ALLEGANY COUNTY
Board of County Commissioners

David J. Caporale, President
William R. Atkinson, Commissioner
Creade V. Brodie, Jr., Commissioner
Jason M. Bennett, CPA, Administrator
T. Lee Beeman, Esq, Attorney

Public Business Meeting
Minutes

Thursday, June 26, 2025 - 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 6/26/2025. 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

Commissioner Brodie asked if the Allegany County Library System Board of Trustees Appointments be moved from Item A on the Consent Agenda to Item M on the Action 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.

Commissioner Caporale then asked for a motion to approve the amended 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.

4. Statement of Closed Meeting

There was no closed meeting to report on.

5. 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.

6. Presentations

A. Recognition of Exceptional 911 Specialist Performance: Brian Crawford (MSP), Abby Baluch (ACDES), and Sara Braithwaite (ACDES) - **Sheriff Craig Robertson**

On February 16, 2025, an incident occurred on Piney Mountain Rd in Frostburg. The Maryland State Police received a complaint that several individuals were trespassing on private property. Brian Crawford of MSP took the initial call and recognized similarities to information he recently saw on national news. Based on his suspicions, he dispatched Maryland State Police, and also contact the 911 center of Allegany County and advised Abby Baluch of the situation. She decided to dispatch more help from the Maryland State police and DNR. On scene, officers found three individuals who were heavily armed and suspected of being involved with a group linked to criminal activity. Throughout the encounter, Sara Braithwaite, who was also working at the Allegany County 911 Center, was responsible for handling radio transmissions between deputies while also forwarding those communications to the Maryland State Police. The Sheriff commended the dispatchers for their dedication, diligence, and professionalism that played an instrumental role in the safe arrest of the three individuals involved in the incident. He then presented each one with a plaque from himself and the members of FOP Lodge #144.

7. Public Hearing

A. Road Closing Petition of a Section of a Certain Unnamed Alley Adjacent to Gramlich Road in LaVale - **T. Lee Beeman, Jr., County Attorney**

Previously, as per Road Closing procedures, the petitioners, James and Stephanie Maddy, petitioned the Commissioners to open for the purpose of closing this portion of the alley. A public hearing was held on May 1, 2025, at which no comments from the public were heard, however, there were utility easements to be obtained by the petitioners. The petitioners were able to secure these easements, and the Commissioners took action on May 22, 2025 to open this portion of the alley. Now, the petitioners would like to have this portion of the alley closed.

Attorney Beeman opened the Public Hearing, and asked if there any members of the public who had any comments on the proposed road closing between Gramlich and Henry Dr. Hearing none, the public hearing was closed, and Attorney Beeman advised the Commissioners that they could take action to close the alley if they wish to do so.

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. Action Agenda & Public Comment

A. Resolution 25-06 - FY26 Rocky Gap Slots Allocation - **Jason Bennett, CPA, County Administrator**

The Local Development Council met on June 3, 2025 to come up with spending recommendations to be in effect from July 1, 2025 to June 30, 2026. The recommendations being presented to the Commissioners for their approval are as follows:

- The initial $10,000 received will be allocated to fire companies in the immediate vicinity of Rocky Gap Casino and distributed quarterly based upon calls responded to at the Casino and reported by Emergency Services.

After the initial $10,000 allocation, funds will be allocated as follows:

I. 20% to be allocated to Municipalities and Non-Profit Organizations located in Allegany County for capital projects and to be awarded based upon recommendations from the Allegany County Local Development Council
II. 17% to be allocated to the Allegany College of Maryland Foundation to be used as a scholarship program for Allegany Countyresidents attending Allegany College and meeting the eligibility requirements as designed by the ACM Foundation. The amount distributed is not to exceed $360,000 per fiscal year.
III. 9.25% to be allocated to the Frostburg State University Foundation to be used as a scholarship program for Allegany County residents attending Frostburg State University and meeting the eligibility requirements as set forth by the FSU Foundation. The amount distributed is not to exceed $200,000 per fiscal year.
IV. 4% to be allocated to the Allegany County PAYGO fund to reduce the amount of future debt issues. The amount distributed is not to exceed $80,000 per fiscal year.
V. 4% to be allocated to capital projects at the Board of Education that will be paid on a project-by-project basis after approval from the Commissioners. The amount distributed is not to exceed $80,000 per fiscal year.
VI. 39.5% to be allocated to the Allegany County Fire & Rescue Companies with the oversight of the Allegany County Fire & Rescue Board. The amount distributed is not to exceed the fiscal year 17 amount of $865,939.
VII. 2.25% to be allocated to local law enforcement agencies for the purchase of safety equipment upon approval from the Allegany County Local Development Council. The amount distributed is not to exceed $50,000 per fiscal year.
VIII. 4% to go towards Allegany County's EMS program operation, plus the excess from the capped amounts on items II through VII. The amount distributed is not to exceed $250,000.
IX. $100,000 to be allocated to the Rocky Gap Casino Resort to be utilized for a transit service between Rocky Gap Casino Resort and Canal Place in Cumberland.
X. Any excess funding over and above the limits of items II through IX will be reserved and awarded in the form of grants at the discretion and approval of the Local Development Council at the end of the fiscal year.

