

Public Business Meeting Minutes

Thursday, December 14, 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 05:02 PM on 12/14/2023. Present: County Commissioner Creade V. Brodie, Jr., County Commissioner William R. Atkinson, County Commission President David J. Caporale, County Administrator Jason Bennett, Assistant County Attorney Ramon Rozas.

3. Approval of Agenda

County Commission President added one additional item to the consent agenda as Item 8F - Approve Subordination, Nondisturbance, and Attornment Agreement related to debt owed by TWR to Board of County Commissioners associated with the construction of a telecommunications tower in 2003.

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

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

- A. Willowbrook Outdoor Wellness (WOW) Center - Request to Approve a Land Lease Agreement with Allegany College of Maryland - **Adam Patterson, P.E., Director of Public Works**

Presentation on the background project information and details in preparation of a future request for approval. The County Commissioners of Allegany County, in partnership with Allegany College of Maryland (ACM) are proposing to develop approximately 24-acres of unused land into a community-

based outdoor sports/recreation complex on the grounds of ACM called the Willowbrook Outdoor Wellness Center. The proposed work will be completed in two phases:

- Phase I Project: Construction Timeline - April to August 2024
 - Outdoor Kinetics Park
 - Extension of the current walking path
 - Outdoor Educational Classroom Pavilion
 - Access Roads
 - Parking Areas

- Phase II Project: Construction Timeline - January to August 2025
 - Artificial Turf Soccer/Football Field
 - Natural Grass Multi-Use Fields
 - Extension of the current walking path with the addition of a woodland trail
 - Concession/Restroom/Storage Building
 - Additional Parking Area

The following funding has been secured for the Phase I project scope:

- Land and Water Conservation Funding (LWCF): \$355,625.00
- LPPI Funding: \$397,761.00 (as a match to LWCF)
- Project Open Space (POS) Funding: \$205,243.00

The following funding has been secured for the Phase II project scope:

- Land and Water Conservation Funding (LWCF): \$1,465,000.00 (ACM Land Donation)
- Project Open Space (POS) Funding: TBD

6. Public Hearing

7. Action Agenda

- A. Resolution 23-33 - Enterprise Zone Certification - **Nathan Price, Senior Project Manager, Economic and Community Development**

Resolution 23-33 which certifies that certain companies meet local standards for the Gateway and Route 220 South Enterprise Zones was presented for approval to the Board of County Commissioners. This Resolution further certifies that certain properties in these Enterprise Zones and the Frostburg Enterprise Zone qualify for real property tax credits authorized by Tax Article 9-103 of the Annotated Code of Maryland for the taxable year 2024-2025.

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. Water and Sewer Pre-PACE Meeting Agenda - **Adam Patterson, P.E., Director of Public Works**

For many years, Allegany County has met with funding agencies prior to the PACE reception to discuss water and sewer projects in Allegany County. These meetings have been very successful in obtaining the most favorable grant and loan combinations to address County water and sewer projects while maintaining equitable utility rates. The Commissioners took action to accept the proposed agenda for the upcoming 2024 meeting.

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.

8. Consent Agenda

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.

- A. Accept MDE Funding Package in the amount of \$2,500,000 for the North Branch WWTP Clarifier Upgrade Project
That would be \$750,000 in loan and \$1,750,000 in loan forgiveness.
- B. Accept MDE Funding Package in the amount of \$350,000 for the Braddock Run Grahamtown Regulating Baffle Project
This represents 50/50 grant loan funding.
- C. Accept the FY23 Emergency Management Performance 50/50 Grant in the amount of \$80,388.73
This offsets salaries and benefits and other operating costs within EMS.
- D. Approve Carefirst Gag Clause Prohibition Compliance Attestation
This would authorize the County Administrator to sign the attest for the county's CareFirst health plan. This complies with the Consolidated Appropriations Act.
- E. Approve the Issuance of 2024 Licenses for Salvage Yard Operations to the Following:
 - Allegany Scrap, Inc.
 - Reeve's Motor Company, Inc.
 - Porter Salvage Yard
 - Twigg Used Cars & Parts
 - Jones' Garage & Salvage
 - TC Race Cars, Inc. c/o Chuck Clise
 - Westernport Salvage, Inc.

Each one of those will be subject to a \$100 processing fee.

- F. Approve Subordination, Nondisturbance, and Attornment Agreement Related to Debt Owed by TWR to Board of County Commissioners Associated with the Construction of a Telecommunications Tower in 2003 (Item added at the start of BOCC Public Business Meeting)
This agreement subordinates County's ability to foreclose on the property due to default by TWR behind other lien interests associated with the property. County has received free placement of communications devices on tower as result of longstanding lending agreement with TWR.

9. Public Comment

Constituents – In order of sign-up sheet:

- Chip Minemyer, Publisher of the Cumberland Times News - Came to discuss the Times-News' plan for 2024 to do a book about the history of the Allegany County Fairgrounds.
- Max Green of 505 Patterson Ave in Cumberland - Came to discuss emails received through a PIA request.

- Dan Williams of 12916 St Georges in Mt Savage - Wanted to make the Commissioners aware that a business in Mt. Savage is transferring their operations and about 12 people will be losing their jobs. Asked for help for these people.
- Nancy Giunta of 711 Washington St in Cumberland - Came to discuss transparency and her relationship with the director of Live Together.
- Frank Asher of 412 Magruder St in Cumberland - Came to ask questions and discuss the redevelopment of the old Allegany High School site.

10. Reports

A. County Administrator

Wanted to make everyone aware that the County staff has been nothing but above board on the development project at the Old Allegany High School site. Mentioned that it is quite common for our Economic Development staff to entertain prospective clients, and sometimes those prospective clients can potentially do even more things in our County.

B. County Attorney

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

11. Commissioner Comments

- Commissioner Atkinson - Had no further comments to add at this evening's meeting.
- Commissioner Brodie - Wished everyone a very merry, safe, happy Christmas and a very good new year because he is thankful we still live in a place where we can still get together.
- Commissioner Caporale - Wished everyone a merry Christmas and happy new year.

12. Reminders/Upcoming Meetings

A. NEXT MEETING - Thursday, January 11, 2024, 5:00 PM

13. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:55 PM.