

**Public Business Meeting
Minutes**

Thursday, July 9, 2026 - 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 7/9/2026. 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

There were no additions or deletions to the agenda. Upon Motion made by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and duly carried, the Agenda for this public business meeting was approved by the Board of County Commissioners.

4. Statement of Closed Meeting

A. Statement Regarding the Closed Session Held on Thursday, June 25, 2026 at 3:00 pm - T. Lee Beeman, Jr., County Attorney

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

A. Approve the Public Business Meeting Minutes from June 25, 2026

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. 2026 Allegany County's Positive People - Kati Kenney, PR & Communications Manager

Ms. Kenney gave a short presentation on and recognized the residents who were nominated and chosen as the 2026 Allegany County's Positive People. The presentation is attached to the agenda packet.

7. Public Hearing

A. Road Opening Petition for a Road Located Northwest of Bayberry Ave in Cumberland - T. Lee Beeman, Jr., County Attorney

Attorney Stefan Hoffman, representing William S. and Amy G. Adams, presented a petition to open, for the purpose of closing, a road to the Northwest of Bayberry Ave in Cumberland, MD. This portion of the road lies just to the North of the Adams' property and the only adjacent neighbors are Walter and Teresa Files who have consented to the opening and closing of the road, and have also forfeited their portion they would have received upon closing. Public notice was published in the Cumberland Times-News on June 8th, 15th, and 22nd. The County did identify a utility line that runs underneath this road and an easement will be established once the road is closed.

Attorney Beeman stated there have been no written comments received, and asked if any members of the public wished to comment now. Hearing none, the public hearing was closed. Attorney Beeman advised the Commissioners they could take action to open the road.

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. Execute an MOU between Allegany County and Long Term Recovery Committee for use of State Disaster Recovery Fund Funding - Roger Bennett, Director, Department of Emergency Services

State disaster relief funds were obtained in June of 2025. The total amount of funding was \$459,000 and of that, the County was able to expend \$336,000 to individuals for items that were damaged or destroyed during the May 13th flood. At this time, there is \$122,000 remaining and the MOU will give permission to the Long Term Recovery Committee to extend that money to individuals who still need help with recovery from the flood. 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. Adopt Resolution 26-11 - A Resolution to Ratify Certain Sales and Leases of County-Owned Property T. Lee Beeman, Jr., County Attorney

This Resolution is a ratification of several transactions the County entered into over the last three years in which the County unknowingly violated the Maryland Law, Local Government Article 10-312. This requires publication and an opportunity for public objection prior to certain land dispositions and leases. An advertisement indicating there were five real property transactions for sales that were being ratified at this meeting was run in the Cumberland Times News for three successive weeks. Also included were seven leases that were being ratified. A list of these can be found as part of the agenda packet. 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..

9. Consent Agenda & Public Comment

Upon Motion by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and Motion carried, the Board of County Commissioners approved and adopted the Consent Agenda as recommended by the County Administrator.

- A. Approve a Community Event Promotion Request from the 2026 Ellerslie Day's Annual Festival in the amount of \$500
This event is free to the public and will be held July 31st and August 1st. No one signed up to speak on this agenda item.
- B. Approve the Appointment of Thomas Ferleman as a Regular Member of the Board of Zoning Appeals
This is to fulfill a term expiring September 25, 2028. No one signed up to speak on this agenda item.
- C. Approve the Appointment of Eric Bowlus as an Alternate Member to the Board of Zoning Appeals
This is to fulfill a term expiring September 25, 2027. No one signed up to speak on this agenda item.
- D. Approve the Appointment of David Madden to the Planning and Zoning Commission
This will be to fulfill a term expiring February 16, 2031. No one signed up to speak on this agenda item.

10. General Public Comment

Constituents – In order of sign-up sheet:

- Larry Smith of 15201 Brandywine Dr in Bel Air - Discussed the contents of a letter he wrote and sent to the Maryland Public Service Commission concerning the dire situation residents are in with high water and sewer bills. That letter is attached to these minutes.

