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## **BOARD OF COUNTY COMMISSIONERS**

**June 4, 2024**

### **OPEN SESSION AGENDA**

- 9:00 AM      MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE  
CALL TO ORDER, *Vice President Jeffrey A. Cline*  
APPROVAL OF MINUTES: *May 14, 2024*  
*May 15, 2024*
- 9:05 AM      COMMISSIONERS' REPORTS AND COMMENTS
- 9:15 AM      STAFF COMMENTS
- 9:20 AM      CITIZEN PARTICIPATION
- 9:30 AM      PUBLIC HEARING TO AMEND THE 2018 INTERNATIONAL EXISTING BUILDING CODE (IEBC) AND THE 2021 IEBC AND THEIR ACCOMPANYING ADOPTIVE ORDINANCES TO INCLUDE LOCAL AMENDMENTS REGARDING UNSAFE/DILAPIDATED STRUCTURES  
*Greg Cartrette, Director/Code Official, Permits and Inspections; Rosalinda Pascual, Assistant County Attorney; Darren Pevarnik, Deputy Code Official, Permits and Inspections*
- 9:45 AM      FY24 BUDGET ADJUSTMENT TO THE WASHINGTON COUNTY BOARD OF EDUCATION'S GENERAL FUND BUDGET  
*Jeffrey Proulx, Chief Operating Officer, Washington County Public Schools; Eric Sisler, Executive Director of Finance, Washington County Public Schools*
- 9:50 AM      CONTRACT AWARD (PUR-1676) – STOP LOSS INSURANCE COVERAGE  
*Brandi Naugle, Buyer, Purchasing; Chip Rose, Director, Human Resources; and a representative from the County's consultant, CBIZ Benefits & Insurance Services, Inc.*
- 9:55 AM      QUOTATION AWARD (Q-24-784) POLICE VEHICLE EQUIPMENT FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE  
*Rick Curry, Director, Purchasing; Alan Matheny, Logistics and Commercial Vehicle Enforcement, Washington County Sheriff's Office*
- 10:00 AM     STATE SURPLUS PROPERTY- RICE ROAD  
*Todd Moser, Real Property Administrator, Engineering*

- 10:05 AM DEPARTMENT OF VETERANS AFFAIRS FIRE DEPARTMENT MUTUAL  
FIREFIGHTING ASSISTANCE AGREEMENT  
*R. David Hays, Director, Emergency Services*
- 10:15 AM EMPLOYEE APPRECIATION DAY  
*Chip Rose, Director, Human Resources*
- 10:20 AM AGRICULTURE- JUNE IS NATIONAL DAIRY MONTH  
*Danielle Weaver, Director, Public Relations and Marketing; Jonthan Byrd, Public  
Relations Coordinator, Public Relations and Marketing*
- 10:25 AM CLOSED SESSION - *(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; and To consult with counsel to obtain  
legal advice on a legal matter)*
- 11:00 AM RECONVENE IN OPEN SESSION

ADJOURNMENT



### Open Session Item

**SUBJECT:** Public Hearing to Amend the 2018 International Existing Building Code (IEBC), and the 2021 IEBC and their accompanying adoptive ordinances, to include local amendments regarding unsafe/dilapidated structures.

**PRESENTATION DATE:** Tuesday, June 4, 2024

**PRESENTATION BY:** Greg Cartrette Director/ Code Official, Rosalinda Pascual Assistant County Attorney and Darren Pevarnik, Deputy Code Official

**RECOMMENDATION:** To hold a public hearing for the proposed amendments of Sections 115 and 116 of the 2018 International Existing Building Code (IEBC), adopted under ORD-2019-26, and the 2021 IEBC, adopted under ORD-2024-07.

**REPORT-IN-BRIEF:** These proposed amendments seek to modify Section 115 (titled Unsafe Buildings and Equipment in the 2018 Code and Unsafe Structures and Equipment in the 2021 Code) and Section 116 (titled Emergency Measures under both the 2018 and 2021 Codes) of the IEBC, in order to provide procedural safeguards as it relates to existing buildings deemed unsafe or imminently dangerous, as well as clarify the Code Official's authority to address the unsafe/dilapidated structures in the County and municipalities covered by the County's Permits and Inspections Division.

The 2021 IEBC comes in effect on July 1<sup>st</sup>, 2024 along with local amendments, as adopted under ORD-2024-07. The attached proposed ordinance includes additional local amendments to address Section 115 and 116 of the IEBC.

The procedures outlined in the proposed amendment to Section 115 (Unsafe Structures and Equipment) provides efficiency and oversight when the Code Official finds a property meets the already existing definition of "unsafe structure". These proposed amendments allow for the automatic scheduling of a hearing with the Building Code Board of Appeals, a Notice issued by the Code Official upon the owner of an unsafe property detailing needed corrective action and procedural rights and responsibilities, and an Order issued by the Board of Appeals along with rights and remedies for the Owner as well as the Code Official and County.

The proposed amendment to Section 116 (Emergency Measures) outlines the Code Official's authority to order emergency work, including and up to removal or demolition of a structure imposing imminent danger to members of the public. These amendments also clarify the responsibilities of municipalities and the County as it pertains to ordering the emergency work and bearing the burden of cost recovery from the property owner, depending on such property's jurisdiction.

While the 2018 IEBC and its local amendments, adopted under ORD-2019-26, are only in effect until July 1, 2024, the additional proposed ordinance, which is identical in its amendments to Section 115 and 116, would allow the Code Official to enact these procedures immediately.

**DISCUSSION:** The proposed amendments have been drafted for the Board's consideration, public notice and implementation. These proposed amendments consider the aftermath of the building collapse in Hancock by providing clarification of the Code Official's authority to handle the unsafe/dilapidated structure and give procedural safeguards to the owner of the structure.

**FISCAL IMPACT:** Consider the cost on County or municipalities for ordering work to secure or correct unsafe structures or to negate imminent danger, up to and including possible removal or demolition; proposed amendments allow for cost recovery from property owners.

**CONCURRENCES:** County Attorney

**ALTERNATIVES:** Reject both proposed amendments; Approve only one of the proposed amendments while rejecting the other.

**ATTACHMENTS:** (Proposed) An Ordinance to Amend the 2021 International Existing Building Code (ORD-2024-07) as Promulgated by the International Code Council, With Local Amendments for Washington County, Maryland

Ordinance No. ORD-2024-07

(Proposed) An Ordinance to Amend the 2018 International Existing Building code (ORD-2019-26) as Promulgated by the International Code Council, with Local Amendments for Washington County, Maryland

Ordinance No. ORD-2019-26



**ORDINANCE NO. ORD-2024-**

**AN ORDINANCE TO AMEND THE 2021 *INTERNATIONAL EXISTING BUILDING CODE* (ORD-2024-07) AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND**

**RECITALS**

The Board of County Commissioners of Washington County, Maryland, adopted by Ordinance No. ORD-2024-07, the 2021 *International Existing Building Code*, with local amendments for Washington County, Maryland, on February 27, 2024, effective July 1, 2024.

It has been recommended that the Board of County Commissioners of Washington County, Maryland (the “Board”) adopt an amendment to the 2021 *International Existing Building Code*, which provides and establishes procedural safeguards as it relates to existing buildings deemed unsafe or imminently dangerous.

A public hearing was held on June 4, 2024, following due notice and advertisement of the text of the proposed amendments to the 2021 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County (ORD-2-24-07).

Public comment was received, reviewed, and considered concerning the adoption of the amendments to the 2021 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County (ORD-2024-07).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2021 *International Existing Building Code* (ORD-2024-07), as promulgated by the International Code Council, with local amendments for Washington County, the contents of which are incorporated herein by reference, is amended with the following insertions, amendments and additions:

Section 115.1.1	added	Section 115.9	added
Section 115.1.2	added	Section 115.10	added
Section 115.3	amended	Section 115.11	added
Section 115.6	added	Section 116.2	amended
Section 115.7	added	Section 116.5.1	added
Section 115.8	added		

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**CHAPTER 1 – ADMINISTRATION**, is amended as follows:

**SECTION 115, UNSAFE BUILDING AND EQUIPMENT**, is amended as follows:

**Section 115.1.1 Jurisdiction is added to read as follows:**

115.1.1 For the purpose of Section 115, municipality is defined as a municipality within Washington County and which the County has agreed, in writing, to enforce the building code on said municipality’s behalf.

**Section 115.1.2 Issuance of Complaint is added to read as follows:**

115.1.2 Whenever a complaint is filed with the code official by any county or municipality employee or the public at large, charging that any existing structure is unsafe, or whenever it appears to the code official (on his own motion) that any existing structure is unsafe, the code official or their designee shall conduct a preliminary investigation with respect to the condition of the existing structure as outlined in Section 115.1.

**Section 115.3 Notice of Complaint is amended to read as follows:**

**115.3** In the event the existing structure is found to be unsafe, the code official shall serve a written notice of complaint upon the owner and all parties in interest in the existing structure. The complaint shall disclose the basis for such charges and shall include the time and place for a hearing, which shall be held before the Building Code Board of Appeals, also known as the Board of Appeals. The hearing shall not be conducted less than ten (10) days nor more than thirty (30) days after the date of service of the complaint. The owner and parties in interest shall be given the right to file an answer to the complaint at any time not later than three (3) days prior to the hearing, and to appear in person or otherwise and give testimony at the hearing at the time and place set forth in the complaint.

Any complaint issued by the code official under this local amendment shall:

- (1) Include a description of the real property that is the subject of the complaint sufficient to identify the property;
- (2) Include a statement of conditions that are believed to make the existing structure unsafe;
- (3) Include a notice of the required corrective action, pursuant to Section 115.5, such as repairs or improvements needed to abate the unsafe condition or the demolition of the unsafe structure within a stipulated time.
- (4) Include a notice that a hearing will be held before the Board of Appeals;
- (5) Inform the owner of the right to answer the complaint at any time not later than three (3) days prior to the hearing;
- (6) Inform the owner of the right to give testimony at the hearing and the right to be represented at the hearing by any other party, including an attorney;
- (7) Include a statement stating that if the conditions with respect to the existing structure are not remediated so as to make the existing structure safe, the Board of Appeals shall render a decision, which may order remedial action including require the repair, alteration or improvement, or the demolition or removal of the existing structure.

**Section 115.6 Conduct of Hearing is added to read as follows:**

115.6 Any hearing held pursuant to the provisions of Section 115 shall be conducted using the following procedure:

- (1) All hearings shall be conducted in an open session before the Board of Appeals at the time and place set forth in the complaint. The code official shall provide a summary of the conditions that are believed to make the existing structure unsafe. The owner, any party in interest, or a representative of the owner or any party in interest, which may be an attorney, shall be permitted to respond.
- (2) Any hearing shall be recorded and copies thereof made available to the owner or any party in interest at no charge upon request.
- (3) Hearings shall not be subject to the rules of evidence, but the Board of Appeals may mandate that only relevant information be presented.
- (4) The Board of Appeals shall make a final determination of the action required of the owner, if any, that is necessary in order to make the existing structure safe. The Board of Appeals may decide upon any such matter at the hearing or may take the matter under consideration to be decided upon at a later date. The Board of Appeals shall serve upon the owner a written order stating the final determination of the Board of Appeals as to the appropriate remedy, pursuant to Section 115.7, with respect to the existing structure, and the findings of fact in support of such determination.

**Section 115.7 Remedies Where Existing Structures are Unsafe is added to read as follows:**

115.7 (1a) If the repair, alteration or improvement of the existing structure can be made at a reasonable cost in relation to the value of the existing structure, the owner shall be required within the time specified in such order, to repair, alter or improve such existing structure to render it safe or, if the owner is unwilling or unable to make such repairs, alterations, or improvements, the owner must cause to vacate, close, and board up the existing structure.

(2b) If the repair, alteration or improvement of the existing structure cannot be made at a reasonable cost in relation to the value of the existing structure, the owner

then shall be required, within the time specified in the order, to remove or demolish such existing structure.

