



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

December 17, 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 8:02 a.m. at 100 West Washington Street, Room 1113, Hagerstown, Maryland, with the following members present: Vice President Terry L. Baker and Commissioners Cort F. Meinelschmidt, and Randall E. Wagner (Commissioner Wayne K. Keefer was absent).

APPROVAL OF MINUTES

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to approve the minutes of December 10, 2019. The motion passed unanimously (4-0, Commissioner Keefer was absent).

CONVENE IN CLOSED SESSION

Commissioner Meinelschmidt, seconded by Commissioner Baker, moved to convene in closed session at 8:02 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; and to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter, in accordance with Sections 3-305(b) (1), (4), (7), and (13) of the General Provisions Article, Annotated Code of Maryland. The motion passed unanimously (4-0, Commissioner Keefer was absent).

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 employment and assignment of personnel and the filling of certain vacancies, as well as terms of employment of certain personnel over whom the Board has jurisdiction and provided staff with direction over said matters. Additionally, the Commissioners discussed the proposal for business organizations to locate, expand, or remain in the State and County and received legal advice concerning the same; the Commissioners provided direction to Counsel with respect to those matters.

Present during closed session were Commissioners Jeffrey A. Cline, Terry L. Baker, Cort F. Meinelschmidt, and Randall E. Wagner; Commissioner Wayne K. Keefer arrived later. Also present were Kirk C. Downey, County Attorney/Interim County Administrator; Krista L. Hart, County Clerk; Andrew Bright, Assistant County Attorney, and at various times Deb Condo, Deputy Director, Human Resources; Tom Brown, Assistant Director, Emergency Services; Brian Albert, Operations Manager, Emergency Communications; Sara Greaves, CFO; Andrew Eshleman, Director, Public Works; and Jeremy Mose, Director, Environmental Management. Also in attendance were certain principals and representatives of prospective business organizations considering locating, expanding, or remaining in the State and County.

RECONVENE IN OPEN SESSION

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to reconvene in open session at 10:07 a.m. The motion passed unanimously.

COMMISSIONERS' REPORTS AND COMMENTS

Vice-President Baker wished everyone a Merry Christmas and safe holidays.

Commissioner Keefer echoed Commissioner Bakers comments, additionally he thanked all staff for the hard work and efforts throughout 2019.

Commissioner Wagner wished everyone a Happy Holiday; he made note of several recent retirements.

President Cline thanked recent retirees for their dedication.

REPORTS FROM COUNTY STAFF

Division of Construction

Rich Eichelberger, Director, congratulated Frank Quillen for his recent election to Vice President of the Maryland Building Officials Association.

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

Washington County Public Golf Corporation (Black Rock Golf)

Commissioner Wagner, seconded by Commissioner Keefer, moved to re-appoint Jonny Barr to serve a second, three-year term from January 1, 2020 through December 31, 2023; to reappoint Randy Dick to serve a second, three-year term from December 1, 2019 through November 30, 2022; to reappoint Scott Landis to serve a second, three-year term from February 1, 2020 through January 31, 2023; and to reappoint Selena Wilkes to serve a third, three-year term from February 1, 2020 through January 31, 2023 on the Public Golf Corporation Board. Additionally, to provide an exception to Policy PR22 on the two-term requirement. The motion passed unanimously.

Interim County Administrator / County Attorney

Kirk Downey thanked the Commissioners and staff for their dedication throughout the past year.

CITIZENS' PARTICIPATION

Roger Vincent, 16845 Longfellow Court, Hagerstown; Steven McDonough, 16906 Pickwick Lane, Hagerstown, MD; George Buckheit 17004 Burwood Court, Hagerstown; Brenda Jones, 17021 Burwood Court, Hagerstown; and Sue Martin, 687 Shier Oaks Drive, Martinsburg; shared their dissatisfaction for the tax on mobile homes.