- A. Letter From Dr. Larry Smith to the Maryland Public Service Commission

11. 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.

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

13. Reminders/Upcoming Meetings

- A. Anticipated BOCC Public Work Session - Thursday, July 23, 2026 (Details and Time TBA)

B. BOCC Public Business Meeting - Thursday, July 23, 2026, 5:00pm

14. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:28 PM.

STATEMENT REGARDING THE CLOSED SESSION HELD ON
THURSDAY, JUNE 25, 2026, AT 3:00 P.M., ROOM 424

The Board of County Commissioners, at a meeting convened on Thursday, June 25, 2026, upon a motion by Commissioner Brodie, and duly seconded by Commissioner Atkinson, voted unanimously to go into a closed session. Commissioner Caporale was absent for the vote to move into closed session. The meeting time and place and the purpose of the meeting were provided in a public notice distributed on June 24, 2026. 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 conduct collective bargaining negotiations or consider matters that relate to the negotiations, specifically related to the Labor-Management Agreement with IAFF #1715 representing employees of the Department of Emergency Services (General Provisions Article Section 3-305(b)(9);

Those persons present during all or part of the closed session were County Commissioners Creade V. Brodie, Jr. and William R. Atkinson (Commissioner Caporale absent); Jason M. Bennett, County Administrator; T. Lee Beeman, Jr., County Attorney; Kristi Liller, Director of Human Resources; Roger Bennett, Director of the Department of Emergency Services; as well as Kati Kenney, serving as Recording Secretary.

Item 1. Collective Bargaining Negotiations with IAFF 1715 – Counsel presented the County Commissioners an update regarding negotiation of latest Labor-Management Agreement with IAFF 1715, representing the Department of Emergency Services employees. Counsel presented proposals from IAFF and discussed management's proposals and counters. The Board of County Commissioners provided guidance and authority to Counsel and Staff regarding negotiations.

There was no further business. The meeting was adjourned at 4:21 p.m.

Dr. Larry Smith
15201 Brandywine Drive SW
Cumberland, Maryland 21502

Maryland Public Service Commission
William Donald Schaefer Tower
6 St. Paul Street
Baltimore, Maryland 21202

June 19, 2026

RE: Request for Immediate Investigation and Consumer Relief Regarding Maryland American Water's Delayed Billing Practices Affecting Customers in Bel Air, Pinto, Glen Oaks, and Highland Estates, Allegany County, Maryland, Pursuant to the Commission's Supervisory Authority Under Md. Code Ann., Pub. Util. §§ 2-113 and 2-121

Dear Chairman Barve and Commissioners:

I write on behalf of the residents of the Bel Air, Pinto, Glen Oaks, and Highland Estates communities in Allegany County, Maryland, to respectfully request immediate intervention by the Maryland Public Service Commission regarding Maryland American Water's recent notice informing customers that the company has failed to issue bills in a timely manner and that customers may soon receive multiple bills in close succession. A copy of Maryland American Water's notice to customers is attached hereto and incorporated by reference as (Attachment A).

For many utility customers, delayed billing may be viewed as an inconvenience. *For the families served by Maryland American Water in these rural Appalachian communities, however, it represents a significant economic hardship layered upon an already severe affordability crisis.*

These communities have long struggled with the highest combined water and wastewater rates in the United States (van Wyngarnden, 2025). Many residents are elderly, disabled, working-class, or living on fixed incomes. The financial burden imposed by existing rates has already forced families to make difficult choices between maintaining water service and meeting other basic necessities, including food, prescription medications, housing expenses, and transportation.

The Commission is undoubtedly aware that access to water is necessary to sustain human life. It is an essential public health service necessary for life, sanitation, personal dignity, and community well-being.

