



## Board of County Commissioners of Washington County, Maryland

### *Open Session Minutes*

May 14, 2019

#### **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, to order at 12:31 p.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

#### **APPROVAL OF MINUTES**

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the minutes of May 7, 2019. The motion passed unanimously.

#### **CONVENE IN CLOSED SESSION**

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to convene in closed session at 12:32 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; to consult with counsel to obtain legal advice on a legal matter; to consult with staff, consultants, or other individuals about pending or potential litigation, in accordance with Section 3-305(b)(1), (7), (8) 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 a local services board over which the Commissioners have appointing authority; discussed the potential appointment of a specific individual to a local board over which the Commissioners have appointing authority; discussed a specific employment recommendation with staff; and discussed and received legal advice/information on certain matters, including potential legal action.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner. Also present were Robert J. Slocum, County Administrator; Krista L. Hart, County Clerk; Kirk C. Downey, County Attorney, Kendall McPeak, Deputy County Attorney, and at various times Deborah Condo, Deputy Director, Health and Human Services; Dave Hays, Director, Emergency Services; Sky Spradlin, Section Supervisor, Randy Kretzer, Assistant Section Supervisor, Highway Department; Andrew Eshleman, Director of Public Works; Scott Hobbs, Director of Engineering; and Todd Moser, Real Property Administrator.

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

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to reconvene in open session at 1:15 p.m. The motion passed unanimously.

*The Commissioners recessed at 1:15 p.m. and returned to the meeting at 1:30 p.m.*

#### **COMMISSIONERS' REPORTS AND COMMENTS**

Commissioner Wagner shared that he attended the Physician Assistant event at USMH and mentioned Nurse Recognition Month.

Commissioner Meinelschmidt thanked the County Budget & Finance employees and Public Relations team for putting together the upcoming budget hearing.

President Cline attended the Annual Police Week Fallen Hero's Event, Caden Conrad and Brandon Dillman Eagle Scout Award events, and HCC Graduation Ceremony. Additionally, he asked Sheriff Mullendore to ensure that the 81-exit ramp at Maugans Avenue remain on the Transportation Advisory Board's agenda. He asked that Kirk Downey, County Attorney, share the good news regarding his daughter.

Mr. Downey shared that his daughter, Erin, a 6th grade student at E. Russel Hicks, participated in National History Day program, adding that she advanced to State championships, where she received an award for her project. He added that a number of students from Washington County Schools participated.

### **REPORTS FROM COUNTY STAFF**

#### **Office of Grant Management**

Susan Buchanan, Director; Emily Keller, Hagerstown Council, Sheriff Mullendore; and Vicki Sterling, Health Department, presented an update regarding the Washington Goes Purple Campaign.

#### **County Administrator**

Rob Slocum reminded the Board of the evening Budget Hearing at Kepler Theatre, 6:00 p.m.

### **County Clerk – Appointment / Reappointment to Boards and Commissions**

#### **Washington County Emergency Services Advisory Council**

Commissioner Keefer, seconded by Commissioner Meinelschmidt, moved to re-appoint Gary Farrell to serve a first full, three (3) year term as the Washington County Volunteer Fire and Rescue representative, from April 1, 2019 through May 31, 2022; this is NOT a paid board. The motion passed unanimously.

### **PRESENTATION OF PROCLAMATION RECOGNIZING BUILDING SAFETY MONTH**

Commissioner Meinelschmidt presented a proclamation recognizing May as Building Safety Month to Rich Eichelberger, Director of Construction, Frank Quillen, Deputy Code Official, Terry Feiser, Chief Building Inspector; and Rebecca Gander, Chief of Permitting.

### **CITIZENS' PARTICIPATION**

None

### **CONTRACT BID AWARD PUR1419-REAL PROPERTY APPRAISAL SERVICES**

Rick Curry, Director, Purchasing Department; Todd Moser, Real Property Administrator; and Scott Hobbs, Director of Engineering, recommended award for the Real Property Appraisal Services contract to Bowers Appraisal Services, LLP (BAS), of Hagerstown, MD (*incumbent*) who submitted the lowest total sum bid in the amount of \$210,050, and as permitted, to award the secondary requirements contract to Diversified Property Services, Inc. (DPSI) of Timonium, MD (*incumbent*), with the next lowest total sum bid in the amount of \$221,850, at the specified unit costs and estimated hours (no minimum or maximum guaranteed) in each firms price proposal. Contract term is for one (1) year period with an option by the County to renew for up to three (3) additional consecutive one-year periods. The County reserves the right to accept or reject any request for renewal. These are requirements contracts; therefore, services will be utilized on an as-needed basis at the respective unit costs as specified with no guarantee of a maximum or minimum amount of services to be provided. Funds are available in the various project accounts.