**Section 115.8 Issuance of Orders is added to read as follows:**

115.8 Any order issued by the Building Code Board of Appeals pursuant to Section 115 shall:

- (1) Include a final determination as to whether the existing structure is unsafe, including, where an existing structure is found to be unsafe, a recitation of the findings of fact that support such a determination;
- (2) Fix a time period during which the owner must take the remedial action necessary to correct the conditions that cause the existing structure to be unsafe, or the time period during which the owner must demolish or remove the existing structure;
- (3) Include a statement informing the owner of the right to appeal the determination of the Board of Appeals by filing a petition in the Circuit Court for Washington County, Maryland for an injunction restraining the code official from carrying out the provisions of the order; and
- (4) Notify the owner that, in the event the action required by the order is not taken within the prescribed period of time set forth therein, the County or, if the property is located within a municipality's jurisdiction as described in Section 115.1.1, the -relevant a-municipality that the county enforces the building code on behalf of, willmay undertake such remedial action, and, in the event that the county or municipality does so, any costs of the county or municipality, including legal costs, that are not offset by the sale of salvage or valuable materials, shall become a lien against the real property upon which the existing structure was situated that shall be collectible in the same manner as county or municipality's taxes, including foreclosure and the sale of the property at a tax sale.

**Section 115.9 Rights of Persons Affected by Orders is added to read as follows:**

115.9 Any person affected by an order issued by the Board of Appeals under Section 115 may, within 30 days after the posting or service of the order, petition the Circuit Court for Washington County, Maryland for an injunction restraining the code official from carrying out the provisions of the order. The remedies set forth in this section shall be exclusive remedies and no person affected by an order of the Board of Appeals shall be entitled to recover any damages for such action taken pursuant to any order or because of compliance by the code official, or any other employee or contractor of the county or local jurisdiction, with any order of the Board of Appeals.

**Section 115.10 Authority of County or Local Jurisdiction is added to read as follows:**

115.10 (1) If the owner fails to timely comply with an order of the Board of Appeals to ~~complete remedial action, up to and including~~ removal or demolition~~s~~ of the existing structure, the code official, ~~or an official will~~ may cause the existing structure to be ~~deemed safe by ordering necessary remedial action, up to and including~~ removal~~ed~~ or demolition ~~of the existing structure subject to the order~~s~~hed~~.

(2) ~~If the existing structure subject to the order is located within the jurisdiction of a municipality, as defined in Section 115.1.1, an official of the municipality, in conjunction with the County code official, will cause the necessary remedial action to be completed, up to and including removal or demolition.~~

(3) In the event that the county or local jurisdiction employs a third-party contractor to ~~demolish or remove~~ perform the remedial action, up to and including removal or demolition, on the ~~existing structure~~d~~welling~~, the ~~C~~ounty or ~~local jurisdiction~~municipality shall competitively bid the work in conformity with the ~~C~~ounty or local jurisdiction's procurement and purchasing policy.

(4) ~~In the event that the County or municipality exercises its authority under this Section, any costs of the County or municipality, including legal costs, that are not offset by the sale of salvage or valuable materials, shall become a lien against the real property upon which the existing structure was situated that shall be collectible in the~~

same manner as County or municipality's taxes, including foreclosure and the sale of the property at a tax sale.

**Section 115.11 Unlawful to Remove or Deface Notice; Trespassing is added to read as follows:**

115.11 It shall be unlawful for any person to remove or deface any complaint, order, or notice placed upon any existing structure pursuant to the provisions of this local amendment and subject to penalties under Section 113.4 of this code.

**SECTION 116, EMERGENCY MEASURES, is amended as follows:**

**Section 116.2 Temporary Safeguards is amended to read as follows:**

116.2 Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action, up to and including demolition or removal of the structure, to be taken as the code official deems necessary to meet such emergency. If the building subject to Section 116 is located within a municipality, as defined in Section 115.1.1, then the official for said municipality, in conjunction with the county's code official, shall order the necessary work as provided in this Section.

**Section 116.5.1 Jurisdiction of Emergency Repairs is added to read as follows:**

116.5.1 If the location of the emergency work performed is a municipality ~~within the jurisdiction of Washington County and which the county is obligated to enforce this code on that municipality's behalf~~ as defined in Section 115.1.1, the County ~~said municipality~~ shall be the jurisdiction that incurs such cost, ~~as well as, and~~ the burden and right to recover said costs, pursuant to Section 116.5, except as otherwise agreed to by the municipality and the County.

Adopted this 4<sup>th</sup> day of June, 2024.

Effective the 1<sup>st</sup> day of July, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY,

MARYLAND

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Dawn L. Marcus, Clerk

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John F. Barr, President

Approved as to form and  
legal sufficiency:

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Rosalinda Pascual  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Ste 1101  
Hagerstown, MD 21740



**ORDINANCE NO. ORD-2024-07**

**AN ORDINANCE TO ADOPT AND ENACT THE 2021 *INTERNATIONAL EXISTING BUILDING CODE*, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND**

**RECITALS**

It has been recommended that the Board of County Commissioners of Washington County, Maryland (the "Board") adopt the 2021 *International Existing Building Code*, which provides and establishes the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition to, and relocation of existing buildings.

A public hearing was held on February 27, 2024, following due notice and advertisement of the text of the 2021 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County.

Public comment was received, reviewed, and considered concerning the adoption of the 2021 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2018 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments, adopted by the Board of County Commissioners of Washington County, Maryland, on December 3, 2019, effective March 1, 2020 (ORD-2019-26), and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2021 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

|                 |         |                 |         |
|-----------------|---------|-----------------|---------|
| Section 101.1   | amended | Section 101.1.8 | added   |
| Section 101.1.1 | added   | Section 103.1   | amended |
| Section 101.1.2 | added   | Section 108.2   | amended |
| Section 101.1.3 | added   | Section 108.4.1 | added   |
| Section 101.1.4 | added   | Section 113.4   | amended |
| Section 101.1.5 | added   | Section 113.4.1 | added   |
| Section 101.1.6 | added   |                 |         |
| Section 101.1.7 | added   |                 |         |

**CHAPTER 1 – ADMINISTRATION, is amended as follows:**

**SECTION 101, GENERAL, is amended as follows:**

**Section 101.1 Title is amended to read as follows:**

**101.1** These regulations shall be known as the *Existing Building Code of Washington County, Maryland*, hereinafter referred to as "this code."

**Sections 101.1.1 through 101.1.8 are added to read as follows:**

**101.1.1 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code, 2021 Edition*, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on February 27, 2024, effective July 1, 2024, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.2 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70: *National Electrical Code, 2020 Edition*, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on February 27, 2024, effective July 1, 2024, and the 2006 *ICC Electrical Code – Administrative Provisions, First Printing*, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, amended on December 3, 2019, effective March 1, 2020, and amended on February 27, 2024, effective July 1, 2024.

**101.1.3 International Fire Code.** Any reference to the *International Fire Code* shall mean the *Maryland State Fire Prevention Code (COMAR 29.06.01)*, as may be amended or restated from time to time.

**101.1.4 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code, 2021 Edition*, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on February 27, 2024, effective July 1, 2024.

**101.1.5 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code, 2021 Edition*, as promulgated by the International

Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on February 27, 2024, effective July 1, 2024, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.6 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 2021 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on February 27, 2024, effective July 1, 2024.

**101.1.7 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 2021 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on February 27, 2024, effective July 1, 2024, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.8 International Mechanical Code.** Any reference to *International Mechanical Code* in this code shall mean the *International Mechanical Code*, 2021 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland, on February 27, 2024, effective July 1, 2024.

**SECTION 103, DEPARTMENT OF BUILDING SAFETY, is amended as follows:**

**Section 103.1 is amended to read as follows:**

**103.1 Creation of enforcement agency.** The Director of Permits & Inspections shall be known as the Code Official and the Chief Plans Examiner of the Division of Permits & Inspections shall be known as the Deputy Code Official and is hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official shall be referred to singularly or collectively as the Code Official.

**SECTION 108, FEES, is amended as follows:**

**Section 108.2 is amended and shall read as follows:**

**108.2 Schedule of permit fees.** The fees for work performed under this code shall be paid in accordance with the schedule as established by the Board of County Commissioners of Washington County, Maryland, as may be amended from time to time.

**SECTION 113, VIOLATIONS, is amended as follows:**

**Section 113.4 Violation penalties, is amended and shall read as follows:**

**113.4 Criminal Penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00)

or more than One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding one (1) year, or both fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 113.4.1 is added and shall read as follows:**

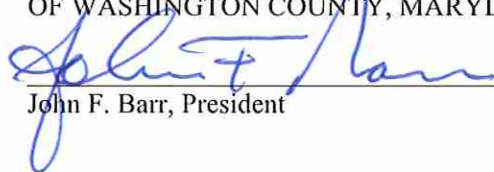
**113.4.1 Civil Penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense which shall be prosecuted in accordance with Md. Code, Local Government Article, § 6-102, et seq. The penalty for a civil offense shall be established by resolution by the Board of County Commissioners of Washington County, Maryland. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Adopted this 27<sup>th</sup> day of February, 2024.  
Effective the 1<sup>st</sup> day of July, 2024.

ATTEST:

  
Dawn L. Marcus, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

  
John F. Barr, President

Approved as to form and  
legal sufficiency:

  
Zachary J. Kieffer  
Interim County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, MD 21740

**ORDINANCE NO. ORD-2024-**

**AN ORDINANCE TO AMEND THE 2018 *INTERNATIONAL EXISTING BUILDING CODE* (ORD-2019-26) AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND**

**RECITALS**

The Board of County Commissioners of Washington County, Maryland, adopted by Ordinance No. ORD-2019-26, the 2018 *International Existing Building Code*, with local amendments for Washington County, Maryland, on December 3, 2019, effective March 1, 2020.

It has been recommended that the Board of County Commissioners of Washington County, Maryland (the “Board”) adopt an amendment to the 2018 *International Existing Building Code*, which provides and establishes procedural safeguards as it relates to existing buildings deemed unsafe or imminently dangerous.

A public hearing was held on June 4, 2024, following due notice and advertisement of the text of the proposed amendments to the 2018 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County (ORD-2019-26).

Public comment was received, reviewed, and considered concerning the adoption of the amendments of the 2018 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County (ORD-2019-26).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2018 *International Existing Building Code* (ORD-2019-26), as promulgated by the International Code Council, with local amendments for Washington County, the contents of which are incorporated herein by reference, is amended with the following insertions, amendments and additions:

|                 |         |                 |         |
|-----------------|---------|-----------------|---------|
| Section 115.1.1 | added   | Section 115.9   | added   |
| Section 115.1.2 | added   | Section 115.10  | added   |
| Section 115.3   | amended | Section 115.11  | added   |
| Section 115.6   | added   | Section 116.2   | amended |
| Section 115.7   | added   | Section 116.5.1 | added   |
| Section 115.8   | added   |                 |         |

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**CHAPTER 1 – ADMINISTRATION**, is amended as follows:

**SECTION 115, UNSAFE BUILDING AND EQUIPMENT**, is amended as follows:

**Section 115.1.1 Jurisdiction is added to read as follows:**

115.1.1 For the purpose of Section 115, municipality is defined as a municipality within Washington County and which the County has agreed, in writing, to enforce the building code on said municipality’s behalf.

**Section 115.1.2 Issuance of Complaint is added to read as follows:**

115.1.2 Whenever a complaint is filed with the code official by any county or municipality employee or the public at large, charging that any existing structure is unsafe, or whenever it appears to the code official (on his own motion) that any existing structure is unsafe, the code official or their designee shall conduct a preliminary investigation with respect to the condition of the existing structure as outlined in Section 115.1.

**Section 115.3 Notice of Complaint is amended to read as follows:**

**115.3** In the event the existing structure is found to be unsafe, the code official shall serve a written notice of complaint upon the owner and all parties in interest in the existing structure. The complaint shall disclose the basis for such charges and shall include the time and place for a hearing, which shall be held before the Building Code Board of Appeals, also known as the Board of Appeals. The hearing shall not be conducted less than ten (10) days nor more than thirty (30) days after the date of service of the complaint. The owner and parties in interest shall be given the right to file an answer to the complaint at any time not later than three (3) days prior to the hearing, and to appear in person or otherwise and give testimony at the hearing at the time and place set forth in the complaint.

