



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

May 21, 2024

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Invocation and moment of silence was observed, followed by the Pledge of Allegiance to the Flag by the full assemblage.

CALL TO ORDER

President John F. Barr called the regular meeting of the Board of County Commissioners of Washington County, Maryland, to order at 9:01 a.m. with the following members present: Vice-President Jeffrey A. Cline, Commissioner Derek Harvey, Commissioner Randall E. Wagner, and Commissioner Wayne K. Keefer.

APPROVAL OF MINUTES

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve the minutes of May 7, 2024. The motion passed unanimously (5-0).

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner attended the 50th Anniversary of Camp Harding. He attended the kickoff for Hagerstown Start Up Week. Commissioner Wagner attended the John Frye awards and recognized award recipients Lehman's Mill, the Spielman Farm and Fort Ritchie. He attended the groundbreaking ceremony at the future Meritus Student Housing Complex. Commissioner Wagner attended the Budget Hearing and thanked everyone who attended and shared their input. He attended Character Counts and thanked Carolyn Brooks for holding the annual event. He attended the grand opening of Meritus Park stadium.

Commissioner Keefer thanked staff for organizing the Budget Hearing and commented he preferred holding the hearing at the Public Safety Training Center. He clarified the comment regarding the Public Safety Training Center building would have not been possible without a tax increase was incorrect as the funding came from multiple sources to include speed camera revenue, the state contributions, donations and bond issuance. He would like the County to showcase the building.

Commissioner Harvey commented on upcoming events for Memorial Day weekend to include the Boonsboro and Sharpsburg parades. He thanked the Election Board and their staff for overseeing the early voting and congratulated those who made it through the primary election. He attended the Commission on Aging's annual event. Commissioner Harvey attended the Police Officer Memorial Service last week remembering the fallen officers over the years. He shared there are many end of the year concerts and graduations happening at the schools. Commissioner Harvey attended the Maryland GOP Convention in Hagerstown last Saturday. He attended the MML dinner in Hancock. Commissioner Harvey commented on the text amendment to be voted on today and reminded everyone this does not impact the truck stop at Exit 1 as that process has already started and has been grandfathered in.

Commissioner Cline thanked everyone involved in the Budget Hearing and commented on the new location. He attended the Police Week Memorial Service honoring in part Judge Wilkinson. Commissioner Cline attended Character Counts and recognized Finley Chambers. He attended the

John Frye Awards. Commissioner Cline attended the groundbreaking ceremony at the future Meritus Student Housing Complex. He attended the Police Week luncheon and thanked Sheriff Albert and his staff. Commissioner Cline attended the Commission on Aging annual meeting. He attended the ribbon cutting ceremony at the Hagerstown Holcim Cement Plant. Commissioner Cline attended the Clear Spring FAA annual meeting. He attended the grand opening of Meritus Park stadium. Commissioner Cline attended the Hagerstown Community College (HCC) graduation. He attended the MML Dinner and recognized Ella Fulk. Commissioner Cline attended the Hagerstown Start-Up Ceremony at HCC. He shared his condolences to the family of former state trooper Alan Swope.

Commissioner Barr attended the Salvation Army Banquet. He attended the fundraiser for the Maryland Theater Symphony Orchestra and recognized Elizabeth Shultz Conductor for celebrating her 25th year. Commissioner Barr attended the Police Week Memorial Service honoring Judge Wilkinson. He commented on the many upcoming events to include the grand opening of the Book Mobile which they are unable to attend due to today's meeting.

STAFF COMMENTS

Sheriff Brian Albert, Washington County Sheriff's Office recognized Father Steve McCarty and Chuck Kaufmann for their services during Police Week. He also presented the request to approve the hire of three (3) overlapping sworn deputies. They currently have ten (10) qualified candidates for the upcoming academy to start on June 17, 2024, he projects there will be three (3) to five (5) retirements and/or separations by their graduation. The request would keep them within their cap of positions.

Commissioner Keefer left the meeting at 9:18 a.m. and returned at 9:20 a.m.

Commissioner Harvey, seconded by Commissioner Cline moved to approve the hire of three (3) overlapping sworn deputies as presented. The motion passed (4-0). Commissioner Keefer abstained.

Chip Rose, Director Human Resources presented the request to approve to advertise and pre-hire for the Fiscal Analyst Position in Budget and Finance at a Grade 12, Step 4. The current Fiscal Analyst will retire on August 31, 2024.