No one signed up to speak on this agenda item.

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. Resolution 25-07 - MDE Loan Resolution on behalf of LaVale Sanitary Commission - **Jason Bennett, CPA, County Administrator**

LaVale Sanitary Commission is a component unit of Allegany County and has no loan borrowing authority. The County will secure a loan from MDE and will forward the loan proceeds to LaVale Sanitary Commission. The LaVale Sanitary Commission will forward loan payments to Allegany County, who will in turn, make the loan payments to MDE. This is a $3.7 million loan through MDE for the Winchester Rd Water Main Project, which is nearing completion. It will be paid entirely by the users of the system. The Commissioners must approve the Resolution in order for Lavale Sanitary to close on the loan. No one signed up to speak on this agenda item.

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. Ratification #2 of Emergency Procurements Pursuant to Resolution 25-04 - **Dan DeWitt, P.E., County Engineer**

Resolution 25-04 was adopted on May 22, 2025 to temporarily suspend the provisions of Allegany County Code Section 38-8 (concerning procurement of bids and contracts for necessary public work or improvements or for the purchase of supplies and equipment) for a period of sixty days (subsequent to the flash flooding event in Allegany County on May 13, 2025). The Allegany County Department of Public Works has authorized numerous emergency procurements since the adoption of Resolution 25-04. Subject to the terms set forth in Resolution 25-04, the County Commissioners must ratify these emergency procurements at the next public business meeting after the procurements were authorized. This is the second round of emergency Procurements, and are made part of the agenda packet. No one signed up to speak on this agenda item.

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. State Disaster Recovery Funding Acceptance - **Roger Bennett, Interim Director of Emergency Services**

On May 27th, the Department of Emergency Services applied for the State Disaster Recovery Fund (SDRF) due to the May 13th flooding event. This funding was made possible to us through the Maryland Department of Emergency Management. The SDRF can be applied when a local government requests a disaster declaration, but a federal disaster declaration is not received or there is a high probability that it will not be approved. The funding provides disaster recovery assistance to individuals and families of low interest and no interest loans to businesses and non-profit organizations. This SDRF works as a reimbursement style funding source, which requires the County to expend money up front then request reimbursement from the State from what has been allotted. The County will be untilizing a case manager from the Allegany County Health Department to review the cases as applicants come in and then sent to a board which will prove them. The application the County submitted has the potential for up to 350 applications which can be awarded for washers, dryers, furnaces, freezers, 20 car insurance deductibles, and 20 down payments for the purchase of vehicles. The total amount the County will receive through this fund is $459,375. Mr. Bennett is asking for the Commissioners approval to accept this funding. No one signed up to speak on this agenda item.

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.

E. Board of Education FY25 Budget Amendment Request - **Larry McKenzie, CPA, Chief Finance Officer for ACPS**

The Board of Education approved FY25 budget amendments, and now is seeking approval from the Commissioners. The school system wishes to make budget amendments to the 2025 approved budget to cover the anticipated shortfall within the following categories:

- The system is requesting $165,000 for the anticipated budgetary shortfall in "Administration" from "Mid-Level Administration". There were personnel costs as well as costs associated with the Superintendent not budgeted.
- The system is requesting $525,000 for the anticipated budgetary shortfall in "Other Instructional Costs" from "Instructional Texts and Supplies". During the year, the district invested in PowerSchool as a tool to help track student data and monitor progress, special education monitoring, and HR certification tracking, all for Blueprint. The district also invested in tools to assist with learning loss that were previously paid from CARES funds.
- There is also a need to increase "Special Education" as a result of an increase of need for non-public placements as well as the approximate 10% increase in students requiring special services. The non-public placements will be over budget by approximately $100,000, while "Special Education" contracted services and supplies will be over budget by approximately

$400,000. This $500,000 shortfall will come from savings within "Mid-Level Administration" $85,000 and "Instructional Salaries and Wages" of $415,000.

