



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

October 29, 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 8:01 a.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 Meinelschmidt, seconded by Commissioner Keefer, moved to approve the minutes of October 22, 2019. The motion passed unanimously.

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to convene in closed session at 8:01 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 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; to consult with staff, consultants, or other individuals about pending or potential litigation; and to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the development of fire and police services and staff; and (ii) the development and implementation of emergency plans, in accordance with Sections 3-305(b) (1), (4), (7), (8), and (10) 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 advisory body over which the Commissioners have appointing authority. They also discussed specific employment recommendations with staff. The Commissioners considered several economic development initiatives including the potential for a business entity or entities to locate in the State and County and gave staff further direction on said matters. The Commissioners also discussed potential litigation matters with County staff and counsel, as well as public security, including the development of fire and emergency services and staffing.

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 Rachel Brown, Director, Human Resources; Dave Hays, Emergency Services; Susan Small, Director, Business Development; Brian Albert, Operations Manager, Emergency Services; Tom Brown, Assistant Director, Emergency Services; Jen Swisher, Program Manager, Emergency Services, Mike Smith, Deputy Director, Collections, Water Quality; and Garrison Plessinger, Director, Hagerstown Regional Airport.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Keefer, moved to reconvene in open session at 9:53 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioners provided a brief insight into events attended and support provided throughout Washington County community.

President Cline, Vice-President Baker, and Commissioners Keefer and Wagner thanked those involved in the Alsatia Mummies Parade.

Commissioner Keefer thanked staff with Department Business Development for a successful Business Appreciation Week. Additionally, during the recent Sunrise Rotary Club event, the Commission on Aging and the Washington County Humane Society were two of the non-profit organizations recognized.

Commissioner Wagner shared a situation involving a dump truck which had been turned away from the landfill due to inability to use a credit card at the weigh station; he would like the matter corrected.

Commissioner Meinelschmidt provided an update on activity of the Hagerstown/Eastern Panhandle Metropolitan Planning Organization.

President Cline shared his best wishes to Mary Baykan upon her retirement from the Washington County Library.

REPORTS FROM COUNTY STAFF

Human Resource Personnel Requests; Rachel Brown, Director

Director, Planning and Zoning

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the promotion of Jill Baker to this position (Grade 18, Step 7 \$87,090). This position will be vacant upon the retirement of Stephen Goodrich. The motion passed unanimously.

Hagerstown Regional Airport

Garrison Plessinger, Director, and John Barr provided an update regarding the Allegiance Conference they recently attended in Las Vegas.

Emergency Communications Center

Brian Albert, Operations Manager, provided the Commissioners with an update on the Emergency Numbers Board awards and assistance.

Department of Business Development

Susan Small, Director, thanked the Commissioners and staff for their support throughout Business Development Week.

Appointment / Reappointment to Boards and Commissions; Krista Hart, County Clerk

Emergency Services Advisory Council

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to approve the appointment of Rick Blair to serve an unfulfilled term through March 31, 2020, as the representative to the Washington County Volunteer Fire and Rescue Association; and to approve the appointment of Joe Kroboth to serve an unfulfilled term through May 31, 2021, as Commissioner Meinelschmidt's representative. This is NOT a paid board.

County Attorney's Office

Kirk Downey requested approval to include a matter from Sheriff Mullendore in the Legislative Items for the 2020 General Assembly. The matter, in detail, has to do with support for Sheriff Mullendore to have authority to require pick up trucks and utility trailers to maintain covered loads. Sergeant Daryl Sanders shared additional details on the current exemption.

The Commissioners reached a consensus to support Sheriff Mullendore's request as presented.

County Administrator

Rob Slocum will repeat Student Government Day next semester. Additionally, he recognized Sara Greaves, CFO, and Daryl Brown, Accounting Supervisor, for their support and involvement throughout the process of the Fire Department audit.

Mr. Slocum requested the Commissioners' support in adding an item to the legislative discussion for the November 6th Delegation meeting which would require the State Department of Assessment and Taxation to apply similar rules to trailers, mobile homes, and pre-manufactured units consistently, regardless of lot ownership. The Commissioners reached a consensus to support the request to further discuss the topic as presented.

