



Board of County Commissioners of Washington County, Maryland

Open Session Minutes

August 13, 2024

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Harvey, seconded by Commissioner Keefer, moved to approve the minutes of July 23, 2024. The motion passed (3-0-2). Commissioner Cline and Commissioner Wagner abstained.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Wagner attended the Paramedic Class 23-02 Graduation Ceremony at the Public Safety Training Center.

Commissioner Keefer congratulated Aaron Brooks on winning the Olympic Bronze Medal. He reminded everyone that the schools will be starting soon and to be aware of the students.

Commissioner Harvey congratulated Aaron Brooks. He attended National Night Out in Hancock. Commissioner Harvey thanked all of the emergency first responders, fire, police and roads crews, who assisted with the tropical storm emergency. He thanked Senator Paul Corderman for hosting the public safety meeting with the City of Hagerstown.

Commissioner Cline thanked the Highways Department and the Department of Emergency Services for their preparation of the tropical storm. He attended the Eagle Scout ceremony for Kaydn Divens. Commissioner Cline attended the Tri County Council meeting. He attended the Community Volunteer Fire Company crab feed. He attended the Paramedic Class 23-02 Graduation Ceremony. Commissioner Cline attended National Night Out and thanked all of the towns who hosted an event that night. He congratulated Aaron Brooks.

Commissioner Barr commented on the upcoming MACo Convention. He recognized Spichers Appliances for their investment in a reclamation unit for Styrofoam. He attended the Paramedic Graduation Class 23-02. Commissioner Barr attended the final concert for Conductor Lynn Lerew with the Hagerstown Municipal Band. He shared the passing of William Kelly Beard. Commissioner Barr shared upcoming events.

STAFF COMMENTS

Chip Rose, Director of Human Resources, presented the request to approve the creation of a part-time security position for the Sheriff's Office to work in the County Administrative Building. The position would be a Grade 3 on the Patrol/Judicial salary scale and is budget neutral.

Commissioner Wagner, seconded by Commissioner Keefer, moved to approve the creation of a part-time security position as presented. The motion passed unanimously (5-0).

Chip Rose, Director of Human Resources, presented the request to approve to advertise the Assistant County Attorney position at a Grade 17, Step 5.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve to advertise the Assistant County Attorney position as presented. The motion passed (4-1). Commissioner Keefer was a Nay vote.

Rosalinda Pascual, Deputy County Attorney, presented the request to approve the reappointments of Robert Bowman, Timothy Hafer and Brett McKoy to serve a first, full, three-year term from July 1, 2024 through June 30, 2027, on the Police Accountability Board. This is not a paid board.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the reappointments of Robert Bowman, Timothy Hafer and Brett McKoy as presented. The motion passed unanimously (5-0).

Rosalinda Pascual, Deputy County Attorney, presented the request to approve the reappointment of Curtis Wood to serve a first, full, three-year term from September 1, 2024 through August 31, 2027, on the Administrative Charging Committee. This is a paid board.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the reappointment of Curtis Wood as presented. The motion passed unanimously (5-0).

Dawn Marcus, County Clerk, presented the request to approve the appointments of Herb Smith to serve a partial term, August 13, 2024 through June 30, 2026, on the Washington County Commission on Aging Advisory Council. This is not a paid board.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the appointment of Herb Smith as presented. The motion passed unanimously (5-0).

Dawn Marcus, County Clerk, presented the request to approve the appointments of Tyler Milam to serve a first, full three-year term, from September 1, 2024 through August 31, 2027, on the Historic District Commission. This is not a paid board.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the appointment of Tyler Milam as presented. The motion passed unanimously (5-0).

Dawn Marcus, County Clerk, presented the request to approve the reappointment of Ann Aldrich to serve a third, three-year term, from September 1, 2024 through August 31, 2027, on the Historic District Commission. This is not a paid board.

Commissioner Keefer, seconded by Commissioner Cline, moved to approve the reappointment of Ann Aldrich as presented. The motion passed unanimously (5-0).

Michelle Gordon, County Administrator attended National Night Out in Hancock and thanked staff for attending. Ms. Gordon attended the MACo meeting. She met with Carl Anderton, Director of Rural and Economic Development with the Department of Commerce. She attended the Tri County Council Annual meeting in Oakland. She attended the Paramedic Class 23-02 Graduation Ceremony. Ms. Gordon thanked our emergency management staff, emergency services, 911, law enforcement, volunteer partners and the highways department for their responses during the hurricane. She attended the public safety meeting and thanked Senator Paul Corderman for hosting the event. She will attend the MDOT meeting at MACo to discuss transportation priorities in Washington County. Ms. Gordon wished Lynn Lerew well on his retirement.

CITIZEN PARTICIPATION

There was no citizen participation.

