

October 7, 2021

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: Commissioner Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner David J. Caporale; County Administrator Jason M. Bennett; and County Attorney T. Lee Beeman, Jr.

The Pledge of Allegiance was recited by those present.

MOTION

County Administrator Jason Bennett requested the addition of an Item to the Consent Agenda, a request for tax abatements for two properties.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners agreed to add Item 18 – Request for Tax Abatement to the Consent Agenda for this evening's meeting.

There were no further additions or deletions to the agenda.

MOTION

Upon Motion by Commissioner Brodie, and seconded by Commissioner Caporale, the Minutes of the September 9, 2021 public business meeting were approved by the Board of County Commissioners.

PRESENTATION

Item 1 – Allegany College of Maryland 60th Anniversary Official Citation – Dr. Cynthia S. Bambara, President, Allegany College of Maryland, David R. Jones, Vice President of Advancement and Community Relations & Executive Director of the ACM Foundation. Commissioner Jacob Shade read and presented Allegany College of Maryland with an official Citation in honor of ACM's 60th Anniversary. A round of applause followed. Dr. Kim Leonard of the ACM Board of Directors also attended this meeting.

Item 2 – UPMC Western Maryland American College of Cardiology's Chest Pain/MI Registry 2020 Platinum Performance Award Official Citation – Michele Martz, CPA, FACHE, UPMC Western Maryland President, James M. Karstetter, Chief Nursing Officer and Vice President Care Services, Dr. Christopher Haas, UPMC Western Maryland Chairman Internal Medicine and Medical Director Cardiovascular Services, Dr. Rameen Shafiei, Medical Director for Allegany County and Tactical Medical Director, Chief Shannon Adams, Cumberland Fire Department, and James R. Pyles, Allegany County Department of Emergency Services Director. After brief remarks were made by James Pyles, Director of Allegany County Emergency Services, Commissioner Jacob Shade called forward Dr. Rameen Shafiei, Dr. Christopher Haas, and Mr. James Karstetter; then Commissioner Shade read and presented an official Citation in honor of UPMC Western Maryland's National Cardiology Achievement Award. There was a round of applause.

Item 3 – "Hell's Kitchen: Young Guns" Official Citation – Kiya Wilhelm, Barrelville, Maryland. Commissioner Jacob Shade called forward Ms. Kiya Wilhelm and her family members accompanying her, then read and presented her with an official Citation in honor of her top three finish in the Hell's Kitchen National Competition. This was followed by a round of applause, as well as brief remarks by Ms. Wilhelm.

PUBLIC HEARING

Item 4 – Flintstone Wastewater Treatment Plant Upgrade Public Hearing – David K. Nedved, Economic & Community Development Representative, reminded the County Commissioners that notice was given in the *Cumberland Times-News* on Saturday, October 2, 2021, that the Allegany County Commissioners would sponsor public hearings 1) to obtain views of citizens on Community Development, Economic Development, and Housing Needs; and 2) to offer citizens the opportunity to review the application for funds for the Flintstone Wastewater Treatment Plant Upgrade.

Mr. Nedved explained that for the Flintstone Wastewater Treatment Plant Upgrade Project, the Allegany County Commissioners submitted an application to the Maryland Department of Housing and Community Development on October 7, 2021, in advance of the October 8, 2021 deadline, for a Community Block Grant in the amount of \$800,000. Mr. Nedved further explained that a draft of the application for the project was available for the public to review, and to provide comments, beginning Monday, September 20, 2021, at the Allegany County Department of Economic and Community Development. He added that the public could review and provide comments on the application for five working days, with the last day being Friday, September 24, 2021.

Mr. Nedved then said that he wanted to open the hearing for any questions or comments regarding the subjects.

Commissioner Shade opened the Public Hearing and asked if anyone had a question or comment. There were none. Hearing closed.

ACTION AGENDA

Item 5 – Lease/Purchase Agreement between the Board of County Commissioners and AB Pittsburgh Plate Glass, LLC – Board of County Commissioners to approve a five-year Lease/Purchase Agreement with AB Pittsburgh Plate Glass, LLC, Cumberland, Maryland, approve a consent to assignment of the lease, approve to assume all rights and obligations of Hetzel Properties, LLC, and to authorize the President of the County Commissioners to sign the documents – Nathan D. Price, Sr., Project Manager, presented background and information, as set forth on his staff report on the subject dated October 7, 2021, a copy of which is attached to and made a part of these Minutes. He pointed out that the property address is 11201 Pittsburgh Plate Glass Road, Cumberland, Maryland, located in the North Branch Industrial Park. Mr. Price then called forward the President of AB Pittsburgh Plate Glass, LLC, Mr. Jim Abdo, to say a few words.