Any complaint issued by the code official under this local amendment shall:

- (1) Include a description of the real property that is the subject of the complaint sufficient to identify the property;
- (2) Include a statement of conditions that are believed to make the existing structure unsafe;
- (3) Include a notice of the required corrective action, pursuant to Section 115.5, such as repairs or improvements needed to abate the unsafe condition or the demolition of the unsafe structure within a stipulated time.
- (4) Include a notice that a hearing will be held before the Board of Appeals;
- (5) Inform the owner of the right to answer the complaint at any time not later than three (3) days prior to the hearing;
- (6) Inform the owner of the right to give testimony at the hearing and the right to be represented at the hearing by any other party, including an attorney;
- (7) Include a statement stating that if the conditions with respect to the existing structure are not remediated so as to make the existing structure safe, the Board of Appeals shall render a decision, which may order remedial action including require the repair, alteration or improvement, or the demolition or removal of the existing structure.

**Section 115.6 Conduct of Hearing is added to read as follows:**

115.6 Any hearing held pursuant to the provisions of Section 115 shall be conducted using the following procedure:

- (1) All hearings shall be conducted in an open session before the Board of Appeals at the time and place set forth in the complaint. The code official shall provide a summary of the conditions that are believed to make the existing structure unsafe. The owner, any party in interest, or a representative of the owner or any party in interest, which may be an attorney, shall be permitted to respond.
- (2) Any hearing shall be recorded and copies thereof made available to the owner or any party in interest at no charge upon request.
- (3) Hearings shall not be subject to the rules of evidence, but the Board of Appeals may mandate that only relevant information be presented.
- (4) The Board of Appeals shall make a final determination of the action required of the owner, if any, that is necessary in order to make the existing structure safe. The Board of Appeals may decide upon any such matter at the hearing or may take the matter under consideration to be decided upon at a later date. The Board of Appeals shall serve upon the owner a written order stating the final determination of the Board of Appeals as to the appropriate remedy, pursuant to Section 115.7, with respect to the existing structure, and the findings of fact in support of such determination.

**Section 115.7 Remedies Where Existing Structures are Unsafe is added to read as follows:**

115.7 (1a) If the repair, alteration or improvement of the existing structure can be made at a reasonable cost in relation to the value of the existing structure, the owner shall be required within the time specified in such order, to repair, alter or improve such existing structure to render it safe or, if the owner is unwilling or unable to make such repairs, alterations, or improvements, the owner must cause to vacate, close, and board up the existing structure.

(2b) If the repair, alteration or improvement of the existing structure cannot be made at a reasonable cost in relation to the value of the existing structure, the owner



then shall be required, within the time specified in the order, to remove or demolish such existing structure.

**Section 115.8 Issuance of Orders is added to read as follows:**

115.8 Any order issued by the Building Code Board of Appeals pursuant to Section 115 shall:

- (1) Include a final determination as to whether the existing structure is unsafe, including, where an existing structure is found to be unsafe, a recitation of the findings of fact that support such a determination;
- (2) Fix a time period during which the owner must take the remedial action necessary to correct the conditions that cause the existing structure to be unsafe, or the time period during which the owner must demolish or remove the existing structure;
- (3) Include a statement informing the owner of the right to appeal the determination of the Board of Appeals by filing a petition in the Circuit Court for Washington County, Maryland for an injunction restraining the code official from carrying out the provisions of the order; and
- (4) Notify the owner that, in the event the action required by the order is not taken within the prescribed period of time set forth therein, the County or, if the property is located within a municipality's jurisdiction as described in Section 115.1.1, the -relevant a-municipality that the county enforces the building code on behalf of, willmay undertake such remedial action, and, in the event that the county or municipality does so, any costs of the county or municipality, including legal costs, that are not offset by the sale of salvage or valuable materials, shall become a lien against the real property upon which the existing structure was situated that shall be collectible in the same manner as county or municipality's taxes, including foreclosure and the sale of the property at a tax sale.

**Section 115.9 Rights of Persons Affected by Orders is added to read as follows:**

115.9 Any person affected by an order issued by the Board of Appeals under Section 115 may, within 30 days after the posting or service of the order, petition the Circuit Court for Washington County, Maryland for an injunction restraining the code official from carrying out the provisions of the order. The remedies set forth in this section shall be exclusive remedies and no person affected by an order of the Board of Appeals shall be entitled to recover any damages for such action taken pursuant to any order or because of compliance by the code official, or any other employee or contractor of the county or local jurisdiction, with any order of the Board of Appeals.

**Section 115.10 Authority of County or Local Jurisdiction is added to read as follows:**

115.10 (1) If the owner fails to timely comply with an order of the Board of Appeals to ~~complete remedial action, up to and including~~ removal or demolition~~s~~ of the existing structure, the code official, ~~or an official will~~ may cause the existing structure to be ~~deemed safe by ordering necessary remedial action, up to and including~~ removal~~ed~~ or demolition ~~of the existing structure subject to the order~~s~~hed~~.

(2) ~~If the existing structure subject to the order is located within the jurisdiction of a municipality, as defined in Section 115.1.1, an official of the municipality, in conjunction with the County code official, will cause the necessary remedial action to be completed, up to and including removal or demolition.~~

(3) In the event that the county or local jurisdiction employs a third-party contractor to ~~demolish or remove~~ perform the remedial action, up to and including removal or demolition, on the existing structure~~dwelli~~ng, the ~~C~~ounty or ~~local jurisdiction~~municipality shall competitively bid the work in conformity with the ~~C~~ounty or local jurisdiction's procurement and purchasing policy.

(4) ~~In the event that the County or municipality exercises its authority under this Section, any costs of the County or municipality, including legal costs, that are not offset by the sale of salvage or valuable materials, shall become a lien against the real property upon which the existing structure was situated that shall be collectible in the~~

same manner as County or municipality's taxes, including foreclosure and the sale of the property at a tax sale.

**Section 115.11 Unlawful to Remove or Deface Notice; Trespassing is added to read as follows:**

115.11 It shall be unlawful for any person to remove or deface any complaint, order, or notice placed upon any existing structure pursuant to the provisions of this local amendment and subject to penalties under Section 113.4 of this code.

**SECTION 116, EMERGENCY MEASURES, is amended as follows:**

**Section 116.2 Temporary Safeguards is amended to read as follows:**

116.2 Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action, up to and including demolition or removal of the structure, to be taken as the code official deems necessary to meet such emergency. If the building subject to Section 116 is located within a municipality, as defined in Section 115.1.1, then the official for said municipality, in conjunction with the county's code official, shall order the necessary work as provided in this Section.

**Section 116.5.1 Jurisdiction of Emergency Repairs is added to read as follows:**

116.5.1 If the location of the emergency work performed is a municipality ~~within the jurisdiction of Washington County and which the county is obligated to enforce this code on that municipality's behalf~~ as defined in Section 115.1.1, the County said municipality shall be the jurisdiction that incurs such cost, ~~as well as, and~~ the burden and right to recover said costs, pursuant to Section 116.5, except as otherwise agreed to by the municipality and the County.

Adopted and effective this 4<sup>th</sup> day of June, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY,

MARYLAND

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Dawn L. Marcus, Clerk

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John F. Barr, President

Approved as to form and  
legal sufficiency:

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Rosalinda Pascual  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Ste 1101  
Hagerstown, MD 21740

**ORDINANCE NO. ORD-2019-26**

**AN ORDINANCE TO ADOPT AND ENACT THE 2018 *INTERNATIONAL EXISTING BUILDING CODE*, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND**

**RECITALS**

It has been recommended that the Board of County Commissioners of Washington County, Maryland (the "Board") adopt the 2018 *International Existing Building Code*, which provides and establishes the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition to, and relocation of existing buildings.

A public hearing was held on December 3, 2019, following due notice and advertisement of the text of the 2018 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County.

Public comment was received, reviewed, and considered concerning the adoption of the 2018 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2015 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments, adopted by the Board of County Commissioners of Washington County, Maryland, on December 15, 2015, effective March 1, 2016 (ORD-2015-28), and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2018 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

Section 101.1	amended	Section 101.1.8	added
Section 101.1.1	added	Section 103.1	amended
Section 101.1.2	added	Section 108.2	amended
Section 101.1.3	added	Section 108.4.1	added
Section 101.1.4	added	Section 113.4	amended
Section 101.1.5	added	Section 113.4.1	added
Section 101.1.6	added		
Section 101.1.7	added		

**CHAPTER 1 – ADMINISTRATION, is amended as follows:**

**SECTION 101, GENERAL, is amended as follows:**

**Section 101.1 Title is amended to read as follows:**

**101.1** These regulations shall be known as the *Existing Building Code of Washington County, Maryland*, hereinafter referred to as "this code."

**Sections 101.1.1 through 101.1.8 are added to read as follows:**

**101.1.1 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code*, 2018 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on December 3, 2019, effective March 1, 2020, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.2 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70: *National Electrical Code*, 2017 Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on December 3, 2019, effective March 1, 2020, and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, and amended on December 3, 2019, effective March 1, 2020.

**101.1.3 International Fire Code.** Any reference to the *International Fire Code* shall mean the *Maryland State Fire Prevention Code* (COMAR 29.06.01), as may be amended or restated from time to time.

**101.1.4 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 2018 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on December 3, 2019, effective March 1, 2020.

**101.1.5 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 2018 Edition, as promulgated by the International

Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on December 3, 2019, effective March 1, 2020, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.6 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 2018 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on December 3, 2019, effective March 1, 2020.

**101.1.7 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 2018 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on December 3, 2019, effective March 1, 2020, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.8 International Mechanical Code.** Any reference to *International Mechanical Code* in this code shall mean the *International Mechanical Code*, 2018 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland, on December 3, 2019, effective March 1, 2020.

**SECTION 103, DEPARTMENT OF BUILDING SAFETY, is amended as follows:**

**Section 103.1 is amended to read as follows:**

**103.1 Creation of enforcement agency.** The Director of the Division of Construction shall be known as the Code Official and the Chief Plans Examiner of the Division of Construction shall be known as the Deputy Code Official and is hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official shall be referred to singularly or collectively as the Code Official.

**SECTION 108, FEES, is amended as follows:**

**Section 108.2 is amended and shall read as follows:**

**108.2 Schedule of permit fees.** The fees for work performed under this code shall be paid in accordance with the schedule as established by the Board of County Commissioners of Washington County, Maryland, as may be amended from time to time.

**SECTION 113, VIOLATIONS, is amended as follows:**

**Section 113.4 Violation penalties, is amended and shall read as follows:**

**113.4 Criminal Penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00)


or more than One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding one (1) year, or both fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 113.4.1 is added and shall read as follows:**

**113.4.1 Civil Penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense which shall be prosecuted in accordance with Md. Code, Local Government Article, § 6-102, et seq. The penalty for a civil offense shall be established by resolution by the Board of County Commissioners of Washington County, Maryland. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Adopted this 3<sup>rd</sup> day of December 2019.  
Effective the 1<sup>st</sup> day of March, 2020.

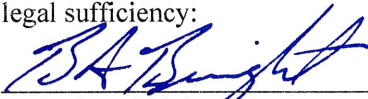
ATTEST:

  
\_\_\_\_\_  
Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

  
\_\_\_\_\_  
Jeffrey A. Cline, President

Approved as to form and  
legal sufficiency:

  
\_\_\_\_\_  
B. Andrew Bright  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, MD 21740





Open Session Item

**SUBJECT:** FY24 Budget Adjustments to the Washington County Board of Education's General Fund Budget

**PRESENTATION DATE:** June 4, 2024

**PRESENTATION BY:** Mr. Jeffrey Proulx, Chief Operating Officer, WCPS  
Mr. Eric Sisler, Executive Director of Finance, WCPS

**RECOMMENDED MOTION:** Move to approve the requested adjustments to the Board of Education's FY2024 General Fund Budget.

**REPORT-IN-BRIEF:** The Annotated Code of Maryland requires local school systems to periodically re-forecast their financial needs and make necessary changes to their budgets. To that end, the Washington County Board of Education approved the attached list of changes to its FY2024 General Fund Budget at its May 21, 2024, meeting.

**DISCUSSION:** The changes that the Board of Education approved on May 21, 2024, cross major categories. Therefore, these requested adjustments must also be approved by the Board of County Commissioners. The Board of Education has asked its Finance staff to review the requested budget changes with the Commissioners and answer any questions that they may have.

