENE IN OPEN SESSION

Commissioner Baker, seconded by Commissioner Wagner, moved to reconvene in open session at 12:34 p.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Baker, moved to adjourn the meeting 12:34 p.m. The motion passed unanimously.



Krista L. Hart, County Clerk