

December 15, 2022

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 5:00 p.m. on the above date. The following were present: (outgoing) Commissioner Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner David J. Caporale; Commissioner-elect William R. Atkinson; County Administrator Jason M. Bennett; and County Attorney T. Lee Beeman, Jr.

The Pledge of Allegiance was recited by those present.

MOTION

There were no additions or deletions to the Agenda.

MOTION

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Minutes of the December 1, 2022 public business meeting were approved by the Board of County Commissioners.

SWEARING IN CEREMONY

- **Oath of Office – Dawne D. Lindsey, Clerk of the Circuit Court**
- **Commissioners Sign Clerk of Court Test Book**
- **Nomination and Election of Board President**
- **Commissioners’ Statements, Comments and Introductions**

Commissioner Brodie moved that the Board of County Commissioners appoint Commissioner David Caporale as Board President. Commissioner Atkinson seconded the Motion. Motion carried to appoint Commissioner Caporale as Board President, and he accepted the position.

Commissioner Caporale thanked Jacob Shade for his years of work on the Board of County Commissioners. He then welcomed Commissioner Atkinson as a new Commissioner, and he also welcomed back Commissioner Brodie as a returning Commissioner.

Commissioner Caporale thanked the voters of Allegany County for re-electing him and also thanked his colleagues. He stated that the Board of County Commissioners would work to the best of their ability to keep things going for the next four years.

ACTION AGENDA

Item 1 – Commissioner Committee Assignments

Commissioner Caporale	Commissioner Brodie	Commissioner Atkinson
Cumberland Allegany County Industrial Foundation (CACIF) Board of Health Tri-County Council Greater Cumberland Committee Western Maryland Consortium	Cumberland Allegany County Industrial Foundation (CACIF) Board of Health Mental Health Advisory Board Human Resources Development Commission Juvenile Justice Advisory Board Social Services Board	Cumberland Allegany County Industrial Foundation (CACIF) Board of Health MACo Legislative Member Potomac Highlands Airport Authority Tri-County Council Federal Correctional Institution Board Drug & Alcohol Advisory Council

Upon Motion made by Commissioner Atkinson, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved the Commissioner Committee Assignments as presented in these Minutes.

Item 2 – Resolution 22-27 – Enterprise Zone Certification – Board of County Commissioner to approve Resolution 22-27 which certifies that certain companies meet local standards for the Gateway and Route 220 South Enterprise Zones. It further certifies that certain properties in the Gateway and Route 220 South Enterprise Zones and the Frostburg Enterprise Zone qualify for real property tax credits authorized by Tax Article 9-103 of the Annotated Code of Maryland for the taxable year 2023-2024 – Nathan D. Price, Senior Project Manager with the Allegany County Department of Economic & Community Development, told the Commissioners that he was present

to provide an update on the annual Enterprise Zone Advisory Committee meeting held earlier in the week. Mr. Price pointed out that approximately the same number of businesses applied for certification this year as did last year, and he named the three Enterprise Zones in Allegany County: The Gateway Zone, the Route 220 South Zone, and the Frostburg Zone. He also talked about the significant investments made by the County's Enterprise Zone companies in equipment, machinery, and capital improvements.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Atkinson, and duly carried, the Board of County Commissioners approved and passed Resolution 22-27 which certifies that certain companies meet local standards for the Gateway and Route 220 South Enterprise Zones. It further certifies that certain properties in the Gateway and Route 220 South Enterprise Zones and the Frostburg Enterprise Zone qualify for real property tax credits authorized by Tax Article 9-103 of the Annotated Code of Maryland for the taxable year 2023-2024.

The Commissioners thanked Mr. Price for his report.

CONSENT AGENDA

As recommended by the County Administrator

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

Item 3 – Payment In Lieu Of Taxes (PILOT) John F. Kennedy Homes Cooperation Agreement – Board of County Commissioners approved a cooperation agreement between the Housing Authority of the City of Cumberland and the Board of Allegany County Commissioners to update the existing agreements for John F. Kennedy Homes and Wills Creek View, LP to enter into this new Cooperation Agreement.