**FISCAL IMPACT:** None. These proposed modifications merely adjust various categories of the budget to reflect updated information on revenue and spending trends.

**CONCURRENCES:** The Board of Education's Finance Committee reviewed the proposed adjustments at their meeting on May 16, 2024, and recommended them for approval by the full Board. The Board of Education approved these changes at their May 21, 2024, meeting.

**ALTERNATIVES:** None

**ATTACHMENTS:**

- FY2024 general fund budget adjustments

**AUDIO/VISUAL NEEDS:** None

**Washington County Public Schools  
Requested FY2024 Budget Adjustments**

Category	Value	The primary reason for variance is:
Revenue	\$325,000	Interest income and non-resident student revenue
Instructional Salaries	\$211,140	Needed to swap teacher positions to Title I Grant and bring Elementary AP positions from Title I
Student Health Services	492,000	Nursing vacancies - employees and contracted personnel
Capital Outlay	1,567,391	Redeployed to Maintenance
Fixed Charges	40,740	Savings in health insurance and other fringe benefits due to vacancies
Total Expense Reductions/Additional Revenue	<u>\$2,636,271</u>	
Mid-Level Administration	\$244,960	Needed to swap teacher positions to Title I Grant and bring Elementary AP positions from Title I
Instructional Textbooks and Supplies	\$320,000	Textbook expense associated with HCC Dual Credit Courses
Other Instructional Costs	\$177,325	higher Dual Enrollment costs with HCC
Student Transportation Services	284,195	Inflationary costs associated with parts and vehicle repairs
Maintenance of Plant	1,549,791	Redeployed from Capital Outlay due to nature of work
Food Services	60,000	Needed for adjustments to student accounts
Total Expense Increases/Reduced Revenue	<u>\$2,636,271</u>	
<b>Net Effect on Fund Balance</b>	<b>\$0</b>	



Open Session Item

**SUBJECT:** Contract Award (PUR-1676) – Stop Loss Insurance Coverage

**PRESENTATION DATE:** June 4, 2024

**PRESENTATION BY:** Brandi Naugle, CPPO, Buyer, Chip Rose Director of Human Resources, and a representative from the County’s consultant, CBIZ Benefits & Insurance Services, Inc.

**RECOMMENDED MOTION:** Motion to award a contract for Stop Loss Insurance to the responsive, responsible proposer, Highmark of Pittsburgh, PA who submitted a total annual premium for Option 1 of \$1,303,450.40 with specific stop loss @ \$175,000 per claimant.

**REPORT-IN-BRIEF:** Stop-loss policies are insurance that protects the plan from significant claim costs associated with individual members (specific) or for the entire group (aggregate). Currently, the Board of County Commissioners of Washington County, Maryland has a stop-loss policy with Highmark that limits the medical and prescription drug plan costs to a maximum of \$175,000 per member per year.

The Request for Proposal (RFP) was advertised on the State’s “eMaryland Marketplace Advantage” (eMMA) website, on the County’s website, and in the local newspaper. Direct notice of the solicitation was e-mailed to twenty-four (24) potential providers of the insurance.

Proposals were received before the deadline on April 26, 2024, from five (5) companies that are providers of Stop Loss Insurance.

**DISCUSSION:** N/A

**FISCAL IMPACT:** Funds are available in the FY’25 health insurance budget.

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** The attached Summary will be reviewed and discussed by the County’s consultant.

**AUDIO/VISUAL NEEDS:** N/A



**Request for Proposal  
#1676**

**Stop Loss Analysis and  
Recommendations  
2024-2025**

**Board of Washington County Commissioners**

June 4, 2024

**Presented by:  
CBIZ Employee Services Organization**

# PUR-1676



## Board of County Commissioners of Washington County, Maryland

Effective Date: July 1, 2024  
Bid Due Date: April 26, 2024

All bids were requested net of commissions.

### *Overview*

The Board of County Commissioners of Washington County, Maryland (BCC) provides health insurance via Aetna/Aetna's care management programs and prescription drug coverage with CVS Caremark. Stop Loss coverage is currently with HM (Highmark) Insurance and is bid on an annual basis.

# Background

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Board of County Commissioners of Washington County, Maryland provides medical and prescription drug coverage to active employees, agencies, COBRA members, and pre-Medicare retirees on a self-insured basis.

Medical Vendor: Aetna effective 7/1/2016

Drug Vendor: CVS/Caremark effective 7/1/2019

Stop Loss policies are insurance that protects the plan from significant claim costs associated with individual members (specific) or for the entire group (aggregate). Currently, Board of County Commissioners of Washington County, Maryland has a specific Stop Loss policy with HM Insurance that limits the medical and prescription drug plan costs to a maximum of \$175,000 per member per year.

Stop Loss Vendor: HM Insurance effective 7/1/21

Stop Loss policies do not automatically renew at the same rate.

# Reinsurance Bidders For 7/1/24 Effective Date



Reinsurance Marketing Results				
Carrier	Rating	Quoted	Declined	Comments
HM Insurance (incumbent)	A	Y		See Spreadsheet
Aetna	A+	Y		See Spreadsheet
Amalgamated	A		X	
Berkley	A		X	Formal Declination
Berkshire Hathaway	A++		X	Formal Declination
CM Risk	A		X	Formal Declination
Crum & Forster	A		X	
Ethos - Nationwide Life	A		X	Formal Declination
GWB Insurance Group			X	
HCC	A++	Y		See Spreadsheet
IISI	A+		X	Formal Declination
Liberty Mutual	A		X	Formal Declination
Optum	A-	Y		See Spreadsheet
PACE	A+		X	Formal Declination
Prodigy - Standard Life	A		X	Formal Declination
QBE	A+		X	Formal Declination
Sun Life	A+		X	Formal Declination
Swiss Re	A+		X	Formal Declination
Symetra	A		X	Formal Declination
Unum	A		X	
UME	A		X	Formal Declination
Ullico	A	Y		See Spreadsheet
Voya	A		X	
Wellpoint	A+		X	Formal Declination

# Bid Analysis

recommendation



Specific Stop Loss		Current	Renewal	Option 1	Option 2	Option 3	Option 4
Carrier		HM Insurance	HM Insurance	HCC	Optum	Aetna	Ullico
Carrier Rating		A	A	A++	A-	A+	A-
TPA		Aetna	Aetna	Aetna	Aetna	Aetna	Aetna
PPO Network		Aetna	Aetna	Aetna	Aetna	Aetna	Aetna
UR Vendor		Aetna	Aetna	Aetna	Aetna	Aetna	Aetna
PBM		CVS Caremark	CVS Caremark	CVS Caremark	CVS Caremark	CVS Caremark	CVS Caremark
Specific Contract		Paid (48/12)	Paid (60/12)	24/12	24/12	Paid (60/12)	24/12
Specific Deductible		\$175,000	\$175,000	\$175,000	\$175,000	\$175,000	\$175,000
No New Laser (NNL) Included		Yes	Yes	Yes	Yes	Yes	Yes
Rate Cap %		55%	55%	81%	55%	50%	55%
Benefits Included		Med/Rx	Med/Rx	Med/Rx	Med/Rx	Med/Rx	Med/Rx
Specific Policy Year Maximum		Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Specific Lifetime Max		Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
	Lives						
Single Premium	331	\$ 49.89	\$ 57.80	\$ 54.25	\$ 59.80	\$ 123.08	\$ 47.03
EE+SP Premium	206	\$ 134.15	\$ 153.53	\$ 175.41	\$ 148.51	\$ 123.08	\$ 126.68
EE+CH Premium	81	\$ 134.15	\$ 153.53	\$ 175.41	\$ 148.51	\$ 123.08	\$ 126.68
Family Premium	293	\$ 134.15	\$ 153.53	\$ 175.41	\$ 148.51	\$ 123.08	\$ 126.68
Composite	911	\$ 103.54	\$ 118.75	\$ 131.39	\$ 116.28	\$ 123.08	\$ 97.74
Monthly Specific Premium		\$ 94,320.59	\$ 108,179.20	\$ 119,694.55	\$ 105,929.60	\$ 112,125.88	\$ 89,041.33
Annual Specific Premium		\$ 1,131,847.08	\$ 1,298,150.40	\$ 1,436,334.60	\$ 1,271,155.20	\$ 1,345,510.56	\$ 1,068,495.96
% Difference			14.69%	26.90%	12.31%	18.88%	-5.60%
Firm Through			Firm 6.7	Illustrative	Illustrative	Firm 6.5	Firm 5.31
				want additional claim info before firm	Want additional claim info before firm		Quote excludes Gene Therapy coverage.
Non preferred Aetna annual fee		\$ 4,600.00	\$ 5,300.00	\$ 5,300.00	\$ 5,300.00	None	\$ 5,300.00
Total Reinsurance Expense							
Annual Fixed Premium		\$1,136,447.08	\$1,303,450.40	\$1,441,634.60	\$1,276,455.20	\$1,345,510.56	\$1,073,795.96
% Difference			14.70%	26.85%	12.32%	18.40%	-5.51%
\$ Difference			\$167,003.32	\$305,187.52	\$140,008.12	\$209,063.48	(\$62,651.12)



# Recommendation

## 7/1/24 Effective Date

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### Renew with HM (incumbent)

- Maintain the \$175,000 Specific Stop Loss level (per member).
- Retain the “No New Laser” provision.
- Retain Rate Cap at 55%.
- HM offers consistency and partnership.
  - Lower bid from Optum is not firm (they want additional claim info)



## Agenda Report Form

### Open Session Item

**SUBJECT:** Quotation Award (Q-24-784) Police Vehicle Equipment for the Washington County Sheriff's Office

**PRESENTATION DATE:** June 4, 2024

**PRESENTATION BY:** Rick F. Curry, CPPO, Director of Purchasing; Alan Matheny, Logistics and Commercial Vehicle Enforcement, Sheriff's Office.

**RECOMMENDED MOTION:** Move to award the Quotation for the Police Vehicle Equipment to the responsible, responsive bidder, Dana Safety Supply, Inc. of Lorton, VA who submitted the responsive Total Lump Sum of \$77,725.11 for Items 1 through 20 as shown on the bid tabulation sheets.

**REPORT-IN-BRIEF:** The equipment will be installed in and on vehicles that were approved by the Board in January 2024.

**DISCUSSION:** The Code of the Public Local Laws states that a contract over \$50,000 for the purchase or other expenditure shall be awarded by the Board to the lowest responsible bidder who submits a responsive bid. Request for Quotations are processed for purchases of commodities and services not exceeding \$50,000 and are normally awarded at the departmental level in concurrence with the Purchasing Department. Due to the recommendation of award the cost for the cameras/installation exceeded \$50,000, the Quotation is before the Board for an award. It was anticipated that these services would not exceed \$50,000.

It was anticipated these services would be quoted below the \$50,000 threshold which would not have required using the Invitation to Bid (ITB) advertisement process. As such, the Request for Quotation process was followed and not the formal bid process. As noted previously, a significant number of vendors reviewed the document; as such we do not believe publicly advertising the project in the newspaper or through the State's web site would have yielded any difference in the final outcome. Given the value of the quotations, the Board of County Commissioners' approval is necessary to award the purchase of the equipment.

**FISCAL IMPACT:** Funds in the amount of \$830,699 are available in the department's account 30-11310-VEH006 for this purchase.

