



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

June 11, 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, Maryland, to order at 8:04 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Commissioners Wayne K. Keefer and Randall E. Wagner (Vice-President Terry L. Baker and Commissioner Cort Meinelschmidt was absent.)

APPROVAL OF MINUTES

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve the minutes of June 4, 2019. The motion passed unanimously (3-0, Vice-President Baker and Commissioner Meinelschmidt was absent.)

CONVENE IN CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to convene in closed session at 8:05 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; and to consult with staff, consultants, or other individuals about pending or potential litigation, in accordance with Section 3-305(b)(1), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland. The motion passed unanimously (3-0, Vice-President Baker and Commissioner Meinelschmidt was absent.)

In closed session, the Commissioners discussed the potential appointment of a specific individual to a board over which the Commissioners have appointing authority; received legal advice concerning property rights and contractual rights; and consulted with counsel and staff regarding potential litigation. The Commissioners provided direction to staff concerning each of these matters.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Wayne K. Keefer, 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 Jill Baker, Deputy Director, Planning and Zoning; Todd Moser, Real Property Administrator; Scott Hobbs, Director, Engineering; Dan DiVito, Director, Environmental Management; Sara Greaves, Chief Financial Officer; and Karen Flook, Division of Environmental Management.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to reconvene in open session at 9:30 a.m. The motion passed 4-0 (Commissioner Meinelschmidt was absent).

The Commissioners recessed at 9:30 a.m. and returned to the meeting at 9:59 a.m.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker thanked staff for positively representing Washington County.

Commissioner Keefer wished Washington County resident Ruby Staley a very Happy 111th Birthday and shared that he attended her celebration. He also requested that the Board consider providing a temporary location for the Doleman Black Heritage Museum at 33-35 West Washington Street, Hagerstown. Commissioners reached a consensus that the County Attorney will work with Todd Moser, Real Property Administrator, on preparing a rental proposal for consideration by the Board.

Commissioner Wagner supports Commissioner Keefer's request. He also thanked staff for their dedication to Washington County.

President Cline made note of several events he attended in support of Washington County.

REPORTS FROM COUNTY STAFF

Human Resource Recommendations

Deborah Condo, Deputy Director introduced several position recommendations for approval by the County Commissioners, as follows:

Commissioner Wagner, seconded by Commissioner Baker, moved to approve hiring B. Andrew Bright as Assistant County Attorney with the County Attorney's Office, Grade 17, Step 1, \$69,534; to fill a vacancy due to the promotion of Kendall McPeak. The motion passed 3-1, (Commissioner Keefer voted "NAY", Commissioner Meinelschmidt was absent.)

Commissioner Baker, seconded by Commissioner Wagner, moved to approve hiring Kyle Unger as Civil Engineer, Engineering Division, Grade 15, Step 1, \$59,634; to fill a vacancy due to the promotion of Pam Mohn. The motion passed unanimously 4-0 (Commissioner Meinelschmidt was absent.)

Office of Grant Management

Susan Buchanan, Director, updated the Board on funding award from the Hotel Rental Tax account for the Washington County Agricultural Organization Inc. for the Washington County Agricultural Expo, in an amount up to \$13,000 for Sheriff's Office overtime from July 12th through 20th.

County Administrator

Rob Slocum discussed letters concerning the Rockwool Factory, Ranson, West Virginia; and congratulated students for graduation.

County Clerk – Appointment / Reappointment to Boards and Commissions:

Planning Commission

Commissioner Keefer, seconded by Commissioner Baker, moved to re-appoint David Kline to serve a second, five (5) year term from July 1, 2019 through June 30, 2024; this is a paid board. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

2019 – 2020 PROPERTY AND CASUALTY INSURANCE RENEWALS

Tracy McCammon, Risk Management Administrator, Human Resources, presented the recommendation to renew policies in place with Travelers Insurance Company, property and equipment policies with Local Government Insurance Trust, and the airport liability policy with Global Aerospace. Ms. McCammon advised that the renewal quotes from the insurance carriers show a total increase of \$20,284 over last year's actual, a 1.7% increase for FY20.

Commissioner Baker, seconded by Commissioner Wagner, moved to renew policies in place as presented. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

FISCAL YEAR 2020 SCHOOL BASED HEALTH CENTER GRANT

Allison Hartshorn, Grant Manager, Office of Grant Management, requested approval to submit a grant application for the FY20 School Based Health Center Grant Program to the Maryland State Department of Education in the amount of \$200,384 and to accept awarded funding. Funding in the amount of \$10,019 is included in the award for County administrative support.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the submission of a grant application for the FY20 School Based Health Center Grant in the amount of \$200,384 and to accept the funding as awarded. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

PASSENGER TERMINAL EXPANSION

Ms. Hartshorn and Garrison Plessinger, Director, Hagerstown Regional Airport, requested approval to submit a funding request to the Federal Aviation Administration in the amount of \$5,400,000, accept awarded funding, and approve corresponding budget adjustment. Ms. Hartshorn explained that the proposed funding would expand the Terminal Building and install a passenger boarding bridge. There is a matching requirement of 5% for Washington County, and a 5% match provided by the Maryland Aviation Administration. The funds for the match requirement are approved in the Airport's budget BLD082, with approved budget adjustment.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the submission of the funding request to the Federal Aviation Administration in the amount of \$5,400,000, accept awarded funding and approve corresponding budget adjustment. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

CITIZENS' PARTICIPATION

None

Commissioners recessed at 10:25 a.m. and returned to the meeting at 10:43 a.m.