Mr. Abdo thanked for County Commissioners for the opportunity to be at this evening's meeting, and then introduced Mr. Gordon Bruist, Chief Operating Officer. Mr. Abdo commented on the good experience his company has had working with Allegany County, and he acknowledged Jeff Barclay and Nathan Price for their assistance. He referred to the Department of Economic & Community Development as extremely professional and said that his experience in Allegany County has been extremely positive. Mr. Abdo remarked on his company's plans for their relocation to Allegany County and how happy they are to be in Allegany County.

Commissioner Creade Brodie welcomed Mr. Abdo and told him to let the Commissioners know if there is anything further, they can do to assist.

Mr. Abdo added that the company hopes to be operational in Allegany County as early as the first quarter of 2022. He remarked that everything is happening really quickly.

The other Commissioners also welcomed Mr. Abdo.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved a five-year Lease/Purchase Agreement with AB Pittsburgh Plate Glass, LLC, Cumberland, Maryland, approved a consent to assignment of the lease, approved AB Pittsburgh Plate Glass, LLC to assume all rights and obligations of Hetzel Properties, LLC, and authorized the President of the County Commissioners to sign the documents.

Item 6 – Allegany County Department of Public Works American Rescue Plan Funding – Board of County Commissioners to approve \$4,665,000 from the American Rescue Plan Stimulus funding for the Department of Public Works – Adam Patterson, PE, Director of Public Works, presented a list of projects for which the Public Works Department. would like to utilize American Rescue Plan funds. This list is set forth on Mr. Patterson's staff report on the subject dated October 1, 2021, a copy of which is attached to and made a part of these Minutes. He pointed out that the projects listed will not raise customer rates.

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners approved \$4,665,000 from the American Rescue Plan Stimulus funding for the Department of Public Works.

Item 7 – Last Mile Broadband Infrastructure Grant Program American Rescue Plan Funding – Board of County Commissioner to approve a \$550,000 grant program for Internet Service Providers to extend last mile infrastructure to broadband infrastructure that serves as the final leg connecting the broadband service provider's network to the end-use customer's on-premise telecommunications equipment, and to approve a \$500,000 grant program for households to apply for financial assistance to complete connections to an Internet Service Provider contractor to extend last mile infrastructure to broadband infrastructure – Jacob C. Shade, President, provided background and information on this Item, as set forth on Information Technology Director Beth Thomas' staff report on the subject dated October 5, 2020, a copy of which is attached to and made a part of these Minutes. He pointed out that \$50,000 of the grant will be available directly to residents.

Commissioner Brodie acknowledged all of the work that Commissioner Shade has put in regarding this program, then asked him who the program point of contact will be. County Administrator Jason Bennett explained that the program will be rolling out in the next couple of weeks, and that a press release will go out with all of the details on how to apply. Commissioner Shade confirmed

that there will be two separate programs: one for individuals, and one for internet service providers.

Commissioner Shade moved that the Board of County Commissioner approve a \$550,000 grant program for Internet Service Providers to extend last mile infrastructure to broadband infrastructure that serves as the final leg connecting the broadband service provider's network to the end-use customer's on-premise telecommunications equipment, and approved a \$500,000 grant program for households to apply for financial assistance to complete connections to an Internet Service Provider contractor to extend last mile infrastructure to broadband infrastructure. Commissioner Brodie seconded the Motion. Motion carried to approve.

Item 8 – Temporary Modification to Allegany County Drainage Improvement Program – Board of County Commissioners to authorize the Department of Public Works to temporarily reduce the required private property owner contribution in the Allegany County Drainage Improvement Program from 50% to 20% subject to funding availability and project eligibility – Adam Patterson, PE, Director of Public Works, presented background and information on this Item, as set forth on his staff report on the subject dated September 28, 2021, a copy of which is attached to and made a part of these Minutes.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved and authorized the Department of Public Works to temporarily reduce the required private property owner contribution in the Allegany County Drainage Improvement Program from 50% to 20% subject to funding availability and project eligibility.

CONSENT AGENDA

As recommended by the County Administrator

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

Item 9 – Allegany County Sheriff's Office American Rescue Plan Funding – Board of County Commissioners approved \$117,850.76 from the American Rescue Plan Stimulus funding for the Allegany County Sheriff's Patrol Division.

Item 10 – Allegany County State's Attorney's Office American Rescue Plan Funding – Board of County Commissioners approved \$11,368.96 from the American Rescue Plan Stimulus funding for the Allegany County State's Attorney's Office.