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Quote Tabulation Matrix

**AUDIO/VISUAL NEEDS:** N/A

**Q-24-784  
Police Vehicle Equipment**

Item	Description	Unit of Measure	Qty	10-8 Emergency Services New Holland, PA		Blue Tech, LLC Pittsville, MD		Dana Safety Supply, Inc. Lorton, VA	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	17" 2020 PI UV-SPECIFIC CONSOLE Product # CC-20-UVLP-17	Each	19	\$327.10	\$6,214.90 *	\$342.97	\$6,516.43 *	\$337.88	\$6,419.72
2	WIRE HARNESS COVER Product # AC-UV20-HC	Each	19	\$0.00	\$0.00	\$135.43	\$2,573.17 *	\$133.42	\$2,534.98 *
3	3" RADIO FACE PLATE Product # FP-MXTL2500	Each	19	\$0.00	\$0.00	\$31.55	\$599.45 *	\$30.88	\$586.72
4	4" SOUND OFF 500 SIREN FACE PLATE Product # FP-SO500-R	Each	19	\$0.00	\$0.00	\$31.55	\$599.45 *	\$30.88	\$586.72
5	2" FACE PLATE W/2 DC OUTLETS, 1 DUAL USB Product # FP-USB-2DC	Each	19	\$53.82	\$1,022.58	\$56.43	\$1,072.17	\$51.88	\$985.72
6	1" BLANK FILLER PLATE Product # FP-BLNK1	Each	19	\$0.00	\$0.00	\$8.15	\$154.85 *	\$8.03	\$152.57
7	4" INTERNAL DUAL BEVERAGE HOLDER Product # AC-INBHG	Each	19	\$38.27	\$727.13 *	\$40.13	\$762.47 *	\$39.53	\$751.07
8	3" SHALLOW STORAGE TRAY Product # FP-TICK-2	Each	19	\$31.69	\$602.11 *	\$34.98	\$664.62	\$32.73	\$621.87
9	SWIVELING PRINTER ARM REST W/5X8 PAD Product # AC-PENPRTR-58-CC	Each	19	\$269.01	\$5,111.19 *	\$310.37	\$5,897.03 *	\$305.76	\$5,809.44
10	SLIDE ARM DOCKING STATION CONSOLE TOP Product # CM-DH-SLDK-LED	Each	19	\$383.32	\$7,283.08 *	\$401.91	\$7,636.29 *	\$395.95	\$7,523.05

**Q-24-784  
Police Vehicle Equipment**

Item	Description	Unit of Measure	Qty	10-8 Emergency Services New Holland, PA		Blue Tech, LLC Pittsville, MD		Dana Safety Supply, Inc. Lorton, VA	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
11	US-SIZE SPACE MAKER PARTITION BENT FRAME DESIGN Product # TP-E-SM1-US-SS	Each	19	\$730.16	\$13,873.04 *	\$765.57	\$14,545.83 *	\$754.22	\$14,330.18
12	2020 PI UV SPACE-MAKER PARTITION MOUNT Product # SAB-20-UV-BF	Each	19	\$0.00	\$0.00	\$250.17	\$4,753.23 *	\$246.46	\$4,682.74
13	2020 PI UV SPACE-MAKER KICK PANEL W/Notch Product # KP-20-BFUV-SS-N 3-PC.	Each	19	\$144.72	\$2,749.68 *	\$159.72	\$3,034.68	\$149.48	\$2,840.12 *
14	SINGLE WEAPON MOUNT W/GUN LOCK BRACKETS Product # GM-SGL-MNT	Each	15	\$149.50	\$2,242.50	\$156.75	\$2,351.25	\$154.42	\$2,316.30
15	RIFLE W/OPTICS BRACKET Product # GM-B-OP-SC5-BKT	Each	15	\$0.00	\$0.00	\$73.99	\$1,109.85 *	\$72.89	\$1,093.35
16	UNIVERSAL GUN LOCK Product # GL-SC-6	Each	15	\$150.10	\$2,251.50 *	\$157.30	\$2,359.50	\$155.04	\$2,325.60
17	MAGNETIC MIC Product # AC-MAG-MIC	Each	19	\$40.07	\$761.33 *	\$42.01	\$798.19 *	\$41.38	\$786.22
18	2020 PI UTILITY TILT-UP CARGO Mt W/GAS SHOCKS Product # CP-UV20-CARGO	Each	19	\$568.10	\$10,793.90	\$595.65	\$11,317.35	\$586.82	\$11,149.58

**Q-24-784  
Police Vehicle Equipment**

				10-8 Emergency Services New Holland, PA		Blue Tech, LLC Pittsville, MD		Dana Safety Supply, Inc. Lorton, VA	
Item	Description	Unit of Measure	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
19	FORD 2020 PI UTILITY ELECTRONICS TRAY Product # AC-20-UV-TRAY	Each	19	\$190.76	\$3,624.44	\$200.01	\$3,800.19 *	\$197.04	\$3,743.76
20	2020 PI UTILITY REAR PARTITION W/FX & LOCKING COMP Product # TP-20-UVFX-LCP	Each	19	\$526.24	\$9,998.56	\$580.80	\$11,035.20	\$446.60	\$8,485.40
<b>TOTAL LUMP SUM (Items 1-20)</b>				\$67,255.94	*	\$81,581.20	*	\$77,725.11	*

*\*Corrected calculations based on unit pricing*

**Remarks/Exceptions**

**10-8 Emergency Services** - Non-Responsive, did not use the Revised Form of Proposal.

Shipping Charges \$2,546.53

No Delivery/Service calendar days listed.

**Blue Tech, LLC** - No Delivery/Service calendar days listed.

**Dana Safety Supply, Inc.** - Delivery/Service can be performed no later than **30-45** calendar days from receipt of order.

**Q-24-784  
Police Vehicle Equipment**

Item	Description	Unit of Measure	Qty	Frontline Mobile Tech, LLC. Jessup, MD		McLoughlin & Eardley Group, dba Sirennet Tigard, Oregon	
				Unit Price	Total Price	Unit Price	Total Price
1	17" 2020 PI UV-SPECIFIC CONSOLE Product # CC-20-UVLP-17	Each	19	\$337.00	\$6,403.00	\$373.00	\$7,087.00
2	WIRE HARNESS COVER Product # AC-UV20-HC	Each	19	\$133.00	\$2,527.00	\$9.00	\$171.00
3	3" RADIO FACE PLATE Product # FP-MXTL2500	Each	19	\$0.00	\$0.00	\$9.00	\$171.00
4	4" SOUND OFF 500 SIREN FACE PLATE Product # FP-SO500-R	Each	19	\$0.00	\$0.00	\$9.00	\$171.00
5	2" FACE PLATE W/2 DC OUTLETS, 1 DUAL USB Product # FP-USB-2DC	Each	19	\$52.00	\$988.00	\$64.00	\$1,216.00
6	1" BLANK FILLER PLATE Product # FP-BLNK1	Each	19	\$0.00	\$0.00	\$9.00	\$171.00
7	4" INTERNAL DUAL BEVERAGE HOLDER Product # AC-INBHG	Each	19	\$39.00	\$741.00	\$52.00	\$988.00
8	3" SHALLOW STORAGE TRAY Product # FP-TICK-2	Each	19	\$33.00	\$627.00	\$46.00	\$874.00
9	SWIVELING PRINTER ARM REST W/5X8 PAD Product # AC-PENPRTR-58-CC	Each	19	\$305.00	\$5,795.00	\$245.00	\$4,655.00
10	SLIDE ARM DOCKING STATION CONSOLE TOP Product # CM-DH-SLDK-LED	Each	19	\$395.00	\$7,505.00	\$436.00	\$8,284.00

**Q-24-784  
Police Vehicle Equipment**

Item	Description	Unit of Measure	Qty	Frontline Mobile Tech, LLC. Jessup, MD		McLoughlin & Eardley Group, dba Sirennet Tigard, Oregon	
				Unit Price	Total Price	Unit Price	Total Price
11	US-SIZE SPACE MAKER PARTITION BENT FRAME DESIGN Product # TP-E-SM1-US-SS	Each	19	\$752.00	\$14,288.00	\$823.00	\$15,637.00
12	2020 PI UV SPACE-MAKER PARTITION MOUNT Product # SAB-20-UV-BF	Each	19	\$246.00	\$4,674.00	\$275.00	\$5,225.00
13	2020 PI UV SPACE-MAKER KICK PANEL W/Notch Product # KP-20-BFUV-SS-N 3-PC.	Each	19	\$169.00	\$3,211.00	\$170.00	\$3,230.00
14	SINGLE WEAPON MOUNT W/GUN LOCK BRACKETS Product # GM-SGL-MNT	Each	15	\$154.00	\$2,310.00	\$175.00	\$2,625.00
15	RIFLE W/OPTICS BRACKET Product # GM-B-OP-SC5-BKT	Each	15	\$73.00	\$1,095.00	\$9.00	\$135.00
16	UNIVERSAL GUN LOCK Product # GL-SC-6	Each	15	\$155.00	\$2,325.00	\$176.00	\$2,640.00
17	MAGNETIC MIC Product # AC-MAG-MIC	Each	19	\$41.00	\$779.00	\$42.00	\$798.00
18	2020 PI UTILITY TILT-UP CARGO Mt W/GAS SHOCKS Product # CP-UV20-CARGO	Each	19	\$585.00	\$11,115.00	\$633.00	\$12,027.00

**Q-24-784  
Police Vehicle Equipment**

				Frontline Mobile Tech, LLC. Jessup, MD		McLoughlin & Eardley Group, dba Sirennet Tigard, Oregon	
Item	Description	Unit of Measure	Qty	Unit Price	Total Price	Unit Price	Total Price
19	FORD 2020 PI UTILITY ELECTRONICS TRAY Product # AC-20-UV-TRAY	Each	19	\$196.00	\$3,724.00	\$222.00	\$4,218.00
20	2020 PI UTILITY REAR PARTITION W/FX & LOCKING COMP Product # TP-20-UVFX-LCP	Each	19	\$542.00	\$10,298.00	\$613.00	\$11,647.00
<b>TOTAL LUMP SUM (Items 1-20)</b>				\$78,405.00		\$81,970.00	

*\*Corrected calculations based on unit pricing*

**Remarks/Exceptions**

**Frontline Mobile Tech, LLC.** - Non-Responsive, did not use the Revised Form of Proposal.  
Delivery/Service can be performed no later than **60** calendar days from receipt of order.

**McLoughlin & Eardley Group, Inc. dba Sirennet** - Non-Responsive, did not use the Revised Form of Proposal.  
Delivery/Service can be performed no later than **84** calendar days from receipt of order.





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Open Session Item

**SUBJECT:** State Surplus Property - Rice Road

**PRESENTATION DATE:** June 4, 2024

**PRESENTATION BY:** Todd Moser, Real Property Administrator, Division of Engineering

**RECOMMENDED MOTION:** Arrive at a consensus to decline acquisition of state surplus property.

**REPORT-IN-BRIEF:** The State of Maryland has declared a property in Washinton County to be surplus property. The property consisting of 0.875 acres located along the south side of I-68 at the east side of MD Route 628 (Rice Road) in Hancock.

**DISCUSSION:** The adjoining property owner has requested to purchase the surplus property and the State intends to convey the property to the adjoining property owner by sealed bid. In accordance with Maryland Department of Transportation Policy and Procedures, the State has offered the County first right of refusal. The County would be required to pay market value (determined by the State) for the property. County staff has reviewed the property and determined the property would serve no immediate or future use to the County.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** State Clearance Package, Aerial map

**AUDIO/VISUAL NEEDS:** Aerial Map



Wes Moore  
Governor  
Aruna Miller  
Lieutenant Governor  
Paul J. Wiedefeld  
Secretary

May 10, 2024

SENT BY ELECTRONIC MAIL

Mr. Todd Moser  
Real Property Administrator, Engineering Division  
Washington County Government  
80 West Baltimore Street  
Hagerstown MD 21740

Dear Mr. Moser

The State Highway Administration (SHA) proposes the sale of MC# 23-2865 identified as the former Robert Mark Hoffman, Et Ux property, Item No. 72117 and further described in the attached Salient Fact Sheet with Property Plat, Tax and Location Maps.

In accordance with Maryland Department of Transportation Policy and Procedures, before proceeding with any other sales activity, we will allow you a period of **60 days** to review the attached information, request additional information and to notify us of your interest, in writing, concerning the property as offered. This review period shall expire on **Wednesday, July 10, 2024** without further notice. Please be aware that in most cases an interest in the property would require the purchase of the property based on an appraised value or, in a few cases, a cost plus interest basis. Additionally, we are not interested in a conveyance on any exchange basis.

Should you have an interest in acquiring the subject property, please contact this office, in writing, on or before the expiration of the review period. Any other extension for your consideration of this property must be requested, in writing, within the review period and shall be subject to specific written approval from this office.

