

**Public Business Meeting
Minutes**

Thursday, September 18, 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 5:00PM on 9/18/2025. 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

Attorney Beeman asked for a motion to add Consent Agenda Item J - Transfer Station Agreement between the Board of County Commissioners and Allegany County Resource Recovery Facility, Burgmeier's Hauling Inc., governing the operation of a waste transfer station located at North Branch Industrial Park for a term of four years.

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. Statement of Closed Meeting

A. Statement Regarding the Closed Session Held on Thursday, September 04, 2025 at 4:00 P.M.

Attorney Beeman read a statement regarding the closed session. A copy of this statement is attached to these minutes.

5. 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.

6. Presentations

- A. Miss Maryland Volunteer & Miss Maryland Volunteer Teen Recognition - **Rebecca West & Tess Bond**
Allegany County is proud to recognize two of our own, Rebecca West and Tess Bond, for their outstanding achievements at the recent Miss Maryland Volunteer state competitions.

Rebecca West, a senior at Frostburg State University, was crowned Miss Maryland Volunteer 2026, bringing statewide recognition to her dedication to education, community service, and leadership. Tess Bond, a junior at Mountain Ridge High School in Frostburg, earned the title of Miss Maryland Teen Volunteer 2026, reflecting her academic excellence, volunteer spirit, and inspiring commitment to youth leadership.

Both Rebecca and Tess exemplify the very best of Allegany County — determination, service, and pride in their community. Their accomplishments not only highlight their personal talents and hard work, but also shine a bright light on Allegany County as home to Maryland’s Volunteer titleholders.

The Commissioners congratulated and thanked both of these young ladies for all their hard work and dedication to our area.

7. Public Hearing

8. Action Agenda & Public Comment

- A. Ratification #8 of Emergency Procurements Pursuant to Res. 25-04, 25-08, & 25-10 - **Adam Patterson, P.E., Director of Public Works**

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.) Resolution 25-08 was then adopted on July 10, 2025 to extend the sixty day period to an additional thirty days. Furthermore, another additional thirty days was granted under the adoption of Resolution 25-10 on August 7, 2025. The Allegany County Department of Public Works has authorized numerous emergency Procurements since the adoption these Resolutions. 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 eighth 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: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- B. Lease Agreement with Vertical Converting (DBA Sierra Hygiene) for Building 19 - **Jeffrey Barclay, Director of Economic and Community Development**

The front section of Building 19 was to be leased to Geocycle for material handling. The Geocycle lease fell through recently due to a potential client not fully divulging that some materials could contain batteries. Batteries would require a special handling plan.

Sierra Hygiene had expressed interest in the space prior for possible storage of raw paper rolls because their space in Cumberland is full. This lease would fully support a local business operation and would also assist in their expansion. This lease is for two years and will generate \$67,762.50 per 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.

9. Consent Agenda & Public Comment

Commissioner Caporale asked for a motion to amend the Consent Agenda by removing Item D to separate it out.

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.

Attorney Beeman advised the Commissioners they can now deal with Item D separately, and asked for a motion to table.

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

Mr. Bennett read the Consent Agenda, with the exception of Item D, and the Commissioners voted to approve.

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. Accept the FY25 State Homeland Security Program Grant Funding for Emergency Services in the amount of \$117,323.69

This grant will be utilized to enhance interoperable communications and enhance emergency preparedness and response plans. No one signed up to speak on this agenda item.

- B. Accept the Police Accountability Act Grant for the Sheriff's Office in the amount of \$110,716

This grant is from the Governor's Office of Crime Prevention and Policy and will help support body worn camera expenses. No one signed up to speak on this agenda item.

- C. Approve the Purchase of a Used 2011 International Dump Truck for Roads Division in the amount of \$32,000

This will replace a dump truck that was totaled in an accident a few months ago. The purchased dump truck will be coming from CFS, Inc. in Nottingham, MD. No one signed up to speak on this agenda item.

- D. Approve Second Addendum to Loan Agreement with PTV, LLC. (Item Tabled)

This item was tabled by the Commissioners. No one signed up to speak on this agenda item.

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

- E. Award of Contract for S-95 Bedford Road Sanitary Sewer Rehabilitation - Phase VII to Premier Service Group, LLC of Easton, MD for \$850,010.45

This will be for the seventh and final phase of this project. Bids for this project were opened and presented on September 9, 2025. No one signed up to speak on this agenda item.

- F. Agree to Authorize the County Administrator to Sign the Access Agreement with Breezeline for Fiber Installation at Village Crossing at Campobello

This is part of the project that just broke ground this week at the old Allegany High School site. No one signed up to speak on this agenda item.