APPROVAL OF THE BY-LAWS FOR THE WASHINGTON COUNTY VETERANS ADVISORY COMMITTEE

Krista Hart, County Clerk; and Teresa Spruill, Regional Local Veterans' Employment Representative, presented the proposed bylaws for the new Veterans Advisory Committee (Committee) sponsored by the Board of County Commissioners. She stated that after collaborative discussions with Ms. Spruill, the proposed by-laws were developed to incorporate the mission and goals of such a Committee. This mission as set forth in the bylaws is to assist the Commissioners in identifying the needs of its veteran community and to provide the Commissioners with recommendations for increased services and resources. The Committee is to be comprised of nine individual voting members and two non-voting, ex-officio members (one County Commissioner member and one Washington County Health Department Behavioral Health Services Division). Once the by-laws are approved, applications from the community will be encouraged through a media release and members will be appointed by the Commissioners.

Several members of various Veteran Organizations were in attendance during the meeting and offered support for this Committee.

Commissioner Baker, seconded by Commissioner Wagner, moved to approve the bylaws for the Veterans Advisory Committee as presented. The motion passed unanimously.

**WASHINGTON COUNTY FIRE AND RESCUE ASSOCIATION INSURANCE
RENEWAL - JANUARY 1, 2020 THROUGH JANUARY 1, 2021**

Tracy McCammon, Risk Coordinator, Human Resources; and Anthony Davis, Aon Risk Solutions; recommended approval of the Washington County Fire and Rescue Companies (WCFR) commercial property, auto and casualty package with VFIS Insurance Company at the quoted premium of \$337,317, and workers compensation insurance with Chesapeake Employers Insurance Company at the quoted premium of \$513,123; additional Cyber Liability is recommended and will be placed with Hiscox Insurance Company at the quoted premium of \$3,707.71. The total premium for all programs is \$854,147.71, with a total savings in premiums of \$93,163.29; well within budget. This request would include a down payment of \$83,545 due January 1, 2020 and the remaining balance due in nine (9) monthly installments.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to renew the commercial property, auto, and casualty package with VFIS Insurance Company at the quoted premium of \$337,317 and workers compensation insurance with Chesapeake Employers Insurance Company at the quoted premium of \$513,123; and Cyber Liability at the quoted premium of \$3,707.71 as presented. The motion passed unanimously.

**INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-19-0026): ONE BODY
SCANNER FOR WASHINGTON COUNTY SHERIFF'S OFFICE**

Rick Curry, Director, Purchasing Department; and Major Craig Rowe, Washington County Detention Center, recommended authorizing by resolution the Intergovernmental Cooperative Purchase (INTG-19-0026) with a GSA contract number GS-35F-210DA awarded to Sysorex Government Services, Inc. of Herndon, Virginia (VA) for the purchase of one (1) Body Scanner and related equipment in the total amount of \$149,000. Mr. Curry shared that funds are budgeted in account 600400 25 25010 for the purchase.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to authorize by resolution the Intergovernmental Cooperative Purchase relating to the purchase of one (1) Body Scanner from Sysorex Government Services, Inc., Hanover, VA in the amount of \$149,000 as presented. The motion passed unanimously.

(Resolution No. RS-2019-30 is recorded among the Acts, Ordinances, and Resolutions of Washington County and the original is in the County Commissioners' Office.)

**CONTRACT AWARD (PUR-1449) – BALLISTIC GLASS, WASHINGTON COUNTY
COURTHOUSE AND CLERKS OFFICE**

Mr. Curry; Kevin Tucker, Clerk of the Circuit Court; and Scott Hobbs, Director, Engineering, recommended award of the contract for the Courthouse and Clerk's Office Ballistic Glass work (PUR-1449) to the responsive, responsible bidder, Clear Security Systems, West Caldwell, New Jersey (NJ), for the lowest total sum prices of \$59,790 for Option 1, and \$57,900 for Option 2, Part A; contingent upon the company being registered and providing proof of being in "good standing" with the Maryland Department of Assessment and Taxation. Mr. Curry stated that funds are budgeted in the FY20 GRT506 and Capital Improvement Project BLD092 (Courtroom Renovation).

Commissioner Meinelschmidt, seconded by Commissioner Keefer, moved to award Contract PUR-1449 to the responsive, responsible proposer, Clear Security Systems, West Caldwell, NJ, for the total price of \$117,690. The motion passed unanimously.