If you have no interest in the property, please notify the following individual at your earliest convenience. In either case, we request you provide all responses to:

Mr. Jordan Smith  
Clearance and Disposition Coordinator  
Office of Real Estate and Economic Development  
Maryland Department of Transportation The Secretary's Office  
7201 Corporate Center Drive, MS 470  
Hanover MD 21076  
Phone: 410-865-1234  
email: [jsmith38@mdot.maryland.gov](mailto:jsmith38@mdot.maryland.gov)

Mr. Todd Moser  
Page Two

If you require any assistance or need additional information, please do not hesitate to contact me at 410-865-1234 or via email at [jsmith38@mdot.maryland.gov](mailto:jsmith38@mdot.maryland.gov).

Sincerely,  
*Jordan Smith*

Mr. Jordan Smith  
Clearance and Disposition Coordinator  
Office of Real Estate and Economic Development

Attachments

- Salient Fact Sheet
- Plat No. 48518
- Location and Tax Maps
- Aerial

cc: Ms. Victoria Johnson, Real Property Specialist, Property Assesment Management Division,  
MDOT State Highway Administration  
Ms. Mashel Wakil, Team Leader, Office of Real Estate and Economic Development,  
MDOT The Secretary's office

# Salient Fact Sheet

Conveyance of Real Property  
Maryland Department of Transportation State Highway Administration  
Office of Real Estate

**Date of Preparation:** November 14, 2023      **Refer to MC #:** 23-2865  
**Property Name:** Robert Mark Hoffman, Et Ux  
**Property Item/Reference No.:** 72117      **Internal Clearance:** March 26, 2023  
**Modal Plat No:** 48518      **Plat Date:** September 26, 1983  
**Location:** Located along the south side of I-68 at the east side of MD Route 628  
(Rice Rd) in Hancock, Washington County.

## SDAT Property Tax Information:

<b>County:</b>	Washington	<b>Tax Map #:</b>	2	<b>Parcel:</b>	74
<b>Grid:</b>	19	<b>Block:</b>	N/A	<b>Account #</b>	05007739

**Type of Transaction:** Disposition  
**Acreage:** Containing a total of 38,099 square feet or 0.875 acres of land,  
plus or minus  
**Improved:** No  
**Description of Improvements:** N/A  
**Consideration:** TBD  
**Federal Approval:** N/A

**Additional Notes/Info:** SHA acquired the subject property in 1983 for the US Route 48 project. SHA proposes to convey this property to the adjoining owners through a sealed bid process.

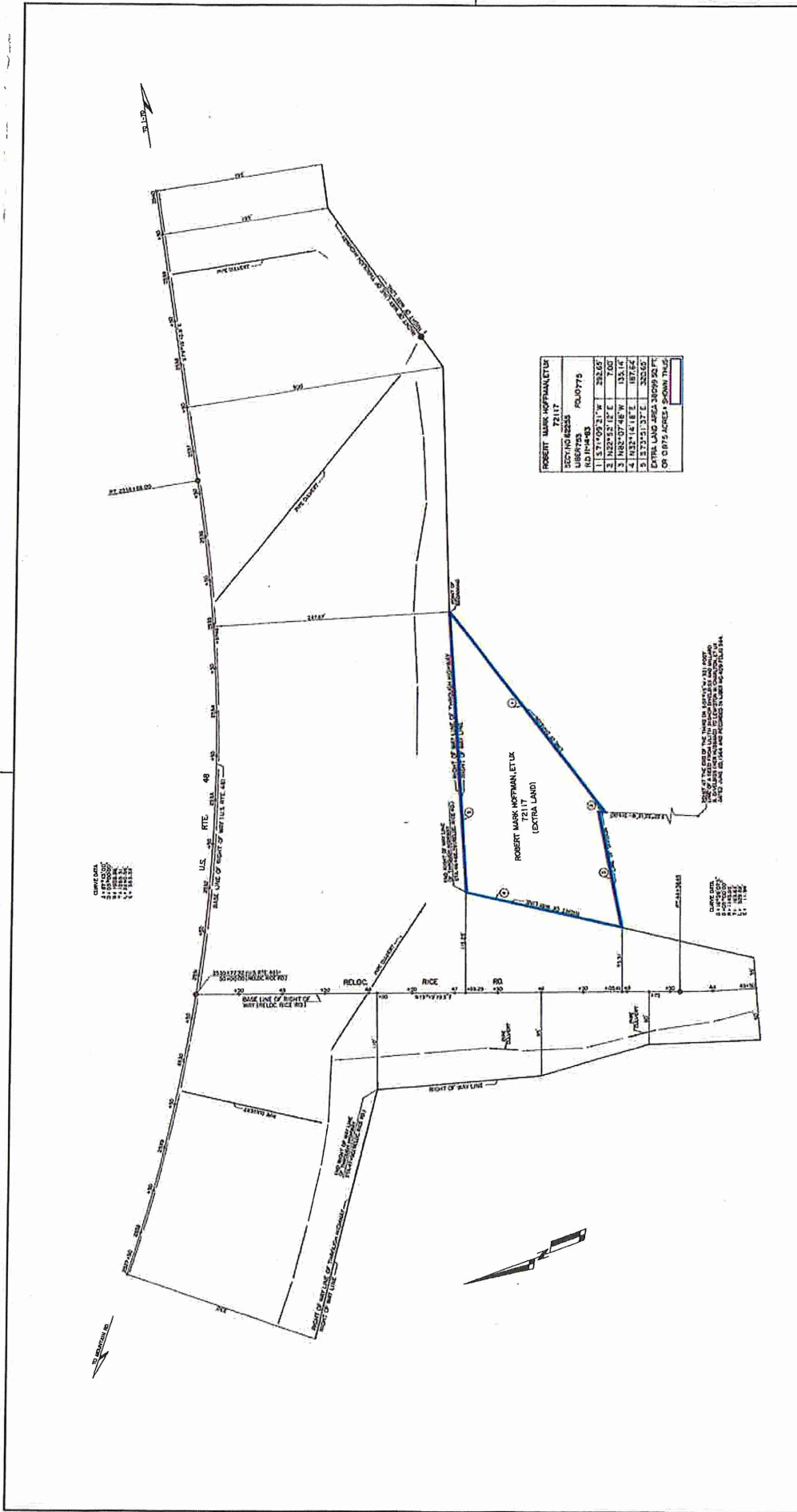
**The following information is provided subject to Appraisal and is in no way warranted:**

**Assumed Zoning:** Residential  
**Utilities Available:** No utilities are available  
**Estimated Market Value:** TBD

**Prepared by:**

Victoria Johnson  
Real Property Specialist, Office of Real Estate  
Maryland Department of Transportation State Highway Administration  
707 N. Calvert Street  
Baltimore, MD 21202

Phone: 410-545-0336  
email: [vjohnson5@mdot.maryland.gov](mailto:vjohnson5@mdot.maryland.gov)



STATE OF MARYLAND  
 DEPARTMENT OF TRANSPORTATION  
 STATE HIGHWAY ADMINISTRATION  
 STATE ROAD COMMISSION

RIGHT OF WAY PROJECT: U.S. RTE 48  
 EAST OF ORLEANS RD TO EAST OF WOODMONT RD  
 FEDERAL AID PROJECT NO. W-230-502-518  
 SCALE: AS SHOWN  
 DATE: 11-22-52  
 COUNTY: MIDDLEBURY

CONSTRUCTION PROJECT: BOTTFIELD RD TO WOODMONT RD  
 CONSTRUCTION PROJECT NO. W-230-502-518

LOCATED IN: WASHINGTON COUNTY  
 PREPARED BY: BUREAU OF PLANS & SERVICES  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

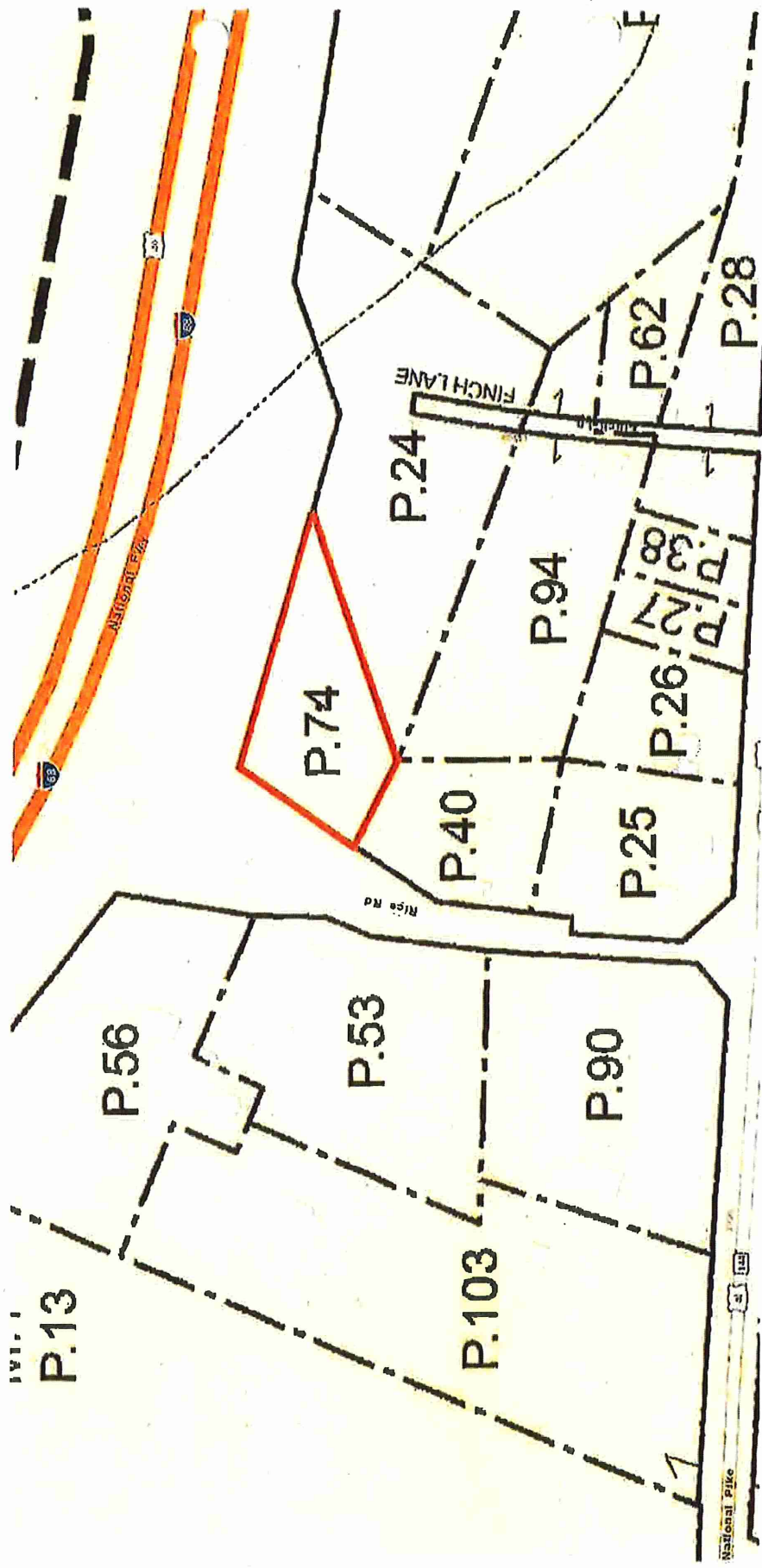
DATE: 11-22-52  
 SHEET NO. 17

1. PARTS OF THIS PLAN ARE NOT TO BE CONSIDERED AS A BASIS FOR ANY OTHER ACTION UNLESS SPECIFICALLY REFERRED TO IN THE PLAN.  
 2. THE PLAN IS THE PROPERTY OF THE STATE OF MARYLAND AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE STATE HIGHWAY ADMINISTRATION.  
 3. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT WAS PREPARED.  
 4. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT WAS PREPARED.