Commissioner Harvey, seconded by Commissioner Wagner moved to approve to advertise and pre-hire for the Fiscal Analyst Position as presented. The motion passed unanimously (5-0).

Dawn Marcus, County Clerk presented the request to approve the appointment of Brenda Nichols to serve a first-full three-year term from May 1, 2024, through April 30, 2027, on behalf of the Washington County Agricultural Education Center Advisory Board. This is not a paid board.

Commissioner Harvey, seconded by Commissioner Wagner, moved to approve the appointment of Brenda Nichols as presented. The motion passed unanimously (5-0).

Dawn Marcus, County Clerk presented the request to approve the appointment of Kevin Smoot to serve a first-full, three-year term from May 1, 2024, through April 30, 2027, on behalf of the Washington County Agricultural Education Center Advisory Board. This is not a paid board.

Commissioner Wagner, seconded by Commissioner Harvey, moved to approve the appointment of Kevin Smoot as presented. The motion passed unanimously (5-0).

Zachary Kieffer, County Attorney presented the request to approve the appointment of Marilee Kerns to the Washington County Ethics Commission. This is not a paid board.

Commissioner Harvey, seconded by Commissioner Wagner moved to approve the appointment of Marilee Kerns as presented. The motion passed unanimously (5-0).

Michelle Gordon, County Administrator recognized Public Works week and thanked all of the Public Works' staff. She thanked Kelcee Mace, Chief Financial Officer. Kim Edlund, Director of Budget and Finance, employees at the Public Safety Training Center and the Public Relations Office for setting up and their presentation of the FY2025 Budget Hearing. Ms. Gordon attended the 2024 John Frye awards. She attended the ribbon cutting ceremony at the Hagerstown Holcim Cement Plant. Ms. Gordon attended the groundbreaking ceremony at the future Meritus Student Housing Complex. She attended the Police Week picnic luncheon and thanked Sheriff Albert and his staff. Ms. Gordon attended the Meritus Park stadium grand opening ceremony. She attended the graduation ceremony at the University System of Maryland Hagerstown Campus. Ms. Gordon attended the Hagerstown Start-Up Week at HCC. She shared there will be June 4, 2024, and wished the employees a safe, enjoyable Memorial Holiday weekend.

CITIZEN PARTICIPATION

- Dave Williams, Smithsburg
- Tom Thorsen, Hagerstown
- Teresa Peek, Executive Director of the Elder Group, Hagerstown

CONTRACT AWARD (PUR-1669) COMPREHENSIVE HEALTH CARE SERVICES FOR INMATES

Brandi Naugle, Buyer, Purchasing; Major Craig Rowe, Warden, Washington County Detention Center presented the request to award the contract to the lowest responsive, responsible proposer, Prime Care Medical, Inc., of Harrisburg, PA for the total proposal based on a monthly average inmate population of 400 in the amount of \$3,998,188.91. Pricing was requested for an additional 50 inmates over the Average Daily Population (ADP) of 450 for proposal evaluation purposes for a total of \$4,016,073.91. The amount budgeted for FY25 was \$2,898,000.00 and they requested approval of a budget transfer request of \$ 955,910.00 from account 505905-10-91230 to account 515285-10-11320.

Michelle Gordon, County Administrator shared the budget transfer request is for FY 2025 which is to be approved today.

Commissioner Wagner seconded by Commissioner Cline moved to award the contract to Prime Care Medical, Inc., and approval of the budget transfer as presented. The motion passed unanimously (5-0).

BID AWARD (PUR-1682) – GROUNDS MAINTENANCE FOR VARIOUS COUNTY DEPARTMENTS

Brandi Naugle, Buyer, Purchasing; George Sweitzer, Superintendent, Black Rock Golf Course presented the request to award the contract for Grounds Maintenance Chemicals for various county departments to the responsible, responsive vendor that met the specifications for each chemical item (as indicated on the Bid Tabulation) to Genesis Turfgrass of Glen Rock, PA. This contract provides the needed chemicals for the Black Rock Golf Course, County Highway Department, and Department of Water Quality; the City of Hagerstown may utilize the contract. The contract term is one (1) year

tentatively commencing July 1, 2024, and ending June 30, 2025. The individual chemical and price listing is attached to the agenda packet.

Commissioner Wagner seconded by Commissioner Cline moved to award the contract for Grounds Maintenance Chemicals to Genesis Turfgrass as presented. The motion passed unanimously (5-0).

