

Public Business Meeting Minutes

Thursday, April 4, 2024 - 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 05:01 PM on 4/4/2024. 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

Attorney Beeman asked the Commissioners to add Item D - Memorandum of Understanding with Maryland Office of Administrative Hearings to the action agenda. This will authorize the County Administrator to enter into a MOU with Maryland Office of Administrative Hearings in order for them to provide Administrative Law Judges for Police Accountability Board trial boards.

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. Proclamation, Fair Housing Month - David Nedved, Economic and Community Development

The Board of County Commissioners of Allegany County hereby proclaim April 2024 as Fair Housing Month in Allegany County. The Board adopted a Fair Housing and Equal Opportunity Plan in 2013. The plan states that the Board will promote the opportunity for each person to obtain housing of such person's choice in this community without regard to race, color, national origin, ethnicity, gender, disability, familial status, marital status, age, or religion.

- B. Citation, Frostburg Elks Derby Day Recognition - **Sharon Kyle and Jim Meyers, Derby Day**
Frostburg Derby Day has been awarded a \$10,000 grant by the Maryland State Arts Council as a winner in the tradition category of the 2024 Heritage Awards. The Maryland Traditions program recognizes long-term achievement in the traditional arts with nominations accepted in three categories — person or people, place and tradition. The Frostburg Elks was recognized for organizing the event in 1977, based on the tradition of the soapbox derby craze of the 1930s and '40s. In some families, derby racing cars have achieved the status of family heirlooms, with as many as three generations of drivers having used the same car. Derby Day was among six award winners named this year.
- C. Robotics and Engineering in Allegany County--Together, Inc. (REACT) - **Coach Mike Fiscus and Students**
REACT is a non-profit organization working to bring exposure, education, & applied practice in robotics, engineering, and coding to the children of Allegany County, MD. President Barry Hartung and Treasurer Mike Fiscus, along with students from West Side Elementary, demonstrated to the Commissioners and shared some background on the group's achievements and future goals.

6. Public Hearing

- A. Public Hearing for the Progression/Update of COVID CDBG Round 1 Funding - **David Nedved, Economic & Community Development**
The Maryland Department of Housing and Community Development (DHCD) awarded Allegany County \$223,750 for a Community Development Block Grant (CDBG) funded from the federal CARES Act. The activities funded were to prevent, prepare for and respond to the coronavirus crisis. A requirement of accepting CDBG funding is that public hearings have to be held on the progress of the projects while they are active. In addition, these public progress hearings are required to be held during a Commissioners' Public Meeting and a formal Notice of Public Hearing has to be given at least five (5) days before the hearings. The notice was advertised in the Cumberland Times-News on Saturday, March 30th. Mr. Nedved opened the public hearing, heard no public comment, and therefore, closed the hearing. No action was required by the Commissioners.

7. Action Agenda

- A. Award of Cleantech Research & Development Grant to Aquatic Circle, LLC - **Adam Strott, Economic Development Specialist**
The Cleantech Research & Development Grant, passed by the Allegany County Board of Commissioners in October 2023, pays for research and development costs for local firms associated with work that is contracted through the University of Maryland Center for Environmental Science (UMCES) Appalachian Laboratory ("Appalachian Lab"). The grant will provide a 1:1 match for research costs, up to \$50,000 per project, incurred from and paid directly to the Appalachian Lab. Aquatic Circle, LLC, has entered into an agreement to use the Appalachian Lab's facilities, equipment and staff to test the efficacy of its proprietary water filtration technology for the purposes of shrimp farming, and has qualified for the award of this grant. The company has also received \$25,000.00 of Rural Business Innovation Initiative funding from the Maryland Technology Development Corporation (TEDCO). Asking for the approval to award a \$50,000 Cleantech Research & Development grant to Aquatic Circle, LLC.
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.

- B. Rural Legacy Easement Purchase of 53.99 Acres of Land Situated East of Old MacDonald Road in Election District 24 - **Roy Cool, Planner**

Recommended that the Commissioners approve the purchase of this easement through the Rural Legacy Program.

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

- C. Local Abatement Plan on Behalf of the Opioid Restitution Fund Task Force - **Tanya Gomer, Grants Writer**

On February 25, 2022, the National Prescription Opiate Litigation Plaintiffs' Executive Committee (PEC) finalized settlements with three of the nation's top wholesale pharmaceutical drug distributors, in which fifty-two states and territories and thousands of local governments across the country will receive funds for current and future opioid remediation. Approximately \$28 billion in additional settlements with opioid manufacturers and retailers is forthcoming. Funding agreements vary from 5 years to 18 years. Allegany County is part of that settlement and Cumberland and Frostburg have decided to participate in the County Local Abatement Plan and merge all TAG funding. The task force has developed a Local Abatement Plan to allocate the funding and is asking the Commissioners to accept the recommendations outlined in the plan and allow it to be submitted to Maryland's Office of Opioid Response.

Allotment Schedule	Direct FY23	Direct FY24	TAG FY23	TAG FY24
Allegany	\$233,677.99	\$168,421.40	\$420,620.38	\$151,579.26
Cumberland	\$32,887.86	\$23,703.64	\$59,198.15	\$21,333.28
Frostburg	\$7,782.80	\$5,609.39	\$14,009.04	\$5,048.45
TOTAL:	\$274,348.65	\$197,734.43	\$493,827.57	\$177,960.99

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

- D. Memorandum of Understanding with Maryland Office of Administrative Hearings (Item added at the start of the BOCC public business meeting) - **T. Lee Beeman, Jr., County Attorney**

If the Administrative Charging Committee recommends discipline of an officer, then that officer can appeal that decision to a trial board. This MOU provides for the funding and use of the State's Administrative Law Judges to preside over the trial boards.

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. Request to Award Archaeological Services to Oxbow Cultural Research in the amount of \$3,200.00
This is from the engineering division operating budget and for sidewalk work at the old Depot.
- B. Request to Purchase Six (6) Motorola Portable Radios in the amount of \$78,588.57
This will come from the 911 operating budget.
- C. Request to Purchase Used Excavator for Utilities Division in the amount of \$129,979.00
This will be purchased from the Anderson Equipment Company in Somerset, PA and will be paid for using remaining ARP funds.
- D. Declaration of Surplus Equipment from the Department of Public Works
This includes three thirty-cubic yard dumpsters to be disposed of in accordance with County Policy.
- E. Allegany County Detention Center Staff - Request to Travel

This is for Captain Dan Lasher to attend the American Correctional Administration Conference being held in Nashville, TN from August 14th to August 18th. The cost of this is not to exceed \$2,500 and will be covered by grant funding.

9. Public Comment

Constituents – In order of sign-up sheet: No one signed up to speak at this evening's meeting.

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

- Commissioner Atkinson - Wanted to let the public know the second budget hearing for the County happened today, and thanked the different departments and outside agencies for helping the Commissioners by being mindful of their budgets. Also mentioned that checks from the Downtown Cumberland Construction Impact grant were handed out today, and very well received. He then thanked the City of Cumberland for their participation in the program. Announced there is a solar eclipse coming Monday, April 8th, and reminded everyone not to look directly at the eclipse, as it can and will harm your eyes. If you want to look at it, please use special viewing glasses, which can be found locally at Toil and Trouble located on the downtown mall.
- Commissioner Brodie - Had no further comments to add at this evening's meeting.
- Commissioner Caporale - Thanked the students for being at the meeting today, and demonstrating their robot.

12. Reminders/Upcoming Meetings

- A. NEXT MEETING - Thursday, April 18, 2024, 5:00 PM

13. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:39 PM.