- The system is requesting $1,300,000 for "Operations". There is an approximate $350,000 shortfall to cover the costs of increased utilities this year. The purchase of necessary student security and camera upgrades along with vape sensors was approximately $550,000. The remainder of the shortfall was primarily within wages. This shortfall will come from "Instructional Salaries and Wages."
- The district is requesting $375,000 for "Fixed Charges" and $25,000 for "Food Services" based upon the increases in healthcare claims. This shortfall will come from "Instructional Salaries and Wages" $280,000 and "Student Health Services" of $120,000.
- The district is also requesting to utilize up to $1,500,000 in any budget savings within the "Fixed Charges" category to cover the cost of increasing healthcare claims and to stabilize the healthcare liability account at year-end. This would be an inter-category transfer of resources.
- Finally, the system is requesting to increase budgeted revenues by $350,000. This increase includes $225,000 from interest revenue being higher than anticipated and $125,000 from federal retiree drug subsidies that the district is now anticipating. There would be a corresponding budget increase in "Fixed Charges" of $350,000 for the stabilization of the healthcare liability account at year-end.

The funding for these transfers will come from existing revenue sources within the budget. Approval of this transfer does not affect the amount of the County appropriation or the district's maintenance of effort calculation. It is simply to comply with the requirements of the law relative to transfers. No one signed up to speak on this agenda item.

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.

F. Grow West Processing Expansion within Current Location, Lease Agreement - **T. Lee Beeman, Jr., County Attorney**

Under the current lease agreement with Grow West, the Board of County Commissioners are required to approve any sublease agreements. Grow West have tentatively agreed to sublease to a processing entity and seek the approval of the Commissioners for the sublease agreement. Mr. William Valois, CEO of Grow West, was invited to the podium at which he announced the partnership with a qualified processor. This development is expected to bring about 30-40 jobs to support the processing operations. Since Grow West established operations in 2018, it has grown from 18 employees to a workforce of over 240 employees. Thanked the Commissioners and Administration for their continued support of this business. No one signed up to speak on this agenda item.

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.

G. AEON Technologies Emergency Collections Contract (Tabled at a previous meeting held on May 22, 2025) - **Kristi Liller, Director of Human Resources**

Approval of contract with AEON Technologies to perform after-hours testing for post-accident and reasonable suspicion drug screens for 24/7 operations. This contract is in addition to our current contract for drug screening during regular office hours. No one signed up to speak on this agenda item. This item was tabled at a previous meeting, and will need to be untabled before the Commissioners take action.

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

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.

H. FY26 Local Abatement Plan Update - Opioid Restitution Fund Task Force Project Recommendations - **Tanya Gomer, Opioid Restitution Fund Account Manager**

Funding comes to the County each year based on the settlement agreements for the Opioid Restitution Fund. This year the funding was at a total of approximately $337,000. The task force did an application process and went through and evaluated projects. Many of these projects are just continuing from the previous year. There were a couple of projects that were newly funded this year, one being the addition of radio communication source in the school system, which will allow for quicker response times between the nursing staff and classrooms. The task force is asking the Commissioners to approve its recommendations, which will then be submitted to the State. No one signed up to speak on this agenda item.

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.

I. Maryland DNR Requesting Approval for the Acquisition of the Catoctin Land Trust Property Located along Route 40 in Eckhart - **Jason Bennett, CPA, County Administrator**

The forested property is assessed as 207.61 acres, is located in a Targeted Ecological Area, and a portion of the property is located in the Piney Mountain South Ecologically Significant Area. It provides habitat for Forest Interior Dwelling Species of birds and forest-dependent mammals, and also contains approximately 8,620 linear feet of streams, including a portion of Braddock Run. If acquired, the property will become a new Natural Environment Area managed by the Maryland Park Service. No one signed up to speak on this agenda item.

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.

J. Maryland DNR Requesting Approval for the Acquisition of the Tri-County Developments, Inc. Property Located along Jackson Mountain Road - **Jason Bennett, CPA, County Administrator**

This forested property is assessed as 149.019 acres and is located in a Targeted Ecological Area. It provides habitat for Forest Interior Dwelling Species of birds and forest-dependent mammals, and also contains approximately 1,026 linear feet of streams; acquisition will create a large riparian buffer for the headwater of Georges Creek. If acquired, the property will become part of Dans Mountain Wildlife Management Area and will be managed by the Maryland Wildlife and Heritage Service. No one signed up to speak on this agenda item.

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.

K. Maryland DNR Requesting Approval for the Acquisition of the Marie Miller Property Located along Wills Mountain Road - **Jason Bennett, CPA, County Administrator**

This mostly forested property is adjacent to the northern boundary of Wills Mountain State Park and comprised of two tax parcels assessed for a total of 195.7 acres. Along with public recreational benefits, conservation will provide important wildlife habitat connectivity, protection of Forest Interior Dwelling species habitat, and water quality protection in the Wills Creek watershed. If acquired, the property will be a substantial addition to the Park and will be managed by the Maryland Park Service. No one signed up to speak on this agenda item.

