

Public Business Meeting Minutes

Thursday, October 19, 2023 - 5:00 PM

*Allegany County Office Building, 701 Kelly Road, Allegany Room 100
Cumberland, Maryland 21502*

WE ASK THOSE CITIZENS WISHING TO ADDRESS THE BOARD TO REGISTER ON THE SIGN-UP SHEET AND CONDENSE THEIR COMMENTS TO FIVE MINUTES OR LESS. THIS WILL ALLOW AN OPPORTUNITY FOR EVERYONE WISHING TO COME FORWARD TO HAVE A CHANCE TO SPEAK. WE WILL CONDUCT OUR MEETING IN AN ORDERLY FASHION AND ASK THAT EVERYONE WISHING TO SPEAK FIRST BE RECOGNIZED BY THE PRESIDENT, COME TO THE MICROPHONE, AND GIVE HIS OR HER NAME AND ADDRESS PRIOR TO THEIR COMMENTS.

1. Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

2. Call to Order & Roll Call

The regular meeting of the County Commissioners of Allegany County was held in the Commissioners' Meeting Room, Allegany Room 100, 701 Kelly Road, Cumberland, at 05:00 PM on 10/19/2023. Present: County Commissioner Creade V. Brodie, Jr., County Commissioner William R. Atkinson, County Commission President David J. Caporale, County Administrator Jason Bennett, County Attorney Lee Beeman.

3. Approval of Agenda

There were no additions or deletions to the agenda.

4. Approval of Previous Meetings Minutes

Upon Motion made by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and duly carried, the Minutes from the previous public business meeting were approved by the Board of County Commissioners.

5. Presentations

6. Public Hearing

A. Code Home Rule Bill 1-23 - "An Act to Amend the Duties and Responsibilities of the Emergency Services Board" - T. Lee Beeman, Jr., County Attorney

Attorney Beeman opened the hearing for public comment. There was none. He then explained the details of the amendments to the Commissioners and told them because October 19th was declared a Legislative Day, they could take action on the adoption of the Bill. Action taken was as follows:

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

The Bill will go into effect 45 days from today.

7. Action Agenda

A. Approval for Communication Tower Repairs - James Pyles, Director of Emergency Services

The Communications Towers along Mount Savage through the the George's Creek area are in need of pertinent repairs. These repairs will better service the Seneca, Dan's, and Jackson Mountain Tower sites, providing better coverage for the area. The cost will be approximately \$57,000 for a five year maintenance agreement.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

B. Authorization of the Cleantech Research and Development Grant program - Jeff Barclay, Director of Economic and Community Development

Allegany County Economic and Community Development is requesting the creation of a non-lapsing fund that is recapitalized to \$100,00.00 every fiscal year, to subsidize research projects conducted at the University of Maryland Center for Environmental Sciences (UMCES) Applachian Lab that will directly result in a new commercial product or service. The grant program, to be known as the Cleantech Research and Development Grant ("CRD Grant") will offer a 1:1 to match up to \$50,000.00 for said projects, to be paid directly to the Applachian Lab.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

C. Authorizing Community Enhancement Program Grants to Baltimore Street Redevelopment, Downtown Comprehensive Investment Program, Demolition for Three Sites for LaVale Retail Development, Electrical Upgrade for Garden City Mobile Home Park, and Acquisition and Demolition in Barton - David Nedved, Economic and Community Development Representative

The purpose of the program is to provide grant funds to municipalities and Allegany County government itself, for the purposes of purchasing and demolishing blighted residential buildings and financing business building improvements, thus assisting in the elimination of blight. Also, the program has been expanded to allow for investments to infrastructure. There are six recommendations to receive the funding, and they are as follows:

- City of Cumberland to receive \$500,000 from the Allegany County Community Enhancement Program for the Baltimore Street Redevelopment Project and \$365,000 for the Downtown Comprehensive Investment Program, which will reimburse the Allegany County Economic and Community Development Department.
- Allegany County's Economic and Community Development Department to receive \$100,000 for a future demolition for retail development and \$32,230 for reimbursement for two prior demolitions for retail development.
- Allegany County's Economic and Community Development Department to receive \$14,000 for reimbursement for electrical upgrades for a mobile home park.
- Town of Barton to receive \$10,000 for reimbursement for the acquisition and demolition of 23802 High-Washington Street.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

D. Rural Legacy Program - Agreement of Sale and Deed of Easement pertaining to 230.631 acres of property situated south of Mount Savage Road and east of Cash Valley Road in Election District 29,

and 116.5 acres of property situated off of Pine Ridge Road and Proenty Road in Election District 29 - **Roy Cool, Planner**

Rural Legacy land preservation easements are voluntary arrangements through which the Maryland Department of Natural Resources (DNR) acquires the development rights of property located within the designated Mountain Ridge Rural Legacy Area. The properties within the area are prioritized primarily by environmental criteria. When the owners of the higher rated properties and DNR agree on a value for the easement, the State funds the transaction.