BID AWARD (PUR-1670) ELECTRICIAN SERVICES AT COUNTY FACILITIES

Brandi Naugle, Buyer, Purchasing; Danny Hixon, Deputy Director, Buildings, Grounds & Facilities presented the request to award the bid for Electrician Services to the responsible, responsive bidder, MEC, Inc. Electrical Services of Hagerstown, MD who submitted the lowest total base bid in the amount of \$61,450.00 based on the hourly rates/formula contained in its bid dated May 7, 2024. The County sets the percentage markup for repair parts and materials billed at cost plus a percentage at fifteen (15%) percent.

Commissioner Wagner seconded by Commissioner Harvey moved to award the bid for Electrician Services to MEC, Inc. Electrical Services as presented. The motion passed unanimously (5-0).

APPROVAL OF MODIFIED CHARGES, RENTALS, AND FEES AT THE HAGERSTOWN REGIONAL AIRPORT FOR FY2025

Kelcee Mace, Chief Financial Officer; Andrew Eshleman, Director Public Works presented the request to adopt the proposed rates and charges for FY2025. The Board of County Commissioners conducted a public hearing on May 7, 2024, and heard public testimony, if any, concerning the proposed modification of charges, rentals, and fees at the Hagerstown Regional Airport for FY2025.

Commissioner Wagner seconded by Commissioner Cline moved to adopt the proposed modification of charges, rentals, and fees at the Hagerstown Regional Airport for FY2025 as presented. The motion passed unanimously (5-0).

APPROVAL OF WATER AND SEWER RATES FY2025

Mark Bradshaw, Director, Environmental Management; Kelcee Mace, Chief Financial Officer presented the request to adopt the proposed water and sewer rate schedule for FY2025-FY2027. The Board of County Commissioners conducted a public hearing on May 7, 2024, and heard public testimony, if any, concerning the proposed modification of water and sewer rates.

Rate changes project a revenue impact of \$562,000.00 for Sewer and \$48,000.00 for Water for FY2025.

Commissioner Cline seconded by Commissioner Harvey moved to adopt the proposed water and sewer rate schedule for FY2025 through FY2027 as presented. The motion passed unanimously (5-0).

APPROVAL OF FY2025 OPERATING AND CAPITAL BUDGETS

Kelcee Mace, Chief Financial Officer presented the request for approval to adopt the proposed FY2025 Operating and Capital Budgets as presented. The Board of County Commissioners conducted a public budget hearing on May 15 at 6:00 P.M and heard public testimony on the proposed FY2025 Operating and Capital Budgets.

The FY2025 budget process has been a collaborative effort where the Office of Budget & Finance worked alongside departments, the administration, and the BOCC. The FY2025 final proposed budget increased 8.97% over FY2024 and provides increased funding for education; to transition EMS services to County operations; to provide additional funding to outside organizations that provide additional

services to our citizens as well as adding funds to our Capital plan to meet the County's infrastructure needs.

The final budget for adoption today includes an adjustment in the General Fund of \$955,910.00 from the transfer to capital reserve into the Detention Center budget to address the shortfall for the new inmate medical services contract. All other budgets remain unchanged from what was presented during the public hearing last week. The total budget for FY2025 is \$434,097,440.00. The FY2025 proposed budget is attached to the agenda packet.

Commissioner Wagner seconded by Commissioner Cline moved to approve the FY25 Budget as presented. The motion passed (3 – 2). Commissioner Barr and Commissioner Keefer voted Nay.

NATIONAL PUBLIC WORKS WEEK

Andrew Eshleman, Director, Public Works presented May 19th - 25th is National Public Works Week, and the theme is "Advancing Quality of Life for All." Washington County Public Works wants to recognize the community and quality of life contributions of retiring Transit Director Kevin Cerrone. Mr. Eshelman recognized Mr. Cerrone for his 28 years of service and presented him with a bus plaque from the Department of Public works staff. Mr. Cerrone shared comments regarding his years of service and the dedications of the employees of Washington County Government and the support of County Commissioners and thanked Andrew and staff. The Board of County Commissioners presented a proclamation for public works week and another proclamation for Kevin Cerrone.