Residents have repeatedly reported being forced to ration water usage to levels inconsistent with humane living standards. Families have been reduced to limited bathing, restricted toilet flushing, and reduced basic household water use because of affordability concerns. Elderly residents, individuals with disabilities, and those suffering from chronic illnesses face particularly severe hardships. Many households already struggle to maintain basic hygiene because water is economically inaccessible.

In fact, as the Commission knows, Maryland's Sixth Congressional District U.S. Representative April McClain Delaney and United States Senators Chris van Hollen and Angela Alsobrooks collectively recommended the adoption of a Resolution of Condemnation on May 28, 2026, for the Pinto-Bel Air Water System by the Allegany County Board of County Commissioners.

As the result of numerous meetings with citizens in these communities and widespread concern that families are being economically excluded from access to water, the Allegany County Commissioners took action to protect the safety, care, health, and welfare of these communities. The Allegany County Commissioners unanimously adopted a Resolution of Condemnation, ACCR 25-10 on May 28, 2026, authorizing the exercise of the county's eminent domain authority to pursue acquisition of the system in furtherance of a recognized public necessity and the protection of the health, safety, and welfare of affected residents.

As documented in the attached customer notice, Maryland American Water has informed customers that billing delays have occurred and that customers may receive multiple bills within a compressed period of time (Attachment A). *Although the company indicates that payment arrangements may be available, the uncertainty created by this delayed billing practice places yet another burden upon families who are already financially stretched beyond their limits.*

These hardworking rural Appalachian families are now unable to accurately budget for monthly household expenses because they do not know when bills will arrive, how large those bills will be, or whether multiple billing cycles will be combined. This uncertainty is especially harmful in communities where many households live paycheck to paycheck and possess little or no financial cushion.

The present matter is distinct from the Commission's prior approval of the transfer transaction. Notwithstanding the circumstances surrounding that approval, the Commission retains continuing supervisory authority over Maryland American Water's operations and customer service practices and possesses broad authority to investigate utility practices that may adversely affect customers or the public interest.

Regardless of our differing views concerning that approval process, the Commission unquestionably retains continuing supervisory authority over the American Water Company operating within Maryland and is charged with ensuring that utility services are provided in a manner consistent with the public interest (Md. Code Ann., Pub. Util. §§ 2-113, 2-121). That authority exists to ensure that utility service is provided in a manner that is adequate, efficient, economical, safe, and consistent with the public interest, and includes the authority to investigate the management and operation of public service companies operating within Maryland (Md. Code Ann., Pub. Util. §§ 2-113, 2-121).

The current billing failure, as acknowledged by Maryland American Water in (Attachment A), raises serious concerns regarding the adequacy of the company's transition planning, customer service practices, operational readiness, and management oversight following its acquisition of these systems.

Utility billing is one of the most fundamental points of contact between a public service company and its customers. Accurate and timely billing is essential to customer budgeting, payment planning, and continued access to service. *When a utility fails to provide bills in a timely manner, customers are deprived of the ability to reasonably manage household finances and may be exposed to unexpected financial hardship through no fault of their own.*

These customers in Maryland's rural Appalachian Allegany County communities should not bear the financial consequences of Maryland American Water Company's administrative failures. Maryland law requires that utility rates, practices, and services be just, reasonable, and not unreasonably discriminatory (Md. Code Ann., Pub. Util. § 4-101).

Accordingly, we respectfully request that the Commission immediately open an investigation into the circumstances surrounding this delayed billing event and require Maryland American Water to provide a comprehensive explanation addressing the following matters pursuant to the Commission's investigatory authority under Md. Code Ann., Pub. Util. § 2-121:

1. The specific operational, technological, administrative, or management failures that caused the delayed billing;
2. The total number of customers affected;
3. The duration of the billing delay;
4. The corrective measures being implemented to prevent recurrence;
5. The financial impact upon affected customers; and
6. Whether Maryland American Water possesses sufficient staffing, billing infrastructure, customer service resources, management controls, and operational capacity to reliably serve customers within these communities.