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

L. Maryland DNR Requesting Approval for the Acquisition of the Shaw Property Located on Warrior Mountain - **Jason Bennett, CPA, County Administrator**

This property consists of 221.19 acres and would become part of Warrior Mountain Wildlife Management Area. No one signed up to speak on this agenda item.

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.

M. Allegany County Library System Board of Trustees Appointments of Rosa Garcia and Meghan Murphy (Item moved from Consent to Action at the start of the BOCC public business meeting.)

Three people signed up to speak on this item and were invited to the podium one at a time before the Commissioners discussed:

- Trish Morgan of 306 Baughman St in Westernport - Representing the Save the Westernport Library Organization, came to express confidence and trust in the Commissioners and asked for Georges Creek and Westernport to have representation on the Library Board of Trustees.
- Jack Coburn of 60 Main St in Lonaconing - Thanked the Commissioners, Roger Bennett, Adam Patterson and all the staff and agencies involved in all the work done in the Georges Creek area after the flood. Also asked for representation on the Library Board of Trustees from the Georges Creek and Westernport areas.
- Vicky Brenneman of 210 Walnut St in Westernport - Thanked the Commissioners for their support. Is against the closures of libraries, and would also like to see representation on the Library Board of Trustees from the Westernport and Georges Creek areas.

Commissioner Caporale requested a motion to appoint the nominees, which died for lack of a motion. Subsequently, Commissioner Atkinson motioned to reject the nominees, and ask the library board to submit names with representation from areas where a library is located. Commissioner Brodie, Jr. seconded the motion, and it passed unanimously.

9. Consent Agenda & Public Comment

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. Declare One Truck as Surplus & Reapprove Purchase of One Used Dump Truck for Roads Division

The truck being declared surplus is a 2001 Sterling L7500. Originally, during the meeting held on April 17, 2025, the Commissioners approved the purchase of a vehicle for $82,500, which became unavailable. We are now substituting a 2019 Ford F750 at a cost of $75,564. No one signed up to speak on this agenda item.

B. FY25 Budget Amendment for Flood Relief Projects

The County is tentatively estimating $3 million of flood monies to spent by the end of the fiscal year. The request tonight is to pull that $3 million from the fund balance to recognize those expenditures. No one signed up to speak on this agenda item.

C. Hartford Workers' Compensation and Travelers Property and Casualty Insurance Renewals for FY26

The Travelers will go up 8%, largely due to increase property values. The Hartford will go up 4% due solely to increase in wages and fringes. The County is seeing a downward trend in the workers' compensation, and has come down greatly over the past several years, and Administrator Bennett thanked Tracy Hedrick for all of her work on that. No one signed up to speak on this agenda item.

D. Sign Contract with The EADS Group, Inc. for $67,000 to Provide a Subdivision Plan and Perform Construction Phase Administrative Services for the Village Crossing at Campobello Project

Funding is available through the existing Revolving Building Fund. No one signed up to speak on this agenda item.

10. General Public Comment

Constituents – In order of sign-up sheet:

- Rich Godlove of 419 Timber Ridge Dr in Frostburg - Officially announced his candidacy for Sheriff of Allegany County in the 2026 Election, gave a background of his life and career, and talked about his policy positions.
- Vicki Koch of 788 Fayette St in Cumberland - Invited everyone to Oldtown Summer Fest, and requested a meeting with the Board of Commissioners to talk about the Michael Cresap House.

11. Reports

A. County Administrator

Updated the Commissioners on the Bel Air water situation. There was a meeting held with the American Water Company at which questions were asked, and hopefully answers are forthcoming in the near future. The State and Federal delegation were also contacted to set up a meeting as requested. Dates are being discussed and are working to find a time that will work for everyone.

B. County Attorney

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

12. Commissioner Comments

- Commissioner Atkinson - Had no further comments to add at this evening's meeting.
- Commissioner Brodie - Thanked the Western Maryland Jaycees for a fantastic Wing-Off and Music Festival. They were able to raise a significant amount of money and 100% of those proceeds go toward organizations and causes in the community. Also asked everyone to be safe and look out for each other in the extreme heat.
- Commissioner Caporale - Had no further comments to add at this evening's meeting.

13. Reminders/Upcoming Meetings

A. NEXT MEETING - Thursday, July 10, 2025, 5:00 PM

14. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:59 PM.