

A meeting of the City Ethics Commission (Commission) was held on Monday, December 16, 2024, in the Council Chamber, 2<sup>nd</sup> Floor, City Hall, Hagerstown, Maryland.

The following people were in attendance:

Joseph Jefferson, Chairperson

Stacy L. Michael

Jessica Scott

Richard Willson

Jason Morton, City Attorney

Donna Spickler, City Clerk

[REDACTED]

Councilmember [REDACTED]

Member Lewis C. Metzner was not in attendance and had recused himself from the meeting due to a potential conflict of interest.

Mr. Jefferson called the meeting to order at 5:40 p.m.

On a motion duly made by Ms. Michael and seconded by Mr. Willson, the minutes from March 4, 2024 were approved.

Old Business

It was noted that the membership information for the Ethics Commission on the City of Hagerstown website is incorrect and needs to be updated. Ms. Spickler will make the necessary changes.

Requests for Advisory Opinions

Two requests for Advisory Opinions were received. Mr. Morton reminded the members they have the ability to seek outside counsel under the Rules of Procedure. The Commission decided in March, 2024 to hear the advisory opinion request and render a decision without that outside counsel. Mr. Morton stated he can discuss the procedure for hearing these requests but not the substance of the requests.

Mr. Jefferson stated it is possible that the members may decide to hear the requests and then decide to move to outside counsel for advice.

[REDACTED]

Mayor McIntire was invited to the meeting. He stated he is waiving his right to keep the request confidential.

Mr. Jefferson thanked the Mayor for bringing this question to the Commission as soon as possible. He asked when the contract was awarded. Mayor McIntire stated an email on September 30, 2024 identified him as the selected subcontractor. Mr. Jefferson asked if Mayor McIntire was aware there could be a conflict prior to submitting the bid. Mayor McIntire stated he was aware there might be.

Mr. Willson confirmed the contract was awarded to GRC Contractors and not directly to McIntire HVAC. Mayor McIntire indicated that is correct.

Ms. Scott asked when the bid was awarded by the Mayor and City Council. Mayor McIntire stated it was near the end of early voting. Ms. Scott asked if the work had been started. Mayor McIntire stated he has ordered materials because of the length of time it takes to be delivered.

Mr. Willson asked how McIntire HVAC was selected as the subcontractor. Mayor McIntire stated, typically, the general contractor seeks three bids from subcontractors and makes their selection from those bids.

Mayor McIntire left the room at 6:09 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Mr. Jefferson asked what Councilmember Bell feels could represent a conflict of interest with the after school program.

Councilmember Bell stated she did not necessarily think there would be, but she wanted the Commission to review the program and offer their opinion.

Mr. Jefferson asked who provides the compensation for the Community Roots program. Councilmember Bell stated Community Roots partners with the HHA. She and other program directors are paid by HHA.

Mr. Willson asked where the HHA gets the funding for the program. Councilmember Bell stated she is not sure but knows it is approved by the City of Hagerstown.

Mr. Jefferson confirmed the City provides the funding and the HHA earmarks it for the Parkside Homework Club Program. Councilmember Bell stated that is correct.

Ms. Scott asked how many staff are in the program. Councilmember Bell stated there are 4, including her. They run the program Monday through Thursday, from 4:30 p.m. to 6:30 p.m. Recently, the Washington County Public School System started providing meals to the kids.

Mr. Jefferson asked if Councilmember Bell receives other funding. Councilmember Bell stated not to her program and not to her directly.

Ms. Michael asked if Community Roots has applied for any grant funding. Councilmember Bell stated they are not registered with the State and aren't eligible to apply. The money goes to Parkside Pals. Ms. Michael confirmed Community Roots is not a 501(c)3 organization. Councilmember Bell stated that is correct.

Mr. Willson asked if Councilmember Bell is familiar with the Community Development Block Grant (CDBG) funding. He asked if she thinks the funding to the HHA is from the CDBG program. Councilmember Bell stated they apply for and receive funding, but she does not know what program the funding is from.

Ms. Scott asked if Councilmember Bell would recuse herself from any vote for funding for the after school programs. Councilmember Bell stated she definitely would not participate.

Councilmember Bell then left the room.

[REDACTED]