In addition, we respectfully urge the Commission to impose meaningful consumer protections designed to ensure that our residents are not harmed by Maryland American Water Company's failure.

Specifically, we request that the Commission consider the following relief:

1. **Mandatory Bill Forgiveness Credit**

Require Maryland American Water to provide a substantial bill credit to every affected customer for each month in which timely billing was not provided.

Such a credit would help compensate customers for the uncertainty, disruption, inconvenience, and hardship caused by the company's failure.

2. **Interest Free Extended Repayment**

Require the company to spread any delayed charges over a minimum twelve-month period without interest, penalties, late fees, deposits, or adverse credit reporting.

No customer should be forced to absorb multiple billing cycles in a short period because of a utility error.

3. Moratorium on Service Disconnections

Prohibit service shutoffs for any customer affected by the delayed billing issue until the matter has been fully resolved and reasonable repayment arrangements have been implemented.

4. Prohibit the Shifting of Costs Directly or Indirectly

Any and all costs associated with Maryland American Water Company's billing failure should not be directly or indirectly shifted to ratepayers in the Allegany County communities of Bel Air, Pinto, Glen Oaks and Highland Estates and should be prohibited.

5. Independent Audit

Direct an independent audit of the company's billing systems, transition planning, customer service operations, and acquisition implementation efforts associated with the transfer of these systems.

6. Civil Penalties if Warranted

The circumstances surrounding this billing failure raise legitimate questions concerning whether Maryland American Water adequately planned for the operational transition associated with the acquisition of these systems and whether sufficient customer service safeguards were implemented prior to the transfer of operations. The Commission's investigation should determine whether any violations of Maryland law, Commission regulations, Commission orders, or applicable service quality obligations occurred. If violations are identified, the Commission should consider appropriate civil penalties and corrective actions necessary to protect consumers and deter future noncompliance.

7. Written Customer Notice and Reporting Requirements

Require Maryland American Water to provide written notice to all affected customers detailing the nature of the billing failure, the anticipated timeline for resolution, available payment arrangements, and all customer protections approved by the Commission. Maryland American Water should further be required to submit periodic status reports to the Commission until the billing issue has been fully resolved.

Water and wastewater service are essential public services upon which the health, safety, and welfare of Maryland families depend. The hardworking rural Appalachian families in Maryland's Allegany County Communities of Bel Air, Pinto, Glen Oaks, and Highland Estates already face extraordinary affordability challenges and should not be subjected to additional financial uncertainty because of utility operational failures beyond their control.

The Commission possesses both the authority and the responsibility to ensure that utility practices remain just, reasonable, and consistent with the public interest. We therefore respectfully request that the Commission promptly investigate this matter, implement appropriate consumer protections, and require Maryland American Water to bear responsibility for the consequences of its billing failures rather than shifting those burdens onto affected customers.

The residents of these communities deserve transparency, accountability, stability, and meaningful relief.

Thank you for your attention to this urgent matter and for your continued commitment to protecting Maryland utility consumers.

With gratitude, I remain,

Sincerely,

Larry Smith

Dr. Larry Smith

Attachment A: Maryland American Water Customer Notice Regarding Billing Delays

cc: Chairman Kumar P. Barve
Maryland Public Service Commission

Commissioner Frederick H. Hoover
Maryland Public Service Commission

Commissioner Odogwu Obi Linton
Maryland Public Service Commission

Commissioner Bonnie Suchman
Maryland Public Service Commission

Commissioner Ryan C. "Chuck" McClean
Maryland Public Service Commission

U.S. Representative April McClain Delaney

U.S. Senator Chris Van Hollen

U.S. Senator Angela Alsobrooks

Maryland Governor Wes Moore

Allegany County Commissioner Dave Caporale

Allegany County Commissioner Creade Brodie

Allegany County Commissioner Bill Atkinson