Item 11 – Allegany County Detention Center American Rescue Plan Funding – Board of County Commissioners approved \$445,735.35 from the American Rescue Plan Stimulus funding for the Allegany County Detention Center.

Item 12 – Allegany County Tourism American Rescue Plan Funding – Board of County Commissioners approved \$100,000 from the American Rescue Plan Stimulus funding for Allegany County Tourism.

Item 13 – Skyview Drive Acceptance into County Roads System – Board of County Commissioners adopted Skyview Drive into the County Roads system and be accepted for County maintenance.

Item 14 – Fiscal Year 2022 Unified Planning Work Program – Board of County Commissioners, acting in their authority as the Cumberland Area Metropolitan Planning Organization, approved the purchase of a new Total Station with ATR equipment from Leica Geosystems, Inc., to upgrade the County's abilities to gather topographic and planimetric data to improve the County's GIS data system in the amount of \$24,079.75.

Item 15 – Resolution 21-20 – Rules & Regulations Governing Employees of Allegany County, Maryland Amendments – Board of County Commissioners approved and passed Resolution 21-20, the amendments to the Rules & Regulations Governing Employees of Allegany County, Maryland.

Item 16 – 2020 Planning Grant for Tri-County Council for Western Maryland, Inc. – Board of County Commissioners authorized the President of the County Commissioners to sign a \$30,000 Economic Development Administration Sub-Grantee contract between the Board of County Commissioners and Tri-County Council of Western Maryland, Inc., for County staff to provide support for the development, implementation, revision, or replacement of Comprehensive Economic Development Strategies.

Item 17 – Community Promotions – Board of County Commissioners authorized the County Finance Office to remit \$500 budgeted from the Community Promotions Account to support the Joe Howser Memory Walk to be held on Saturday, October 9, 2021, at the Cresaptown PVAA Sports Complex Track, Darrow’s Lane, Cresaptown.

Item 18 – Request for Tax Abatement – Board of County Commissioners authorized the abatement of the following taxes: \$441.02 for property located at 471 Goethe Street, Cumberland, and \$171.85 for property located at 802 Maryland Avenue, Cumberland, for a grand total of \$612.87. These properties have been acquired by the City of Cumberland and will be demolished for future development.

County Administrator Jason Bennett provided some further details regarding American Recovery Program expenditures. He explained that the County is going to take its time deciding on how to spend the \$14 million in remaining funds, to make sure funds are spent on projects that have a good long-term benefit to Allegany County. Administrator Bennett pointed out that Allegany County has three years to spend this money.

Administrator Bennett also thanked the Allegany County Department of Public Works and Department of Economic & Community Development for their efforts, especially lately.

County Attorney Lee Beeman had no further comments to make at this evening’s meeting.

Commissioners’ statements, comments, recognition –

Commissioner David Caporale acknowledged Delegate Jason Buckel, present in the audience at this evening’s meeting.

Commissioner Creade Brodie pointed out that Delegate Buckel is now the House Minority Leader. The Commissioners offered their congratulations to Delegate Buckel, and there was a round of applause.

Commissioner Jacob Shade acknowledged City of Cumberland Councilman Eugene Frazier, also present in the audience at this evening’s meeting.

Commissioner Shade also discussed the CTP tour held earlier in the afternoon with the State Highway Administration, and thanked Public Works Director Adam Patterson and the Department of Economic & Community Development for their work on this.

Constituents – In order of sign-up sheet

Mr. Wayne Rugh, of 11 Martz Lane, LaVale, spoke on behalf of the residents/property owners of Skyview Drive, and thanked the Commissioners, Adam Patterson and Scott Sweitzer.

Mr. Glenn Stahlman, of 11510 Cash Valley Road, voiced his concerns about the speed limit on Cash Valley Road.

Mr. Danny Williams, of 12916 St. George’s Lane, Mt. Savage, discussed the monument in the front yard of the County Building.

Mr. Williams also requested that something be done about getting cell service in Mt. Savage, Zihlman, and Corriganville.

Ms. Tiffani Fisher, of 184 N. Centre Street, Cumberland, voiced her concerns about Covid-19 and asked that the Commissioners impose a mask mandate.

Ms. Tiffany Brown, of 630 Lincoln Street, Cumberland, also discussed the issue of a mask mandate.

Commissioner Shade gave his opinion that everyone should be vaccinated for Covid-19.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, October 21, 2021, 5:00 p.m.