LEGEND

--- RIGHT OF WAY LINE  
 --- BASE LINE OF RIGHT OF WAY  
 --- EASEMENT  
 --- PROPERTY LINE  
 --- ADJACENT OWNER'S PROPERTY LINE

PLAT No. 4851B  
 NSR-516253(1)528



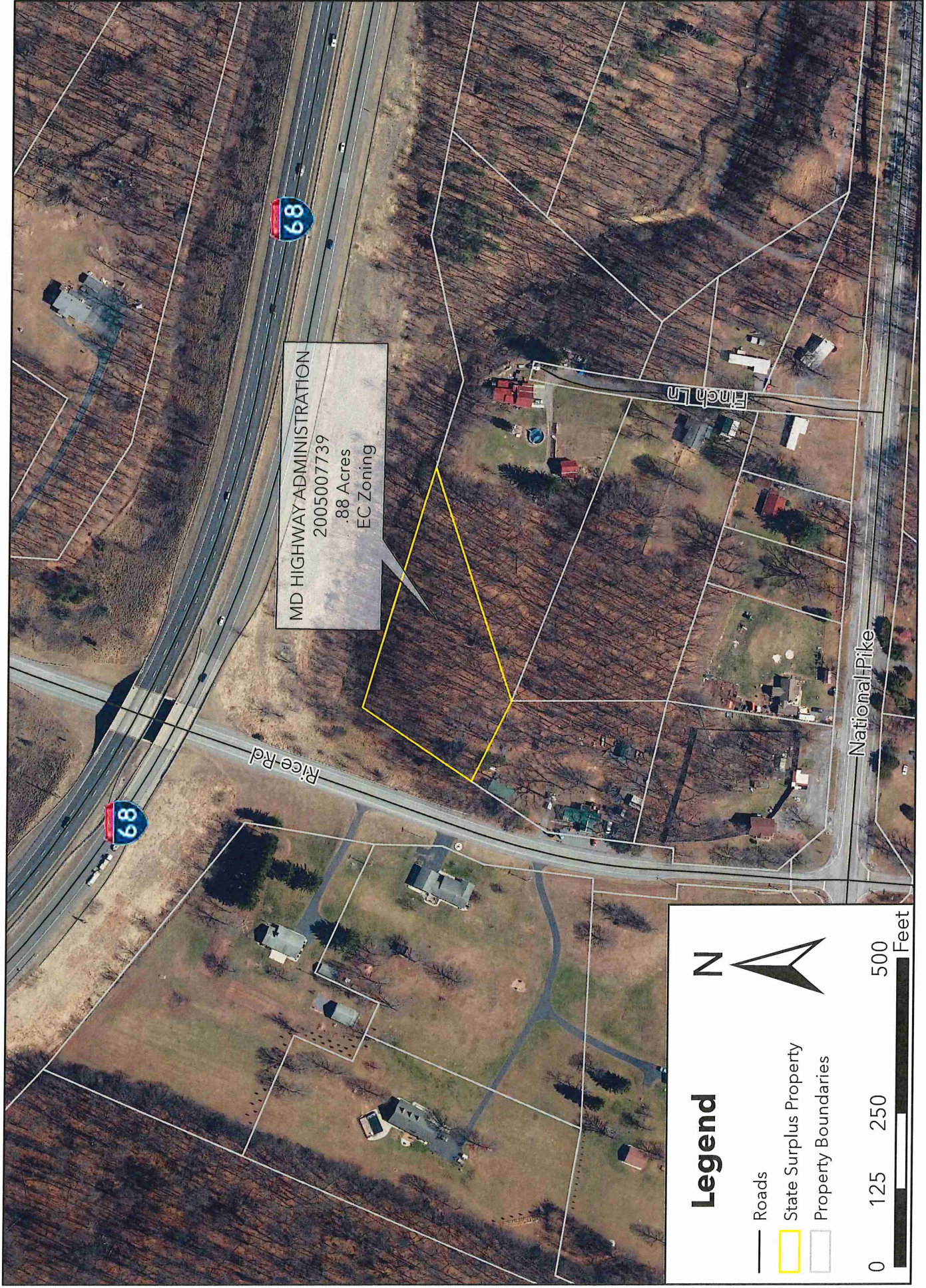








# State Surplus Property







## Agenda Report Form

### Open Session Item

**SUBJECT:** Department of Veterans Affairs Fire Department Mutual Firefighting Assistance Agreement

**PRESENTATION DATE:** June 4, 2024

**PRESENTATION BY:** Division of Emergency Services, Director R. David Hays

**RECOMMENDATION:** Motion to enter into a mutual aid agreement (MOU) with the Veterans Affairs Medical Center Fire Department for the purposes of rendering assistance during times of request with needed firefighter, EMS, Haz-Mat or technical rescue staffing and/or equipment.

**REPORT-IN-BRIEF:** By executing an agreement under this MOU, it will allow for the dispatch and response of apparatus and/or staffing from either jurisdiction as mutual aid. Specific situations would include, but are not limited to, incidents where units and/or staffing from one agency is needed to support the efforts of the requesting agency.

**DISCUSSION:** This MOU is beneficial to both jurisdictions due to the close proximity to one another, enabling the ability to render expedient assistance during large or complex incidents.

**FISCAL IMPACT:** None

**CONCURRENCES:** Zachary Keiffer, County Attorney

**ALTERNATIVES:** N/A

**ATTACHMENTS:** MOU

**DEPARTMENT OF VETERANS AFFAIRS MUTUAL FIREFIGHTING  
ASSISTANCE AGREEMENT**  
**Board of county Commissioners of Washington County, Maryland AND VA  
Medical Center, Martinsburg, West Virginia**

**1. PREAMBLE**

a. Municipalities and other governmental or political subdivisions have a legal duty to extinguish fires within their boundaries, rendering rescue, aid, and assistance in carrying out such duties. The United States Government has no legal obligation to compensate or reimburse such entities for firefighting and related services rendered in connection with a fire at a Government installation located within a political entity's limits.

b. Regardless, Title 42 United States Code (U.S.C.) 1856a(a) allows the United States to expend federal funds for such firefighting services where the Federal Government enters into a Mutual Firefighting Aid Agreement (MFAA) with local fire organizations while such Agreements are in effect. Given that Board of County Commissioners of Washington County, Maryland and the Federal Government at Martinsburg, WV VA Medical Center each maintains fire suppression equipment and personnel in their respective jurisdictions and areas and wish to augment the fire protection available in their various establishments, districts, agencies and municipalities in the event of large fires or conflagrations, both the parties here concur that it is beneficial and desirable for each to render assistance to the other in accordance with the terms of this MFAA.

**2. MUTUAL FIREFIGHTING ASSISTANCE AGREEMENT TERMS AND CONDITIONS**

a. This MFAA authorizes a senior officer (Fire Chief, Fire Suppression Officer) of a fire department or fire suppression unit belonging to either party to this agreement, or the senior officer of any such fire department actually present at any fire to request firefighting assistance from the other party under the terms of this agreement. The senior officer on duty of the fire department receiving the request must immediately take the following actions:

(1) Determine what apparatus and personnel are available for dispatch.

(2) Determine the exact mission to be assigned based on the requesting party's described need and according to the detailed plans and procedures of operation developed by the parties to implement this agreement.

(3) Dispatch such apparatus and personnel as the senior fire suppression official or Fire Chief deems available and appropriate along with mission instructions and guidance according to this MFAA.

b. Providing help under this MFAA is mandatory. Regardless, the party receiving the request for assistance should immediately inform the requesting service if, for any reason, assistance cannot be rendered.

c. Each party to this agreement waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring in consequence of the performance of this agreement, pursuant to 42 U.S.C. 1856a(a). However, the waiver does not preclude fire organizations from filing claims for firefighting costs and losses pursuant to 15 U.S.C. 2210; beneficiaries from filing claims for the death of firefighters and other public safety officers pursuant to 42 U.S.C.3796; and individuals, other than the parties and their employees to this agreement, from filing claims against the United States pursuant to 28 U.S.C. 1346(b) and 2671-2680. The liability, if any, of the United States for injury or loss of property, or personal injury or death must be governed exclusively by the provisions of the Federal Tort Claims Act as noted above.

d. All services performed under this agreement must be rendered without reimbursement of either party or parties.

e. The Fire Chief of the fire department or Fire Suppression Officer of the requesting service must assume full charge of the operations, but if that Fire Chief specifically requests a senior officer of a fire department furnishing assistance to assume command, the Fire Chief will not, by relinquishing command, be relieved of responsibility for the operation, provided, that the apparatus, personnel and equipment of the agency rendering assistance will be under the immediate supervision of and will be the immediate responsibility of the senior officer of the fire department rendering assistance. Services performed by Federal employees under this agreement are performed in the line of duty for the United States. Services performed by other persons must not constitute such individual an officer or employee of the United States (42 U.S.C. 1856c).

f. The Chief Fire Officers and personnel of the fire departments of both parties to this agreement will, on a reciprocal basis, frequently visit each other's activities for guided familiarization tours consistent with local security requirements and, as feasible, jointly conduct pre-fire planning inspections and drills.

g. The Fire Chiefs of the fire departments of the parties to this agreement are authorized and directed to meet and draft any detailed plans and procedures of operation necessary to implement this agreement. Such plans and procedures of operations will become effective when the parties memorialize their concurrence by signing such agreements. This may be done via a Memorandum of Agreement (MOA).

h. **Amendments.** Amendments to this MFAA must be bilaterally executed in writing, signed by authorized representatives of both agencies. No oral or unilateral amendments will be effective. Only terminations done in accordance with the terms of this agreement may be done unilaterally.

Date

VHA DIRECTIVE 1185  
APPENDIX A

i. **Disputes.** Should disagreement arise as to the interpretation of the provisions of this agreement that cannot be resolved between the parties, each partnering entity will reduce the areas of disagreement to writing and present it to the authorized representative of the other entity for resolution. If resolution cannot be reached at this level, the disagreement will be raised to the next level in accordance with parties' internal procedures for final resolution.

j. **Termination.** This Agreement may be terminated with ten (10) days' written notice sent to the authorized representative of the non-terminating party.

This MFAA will become effective upon the date both parties sign hereof and must remain in full force and effect until cancelled or terminated according to the terms herein.

IN WITNESS HERETO, the undersigned have executed this MFAA as follows:

For Board of county Commissioners of Washington County, Maryland

\_\_\_\_\_  
John F. Barr, President DATE

Eric Gray VA Fire Department  
Eric S Gray 4/5/24

\_ Chief, VA Fire Department DATE

Kenneth W. Allensworth, FACHE,  
Medical Center Director/CEO  
[Signature] 4/10/24

Director, Martinsburg VAMC DATE



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**Open Session Item**

**SUBJECT:** Employee Appreciation Day.

**PRESENTATION DATE:** June 4, 2024.

**PRESENTATION BY:** Chip Rose, Director, Human Resources.

**RECOMMENDATION:** Partner with the Flying Boxcars to host an Employee Appreciation Day.

**REPORT-IN-BRIEF:** Staff is requesting permission to purchase tickets for **full-time employees** (and up to three immediate family members) for one of the home games in June.

**DISCUSSION:** If Washington County buys a minimum of 250 tickets for the same game (same date), the Boxcars will discount the tickets to \$8 /ticket. They've offered to provide us with a dedicated portal so our employees can select their own seats up to a week in advance. We would like to offer this opportunity to **every full-time employee**, but we also don't want to buy so many tickets that any will go to waste. Weekend games are the most popular so we thought we would aim for mid-week games to increase our chances of ticket availability. We propose to use funds from the Commissioner's Contingency budget. The Boxcars play at home 6/11(Tues) – 6/15(Sat) and again 6/25 (Tues) – 6/29 (Sat). We're recommending starting with 6/12/24 (Wednesday night @ 6:30pm). We can discuss contingency plans.

**FISCAL IMPACT:** Each **full-time employee** could request up to four tickets (self + three members of their immediate family).

250 tickets = **\$2,000**; 500 tickets = **\$4,000**; 1,000 tickets = **\$8,000**; 4,000 tickets = **\$32,000**.

**CONCURRENCES:** Michelle Gordon, County Administrator. Chip Rose, HR Director.

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Flying Boxcars Season Schedule.