Motion: Table, By: William R. Atkinson, Seconded: David J. Caporale. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- E. Decommissioning Agreement for industrial wind energy conversion system with Dan's Mountain Wind Force, LLC - **T. Lee Beeman, Jr., County Attorney**

Decommissioning Agreement to provide surety against potential abandonment of industrial wind energy conversion system on Dan's Mountain. The agreement provides guidelines and procedures to allow the Board of County Commissioners to efficiently potentially decommission an abandoned project at the expense of the project owner.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

8. Consent Agenda

Upon Motion by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and Motion carried, the Board of County Commissioners approved and adopted the Consent Agenda as recommended by the County Administrator.

- A. Brook Building Generator Replacement, Contract No. AC-BROOK-24-01 - Bid Award to Freestate Baltimore, LLC for the amount of \$166,100
There were three (3) bids received on October 10, 2023. Freestate Baltimore has a local office in Cumberland so they were eligible for the 5% local bid preference, and is considered the low bidder. This job will be paid for by the Health Department.
- B. Approve Purchase of Used 2012 Mack HU613 Truck for DPW - Roads Division in the amount of \$74,500
from Martin's Farm Trucks, LLC in Greencastle, PA. This will be paid for using existing PAYGO funds.
- C. Allegany County DPW - Utilities Division - 2022 Ford F250 Utility Body Pickup Truck Lease in the amount of \$1,052.21 per month
for 60 months approval. This is part of the County's standing lease agreement with Enterprise.
- D. Amend FY 2023 Program Open Space Annual Plan to Reallocate \$152,000 in funds to the Borden Tunnel
for the construction of a new liner. The funds were originally allocated to Prichard Farms Community Association, but that project was canceled and funds are no longer required.
- E. Maryland Department of Transportation FY 2024 Operating Grant Agreement for Transit
in the amount of \$1,057,674.00.
- F. Maryland Department of Transportation FY 2024 5304 Transit Development Plan Capital Agreement
in the amount of \$100,000.00.
- G. MOU between Garrett County Board of Commissioners and Allegany County Board of Commissioners
in order to receive \$40,000 from MDOT's Highway Safety Office
This grant funding will support the development of the Local Strategic Highway Safety Plans for both counties.
- H. Fairgrounds Rental Agreement - WMD Street Rod

to rent the Fairgrounds over the weekend of Labor Day as they have done for years. The rental agreement is for a term of four (4) years with the rent set at \$4,900 per year for the first two (2) years and will increase to \$5,000 for the last two (2) years. The County will also receive additional rent based on the campers that are there.

- I. Quitclaim Deed for Bruce Ballfields from Allegany County to Town of Westernport
This is part of the old Bruce High School property that the County had maintained for many years. This will assist the town with a waterline replacement project.
- J. Rules & Regulations Governing Employees of Allegany County, Updates to Article 4.2, Advertisement of Position, Resolution 23-30
This relates to how we are able to advertise for jobs, and brings us into more modern times with the methods we can use for advertising.

9. Public Comment

Three residents from the West Side neighborhood of Cumberland came to again express their concerns they have with the bid award of the old Allegany High School site. They are in order of sign-up:

- Dr. Nancy Giunta - Cumberland, MD
- Ally Litten - 643 Washington Street, Cumberland, MD
- Jenny Lazarus - 500 Magruder St, Cumberland, MD

10. Reports

- A. County Administrator
Had no further comments to add at this evening's meeting.
- B. County Attorney
Had no further comments to add at this evening's meeting.

11. Commissioner Comments

Had no further comments to add at this evening's meeting.

12. Reminders/Upcoming Meetings

- A. NEXT MEETING - Thursday, November 2, 2023, 5:00 PM

13. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:40 PM.