2024 HOUSING BOND ALLOCATION TRANSFER

Jill Baker, Director, Planning and Zoning, presented the request to approve the transfer of Washington County's 2024 Housing Bond Allocation in the amount of \$6,807,063.00 to the Community Development Administration for use in issuing housing bonds on behalf of Washington County.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the transfer of Washington County's 2024 Housing Bond Allocation as presented. The motion passed unanimously (5-0).

SEX OFFENDER COMPLIANCE AND ENFORCEMENT MARYLAND GRANT – APPROVAL TO ACCEPT AWARDED FUNDING

Cody Miller, Quartermaster/Grants Manager, Washington County Sheriff's Office; and Nicole Phillips, Senior Grant Manager, Office of Grant Management, presented the request to approve the acceptance of funding awarded under the FY25 Sex Offender Compliance and Enforcement Maryland Grant Program from the Governor's Office of Crime Prevention and Policy in the amount of \$29,719.00.

Commissioner Wagner, seconded by Commissioner Cline, moved to approve the acceptance of funding awarded under the FY25 Sex Offender Compliance and Enforcement Maryland Grant Program as presented. The motion passed unanimously (5-0).

SOLID WASTE ENVIRONMENTAL MONITORING BUDGET INCREASE

David A. Mason, Deputy Director, Solid Waste, presented the request to approve increases of \$66,735.83 for the consultant fees for the Environmental Monitoring Program for the various solid waste sites. The increase will be funded by reducing various department expenditure line items to keep the cost budget neutral for FY25.

Commissioner Cline, seconded by Commissioner Wagner, moved to approve increases for the consultant fees for the Environmental Monitoring Program as presented. The motion passed unanimously (5-0).

BID AWARD (PUR -1690) SLUDGE HAULING

Brandi Naugle, Buyer, Purchasing; and Davina Yutzy, Deputy Director, Environmental Management, presented the request to award the contract for Sludge Hauling services for the Division of

Environmental Management to the lowest responsible, responsive bidder, A.C & T., Inc., of Hagerstown, MD who submitted the total sum bid of \$133,050.00.

Commissioner Cline, seconded by Commissioner Keefer, moved to award the contract for Sludge Hauling services to A.C & T., Inc., as presented. The motion passed unanimously (5-0).

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-24-0149) TWO (2) NEW 2024 FORD TRANSIT VANS

Rick Curry, Director, Purchasing; and Zane Rowe, Deputy Director, Highway Department, presented the request to authorize by Resolution, the Highway Department to purchase two (2) new Ford transit passenger vans in the amount of \$54,974.00 each; for the total sum of \$109,948.00 from Hertrich Fleet Services, Inc., of Milford, DE and to utilize another jurisdiction's contract (#4400004546) that was awarded by Howard County, MD to Hertrich Fleet Services.

Commissioner Wagner, seconded by Commissioner Harvey, moved to authorize by Resolution the purchase of two (2) new Ford transit passenger vans from Hertrich Fleet Services, Inc., as presented. The motion passed unanimously (5-0).

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-24-0150) TWO (2) NEW 2024 CATERPILLAR ROLLERS

Rick Curry, Director, Purchasing; and Zane Rowe, Deputy Director, Highway Department, presented the request to authorize by Resolution, the Highway Department to purchase two (2) new Caterpillar CB 1.7 rollers in the amount of \$32,297.00 each; for the total sum of \$74,594.00 from Carter Machinery Co., Inc., of Baltimore, MD and to utilize another jurisdiction's contract (#0601222-CAT) that was awarded by Sourcewell to Carter Machinery Co. Inc.

Commissioner Wagner, seconded by Commissioner Harvey, moved to authorize by Resolution the purchase of two (2) new Caterpillar CB 1.7 rollers from Carter Machinery Co. Inc., as presented. The motion passed unanimously (5-0).

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-24-0148) ONE (1) NEW BRUSH CHIPPER

Rick Curry, Director, Purchasing; and Zane Rowe, Deputy Director, Highway Department, presented the request to authorize by Resolution, the Highway Department to purchase one (1) new Vermeer Brush Chipper in the amount of \$61,223.71 from Vermeer All Roads of Baltimore, MD and to utilize another jurisdiction's contract (#031721-VRM) that was awarded by Sourcewell to Vermeer All Roads.

Commissioner Wagner, seconded by Commissioner Keefer, moved to authorize by Resolution the purchase one (1) new Vermeer Brush Chipper from Vermeer All Roads as presented. The motion passed unanimously (5-0).

INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-24-0147) ONE (1) NEW ALTEC TELESCOPIC AERIAL UNIT

Rick Curry, Director, Purchasing; and Zane Rowe, Deputy Director, Highway Department, presented the request to authorize by Resolution, the Highway Department to purchase one (1) new Altec Telescopic Aerial Truck in the amount of \$205,412.00 from Altec Industries, Inc., of Birmingham, AL and to utilize another jurisdiction's contract (#110421-ALT) that was awarded by Sourcewell to Altec Industries, Inc.