- G. Agree to Authorize the County Administrator to Sign Perpetual Access Easement Agreement with Lamar Advertising for an existing Billboard in Flintstone

This is located on the Flintstone Civic Association's ball fields. The County will receive \$35,000 for this, and will be giving \$5,000 to the Flintstone Civic Association to replace the monthly income they were receiving. No one signed up to speak on this agenda item.

- H. Agree to Authorize the County Administrator to Sign Perpetual Access Easement Agreement with InSite Towers Development LLC for an existing cell tower in LaVale
This will be a 24-year lease, paid in one lump sum of \$205,000. No one signed up to speak on this agenda item.
- I. Ratification of Purchase of Real Property Located at 96 Douglas Avenue, Lonaconing, Maryland for Bridge Repair and Flood Mitigation
This will allow the County to better repair some of the damage in the Georges Creek area caused by the flood in May. No one signed up to speak on this agenda item.
- J. Execute an Agreement with Burgmeier's Hauling, Inc. to Operate a Transfer Station known as Allegany County Resource Recovery Facility (Item added at the start of the public business meeting)
This agreement grants permission to Burgmeier's to operate in the County and set rates for waste disposal for a term of four years. No one signed up to speak on this agenda item.

10. General Public Comment

Constituents – In order of sign-up sheet:

- Richard Everett of 308 Pennsylvania Ave in Cumberland - Mr. Everett's dog was attacked by two dogs, that belong to the neighbors, while sitting on his own porch. The dog needed put down afterward due to its injuries. He came to address concerns he has with animal control and the way they handled that specific situation, and other similar situations in the past.

11. Reports

- A. County Administrator
Announced a meeting to publicly discuss the Bel Air Water situation has been set. It will be held at the Allegany Fairgrounds on October 16th. State and Federal delegation have been invited, along with representatives from the American Water Company. More details are forthcoming.
- 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 - Had no further comments to add at this evening's meeting.
- Commissioner Caporale - Thanked Miss Rebekah West and Miss Tess Bond again for being at the meeting, and also addressed Mr. Everett by saying we will continue to work on the animal control situation.

13. Reminders/Upcoming Meetings

- A. NEXT MEETING - Thursday, October 2, 2025, 5:00 PM

14. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:35PM.

**STATEMENT REGARDING THE CLOSED SESSION HELD ON
THURSDAY, SEPTEMBER 04, 2025, AT 4:00 O'CLOCK P.M., ROOM 424**

The Board of County Commissioners, at a meeting convened on Thursday, September 4, 2025, voted unanimously to go into a closed session. The meeting time and place and the purpose of the meeting were provided in a public notice distributed on September 3, 2025. The notice was provided in the same manner, and also to the same entities, that receive the Commissioners' regular business meeting notices.

The meeting was closed in accordance with the General Provisions Article of the Annotated Code of Maryland Section 3-305, and the purposes for which the meeting was closed were as follows:

1. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State as relates to the Senator George Edwards Fund and enacting legislation (General Provisions Article Section 3-305(b)(5));
2. To consider the investment of public funds as relates to the Senator George Edwards Fund as well as potential economic development initiatives (General Provisions Article Section 3-305(b)(5));
3. To consult with staff, consultants, or other individuals about pending or potential litigation as relates to potential avenues of assistance/reimbursement for funds expended for flood relief work (General Provisions Article Section 3-305(b)(8))
4. Consultation with counsel to obtain legal advice concerning the matters referenced above and other matters (General Provisions Article Section 3-305 (b)(7)).

Those persons present during all or part of the closed session are all three County Commissioners; Jason M. Bennett, County Administrator; T. Lee Beeman, Jr., County Attorney; Brad Rifkin and Michael Johansen of Rifkin, Weiner, Livingston LLC; as well as Recording Secretary, Victoria Norman.

The Commissioners discussed utilization of the Senator George Edwards Fund for the purpose of investing public funds into businesses intending to locate or remain in Allegany County, Maryland. The Commissioners received information from Brad Rifkin and Michael Johansen, lobbyists at Rifkin, Weiner, Livingston LLC regarding the likelihood of ongoing funding of the Senator George Edwards Fund by the State of Maryland. Commissioners directed staff to continue monitoring the status of the Senator George Edwards Fund and its availability for future projects.

The Commissioners discussed litigating the appeal of FEMA's denial of Allegany County's application for relief following the May 2025 flooding. The State of Maryland has taken the lead on appealing the FEMA denial and the Commissioners received legal advice regarding that effort. Additionally, the Commissioners received information from Mr. Rifkin and Mr. Johansen regarding potential lobbying efforts to the State of Maryland and the federal government

as an alternative path to litigating the appeal. The Commissioners directed staff and consultants to continue monitoring the appeal and to continue to explore alternatives to litigating the appeal.

There was no further business. The meeting was adjourned at 4:18 p.m.