2019-2020 FARM OF THE YEAR PRESENTATION

Leslie Hart, Agricultural Business Specialist; and Jill Hudson, President, Agricultural Marketing Advisory Committee, presented Palmyra Farms with the award of 2019-2020 Farm of the Year.

A plaque was awarded, and the Commissioners congratulated the Shank / Creek families for the achievement.

CITIZENS' PARTICIPATION

None

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-19-0024) ONE 2020 FORD SUPER DUTY F550 REGULAR CAB TRUCK WITH SUMMIT JOURNEYMAN ELECTRIC CRANE

Brandi Naugle, Buyer, Purchasing, Mike Smith, Deputy Director, Collections; and Mark Bradshaw, Deputy Director, Environmental Management, Water Quality, recommended authorizing by resolution the Intergovernmental Cooperative Purchase of one (1) 2020 Ford Super Duty F550 DRW XL 4WD Regular Cab Truck with Summit Journeyman Electric Crane from 72 Hour LLC, dba National Auto Fleet Group of Watsonville, California, awarded by Sourcewell (formerly known as National Joint Powers Association), Contract 120716-NAF. The cost of the pickup with crane will be \$92,678. Funds are budgeted in the Department of Water Quality's Capital Improvement Plan (VEH010).

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to authorize by resolution the Intergovernmental Cooperative Purchase INTG-19-0024 relating to the purchase of one Ford Super Duty F550 with Summit Journeyman Electric Crane from 72 Hour LLC, in the amount of \$92,678 as presented. The motion passed unanimously.

(Resolution No. RS-2019-25 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

CONTRACT AWARD (PUR-1444) FOR GASOLINE AND DIESEL FUEL DELIVERIES

Ms. Naugle, and Zane Rowe, Deputy Director, Highways, presented the recommendation to award the Gasoline and Diesel Fuel Deliveries contract (PUR-1444) under Option No. 1, as four (4) separate contracts to the responsive, responsible bidders who submitted the lowest bids:

1. Contract for gasoline tank-wagon deliveries to A. C. & T. Company, Inc of Hagerstown, MD, \$137,859.74,
2. Contract for gasoline transport deliveries to Petroleum Traders Corporation of Fort Wayne, IN, \$678,077.24,
3. Contract for diesel tank-wagon deliveries to A. C. & T. Company, Inc of Hagerstown, MD, \$134,341.17,
4. Contract for diesel transport deliveries to Petroleum Traders Corporation of Fort Wayne, IN, \$1,256,436.45.

The contracts will be for a one (1) year term with no option to renew; contract period to tentatively start on December 1, 2019 and end November 30, 2020. Ms. Naugle stated this will be a requirement contract and the County guarantees neither a maximum nor a minimum quantity. Funds are budgeted in various accounts for this purchase. The recommendations are for the County's requirements only; the City of Hagerstown and Board of Education shall make its awards independently from the County.

Commissioner Keefer, seconded by Commissioner Wagner, moved to approve Option 1 for Contract PUR1444 to the responsive, responsible bidders as presented. The motion passed unanimously.

BID AWARD (PUR1445) SWIMMING POOL AND WATER/WASTEWATER TREATMENT CHEMICALS

Ms. Naugle, and Jeremy Mose, Deputy Director, Environmental Management, Water Quality, recommended award of the bids for Swimming Pool and Water/Wastewater Treatment Chemicals (PUR1445) to the responsive, responsible bidders with the lowest bids. The following bid awards were recommended as specified:

Item #12 – Sodium Hypochlorite (110 Drums)	Univar Solutions, USA Morrisville, PA	\$2.39/gal.	55-gallon drum
Item #14 – Caustic Soda (Sodium Hydroxide) (11,935 gallons)	George S. Coyne Co. Croydon, PA	\$1.8984/gal.	55-gallon drum
Item #15 – Ferrous Chloride Solution (14,000 bulk gallons)	NO BID	\$0	Gallon bulk
Item #16A – Hydrofluosilic Acid (H2SiF6) (75 gallons)	Univar Solutions USA Morrisville, PA	\$9.98/gal.	15-gallon pail
Item #16B – Hydrofluosilic Acid (H2SiF6) (165 gallons)	George S. Coyne Co. Croydon, PA	\$4.3571/gal.	55-gallon drum
Item #17 – DelPac 2000 (Polyaluminum Chloride Hydroxide Sulfate Solution) 144,000 Pounds	USALCO Baltimore, MD	\$0.1389/lb.	Bulk Pounds
Item #19 – Sodium Hypochlorite (47 Drums)	Chem2o, LLC Herdon, PA	\$2.35/gal.	55-Gallon Drum
Item #20 – Cyanuric Acid (100-200 pounds)	Amato Industries Inc. Silver Spring, MD	\$2.68/lb.	Pound
Item #21 – Calcium Chloride (500 – 600 pounds)	Amato Industries Inc. Silver Spring, MD	\$1.65/lb.	Pound
Item #22 – Muriatic Acid (20-40 Pounds)	Amato Industries Inc. Silver Spring, MD	\$20.00/lb.	Pound
Item #24 – DelPAC 2020 (Polyaluminum Hydroxychlorosulfate Solution) 18 Drums	Univar Solutions USA Morrisville, PA	\$4.59/lb.	55-gallon drums

Item #29 – Bacterial Enzymatic Powder (1,500 pounds)	Maryland Chemical Co, Inc. Baltimore, MD	\$9.28/lb.	Pound
Item #32 – DelPAC 2000 (Aluminum Chloride Hydroxide Sulfate) (4 55-gallon drums)	Univar Solutions USA Morrisville, PA	\$5.92/gal.	55-gallon drums
Item #33 – Liquid Aluminum Sulfate (8,000 gallons)	Univar Solutions USA Morrisville, PA	\$1.65/gal.	Gallon Bulk
Item #34 – Micro C 2000	Univar Solutions USA Morrisville, PA	\$3.81/gal.	240 Gal.Tote
Item #37 – Magnetite	NO BID	\$0	Pound Bulk

The contract term is for one (1) year period with no option for renewals, tentatively beginning December 1, 2019 and ending November 30, 2020 with no option for renewal. The recommendations are for the County’s requirements only; the City of Hagerstown shall make its awards independently from the County.

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to award the bids for contract PUR1445 to the responsive, responsible bidders with the lowest bids specified above. The motion passed unanimously.

CONTRACT AWARD (PUR-1446) FINANCIAL ADVISOR SERVICES

Rick Curry, Director, Purchasing, and Kelcee Mace, Deputy Director, Budget and Finance, recommended award of the contract for financial advisor services (PUR1446) to the responsive, responsible firm of Davenport & Company, LLC of Towson, Maryland, with the total 5-year proposal value of \$75,000.00 plus out-of-pocket expenses related to bond issues; and the hourly rates for each employee classification to be used for any required Extra Work as follows:

Senior Vice President	\$200
First Vice President	\$175
Vice President Associate	\$175
Vice President	\$150

The initial term of this contract is for a one (1) year period tentatively to commence December 1, 2019 and ending November 30, 2020, with an option by the Board to renew for up to four (4) consecutive one (1) year periods thereafter based on the annual lump sum fees proposed by the successful firm. The contract would be awarded at \$75,000 (5 years at an annual cost of \$15,000) plus out-of-pocket expenses related to bond issues and hourly rates for each employee classification to be used for any required Extra Work as listed above.

Commissioner Baker, seconded by Commissioner Meinelschmidt, moved to award Contract PUR1446 to the responsive, responsible firm of Davenport & Company, LLC, Towson MD as presented. The motion passed unanimously.