Commissioner Wagner, seconded by Commissioner Baker, moved to award Contract PUR1419 to BAS in the amount of \$210,050, and to award the secondary requirements contract to DPSI in the amount of \$221,850, as presented. The motion passed unanimously.

### **CONTRACT BID AWARD PUR1420 – REAL PROPERTY SERVICES**

Mr. Curry, Mr. Moser, and Mr. Hobbs, also recommended award for the Real Property Services contract to Diversified Property Services, Inc. (DPSI), of Timonium, MD (*incumbent*) who submitted

the lowest total sum bid in the amount of \$127,704, and as permitted, to award a *secondary* requirements contract to Johnson Mirmiran & Thompson (JMT) of Hunt Valley, MD (*incumbent*), with the next lowest total sum bid in the amount of \$148,340, at the specified unit costs and estimated hours (no minimum or maximum guaranteed) in each firm's price proposal. Contract term is for one (1) year period with an option by the County to renew for up to three (3) additional consecutive one-year periods. The County reserves the right to accept or reject any request for renewal. These are requirements contracts; therefore, services will be utilized on an as-needed basis at the respective unit costs as specified with no guarantee of a maximum or minimum amount of services to be provided. Funds are available in the various project accounts.

Commissioner Baker, seconded by Commissioner Wagner, moved to award Contract PUR1420 to DPSI in the amount of \$127,704, and to award the secondary requirements contract to JMT in the amount of \$148,340, as presented. The motion passed unanimously.

#### **BUDGET TRANSFER, DIVISION OF ENVIRONMENTAL MANAGEMENT**

Mark Bradshaw, Deputy Director, Division of Environmental Management, brought forth a request to transfer funds from the PO1 Pump Station Expansion Project (LIN041) to the Pump Station Upgrade Various Location Project (LIN034), in the amount of \$510,000.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the budget transfer in the amount of \$510,000 as presented. The motion passed 3-2 (Commissioners Baker and Kefer voted "NAY").

#### **NEXT GENERATION 911**

Bud Gudmundson, GIS Manager, IT Department; Dave Hays, Director of Emergency Services; and Jennifer Kinzer, GIS Coordinator, Planning and Zoning, recommended approval of Memorandums of Understanding (MOU) with the eight (8) municipalities, which would transfer authority for address assignment and maintenance to Washington County.

Commissioner Meinelschmidt, seconded by Commissioner Kefer, moved to approve the MOU's as presented. The motion passed unanimously.

#### **EASTERN BOULEVARD WIDENING**

Mr. Hobbs recommended approval to accept a state funded contribution for the Eastern Boulevard improvements at a not-to-exceed amount of \$3.19 million for construction, utility, and design costs and sign an updated Memorandum of Understanding (MOU). Funds are budgeted in the Capital Improvement Plan project RDI042.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to accept a state funded contribution, and to sign an updated MOU as presented. The motion passed unanimously.

#### **FUEL CENTER IMPROVEMENTS AT THE SHERIFF'S OFFICE / DETENTION CENTER**

Mr. Hobbs requested approval of a budget adjustment in the amount of \$65,000 for fuel center improvements at the Sheriff's Office / Detention Center, as part of the MD Department of the Environment Oil Control Program. Funds will be transferred from Detention Center – Systemic Projects (BLD089) to a new project, Fuel Center Repairs – Sheriff's Office/Detention Center (EQP066).

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

#### **SOLID WASTE SUPERVISOR CONSOLIDATION PLAN**

Daniel DiVito, Director of Environmental Management, and Dave Mason, Deputy Director of Environmental Management, recommended that the Board approve a consolidation plan and to internally advertise the Operations Supervisor position. This item was previously presented to the

Board on April 23, 2019 and ended with a failed motion. Mr. Divito would like the Board to reconsider.

The Commissioners discussed the request and took no action at this time. Mr. Divito was instructed to bring the matter forth during the next open session meeting.

**THIRD QUARTER ADJUSTMENTS TO THE WASHINGTON COUNTY BOARD OF EDUCATION'S FISCAL YEAR 2019 GENERAL FUND BUDGET**

Jeff Proulx, Chief Operating Officer, Washington County Public Schools (WCPS), and David Brandenburg, Executive Director of Finance, requested adjustments to the Third Quarter Fiscal Year 2019 General Fund Budget by reducing the following categories: Administration (\$181,040); Student Personnel Services (\$17,919); Student Health Services (\$89,755); Maintenance of Plant (\$124,555); representing a total net change in the fund balance of \$0. The Board of Education unanimously approved the proposed changes on May 7, 2019.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to approve the requested adjustments to the Washington County Board of Education's Second Quarter Fiscal Year 2019 General Fund Budget as presented. The motion passed unanimously.