Announcement – Household Hazardous Waste Special Collection Event (See News Release)

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 6:10 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY
DEPARTMENT OF ECONOMIC
& COMMUNITY DEVELOPMENT

Item 5

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: Jason M. Bennett, County Administrator
FROM: *NDP* Nathan D. Price, Sr. Project Manager
DATE: October 7, 2021
RE: Lease/Purchase By and Between the Board of County Commissioners of Allegany County, Maryland, and AB Pittsburgh Plate Glass, LLC

For the Agenda of: October 7, 2021

Background: AB Pittsburgh Plate Glass, LLC, is looking to lease and ultimately, purchase 11201 Pittsburgh Plate Glass Road, Cumberland, MD.

Issues: AB Pittsburgh Plate Glass, LLC, will sublease this facility to Boutique Labs, a cannabis processor.

Financial Impact: AB Pittsburgh Plate Glass, LLC, will pay \$6,000 per month through the term of the five-year Lease.

Alternatives: None

Other Considerations: Consent to the assignment of the lease to AB Pittsburgh Plate Glass, LLC. AB Pittsburgh Plate Glass, LLC, assumes all rights and obligations of Hetzel Properties, LLC, who began leasing the property on October 3, 2016.

Conformity to County Policy: This Agreement conforms to County policy.

Recommendation: That the County Commissioners authorize approval of the Lease Agreement between the Board of County Commissioners of Allegany County, Maryland, and AB Pittsburgh Plate Glass, LLC, and authorize the President to sign.

NDP:kam

cc: Jason Bennett
Jeffrey Barclay

Phone: 301-777-5967 • www.alleganyworks.org • Fax: 301-777-2194



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

701 Kelly Road, Suite 300
Cumberland, MD 21502
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Item 6

BOARD OF COUNTY COMMISSIONERS

Jacob C. Shade, *President*
Creade V. Brodie, Jr.
David J. Caporale

Director of Public Works
Daniel S. DeWitt, P.E.
County Engineer

STAFF REPORT

TO: Jason Bennett, CPA, County Administrator
FROM: Adam Patterson, P.E., Director DPW *ada*
DATE: October 1, 2021
RE: American Rescue Plan Funds
DPW Project Request

For the Agenda of: October 7, 2021 Public Meeting

1. BACKGROUND

The Department of Public Works is requesting to utilize American Rescue Plan (ARP) Funds for a number of important projects in the Department of Public Works. These projects will rehabilitate and repair the County's public water system, sanitary sewer, address various stormwater and climate change issues, repair a slope failure along the Great Allegheny Passage, and improve heating and ventilation in County buildings. A list of the requested projects is below:

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|---|-------------|
| Bowling Green Meter Replacement | \$1,200,000 |
| Bowling Green Water Booster Pump | \$100,000 |
| Mexico Farms Waterline | \$300,000 |
| Corriganville Waterline | \$200,000 |
| Route 36 Waterline - PRV | \$75,000 |
| Klondike Waterline | \$200,000 |
| Extension County Water | \$125,000 |
| Cresaptown Sewer Replacement | \$100,000 |
| Bowling Green Sewer Replacement | \$100,000 |
| Georges Creek Misc. Sewer Repairs | \$500,000 |
| Uhl Hwy (Golden Ave) PS Rehab | \$100,000 |
| Tri-State (Potomac Park) PS Rehab | \$50,000 |
| Braddock Run Sewer Rehab (Stream Stab.) | \$125,000 |
| Bedford Sewer Rehab | \$50,000 |
| Jennings Run Sewer Rehab | \$150,000 |
| McCoole Sewer Rehab | \$100,000 |
| Bowling Green Misc. Sewer Repairs | \$400,000 |
| Cresaptown Sewer Rehab | \$75,000 |

| | |
|----------------------------------|-----------|
| Flintstone WWTP | \$250,000 |
| OP Misc. Stormwater Improvements | \$250,000 |
| GAP | \$150,000 |
| Annex | \$30,000 |
| Public Safety Building | \$10,000 |
| Courthouse | \$25,000 |

2. ISSUES

N/A

3. FINANCIAL IMPACT

The total request of projects is \$4,665,000. The ARP funding is 100% grant.