CONTRACT AWARD – MILLWORK FOR THE CIRCUIT COURTHOUSE RENOVATION

Mr. Hobbs recommended award of the contract for the millwork for the Circuit Courthouse Renovation to the responsive, responsible bidder, Beachley Millwork Company, Smithsburg, Maryland (MD) in the amount of \$75,237. He explained that this would be a 75 consecutive calendar day contract with an anticipated notice to proceed date of January 2020 and completion date of March 2020.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to award the Millwork contract to the responsive, responsible proposer, Beachley Millwork Company, Smithsburg, MD, for the total price of \$75,237. The motion passed unanimously.

CONTRACT AWARD – HEATING, VENTILATION, AIR CONDITIONING AT WASHINGTON COUNTY CIRCUIT COURTHOUSE

Mr. Hobbs recommended award of the contract for the Circuit Courthouse Renovation for the heating, ventilation, and air conditioning (HVAC) project to the responsive, responsible bidder, M.S. Johnston Company, Hagerstown, Maryland (MD), for the lowest total sum price of \$79,000. Mr. Hobbs stated that funds are budgeted in the Capital Improvement Project BLD092 (Courtroom Renovation).

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to award the HVAC contract to the responsive, responsible proposer, M.S. Johnston, Hagerstown, MD, for the total price of \$79,000. The motion passed unanimously.

BUDGET TRANSFER – TREE FORESTATION

Mr. Hobbs recommended approval of a budget transfer in the amount of \$68,439 from the Tree Forestation account, LDI043, to the Stormwater Retrofits, DNG039.

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to approve the budget transfer in the amount of \$68,439 as presented. The motion passed unanimously.

PURCHASE VERSUS LEASE OF TRACKED EXCAVATOR, DEPARTMENT OF SOLID WASTE

Dave Mason, Deputy Director, Solid Waste, presented information at a prior Board meeting requesting approval of a lease of a tracked excavator. At that time, the Commissioners had provided direction to Mr. Mason to obtain information regarding a purchase versus lease option. Mr. Mason shared that a purchase would cost \$394,288 versus a lease in the amount of \$426,000 - \$433,000 total payments over five (5) years.

The Commissioners discussed the options provided, to include available budget and lease rates.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the lease option to include a five (5) year lease, \$1.00 buyout, 3.85% interest with a monthly payment of \$7,100; yearly payment of \$85,200; total payments of \$426,000.

Commissioner Meinelschmidt amended said motion to include the sale of equipment as presented, Commissioner Wagner seconded the amended motion.

The Commissioners recessed at 11:10 a.m. and returned to the meeting at 11:20 a.m.

WASHINGTON COUNTY MOBILE HOME PARK TAX

Andrew Bright, Assistant County Attorney; Sara Greaves, CFO, and Todd Hershey, County Treasurer, presented the Commissioners with information regarding the Mobile Home Park Tax for consideration and discussion. Mr. Bright presented the Board with two (2) options of resolution regarding said matter. He shared that Option 1 would reduce the rate to 7.5%, and Option 2 would impose the tax at a flat charge of \$35 per space; including said ordinances to support each option. Additionally, he requested that the Commissioners provide direction so that the matter may move forward in a Public Hearing for citizen comment.

Commissioner Meinelschmidt would like to present this matter as a priority to the delegation to consider the assessment of mobile homes as property. The Commissioners reached a consensus to submit a letter of support stating such.

Mr. Downey informed the Commissioners that a decision needs to be made so that the Board can proceed with a public hearing regarding the matter. He stated that the options can be amended during the public hearing to reflect a lower charge but cannot be increased without an additional public hearing.

Commissioner Meinelschmidt, seconded by Commissioner Wagner, moved to proceed with presenting a 7.5% rate with a cap of \$25 per month at a public hearing. The motion passed 3-2 (Commissioners Baker and Keefer voted "NAY").

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Meinelschmidt, moved to adjourn at 11:37 a.m. The motion passed unanimously.



Krista L. Hart, *County Clerk*