CITIZENS' PARTICIPATION (continued)

Commissioners welcomed Shanoy and Marcus Ming. Ms. Ming shared that she is a new home owner and Marcus shared that he wanted to be an astronaut when he grows up.

Human Resources

Deborah Condo requested to hire Jonathan Horowitz for the position of Business Leader, Grade 15, Step 1, \$59,634 with the Department of Business Development. Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the request as presented. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

PERSONNEL AND RECRUITING CHANGES – WASHINGTON COUNTY SHERIFF'S OFFICE

Sheriff Douglas Mullendore presented a proposal which would convert the part-time civilian security guard positions in the Judicial Division to part-time sworn deputies with full police authority. Sheriff explained that there would be no fiscal impact for the proposed changes, adding that the cost would be approximately \$8,000 per year per position (total \$32,000) and to cover that expense, he would reduce his overtime budget by \$34,000.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the change in security guards as presented. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

PUBLIC HEARING: AGRICULTURAL PRESERVATION EASEMENT RANKINGS FY20

President Cline convened a Public Hearing at 10:57 a.m. to obtain public comment on the priority ranking of Agricultural Land Preservation Easement Applications, as recommended by the Agricultural Land Preservation Advisory Board. Eric Seifarth, Rural Preservation Administrator, and Chris Boggs, Land Preservation Planner, Planning and Zoning, explained the process and added that if approved, the twelve applicants would be forwarded to the Maryland Agricultural Land Preservation Foundation (MALPF); easements would be purchased in order from the priority list until funds are exhausted. Mr. Boggs briefed the Commissioners on each property included in the request.

The hearing was opened for public comment. Marcus Ming asked questions regarding how ranking is performed; no additional individuals offered comment.

The public hearing was closed at 11:07 a.m.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the FY20 priority ranking of Agricultural Land Preservation Easement applications as submitted. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE

Dan DiVito, Director, and John Swauger, Stormwater Regulatory Coordinator, Environmental Management, shared information regarding the National Pollutant Discharge Elimination System (NPDES) general permit for discharges from Small Municipal Separate Storm Sewer Systems (MS4), adding that an ordinance would need to be adopted so that the County can move forth with Memorandums of Understanding with the towns of Williamsport, Boonsboro, and Smithsburg which would establish a basis for cooperation between towns and county in implementing the NPDES MS4 general permit. The towns would use the adopted county ordinance as a template to develop and implement their own ordinances. Mr. DiVito asked that the Board move the process forward and allow the proposed ordinance to be considered at a public hearing.

The Board discussed the request and reached a consensus to hold a public hearing on the proposed ordinance.

WATER QUALITY BUDGET TRANSFER - GOVDEALS

Mark Bradshaw, Deputy Director, Environmental Management, requested approval to transfer funds from various operating budget accounts to the Water Quality Equipment/Vehicle Replacement project (VEH007), in the amount of \$82,240. Mr. Bradshaw explained that old equipment had been previously sold on Govdeals.com with funds being deposited to various operating revenue accounts rather than where the equipment had previously been purchased from which was with enterprise funds from CIP.

Commissioner Baker, seconded by Commissioner Keefer, moved to approve the budget transfer as requested. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

PROPERTY ACQUISITION FOR WIDENING OF EASTERN BOULEVARD

Todd Moser, Real Property Administrator, and Scott Hobbs, Director of Engineering, requested approval for property acquisition including fee simple and/or easements as related to the Eastern Boulevard Widening project, authorization of an ordinance approving said purchase, and to authorize the execution of the necessary documentation to finalize the acquisition. Mr. Moser explained that option agreements have been negotiated for fifteen properties at a total amount of \$30,250.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the option agreements for easement and fee simple acquisitions as related to the Eastern Blvd widening project and to adopt the proposed ordinance approving the purchase and to authorize the execution of the necessary documentation to finalize the acquisitions. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

(Ordinance Nos. ORD-2019-08, ORD-2019-09, ORD-2019-10, and ORD-2019-11 are recorded among the Acts, Ordinances, and Resolutions of Washington County and the originals are located in the County Commissioners' Office.)