4. ALTERNATIVES

Pursue projects in the traditional funding scenario. The County would borrow and request grant funding. The water and sanitary sewer projects would result in customer rate increases to make the improvements.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Approve the following projects: Bowling Green Meter Replacement, Bowling Green Water Booster Pump, Mexico Farms Waterline, Corriganville Waterline, Route 36 Waterline – PRV, Klondike Waterline, Extension of County Water, Cresaptown Sewer Replacement, Bowling Green Sewer Replacement, Georges Creek Misc. Sewer Repairs, Uhl Hwy (Golden Ave) PS Rehab., Tri-State (Potomac Park) PS Rehab., Braddock Run Sewer Rehab. (Stream Stab.), Bedford Sewer Rehab., Jennings Run Sewer Rehab., McCoolle Sewer Rehab., Bowling Green Misc. Sewer Repairs, Cresaptown Sewer Rehab., Flintstone WWTP, OP Misc. Stormwater Improvements, GAP Slide, Annex HVAC, Public Safety Building HVAC, Courthouse HVAC in the total amount of \$4,665,000.

cc: File



Allegany County

Information Technology Division

701 Kelly Road, 2nd Floor
Cumberland, MD 21502
(301) 777-2438

Item 7

Elizabeth Thomas Tanner
Director of Information Technology

To: Jason Bennett, County Administrator
From: Beth Thomas Tanner, Director of Information Technology
Date: October 5, 2020
Re: American Recovery Fund: Last Mile Broadband Grant Programs

Staff Report for the Agenda of: Thursday, October 5, 2020

1. Background

Requesting approval for the Allegany County Last Mile Broadband grants to assist households and ISP's connect unserved residents to broadband networks. The focus of the Allegany County Last-Mile Broadband Grant programs is to provide resources to new and existing Internet Service Providers (ISP) to invest in building broadband infrastructure that supports economic development, public safety, remote learning, telehealth services, and overall community prosperity in Allegany County.

2. Issues

Broadband availability is limited in areas of Allegany County. Assistance to households and ISP's will help continue to fill gaps in service areas.

3. Financial Impact

Funding is available through the American Recovery Fund; fund guidelines indicate that they can be used to make necessary investments in broadband infrastructure.

4. Alternatives

N/A

5. Other Considerations

N/A

6. Conformity to County Policy

The Information Technology Division and the America Recovery Fund looks to support and assist in the expansion of broadband resources.

7. Recommendation

Approve a \$550,000 grant program for ISPs to extend last mile infrastructure broadband infrastructure that serves as the final leg connecting the broadband service provider's network to the end-use customer's on-premise telecommunications equipment.

Approve a \$500,000 grant program for households to apply for financial assistance to complete connections to an ISP contractor to extend last mile infrastructure to broadband infrastructure.



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

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Item 8

BOARD OF COUNTY COMMISSIONERS
Jacob C. Shade, *President*
Creade V. Brodie, Jr.
David J. Caporale

Director of Public Works
Daniel S. DeWitt, P.E.
County Engineer

STAFF REPORT

TO: Jason M. Bennett, CPA, County Administrator

FROM: Daniel S. DeWitt, P.E. – County Engineer *D. DeWitt*

CC: Adam Patterson, P.E. – Director of Public Works *Adk*

DATE: September 28, 2021

RE: **Proposed Temporary Modification to
Allegany County Drainage Improvement Program**

For the Agenda of: October 7, 2021 Public Meeting

1. BACKGROUND

The Allegany County Commissioners established the Drainage Improvement Program to address drainage issues on private property. This program utilizes available funding to the extent practicable to assist property owners with drainage concerns that are not otherwise the responsibility of Allegany County.

The program is normally offered where the County will pay as much as 50% of the eligible project cost with the private property owner(s) contributing the balance.

Hurricane Ida passed through Allegany County on September 1, 2021 and created or exacerbated several drainage problems Countywide. Private property owners have requested County funding assistance with numerous stormwater-related problems in the weeks since Ida.

As a result of myriad issues Countywide that will be otherwise difficult or impossible to address at a 50/50 funding split, the Department of Public Works is recommending a temporary modification to the parameters of the Drainage Improvement Program. To address runoff-related damages, DPW recommends reducing the funding required from private property owner(s) on individual projects from 50% to 20%. The County would then be responsible for as much as 80% of the eligible project cost.

Unless otherwise directed, this temporary reduction will remain in effect until and unless the County Engineer recommends moving the ratio back to the originally-adopted 50/50 split.

2. ISSUES

None

3. FINANCIAL IMPACT

County personnel are recommending a portion of the County's American Rescue Plan (ARP) monies be obligated for this purpose. As such, the 80/20 funding split will be eligible for consideration up until such time that available ARP monies are expended and/or the County Engineer recommends the ratio be restored back to the original 50/50.

4. ALTERNATIVES

Do not approve a temporary modification the Drainage Improvement Program.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

This project conforms with County policy.

7. RECOMMENDATION

Authorize Department of Public Works to temporarily reduce the required private property owner contribution in the Allegany County Drainage Improvement Program from 50% to 20% subject to funding availability and project eligibility.

cc: FILE