CONTRACT AWARD (PUR-1447) EMERGENCY SERVICES SPECIAL PROCEDURES AND AUDITING SERVICES

Mr. Curry, Sara Greaves, CFO, and Dave Hays, Director of Emergency Services, recommended award of the contract for the Emergency Services Special Procedures and Auditing Services to the responsive, responsible firm of SB & Company, LLC of Owings Mills, Maryland, with the lowest total proposal value of \$40,500.00 for the Attestation – Special Procedures plus schedule of Professional Fees for Supplemental Services, if required by the County and lowest total proposal value of \$50,400.00 for the Auditing – Financial Procedures plus schedule of Professional Fees for Supplemental Services, if required by the County; the hourly rates for both the Attestation and

Auditing for each employee classification to be used for any required Supplemental Services are as follows:

Partners	\$220/hourly
Managers	\$135/hourly
Supervisory Staff	\$118/hourly
Staff	\$ 91/hourly

The awarded contract will also contain a performance incentive of \$500 per day for up to 90 days, not to exceed \$45,000.00. Ms. Greaves shared that the Budget and Finance Department will oversee the work and an audit of the financial statements of eight (8) independent emergency services companies and the Washington County Volunteer Fire & Rescue Association. The reporting period will be considered the most recently completed and submitted (to the County) reporting period, either 6/30/2018 or 12/31/2018, in accordance with the companies' year-ends. Ms. Greaves stated that funds are budgeted in account 500155 10 11520 for the services. The Commissioners discussed the process, options, and review period.

Commissioner Wagner, seconded by Commissioner Keefer, moved to award contract PUR1447, both attestation and auditing services, to SB & Company, LLC, as presented. The motion passed unanimously.

ALTERNATE MITIGATION CONTRIBUTION FORMULA CHANGES

Kirk Downey, County Attorney, and Steve Goodrich, Director, Planning and Zoning, recommended approving by resolution, the amended Alternate Mitigation Contribution (AMC) formula. Mr. Downey explained that the amendment would consist of increasing the value of variables (C (the pupil generation rate) and D (the total number of years a typical student spends in all schools), per a determination made by the Commissioners at a previous meeting and in accordance with current actual values.

Commissioner Meinelschmidt, seconded by Commissioners Keefer, moved to approve the resolution, the amended AMC formula as presented. The motion passed unanimously.

(Resolution No. RS-2019-24 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is located in the County Commissioners' Office.)

Commissioner Wagner left the meeting at 11:10 a.m. and returned at 11:12 a.m.

BRUCE BEREANO LOBBYIST REQUEST

Mr. Slocum presented the Commissioners with a letter from Bruce Bereano requesting to represent the County during the 2020 General Assembly session in Annapolis, in the amount of \$10,000.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the request for representation during the 2020 General Assembly in the amount of \$10,000 as presented. The motion passed (3-2, Commissioner Baker and Commissioner Keefer voted "NAY").

RECESS

The Commissioners recessed at 11:19 a.m.

EVENING MEETING – MAUGANSVILLE RURITAN CLUB

The evening session of Board of County Commissioners of Washington County, Maryland, was held at the Maugansville Ruritan Club, 18007 Maugans Avenue, Maugansville.

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 Cline called the meeting to order at 6: p.m. with the following members present: Vice-President Terry L. Baker and Commissioners Cort F. Meinelschmidt and Randall E. Wagner. (Commissioner Keefer was absent).

RURITAN CLUB MEMBER COMMENTS

Marty Lumm thanked the Commissioners for holding a meeting in the community. Additionally, he shared many events surrounding the Maugansville Ruritan Club.

COMMISSIONERS REPORTS AND COMMENTS

Commissioners thanked the members for hosting the evening meeting.

Commissioner Cline recognized former County Clerk, Vicki Lumm, and former Airport Director, Phil Ridenour.

COUNTY STAFF

Rob Slocum, County Administrator, asked staff in attendance at the evening meeting to introduce themselves. In attendance was Danielle Weaver, Rich Eichelberger, Sara Greaves, Andrew Eshleman, Ashley Holloway, Scott Hobbs, and Susan Small.

CITIZEN PARTICIPATION

Donald Wood discussed drainage issues at Best Lumber on Distant View Avenue and Eby Lane.

Bob Walton, 13851 Greenfield Avenue, Hagerstown, discussed noise created by jake brakes near Loves Truck Stop.

Judith Byron, 13910 Greencastle Pike, Hagerstown, shared her opposition to a proposed solar project near her residence. She requested that the Commissioners support her opposition by attending the Public Service Commission hearing on the matter.

ADJOURNMENT

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to adjourn at 6:26 p.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