**DIRECTOR OF HEALTH AND HUMAN SERVICES ADVERTISEMENT AND FUTURE ALIGNMENT OF FUNCTION**

Mr. Slocum recommended approval to rename the Health and Human Services Division to Human Resources Division and to advertise the recently vacated position of Director within that division, due to the resignation of Deb Peyton. Mr. Slocum shared that additional information has been received regarding the section of Knowledge, Skills, and Abilities and will be added to the job description for the Director's position.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to rename the Division as proposed and to advertise internally and externally, the position of Director of Human Resources. The motion passed unanimously.

Commissioners asked Mr. Slocum to correct line 3 by removing the strikeout for, "Directs the operation of the Human Resources", under Essential Duties and to amend the Knowledge, Skills, and Abilities with the current information. They instructed him to present to the updates to the Board prior to advertising for the position of Director.

*The Commissioners recessed at 2:49 p.m. and returned to the meeting at 3:06 p.m.*

**SMITHSBURG EMERGENCY SERVICES REQUEST FOR ASSISTANCE**

Dave Hays, Director, Division of Emergency Services (DES); Dave Chisholm, Assistant Director, Emergency Medical Services; Todd Smith, WCVFRA; and Joanie Gerber, President, Smithsburg EMS, requested for Washington County Budget and Finance, Human Resources, DES, WCVFRA, and County Administrator, aid Smithsburg EMS relative to revenues, expenses, and the continuation of service delivery. Director Hays presented a plan of action to include several stipulations, and the placement of the Smithsburg Emergency Services on a probation period for a minimum of 36 months.

***NOTE: No citizens joined the meeting for discussion after 3:20 p.m.***

Director Hays requested authority to provide funding up to \$50,000 immediately with preparation of collateral security agreement and MOU to follow.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to authorize an immediate, fully secured loan in the amount of \$30,000 and to authorize a second loan in an amount to be determined, with authorization of agreement as presented.

Commissioner Meinelschmidt withdrew previous motion.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to authorize an immediate loan in an amount up to \$100,000 with execution of full collateral secured agreement and to authorize by contract the plan of action as presented by DES.

Commissioner Meinelschmidt withdrew previous motion.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to authorize DES to immediately proceed with plan of action as outlined via fully executed contract. The motion passed unanimously.

Commissioner Meinelschmidt, seconded by Commissioner Baker, amended the approved motion to include the assurance of a fully secured loan in an amount to be determined during the May 21, 2019 open session Board of County Commissioner meeting. The amendment passed unanimously.

**RECESS**

The Commissioners recessed at 3:57 p.m.

**PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2020 BUDGET AND TAX RATE**

A public hearing of the Board of County Commissioners of Washington County was held at 6:00 p.m. in the Kepler Theatre at Hagerstown Community College to consider the proposed Property Tax Rate for Fiscal Year 2020 (FY20) pursuant to the laws of the State of Maryland as well as the proposed FY20 budget for Washington County. In attendance were President Jeffrey A. Cline, Vice-President Terry L. Baker, and Commissioners Wayne K. Keefer, Cort F. Meinelschmidt, and Randall E. Wagner.

The public hearing was being held pursuant to and to satisfy the specific requirements of the laws of the State of Maryland, the requirements of the Constant Yield Tax Rate law, as contained in the notice published in The Herald-Mail on Tuesday, April 30, 2019, and to consider and obtain public comment on the proposed FY20 budget for Washington County as advertised. Rob Slocum, County Administrator, referred to the Citizen's Guide to the Budget for FY20 which was available at the public hearing, posted on the County's website, and shall be added into the recorded minutes. Mr. Slocum stated that proposed property tax rate for FY20 is \$0.998 per \$100 of assessed value. Sara Greaves, Chief Financial Officer, also discussed specifics of the budget which totals \$298,352,420 or 4.76% above the FY19 approved budget. The County has maintained an overall AA+ rating with the top three rating agencies and has received positive comments on its stable outlook, strong financial policies and financial management.

President Jeffrey A. Cline opened the hearing for public testimony at 6:41 p.m. Twenty-four (24) individuals spoke on issues concerning the budget such as education, senior citizen services and emergency services. Commissioner Cline adjourned the hearing at 8:01 p.m.



Krista L. Hart, *County Clerk*

