

**Public Business Meeting
Minutes**

Thursday, December 19, 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 05:00 PM on 12/19/2024. 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

Removed Item C from the Consent Agenda.

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

5. Presentations

A. Mountain Maryland Trails Annual Recap- Larry Brock, President

Thanked the County Commissioners, the Sheriff and his staff, and Adam Patterson for patrolling and making improvements to the Great Allegheny Passage. There have been issues with ATVs on the trail, and Mountain Maryland Trails has an agreement with the County to provide funds to put up gates and signage. Tonight, a check for over \$1,400 was presented to the Commissioners.

B. Allegany County Salary Study Commission Report - Brian Grim, Chairperson

Every four years, the Salary Study Commission meets to consider and discuss information for the purpose of making recommendations for salaries for the next term for the following positions:

- Orphans Court Judges
- Board of License Commissioners
- Board of Education
- Board of Elections
- Sheriff of Allegany County
- Board of County Commissioners

The next term for consideration is 2027 - 2030. Meetings with representatives from each of these entities were held in the months of October and November. A full list of the members of the Salary Study Commission members, and the recommendations presented to the Commissioners can be found attached to the meeting packet. No action needs to be taken at this time. A Code Home Rule Bill will need to be presented, and enacted by the Commissioners at a later date.

6. Public Hearing

A. Road Closing Petition for First St in Westernport - **Victor Scarpelli, Attorney**

This petition was presented by Attorney Mike Llewellyn. Brenda Joy Warren, personal representative of the Estate of Richard P. Reeves, is petitioning the Board of County Commissioners to close an unpaved and unimproved street lying between the lot at 24505 North River Road and the lot at 24503 North River Road in Westernport, MD, referred to as First Street. Pursuant to Local Government 12-512 of The Annotated Code of Maryland, notice by publication in The Cumberland Times-News was given once a week for three (3) consecutive weeks. At the conclusion of the public hearing, the Commissioners, as advised by the County Attorney, took action to close the street and sign the order. **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.**

7. Action Agenda

A. Allegany College of Maryland Makerspace Budget Amendment - **Jason Bennett, County Administrator**

At a previous meeting, the Commissioners authorized the County to transfer ownership of the Western Maryland Works Makers Space building to Allegany College of Maryland. ACM has been fully maintaining and operating this building for the past few years. The transfer closed this week, and \$833,186 was received from ACM. The Commissioners can approve a reallocation of the funds received from ACM to go back to ACM, which will help fully fund their budget that was cut by the County this year. This will be at no cost to the County, and ACM will greatly benefit. Mr. David Jones, incoming President of ACM, came to the podium to explain that because of the reallocation, the college will not lose any of their State funding based on this.

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. Cell Tower Right of Entry Agreement with the Maryland Department of Information Technology - **T. Lee Beeman, County Attorney**

This is for the purpose of building a cell tower on a piece of property owned by the County located behind Bishop Walsh School. This Right of Entry would grant the access needed to follow through with this process.

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

Mr. Patterson presented the proposed agenda for approval in regards to the upcoming meeting to be held in Annapolis on January 16, 2025 to help secure grant funding for potential water and sewer projects throughout the County. The agenda can be found attached to the agenda packet. The main focus this year will be on two water projects: Dehaven/Mason Road Water Extension and Depot Street Water Extension.

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.

D. Approval of \$20,000 in Business Expansion Deferred Loan Funds to Downtown D'Atri Pasta and Subs - **Nathan Price, Economic Development Representative**

This business is looking for funds to secure extra equipment so that they can expand their offerings. The Business Expansion Deferred Loan Program is through the Department of Economic and Community Development, and was authorized by the Commissioners at a previous public business meeting.

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.

E. Lease with Option to Purchase Agreement with Geocycle USA for County Owned Property Located at 23302 Westernport Road - **Adam Strott, Economic Development Specialist**

Geocycle is currently leasing another building from Allegany County, and this will expand their operations and allow them to develop a community tire collection facility.

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.

F. Approval of Professional Services Agreement Supplement with Herbert, Rowland & Grubic for Park and Trail Design - **Adam Strott, Economic Development Specialist**

Allegany County Department of Economic and Community Development contracted Herbert, Rowland & Grubic, Inc to create a conceptual of rendering a trail and park system across multiple parcels of land owned by Allegany County and the City of Cumberland. Having completed the concept, ACDECD would like to extend the contract to HRG to complete full design and engineering plans, as well as the management of the public bid and project, once awarded. The total cost will be \$107,500, and will be paid for using federal funds through ARPA.

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.

G. Dans Mountain Windforce LLC Payment in Lieu of Taxes (PILOT) Agreement – **Nick Benjamin, Senior Director, Development, Clearway Energy**

A windmill project has been in the works for many years on Dans Mountain. The project is now under construction and will include 9 windmills that will be operational by the spring of 2025. As part of the project development, it is necessary for the Clearway Energy to procure a Payment in Lieu of Taxes Agreement with the County to properly fund the project and recognize their tax liability to the County. The PILOT as proposed will include an anticipated final equipment value of \$155 million and real property value of \$5 million. The attached spreadsheet allocates that amount over a 35 year period using the County's existing property tax rates. The result is an annual payment to the County of \$825,802 which will be paid over a 35 year period. This is an important agreement for Dans Mountain Windforce that allows them to finalize their financing of this project.