CONTRACT AWARD (PUR1421) ENGINEERING SERVICES REQUIREMENTS CONTRACT

Rick Curry, Director, Purchasing Department, and Mr. Hobbs, recommended award of the primary requirements contract for Engineering Services to Wallace, Montgomery and Associates, LLP of Hunt Valley, Maryland as the responsive, responsible bidder with the lowest price proposal of \$86,425 at the specified unit costs and estimated hours (no minimum or maximum guaranteed); and the award to Pennoni Associates, Inc. / Development Facilitators be contingent upon the company being registered and providing proof of being in "good standing" with the MD Department of Assessment and Taxation. Mr. Curry shared a listing of "stand-by" consultants as permitted in the Request for Proposals. The duration of the contract shall be for a two-year period with an option by the County to renew for up to three additional one-year periods.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award contract PUR1421 as presented. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)

CONTRACT AWARD (PUR1423) COMPREHENSIVE HEALTH CARE SERVICES FOR INMATES

Mr. Curry, and Major Craig Rowe, Washington County Detention Center, recommended contract award to the lowest responsive, responsible proposer, PrimeCare Medical, Inc. of Harrisburg, Pennsylvania for the total proposal based on a monthly average inmate population of 400 in the amount of \$1,895,061.04, and to approve a budget transfer request of \$190,000 from 501000-10-12700 to 515285-10-11320. The contract term is for one year beginning July 1, 2019, with an option by the county to renew for up to four additional one year consecutive one-year periods. Annual price increases or decreases to cover contract years two through five will be based upon the United States Daily Average Medical Cost Consumer Price Index as published by the US Department of Labor.

Commissioner Keefer, seconded by Commissioner Wagner, moved to award contract PUR1423, and to approve the budget transfer as presented. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent). Additionally, the Board reached a consensus in favor of having staff move forward on collecting any service fee which was unjustly billed for from the current holder of this contract.

SOLE SOURCE PROCUREMENT AWARD FOR FAMILY CENTERED SUPPORT SERVICES IN WASHINGTON COUNTY, MARYLAND

Mr. Curry and Ms. Hartshorn recommended award of a sole source procurement to the Washington County Department of Social Services in the amount of \$69,060 for operating expenses of the Family Center operated by the Washington County Department of Social Services. The contract is for a one-year period beginning July 1, 2019, ending June 30, 2020, with an option by the Board to renew for one-year additional consecutive periods through fiscal year 2021. No county funds are requested.

Commissioner Keefer, seconded by Commissioner Wagner, moved to award the sole source procurement to the Washington County Department of Social Services as presented. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

FISCAL YEAR 2020 OPIOID OPERATIONAL COMMAND CENTER GRANT

Ms. Buchanan, and Rebecca Hogamier, Program Director, Washington County Sheriff's Office, Day Reporting Center, requested approval to submit a grant application for the Opioid Operational

Command Center grant in the amount of \$57,190, and accept funding as awarded. There is no match associated with the grant and the grant will not result in new recurring expenses for the county.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the submission of the FY20 Opioid Operational Command Center grant and to accept funding as awarded. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

HOTEL RENTAL TAX FUNDING REQUEST, MARYLAND SYMPHONY ORCHESTRA (MSO)

Ms. Buchanan, Mindy Morrison, Interim Executive Director, MSO, and Kyle Devaul, Director of Advancement, MSO, recommended approval to a request for funding from the Hotel Rental Tax from the MSO, in the amount of \$35,000 for direct expenses associated with the 34th Annual Salute to Independence at Antietam National Battlefield to be held on July 6, 2019.

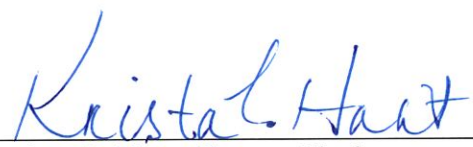
Commissioner Keefer, seconded by Commissioner Wagner, moved to award funding to the MSO as requested. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent).

FISCAL YEAR 2020 GOALS FOR COUNTY ADMINISTRATOR AND COMMISSIONERS

Mr. Slocum requested direction from the Board with regards to the draft goals for the fiscal year 2020. Commissioner Wagner appreciates the goals as written. Vice-President Baker asked that the Health Department provide an update to the Board on the opioid crisis. Commissioner Keefer asked for more engagement with Boards and Commissions; he would like to have regular meetings with each board during which activity updates can be provided. Also, he would like to have the member selection process be reviewed and updated by allowing the Commissioners more involvement in the selection. Additionally, he shared that the Board should be more involved in projects throughout the community via planned tours. Commissioner Wagner discussed Public Relations and sharing of information proactively so that the community can be educated on decisions made during the meetings.

ADJOURNMENT

Commissioner Baker, seconded by Commissioner Wagner, moved to adjourn at 12:04 p.m. The motion passed unanimously (4-0, Commissioner Meinelschmidt was absent.)



Krista L. Hart, County Clerk