Commissioner Wagner, seconded by Commissioner Harvey, moved to authorize by Resolution the purchase of one (1) new Altec Telescopic Aerial Truck from Altec Industries, Inc., as presented. The motion passed unanimously (5-0).

BID AWARD (PUR-1702) FOUR (4) 2024 CAM 22 FOOT EQUIPMENT HAULER TRAILERS

Rick Curry, Director, Purchasing; and Zane Rowe, Deputy Director, Highway Department, presented the request to award the procurement of four (4) 2024 CAM 22-foot equipment hauler trailers to Trailer Enterprise of Hagerstown, MD in the amount of \$15,500.00 each; for a total sum cost of \$62,000.00.

Commissioner Harvey, seconded by Commissioner Wagner, moved to award the procurement of four (4) 2024 CAM 22-foot equipment hauler trailers to Trailer Enterprise as presented. The motion passed unanimously (5-0).

SOLE SOURCE PROCUREMENT (PUR-1705) FIRE HOUSE SOFTWARE AGREEMENT FOR DIVISION OF EMERGENCY SERVICES

Rick Curry, Director, Purchasing, presented the request to authorize a Sole Source procurement of a Maintenance Software Agreement for the Division of Emergency Services for Auto-Cad software updates and upgrades in the amount of \$99,734.94. from ESO Solutions, Inc. of Dallas, TX.

Michelle Gordon, County Administrator, corrected the amount to \$99,730.94.

Commissioner Cline, seconded by Commissioner Wagner, moved to authorize a Sole Source procurement of a Maintenance Software Agreement in the amount of \$99,730.94 to ESO Solutions, Inc. as presented. The motion passed unanimously (5-0).

COLLECTIVE BARGAINING MEMORANDUM OF UNDERSTANDING (MOU) – AFSCME

Chip Rose, Director, Human Resources, presented the request to approve the proposed AFSCME Collective Bargaining Memorandum of Understanding (MOU)

Commissioner Cline, seconded by Commissioner Wagner, moved to approve the proposed AFSCME Collective Bargaining Memorandum of Understanding as presented. The motion passed unanimously (5-0).

CLOSED SESSION

Commissioner Wagner, seconded by Commissioner Cline, moved to convene in closed session at 10:12 a.m. The motion passed unanimously (5-0).

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 individual.

(1) These topics include the discussion of confidential personnel matters:

- Discussion of hiring recommendation for Office of Grants Management Director
- Discussion of hiring forthcoming open position within County
- Discussion of hiring positions in Division of Emergency Services
- Discussion of personnel complaint investigation.
- Discussion of applicants/seek consensus to appoint or reappoint individuals to fill open positions on Agricultural Land Preservation Advisory Board.

- Discussion of hiring additional County personnel. In addition to being a confidential personnel matter. The nature of the hiring, if discussed in open session, would put the County at a negotiating disadvantage; and,

To consult with counsel to obtain legal advice on a legal matter.

(7) Board has requested legal advice on negotiating strategy for contract of sale. Providing legal advice in open session would deprive Board of attorney/client privilege and put Board in inferior bargaining position.

- Provide legal advice and options to Board pertaining to negotiation strategy for potential contract of sale.

In closed session, the Commissioners discussed; and reached a consensus to:

- A potential contract of sale.
- Appointments to the Agricultural Land Preservation Advisory Board.
- Advertise for the GIS Manger position.
- Hiring the Office of Grants Management Director.
- Hire two full-time FF/FAO positions in Division of Emergency Services.
- Discussion and update on EMS staffing and transitions.
- Discussion of personnel complaint investigation.

Present during closed session at various times were: Commissioners John F. Barr, Jeffrey A. Cline, Derek Harvey, Wayne Keefer and Randall E Wagner; Dawn Marcus, County Clerk and Zachary J. Kieffer, County Attorney; Michelle Gordon, County Administrator; Rosalinda Pascual, Deputy County Attorney; Aaron Weiss, Assistant County Attorney; Todd Moser, Real Property Administrator, Engineering; David Mason, Deputy Director, Solid Waste; Chris Boggs, Rural Preservation Administrator, Planning and Zoning; Jill Baker, Director, Planning and Zoning; Joshua O'Neal, Chief Technical Officer, Information Technology; Chip Rose, Director Human Resources; Kelcee Mace, Chief Financial Officer; R. David Hays, Director, Emergency Services; David Chisholm, Deputy Director, Field Operations, Emergency Services; and Dale Fishack, Vice President, Washington County Volunteer Fire and Rescue Association;

RECONVENE IN OPEN SESSION

Commissioner Wagner, seconded by Commissioner Harvey, moved to reconvene in open session at 11:36 a.m. The motion passed unanimously (5-0).

ADJOURNMENT

Commissioner Harvey, seconded by Commissioner Wagner, moved to adjourn at 11:36 a.m. The motion passed unanimously (5-0).



Dawn L. Marcus, *County Clerk*