PREVIOUSLY AUTHORIZED RUNWAY 09-27 LIGHTING & SIGNAGE PROJECT: APPROVAL OF PURCHASE ORDER AND TASK ORDER FOR ADCI CONSTRUCTION PHASE SERVICES

Andrew Eshleman, Director, Public Works presented the request to Authorize Airport Director's approval of Purchase Order, Task Order, and related paperwork for ADCI Construction Phase Services in the amount of \$131,720.00 for the Runway 09-27 Lighting/Signage Project. The RWY 09-27 Lighting & Signage project is included in the Capital Improvement Plan – Airport Infrastructure Grant RUN020. During the November 28, 2023, BOCC meeting, a motion should have included specific mention of \$131,720.00 in ADCI construction phase services.

Commissioner Wagner left the meeting at 10:33 a.m. and returned at 10:34 a.m.

Commissioner Harvey seconded by Commissioner Keefer moved to authorize the Airport Director's approval of Purchase Order, Task Order, and related paperwork for ADCI Construction Phase Services in the amount of \$131,720.00 as presented. The motion passed unanimously (5-0).

APPLICATION FOR ZONING TEXT AMENDMENT RZ-23-001

Jill Baker, Director, Planning and Zoning presented the request for a consensus to approve or deny the proposed text amendment. Application has been made by the Planning Commission of Washington County to amend several sections of the Zoning Ordinance to change the definition of a convenience store, provide districts in which said use shall be permitted, and to provide options for tractor trailer/heavy duty truck parking at these types of facilities.

Commissioner Harvey requested an amendment to include the following limits on the convenience store:

1. No more than five (5) high flow fuel station lanes at a convenience store in a highway interchange for semi-trucks.

2. In the highway interchange he is recommending a limit of no more than eight fuel lanes (islands) for cars.
3. In the non-highway interchange, there would be no more than eight (8) fuel lanes (islands) for cars at all locations.

Commissioner Harvey seconded by Commissioner Cline moved to approve the application for the text amendment RZ-23-001 with the following amendments: no more than five (5) high flow fuel lanes for trucks in the highway interchange and no more than eight fuel lanes for cars across the board. The motion passed (4-1). Commissioner Keefer was a Nay vote.

APPLICATION FOR ZONING TEXT AMENDMENT RZ-23-003

Jill Baker, Director, Planning and Zoning presented the request for a consensus to approve or deny the proposed text amendment. Application has been made by Washington County Planning Commission to amend several sections of the Zoning Ordinance to change the definition of a truck stop and to provide districts in which said use shall be permitted. It also includes the amendment to allow the use only as a conditional use or “special exception” in the highway interchange zone.

Commissioner Wagner seconded by Commissioner Cline moved to approve the Text Amendment RZ-23-003 as presented. The motion passed (4-1). Commissioner Keefer was a Nay vote.

RECESS

AGRICULTURE - FACES OF FARMING PRESENTATION

Leslie Hart, Development Specialist, Business and Economic Development “Faces of Farming” is an agricultural-focused video marketing campaign that will showcase two local Washington County farms every month, for one year. The “Faces of Farming” marketing videos will be showcased on the County’s website, as well as Facebook and other social media platforms, and will target a new industry and highlight a local farmer from that specific agricultural industry. Additionally, the Faces of Farming marketing campaign will be utilized in Washington County Public Schools as an agricultural education element focused on kindergarten to Fifth grade students to connect Washington County youth directly with local farms. Video presentations were shared for Shank Farm of Hagerstown and Brookside Farm of Fairplay, MD. Ms. Hart reminded everyone that the Farmer’s Markets are beginning to open.

CLOSED SESSION

Commissioner Wagner seconded by Commissioner Harvey, moved to convene in closed session at 11:02 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; and To consult with counsel to obtain legal advice on a legal matter. The motion passed unanimously (5-0).

In closed session, the Commissioners discussed a personnel matter and a business proposal.

Present during closed session at various times were Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne Keefer and Randall E Wagner; Dawn Marcus, County Clerk; Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Assistant County Attorney; Aaron Weiss, Assistant County Attorney; R. David Hays, Director, Emergency Services;

Chip Rose, Director Human Resources; Jonathan Horowitz, Director, Business and Economic Development; and Linda Spence, Business Specialist, Business and Economic Development.

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Harvey, moved to reconvene in open session at 11:51 a.m. The motion passed unanimously.

ADJOURNMENT

Commissioner Wagner, seconded by Commissioner Keefer, moved to adjourn at 11:51 a.m. The motion passed unanimously.



Dawn L. Marcus, *County Clerk*