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

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.

- A. Rules & Regulations Governing Employees of Allegany County, Resolution 24-21 Job Descriptions for Allegany County Detention Center
This would be for various job descriptions for correctional positions at the Detention Center.
- B. Rules & Regulations Governing Employees of Allegany County, Resolution 24-22 Article 7.3 Family and Medical Leave Act
- C. ~~Rules & Regulations Governing Employees of Allegany County, Resolution 24-23, Job Description Utilities Division~~ (Removed from the Agenda during opening comments.)
- D. MOU between Allegany County Transit and HRDC to Perform Maintenance on Transit Vehicles
- E. Accept the Byrne-Justice Assistance Grant for Crisis Intervention Training in the amount of \$40,000
- F. Allegany County Sheriff's Office - Purchase of (2) New Vehicles using \$60,000 of ARPA Funds
This is from Hertrich Fleet Services Inc, and off a State bid for a total of \$96,895.
- G. Approval of the Waste Management Surety Bond with Evergreen National Indemnity Company
This would be in the amount of \$100,000 in the favor of Allegany County.
- H. Approve the \$32,854.00 Purchase of 2015 Ram 3500 Pickup for Allegany County DPW - Roads Division
This will be purchased from Shoes Auto Sales, and used to replace a vehicle that was lost to an accident.
- I. Request for \$700,000 Local Funding Match for the Borden Tunnel Lining Restoration Project using Lottery Proceeds from FY23
- J. Columbia Gas Right of Way Agreement - Laurelhurst Boulevard
- K. Approve the Issuance of 2025 Licenses for Salvage Yard Operations
The applicants include:
 - 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.
- L. Re-obligation of American Rescue Funds
This would be for various projects. The County has to have these funds allocated by the end of the year.
- M. Amendment to Maryland DHCD Strategic Demolition Fund Grant Agreement Extending the Date to 6/30/2025
This is for the continuing work at the former Allegany High School site.
- N. Potomac Edison Utility Easement for County Owned Property on Laurel Hill Road in Frostburg, MD

This is for the Clym Environmental site.

- O. Award Bid for Tourism Strategic Planning Services to ChandlerThinks, LLC in the amount of \$36,900
This is covered through an EDA grant, and has already gone through an RFP process.
- P. Approval of Long Fence to Provide Chain Link Fencing on County-owned Property Located at 23302 Westernport Rd in the amount of \$99,100
This is for the Geocycle site that was mentioned during the Action Agenda portion of the meeting.

9. Public Comment

Constituents – In order of sign-up sheet:

- Brian Moses of 106 Jackson St in Lonaconing - Yielded time to Mayor Coburn.
- Thomas Morgan of 25 E Main St in Lonaconing - Yielded time to Mayor Coburn.
- Craig Alexander of 18600 Buskirk Hollow in Frostburg - Representing the town of Midland, is in support of ambulance service for the Georges Creek area. Has concerns with the County not taking this over in a timely manner.
- Bobby Ritchie of 14 Church St in Lonaconing - Concerns with the County not taking over the Georges Creek ambulance service.
- Jenifer Devlin of 46 Jackson St in Lonaconing - Yielded time to Mayor Coburn.
- Krista Hershberger of 90 Jackson St in Lonaconing - Yielded time to Mayor Coburn.
- Nathan Moses of 88 Jackson St in Lonaconing - Yielded time to Mayor Coburn.
- Mayor Jack Coburn of 60 Main St in Lonaconing - Concerns with the County not taking over the Georges Creek ambulance service.
- David Hershberger of 90 Jackson St in Lonaconing - Concerns with the County not taking over the Georges Creek ambulance service.
- David Biser of Long Dr in Cumberland - Concerns with the County not taking over the Georges Creek ambulance service.
- Jill Johnson of 11107 Mexico Farms Rd in Cumberland/Diana Wilson of 11103 Mexico Farms Rd in Cumberland - Concerns with water bill increases, and questions how she is paying more but using less. Mr. Patterson addressed their questions by explaining the biggest reason for increases to the water is the increase in what the City is now charging for water.
- Donald Green, Jr. of 33 Douglas Ave in Lonaconing - Concerns with the County not taking over the Georges Creek ambulance service.
- Lauren Bennett of 14112 Airport Ln in Cumberland - No longer in attendance.
- Jeff Metz representing Egle Nursing Home at 57 Jackson St in Lonaconing - Concerns with the County not taking over the Georges Creek ambulance service.

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 - Welcomed Commissioner Brodie back.

- Commissioner Brodie - Wished everyone a Merry Christmas. Then addressed the Georges Creek ambulance service concerns, and said it will get resolved.
- Commissioner Caporale - Addressed Mayor Coburn and told him the County will keep working towards a solution for the Georges Creek ambulance service. Also, said Administrator Bennett has had the Commissioners full faith and confidence. He also mentioned that the application process for the appointed member to fulfill the late Bob Farrell's position on the Board of Education will begin soon. Wished everyone a Merry Christmas.

12. Reminders/Upcoming Meetings

A. NEXT MEETING - Thursday, January 9, 2025, 5:00 PM

13. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 06:20 PM.