Item 4 – Temporary Lease Agreement with Western Maryland Builders, LLC – Board of County Commissioners approved a Temporary Lease Agreement between Western Maryland Builders, LLC and the Board of County Commissioners of Allegany County, Maryland, for the property located at 20 E. Main Street, Frostburg, Maryland, for the purposes of developing a tech incubator.

Item 5 – Allegany County Loan to Sanitary Fund \$456,000 – Board of County Commissioners approved an agreement allocating \$456,000 from the general fund to the sanitary fund in the form of a loan for the purchase and renovation of the former Mattingly Building to house the new Allegany County Utilities Service Center. The loan will be repaid by the users of the system over a term not to exceed 15 years.

Item 6 – CivicClerk Agenda and Meeting Management Process Software – Board of County Commissioners approved a software package to streamline meeting and agenda management processes, electronic minute taking and voting, to online publishing of our packets, content, and timestamped videos.

Item 7 – County Water and Sewer Projects Agenda for Pre-PACE Meeting – Board of County Commissioners approved the agenda for the Pre-PACE County Water and Sewer meeting to be held on January 19, 2023.

Item 8 – Resolution 22-28 – Cumberland Area Fiscal Year 2022-2025 Transportation Improvement Program – Board of County Commissioners, acting in their role as the Cumberland Area Metropolitan Planning Organization, approved and amended by Resolution 22-28, the Cumberland Area Fiscal Year 2022-2025 Transportation Improvement Program.

Item 9 – Region 1 Emergency Medical Services Advisory Council Appointments – Board of County Commissioners approved the re-appointments of Jonathan Dayton, Rick DeVore, and Scott Flaskamp to the Region 1 Emergency Medical Services Advisory Council. Their terms will expire January 15, 2026. Also, appoint Scott Whetsell whose term will expire January 15, 2024.

County Attorney Lee Beeman read into the record the Statement of Closed Session held on November 17, 2022. A copy of the Statement of Closed Session as read by Attorney Beeman is attached to and made a part of these Minutes.

Attorney Beeman also offered his congratulations to all three County Commissioners.

County Administrator Jason Bennett also congratulated all three County Commissioners. He then talked about the new Allegany County logo to be used on business cards, letterhead, website, etc.

Commissioners' statements, comments, recognition –

Commissioner William Atkinson thanked the citizens of Allegany County and his family, in particular his wife.

Commissioner Atkinson also thanked former Commissioner Jacob Shade for his terms of service and also for all of his help and advice in transitioning to his new position as County Commissioner.

Commissioner Creade Brodie thanked everyone who re-elected him as County Commissioner for another term. He told Commissioner Caporale that it has been fantastic working with him for the last four years, and that he is looking forward to working with him for another four. Commissioner Brodie also told Commissioner Atkinson that it will be an honor to work with him.

Commissioner David Caporale again thanked former Commissioner Jacob Shade. He also thanked everyone present at the meeting for being there and wished all a Merry Christmas.

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

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, January 12, 2023 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:20 p.m.

David J. Caporale, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary

**STATEMENT REGARDING THE CLOSED SESSION HELD ON
THURSDAY, NOVEMBER 17, 2022, AT 3:30 O'CLOCK P.M., ROOM 424**

The Board of County Commissioners, at a meeting convened on Thursday, November 17, 2022, 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 November 15, 2022. 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 discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees or employees over whom it has jurisdiction (General Provisions Article Section 3-305 (b)(1)(i)).
2. Consultation with counsel to obtain legal advice concerning the matters referenced in number 1 above (General Provisions Article Section 3-305 (b)(7)).

Those persons present during the entire closed session were Commission President Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner David J. Caporale; County Administrator Jason M. Bennett; County Attorney T. Lee Beeman, Jr.; and Director of Human Resources Kristi D. Liller.

During the meeting, Agenda Item 1 was tabled for a further Executive Session.

Agenda Items 2 and 3 were approved.

There was no further business. The meeting was adjourned at 4:58 p.m.