**AUDIO/VISUAL NEEDS:** N/A



2024 INAUGURAL SEASON SCHEDULE

APRIL

SUN	MON	TUE	WED	THURS	FRI	SAT
				YRK <sup>25</sup>	YRK <sup>26</sup>	YRK <sup>27</sup>
YRK <sup>28</sup>	OFF <sup>29</sup>	LAN <sup>30</sup>				

JUNE

SUN	MON	TUE	WED	THURS	FRI	SAT
SMD <sup>2</sup>	OFF <sup>3</sup>	LAN <sup>4</sup>	LAN <sup>5</sup>	LAN <sup>6</sup>	YRK <sup>7</sup>	YRK <sup>8</sup>
YRK <sup>9</sup>	OFF <sup>10</sup>	LAN <sup>11</sup>	LAN <sup>12</sup>	LAN <sup>13</sup>	LI <sup>14</sup>	LI <sup>15</sup>
LI <sup>16</sup>	OFF <sup>17</sup>	YRK <sup>18</sup>	YRK <sup>19</sup>	YRK <sup>20</sup>	LI <sup>21</sup>	LI <sup>22</sup>
LI <sup>23</sup>	OFF <sup>24</sup>	SMD <sup>25</sup>	SMD <sup>26</sup>	SMD <sup>27</sup>	SI <sup>28</sup>	SI <sup>29</sup>
SI <sup>30</sup>						

MAY

SUN	MON	TUE	WED	THURS	FRI	SAT
			LAN <sup>1</sup>	LAN <sup>2</sup>	LI <sup>3</sup>	LI <sup>4</sup>
LI <sup>5</sup>	OFF <sup>6</sup>	GAS <sup>7</sup>	GAS <sup>8</sup>	GAS <sup>9</sup>	LI <sup>10</sup>	LI <sup>11</sup>
LI <sup>12</sup>	OFF <sup>13</sup>	SI <sup>14</sup>	SI <sup>15</sup>	SI <sup>16</sup>	SI <sup>17</sup>	SI <sup>18</sup>
SI <sup>19</sup>	OFF <sup>20</sup>	CWV <sup>21</sup>	CWV <sup>22</sup>	CWV <sup>23</sup>	LEX <sup>24</sup>	LEX <sup>25</sup>
LEX <sup>26</sup>	LEX <sup>27</sup>	SMD <sup>28</sup>	SMD <sup>29</sup>	SMD <sup>30</sup>	SMD <sup>31</sup>	SMD <sup>6/1</sup>

JULY

SUN	MON	TUE	WED	THURS	FRI	SAT
	OFF <sup>1</sup>	SI <sup>2</sup>	SI <sup>3</sup>	SI <sup>4</sup>	LI <sup>5</sup>	LI <sup>6</sup>
LI <sup>7</sup>	OFF <sup>8</sup>	SMD <sup>9</sup>	SMD <sup>10</sup>	SMD <sup>11</sup>	HP <sup>12</sup>	HP <sup>13</sup>
HP <sup>14</sup>	OFF <sup>15</sup>	LAN <sup>16</sup>	LAN <sup>17</sup>	LAN <sup>18</sup>	LI <sup>19</sup>	LI <sup>20</sup>
LI <sup>21</sup>	OFF <sup>22</sup>	SMD <sup>23</sup>	SMD <sup>24</sup>	SMD <sup>25</sup>	YRK <sup>26</sup>	YRK <sup>27</sup>
YRK <sup>28</sup>	OFF <sup>29</sup>	SMD <sup>30</sup>	SMD <sup>31</sup>			

AUGUST

SUN	MON	TUE	WED	THURS	FRI	SAT
				SMD <sup>1</sup>	SI <sup>2</sup>	SI <sup>3</sup>
SI <sup>4</sup>	OFF <sup>5</sup>	YRK <sup>6</sup>	YRK <sup>7</sup>	YRK <sup>8</sup>	SI <sup>9</sup>	SI <sup>10</sup>
SI <sup>11</sup>	OFF <sup>12</sup>	LAN <sup>13</sup>	LAN <sup>14</sup>	LAN <sup>15</sup>	YRK <sup>16</sup>	YRK <sup>17</sup>
YRK <sup>18</sup>	OFF <sup>19</sup>	LAN <sup>20</sup>	LAN <sup>21</sup>	LAN <sup>22</sup>	YRK <sup>23</sup>	YRK <sup>24</sup>
YRK <sup>25</sup>	OFF <sup>26</sup>	LEX <sup>27</sup>	LEX <sup>28</sup>	LEX <sup>29</sup>	GAS <sup>30</sup>	GAS <sup>31</sup>

SEPTEMBER

SUN	MON	TUE	WED	THURS	FRI	SAT
GAS <sup>1</sup>	GAS <sup>2</sup>	CWV <sup>3</sup>	CWV <sup>4</sup>	CWV <sup>5</sup>	SI <sup>6</sup>	SI <sup>7</sup>
SI <sup>8</sup>	OFF <sup>9</sup>	LAN <sup>10</sup>	LAN <sup>11</sup>	LAN <sup>12</sup>	YRK <sup>13</sup>	YRK <sup>14</sup>
YRK <sup>15</sup>						

ATLANTIC LEAGUE PROFESSIONAL BASEBALL

NORTH DIVISION

- HAG - HAGERSTOWN FLYING BOXCARS
- LAN - LANCASTER BARNSTORMERS
- YRK - YORK REVOLUTION
- LI - LONG ISLAND DUCKS
- SI - STATEN ISLAND FERRYHAWKS

SOUTH DIVISION

- HP - HIGH POINT ROCKERS
- GAS - GASTONIA HONEY HUNTERS
- CWV - CHARLESTON DIRTY BIRDS
- LEX - LEXINGTON COUNTER CLOCKS
- SMD - SOUTHERN MARYLAND BLUE CRABS

HOME AWAY



@goflyingboxcars



WASHINGTON COUNTY, MD  
GOVERNMENT EMPLOYEE

# Appreciation Day at Meritus Park

WEDNESDAY, JUNE 12, 2024  
6:30 P.M.

Washington County Government in partnership with the Flying Boxcars, will be hosting an Employee Appreciation Day at Meritus Park!

## TICKET INFORMATION:

- Full-time employees will receive a link to a portal to select their seats. This is an exclusive offer, and we have a limited number of tickets, so please don't share or forward this link.
- You may reserve a ticket for yourself and up to 3 additional tickets for immediate family members.

This will be a great opportunity to enjoy the new stadium! Employee Appreciation Day is offered by the County Commissioners to say 'thank you' for all your hard work this past year. We hope our employees and their families will participate and enjoy a fun evening at the ball game!

*Please remember during this family event, we're attending as representatives of Washington County. Kindly refrain from Inappropriate behavior: excessive drinking, vulgarity, etc. If you have any questions, please contact HR at 240.313.2354.*







## Agenda Report Form

### Open Session Item

**SUBJECT:** Agriculture – June is National Dairy Month

**PRESENTATION DATE:** Tuesday, June 4, 2024

**PRESENTATION BY:** Danielle Weaver, Director, Public Relations and Marketing and Jonathan Byrd, Public Relations Coordinator, Public Relations and Marketing

**RECOMMENDED MOTION:** N/A

**REPORT-IN-BRIEF:** National Dairy Month is celebrated every June. As one of Maryland's largest agricultural commodities, milk and dairy products account for over \$20 million in Washington County farm receipts (2022 data from USDA Census of Agriculture). National Dairy month celebrates the value of milk and dairy products as part of a well-balanced diet for every American as well as the importance of milk production to the agricultural industry. All Washington County residents are encouraged to support our 94 county dairy farms and farmers whose labor brings us milk, ice cream, yogurt, cheese and many other nutritious foods. Especially Ice Cream!

**DISCUSSION:** Washington County is excited to launch the fourth annual Washington County Ice Cream Trail. The Ice Cream Trail includes eleven locally owned and operated businesses. By participating in the Ice Cream Trail, you are supporting local businesses and local dairy farms. By supporting small businesses and agriculture, you're also supporting the growth and economy of Washington County. As of June 4, 2024, the Ice Cream Trail map will be available in all eleven local participating ice cream establishments and can be downloaded from the Washington County website. Once you have visited the eleven Ice Cream Trail establishments and your map has been stamped by each location, submit the map to the Washington County Public Relations and Marketing Department at <https://www.washco-md.net/icecreamtrail> or by mail. All participants who complete the trail and submit the completed map will receive a Ice Cream Trail t-shirt.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Ice Cream Trail Map print out.

**AUDIO/VISUAL NEEDS:** Yes - Short video will be played as part of the presentation.



**MAUGANSVILLE CREAMERY**  
13803 Maugansville Rd.  
Maugansville, MD



**MISTY MEADOW FARM CREAMERY**  
14325 Misty Meadow Rd.  
Smithsburg, MD



**MOUNTAIN TOP ICE CREAM SHOP**  
24949 Lake Wastler Dr.  
Cascade, MD



**NUTTER'S ICE CREAM**  
100 East Main St.  
Sharpsburg, MD



**SCOOP-A-LICIOUS & MORE**  
16904 Virginia Ave.  
Williamsport, MD



**POTOMAC STREET CREAMERY**  
9 Potomac Street  
Boonsboro, MD



**DELITEFUL DAIRY**  
16230 Long Delite Lane  
Williamsport, MD




**SWEETSIES' EATS & TREATS**  
14911 National Pike  
Clear Spring, MD



**THE BIG DIPPER**  
1033 Virginia Ave.  
Hagerstown, MD



**COW'S CONES**  
21614B National Pike  
Boonsboro, MD



**BUDDY LOU'S**  
11 East Main St.  
Hancock, MD



**Washington County**  
MARYLAND

Washington County, MD has some of the best local ice cream spots in the state! Beat the heat with a tasty treat from any of the businesses located on the Ice Cream Trail map!



**ICE CREAM TRAIL**  
WASHINGTON COUNTY, MD



Thank you for participating in Washington County's Ice Cream Trail! Journey to locally-owned ice cream shops across the County to receive a stamp on your Ice Cream Trail map. Once you have completed the trail, complete the online form that includes a photo of your completed map at [www.washco-md.net](http://www.washco-md.net) or mail in your map to with your contact information (fillable area located at the bottom of page) to: Public Relations - 100 West Washington Street, Suite 2600, Hagerstown, MD 21740.

**BACK BY POPULAR DEMAND this year, the first 400 submitted completed maps will get a free t-shirt!** You must submit your completed form by September 21, 2024 to be eligible. Scan the QR Code at the bottom for more information.

## Participating 2024 Ice Cream Trail Shops

**Buddy Lou's - 11 East Main Street, Hancock, MD 21750 - Hours: Mon 11AM-8PM, Tues & Wed 11AM-6PM, Thurs 11AM-8PM, Fri & Sat 11AM-8:30PM Sun 10AM-8:30PM**

**Cow's Cones - 21614B National Pike, Boonsboro, MD 21713 - Hours: Monday - Sunday, 12PM - 9PM**

**Deliteful Dairy - 16230 Long Delite Lane, Williamsport, MD 21795 - Hours: Mon-Fri 10AM-6PM, Sat 9AM-6PM**

**Maugansville Creamery - 13803 Maugansville Rd., Maugansville, MD 21750 - Hours: Mon-Fri 4PM-9PM, Sat-Sun 2PM-9PM**

**Misty Meadow Farm Creamery - 14325 Misty Meadow Road, Smithsburg, MD 21783 - Hours: please call 301-842-2112 for hours**

**Mountain Top Ice Cream Shop - 24949 Lake Wastler Drive, Cascade, MD 21719 - Hours: Fri 4PM-8PM, Sat-Sun 2PM-8PM**

**Nutter's Ice Cream - 100 East Main Street, Sharpsburg, MD 21782 CASH ONLY - Hours: Daily 2PM-8PM**

**Potomac Street Creamery - 9 Potomac Street, Boonsboro, MD 21713 - Hours: Sun-Sat 12PM-9PM**

**Scoop-A-Licious & More - 16904 Virginia Ave., Williamsport, MD 21795 - Hours: Mon-Fri 3PM-9PM Sat-Sun 1PM-9PM**

**Sweetsies' Eats & Treats - 14911 National Pike, Clear Spring, MD 21722 - Hours: Sun-Sat 11AM-10PM**

**The Big Dipper - 1033 Virginia Ave., Hagerstown, MD 21740 - Hours: Sun-Thurs 12PM-10:30PM, Fri-Sat 12PM-11PM**

### MAIL IN ONLY: Needed info (print neatly please):

Name:

Phone Number:

Address:

E-mail:

T-Shirt Size

Favorite Ice Cream Trail Shop



Scan the QR to send in your completed map and for more information about the Washington County Ice Cream Trail. Thank you for supporting local small businesses in Washington County and participating this year!

